

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

July-August-September 2009

A.L.A.A Membership Application

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 _____

Address _____

City _____ State _____ Zip _____

Phone _____

Email _____

Club Affiliations _____

Hobby Interest _____

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.



American Lands Access Association, Inc.

Protecting the Public Lands for the Public

July August September 2009

President Message

By Dick Pankey

In case you haven't heard our trailer was totaled about 110 miles from home and 2 and a half hours into our 5 week trip to Yellowstone NP and the AFMS Show/Meeting in Billings, MT. Our trip was cancelled!! Nobody was hurt nor even shaken up. Nobody else was involved in our event. Only a totaled trailer and a smashed up truck.

Slowly my life is returning to normal. I have been spending a lot of time and energy on insurance and related matters, truck repairs, and acquiring and setting up a new trailer. The insurance settlement is complete, the truck is back to normal and we have a new trailer. We are back on the road.

I am so disappointed that I missed all the events at Billings, especially the ALAA meeting. A Big Thank you to Shirley for stepping up to run the meeting and get the many items on the agenda accomplished. The approval of the revised Bylaws and implementing the new OP's are significant accomplishments for ALAA's structure and workings. Dee and Shirley did an excellent job on the Bylaws and Operating Procedures.

We held our first election in 2 years. Congratulations to our Officers and Directors and thank you for accepting your positions and committing yourself to the goals and mission of ALAA. And thank you for electing me your President. I look forward to serving and to working with all of you.

Be ready for action. The challenges and the needs are great. The opportunities for us, for ALAA, to make a difference are there for us to seize. We are a national organization and our Officers and Director, and our members, are from throughout the US. All of our O&D need to be involved, need to be active. Our members need to be involved. We want your ideas. We need your support and participation.

To meet our goals and mission, we are focusing on membership. Not only numbers but with involvement. I encourage potential members to join now rather than wait until December to join for 2010; we revised the dues structure to allow for new member dues paid after July 15th to be considered as paid in full for the following calendar year. If you know of individuals or societies who are waiting to join ALAA tell them that there is no reason to wait. Join NOW and become part of the team.

When it comes to legislation affecting our public lands thing seem to move slowly, slowly with no apparent activity for a long time then it is moved to the fast track. Monitoring and communicating status and needed action are very difficult. At this time the ALAA newsletter is only published every 3 months. If we wait for the newsletter it will probably be too late to respond and take action. E-mail is a great way for rapid and inexpensive communication. ALAA is setting up an "e-mail tree" so that we can quickly and effectively get the word out about pending legislation or regulatory activity that require the response of our members. If you have an e-mail address make sure that you provide it to our treasurer so that you may be included in the "e-mail tree."

Another great source of timely information is the ALAA web site – www.amlands.org. It is full of a lot of great, up-to-date information. It is a major communication source between newsletters. I would recommend that all members check it out at least once a week for the latest news and information. It is also a great source of information about ALAA and includes the last few issues of our newsletters. If you know of someone interested or that should be interested in ALAA refer them to our web site.

Membership Drive

We need each of you to talk up ALAA and have your club members and members of clubs surrounding you to join. We're a member of the Blue Ribbon Coalition – a group working to keep the roads to our collecting sites open to us.

We have a real deal for you. For those new members they can join now and their membership will be paid through December 31, 2010. The dues are: \$25 for single or couples and only \$50 for your whole club.

We are focusing on working with those people who are “managers” of the land” we want to collect on.

In the west it will be Forestry, Bureau of Land Management and State parks. We need to know the person in charge, his/her address, phone and email. What we want to do is have a working relationship with each person and his/her crew who manages the land we collect on and the roads we travel to get there.

In the east, it's property owners and quarry owners as well as Forestry, BLM and State Parks. If they allow collecting by a club, we would like to know that. However, this information will be on a database and not released to the public or other clubs. If a club is interested in a particular quarry, we can search our database, and if listed, we can refer the interested club to the club who works with the quarry owner. If the quarry is not open to collecting under any circumstances, then we'd like to know that as well. We want to be good rockhounds and have a reputation of working with the proper authorities.

In this time of short budgets for those entities, we may be able to help them. If they need help with road management we may be able to help as well. With this stated, we need your help to make our organization grow and be recognized.

Here's what each of you can do. Bring in

at least one new member/couple. Get your clubs and those surrounding you to join us. In addition to your membership, we're looking for clubs and people who are also willing to be active in our endeavor, especially those who enjoy field trips. In order to keep everyone informed of what's going on, we need to have an e-mail contact for everyone.

We are searching for those people who are willing to work with the bureaucracy of each state or federal entity within each state. In addition we need someone who will be willing to coordinate the clubs in that state. Please go to our website, <amlands.org> and see the states we already have covered.

I encourage you to join us in preserving our collecting sites and the roads to them!

