

November 30, 2018

ATTN: GSENM/KEPA Draft RMPs/EIS
669 S. Hwy 89A
Kanab, UT 84741



Re: GSENM-KEPA RMPs-EIS Vol. 1-508, Comment on Grand Staircase-Escalante National Monument and Kanab-Escalante Planning Area Draft Resource Management Plans and Environmental Impact Statement
By POST and by ELECTRONIC UPLOAD

To Whom It May Concern,

This letter is written by the Southern California Paleontological Society (SCPS), with support from other organizations and professionals concerned with preserving, responsibly collecting, managing, and studying paleontological material. SCPS is a non-profit organization with 210 dues-paying members. Many SCPS members work closely with the Natural History Museum of Los Angeles County (NHM) as volunteers, docents, and fossil preparators or work with the Invertebrate Paleontology Research and Collections Department of the museum assisting with fossil curation. To advance our goals of research and education, SCPS members use their personal collections in presenting programs to Los Angeles, Ventura, and Orange County public elementary schools and community groups. In addition, several SCPS members have donated their extensive collections to the Natural History Museum of Los Angeles County, as well as other museums and educational institutions. We are not unique in this respect. Most Fossil Clubs/Societies work with their local museums and universities, volunteer time, donate specimens and entire collections, and are active in educational outreach. We are the face of paleontology in our respective communities.

SCPS is a member of both the American Federation of Mineralogical Societies (AFMS) and its regional affiliate, the California Federation of Mineralogical Societies (CFMS). CFMS represents 110 gem-mineral-lapidary-fossil societies located primarily (but not exclusively) in the State of California. CFMS represents 8,747 dues-paying members in aggregate. AFMS represents seven regional affiliates with 50,460 members in aggregate throughout the United States. Some affiliated societies of the AFMS and regional federations, together with unaffiliated organizations, are signatories to this letter not only because of values shared in common concerning avocational paleontology, but also because the proposed alternatives affect collecting and managing non-fossil geological resources for recreation and education (“rock collecting” or “rockhounding”).

This comment letter is submitted by the Southern California Paleontological Society with the support of other organizations and individuals concerned with the management of the

Kanab-Escalante Planning Area and the Grand Staircase-Escalante National Monument units. **The signatories to this letter support the Paleontological Resources provisions in Alternative D (Preferred Alternative)**, which would *allow casual surface collection of common invertebrate and botanical paleontological resources for personal use without permits except in areas closed to such collecting because resources are of critical scientific value or unless such resources are of critical scientific or recreational value and need to be protected*¹.

We support the Management Actions incorporated in Alternative D specific to the Kanab-Escalante Planning Area listed under Record # 1050 and #1051 (in the Draft Resource Management Plans and Environmental Impact Statement), and the Management Actions incorporated in Alternative D specific to units of the Grand Staircase National Monument listed under Record # 1048 and #1049, which would allow casual collecting in designated and posted areas within the monument. Additionally, we support the Travel Management provisions of Alternative D listed under Record #2101 and #2102. Routes for motorized travel are essential in providing access to a majority of the public, including children, the elderly, and the handicapped.

We are encouraged by certain provisions of BLM's Preferred Alternative, specifically the Management Actions for Paleontological Resources specific to Alternative D. We believe these specific provisions of Alternative D are consistent with relevant statutes, compatible with protection of critical paleontological resources and monument features, and appropriate for public recreation on these public lands. We respectfully request your attention to the following discussion of certain aspects of the proposed plans, management actions, and issues involved.

Alternative D is consistent with the 2009 Paleontological Resources Preservation Act: *The Secretary shall allow casual collecting without a permit on Federal land controlled or administered by the Bureau of Land Management, the Bureau of Reclamation, and the Forest Service, where such collection is consistent with the laws governing the management of those Federal lands and this subtitle*². No statute states that National Monuments managed by the BLM shall be closed to casual collecting. The BLM retains the authority to restrict casual collecting, within specific areas, with reason, to protect critical resources. Congress clearly expressed solicitude for public hobby collecting of fossils in the 2009 PRPA and designated BLM and National Forest lands as appropriate for that activity. As more BLM lands are placed within special management units such as national monuments, a prohibition of casual collecting within all special management units would shrink the area available to the public for this recreational and educational activity to far less than what existed or was envisioned in 2009, defeating the intent of the statute in regard to its casual collecting provision.

