

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

<http://www.amlands.org/>

April - May - June 2011

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

April May June 2011

ALAA President's Message

By Richard Pankey, President, ALAA

The threats to access and use of our public lands are as great today as they have ever been. John Martin the AFMS Conservation and Legislation Chair has kept us informed with articles and information in the AFMS and ALAA Newsletter and on the ALAA web site. The current challenges to access and use is coming from de facto Wilderness designated by Secretary Salazar's directive to re-evaluate all BLM land for "wilderness characteristics." The US Forest Service is rewriting procedures for development of land use plans. This is where we, the rockhounds, can have an affect.

Individual and societal membership in ALAA continues to grow steadily but slowly. We need informed members and rockhounds but to meet our goal and objective of having open access to our public lands we need *involved* members. The work of ALAA is accomplished through the efforts of our member. We need members (and interested rockhounds) to share their skills, their talent, their interest and their time. We have accomplished a lot this past year and a half, but we could do more with more people involved. There are many tasks that we could do or do better or do more if we had the help. We need your help.

My focus this coming year is to continue membership growth and increase rockhound involvement. To accomplish this we need members to:

- Become informed about proposed legislation and the legislative process. Read the bills and regulations. Analyze them and determine their affect on rockhounds and access to public lands. Communicate your findings with ALAA through emails and articles in our newsletter. Help develop ALAA position statements.
- Become informed about proposed regulations and the regulatory process for BLM and the Forest Service. Get involved with a BLM or Forest Service office in your area. Develop a relationship with local personnel. Get on their mailing list to be informed about activities, their Management Plan and meetings. Attend meetings and participate and contribute in the process.
- Write letters, send e-mails, make phone calls attend meetings to let your congressmen and the regulators know what you think and what you want.
- Share what you know and what you did with others and get them involved.
- We especially need people to write articles about land access, about ALAA, our goals and objectives for magazine to the general public – AARP, AAA, RV magazines, your local newspapers, etc.

The assault on our access to public land is great. Now is the time to stand up and be counted. Will you help? Contact me to learn more about how you can help

The Annual ALAA Business meeting will be held on Wednesday evening, July 6th.

(This was the report that I submitted for the AFMS Meeting in Syracuse, NY.)

Dues are Due

People and societies join ALAA throughout the year which leads to confusion on when the ALAA renewal dues should be paid. The fiscal year for ALAA is the calendar year; therefore dues are due and payable by January 1 of each year. New member and Society dues paid after July 15th shall be considered as paid in full for the following calendar year.

If you haven't done so already now is the time to renew your membership in the American Lands Access Association. Your membership in ALAA is very important especially your society's membership. When renewing be sure that your e-mail and contact information is current. For society members we need a contact person's name and e-mail address. The renewal form is on the inside cover of this Newsletter. When you renew your membership you will receive another large Rockhound Sticker and a strip of 5 little Rockhound Stickers along with your membership card. Use the large sticker on your truck or car and the little stickers on letters to your elected officials and to other rockhounds.

You the members serve two important functions for ALAA. First you are the eyes and ears, the front line, to monitor and report on legislative and regulatory activity in your area. It is important that when you learn of things that affect access or changes in land use policy that you pass this information on to your State Rep, a Director or an Officer. Secondly, you are the base of our "strength in numbers" to write or e-mail your legislators and regulators when called to action to respond.

Send your membership renewal to our Treasurer, Ruth Bailey, TODAY! Renewal form is on page 2 of this newsletter.

Annual Meeting at EFMLS/AFMS Convention

The American Lands Access Association will hold its annual meeting at the EFMLS/AFMS convention at Syracuse, NY on Wednes-

day evening, July 6th from 7:00 to 9:00 PM at the Ramada Inn (host hotel). This is the **business meeting** for ALAA where we will elect our directors and officers, have officer and committee reports, and approve our budget for the coming year. The **work** of ALAA takes place throughout the year by our officers, directors, committees, at regional Federation conventions and the actions of our members.

At our annual meeting in July we will be electing 3 Directors and the 4 officers. As president I hope to continue on for another term and I hope the other 3 officers will continue on for another term. We have had a great 2010 and 2011 is going well. Our membership is growing, and we have started some good programs with great promise. I believe that ALAA has a strong leadership team and that we should continue and build on our strengths. I hope that all officers and all directors will continue to serve.

