



“Voice of the Western Slope since 1953”
A coalition of counties, communities, businesses & individuals

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97-3 PL 1
BLM Law Enforcement

WHEREAS: The Bureau of Land Management has proposed new regulations to strengthen its law enforcement powers, raising substantial doubt about its legislative authority for such rules under Section 303 of the Federal Land Policy Management Act, and

WHEREAS: The proposal expands exponentially the BLM's power to make arrests and impose fines and imprisonment, by upgrading to felony status numerous offenses which are misdemeanors under the law, and

WHEREAS: Other violations under 43CFR which are considered civil violations would become criminal violations under the proposed new rules, and

WHEREAS: The Administrative Procedures Act requirement that such changes be explained in simple terms understandable by the public has been violated by a proposal which is extremely lengthy, complex and technical, and

WHEREAS: The proposal includes a provision affecting water quality, which appears to give the BLM authority to regulate uses on private property, although no "takings assessment" has been done, as required by Executive Order 12630 before any federal rules can be applied to private property, and

WHEREAS: County Sheriffs, who are responsible for law enforcement on such lands, have not been consulted about rules which could have a significant effect on their operations,

NOW THEREFORE BE IT RESOLVED that CLUB 20 opposes the proposed new BLM law enforcement regulations as over-reaching and too expansive, asks that they be withdrawn, and urges congressional hearings on Section 303 of the Federal Land Policy Management Act.

Adopted March 7, 1997