

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

October-November-December 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

October November December 2009

President Message

By Dick Pankey

ALAA membership is growing and that is a good thing. Every few days our treasurer **Ruth Bailey** sends an email with the names of 2 or 3 new members. With over 49,000 members and 640

societies in the AFMS our potential for membership is great. While big numbers are great involved membership is the objective. I really don't expect a lot of individual members from the 49,000 but I would hope that most of the societies would want to know what is going on with legislation and regulations and would support ALAA's efforts. With a societal membership you have the benefits of membership – you receive the newsletter, the ALAA Alerts (e-mail), access to the BRC alerts and your representative can attend the annual meeting and vote. The key to having a societal membership is to have an interested, active representative that will keep **your** membership informed and involved. And the biggest benefit is that you are supporting the work of ALAA, that is, you are supporting the work to keep our public lands open and accessible.

Over the last few months I have been invited by a number of societies to talk about ALAA at their meetings. I have already given presentations to 2 societies. Unfortunately time and travel constraints limits my availability to societies in my part of California. But there are 3 other officers, 11 directors and a growing number of State Representatives that can make presentations, too. Our officers and directors are from 5 federations and over 10 state have State Representatives. We will do our best to have a representative give a presentation about ALAA to your society. And for sure we are always available to answer questions.

Preparing my presentation on really helped my understanding of and need for ALAA. **Jon Spunaugle** and **Shirley Leeson** provided me with outstanding historical information. I put together a Power Point presentation of about 20 slides and a draft "script" that I am willing to share with others who would like to give a presentation about ALAA. I hope Jon and Shirley's information will be printed in the newsletter and/or on the website. Others should benefit from their great perspective and experience.

John Martin is doing an outstanding job identifying and monitoring proposed and pending legislation and regulations, and getting this information on the web site and on the new ALAA Alert e-mail distribution. But I wonder if the membership is doing their part and writing to their legislator. There seem to be a lot of "I want-to-do-it" but not of a lot of "doing-it." When asking people to write letters or send e-mail I hear a lot of people say "I don't know what say or how to say it." I tell them it is more important to just express you feelings, concerns, objections or support, as simply as possible, and don't be concerned with style and eloquence.

The year to come is sure to have more assaults to our access and use of our public lands. Legislation already introduced includes:

- **More Wilderness bills** – some examples

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President's Message
(Continued from page 3)

California – adding over 400,000 acres

Montana – adds 677,000 acres

Utah – 9.1 million acres; Americas Red Rock Wilderness

- **Hard Rock Mining and Reclamation Act** - Introduced in House and Senate
- And the proposed **Desert Conservation and Recreation Act** that affects several million acres in California including many of our favorite and historic collecting sites. All preservation without recreation.

We also need to be vigilant to proposals and changes in Regulations put forth by the BLM and Forest Service. These agencies **Interpret** legislation, **Apply** to their specific needs and **Develop** management use plans. This is where we can have affect and impact by getting to know personnel and involved with a local/district office, provide comments and input, and participate in the development of Management plans. Your voice and ideas are important and you can make a difference!

The American Land Access Associations has experience a very full and eventful year. We have new leadership, updated Bylaws and Operating Procedures, a Newsletter Editor and Webmasters, and a new and growing State Representative system. And best of all we are experiencing fantastic membership growth. Our challenge for the coming year is to continue to keep our membership and the rockhound public informed, and most of all get our membership involved in the objectives of ALAA. An involved member learns about the issues and needs and responds by writing letters and e-mails, participating in the regulatory process and informing others about the issues, needs and challenges of "Protecting our Public Lands for the Public."

SMALL STEPS FORWARD

Shirley Leeson, ALAA Vice President

We are moving slowly forward. Recently I was contacted by Cyndi Karp, of the Oregon Coast Agate Club. She alerted me to a new Oregon Marine Reserve area along the coast near her. It involves three state agencies who each want something different within these new Boundaries. Important to rockhounds and beachcombers is the restriction of collecting anything within these areas. This is important to rockhounds because flower jasper, a famous and sought after jasper is found in the area not to mention other jaspers and agates. If this passes you will not be allowed to "excavate" anything from the rocks and beaches within the Reserve. It also include anything swept in by sea such as glass floats or even drift wood. I contacted as many individuals and clubs as I could, asking for them to take the time to contact one or more of the three agencies in charge with your comments. And then I enlisted Evelyn Cataldo, NFMS President and member of ALAA. With the help of Joan Day, NFMS Secretary and ALAA member, they sent out information on the subject. We await the verdict.

In the mean time Cyndi Karp has been sponsored by the Alsea Watershed Council for a position on the Marine Reserve Cape Perpetua Community Council. I have sent a letter of support from ALAA.

Other Good news..... Our member Mary Bateman, regional ALAA representative for Washington, DC and Virginia, has been taking her new job very seriously. She's visiting clubs throughout the area, urging them to join ALAA. Way to go, Mary.

Dan Brown, our newest regional ALAA representative for Northern California is also talking to clubs throughout his area. A successful event showing support against the Shasta-Trinity Forest road closures was recently held. While

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SMALL STEPS FORWARD

(Continued from page 4)

most of the support, over 700 people, cars and trucks, attended as well as the Sheriff and other dignitaries, there were few rockhounds, even though many has promised to attend. Rain, unfortunately keeps the best of intentions from happening. Wish he had told them there were rocks to be had at the event.....