Shirley Leeson

1st Vice President, membership

Membership Benefit By Dick Pankey, President

The Rockhound Sticker™ is an established and easily recognized symbol for all rockhounds. The bright yellow “big” Rockhound Sticker is easy to see when used on vehicles. It says “there is a rockhound in that vehicle. The perfect use of the “small” Rockhound Sticker in on envelopes and letters when writing to your legislator or to land management agencies. It attracts attention and will be remembered. If all of us (or at least a lot of us) used a Sticker when writing letters it will add continuity to our message and will have impact.

To help you get started all new and renewing members will receive a big Sticker and some small stickers. They will be mailed to you with your membership card. So when you get them use them. Put the big Sticker on your car or truck in a very visible place. Then use the little Stickers on the next letter you send to a legislator or to land management agencies

ALAA Membership Dues

We would like to remind you that 2010 ALAA dues can be sent in now. Any checks received after July 1 will be applied to your 2010 account.

Along with your receipt and your membership card you will receive a beginning supply of rockhound stickers and we encourage you to use them on your rockhound correspondence. We need to let everyone know where we stand.

I hope we will receive many of your checks soon and we will be putting the money to good use for the protection of our access to our public lands.

Sincerely, Ruth Bailey, Treasurer

DFG News Release

Moratorium on Instream Suction Dredge Mining, Effective Immediately August 6, 2009

Contact: Kirsten Macintyre, DFG Communications Manager, (916) 322-8911 (916) 322-8911

All California instream suction dredge mining has been suspended following the Governor's signature on a new state law. The ban will be in effect until the Department of Fish and Game (DFG) completes a court-ordered environmental review of its permitting program, expected in late summer 2011.

SB 670 (Wiggins), signed today by Gov. Schwarzenegger, prohibits the use of vacuum or other suction dredging equipment for instream mining in any California river, stream or lake. Consistent with the moratorium, DFG has ceased issuing suction dredge permits, and all previously issued state permits are now invalid.

The moratorium on instream suction dredge mining took effect immediately as an urgency measure, prohibiting the use of vacuum or other suction dredging equipment for instream

mining in reliance on any permit previously issued by DFG.

The moratorium does not apply to suction dredging operations performed for the regular maintenance of energy or water supply management infrastructure, flood control, or navigational purposes.

A violation of the moratorium on instream suction dredge mining is a misdemeanor, punishable by a fine of up to \$1,000 and six months in jail.

DFG is also currently subject to a court order prohibiting the issuance of suction dredge permits. (Leon Hillman et al. V. California Dept. Of Fish and Game, Super. Ct. Alameda County, Case No. RG09-43444.) The order, which prohibits DFG from expending any General Fund money, even indirectly, to issue suction dredge permits, will remain in effect as long as the Hillman lawsuit is pending or until further order of the court.

Additional information can be found at:

<http://www.dfg.ca.gov/licensing/specialpermits/suctiondredge>.

Posted by: Blakely Sanford, Palomar Gem & Mineral Club, Yahoo Group

ALAA Receives Donations By Dick Pankey, President

In the last few months we have received two generous donations. The Lake County G&MS from Grayslake, IL donated \$1000 and the NFMS donated \$737.95. ALAA works on behalf of all rockhounds and users of our public lands. These donations will contribute to the achievement of our goals and mission.

We appreciate the monetary donation and hope their members will also become involved and support our efforts to maintain unfettered access to our public lands.

I extend a special thank you to these two organizations.

Minutes of the 2009 Annual Meeting Billings, Montana August 1, 2009

The annual meeting of the ALAA was called to order in the Holiday Inn Grand, Billings, Montana, on Saturday, August 1, 2009 by vice president Shirley Leeson, in the absence because of an accident in his R.V. to president Dick Pankey. A message from Dick was read. Shirley recognized past presidents, and introduced directors and officers present, including registered agent Dee Holland, webmaster John Martin, directors Bob and Kathy Miller, Norvie Enns, Bill Burns, Bob Carlson, John Wright, Jon Spunaugle, and Evan Day, secretary Anne Cook and treasurer Ruth Bailey. She then conducted the election for three directors being elected for a three-year term: current directors Bob and Kathy Miller, from Indiana, in the Midwest Federation, and new nominee Norvie Enns, from Nevada, in the California Federation. There were no nominees from the floor, and they were elected by acclamation.

Shirley then introduced Greg Mumm, executive director of the Blue Ribbon Coalition, of which the ALAA is a member, along with many other organizations, corporations, and individuals. Its sole focus is to maintain access to public lands for recreational purposes. It works administratively with agencies, such as the park and forest services, and it works legislatively on all three levels of government (local, state, and national) toward this goal. When necessary, it works in the legal sector, often with the agencies. Its agenda includes work in travel management, such as asking for rulings by the Forest Service on what members of the public can do, rather than just what is forbidden. Its work with the Bureau of Land Management resulted in a revision of management planning, and input into wilderness (roadless) area management. There is agreement that in wilderness areas, back-county recreation would be better for much land: it needs management, not closure. Mr. Mumm's

talk was followed by questions and comments from those present.

The meeting then reverted to business. The proposed changes to the By-Laws and the new Operating Procedures were moved to be accepted by Bob Carlson. MOTION PASSED.

