

Fax, E-mail and US Mail Postmark Deadline Tuesday, October 16, 2007

United States Department of the Interior
Bureau of Reclamation, Denver Federal Center
Attn: Richard Rizzi, Mail Code: 84-53000
PO Box 25007, Denver, CO 80225

E-mail: landuserulecomments@do.usbr.gov
Fax: (303) 445-6470
Phone: (303) 445-2900

Subject: Comments for Federal Register, 43 Code of Federal Regulations (CFR), Part 429
Use of Bureau of Reclamation Land, Facilities, and Water Bodies

Dear Multiple-Use and Private Property Advocate:

Please fill out this document and mail, fax or e-mail it to BOR by Tuesday, October 16th. If you mail it, make sure you get it postmarked by the 16th.

Attention All Federal Land Permittees. You must comment on this attempt by BOR to remove all permittees. If BOR is successful, other agencies you are dealing with like the Forest Service and BLM will come for you also.

There is a legal concept called laches or “sleeping on your rights.” If you fail to participate in a comment process, you may have no legal recourse later. So you must send comments to the BOR.

The Bureau of Reclamation is waging a war against public and private use at all Bureau of Reclamation Reservoirs in the United States. They are trying to make the lakes “eco-friendly” by eliminating private use or what they call “exclusive use” or traditional uses. They are destroying many years of private investment by families in their homes with the approval of the BOR. If they get rid of enough exclusive uses, they won't have to worry about public use. It will be gone.

The Bureau will have to make final decisions on the future of these this new rule covering all their lakes nationwide in the next few weeks. Congress needs to step in and stop this ongoing Cultural Genocide. You have a chance to change the course of history at BOR lakes by filling out this Comment Questionnaire and mailing it to the Bureau of Reclamation at the address above. Or you can send it to the e-mail or fax listed.

Various lake user groups are working together to protect your use of your lake and protect your home, cabin and investment. **Please DO NOT FAIL to fill out this Comment Questionnaire.** Be sure to type or handwrite your own comments in the blank area near the bottom. You can borrow ideas from the statements higher up. If you leave that area blank, the BOR does not pay attention to the whole document.

BOR has become anti-people and anti-public use. You can do something about it. **Please note that multiple-use and private property advocates AGREE with all the statements below, but you don't have to.** You may edit the following statements. This is your testimony.

I am writing to voice my opposition to the proposed wording regarding the prohibited use of private cabin sites on Bureau of Reclamation (BOR) land in the Federal Register dated Wednesday July 18, 2007.

AGREE DISAGREE NO OPINION

It is apparent that the Bureau of Reclamation has done all it can to avoid letting people know about this new Federal Register rule and hoped to pass the rule Federal Register, Subpart H 429.31; 429.32; and 429.33. with little controversy.

AGREE DISAGREE NO OPINION

Employees of the Bureau of Reclamation interpret the rule wording as indicating that private permit sites at BOR Reservoir sites would most likely not be renewed when they expire.

AGREE DISAGREE NO OPINION

It appears that employees of the Bureau of Reclamation have a bias against private use and wish to see all private use removed.

AGREE DISAGREE NO OPINION

The BOR is opposed to all private use and calls this “exclusive use.” They are not taking into account all the people, visitors, relatives and friends that can stay at BOR lakes because of the cabins and homes provided by permittees.

AGREE DISAGREE NON OPINION

It is my view that removing cabins, homes and private use will actually reduce the use of BOR lakes and make the lakes unusable during bad weather with little cover or protection.

AGREE DISAGREE NO OPINION

Bureau of Reclamation employees really do not want to enhance use of these recreational facilities and view any private use as an inappropriate exclusive use of Federal lands. They seem to place no value on the investment cabinowners and permittees have made.

AGREE DISAGREE NO OPINION

BOR employees appear to be completely unaware of the large amount of volunteer amount of sweat equity investment permittees make at the various lakes in terms of trash collection, clean up and maintenance that the BOR does not have the funds to carry out.

AGREE DISAGREE NO OPINION

It is my belief that there is an overarching bias against private use at BOR lakes and that continued private use of BOR lakes will not be allowed much longer unless Congress steps in and provides adult supervision.

AGREE DISAGREE NO OPINION

The BOR is making the same mistake the National Park Service did in Yosemite. Because Yosemite gets crowded three weekends a year, the Park Service is closing off access, eliminating thousands of campgrounds, parking places and other facilities. They are making a “blanket policy” as an over reaction to a relatively small problem at Lake Berryessa in California. The BOR appears to be trying to outdo the National Park Service.

AGREE DISAGREE NO OPINION

I believe the intent of the new regulations is to eliminate all private use and that the Bureau is taking a hard handed approach toward the renewal of all permits.