Evan Day, our ALAA Director and Utah representative has been working hard on getting the word out on the Red Rock Wilderness Area proposed for Southeast Utah. This could have a huge impact on rockhounding in that area.

We have a new Southern Idaho State Representative, Shirley Metts of the Magic Valley Gem Club of Twin Falls, Idaho. Welcome aboard.

Also Terry Proctor, President of Houston Gem and Mineral Society, Houston, Texas has joined us and will coordinate things in the great state of Texas.

We are each working on making contact with our Congressmen, (I don't mention Senators here in California) and it seems to be paying off. I recently received a letter from my Congressman about public lands and his concern that they won't be public much longer. This was probably brought about by my contacting him several times about land issues, both in Southern California and other areas. Several others have mentioned their Congressmen are listening to them and not sending form letters.

THIS IS YOUR ASSIGNMENT, IF YOU CHOOSE TO DO SO....

Contact your Congressman today. Tell him/her of your concern for public lands in the U.S. and how they are being closed. That once "public land" is moved from there to WILDERNESS, it can never go back. With our rockhound areas also goes the natural resources

such as natural gas, coal and oil as well as strategic native elements and rare earths.

I have recently received a "step by step" process of how to close the Southern California Desert. The same desert that was studied in the 1970s and dedicated to multiple use status. The California Wilderness Assn. wants the Soda Mountains, Indian Pass, and Great Falls Basin all closed and put in WILDERNESS. You who enjoy desert collecting, check your maps and see how many collecting sites this will close to you, and this is only a few they mentioned. The area they want is huge. And the only people who will be able to use this vast area are hikers. Did you know that over 700,000 acres of California's public lands were put into WILDERNESS by the 2009 Omnibus Public Lands Management Act? And this wasn't enough, they want more. You know how this is done? A Congressman from back east, who doesn't have a clue is the signature of the bill. That lets the California Congressmen off the hook, and they can tell you, they didn't propose it....

We have our work cut out for ourselves. We need people and clubs to come forward and help us. There really is a need. Please ask your clubs and individuals to join us. We need people contacting their Congressmen, and those of you in states other than California, contact your Senators, especially the western states. If any of you have seen what the tea party people are doing and how they are organizing, then take a lesson and let's do the same thing. We might even ask local people if there is a session where we can learn how to be a "community organizer." Other organizations have had great success in this area, let's check it out..... Let our voices be heard.

One last thing, IF YOU heard of anything going on in your state regarding federal or state lands, please contact us immediately. You can reach me at:

shirleyleeson@cox.net and
beauholland@centurytel.net

Friends in America's Gem & Mineral Societies,

We need YOUR help! Read the newspaper article below, and then contact your Congressional Representative and Senators and ask them to press Interior Secretary Salazar to not interfere with congress's work on H.R.1925 and S.799. Utah's delegation is fighting as hard as they can to oppose the extravagant provisions of the "America's Red Rock Wilderness Act". But they can't do it alone, since all of the sponsors of the bills are from outside of the Rocky Mountain and Desert Southwest states!

Sincerely,
Evan Day, Utah Director, ALAA
XX

Lawmakers urge Salazar to protect Utah wild lands

By Joan Lowy, The Associated Press

WASHINGTON – Eighty-nine House members sent a letter Tuesday to Interior Secretary Ken Salazar asking him to protect 9.4 million acres of red rocks lands in Utah while Congress works on legislation.

The letter also asks Salazar to rescind an agreement reached between the Bush administration and the State of Utah that prevents the Bureau of Land Management from designating new wilderness study areas.

The wilderness study designation discourages uses of the land that might alter its natural character.

Rep. Maurice Hinchey, a New York Democrat sponsoring the Utah wilderness bill, said that a consensus has developed that millions of acres within the state should be protected even if there remains disagreement on how to do that.

"It makes sense for the Interior Department to step in and temporarily protect these lands while Congress and state officials sort out the best way to protect these precious acres for this and future generations of Americans to

enjoy and admire," Hinchey said in a statement.

Kendra Barkoff, a spokes-woman for Salazar, said the department is reviewing the letter.

The bill has 151 co-sponsors, but only seven are Republicans. It is opposed by the Utah congressional delegation, who say decisions on which lands should receive the protective wilderness designation are best made locally.

"Since they can't achieve their goal of locking up millions of acres of western land through an open and transparent democratic process, they're now trying to use back door, undemocratic regulations to lock up public lands," Rep. Rob Bishop, R-Utah, said in a statement. "If Congressman Hinchey was serious about protecting lands in Utah, he should try to work with Utahans instead of trying to go around us."

At a hearing before a House Natural Resources Committee subcommittee last month, some witnesses from Utah said the bill would prevent development of the lands, hurting the state's economy. However, former Salt Lake City Mayor Rocky Anderson and a Utah outdoors equipment maker told the subcommittee that protecting the lands will draw more visitors to the state, boosting the economy.

Ogden (UT) Standard Examiner, 11 Nov. 2009, p4B

NEW ALAA EMAIL ADDRESS

There is a new ALAA Information Email Address. So when there are any questions, concerns or any new legislation activities that need to be investigated, please use the following email address for quicker response.

American Lands Access Association
(alaa@antelecom.net)

Thank you for your cooperation.

ALAA Internet Committee

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

News Note

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4. Even though this committee functions in an "advisory" capacity the BLM is legally obligated to take public input in consideration when making rulings concerning usage of public lands.
5. There are several underlying issues concerning usage of the Desert District lands which are being administrated by county, state and federal legislators.