Under officer reports, Shirley said that several members of the organization were now on the Regional Advisory Councils, to share our point of view. New secretary Anne Cook had no report. New treasurer Ruth Bailey has opened a bank account and checking account near her, and has received records from Joyce Hanschu, widow of former treasurer Norm Hanschu. Webmaster John Martin has a dedicated e-mail account for his duties: webmaster@amlands.org. Kathy Miller moved to make Joyce a life member of ALAA in recognition of her stepping up and doing both secretary's and treasurer's jobs after Norm's death. MOTION PASSED. Dee Holland moved to recognize two legislators with plaques: Congressman John Culberson of the 7th District, Texas, and Senator Tom Coburn, MD, of Oklahoma. MOTION PASSED.

The Board of Directors then elected its officers: president Dick Pankey, vice president Shirley Leeson, secretary Anne Cook, treasurer Ruth Bailey. Jon Spunaugle moved to accept the budget as presented: MOTION PASSED. There was general approval to have state representatives to coordinate ALAA's efforts in their respective states. Evan Day volunteered to serve in Utah. A member from Colorado spoke of the suggestion to support the idea of having "rock-collecting licenses", similar to hunting and fishing licenses; they would give legitimacy to collectors, and bring in revenue for states. The idea will be considered.

Bill Burns moved to adjourn at 4:50 PM. MOTION PASSED.

Respectfully submitted,
Anne Cook, secretary

Another Round of Wilderness Proposals is in the Wind

By John Martin
ALAA Internet Committee
AFMS Conservation & Legislation Committee

You know the old saying, “*Keep your friends close and keep your enemies closer*”, well, I have just received the latest copy of the California Wilderness Coalition newsletter and they are at it again.

They are requesting donations to support their lobbying efforts to sway our senator to create and pass legislation to create new wilderness areas throughout the deserts of California. They are requesting over 400,000 acres of new or added wilderness areas or worse, to include new national parks or monuments, be created through this proposed legislation.

Some of the new wilderness areas that are being discussed encompass over 260,000 acres which include the Avawats Mountains north of Baker, the Soda Mountains north of I-15 between Barstow and Baker in which both ranges contain some prime collecting areas.

They are proposing another 80,000 acres to be added to the Death Valley National Park which is between the park and Fort Irwin and is known as the “Bowling Alley”.

The creation of several new National Monuments and National Parks in the California Deserts are also on their agenda which would eliminate all collecting in these new areas.

Also under consideration are the Deep Creek area of the San Bernardino Mountains and Surprise Canyon of the Panamint Mountains for inclusion in the Wild and Scenic River Designations.

The Castle Mountains are located along the California-Nevada border and are surrounded on three sides by the Mojave National Preserve and over 30,000 acres are being considered for induction into the Mojave National Preserve.

All of these new proposed areas will put a real damper on our ability to drive, collect, camp

and enjoy our public desert lands if enacted.

Please consider contacting your elected officials before it is too late or the only displays at rock shows in the future will be photographs we have bought, from the Lobby Groups like the Sierra Club or California Wilderness Coalition, to display in our cases.

We have our own Lobby group and I encourage you to help support our effort to counter these other groups by supporting, joining or donating to the American Lands Action Association (ALAA) and help save our collecting areas and keep our Public Lands open to all public users.

Senator Feinstein is at it Again

California’s Senator, Diane Feinstein is proposing another round of California Desert closures which will include additions to and several new Wilderness Areas of 361,957 Acres, Two New National Monuments of 1.76 Million Acres, which include some of the best collecting areas in Southern California. It is being proposed as the **California Desert Conservation and Recreation Act**. The first National Monument is Mojave National Monument and consists of the following:

- Establishes a national monument managed by the Bureau of Land Management (BLM) covering approximately 1.6 million acres of the land between Joshua Tree National Park and the Mojave Preserve, including approximately 320,000 acres of former Catellus lands. (It follows old US Route 66 from Barstow, Ca. to Needles, Ca. and where allowable 10 miles on both sides of the highway)
- All existing uses would be allowed to continue, including hunting, vehicular travel on existing open roads and trails, grazing, camping, horseback riding, rock collecting, etc.
- All valid existing mining claims would remain, but new mining claims would be prohibited.

The next will be called **Sand to Snow National Monument** and will consist of the following:

- Establishes a national monument covering approximately 161,000 acres of land between Joshua Tree National Park and the San Bernardino National Forest in San Bernardino and Riverside counties.
- Management of this monument would be very similar to the Mojave National Monument. The

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JUST MY OPINION

In the last newsletter I read that we were going to have a meeting at the Northwest Federation show at Billings. An excellent show might I add, Anyway, we were to elect officers, etc. at this annual meeting I don't know about anybody else but I don't remember doing any voting. Yet we have a full slate of officers and directors! On top of that we have people who are serving on 2, 3 or 4 other boards all the way from the American Federation to the area federations down to the local clubs. Now I find it admirable that certain people are willing to volunteer their time like that BUT with forty eight thousand club member in the Federations do you mean that we can't get a few who can dedicate one hundred percent of there time to just the A.L.A.A.? It sure would take a lot of pressure off those who find that they have to do double duty for our cause. It would also make it more efficient.