All members of ALAA, all members of EFMLS and AFMS are welcome and encouraged to attend this meeting. I hope that all of you or as many as possible will be able to attend the EFMLS/AFMS show and meetings in Syracuse, NY, on July 7th to 10th. I look forward to seeing you there.

Dick Pankey, President

I PUT MY MONEY WHERE MY MOUTH WAS.....AND ATTENDED A BLM PUBLIC MEETING

Shirley Leeson, ALAA VP

ROCKHOUND ACTIVIST

*For those of you outside Southern California,
please read if you've been or plan to visit the
Southern California Desert.*

Southern California DESERT is a special place. If you've even been there, you'll know what I mean. Rockhounds have been collecting material from there for so long I can't pin point an exact date. Maybe it was the desert rat,

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I PUT MY MONEY...

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with his burro who we can relate to. But I do have published books on collecting in the desert in my personal collection that date back to the 1950s.

With that said, I have been concerned with the continuing shrinking of the areas rockhounds have left to collect in. In a recent article written by Richard Crowe, 33 year retired BLM employee, who worked 29 years with the California Desert Conservation Program. Richard brought the whole desert issue into perspective, "if Feinstein's new 2011 bill passes, the 12.4 percent of land open for limited public use would shrink to 10 percent." The article was published in The Press-Enterprise, Newspaper, Riverside/San Bernardino, CA.

So I contacted everyone I had an email for in Southern California and told them the importance of attending the Desert Advisory Council / BLM meeting in San Diego, Saturday, June 4, 2011. I heard virtually nothing from anyone except Kim Campbell, ALAA Southern California Rep/ PLAC Southern Cal Assistant to John Martin and Ron Schiller of Ridgecrest. (look up Ridgecrest on the map of California and see how far he was willing to come to attend the meeting)

The fateful day arrived. When everyone signed in, we had 14 rockhounds there.

Two from Long Beach G/M, Marty and Linda Dougherty; Carolyn and Kurt Jungwirth, Vista G/M and So Orange County G/M; Susan Broadway and Jim Bickner, So. Orange County G/M and Searchers; Ron Schiller and friend from Indian Wells G.M RIDGECREST; Kim Campbell, and friend Jay from Searchers, Marie Brashear, long time rockhound activist and friend and Dee Holland and myself. While I was clearly disappointed in the rockhound turnout the DAC people as well as BLM people attending welcomed us and said it was the largest rockhound group to attend their meeting in a long, long time.

The actual meeting lasted from 9am with

break for lunch till 4:30pm. The meeting was held at Handlery Hotel in Mission Valley and might have discouraged rockhounds from attending when they saw the price of parking for the day, \$12. However when we arrived and checked in, the BLM had arranged with the hotel to only charge us \$3. which was well worth the price of the meeting.

Unfortunately the room was filled with off road vehicle people, both off road racing promoters and those who just enjoy the desert with an organized group. And a number of those on the DAC have ties to these off road organizations. The meeting was definitely slanted toward their interests and not for the use of others like rockhounds.

We spoke, got our thoughts about the Desert on record, and I told the Council/BLM that rockhounds were organized, the California Federation has 12,000 members in California and Nevada; ALAA has a membership of over 10,000 in just three years and was growing and the American Federation, the national organization has 52,000 members. They were impressed by the numbers, in fact the geologist on the Council told me later that she was astonished that rockhounds were as organized as we apparently were. They had been under the impression that rockhounds were individuals and small groups who visited the desert on occasion.....

Kim Campbell has applied for an opening on the Desert Advisory Council. It will take some months to find out if she made it. The application has to go to Washington, DC for approval. I also learned that Ron Schiller had been on the Desert Advisory Council for 8 years after Isabella Burns.... Who knew??? We could have used that knowledge but I for one didn't know until Ron told me at the meeting.

If you have never attended one of these meetings we urge you to make the time to attend the next one in Ridgecrest in September. Watch for an ALERT for the dates, place and time.

New Jersey Legislators Vote on Wyoming's Public Lands!

That's right, they do. And so do legislators from Rhode Island, Florida, Arkansas, Wisconsin, Kansas, South Carolina and 43 other states. They *all* vote on Wyoming's public lands. Every senator and every representative of each and every US state casts a vote on public lands legislation. That's the way Congress works. These are federal laws, not state laws. It doesn't matter that nearly all public lands are located out West. Every legislator in the US Congress votes on public land bills.

