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Comments: Again and again I have to write to oppose the closure of public access roads on federal lands of various kinds. The onslaught against public access by federal agencies is unrelenting. So yet again I must write to opposed all of the proposed options that would close access to public lands. The option I want is to not close any roads and if you have found roads now closed which can be opened then open them. The balance of this letter outlines the legal restraints it appears you are attempting to ignore in your road closure proposals.

Instead of choosing between 5 options of how much of my right to ingress and egress I would like to give up, I'd like to point out a few items in the laws of the US and State of Arizona that should prevent the BLM from forcing anyone to choose.

First I'd like to refer you to the Lode mining law of 1866, codified in the General mining law of 1872 in which a right to ingress and egress is to mineral deposits is granted to all US citizens. This right has been reaffirmed multiple times in state and federal courts up to and including the US Supreme Court.

Second, I'd like to refer you to a portion of the law that gave the BLM it's authority as administrator of public lands but limits its ability to control travel; specifically 43 U.S. Code § 1732 - Management of use, occupancy, and development of public lands

"Except as provided in section 1744, section 1782, and subsection (f) of section 1781 of this title and in the last sentence of this paragraph, no provision of this section or any other section of this Act shall in any way amend the Mining Law of 1872 or impair the rights of any locators or claims under that Act, including, but not limited to, rights of ingress and egress"

Third, is what's commonly referred to as RS2477, part of the Mining act of 1866, stating "The right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted" Although this section was repealed by the FLPMA of 1976, any public right of was existing at the time was again protected. "Nothing in this Act or any amendment made by this Act, shall be construed as terminating any valid right-of-way or other land use right or authorization existing on the date of approval of this Act."

Finally, I'd like to direct you to Arizona's HB 2175, signed into law by Governor Ducey last year. HB 2175 confirms and asserts Arizona's right to control all rights of way existing prior to the passing of the FLPMA act of 1976.

I'd like to conclude with a message to those of you who would limit my right to access in the name of protecting the environment, animals or aesthetics; Many of our forefathers fought and died for these lands, for their natural resources and strategic value to ensure our nation's survival. I doubt any of them would have done so knowing that their heirs would be locking them up and throwing away the key to protect a supposedly endangered species of plant or animal or protect someone's hiking trail or view. Without rights to access, your access becomes a privilege.