Marshall Havner
Tule Gem & Mineral Society

(via e-mail. I would like to thank Marshall for attending this meeting and submitting this report. His observations and impressions are very interesting. His conclusion "that this committee's decisions were impacted by public input at this meeting," is very significant and show the importance and need for all of us rockhounds and users of the public lands to submit our comments and make ourselves heard. Dick Pankey)

PLAC/ALAA Joint Meeting

By Norvie Enns and Dick Pankey

The joint meeting of PLAC committee and ALAA was held following the Directors' meeting in Visalia on Saturday, November 7th. The meeting was open to everyone who is interested in and uses our public lands. We had very good attendance. Twenty-three people, including 6 officers and directors of ALAA attended.

Norvie Enns, PLAC chair, ALAA director and member of the Northeastern California RAC committee gave an update of the RAC activities and BLM activities affecting Nevada and northern California. Not much is happening at this time except discussion of the feral horse problems.

Dick Pankey, ALAA President presented and led the discussion on ALAA activities and proposed legislation:

More Wilderness; some examples

- California – adding over 400,000 acres
- Montana – adds 677,000 acres
- Utah – 9.1 million acres; Americas Red Rock Wilderness

Hard Rock Mining and Reclamation Act

- introduced in House and Senate
- eliminates patenting
- increases fees
- royalties imposed
- requires permit for any mineral activity except casual collecting

Proposed Desert Conservation and Recreation Act

- affects several areas
- \example - Mojave Nat. Monument, a 20 mile wide corridor along Old Rte 66 from Needles to Barstow, affecting 1.6 million acres

The proposed Rock and Mineral
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PLAC/ALAA Joint Meeting

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Specimen Collection Act; drafted by Jon Spunaugle, past president of ALAA, was presented and discussed. This is a proactive approach to legislation. The purpose of this Act is to secure, for the present and future benefit of the people of the United States, the opportunity for educational and recreational rock and mineral specimen collection on the public lands of the United States. Jon would like people to review this bill and send him their comments and suggestions. Anyone who would like to help with this project and/or would like to see a copy of this bill, please e-mail me. I will glad to e-mail you a copy.

The affect of the Omnibus Public Lands Bill will not be determined until each BLM District/office, each Forest Service District/office, each of the other affected governmental agencies interprets these laws, and incorporates them into their specific Management Plan. This is where we can still have a say. This is where we can still have a voice and have affect on the final implementation. How? By becoming involved in the process. By talking with the managers of our Public Lands; by participating in the meetings called for public input; by providing our ideas and wishes with letters, e-mails and telephone calls. By being involved in the process.

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

ALAA's membership currently was 44 societies and about 95 individual members. At the close of the meeting 11 more applications were submitted to Ruth Bailey the ALAA treasurer. I extend my personal invitation to all CFMS societies and members to join ALAA and participate in saving access to our public lands.

ALAA will hold its next annual meeting at the AFMS/CFMS convention next June in La Habra. We hope you will attend.

(I had Jay include this article to highlight what we did at our CFMS meeting in November as an example for other Federations. In addition to communicating important and timely information on legislation and regulations it is a great way to showcase ALAA to promote membership and involvement. I encourage Directors and State Reps. in other Federations and states to host meeting at your Federation Shows and meetings. Please contact me with your questions, comments and for ideas. If a meeting can't be arranged how about setting up an Information Table. Dick Pankey)

When Angry Calls Cross the Line

Members of Congress often use violent imagery to make a point: they make threats, hold bills hostage, or even try to kill legislation.

Their constituents, however, should be careful using similar language or they might find themselves in trouble with the police.

Under federal law, threatening a Member of Congress or other federal official is a felony, punishable by up to six years in prison.

There are no clear guidelines on what exactly is against the law, but law enforcement officials say that wording is crucial.

Seeking Club Information

I have a membership list from some time ago. I list a whole bunch of clubs who were members at one time. Guess what, each of these clubs NEVER GAVE US A CONTACT EMAIL so we could keep in touch.

Is there any of our current members who would take it upon themselves to contact these clubs, PLEASE. And ask if they would put a contact person with an email so we can keep in touch. Late breaking news doesn't wait for the Newsletter.

Central Louisiana Gem & Min Soc, Alexandria, LA
 Central Michigan Lap & Min Soc, East Lansing, MI
 Colorado Mineral Society, Lakewood, CO
 Columbia/Willamette Faceters Guild, Portland, OR
 Denver Gem & Mineral Guild, Denver, CO
 Flatirons Mineral Club, Boulder, CO
 Fresno Gem & Mineral Society, Fresno, CA
 Friends of Mineralogy, Littleton, CO
 Gates Rock & Mineral Society, Denver, CO
 Grand Junction Gem&Min Club, Grand Junction, CO
 Harrison Co. Gem & Mineral Club, Blairsville, GA
 Idaho Gold Prospectors , Boise, ID
 Indiana Society of Paleontology, Knightstown, IN
 Lake Agassie Rock Club, Fargo, ND
 Littleton Gem & Mineral Club, Littleton, CO
 Longmont Gem & Mineral Club, Longmont, CO
 Marcus Whitman Gem & Min Soc, Walla Walla, WA
 Micromin. of the Nation Capitol Area, Fairfax, VA
 Mile High Rock & Mineral Society, Arvada, CO
 Mount Baker Rock & Gem, Bellingham, WA
 Northern Virginia Mineral Club, Reston, VA
 Orcutt Mineral Society, Santa Maria, CA
 Sedona Gem & Mineral Club, Sedona, AZ
 Syracuse Gem & Mineral Society, Syracuse, NY

Umpqua Gem & Mineral Club, Roseburg, OR
 West Central Illinois Rock & Mineral Club, Cuba, IL
 West Seattle Rock Club, Seattle, WA
 Western Dakota Club, Rapid City, SD
 Western Int'l Paleontology Society, Franktown, CO

There is STRENGTH in numbers.....