Now, let's ask ourselves: "Who gets more constituent letters about land-closing bills--NJ legislators or WY legislators?" Probably WY. How many letters do the KY legislators get? Again, probably not as many as in WY, either pro or con. Public land issues are not as newsworthy in NJ and KY. But do those NJ and KY legislators vote? Yes, they do. And do their votes count just as much as the votes of the WY legislators? Yes, their votes count just as much, exactly. And the majority rules.

We know that legislators track the input they get from constituents. Let's say the WY legislators get an extra 25 letters about some bill, but they have already received 5,000 letters on that bill. Will those 25 letters make a whole lot of difference in those WY legislators' minds? Doubtful. But consider this: What if the NJ legislators (who have only received 15 letters about that same bill) receive an extra 25 letters? Those 25 letters can make a huge difference. Those 25 letters could be vote-changing letters. Those 25 letters could convince the NJ legislators that more NJ constituents want US public lands to stay open than want them to be closed off.

Your constituent letters and emails from AR and NJ and AL and MO and MI and KY (yes, even HI!) can have a lot more impact than the letters of our friends in WY do.

Think about it.

Tom Noe, forwarded by Dick Pankey

BLM and Special Recreation Permits By Ron Schiller

Prior to the accident in Johnson Valley, California where eight people were killed last summer during an off-road race, the Bureau of Land Management (BLM) wasn't too concerned about requiring small groups participating in low impact noncommercial or noncompetitive activities on public land to obtain a special recreation permit (SRP). However, because of liability concerns, the BLM began implementing more stringent rules for every type of activity taking place on the public land within the BLM California Desert District. Unfortunately, there seems to be a lot of confusion among the five BLM Desert District field offices as to exactly what the rules are regarding the requirements to obtain a permit for various activities. According to the recreation planner in the Ridgecrest BLM Field Office, you will have to obtain a permit if you merely allow the public (nonmembers) to participate in your field trip but recreation planners in other field offices only require a permit if you advertise your field trip outside of your club newsletter or website or charge a fee to participate.

Because of these inconsistencies and confusion among organizations using public land for recreation, the BLM California Desert District Advisory Council has designated a Special Recreation Permit Subgroup to study the recreation permitting rules and process and report their findings to the advisory council who will ultimately make an advisory recommendation to the BLM for interpreting and implementing the recreation permit regulations. Subgroup meetings are open to the public and it is very important for groups such as rockhounds and others who participate in organized casual use events on public lands to be represented at the meetings. The outcome of the subgroup findings will likely determine how the rules will be interpreted by all the recreation officers in the BLM field offices within the Desert District.

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BLM and Special Recreation Permits

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Currently, the national direction for recreation permits is contained in the BLM handbook H-2930-1 which was published in 2006. California BLM has published additional clarification of guidelines in the Special Recreation Permit Information Booklet, August 2007. It is important for rockhounds to make sure that the terminology used in the final rule interpretation accommodates our interests or we could have a very difficult time holding field trips in the future. For example, you do not need a permit if you only publicize field trips in your newsletters and on your own websites but what about LA Rocks? By definition, LA Rocks is a public mail list among other groups on Yahoo. An over-zealous recreation officer could easily determine that publicizing an event on LA Rocks is advertizing to the public (page 8 of Special Recreation Permit Information Booklet). This is a fine line but we do not know who the recreation planners will be in the future or to what degree they will interpret the rules. For another example, the Special Recreation Permit Information Booklet indicates that a permit is required when an event takes place in a "Special Area". Included in the definition of a "Special Area" the booklet states, "An area for which BLM determines that the resources require special management and control measures for their protection." Is an Area of Critical Environmental Concern (ACEC) or a Wilderness Study Area (WSA) considered a special area? Afton Canyon is an ACEC and the Cady Mountains are included in a WSA. A BLM recreation planner could easily argue that an ACEC is a "Special Area" and require a permit for any organized activity in the area. These examples are just a few of the issues that need to be resolved in this SRP Subgroup and spelled out in the final rules. For information regarding where and when the Special Recreation Subgroup meetings will be held, contact Roxie Trost, the Field Manager of the Barstow BLM Field Office via e-mail at rtrost@blm.gov or by telephone at (760) 252-6000.