After the meeting, at which we didn't get anything done, I talked to Shirley about some of my thoughts. One was that, seeing as how we couldn't do anything about the fiasco that was passed in the omnibus bill, we would now have to start on the long road to dismantling some of it. Obviously, that part pertaining to us! I mentioned that we need a Rockhounds Bill of Rights. She stated that we had one in the ethics statement for the American Federation. Now I have read and re-read the AFMS Code of Ethics and I find it a very good ethics statement with the exception of an item that I believe shouldn't be in it, but that's a subject for later. A Bill of Rights should state what our rights are now and what we are going to do. Such as, "We the rockhounds and people of the United States have the right to collect rocks, minerals and anything else from OUR federal lands without restriction, license or fee. All jurisdictions that are managing said lands shall be required to assist in making available access to the lands under their care. Such as, but not restricted to, the making of roads to allow access to pertinent areas and making all areas accessible to the young, elderly

and handicapped." Etc, etc. You get what I mean. It took ten years for the paleontologists to get their bill across and it might take that long to get the Bill of Rights across so it has to be started NOW. What is this, every jurisdiction is to interpret and enforce the provisions of the bill as they see fit!! Talk about a mixed up affair. Politicians, God love them, nobody else will !

I'm giving my services as the A.L.A.A. representative for the state of Illinois. There were, I believe, two volunteers from the state of California. So, HELLO, how about the other 48 states!!

I know, out of sight out of mind. Call one of the officers and ask what YOU can do.

James J. Filipek

Illinois state representative for A.L.A.A.

Protect your right to collect on public lands before the politicians in Washington legislate you out of it. Join A.L.A.A. (American Lands Access Association) and your local rock club.

Help Me Lose A Bet!

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at SummitPost.org (the count of hits is in the teal banner at the top of the post) or it can be accessed directly on YouTube. It's entitled "To Fee Or Not To Fee That Is The Pertinent Question." It's full of beautiful mountain scenery and closes with a clever segment about the highly questionable fee.

Ten minutes very well spent. I predict that you will be smiling before it's over.

I encouraged Aaron to make this video, and he came through in high syle. So here's my promise. If it gets at least 470 viewings by the end of the year, I will buy him dinner the next time Aaron and I meet. Bet you can't do it!

[Just click right here!](#)

Cheers, Kitty

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America's Red Rock Wilderness Act S. 799 & H.R. 1925

What are the chances of passing America's Red Rock Wilderness Act in the 111th Congress? Very Good if we take no action!

The American's Red Rock Wilderness Act of 2009 will designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah. This bill, if enacted, would designate 9.4 million acres of land managed by the Bureau of Land Management (BLM) in Utah as Wilderness.

According to a Congressional Research Service report, 5.7 million BLM acres is nearly 3 times the BLM wilderness recommendations and 75% more than the BLM's Wilderness study acreage. The 5.7 million acres amounted to 26% of all BLM lands in Utah, and **11%** of the entire state.

October 1, 2009, the massive Utah Wilderness bill, known as the **America's Red Rock Wilderness Act of 2009, HR 1925**, will be heard in the U.S. House of Representatives Natural Resources Committee.

The core of America's Red Rock Wilderness Act remains the same. It still proposes to designate road less wilderness for BLM public lands in Utah. The areas considered for closure are:

- o Great Basin Areas ~ 2,240,827 acres**
- o Zion/Mojave Desert Areas ~ 160,000 acres**
- o Grand Staircase-Escalante Areas ~ 1,771,717**
- o Moab-LaSal Canyons Areas ~ 256,815 acres**
- o Henry Mountains Areas ~ 444,204 acres**
- o Glen Canyon Areas ~ 906,446 acres**
- o San Juan-Anasazi Areas ~ 520,606 acres**
- o Canyonlands Basin Areas ~ 689,884 acres (Moab Jeep Trails)**
- o San Rafael Swell Areas ~ 1,098,773 acres**
- o Book Cliffs/Uinta Basin Areas ~ 1,015,821 acres**

There is no question that our access to Rockhounding sites would be severely curtailed, if not totally destroyed, by these bills. Sec. 209 withdraws entry and disposition of minerals, so we can't pick up anything anyway.

In Sec. 204, the Dept of the Interior will grab all the water rights in the wilderness areas, regardless of existing downstream prior rights. This is a crucial issue in a desert state with ranching, farming, industry and homesteads dependent on seasonal water.

With the expanded Democratic majority in Congress, the chances are the best they've been in over a decade. Returning and new pro-wilderness Members of Congress are in position to move legislation that closes Utah's public lands. At the very least for the 111th Congress, the Utah wilderness champions have been discussing the possibility of Congressional hearings on this legislation in their Levant committees, and more Congressional support makes that important first step to a bill's movement even more likely.