Shirley LeesonA

LAA Vice President - Membership

Clear Creek Management Area

The Hollister BLM office has issued its draft Resource Management Plan for the Clear Creek Management Area in San Benito County, and it is available online now at the BLM website. The report is approximately 700 pages long and lays out 7 options for the future management of CCMA. The "preferred" option would put Clear Creek itself (i.e. plasma agate and jade) permanently off limits and restrict vehicle traffic to the Ridge Road (Spanish Lake Road) with access only through New Idria. This would make most other collecting localities in CCMA virtually inaccessible to collecting as the only approved access would be on foot from the Ridge Road and limited to day trips. In effect, this plan makes CCMA accessible only to hardcore hikers.

Bay Area Mineralogists intend to organize a consolidated response to the plan, including SCVGMS, Sequoia, Peninsula and any other club that wants to participate. Our preliminary plan is to meet after having read and critiqued the plan to draft a consolidated response, probably in early to mid-January. Tentatively meetings will be hosted by Stan Bogosian (m e m b e r o f B A M a n d Peninsula) in Saratoga. Any SCVGMS member who would like to participate in this effort should contact me asap.

Thanks, Bill Spence

LEGISLATIVE ACTIONS AFFECTING ROCKHOUNDS

By John Martin

AFMS Conservation and Legislation Committee

With the current political climate in Washington today the environmental activists are having a field day with all the liberal congress members trying to persuade them to introduce new wilderness legislation, and it is working. Here are just a few of the attempts that are currently taking place across our great country.

California – Senator Diane Feinstein is introducing the California Desert Conservation and Recreation Act which if enacted will restrict usage of almost 2 million acres of California's Public Desert Land with the creation of 2 new national monuments, 7 new wilderness areas, and the expansion of Death Valley National Park. Two million acres is almost the size of the state of Connecticut, can you imagine restricting the state of Connecticut to no roads, no rock fossil, sea shell or mineral collecting. Well that is what is happening in California.

Colorado - We've been told that a well financed pro-environmental wilderness bill is coming to Colorado. It's called the "Hidden Gems Wilderness." This will encompass 600,000 acres and close them to all. The environmentalists are pressuring Congressman Jared Polis to introduce the bill. Please have your members contact Congressman Polis and express your concern. The money to get this bill passed is from big foundation money from Washington, DC. Don't let outsiders come in and lock up Colorado's public land

Montana - A huge wilderness bill is coming to Montana. It's disguised as a Forest Job and Recreation Act. But its true motive is to put Montana land into Wilderness. Jon Tester, Senator from Montana is being urged by the pro-environmentalists to sponsor this bill. The proposed amount of land in this proposal is 677,000 acres. You might want to alert the clubs in Montana and research this information. Contact Senator Tester's office locally and ask about the proposed bill. They will try and tell you it's about

forests and jobs -- NOT SO!

According to Brian Hawthorne, Blue Ribbon Coalition, the bill is strong on wilderness but doesn't add any new recreation areas. This has a lot to do with forest management and timber logging, but what is already in place, if put into use would take care of the problems, according to former Forest Service Planner, Fred Hodgeboom and now president of Montanan's for Multiple Use organization. As the new bill is written it creates area for new environmental lawsuits to stop logging on land that has been left susceptible to forest fires, disease and insect devastation. Most of the lands are on the Beaverhead-Deerlodge National Forest. This bill eliminates a lot of existing recreational opportunities.

Oregon – House Bill 3609 Oregon Marine Reserves. “**Marine Reserve**” is an area within Oregon's Territorial Sea or adjacent rocky intertidal area that is protected from all extractive activities, including the removal or disturbance of living and non-living marine resources, except as necessary for monitoring or research to evaluate reserve condition, effectiveness, or impact of stressors.

This bill will create reserves all along the public coast of Oregon where it will be unlawful to Collect, pick, cut, mutilate or remove living or non-living natural products or dig up or remove any soil, rock, or fossil materials from the ocean shore. “Natural product” means living or non-living natural products on the ocean shore, including marine plants, minerals, shells, rocks, and sand. The Oregon Coastline is famous as a heavy hunting ground for Agates, Jaspers, Fossils and Pyrite Cubes. The proposed Marine Reserve will eliminate Rock hunting that Oregonians have historically done for over a century along the Rocky Shores of Oregon's Coast.

Utah - America's Red Rock Wilderness Act S. 799 & HR 1925. 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

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LEGISLATIVE ACTIONS AFFECTING ROCKHOUNDS

(Continued from page 10)

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. The areas considered for closure are:

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

On the national front the Clean Water Restoration Act of 2009, S. 787, this Act will treat, as 'waters of the United States', those features that were treated as such pursuant to the regulations of the Environmental Protection Agency and the Corps of Engineers in existence before the dates of the decisions referred to in paragraph, including--

- A. All waters which are subject to the ebb and flow of the tide;
- B. All interstate waters, including interstate wetlands;
- C. all other waters, such as intrastate lakes, rivers, streams (**including intermittent streams**), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds;
- D. All impoundments of waters of the United States;
- E. Tributaries of the aforementioned waters;
- F. The territorial seas; and

G. Wetlands adjacent to the aforementioned waters;

What this basically means that if enacted will put all ponds, streams, seasonal mud holes on public and private land under the control of the Environmental Protection Agency (EPA) and not the private property owner.

