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## *Trail Whispers*

BCHC—Caballeros del Sol

Volume 5 Issue 3

March 2004

Website: [www.bchc.com/cds](http://www.bchc.com/cds)

### PRESIDENTS MESSAGE

Howdy again. Thought that it would be after Rendezvous when the next newsletter should be going out. There is so much happening that we need on now, so here it is.

If you have not yet made your Rendezvous reservations, we hope that you do, and will join us there.

There have been some notes to me about needs of a couple our members;

The Huston's are looking for a trailer for their help to live in.

We have a member that is liquidating their stock, due to illness.

Frank H. Coletti has two Appaloosa mares and an older molly mule for sale and a Border Collie for a good home, reach him at 760-787-0343 or [fcoletti@cox.net](mailto:fcoletti@cox.net) or email me and I'll forward the pictures to you.

The Christian camp on Mt. Palomar (Palomar Mt. Christian Conference Center) is looking for two to four horses for fill out their stock for summer. Feed lease would be an option; if a donation it would be a tax write-off. They also are looking for a safe horse trailer (does not have to be pretty). Call me if you have anything that this camp could use.

We have decided to not reinvent the wheel. We will putting our effort in rebuilding our trails into throwing our backs behind the efforts of the lands managers and trying to attend as many of the workparties that are our there. Cuyamaca his having one weekly and there are others around too., Pick up you favorite trail tool and help restore our trail system. Check out website for the latest info.

*We need education in the obvious  
more than investigation of the obscure.*

U.S. Supreme Court Justice Oliver Wendell Homes

## BCHC-Caballeros del Sol BOARD MINUTES

Call to Order 2:20 PM

February 1, 2004

Discussed the problem with the election at the State board concerning the Representative to the National Board. We need a complete proper election that includes a clarification of the By-law, the mistake that was made, all candidates should be included, and the results should end in senior representative, junior representative, and alternate. Kathleen Hayden moved and Sharon Haynesworth seconded to make this a motion. Passed.

Action Fund would be funded by a \$25.00 fee from trailer sales that is paid by the consumer. Board suggested we vote yes on BCHC participation with the fund.

The Legal Fund from the National board is up for discussion. A dues increase is also requested from National BCH. None of that money will be returned as a part of a rebate. The National Board is focused on national issues not state or local. Board voted that we vote no on these items at the State board meeting at the Rendezvous in March.

Linda Eskin went to the workparty at Cuyamaca State Park on January 31. It included a clean-up and trail tread reconstruction (water bars). This was near Arroyo Seco. It was reported that the manzanita is green and blooming.

The Federal Advisory Board & National Wild Horse and Burro meeting in Phoenix in on February 10. It is open to the public. Kathleen Hayden has asked for \$125.00 for gas to attend. She will present a letter for restoring the Coyote Canyon herd to Borrego. Native habitat laws protect them. It will request a definition change of public lands where grazing is not a concern. (Read Kathleen's report and message) BLM is looking for groups or individuals to adopt herds. Sharon Haynesworth moved and Tauri Cornell seconded to reimburse Kathleen for her gas to the meeting. Passed.

Discussed table decorations for Rendezvous. Will not put in the newsletter. Top Secret!

Kathleen Hayden requested funding to go to the California State Trails Conference. She will get back to us on the cost and dates.

Discussed preliminary budget guidelines with treasurer approval: \$600.00 Publications, \$500.00 Public Lands. \$200.00 State Board in October. Kathleen Hayden Moved, Sharon Haynesworth seconded to accept the preliminary guidelines for the budget. Passed. Voting on a budget for 2004 will be at the next meeting.

### Future Items:

- **National Trails Day: June 5th 2004.** Penasquitos Canyon Preserve. Steve Randall will demo packing tools. Gentle Use Booth Need volunteers
- BLM Grand Opening of the south end of the DeAnza Trail on February 28 at 930 am. Maybe a trail ride. Check the Calendar
- Trail Trial at Miramar MCCS around Sept. (not the 19th or Oct 17th). More info later.
- CSRP work days have been changed to the 1<sup>st</sup>, 3rd & 4<sup>th</sup> Saturdays and the 2<sup>nd</sup> Monday of each month. Linda Eskin is checking into the exact days. Please call someone before going to make sure of where and when.
- Ranchita Ride on May 27<sup>th</sup>. Poker ride (about 3 hours): and food. We need volunteers. The ride will be open to the public; it will be one of our insurance covered rides.
- HorseFest at Miramar is planned for November 20 & 21. We are planning on participating.