Cosponsors (See below) are important if Utah wilderness faces attack in Congress and with your

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help we can foster that attack. Should legislation be introduced that proposed a different Utah wilderness or would otherwise threaten these lands, America's Red Rock Wilderness Act stands as the benchmark for Utah public lands closure legislation that other proposals must help to cancel.

Cosponsors (See below) reaffirms the national importance of America's Red Rock Wilderness, they are providing support for actions by the Obama administration to develop stronger management policy: By gaining support from Members of Congress from throughout the country, they demonstrate that closing public lands in wild Utah is indeed a national issue that is getting national attention. If we do not take action soon the supporters will work to urge the Obama administration's Interior Department to change the policies, regulations, and guidelines that prevented our public lands from closing under President Bush. We need to proactively pursue a unified effort that keeps Public Lands open for all public use. This is an important compliment to our legislative goals.

Senator Bennett is a new Member of the Public Lands Subcommittee in the Energy and Natural Resources Committee and a contact website is listed below.

<http://www.govtrack.us/congress/person.xpd?id=300007>

We need you to write to Senator Bennett asking him not to support S 799 and that we are in support of his effort in keeping Utah's Public Lands open to all Public Users and not the Special Interest Groups who want to close 9 million Acres for their own usage.

Utah's political representatives need to know that the majority of Utahans and concerned people from all across the United States oppose this bill, and they need to hear it from you. Today please.

Rep. Rob Bishop: 202-225-0453

Rep. Jim Matheson: 202-225-3011

Rep. Jason Chaffetz: 202-225-7751

Be polite. None of Utah's Representatives or Senators supports this madness. If you call now, you can make this bill look like **toxic waste**, so that none of Utah's representatives will ever come near it. Ever. Contact your own state's House Representative and asks them NOT to support S 799, the American's Red Rock Wilderness Act of 2009

The Senate is much more willing than the House to abide by the wishes of home state representatives, so Bennett's new appointment may have a negative impact in Durbin's ability to hold a hearing on the Red Rock bill this Congress. This can work in our favor and give us some time to act.

These are the sponsors of the bill at this time; writing to them is not advised as they are going to be pushing this legislation through the senate. Feel free to contact any of the 80 senators not listed and offer your comments and opinions.

Senate Sponsor [Richard Durbin \[D-IL\]](#)

House Sponsor [Rep. Maurice Hinchey \[D-NY22\]](#)

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Senate Co Sponsors

House Co Sponsors (132), too many to list here.

- [Barbara Boxer \[D-CA\]](#)
- [Benjamin Cardin \[D-MD\]](#)
- [Thomas Harkin \[D-IA\]](#)
- [Frank Lautenberg \[D-NJ\]](#)
- [Robert Menéndez \[D-NJ\]](#)
- [Bernard Sanders \[I-VT\]](#)
- [Mark Udall \[D-CO\]](#)

- [Roland Burris \[D-IL\]](#)
- [Russell Feingold \[D-WI\]](#)
- [Edward Kaufman \[D-DE\]](#)
- [Patrick Leahy \[D-VT\]](#)
- [Jeff Merkley \[D-OR\]](#)
- [Charles Schumer \[D-NY\]](#)
- [Sheldon Whitehouse \[D-RI\]](#)

- [Maria Cantwell \[D-WA\]](#)
- [Kirsten Gillibrand \[D-NY\]](#)
- [John Kerry \[D-MA\]](#)
- [Joseph Lieberman \[I-CT\]](#)
- [John Reed \[D-RI\]](#)
- [Debbie Ann Stabenow \[D-MI\]](#)

Attached are the current bills that are going through their committees at this time. It is provided for your reading and to help formulate an informed response to be sent to your elected officials.

Please pass this on to all Rockhounds and Clubs in your area

Thank you for your time and effort in this urgent matter.

John Martin
ALAA Internet Committee

John,

I downloaded S.799 and H.R.1925, and gave them a quick read. The most worrisome feature is the lack of a map showing exactly what is to be set as wilderness areas. The administrative portion of S.799, Sec. 201, references a map from the 111th congress with the Bill number deleted so we can't guess what is proposed. Then goes on to say that AFTER the bill is enacted: THEN the secretary will prepare a map and tell us what the boundaries of each wilderness area will be. Blank Check? Pig-in-a poke?

In any event, I'm familiar with many of the names of the proposed Utah wilderness areas from reading and commenting on the BLM & USFS's Resource Management Plans, particularly the Richfield, UT Field Office plan. It appears ALL of the areas SUWA is proposing in the Richfield Office district are those rejected out of hand by the BLM in their plan. Undoubtedly the same is true throughout the State. There is no question that our access to Rockhounding sites would be severely curtailed, if not totally destroyed, by SUWA's bills. My wife and I are of an age where we need motorized access to collecting sites. Besides, Sec.209 withdraws entry and disposition of minerals, so we can't pick up anything anyway.

In Sec. 204, the Dept of the Interior will grab all the water rights in the wilderness areas, regardless of existing downstream prior rights. This is a crucial issue in a desert state with ranching, farming, industry and homesteads dependent on seasonal water.