Also of interest to Rockhounds is the 'Hardrock Mining and Reclamation Act of 2009', H. R. 699 which was introduced to the House of Representatives on January 27, 2009. This Bill will modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes. It will impose limitation on patents (Claims), require a royalty be paid for the removal of minerals, add or increase hardrock mining claim maintenance fees, effect of payments for use and occupancy of claims. All of these actions may have negative effects on Rock Clubs or Societies which currently hold or may be trying to file claims on BLM, Forest, or other public lands.

What can we as rockhounds do? Use the internet, email, Fax, or the US Postal Service to contact both your state and federal elected officials and let them know what your concerns are regarding the closure and withdrawing of public land from public usage. Support and join organizations like the Blue Ribbon Coalition, www.sharetrails.org, American Land Rights Association, www.landrights.org, AMERICAN LANDS ACCESS ASSOCIATION (A.L.A.A) www.amlands.org. These groups are fighting to keep our Public Lands Open to all Public Users. Please support and use the American Federation of Mineralogical Society and your Regional Federation of Mineralogical Societies, they have information and resources that can help in all aspects of Rockhounding.

If anyone hears of new or pending legislation in your state or Regional Federation please feel free to contact me with the pertinent information and I will attempt to investigate and disseminate the information to those who may be affected. I can be contacted at webmaster@amlands.org or through the AFMS Website.

US Forest Service Plans Changes to Senior and Access Passes

Dear Public Lands Supporter,

The Forest Service plans to change the terms under which Senior and Access (permanent disability) passes are honored. No more 50% discount on camping fees. No more free access to day-use sites. The details are in yesterday's Federal Register. You can read the notice [HERE](#). If you are a Senior (or plan to become one), or if you or a family member have a permanent disability, this is a slap in your face. The Forest Service is accepting public comment until February 1, 2010. You can comment online [HERE](#). Equally important, please contact your congressional delegation. Contact information at www.senate.gov and www.house.gov.

The following press release went out today. Please feel free to share it with your local media outlets.

December 2, 2009
For immediate release

Contact: Kitty Benzar
970-259-4616 970-259-4616
wsnofee@gmail.com
www.WesternSlopeNoFee.org

Forest Service To Eliminate Senior and Disabled Camping Discounts

DURANGO, CO - The U.S. Forest Service has announced it plans to eliminate the 50% discount at National Forest campgrounds that has traditionally been available to holders of lifetime Senior and Access (permanent disability) passes. The change will apply at campgrounds operated by private concessioners, which represent 50% of National Forest camping capacity and 82% of reservable campsites.

In a notice in the [December 1st Federal Register](#), the agency outlined a new policy that would replace the half-price rule that has been in place since the mid-'60s with a 10% discount. The policy would also require Senior and Access passholders to pay a fee at National Forest day-use sites that are currently covered in full by their passes.

Seniors 62 and older pay a one-time \$10 fee for their lifetime pass. Lifetime passes for the permanently disabled are free. Together, Senior and Access passes represent more than 78% of all pass sales.

Under current policy, concessioners are required to honor Senior and Access passes for campground fees under the same terms as if the Forest Service operated the facility directly, meaning that a 50% discount must be offered. Most highly-developed campgrounds are now concessioner-run.

As the concessioner program has expanded over the past thirty years, it has moved away from a small mom-and-pop business model to one dominated by a few large corporations. According to the published notice, those firms brought five specific complaints to the Forest Service:

- 1) the REA does not require the 50% discount, only Forest Service policy does;
- 2) the discount is too steep;
- 3) the 50% discount is non-negotiable and can't be used as a "marketing tool to encourage off-peak use";
- 4) as the baby-boomer generation ages, too many people are becoming eligible for the discount; and
- 5) prices to other campers must be increased to cover the discounts given to lifetime passholders.

The bottom line is, it's hurting their bottom lines.

The move is possible only because of changes in the laws that authorize recreation fees

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Senior and Access Passes (Continued from page 12)

on public lands. Until 2005 such fees were governed by the Land and Water Conservation Fund Act of 1965. That law established the Golden Age and Golden Access passes, entitling the holder to lifetime free entry to National Parks and giving a 50% discount on federal camping fees. In 2005 a new law called the Recreation Enhancement Act (REA) took effect, replacing the previous authority. Under REA, lifetime passes are still offered but the 50% camping discount is no longer required. The Forest Service had, until now, continued the discount as a matter of policy and had required concessioners to do so as a condition of their operating permits.

The REA specifies that pre-existing holders of Golden Age and Golden Access passes can continue to use them in accordance with the terms they were issued under "to the extent practicable." That means they should be grandfathered-in for the 50% discount as long as the pass is not lost or stolen. But when the new REA-authorized Senior and Access passes became available in 2007, Golden passholders were encouraged to exchange their old paper pass for one of the new plastic ones, and according to the Forest Service many did. Now the Forest Service is claiming that keeping track of different discounts for Golden passholders than REA passholders is "not practicable."

"The Forest Service is not showing good faith by changing the terms of the passes after the fact," said Western Slope No-Fee Coalition President Kitty Benzar. "They encouraged people to turn in their Golden passes, which guaranteed a 50% camping discount, in exchange for an REA pass which does not, without telling them that they were giving up an important benefit. If they can't find a practical way to distinguish between the two types of passes, the only fair thing to do is to continue to offer the 50% discount to both groups."