Kathleen reported three projects proposed at Diane Jacobs Trails Meeting:

- A ranch at S2 & Scissors Crossing was purchased by State Parks. A staging area has been proposed that would access the Pacific Crest, the California Riding & Hiking Trail and the Mormon Battalion Trail.
- Staging area in the San Dieguito Riverpark in Santa Isabel has been proposed : Hog Heaven Staging Area near the mission for access to an old county road
- There are fire rehabilitation funds available to repair road to the trailhead campground near the Banning Store to BLM for the area that our unit cleaned up a couple of years ago.

Adjourned 4:00 PM Tauri Cornell, Secretary CdS

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## NOT ALWAYS WHAT IT SEEMS

A drunken cowboy lay sprawled across three entire seats in the posh Amarillo theater. When the usher came by and noticed this, he whispered to the cowboy, "Sorry, sir, but you're only allowed one seat."

The cowboy groaned but didn't budge.

The usher became more impatient: "Sir, if you don't get up from there I'm going to have to call the manager."

Once again, the cowboy just groaned. The usher marched briskly back up the aisle, and in a moment he returned with the manager. Together the two of them tried repeatedly to move the cowboy, but with no success.

Finally, they summoned the police. The Texas Ranger surveyed the situation briefly then asked, "All right buddy, what's your name?"

Sam," the cowboy moaned.

"Where ya from, Sam?" asked the Ranger.

With pain in his voice, Sam replied, "The balcony..."

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## CABALLERO DEL SOL PUBLIC LIAISON REPORT

Since January the Caballeros del Sol PL Chair has attended three meetings important to trail issues in our county; Desert Managers Group Meeting in Barstow on behalf of CSHA, Juan Bautista De Anza National Historic Trail Advisory Commission Meeting in Borrego, and the Wild Horse and Burro Advisory Committee Meeting in Phoenix.

The Anza Trail meeting included an overview of the National Trails Program managed by the National Park Service. Jeannie Gillen, long time trail advocate from So.Ca., serves on both State and National Advisory committees. Her presentation included a slide show of the jeep by-pass road in Coyote Canyon. She noted the park conflicts with access and the wild horse removal. Another committee member commented on the need for motorized public access. The BLM Representative presented their mandate for multiple use of the route in Imperial County, which relies heavily on tourism economy. The rep noted that motorized access is critical to experiencing the trail in desert climates.

I provided a copy of the San Diego County Council 2002 RS2477 report to Jeannie and Dallas Meeks, the recreation officer with BLM in El Centro. Consistent with the Imperial County Board Assertion the legal findings will support many trail restoration projects including the Coyote Canyon De Anza Trail. It is supportive of the SD Supervisors Resolutions regarding Coyote Canyon in 1995 and the 2002 Trails Resolution. It can assist with opening the Mormon Battalion Trail (MBT) in the Carrizo Impact area. The area has a lot of use although officially closed. For safety reasons the actual trail needs to be clearly marked and officially sanctioned for use. The Corps of Engineers allocated funding for clean up. It is part of the National Trails system and a major connector from the De Anza trail through the southern end of the Anza Borrego to other systems. Nola's nomination of the MBT for Millennium Status was accepted in 2000.

The MBT connects with the PCT and CRHT in San Felipe Valley. We are informed that State Parks recently acquired the remainder of the San Felipe Ranch and a portion of the CRHT. Now that the Anza Borrego Plan will be open again for comments, it would behoove us to push for horse camping on the CRHT at ranch headquarters. There are large corrals, water, electricity, and plumbing. We asked Supervisor Jacob to approve a trailhead across from the ranch gate on S 2.