Thank God, our Utah Senators and Representatives are reasonable people, willing to fight for their constituents. I didn't find that ANY of the co-sponsors of the two bills are from the Rocky Mountains or Desert Southwest. SUWA has only a handful of members from Utah, regardless of the name.

Evan Day, Utah Director, American Lands Access Assn.

BLM Announces Adjustments to Mining-Related Location and Annual Maintenance Fees

The Bureau of Land Management today published in the Federal Register a notice that it is adjusting for inflation its fees for the location (or “staking”) and maintenance of unpatented mining claims, mill sites, and tunnel sites. The location fee will increase from \$30 to \$34 and the maintenance fee will rise from \$125 to \$140 for such unpatented claims, in which no federal land has been transferred to the individual or company staking the claim.

The adjusted fees are due on or before September 1, 2009. Mining claimants must pay the new location fee for any mining claim or site located after the effective date of this final rule, which is today (June 29, 2009). Those who have already submitted maintenance fees for the 2010 maintenance year will be given an opportunity to pay the additional amount without penalty upon notice from the BLM.

Since Fiscal Year 1993, mining claimants staking new claims or sites have been required to pay a one-time location fee. Claimants must also pay an annual “maintenance” fee in lieu of performing annual assessment work and making annual filings.

In accordance with the Mining Law of 1872, as amended, and in light of recent related regulatory actions, the BLM is announcing today a new final rule that establishes a regular schedule for adjusting mining-related location and annual maintenance fees. Specifically, the new rule authorizes adjustments to these fees to reflect changes in the Consumer Price Index every five years after August 10, 1993, or more frequently if the Secretary of the Interior determines an adjustment to be reasonable.

The BLM has not adjusted location and maintenance fees since 2004. The adjustments made in this final rule are based on the change in the Consumer Price Index from December 31,

2003, through December 31, 2008, as reported by the Bureau of Labor Statistics.

The link to today’s final rule in the Federal Register is:

<http://edocket.access.gpo.gov/2009/pdf/E9-15248.pdf>

John Martin

At It Again (Continued from page 7)

primary differences are that this monument would be jointly managed by the BLM and Forest Service and the composition of the monument advisory council would include groups local to the area.

The new Wilderness areas combined would comprise approximately 365,000 acres and are distributed as follows:

- BLM Wilderness: 265,544 acres
 1. Avawatz Mountains WSA: 102,000 acres
 2. Great Falls Basin WSA: 7,462 acres
 3. Golden Valley Additions: 22,122 acres
 4. Kingston Range WSA: 52,960 acres
 5. Soda Mountains WSA: 81,000 acres
- National Park Wilderness: 89,272 acres
 1. Death Valley National Park: 89,272 acres
- Forest Service Wilderness: 7,141 acres
 1. San Bernardino National Forest – San Gorgonio Wilderness: 7,141 acres

A **Special Management Area** is proposed to include the following:

- As an alternative to wilderness, this section would create a “special management area” covering a total of 32,000 acres in eastern Imperial County and 47,000 acres of potential wilderness, much of which is former Catellus land.
- Permitted uses would be hiking, camping, mountain biking, sightseeing, hunting, off-highway vehicle use on designated routes and horseback riding. Prohibited uses would include new mining, permanent roads, commercial uses, or activities that would preclude the potential wilderness areas from becoming wilderness in the future. As more information becomes available look for updates in the ALAA Newsletter. John Martin

Tooele County Closures

Friends,

Here is a report of an access meeting I attended yesterday in Tooele, Utah. Please feel free to publish it in your newsletters. I would be interested in your views on my perception of the event as one who had no previous knowledge of the specific issues involved.

Evan Day, Utah Director, American Lands Access Association
Brigham City, UT

Tooele County Closures.doc 9/2/09

The "Slobs" and "Rogues" did it again! I mean repeated vandalism, trash, cutting fences, deliberate bypassing of gates and berms, ruts and erosion in trails, destruction of signs and kiosks, "donuts" in meadows, etc, etc. This finally caused a 5-0 vote of the Tooele County Commission to permanently close several nice riding trails in the Oquirrh Mountains, Southeast of Salt Lake City, Utah on September 1, 2009.

I received a Blue Ribbon Coalition alert that this action was pending, and decided to attend to see what might be going on? For many years, our County Commissioners in Utah have been in the forefront of battling the BLM and USFS efforts to close existing trails, especially RS2477 roads. I asked myself "what has happened near Tooele to change this?" Turned out that years of frustration had led to months of Planning Commission hearings, with the BLM, Tooele County, Landowners, and the Tooele Trails Committee all participating; and this meeting was to formalize the resulting recommendation to close the worst problem trails. In fact, there is a superb network of trails

left open atop the Oquirrh, most of it on Private land. There are plenty of opportunities for recreation, including access for my hobby of rockhounding. The area has been settled for 150 years, with gold, silver, and copper mining, plus lots of ranching. Frankly, the rancher "stakeholders" that were asked their opinion of the ordinance made a lot of sense.