Day-use sites managed by concessioners

will also be affected. Under the new policy, holders of the annual America the Beautiful Pass would be entitled to free entry, but Senior and Access lifetime passholders would get only a 10% discount. This changes current policy which calls for all three passes to be honored equally at day-use fee sites.

The change is the latest in a long series of policy decisions that have transformed recreation on public lands from a public benefit into a market commodity.

"Until 1997, when the Recreation Fee Demonstration Program was implemented, it was government policy that public lands were to be available equally to all Americans, with modest fees only for a few highly developed sites and for entrance to National Parks," said Benzar. "They were one of the benefits we enjoyed as citizens and all supported with our tax dollars. Since then there has been a systematic policy shift. Public lands are now expected to pay their own way in access fees."

She pointed out that under previous policy, offering lifetime passes and substantial discounts to seniors and the disabled was a way of honoring their contributions to our nation and ensuring them access to the benefits of outdoor recreation. "I guess that's out the window now," she said. "No more special honors, no more special breaks. Pay up or stay home now applies to everyone."

Benzar encouraged those who oppose the change to submit comments to the Forest Service and also to contact their congressional delegations.

The Forest Service is accepting comments until February 1, 2010 at:

<http://www.regulations.gov/search/Regs/home.html#submitComment?R=0900006480a60f36>.

Congressional contact information can be found at www.senate.gov and www.house.gov.

Submitted by Vern & Sylvia Cliffe

Not Just for Rockhounds Only

As I was, pardon the pun, surfing the internet today an article came my way that sparked my interest. Even though it did not have an immediate and exact effect on rockhounding the implication and possible implementation will have a direct effect on many of our fellow rockhounds. Those who live along our coast lines and the great lakes regions of our country will be the most affected by what I have discovered.

Below is an article that best sums up what took several days of verifying to compile and was written by the Shimano Corporation/North America. I send this out because many of our fellow Rockhounds are also Anglers and this will have a direct effect on their recreation as well as ours. At the conclusion of the article are links to the various Government and Private web sites where more information may be found.

John Martin

IRVINE, Calif. USA – October 5, 2009 – A recently published administration document outlines a structure that could result in closures of sport fishing in salt and freshwater areas across America. The White House created an Interagency Oceans Policy Task Force in June and gave them only 90 days to develop a comprehensive federal policy for all U.S. coastal, ocean and Great Lakes waters. Under the guise of ‘protecting’ these areas, the current second phase of the Task Force direction is to develop zoning which may permanently close vast areas of fishing waters nationwide. This is to be completed by December 9, 2009.

Dave Pfeiffer, President of Shimano American Corporation explained, “In spite of extensive submissions from the recreational fishing community to the Task Force in person and in writing, they failed to include any mention of the over one million jobs or the 60 million anglers which may be affected by the new policies coast to coast. Input from the

environmental groups who want to put us off the water was adopted into the report verbatim – the key points we submitted as an industry were ignored.”

Recreational fishing generates a \$125 billion annual economy in the United States and supports jobs in every state according to government figures. Through the Sport Fish Restoration program, anglers have provided more than \$5 billion through excise taxes on fishing tackle to fishery conservation and education for decades.

In addition to the economic aspects, anglers lead the nation in volunteer conservation efforts on behalf of improving fish habitat, water quality and related environmental areas. “There was no mention of the fishery conservation efforts which anglers have led for over 50 years in every state – an environmental success story that has no equal in the world”, said Phil Morlock, Director, Environmental Affairs for Shimano. “The Task Force did not make any distinction between the dramatic differences between harmful commercial fishing harvest methods and recreational fishing, even though we spelled it out for them in detail,” added Morlock.

Claiming to be the result of a public consultation process the report states, “Having considered a broad range of public comments, this report reflects the requests and concerns of all interested parties.”

The original White House memo and not surprisingly the Task Force report contains multiple references to developing a national policy where Great Lakes and coastal regions are managed, “consistent with international law, including customary international law as reflected in the **1982 United Nations Convention on the Law of the Sea**” - a 300-page treaty the U.S. has never ratified.

“We question what implications there will be for state authority and jurisdiction in the Great Lakes and coastal regions if the U.S. adopts the U.N. Treaty,” said Pfeiffer.

(Continued on page 15)

Not Just for Rockhounds Only

(Continued from page 14)

The report makes it clear that future authority for implementing the policy for coastal and inland waters will fall under White House jurisdiction with a new National Ocean Council comprised of over 20 federal agencies at Cabinet Secretary or Deputy Secretary level. No reference to Congressional jurisdiction is indicated.

“This significant change in U.S. policy direction is the result of a 90-day fire drill process as ordered by the President that, not surprisingly, lacks balance, clarity and quality in the end product,” said Morlock. “People who simply want to take their kids fishing on public waters deserve better from their government,” he added.

Shimano is joining with other members of the recreational fishing industry to urge anglers to contact their members of Congress and the administration to request this process be required to adopt the economic, conservation and social contributions of recreational fishing as key elements of the policy. It is critical that we ensure Congressional oversight and state jurisdiction and management continues.