On Feb 9th and 10th I attended and presented comments to the Wild Horse and Burro Federal Advisory Committee in Phoenix AZ. Due to previous networking with Board members Larry Johnson (Nevada) and Dr. Burkhart (Idaho) and BLM managers and rangers this meeting was very productive. The new contacts will also be helpful and included advocacy groups across the country. While public comment was limited to five minutes, the subsequent open roundtable discussion was a far more valuable format to exchange information for problem solving. We cannot under estimate the value of participation.

Respectfully submitted  
Kathleen Hayden

## FROM CUYAMACA RANCHO STATE PARK

Thank you for your cooperation during the Park Closure. State park rangers and resource specialists are surveying what remains of Cuyamaca Rancho State Park. All of the park was burned on October 28, 2003 by the Cedar Fire. At this time the ENTIRE park is closed, including the turnouts along Highway 79. The park will reopen as soon as rangers can ensure public safety and resource protection.

This will take some time. However, we are working hard to reopen as soon as possible. While most fire resources were dedicated to protecting homes, minimal crews managed to save many of the park buildings. Unfortunately, all of the historic structures built in the 1930s by the CCC at Camp Hual-Cu-Cuish were lost in the blaze. The loss of these historic structures and sites is significant; these were some of the most outstanding examples of CCC-era Park Rustic architecture in California. The Dyar House (Visitor Center and Park Headquarters), built in 1923, also burned.

Damage to natural resources has been devastating as well. State Park staff is hard at work helping these wildlands recover quickly and preventing future damage to this fragile landscape. We thank you for your cooperation. For further information, please call (760) 767-5311.

### **Cuyamaca Rancho State Park Fire Restoration**

We are getting lots of requests from people that want to help out after the fire. Financial support may be directed to any of the non-profits listed below.

#### **Cuyamaca Rancho State Park Interpretive Association**

Also known as **CRSPIA**, this non-profit 501(c)3 corporation operates under contract with state parks in Cuyamaca Rancho State Park. Their primary mission is interpretation and education but they also support the park's volunteer program which reaches into all facets of park operations. They offer an assurance that if you wish to donate to a particular need (for example trails or horse camps) that 100% of your donation will go to that purpose.

CRSPIA, 12551 Highway 79, Descanso, CA 92016

#### **Anza-Borrego Foundation**

Also a non-profit 501(c)3 corporation, ABF operates under contract with state parks. ABF has started a Colorado Desert District Recovery Fund which will help fund scientific work critically needed at this time, such as archaeological surveys in newly exposed, erosion prone areas and seed viability studies. The foundation has also embarked on a major campaign to raise money for a new Archaeology Center, to permanently house the collections from Cuyamaca.

ABF, P.O. Box 2001, Borrego Springs, CA 92004

#### **State Parks Foundation**

Several park employees lost homes in the fire and the State Parks Foundation has mobilized an effort to support these people. Foundation Board member Bill Lane and his wife Jane, generously volunteered to seed this account with a gift of \$100,000. This will be called the "Employee Relief Fund." Tax deductible donations to the State Parks Employee Relief fund can be sent to:

California State Parks Foundation, 800 College Avenue P.O. Box 548, Kentfield, CA 94914

## TRAIL WORK VOLUNTEERS NEEDED - FROM OUR SERVICE CHAIR

### CUYAMACA RANCHO STATE PARK

The Cuyamaca Rancho State Park, (CRSP) Trail Maintenance Unit (TMU) has scheduled some work days, doing trail tread work and campground clean up. To participate, contact the people listed below. They will let you know the place and the time to meet.

A typical day starts at 9 a.m., and involves about 4-5 hours' work. Wear sturdy clothes (layered - it can be very cold or hot!), hiking/work shoes, a hat, and gloves. Remember sunscreen. Bring water and a snack in a pack you can carry with you. If you have a favorite Polaski, McLeod or shovel, bring that too. If you don't, tools are supplied.