To understand how regulations are developed one has to understand that no agency of the Federal Government has any authority to do anything unless that authority is given to the agency by Congress through some legislation. In this case the BLM cites the following as their authority to develop the regulations for the Special Recreation Permit process, 1) Federal Land Policy & Management Act of 1976 (sections 301 through 304), 2) Federal Lands Recreation Enhancement Act, 3) Office of Management & Budget, Circular No. A-25 Revised and 4) Land and Water Conservation Fund Act, as amended 18 U.S.C. 3571, (fines & penalties). The online location for each of these authorities as well as the BLM handbook H-2930-1 and Special Recreation Permit Information Booklet, August 2007 are listed below. Anyone who is responsible for organizing or leading field trips on public land should at least read the Special Recreation Permit Information Booklet August 2007.

LIST OF AUTHORITIES SITED FOR SPECIAL RECREATION PERMITS

Federal Land Policy & Management Act of 1976
(see sections 301 through 304)

<http://www.blm.gov/flpma/FLPMA.pdf>

Office of Management & Budget, Circular No. A-25 Revised

http://www.whitehouse.gov/omb/circulars_a025

Federal Lands Recreation Enhancement Act

http://www.blm.gov/pgdata/etc/medialib/blm/wo/Planning_and_Renewable_Resources/recreation_images/national_programs/recreation_fees_Par.31345.File.dat/Recreational%20FeeLanguage.pdf

Land and Water Conservation Fund Act, as amended 18 U.S.C. 3571, fines & penalties

http://www.law.cornell.edu/uscode/718/usc_sec_18_00003571----000-.html

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BLM and Special Recreation Permits

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GUIDELINES DEVELOPED BY BLM FROM ABOVE AUTHORITIES

Federal Register / Vol. 72, No. 34 / Wednesday,
February 21, 2007 / Rules and Regulations
<http://edocket.access.gpo.gov/2007/pdf/E7-2876.pdf>

Special Recreation Permit Information Booklet
August 2007
<http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/caso/publications.Par.23962.File.dat/SpecialRecreationPermit.pdf>

BLM handbook H-2930-1
http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information_Resources_Management/policy/blm_handbook.Par.22509.File.dat/h2930-1.pdf

FIELDTRIP UPDATES

By Doug True, AFMS Fieldtrip Chairman

WARNING- The Rules for fieldtrips and collecting are changing on public lands. Actually these rules are for any organized group using our public lands. The rules are open for interpretation, but most districts are saying a planned trip by two or more people and the schedule of your trip is published or posted, and then you must apply for a recreation permit. You must find the local district you are going to collect in, determine if it is BLM or USFS then request a recreation permit form 2930-1, in that application you will have to furnish maps (topographical) A written plan of your function, area you are camping and what you are collecting, estimated number of attendees. You will also be required to show a certificate of insurance naming the BLM or USFS as insured. In some cases they may require you to supply Porta Potities. In your report you should indicate specific areas where you plan on collecting, indicate if

you will be digging or surface collecting. You have a much better chance if you plan on surface collecting, if you're digging, the selected area will be scrutinized by a number departments, Archeological, Paleontology, Endangered plants, etc, etc. After a revue of your proposal, all or part of your request might be turned down. You need to work with the recreation officer and plan your trip together as this gives you a better chance of being successful. In talking with different BLM districts their numbers seem to vary as to what constitutes a group. There will also be a processing fee of around \$100 dollars. If you are planning a trip to public lands, PLEASE CHECK TO SEE IF YOUR GROUP TRIP is good to go.

USA-ALL PVO Meeting February 2, 2011

There were several interesting pieces of information to Rockhounds that I gleaned from the Land Use Activist Seminar held in Provo, UT on January 29th by the Utah Shared Access Alliance (USA-ALL). About 130 mostly ATV folks attended, plus representatives from regional offices of Utah's Congressional delegation and our County Commissioners. I was there to let them know that ALAA, and the 50,000 rockhounds we represent, share their challenges and concerns.

The first speaker was Bill Howell, described as a "Constitutional Philosopher," who seemed to believe that the Federal agencies (BLM, USFS, etc) are managing the public lands in violation of the "First Principles" of the Constitution. More "tilting at windmills" in my opinion.

The next part of the meeting involving communications to and from the congressional people was much more fruitful. It was no surprise that Wade Garrett, representing Rep. Chaffetz, Pam Juliano (Rep. Mattheson) and Ron Dean (Sen. Hatch) all appeared knowledgeable, sympathetic and willing to help keep access open to motorized recreationists.

