

Udall, Salazar propose big fines for big damage on federal lands

[Source: Howard Pankratz](#) *The Denver Post*

Posted: 02/09/2010 02:44:40 PM MST

Updated: 02/09/2010 02:55:50 PM MST

The illegal destruction of thousands of acres of public lands in Colorado by off-road vehicles and fires caused by carelessness has prompted legislation that could result in much stronger penalties for those responsible.

U.S. Senator Mark Udall, D-Eldorado Springs, and Rep. John Salazar, D-Manassa, announced today that they have introduced legislation in the U.S. Senate and U.S. House of Representatives designed to deter damage to public lands caused by illegal or reckless activities.

The legislation would amend the 1976 Federal Lands Policy and Management Act, to allow the Secretary of the Interior and the Secretary of Agriculture to impose fines up to \$100,000 and up to 12 months in jail or both.

The legislation would establish that any reckless use of fire on public lands would be punishable by fines of no less than \$500.

Udall and Salazar said that numerous destructive incidents in Colorado coupled with the extremely weak punishment now imposed by the 1976 act prompted their legislation.

They noted that with the increased use of public lands in the West, particularly Colorado, have come instances of outrageous behavior that has caused hundreds of thousands of dollars of damage to the land.

However, the public agencies charged with repairing the damage often are hamstrung because current fines for the destruction are minuscule, the two Coloradans said.

For instance, federal law prevents the U.S. Bureau of Land Management from assessing a fine greater than \$1,000 — even if damage from the violations costs thousands more to repair.

"While most visitors to our public lands are responsible and law-abiding, some either knowingly or carelessly cause serious harm to areas that were set aside for every to enjoy," said Udall. "In some cases - as in the careless use of fire — they're putting people's lives and homes at risk."

Salazar said such legislation is necessary to protect tourism and natural resources which are critical to Colorado's economy.

The lawmakers cited two instances where off-road vehicles caused substantial destruction to public lands.

One was the mudfest sponsored by KBPI disc jockeys Stephen Meade and Darren McKee where hundreds of people drove their vehicles in a sensitive wetlands.

Seven acres of wetland were destroyed and another 18 acres were seriously damaged, including prime habitat for an endangered species of toad.

The estimated cost to repair the damage ranged from \$66,000 to hundreds of thousands of dollars.

Udall and Salazar said that while much of the 2000 event took place on private land, the off-road vehicle users crossed a portion of the Arapaho-Roosevelt National Forest. Meade and McKee were ticketed \$50 apiece for not getting a special-use permit to host the gathering.

They also noted an incident, also in 2000, where two recreational off-road vehicles ignored closure signs while four-wheel driving on BLM land high above Silverton. They were stuck for five days on a 70 percent slope at 12,500 feet along the flanks of Houghton Mountain. Udall and Salazar said the incident caused significant damage to the high alpine tundra — a delicate ecosystem that may take thousands of years to recover.

Despite that, said Udall and Salazar, the violators were fined only \$600 each.

That fine was hardly adequate to restore the area or to deter others, they said.

The increased fines, along with authorization to apply the funds to restore damaged land under the REPAIR ACT, will allow the Interior and Agriculture departments to repair damaged wildlife habitat, replant wetland vegetation, revegetate scarred lands and repair trails, they said.

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