

JOHN McCAIN
ARIZONA

CHAIRMAN, COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
COMMITTEE ON ARMED SERVICES
COMMITTEE ON INDIAN AFFAIRS

United States Senate

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PHOENIX, AZ 85016
(602) 952-2410

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SUITE 200
TUCSON, AZ 85701
(520) 670-6334

TELEPHONE FOR HEARING IMPAIRED
(202) 224-7132
(602) 952-0170

November 29, 1999

ARIZONA STATE OFFICE
BUREAU OF LAND MANAGEMENT

DEC - 2 '99

Mr. Gary Bauer
Acting Director
Bureau of Land Management
222 N. Central Ave
Phoenix, Arizona 85004-2203

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Dear Gary:

I wish to bring to your attention a matter concerning my constituents who have encountered a problem with the Bureau of Land Management.

Because the situation is under your jurisdiction, I am respectfully referring this matter to you for consideration. I feel that this issue would be better addressed by you and request that you respond directly to each constituent.

Thank you.

Sincerely,

John McCain
John McCain
United States Senator

JM/tjl
Enclosures

ARIZONA
STATE OFFICE
PHOENIX, ARIZONA

Dec 2 10 17 AM '99

RECEIVED
BUREAU OF
LAND MANAGEMENT

JOHN McCAIN
ARIZONA

CHAIRMAN, COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
COMMITTEE ON ARMED SERVICES
COMMITTEE ON INDIAN AFFAIRS

United States Senate

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1839 SOUTH ALMA SCHOOL ROAD
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TUCSON, AZ 85701
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TELEPHONE FOR HEARING IMPAIRED
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(602) 952-0170

RECEIVED YUMA, ARIZONA

1999 DEC -2 P 1:08

November 30, 1999

BLM YUMA FIELD OFFICE

Gail Acheson
Field Manager
Bureau of Land Management
Yuma Field Office
2555 E. Gila Ridge Rd.
Yuma, Arizona 85365-2240

Dear Gail:

I wish to bring to your attention a matter concerning Ms. **Ex. 6** who has encountered a problem during the setup for a music event in Yuma.

Because the situation is under your jurisdiction, I am respectfully referring this matter to you for consideration. I feel that this issue would be better addressed by you and request that you respond directly to **Ex. 6**

Thank you.

Sincerely,



John McCain
United States Senator

JM/xtj
Enclosures

Received
BLM Yuma, AZ

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STS. Comm.	
Res. Comm.	
Sen. Staff	
Public Affs.	
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11-17-99

99 NOV 23 AM 11:12

Senator John McCain
1839 S Alma School Rd
Suite #375
Mesa AZ 85210

RECEIVED WYOMING ARIZONA

1999 DEC -2 P 1:08

BLM YUMA FIELD OFFICE

Dear Senator:

Last season myself, my husband, and five other couples asked permission from our local BLM ranger here at LaPosa South LTVA if it would be okay to put up a nice tarped tent for a music jam each week. Now this jam went over so well we invited everyone in all of the area to come as it was an open jam, and also the potlucks, just a nice way to spend the winter. These jams are at 2-5 p.m.

When our jams got to be 250 people I thought it best to go to Yuma to the BLM field office and ask permission to have it again this year, as it seems as though a lot of people in the Quartzsite area come for the music.

I started out talking to Ex. 6 and he said for me to get signatures showing the need. Well in less than two weeks we had over 460 signatures of people who wanted us to have the jam again this year. At NO time did we ever receive a complaint as we kept the sound down as best we could.

After gathering signatures my husband and myself went to Yuma again, this time meeting with Ex. 6 Ex. 6 as we understand he was the head of the LTVA area. At this time also the resident ranger, Ex. 6 went in the meeting with us to let them know that we did not create a problem at all, and he felt it was a good thing for the campers. Ex. 6 said we did not need signatures and it was just fine for the resident ranger to write a letter saying we could put up the tent structure for the 99/2000 season. You see, I have worked with BLM for over 15 years in Oregon and in no way did I want to do anything that should not be done, this is why I went for permission.

Well, even when the resident ranger wrote the letter, it never got to me, but I felt that they were as honest as the BLM employees I had worked with and that a letter would be waiting for us upon our return to LaPosa South. I found in Salem, Oregon that if they give you their word it is as good as gold. I thought all BLM would be that way. I am very sorry it is not that way in Yuma, Arizona.