Hobby collecting of non-fossil rocks and minerals is not specifically discussed in the GSENM-KEPA DRMP & EIS, except in section 3 page 44: *Alternative D would also allow casual collection of rocks, minerals, and petrified wood across the entirety of KEPA*. Rock and mineral collecting is a traditional hobby across the American West, with significant participation by families, and an activity of educational merit. Before the establishment of the GSENM in 1996, the area was frequented by rock collectors. It is disappointing that the Analysis of the

Management Situation and the other GSENM-KEPA planning documents lack discussion of non-fossil rock collecting and how it might be accommodated. That the Preferred Alternative (D) does provide the public with opportunities for hobby collecting of rocks and minerals is an important positive feature and we commend the BLM for this.

Fossils derive most of their value to humans as objects of scientific, public, hobby, or artistic use. In other words, the true indicators of resource condition and effective management are how well fossils are being effectively utilized³. Fossils protected in place by isolating them from human contact serve no purpose. An ongoing tragedy noted by many professional paleontologists is the natural destruction of fossils by erosion before they are studied or utilized in any fashion. In order to be discovered, the fossil must be: exposed to view, seen by a human being, recognized for what it is, and collected appropriately⁴. Fossils have more than just scientific value. The educational and recreational value of fossils can sometimes be realized by fossils left in place, such as a trailside exhibit, but most of the potential scientific, educational and recreational value of fossils can be realized only with collection of the fossil.

*Support for the involvement of amateurs as an integral part of both the science and the enjoyment of paleontology was universal. Many examples of amateurs' contributions made it clear that professional paleontologists welcome and value their relationships with groups and individuals⁴. Hobbyists and the general public have been instrumental in the discovery of many significant fossils. Hobbyists cooperate with professionals in the study of fossils, with some amateurs recognized as experts. The positive impact of hobby collectors is not mentioned in the documents prepared for the GSENM-KEPA DRMP, only the potential for negative impact through inadvertent damage to paleontological resources, and potential depletion of these resources through over-collecting. We feel the potential for inadvertent damage by well-intentioned collectors is negligible, less than the positive contributions to science made by hobbyists. The BLM's Draft Programmatic EA for Casual Collecting of Paleontological Resources on BLM Administered Lands (2016) states that *Casual collecting activities are not anticipated to cause adverse impact to paleontological or other natural or cultural resources.**

The documents prepared by the BLM for the GSENM-KEPA DRMP discuss threats to fossils from illegal collecting (particularly of dinosaur bones), illegal commercial collecting (particularly of petrified wood), and vandalism. These are crimes on any federal land, regardless of whether the land is within a monument. The problem needs to be addressed through enforcement of existing laws and regulations, and cannot be solved simply through additional rules that restrict the activities of the law-abiding public. No doubt illegal activity would decrease with complete prohibition of all public entry, but that would defeat management goals and prevent realization of scientific, educational and recreational values. Member societies of the AFMS and its regional affiliates abide by a Code of Ethics that requires compliance with all laws and regulations by all participants in society sponsored activities.

We would oppose ACEC designations if large areas were to be removed from casual collecting due to limited occurrence of critical paleontological resources. Widespread prohibition of casual

collecting of common invertebrate and botanical fossils is not necessary to protect vertebrate and other rare fossils that occur in discrete areas. The BLM needs to exercise good judgment in restricting casual collecting in the proposed ACECs, including Circle Cliffs and Cockscomb East, if these are approved. Most common invertebrate fossils are of marine origin and are not found in the same formations as dinosaur bones, and thus common invertebrate fossils and dinosaur bones typically do not occur in the same localized area. Invertebrate fossils are easily distinguished from fossil bone and hobby collectors are unlikely to confuse them.

In summary we support the Paleontological Resources provisions of Alternative D, including the casual collecting provision across the entirety of KEPA and select areas of the GSENM, because we believe this will most fully realize the scientific value, and the educational and recreational value, of the paleontological resources and will not harm critical paleontological resources.

1. GSENM-KEPA DRMP&EIS Executive Summary, page ES-10
2. PUBLIC LAW 111-11—March 30, 2009, Subtitle D, Section 6304
3. GSENM-KEPA RMP Analysis of the Management Situation, page 52
4. Assessment of Fossil Management on Federal and Indian Lands (2000) - prepared by the Smithsonian Institution for the Department of the Interior, pursuant to Senate Bill 105-227 (1998)

Sincerely,

Brian Lubs
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Co-signing Organizations

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San Diego Mineral & Gem Society, Inc.

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