#### *Here are some very cool things about participating:*

- Volunteer hours count toward federal matching funds to rebuild the park - so the more work we do, the more money comes in!
- The public is not allowed into the Park at all. This is the only way you can see it for yourself right now.
- The volunteer trail crews are led by well trained people, so you will learn a great deal about proper trail construction and maintenance.
- Because these are not "BCHC projects", non-members can participate, too, so bring your friends!
- It's a fun day, with some great folks!

The CRSP/IA new website is now available. [www.cuyamaca.us](http://www.cuyamaca.us) The trail maintenance schedule is now available on site.

**Sunday, Feb. 15, contact Bernie Martin at 619-445-1289 or [bernie@oakzanitaranch.com](mailto:bernie@oakzanitaranch.com)**

**Saturday, Feb, 21, contact Michael Curtis at 858-278-3280 or [cmcurtis@pacbell.net](mailto:cmcurtis@pacbell.net)**

**Saturday, Feb. 28, contact John Sproule at 619-390-9737 or [jsproule@sdcr.com](mailto:jsproule@sdcr.com)**

**Saturday, March 6, contact John Sproule at 619-390-9737 or [jsproule@sdcr.com](mailto:jsproule@sdcr.com)**

**Sunday, March 14, contact Bernie Martin at 619-445-1289 or [bernie@oakzanitaranch.com](mailto:bernie@oakzanitaranch.com)**

**Saturday, March 27, contact John Sproule at 619-390-9737 or [jsproule@sdcr.com](mailto:jsproule@sdcr.com)**

**Saturday, April 17, contact John Sproule at 619-390-9737 or [jsproule@sdcr.com](mailto:jsproule@sdcr.com)**

More are scheduled already - check the web site for additional dates.

### RANCHO JAMUL ECOLOGICAL RESERVE

**March 20th, 8-5, contact Warden Kaspar at [jkasper@dfg.ca.gov](mailto:jkasper@dfg.ca.gov). or Marv Williams at 858 467 4226**

On Saturday, March 20th, 2004, the SDCWF is planning a Barbed Wire Removal project at the Rancho Jamul Ecological Reserve - which is available for equestrian use. Bring heavy gloves, wire or bolt cutters lunch and water, wear work clothes and boots.

Because this is not "a BCHC project", non-members can participate, too. So let's jump in and lend a hand here - and bring our barn buddies and trail partners. Many hands make light work, and the SDCWF has already done a lot of the work by getting this all arranged - let's do our share.

**If you can make it to any of these workparties, be sure to let the leader know. If you would like to try to carpool up, drop me a note. Thank you, Linda. :-)**

## **Subject: Outdoor Recreation In America 2003 - A NEW REPORT**

Participation in outdoor recreation on America's public lands is down, and so is support for the recreation fee demonstration. These are two of the most significant findings of the American Recreation Coalition's recently released ninth annual "recreation trends" survey. The report was prepared by the polling firm Roper-Starch Worldwide.

I would not normally put too much credence upon anything said by the ARC, but when the lobby group that created fee-demo announces publicly that support for their own program is down and that people are no longer even visiting their public lands, that's news.

Pasted below are highlights from the report. The full document can be downloaded in PDF format from [www.funoutdoors.com](http://www.funoutdoors.com)

Of particular interest in this report is the detailed breakdown titled "Winners and Losers: Changes in % of the American Population Engaging in Key Outdoor Recreation" found on page 11. Six user/group/activities are listed as "winners" 21 are listed as "losers" and 10 are listed as "unchanged". The biggest winner is the category called "driving for pleasure" (up 7%) and the biggest losers are "hiking" and "wildlife viewing", both categories being down 4%.

Next time someone in the USFS or BLM reports that the public is loving the fee-demo program, you'll have the data with which to set them straight.

### **STUDY HIGHLIGHTS**

Beginning in 2001 and even more strongly in 2003, a long-time pattern of increasing outdoor recreation participation changed into downward trend. For 2003, only 6 tracked activities showed an increase in participation (percentage of the public reporting participation over the past twelve months) while 21 showed a decline in participation. Only one activity, driving for pleasure, showed a substantial increase (up 7 points from 2001). Concerns about travel arising from the events of September 11, 2001, are likely to have contributed to this decline but other factors, including leisure time opportunities on the Internet and increased offerings through cable and satellite TV channels are also likely factors.