E-letters can be sent to the administration and members of Congress by visiting KeepAmericaFishing.org. The future of fishing is in your hands.

http://fish.shimano.com/publish/content/global_fish/en/us/index/articles/feds_to_60_million.html:

The Government Interim Report may be found at [http://www.whitehouse.gov/assets/documents/09_17_09 Interim Report of Task Force FINAL2.pdf](http://www.whitehouse.gov/assets/documents/09_17_09_Interim_Report_of_Task_Force_FINAL2.pdf).

The Task Force will provide a final report with all of its recommendations later this year.

The Interagency Ocean Policy Task Force home page is located at

<http://www.whitehouse.gov/administration/eop/ceq/initiatives/oceans/>.

News Note

I attended the 12/12/09 DDAC meeting in Palm Springs. This Desert District Advisory Committee is composed of 16 members. 8 members are BLM employees and 8 members are “Public-at-Large” members. I collected a good deal of documentation on proposed actions by the BLM concerning public lands usage and access issues. This committee apparently was formed to explore and act on renewable energy in the Desert District which composes most of Southern California. These issues will impact public access to public lands in this district. As you know southern California has some of the best rock collecting areas in the state.

I took lots of notes and names of the committee members. I later, at home, did some research and discovered that the 8 Public-at-Large members of the DDAC are all consultants and/or advisers in some capacity which is affecting the Desert District. I also listened to comments by public members who attended this meeting and were allowed time, 3 minutes, for each issue. Members of the DDAC did not have time limitations imposed on them. I came to the personal conclusion that this committee's decisions were impacted by public input at this meeting.

My impressions:

1. Public input did have a impact on all the issues discussed at this meeting.
2. BLM decisions concerning the use of public lands are impacted by public input at these meetings.
3. Without public input the BLM has a free hand to impost whatever regulations concerning public lands, under their domain, they deem appropriate.

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Alliance to promote Mother Road

(See below, From News.bytes, issue 404 - BLM California)

What is not told here is that Senator Feinstein is proposing to make this a national monument (Mojave National Monument) and to be 70 miles long and 20 miles wide (10 miles on both sides of US Rout 66). That pretty much ends any collecting at Lavic Siding, Cady Mountains, Bristol Mountains, Marble Mountains, Clipper Mountains, Piute Mountains, Sacramento Mountains Providence Mountains, Granite Mountains and all valleys in-between. So be aware and be prepared to lose more ground, again. Unless we jump in feet fires and identify the collecting areas and get them and their roads identified and preserved as national collecting sites for future generations and educational purposes. If this turns your stomach, Become proactive now!

J. R. Martin, smartin@antelecom.net

Alliance to promote Mother Road

By MARJ DARIO, Needles Desert Star
Monday, October 12, 2009 12:30 PM PDT

NEEDES - In the novel "The Grapes of Wrath," John Steinbeck wrote, "(Route) 66 is the mother road, the road of flight," when referring to the 1930s migration of Dust Bowl refugees who headed west hoping to find jobs in the fields of California. After describing the long journey from the central plains, Steinbeck continued, "There's California just over the river, and a pretty town to start it. Needles, on the river."

A proposed Mother Road National Monument project may soon regain positive recognition for Needles.

The "driveable monument" concept is all about preserving a 70-mile section of historic Route 66 between Needles and Barstow in the Mojave Desert. It would pass through Goffs, Essex, Amboy, Ludlow and a few other small towns which became neglected after Interstate 40 was built. Needles is expected to be the eastern anchor for the monument road.

Collaboration by several entities including

Sierra Club, Nevada Desert Committee, CWC, Wildlands Conservancy and Route 66 preservationists has produced an initial plan which is being presented to government officials. Several concerns are expected to be worked out through negotiations among all parties involved.

Designation of a national monument would attract tourism and provide historical preservation, but the purpose is also to protect open desert lands surrounding a number of wilderness areas. Construction of wind and solar plants in the area and expansion of the U.S. Marine base at Twenty-nine Palms is expected to be carefully considered.

Conservationists are asking that all existing uses be preserved, military expansion be well planned, renewable energy plant placement be prudent and the 189,000-acre Johnson Valley off-highway vehicle area be kept intact. The intent is to promote responsible development to avoid disturbing the area's natural beauty and wildlife.

Senator Dianne Feinstein has been approached about the proposed project. She is introducing legislation to protect former Catellus lands, some 600,000 donated and purchased acres which are sprinkled throughout public trust lands in the Mojave Desert; however, she has not actually endorsed the mother road concept or related plans as detailed.

The Needles Downtown Business Alliance has been energized by the national monument proposal and intends to elevate publicity for the portion of Route 66 which runs through town. The alliance meets on the first Thursday of each month until October, when twice-a-month meetings, on the first and third Thursday, resume.

Meetings begin at 11:30 a.m. in the Wagon Wheel restaurant along Needles Highway. The public is invited. The alliance is dedicated to the preservation and beautification of historic downtown Needles. Send e-mails to needles-dba@aol.com.

The Real Tragedy of Tellico

Guest editorial by Jay Bird

Past President Southern Four Wheel Drive Association (SFWDA) and current Chairman of SFWDA Rescue Tellico Committee

ALAA Editor's Note: The following article appears in the December Issue of BlueRibbon Magazine, page 14. It highlights a very real problem where a government agency, in this case The Forest Service, held public meetings and listened to public input, but only as pretence. Their actual agenda was to pretend to listen to concerned citizens then actually do what they had intended all along. It is despicable and I believe happens all too often. ED

In a recent article in the Cherokee Scout, Steve Lohr of the U.S. Forest Service stated the Southern Four Wheel Drive and other associations feel like they were kicked in the face with the closure of the trails in Tellico. The truth is, the OHV community IS being kicked in the face, and it isn't just the OHV enthusiasts feeling the pain. The closure of the trails in Tellico carries a price tag of \$4.8 million in lost OHV revenue and generates ZERO in tourism revenue for the surrounding communities.