AGREE DISAGREE NO OPINION

I believe the BOR is ignoring the severe economic impacts their cabin elimination program is having and will have on local communities very much economically dependent on BOR lakes.

AGREE DISAGREE NO OPINION

One section of the new rule states, Title 43 Section 21.4 (2) states in part “Whenever the Authorized Officer determines the public need for use of a recreation or conservation area has grown to a point where continued private cabin site use is no longer in the public interest, the procedures set forth in paragraph (b) of this section will be invoked . . . “ This provides a lot of opportunity for bias and subjective judgments that do not take into account the effect of decisions on local small businesses and local communities.

AGREE DISAGREE NO OPINION

At most BOR lakes, private cabins take up such a small percentage of land and access as to provide virtually no impact on the visiting public.

AGREE DISAGREE NO OPINION

Any analysis at any lake that recommends the removal or non-renewal of cabins or other structures should have to be part of a land protection plan that requires an actual scientific analysis of the impacts of cabin owner improvements on visitors and access.

AGREE DISAGREE NO OPINION

The land protection plan must analyze the economic impacts on local business and local communities as well as actually impacts on recreational use. Not just the local BOR Manager's bias. It must also evaluate the loss of income to the local BOR management by cabin removal and provide a plan for replacing that income.

AGREE DISAGREE NO OPINION

I would like it noted Federal guidelines recommend the values held by the individuals who hold the permits count; not the values of a manager, planner, or any other representative of the Bureau.

AGREE DISAGREE NO OPINION

Only two stipulations are listed for the Director's recommendation to terminate permits. I have not heard either of one of those reasons given by any representative of the Bureau. In fact, the only reason given for termination of cabin site permits has been because a few representatives of the Bureau either no longer approve of the permits' use or no longer wish to deal with private use of public lands.

AGREE DISAGREE NO OPINION

Federal Register – IV – 1 (1) states in part: “The rule will not adversely affect in any material way the economy, productivity, competition, jobs, environment, public health or safety, or State, local, and tribal governments or communities”. This is completely untrue. This rule will cause severe economic damage to communities close to BOR lakes.

AGREE DISAGREE NO OPINION

In the case of BOR Reservoirs, as in any local community, we are concerned about our regional economic development. Our concerns center on job opportunities increases to income levels, and our social viability and general economic prosperity. This new BOR rule will damage hundreds of local communities and small businesses.

AGREE DISAGREE NO OPINION

The continuation of the individual cabin site permit holders, their families, and guests represent many benefits from the area's public recreation. If you remove the permit holders and a portion of the extended users from the area, what will be the result? There will be a negative regional economic impact; not only resulting in the removal of primary gains generated by the permit holders, but also the secondary gains that circulate throughout the community.

AGREE DISAGREE NO OPINION

Federal guidelines recommend regional economic impacts, based on the decision of managers, not contribute to the decline of the general welfare and / or national, regional, or local economic development of any particular area. It is not difficult to see the direct effect the termination of BOR Reservoir cabin site permits will have on the purchase of goods and services in the local community. Keep in mind the “public day user” who brings a picnic lunch from home has a lower regional output on sales, goods, and services. If cabin site

permits are terminated and public day users are the remaining users of the facility one or two times out of the year; the result will be a negative economic impact to the region.

AGREE DISAGREE NO OPINION

I am requesting the Director re-word the language in the Federal Register dated July 18, 2007 to allow the cabin sites at BOR Reservoirs the certainty of permit use for many years into the future so we can continue to keep the area alive and viable for our local businesses, families, friends, and the publics' continual recreational enjoyment.

AGREE DISAGREE NO OPINION

I, along with the other cabin site permit holders at various BOR reservoirs, our friends, guests, out of town and out of state visitors; respectfully ask you to address all issues in this questionnaire and to take into consideration the economic, recreational, cultural, and social values of this area when you make your final determination.

AGREE DISAGREE NO OPINION

(Your written comments here will make this document more valuable. The Bureau of Reclamation will try to ignore this questionnaire unless you fill in your personal statements here.)

(If needed, use additional sheets or attach a personal letter)

To validate your comments please fill in completely (PRINT or TYPE) and be sure to sign.

Signature _____

Name _____

E-Mail _____ Fax _____ Phone _____

Address _____ Town _____ State _____

Zip _____

Please do not fail to send this testimony questionnaire even if you receive it late.

Don't miss the deadline but if you can, make a copy of your questionnaire and mail it to the American Land Rights Association, PO Box 400, Battle Ground, WA 98604. Phone: 360-687-3087 — Fax: 360-687-2973 — E-mail: alra@pacifier.com — Website: www.landrights.org.

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Please forward this message as widely as possible.

It is very important to get this document in the hands of as many affected people as possible.