There was also a significant reported decline in frequency of participation in outdoor recreational activities. There was a 5 point drop between 2001 and 2003 in the percentage of the public reporting participation in recreational activities several times per week (26% versus 21%) and a 7 point drop in those reporting participation several times per month (29% versus 22%).

Of those who have visited a federal recreation site recently, most are willing to pay more in fees than they were charged. But this willingness has decreased from earlier studies, likely reflecting more and higher fees at federal sites.

### **FOF - Adventure Pass Protester Found Guilty Adventure Pass Conviction February 5, 2004 Man found guilty of walking in forest without paying \$5 recreational fee.**

United States District Court Magistrate Judge Jennifer T. Lum found Mr. Robert Bartsch guilty of engaging in a recreational activity within the San Bernardino National Forest without paying the \$5 recreational fee known as the Adventure Pass. According to Forest Officer Nathan Judy, the car belonging to Mr. Bartsch was parked near the San Antonio Canyon Falls Road August 17, 2003 and was not displaying the Pass. The defendant admitted that he had hiked to the top of San Antonio Peak (Mt. Baldy). This infraction is punishable by a maximum \$100 with no possibility of jail time. The Forest Service has

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admitted that they have written over 200,000 Notices of Non Compliance (within the 4 Southern California National Forests) to defiant forest visitors since the inception of the fee program in 1997. No more than 15 real citations have been written for not paying the fee. Mr. Bartsch has had 6 previous Forest Service citations dismissed and claims he has been singled out for persecution because he distributes information against this program to forest visitors.

Mr. Bartsch is the second person successfully prosecuted by the Forest Service here in Southern California for failing to comply. Mr. Terry Dahl of Santa Barbara was found guilty of not paying the fee January 9, 2001 by U. S. District Court Judge Christina A. Snyder and was instructed to pay restitution of \$5 on the last one of 11 Notices of Non Compliance plus a court fee of \$10. The Adventure Pass is part of the nation wide Recreational Fee Demonstration Program which was passed as a rider on the Appropriations Bill in 1996. This program has just been extended September 2003 by another rider on the appropriations bill for the fifth time by congress and is now scheduled to end January 1, 2006.

The United States Government waived the \$100 fine. Magistrate Jennifer Lum did sentence Mr. Bartsch to three months probation with the stipulation that he stay out of the forest for that period of time and a \$10 court cost. This verdict will be appealed.

Mr. Bartsch made the following statement to the court; February 5, 2004

Your Honor,

I am not guilty of doing anything immoral or wrong. If this test program (which is responsible for me being here in court today) becomes permanent law, we will be barred from all of our public lands without a permit every where within this country. This will essentially take away a very important part of our freedom so that it can be sold back to us at "FAIR MARKET VALUE". There is no limit as to what we can be charged. Without a doubt, the vast majority of Americans will agree, that we will have lost a very important part of our freedom if we must have a permit to simply go for a walk in our forest. Our public lands belong to all citizens of this country, rich and poor, not just those who can afford to buy a permit to leave the city. It looks to me as if America has become a hypocrisy, our government brags to the rest of the world how wonderful our freedom is and at the same time they are taking away our birthright to walk on our own public lands.

I really do believe that this is a sad day in the history of our country. Your honor, I am 64 years old and the best years of my life are over. If I can not continue to pursue freedom the way that our forefathers intended, you may as well lock me in prison. I refuse to pay any monetary fine that you impose on me or serve community service as a penalty.

There is only one way that I can prove to this court, the Forest Service and our law makers that there are still many millions of Americans who believe in and cherish the principles of freedom that our forefathers fought and died for. I am unwilling to compromise those principles and for this reason, I will serve the time in prison rather than pay the \$100 fine. There is no other way that I can protest this totally corrupt un-American test program that was fostered by corporate America to benefit corporate America. I will appeal this guilty verdict. End of statement

Note: We have not seen media coverage on this subject for a long time here in Southern California and hopefully this will do the trick. The Forest Service must still hear you admit guilt before they can hope to successfully prosecute. This verdict will be appealed to hopefully stop the Forest Service from implementing conditions of probation on guilty forest visitors. The Forest Service has no written authority to require the display of the Adventure Pass as proof of payment will also be addressed.