The real tragedy is that it doesn't have to be this way. It is not an either/or decision, as the Forest Service wants the public to believe. Moreover, the course of action the Forest Service has chosen will not resolve the issues at Tellico.

Closure is not management. It is not the use of the trails in Tellico that is or has ever been the challenge and that fact is fundamentally where the Forest Service has this decision all wrong. It is that by the very existence of the trails, any trails, motorized or non-motorized,

they must either have proper erosion

CC controls implemented and maintained or they must be completely obliterated and rehabilitated. The Forest Service failed in their management in the past and now, their decision to simply close the trail system does not fix the problems.

The fact is, the Forest Service predetermined to close Tellico well over a year ago and then spent who knows how many hundreds of thousands of dollars justifying their decision in an effort that makes a sham of the public process.

All of these decisions came on the heels of a threat from Trout Unlimited (TU) and the Southern Environmental Law Center (SELL) to sue the Forest Service for not properly managing the OHW trail system. Trout Unlimited insisted publicly that was never the intent to close the Tellico trail system. In a release dated March 3, 2009, Squeak Smith, spokesperson from North Carolina Trout Unlimited, stated, "It was never North Carolina TU's intent to seek closure of the Tellico OHV trail system. For the past 10 years all we ever asked the Forest Service to do was follow their own regulations."

That at least sounds reasonable. So, in response, the Southern Four Wheel Drive Association (SFWDA) engaged the services of Caliber Engineering Consultants to do an independent scientific study on the area. The final product consisted of a workable Trail System Repair and Maintenance Plan complete with 280 pages of scientific supplements and details.

Additionally, SFWDA, and others, identified a recently-commissioned study by the Forest Service of their own Trails Unlimited

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The Real Tragedy of Tellico (Continued from page 17)

Team. Similar to the Caliber Report, the Trails Unlimited Report outlined proper management steps to sustainably repair and maintain the OHV Trail System in Upper Tellico. The Forest Service quickly and summarily disregarded both reports.

Sadly, it appears as if the Forest Service had already made up its mind. Months before the environmental analysis was completed, Forest Supervisor Marisue Hilliard made very public statements that her preference was to close the trails.

The recreating groups do not want the trails closed, the fishing group says they never intended for the trails to be closed, the local communities shouldn't have to pay the price in lost revenue, and the environment shouldn't have to pay the price for a closure plan that does not address the real issues. Year after year the OHV community tried to get the Forest Service to follow their own management plans, utilize their volunteer services, and properly spend funding - much from outside sources - to manage the Tellico Trail System. The Forest Service failed to do that and now needs to rethink their decision, fess up to their shortcoming, and come up with a workable management plan that includes trails. Until that happens, this fight is far from over.

NOTE: A copy of the Tellico appeal can be viewed on the world wide web at www.sharetrails.org/tellico1209.

—Questions or comments regarding this article should be directed to the BlueRibbon Coalition: Phone: 208-237--1008, Fax: 208-237-9424. Email: <brmag@sharetrails.org>.

From BlueRibbon Magazine, Pg. 14

Clear Creek Public Meetings

BLM to Host Public Meetings for Clear Creek Draft Plan

Please help keep the Clear Creek Area open for all users. If you live in the area please try to attend the public meetings and show your support. If you can not attend the meetings please mail or fax your comments to the responsible parties by the deadline date.

The Bureau of Land Management (BLM) Hollister Field Office will host three public meetings to gather comments on the Clear Creek Management Area (CCMA) Draft Resource Management Plan (RMP) and Environmental Impact Statement (EIS) in January 2010.

Each public meeting will begin with an open house where the public can gather information, talk with BLM specialists, and provide written comments on the draft RMP/EIS. Following the open house, the BLM will give a brief introduction followed by an opportunity for the public to provide oral comments on the draft RMP/EIS. Although oral comments will be noted on flip charts, BLM will only respond to written public comments in the proposed RMP and final EIS. Comments must be postmarked or received by BLM no later than March 5, 2010.

The public is encouraged to attend the public meetings to gather information and provide comments on the draft RMP/EIS. All public meetings will take place from 5:30 - 8:30 p.m. at:

Jan 13, 2010: Harris Ranch Garden Ballroom
24505 W. Dorris Ave., Coalinga

Jan 14, 2010: Veterans Memorial Hall
49 San Benito St. Hollister

Jan 20, 2010: Santa Clara Convention Center
Great America Meeting Rooms, 5001 Great America Parkway, Santa Clara

The draft RMP/EIS is available on-line for public review at the Hollister Field Office webpage:

http://www.blm.gov/ca/st/en/fo/hollister/clear_creek_management_area/CCMA_RMP.html.

Compact disks of the document are available by request from the Hollister Field Office at the address above. For additional information contact the Hollister Field Office at (831) 630-5000.

Two websites for those interested in keeping Clear Creek Management Area open:

1. <http://www.foccmca.org> is the friends of Clear Creek. This site stays up to date, and has good suggestions regarding comments sent in regarding the new draft management plan.
2. <http://salinasramblersmc.org> is the motorcycle club that has always been at the forefront of keeping Clear Creek open. This site is best for the history of Clear Creek use.

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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/>