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USA-ALL PVO Meeting

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They suggested:

- Contact regional offices (usually three in each district) rather than the Washington office when soliciting help or information. It will be faster, and they can direct inquiries directly to the staff person responsible to their Representative or Senator. Call and set up a face-to-face meeting with staff or the Congressman if needed.
- Go to the congressman's web site for names, phone numbers, and email addresses in each office. Be as specific as possible and define exactly what you desire happen. Since there are little or no Federal lands in the East, they are tasked with educating the rest of Congress on Western issues and impact of proposed legislation.
- Emails should start with a brief summary of your personal concerns, especially if responding to an alert from USA-ALL, Blue Ribbon Coalition, ALAA etc. No more than 5.0mb in any attachment; seven years ago they would not accept any attachments, fearing malware and viruses. If it is a Statewide issue, copy the entire congressional delegation, otherwise send only to your own Congressman.
- Send snailmail to a regional office, or hand carry to them; as I did once with a 30-page mark-up of the "Fossil Bill." Anything going to Washington is bent, folded, stapled, irradiated, and steamed to mush in the Baltimore Post Office to avoid poisons or bombs.
- These congressional staff people had never heard of ALAA. **ACTION: Contact your congressional district regional offices, and offer to meet with them and explain who we are, what we do and why access is critical to our hobby of "casual mineral collecting". Direct them to our website <http://www.amlands.org/>.**

Utah County Commissioner Mike McKee spoke on the huge benefits of each County being legally enrolled in "Cooperating Agency Status." If there is a "Memorandum of Understanding" in place, then the County has a say just like the State of Utah, USFS, BLM, Corps of Engineers, etc. They are able to participate, exert significant leverage, and influence crucial land access decision documents like BLM's Resource Management Plans (RMP) and Travel Plans. **ACTION: Contact your County Planning Commission and see if such an agreement is in place. If not, then bend the ear of your County Commissioners to do so ASAP.**

Attorney Mark Ward, Senior Planning Coordinator and Policy Analyst of "The Utah Association of Counties" (UAC), observed that Interior Secretary Salazar's directive #3310 was aimed at creating "De-facto Wilderness" and closing RS2477 roads to satisfy the Southern Utah Wilderness Alliance (SUWA). UAC is a voluntary, state-wide organization operated since 1924 by the 29 counties of Utah. As I have observed in the past, the Ranchers and County Commissioners in Utah make more sense and have worked harder to keep public access open than anyone else! Mr. Ward asked for some specific help from us (the Public) in keeping roads open. **ACTION: Get your County's detailed map of roads from the Surveyor and identify which ones you have traveled to mineral and gemstone collecting sites, especially before 1976 when they should have been grandfathered as "Public" roads.** This gives the Commissioners ammunition to claim roads and keep them open for collecting access..

Mr. Ward also advised that BLM Wilderness Inventory manuals 6300-1 and 6300-2 (implementing order #3310) will become effective on 23 February 2011. Note that definitions in those manuals exclude as a "Road" a two-track built or maintained solely by vehicle passage; so the final "Cherry Stem" route to a given collecting site may not be a County Road. **ACTION: Contact your nearest BLM Field Office, and**

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USA-ALL PVO Meeting

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request an opportunity to participate in their re-inventory of “Wild Lands” from their Resource Management Plan.

I have sent in my membership application to USA-All. As with the Blue Ribbon Coalition, our objectives are the same, they have many more people and financial resources than ALAA, and they carry much more clout. Two of their officers just returned from Washington where they met eyeball-to-eyeball with Congressional Staff for the better part of a day. **ACTION: Locate a nearby ATV club or access Activist group and join with them in fighting for recreation access.**

Evan Day, Utah Director
American Lands Access Assn.

H.R. 1581:Wilderness and Roadless Area Release Act of 2011

Introduced Apr 15, 2011 by Kevin McCarthy

As of April 22, 2011 - 20 Cosponsors

Rob Bishop [R-UT1] , Ken Calvert [R-CA44], Jason Chaffetz [R-UT3], Mike Coffman [R-CO6] , Jeff Denham [R-CA19], Elton Gallegly [R-CA24], Robert Goodlatte [R-VA6], Dean Heller [R-NV2] , Walter Herger [R-CA2] , Duncan Hunter [R-CA52], Bill Johnson [R-OH6] , Raúl Labrador [R-ID1] , Jerry Lewis [R-CA41] , Cynthia Lummis [R-WY] , Tom McClintock [R-CA4], Howard McKeon [R-CA25], Cathy McMorris Rodgers [R-WA5], Kristi Noem [R-SD] , Devin Nunes [R-CA21], Steven Pearce [R-NM2], Glenn Thompson [R-PA5], Scott Tipton [R-CO3]

S. 138:California Desert Protection Act of 2011

Introduced Jan 25, 2011 by Diane Feinstein

As of April 22, 2011 - 0 Cosponsors

Which one has the best chance of passing? You decide!