Mr. Robert W. Bartsch, 449 Vista Ave. Pasadena, California 91107  
626-795-2642, [rsbartsch@earthlink.net](mailto:rsbartsch@earthlink.net)

Free Our Forests, <http://www.freeourforests.org>

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# Wild Horse and Burro Act Concerns and Proposal

Kathleen Hayden

February 7, 2004

Presented to the BLM Wild Horse and Burro Advisory Board meeting Phoenix Feb 9-10 2000

In March 2003, Backcountry Horsemen of California (BCHC) learned that the last herd of wild horses in southern California was being removed from their century old native habitat in the Coyote Canyon regions. Coyote Canyon is located near the eastern San Diego and Riverside county line. The BLM ownership of a portion of the Coyote Canyon Wild Horse Herd's native range was transferred to the Anza Borrego Desert State Park in about 1984. The herd of forty horses free ranged on State parklands, BLM lands, private property, Reservation lands, and a grazing allotment. California State Parks removed the herd without public hearing under the guise of an emergency action to save starving horses. This proved false. In addition, State Parks refused the offer of BCHC to adopt the herd. The fat and slick herd, including mares in late stages of pregnancy, were rounded up and shipped out. Several State Senators intervened in our behalf led by Senator Bill Morrow. Subsequently BLM asserted jurisdiction over the herd, which is now contained in three locations.

The enclosed California State Legislation will provide for the herd's restoration as the last wild horse herd in Southern California and a Management Program for the Coyote Canyon Wild Horse Herd.

Additionally, BCHC is seeking to establish the use of the Beauty Mountain Cattle allotment and contiguous BLM lands for a HMA. The allotment permittee is agreeable to this. Under Sec. 4710.3-2 Wild horse and burro ranges. "Herd management areas may also be designated as wild horse or burro ranges to be managed principally, but not necessarily exclusively, for wild horse or burro herds." It is clear to us that BLM has wide jurisdiction in designating herd areas.

The BCHC is requesting the Advisory Committee's support for this designation (See Sec.4710.3-1 Herd Management Areas).

The removal of wild horses and burros from their native ranges when BLM transfers the land to another agency has spelled disaster for the herds and is a deceptive practice that would not be supported by the American public.

We propose that the federal legislation be amended to preclude the removal of wild horses and burros from their specific range (see Sec. 4710.3-1 Herd Management Areas) when the jurisdiction of these HMA changes to another public agency or conservancy.

The California Desert Protection Act (1994) transferred millions of acres to the National Park Service (NPS) with specific language on how they would manage existing land use activities. It is ironic that the Act was silent regarding burros protected by the Wild Horse and Burro Act. At a recent Desert Managers Group meeting, a NPS wildlife ranger remarked that a bullet to the brain of a burro was an acceptable and humane practice to rid the Park of unwanted burros protected by the Wild Horse and Burro Act.

Some areas where HMAs exist are adjacent to the new NPS boundaries. However, the water sources that the burros depend on are just within the Park or Preserve. To prevent burros from accessing water in the park or preserve the Clark Mountains HMA was zeroed out in the North-

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ern and Eastern Mojave Desert Coordinated Plan.

Within the California Desert Conservation Area Plan (1980), there were 19 recognized Herd Management Areas that could be managed for burros. From the 19 HMA, 14 were designated for the management of burros for a total of 3,500,465 acres for 2,747 burros.

Today, there are only two burro HMAs recognized within the updated land use plans for the management of 229 burros on 570,228 acres. These two burro HMAs within the District will be evaluated in the future for retaining their HMA status. One no longer supports burros. 97% of the HMA in California were transferred to the Park and it is Park policy not to manage for wild horses or burros protected by the Wild Horse and Burrow Act.

Most of the areas have been zeroed out because of “conflicts” such as management policies and agendas inconsistent with the Wild Horse and Burro Act.