And here are some observations and lessons to be learned from this meeting.

- Those of us who ride and drive responsibly need to police the rest who don't; the Deputies can't be everywhere. The Commissioners repeatedly acknowledged that it was only a small percentage of riders that disregard common sense, but enough was enough! When we spot irresponsible behavior, if at all possible get names, license numbers, photos of the damage, and immediately call 911 for police action.
- We need to help build and maintain the trails and roads; it is not solely up to the government and ranchers. One rancher commented that he personally had built one of the closed trails, and no one using it had ever lifted a finger to help maintain it. The Commissioners noted the great job of the 4-wheeler clubs are doing with trails, fences, signs and information kiosks in the Factory Butte open area near Hanksville, UT.
- Public input, including ours, needs to get started at the very beginning; no public comment was allowed at this late stage. We each have to keep alert for articles in local newspapers regarding road and trail access issues, monitor county Planning and Commission agendas, and get our members to volunteer on committees. Maybe we can avoid things like the "threats" mentioned by the Commissioners, or such incidents as deliberate destruction of hunters' trail cameras.

*Evan Day, Utah Director
American Lands Access Association*

ROCKHOUNDING IN CALIF. STATE PARKS

By John Martin

AFMS Conservation & Legislation Committee
Via the CFMS Newsletter

During the last several months there have been several incidences where rockhounds have had an encounter with an authority figure over collecting in a California State Park or on a California State Beach. After lengthy searches on the internet, hours of reading regulations and several trips to the local State Senator's office, there is light at the end of the tunnel, and it is not the headlight of the approaching train.

Yes, Virginia, there really is rock collecting within the boundaries of California State Parks and California State Beaches. The collecting regulations are intermixed within several dozen California Code of Regulations documents, which give explicit collecting requirements and conditions. This does not mean that collecting is allowed at all parks and beaches nor does it exclude collecting from all parks and beaches. As it turns out, each unit within the California State Parks System, through its own regulatory processes, may, can and will regulate rockhounding within its own boundaries within the regulations established at the state level.

During the search of the regulations covering rockhounding, it was discovered that there is no actual reference to the collecting of paleontological resources, such as fossils, petrified bone or petrified wood, nor is there any exclusion for these. So, during visits to California State Parks and Beaches for rockhounding activities, just keep in mind their definition of rockhounding as defined in the California Code of Regulations.

There are over 200 units within the California State Parks System, and therefore there could be over 200 different collecting regulations. After surfing several State Park and State Beach web sites, I discovered no consistency in published unit regulations. For example, Hearst San Simeon State Park allows rockhounding as pub-

lished in the California Code of Regulations; Carpinteria, El Capitan and Gaviota State Beach web sites had no mention of rockhound opportunities.

Some of the State Park web sites included Providence Mountains, which includes Mitchell Caverns, Silverwood Lake, which borders the National Forrest, had no mention of rockhound collecting while Red Rock Canyon State Park states that "All plant, animal, natural and cultural features are protected. Collection is prohibited without a permit."

So to be on the safe side and to avoid any confrontation with that big guy with the gun, check at the entrance to the park for the bulletin board where there will be the "Posting of Notices" where special instructions pertaining to areas where activities are curtailed or restricted are to be found for the particular state park or beach.

If there is no posting of restrictions, check with park personnel before collecting to avoid losing the collected specimens or worse yet, receiving a citation from a park ranger where the fine could be between \$10 and \$1,000 or more.

Just remember to follow the California Code of Regulations for Rockhounding and you should be safe. "Check before you collect." Below is the California Code of Regulations pertaining to the California State Parks and Beaches to serve as a guide while rockhounding.

CALIFORNIA CODE OF REGULATIONS TITLE 14. NATURAL RESOURCES DIV. 3. DEPT. OF PARKS & RECREATION CHAPTER 1. GENERAL

§ 4307. Geological Features.

(a) No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves.

(b) Rockhounding may be permitted as defined in Section 4301(v).

§ 4308. Archaeological Features.

No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or histori-

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cal interest or value.

§ 4309. Special Permits.

The Department may grant a permit to remove, treat, disturb, or destroy plants or animals or geological, historical, archaeological or paleontological materials; and any person who has been properly granted such a permit shall to that extent not be liable for prosecution for violation of the foregoing.

CALIFORNIA CODE OF REGULATIONS
TITLE 14. NATURAL RESOURCES
DIV. 3. DEPT. OF PARKS & RECREATION
CHAPTER 1. GENERAL

§ 4301. Definitions.

(i) Posting of Notices. The term “posted” as used herein, unless otherwise indicated, shall mean and require that the Department shall set aside at the district headquarters and at the unit affected and in a location convenient to the general public, a bulletin board or similar device upon which shall be posted all special instructions, orders, pertaining to units of the district including but not limited to special hours of operation, swimming and boating restrictions, hunting and camping restrictions, and special instructions pertaining to areas where activities are curtailed or restricted. Proof of posting shall be filed in the offices of the division chiefs or the Sacramento California Office of the Division of Off-Highway Motor Vehicle Recreation.