See the status and text of both bills at:

www.amlands.org

John Martin - Rockhound and Political Activist

“Wild Lands” Initiative Defunded in Final CR. Western Caucus Chairman Applauds Setback to Obama Administration’s ‘War on Western Jobs’

Washington, D.C. – Today, Western Caucus Chairman Stevan Pearce (R-NM) released the following statement regarding language included in H.R. 1473, the final budget bill for fiscal year 2011, which will prohibit the Department of the Interior from using taxpayer money to fund the controversial Wild Lands initiative:

“The ‘Wild Lands’ proposal issued by Secretary Salazar last December was another attempt by the Obama Administration to circumvent congressional authority in the Administration’s ‘War on Western Jobs.’ It would have had tremendous negative impacts on job creation, energy production and recreation throughout the West and its defunding is a victory for all western states.

“On behalf of the Congressional Western Caucus, I would like to thank Speaker Boehner for ensuring this key provision was included in the final negotiated bill. Speaker Boehner and Republican leadership understand that there is a ‘War on Western Jobs’ and we will continue to work with them to stop these types of job-killing initiatives while putting forward legislation to bring jobs back to the West.

“Additionally, Congressional Western

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“Wild Lands” Initiative Defunded\

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Caucus members Chairmen Mike Simpson and Rob Bishop should be applauded for their leadership on the ‘Wild Lands’ issue.

“As Chairman of the House Interior and Environment Appropriations Subcommittee, Mike Simpson played a key role in defunding this dangerous initiative. Congressman Simpson and the House Appropriations Committee deserve the gratitude of all westerner job creators for leading the effort to prevent taxpayer funding of this job killing initiative.

“Chairman Rob Bishop must also be recognized for his tireless work in exposing Secretary Salazar’s effort to circumvent congressional authority to create de facto wilderness areas. As Chairman of the Public Lands Subcommittee, Rob Bishop was one of the earliest and most vocal critics of Secretarial Order 3310 and his vigorous oversight efforts should be applauded.”

The Wild Lands policy, established by Secretarial Order 3310, asserts that the Bureau of Land Management has the authority to “designate appropriate areas with wilderness characteristics under its jurisdiction as ‘Wild Lands’ and to manage them to protect their wilderness value.” The Wilderness Act of 1964 gives Congress the sole authority to designate public lands as Wilderness areas.

The Wilderness designation is the most restrictive land use policy that can be taken as it places severe limitations on public access to public lands. In addition to the impacts on jobs and the economy, many forms of popular recreation and access could be prohibited.

Section 1769 of the FY2011 CR states: *“none of the funds made available by this division or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.”*

Forwarded by John Martin

PRIVATE RECREATION FEES TO EXPLODE ON TONTO NATIONAL FOREST

Arizona's Tonto National Forest is taking bids from private companies on for-profit management of virtually all recreation on the Payson Ranger District. The successful bidder will be allowed to charge fees the Forest Service is prohibited from charging, and will not be required to accept most federal recreation passes.

"The Forest Service defends recreation fees by claiming that they retain the money and use it to directly benefit the place you visited," according to Kitty Benzar, President of the Colorado-based Western Slope No-Fee Coalition. "But by leasing federally owned recreation facilities to private firms, they completely discredit that argument. These fees are just another tax, and concessionaires are just private tax collectors."

In a prospectus issued in early March, the Forest began soliciting for a concessionaire to privatize six family campgrounds, four group sites, one horse campground, one interpretive site, ten picnic areas, and seven trail-heads. Currently only developed campgrounds are under private management, in a contract that expires at the end of 2011. In 2010, the current concessionaire collected almost \$345,000. If the campgrounds had been under Forest Service management, that revenue would have been retained and would have supplemented the District's budget.