We are committed to partnerships with all agencies to assist in preserving and maintaining wild and free ranging healthy herds. We are also seeking ways to reduce conflicts on grazing allotments. In California alone, billions of dollars have been spent and more is allocated for wildlife habitat acquisitions. Some may be suitable for wild horse sanctuaries compatible with other wildlife especially those historic ranches that are fenced and have a history of grazing. Clearly, the American Public is fascinated with being able to see this vestige of our pioneer heritage.

Thank you for the opportunity to present to you today.

Kathleen Hayden



*Life is not measured by the number of breaths we take,  
but by the moments that take our breath away.*

## HB88 gives state say over U.S. land But way bill would be interpreted is a big question

By Donna Kemp Spangler

Deseret Morning News <http://deseretnews.com/dn/view/0,1249,590040349,00.html>

State lawmakers have chafed under the yoke of federal land managers for decades. But rural lawmakers think they have a way to force the federal government's hand to allow greater state involvement in decisions on how millions of acres of federal lands are managed in Utah.

Rep. Bradley Johnson, a Republican rancher from Aurora, has filed legislation that would require the state planning coordinator to develop land use management plans — in consultation with local governments — that emphasize the economic importance of such things as oil and gas development, mining, ranching, off-road vehicles, wildlife and watersheds on public lands.

"This will ensure our multiple use and sustained-yield management on public lands," Johnson said. "We're not telling the federal government what to do. We're telling them this is our state policy."

The House Natural Resources, Agriculture and Environment Standing Committee, a group made up of mostly rural lawmakers, last week approved HB88, which now goes before the full House for consideration.

But the bill faces an uncertain future. Federal land management decisions have traditionally been made outside the purview of state policy.

That's why supporters say the law is necessary, especially at a time when the Bureau of Land Management is in the process of developing several land use plans spanning nearly 10 million acres in Utah.

"It is absolutely essential to have state and local partners in the process," said Don Banks, spokesman for BLM's Utah office. "We have signed on more than a dozen counties affected by plans as cooperating agencies. We have similar agreements with the Governor's Office of Planning and Budget. We recognize the special role these cooperating agencies play in management of public lands."

Environmentalists are a little more skeptical about the lengthy bill. "It seems like a real convoluted piece of legislation," said Scott Groene, an attorney with Southern Utah Wilderness Alliance. "It's difficult to determine what it means at this point."

The proposed law is rooted in federal regulations, the Federal Land Management Policy Act of 1976 (FLMPA) that says federal land use management plans "shall be consistent with state and local plans to the maximum extent they are consistent with federal law."

That by no means requires federal land managers to follow state policy. "It's been tested and demonstrated time and again federal land management is not controlled by state plans," said Groene. "The troublesome thing about this bill is it is legislating a one-size-fits-all solution that may limit the state planning coordinator from having flexibility to make decisions in Utah in the long run."

Banks agrees, somewhat. "At the end of the day we are responsible for carrying out several laws, regulations and policies," Banks said. "We are serious in trying to provide meaningful involvement, especially with state and local governments, that's why we use our cooperating agency agreements."

What's uncertain with HB88 is how it will be interpreted — whether, for instance, it will change the way local governments now cooperate with federal governments. "It does indirectly affect how we do business," Banks said.

State lawmakers tried once before to pass a statewide land use planning law in 1974. The law was far-reaching in that it also applied to private lands, prompting critics to put a referendum on the ballot that led voters to repeal the law. "It was a broader land use planning law than this one," noted Brad Barber, a private consultant and former Gov. Mike Leavitt's top man on land issues. "The fear was that it would usurp the local governments' land use planning and zoning laws that were in place."

HB88 aims to give the state and counties greater say over public-land management and federal environmental regulations. State lawmakers are hoping to set the standards on decisions such as designation of a river segment to the National Wild and Scenic Rivers System. "FLMPA requires the federal government look at existing plans," said Rep. Mike Noel, R-Kanab. "It's critical we have a land use management plan to force the federal agencies to adhere to our laws."