(t) Unit. Unit means any named and classified unit under control of the Department of Parks and Recreation, as well as any Department projects which have not yet been named or classified.

(v) Rockhounding is defined as being the recreational gathering of stones and minerals found occurring naturally on the undisturbed surface of the land, including panning for gold in the natural water-washed gravel of streams.

(w) Float Material is defined as materials only occurring naturally on the surface of the land.

TITLE 14. NATURAL RESOURCES
DIV. 3. DEPT. OF PARKS & RECREATION
CHAPTER 6. PROVISIONS LIMITED TO SPE-

CIFIC UNITS

§ 4611. Rockhounding.

(a) Rockhounding is authorized by Section 5001.65 of the Public Resources Code.

(b) Units and portions thereof open for Rockhounding will be posted in accordance with Section 4301(i).

(c) Commercial Use. Rocks or mineral specimens gathered within a unit may not be sold or used commercially for the production of profit.

(d) Maximum Take. One person may gather, in one day in one unit, not more than 15 pounds of mineralogical material or not more than one specimen plus 15 pounds of mineralogical material.

(e) Use of Tools. Tools, except goldpans to be used in gold panning, may not be used in rockhounding within a unit.

(f) Areas for Swimming and Boating. In state recreation areas rockhounding may not be practiced in areas designated for swimming or for boat launching.

(g) Areas Limited for Collecting. In state recreation areas rockhounding is limited to beaches which lie within the jurisdiction of the Department and within the wave action zone on lakes, bays, reservoirs, or on the ocean, and to the beaches or gravel bars which are subject to annual flooding on streams.

(h) Indian Artifacts. Rockhounding in a unit specifically does not include the gathering of Indian arrowheads, Indian stone tools, or other archeological specimens, even when such specimens may be found occurring naturally on the surface.

(i) Panning for Gold. Panning for gold is considered to be “rockhounding” as the term is applied in the Department. The goldpan is the only exception permitted to the exclusion of tools from rockhounding in a unit as provided in Section 4610.5. Muddy water from panning operations must not be visible more than 20 feet from the panning operation.

California State Beach Regulations General Regulations (14 Cal. Code of Regs.) 6) Geologi-

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cal Features. No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves except rockhounding may be permitted as defined and delineated in Sections 4611 (a) through (i) (14 Cal. Code of Regs. 4307). 7) Archaeological Features. No person shall remove, injure, disfigure, deface, or destroy any object of archaeological or historical interest or value (14 Cal. Code of Regs. 4308).

Dealer Cited for Selling Contraband

The following incident occurred at the Nipomo show on or around August 8, 2009.

One incident occurred late today that really chapped my hide.

One of the dealers from Southern California whom most of you know but whom shall remain unnamed got into legal trouble today. He was selling a piece of personal jewelry given to him by a friend from Colorado, a Native American artisan created it in Colorado.

This item was a piece of silver jewelry that incorporated a bit of bear claw into it.

A visitor (presumably) to the show reported it as a crime to the CA Dept. of Fish & Game who sent two armed rangers to the show who yanked this dealer aside and seized the item and gave him a court summons which will lead to a hefty fine.

Adding insult to injury this person informed us that the officers mentioned to him they were surprised the show organizers didn't do a good job patrolling the show for contraband.

*Kim Patrick Noyes
Atascadero, CA*

Help Me Lose A Bet!

All, this is one gal we need to keep in touch with. She's doing the same kind of work ALAA is doing. Shirley

Dear Public Lands Supporter,

Just over a year ago, I asked you to help me win a bet by watching a [video](#) by independent producer and photographer Aaron Johnson about the fee program on Mt Evans in Colorado. When the film first came to my attention, it had received 472 viewings on YouTube. I asked Aaron to correct one small error in the closing captions, and he was happy to do that but pointed out that by re-posting the corrected version, his hard-won viewings would be reset to zero.

We agreed that if he would make the change I would publicize the film and try to replace those 472 lost views. He bet me dinner that I couldn't do it. Well, you really came through for me because the film now boasts 2,766 viewings (and counting!)

Aaron and his wife Ellen visited my hometown of Durango, Colorado on a climbing trip this summer and paid off the bet handsomely by hosting my husband Brian and me for a very enjoyable evening of conversation over a delicious meal.

Aaron has just released his latest production, this one exposing a fee that's being charged to climbers for merely parking their vehicle at the trailhead for West Spanish Peak in Colorado's Sangre de Cristo range. This is a fee that was never authorized, is being collected by a private concessionaire, and appears to be not in compliance with the federal law that says fees are prohibited merely for parking and accessing undeveloped backcountry without using any facilities.

The film is part of Aaron's latest post

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Other Sources of Information**ALAA Webpage**

<http://www.amlands.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/>

America Lands Rights Association

ALRA and its members are dedicated to the wise-use of our resources, access to our Federal lands and the protection of our private property rights.

Webpage: <http://www.landrights.org/>