This new prospectus vastly expands the number of fee sites on the Payson District, and puts them in private hands.

Benzar says it's a clear attempt by the Forest Service to circumvent and evade federal legal requirements and prohibitions on where fees can be charged. What's more, she said, the new concessionaire would not be required to honor federally issued recreation passes that are legally required to be accepted at day-use

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PRIVATE RECREATION FEES

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sites, but would instead be allowed to create and market their own annual pass, keeping all revenue from both pass sales and use fees.

Trailhead Fees Would Violate Federal Law

Despite a federal law prohibiting fees for simply parking and accessing a trail into undeveloped backcountry, the successful bidder will be allowed to do just that at the Horton Creek, Derrick, Ellison Creek/Cold Springs, Two-sixty, See Canyon, Pine, and Fossil Springs Trailheads.

The Highline National Recreation Trail and Arizona National Scenic Trail are among the backcountry trails that could go under the fee system.

A recent [federal court decision](#) in Flagstaff affirmed that federal law prohibits trail access fees and fees solely for parking. The prospectus says that bidders may charge fees only to the extent that the Forest Service can, but then contradicts itself by including numerous trailheads where visitors would have to pay the concessionaire just to park and go for a hike.

New Fee Sites To Be Established Without Meeting Federal Requirements

Picnic sites are being put up for bid at Christopher Creek, Horton Creek, Midway, First Crossing, Second Crossing, Third Crossing, Water Wheel, East Verde, and Flowing Springs. These have never undergone review by Arizona's Recreation Resource Advisory Committee, and thus have not been approved as meeting federal requirements for Standard Amenity Fees. Among the requirements are six specific amenities that must be present: developed parking, permanent toilet, permanent trash receptacle, interpretive exhibits, picnic tables, and security services. Most of the picnic sites lack one or more of these required amenities.

Four picnic sites in the East Verde Complex were improved in 2010 with taxpayer fund-

ing. "It appears that federal funds were used to fix up these facilities just so that a private concessionaire would be able to make a profit off of them," according to Benzar. "We paid to upgrade them with our taxes, but now we will have to put additional money directly into the pockets of the concessionaire if we want to use them."

The Shoofly Village site, where the remains of a prehistoric Native American settlement are preserved, is included in the bid package as well. It too has never undergone advisory committee review. "This type of site is part of our shared history and heritage, and should not be converted into a market commodity," said Benzar.

Federal Passes Not Accepted

The prospectus specifies that federal recreation passes, such as the America the Beautiful Pass and lifetime Senior/Disabled passes, will not be accepted at the day-use sites being put up for bid, even though the Forest Service would be required to accept them. Instead, the concessionaire will be allowed to establish their own annual pass for day use sites. They will set the price of that pass and keep all the revenue from it.

An America the Beautiful Pass, which costs \$80, allows entry into all National Parks for a year and covers day use fees at most National Forest developed recreation sites. "But it won't get you into the Tonto National Forest," says Benzar. "For that you need to upgrade it for an additional \$15. That means the Tonto was already the most expensive federal recreational land in the country. But now," she continued, "even your pricey Tonto Pass won't give you access to most recreational opportunities on the Payson Ranger District. And your lifetime Senior or Disabled Pass will be nearly worthless there."

Western Slope No Fee Coalition
News Release, March 31, 2011
Submitted by Vern Cliffe

Plan to close state parks causes more problems than it solves

Mercury News Editorial

Posted: 06/04/201

Arnold Schwarzenegger's administration made a splash by proposing to close 220 of the 278 state parks -- plans that were deep-sixed when Schwarzenegger realized he'd go down in history as the first governor to preside over the closing of public lands. Now Gov. Jerry Brown is proposing to close up to 70 parks in a budget-cutting plan, including popular trails and beaches in Santa Clara, Santa Cruz and San Mateo counties.

This time the hypocrisy of the plan is transparent, however. It's part of a pattern designed to shock voters into seeing that the state needs more revenue.

Some of the targeted parks can't legally be closed. And the savings from the rest would be lost in the deterioration of public property, the damage to rural economies that rely on tourism and the cost of policing areas that we know people will continue to use. Does anyone really think hikers and climbers will stay out of Castle Rock State Park just because it's not officially open? This is clearly a ploy to shock voters.

California needs a plan to sustain its parks for public use -- including a dedicated funding source. These lands and facilities need to be preserved for all time and accessible to the taxpayers who own them.