Support for the bill is strongest in rural counties, where the federal government manages more than 80 percent of the land. Supporters say the proposed law gives the county and state a hammer over overzealous regulators who value wilderness protection more than people. "The citizens of the state are best served by the application of multiple-use and sustained yield principles when making decisions concerning the management and use of the lands administered by the Bureau of Land Management and the U.S. Forest Service," the bill states.

Of primary concern to rural lawmakers is such things as the designation of river segments to the National Wild and Scenic Rivers System. HB88 makes certain that any river proposed for designation is free-flowing, not a dry wash. The proposed law puts in writing the importance of agriculture, wildlife and transportation routes vested under an old mining statute known as "RS 2477," which the bill reads, "are vital to the state's economy and to the quality of life in Utah."

While many lawmakers support the bill in principle, Rep. David Ure, R-Kamas, fears the state plans will somehow usurp the counties' authority. "I don't think this bill gives the county the sovereignty it should have," Ure said. Although the bill says the land use management plans will be done in consultation with local governments it doesn't mandate it, he added. "The Wasatch Front has the power to put in office a governor not friendly to rural counties," Ure said. "That person can hire a state planner that could change the policies."

Counties support the bill, said Mark Walsh with the Utah Association of Counties. But, he added, there would be no objections to any language changes that would give counties more control. Johnson said he's willing to work out a compromise but insists the law is needed. "I think this is something we've got to put in place now," he said. "I don't know if this bill will solve all the problems," he added. "But it will help."

# BCHC / CdS CALENDAR

**MARK THESE IMPORTANT DATES  
ON YOUR PERSONAL CALENDAR !**

## **BCHC sponsored activities are BOLD**

Any BCHC activity may be attended by BCHC members from any unit, unless so noted. Call a board member for a contact phone number.

*Other activities of interest are in italics (not sponsored by BCHC and FYI)*

BCHC Caballeros del Sol General Meetings will be held quarterly with a special attraction and Potluck or BBQ. Check the back of each newsletter for location and directions to the Next meeting.

## **CRSP**

### **ON-GOING**

### **WEEKLY TRAIL REPAIR**

**See article inside !**

**The faster it is repaired the quicker it will be open! Come out as often as you can!**

28 February 2004  
Saturday

*BLM OPENING OF THE  
SEGMENT OF THE  
DeANZA TRAIL. Yuha  
Desert to Plaster City.  
Location: Dunaway exit  
and Interstate 9AM See  
inside!*

March 11 – 14, 2004  
**Rendezvous**

**In Santa Maria**  
SEND IN YOUR RESER-  
VATIONS. Hope to see  
you there

April 24  
**CA TRAIL DAY**  
**Special workparty**  
**See Article inside !**

APRIL 27th  
**Next Meeting**  
**Randall's home.**  
**Goodies, Program**  
**and Raffle**

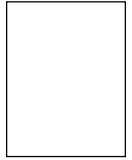
MAY 3rd  
**CRSP**  
**Trails Maintenance Unit**  
**Annual Training Date**  
**Contact: Mike Curtis**

22nd MAY, 2004  
**Fundraiser Ride**  
**Ride in Ranchita at a  
beautiful private ranch.**

6th JUNE  
**National Trails Day**  
**Tool packing demo**  
**Penasquitos Canyon Preserve**  
**Ranch House**



Backcountry Horsemen of California  
Caballeros del Sol Unit  
P.O.Box 12311, El Cajon, CA 92022  
(Return Address Requested)



March 2004

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Label

**NEXT GENERAL MEETING**

**TUESDAY, 27 APRIL, 2004**

**POTLUCK, DISH TO SHARE 6 PM  
AFTER SHORT MEETING, WE WILL HAVE A PROGRAM  
(TBA)**

**DIRECTIONS**

**Hiway 8, Exit: Los Coches Rd.  
North to Aurora Dr., Left onto Aurora  
Left onto Serenity, Go to top (end)  
take the cement driveway at 11 o'clock  
At the top, turn left in the dirt driveway (you are there)**

Mailed courtesy of Morgan Stanley, Rancho Santa Fe