Reporting by the Mercury News' Paul Rogers in recent weeks revealed the legal barriers to closing a state park. Eleven of the doomed parks are beaches, which the law requires to be open to the public. Sixteen, with only a few overlaps, have received federal money on condition that the parks be open.

These are long standing and sensible requirements. Wouldn't we be outraged if our federal tax dollars were used to help Arizona buy land in one of its spectacular landscapes, only to find that we can't go see it? As to beaches -- California's pledge that all beaches must be public,

regardless of who owns the adjacent land, is a hallmark of the state's stewardship of the spectacular coastline that drives much of the tourist industry.

A ballot proposition last fall would have solved the park funding problem by adding \$18 to drivers license fees, a strategy other states use successfully. The initiative failed -- in part because it was a reach in a horrendous economy and in part because its sponsors ran a terrible campaign. Unlike some notoriously bureaucratic state agencies, the parks department has undergone serious streamlining and is efficiently run. That message, among others, did not come through.

Brown's proposal for mass closures isn't supposed to go into effect for a year, so there's time to change course. We suspect that was by design, with the hope that a better solution could be found.

Former parks director Donald Murphy thinks a special commission should be created to make a long-range plan for parks. But ad hoc groups' recommendations often come to naught. A better bet might be for environmental groups to join forces and find champions in the Legislature from both houses -- and from both parties. There's nothing partisan about a life-affirming day at the beach or walk in the redwoods.

Submitted by Shirley Leeson

BLM NEWS RELEASE

News Release No. CC-11-59

Release Date: 06/01/11

BLM Steps Up Enforcement at Clear Creek Management Area Due to Increased Trespass Activity

The Bureau of Land Management has increased law enforcement patrols at Clear Creek Management Area (CCMA) due to increasing resource damage caused by unauthorized motorcycle use.

Trespass motorcycle use is taking a toll

on the San Benito Research Natural Area (RNA). During the last nine months the RNA has experienced considerable resource and property damage. "Protective fences for the RNA have been cut and trespass trails have been built on the public land," said Rick Cooper, BLM Hollister Field Office manager.

Motorcyclists have cut a three-mile trespass trail across public lands in the CCMA to access the area currently closed to public use. BLM law enforcement rangers patrol the area and will cite individuals riding or driving in the closed areas. In some cases, trespass riders have run when discovered and confronted by BLM employees and law enforcement rangers.

Trespasser riders face possible penalties of a fine of up to \$1,000 and/or imprisonment of up to 12 months, in accordance with state and federal laws and regulations. In addition, anyone attempting to evade or elude a federal law enforcement ranger will be aggressively prosecuted and face arrest, fines and imprisonment, the impounding of the motor vehicle, and restriction/suspension of driving privileges.

"The misuse of public lands by motorcyclists is unfortunate," said Cooper. "We would appreciate cooperation from the public in helping meet our objectives for resource protection."

CCMA is currently closed to public access pending completion of a Resource Management Plan. The area closure was issued in 2008 following release of a report by the Environmental Protection Agency that states that public visitor use in CCMA for more than one day per year could increase visitor's excess lifetime cancer risk due to asbestos exposure, adding that "children may be at greater risk...because of their life expectancy."

For more information, contact Chief Law Enforcement Ranger Brian Martin at (831) 630-5000.

Submitted by Shirley Leeson

*** THE LAST WORD ***

The Importance of Being Right

After Membership – You as an individual or you as a club have joined ALAA: What responsibility do you have to ALAA?

First, when filling out the application form, can the receiver, our ALAA Treasurer read it? We have had a number of applications that are UNREADABLE. How do you expect us to know how to reach an email that we can't read? Or worse yet, NO EMAIL at all.

Second, when you change your email, let ALAA know immediately. We need to be able to reach you. You might be missing out on something of real importance, something that could change the way public lands is administered, changed, or worse - closed. YOU might have made a difference but we couldn't reach you.

Third, if your server is "picky" and won't forward something from ALAA, please see that ALAA is one of the good guys that is let through.

These may seem like little things to you, but it's a real big problem with those of us who are trying to create an alert system and who need correct email addresses. And please consider our Treasurer, and print so she can read it.... We don't want to lose you. Our Treasurer sends your information to both the webmaster who maintains your emails and to our newsletter editor who needs a correct address to get your newsletter to you.

Shirley Leeson, Vice President – Membership
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