We put our tent room up and went to a town hall meeting in Quartzsite, Arizona on 10-20-99 thinking I could get my letter and when Ex. 6 asked how they might make people's stay more enjoyable I stood up and told of our tent and the music and potlucks. Ex. 6 said "We would talk later." I invited them to come see our nice structure as we were very proud of it. We put over \$1000 into it to make it clean and safe. Well, they did come, but only to tell us to take it down. Ex. 6 Assistant Field Manager, said "NO WAY could we have a thing like this in the desert." And he had a real problem with the towns people coming out and not having to have a permit. (I feel he has forgotten who this land belongs too.) Anyway I was given 5 days to get it down, but that I could still have the music out in the open with no sun shades, only north wind breaks. The average age of the people here in the desert must be 70 and over, they have to have something for the sun. This tent is only up for five months. I also was told by roving ranger, Ex. 6 that if I went over their heads he would be watching over my shoulder every moment. I replied to him, give me a ticket right then as I'm not perfect and I would do something wrong. His reply was "I will evict you from the LTVA!!" And believe me I have lots of witnesses this was said to me. Even when I went to Yuma the next day, Ex. 6 said he did not hear that at all. And Ex. 6 said "It was something like that, but he didn't mean it that way." I don't know how else I could have taken it.

I asked if I might have a small tent and again the reply was NO.

All we want is to be treated like everyone else and because I went by what I felt was the correct way, and still do, as we were not trying to hide anything, even if Ex. 6 said he probably would not have noticed it if it had been hidden by Rvs. I don't want to hide anything I do. We would of had Rvs around it when all our family and friends get here.

I, as well as hundreds of other people, would appreciate any help we can get for the return of our tent.

I am enclosing a copy of a letter that Ex. 6 seems to think I have agreed and a picture of our tent room so you can see it is not an eyesore.

Thank you for your time.

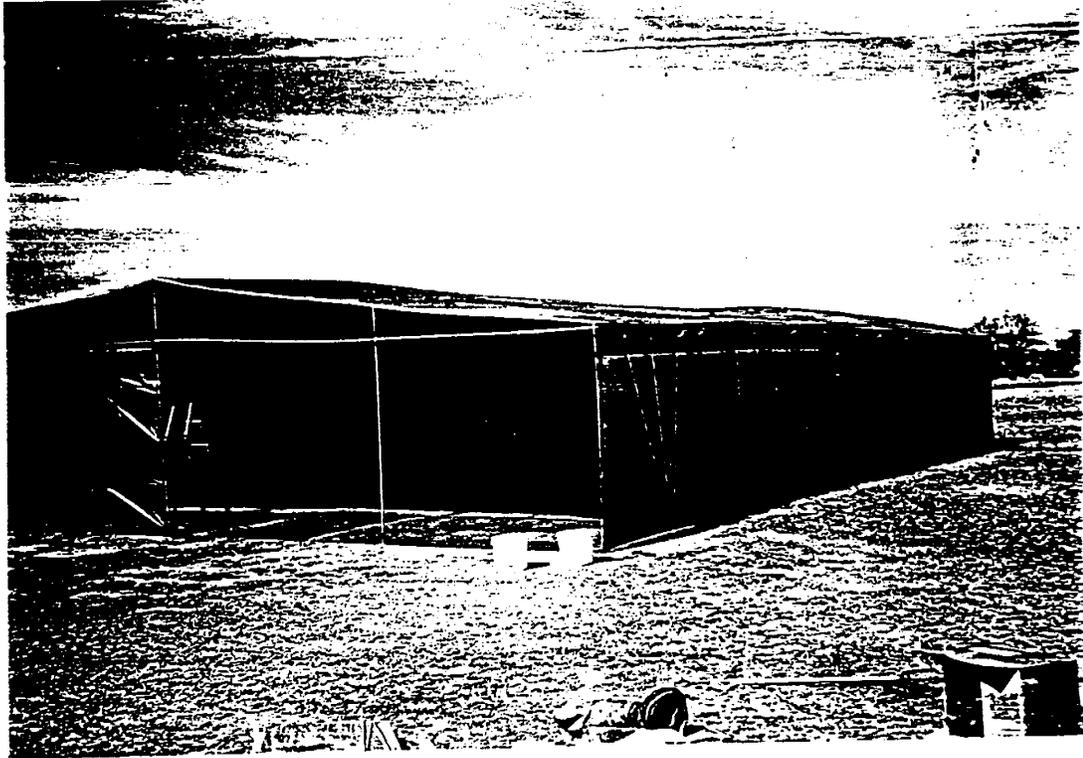
Ex. 6

Ex. 6

phone:

Ex. 6

cc: Bruce Babbitt
Gail Acheson
Govenor Jane Hull
BLM Arizona State Office





United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arizona State Office
222 North Central Avenue
Phoenix, AZ 85004-2203



In reply refer to:

1781/8300 (931)

December 16, 1999

Honorable John McCain
450 West Paseo Redondo
Suite 200
Tucson, AZ 85701

Dear Senator McCain:

This is in response to your letters to the Acting State Director and the Yuma Field Manager (dated November 29 and 30, 1999, respectively) regarding constituent complaints about the removal of the "music tent" from the La Posa Long Term Visitor Area, near Quartzsite, Arizona. Please review the attached response letter that I have sent to **Ex. 6** of Quartzsite, Arizona regarding this situation. As you will read, we believe we have cleared up the misunderstanding which resulted in this letter writing campaign.

While the Bureau of Land Management (BLM) did not have any objection to continuing the visitors' weekly music jams in the manner they had conducted them in the previous year, the local managers were surprised by the new location, the new events, and the greatly enlarged structure that was being erected this season.

After several meetings, the Field Manager, based on the belief that there were misunderstandings about approval for the event versus approval for a structure, agreed that the "music group" could continue to hold the music event in their preferred location using temporary structures which could accommodate the weekly event. I believe that the Yuma BLM office has made reasonable accommodations to allow this event to continue for this season.

In addition to the response sent directly from me to **Ex. 6**, the Yuma Field Manager will send a letter to all those who had submitted the form letter (with a return address) to you or any of the several BLM offices. The letter will advise them of the background of the structure and amplified music policy and that based on an agreement between BLM and **Ex. 6**, the weekly music event can continue.

Thank you for giving us an opportunity to fully explain the situation.

Sincerely,

Denise P. Meridith
State Director

Enclosure
cc: Your Washington Office



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arizona State Office
222 North Central Avenue
Phoenix, AZ 85004-2203

In reply refer to:

8300 (931)

December 16, 1999

Ex. 6

Dear

Ex. 6

Thank you for your letter regarding the music event in the La Posa South Long Term Visitor Area (LTVA). I was in the Yuma Field Office on November 23, 1999, and had the opportunity to discuss this issue with the Field Manager, Gail Acheson and Assistant Field Manager, Merv Boyd. From your letter and my discussions with the Yuma Manager, it is apparent that there are two issues at hand at La Posa South. First, the weekly music jam, and second, the nature of the structure allowed to accommodate that use at the LTVA.

The Yuma Field Office of the Bureau of Land Management (BLM) acknowledges that LTVA visitors had verbal permission to conduct the weekly music event last year and there were discussions with various office staff members about holding the music event again this year. We still feel that a once-a-week get together with friends for music and socializing can be an acceptable and unique aspect of the LTVA experience. Please understand, however, that some visitors may object to amplified music, which is why BLM has designated sites for that purpose.

I understand that the event dramatically grew in size and scope as the season progressed. In addition to weekly music events, there were also pot luck meals, arts and crafts events, and exercise and therapy sessions. These new events were never authorized. BLM had not had the opportunity to evaluate the new events, including the issues of impacts, liability, and use of facilities by visitors without permits. The Yuma Field Manager and staff were amenable to continuing the music event during the 1999/2000 LTVA season, but they were never approached about these other events or the new larger structure until after it was erected.

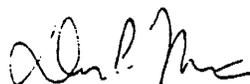
The verbal approval you were given by various staff members was based on the music event being held near your campsite, and did not address either the location or the scale of the tent you used previously. On October 22, 1999, when the size of the new tent and the scope of the additional activities were realized by BLM, Mr. Boyd visited your campsite and discussed several options with you, such as moving the event to the designated area, finding appropriate facilities on private land, erecting and dismantling the tent for use once each week, or erecting smaller shelters. I understand that at the time none of those options were acceptable to you, which prompted heated discussion and your letters to various state and federal officials.

I also understand that because Ms. Acheson and Mr. Boyd believed that there were misunderstandings about approval for the event versus approval for a structure, you were granted these exceptions to written policies for the 1999/2000 season, on a subsequent visit. The "music group" was given permission to hold the music event in the location you chose and allowed to erect temporary structures which should be more than adequate for your use four hours per week. You have also been allowed extra time to erect and dismantle these structures.

I believe that the Yuma BLM Office has made reasonable accommodations to allow this event to continue for this season. I understand that the music event is being held on a weekly basis, and that you have provided temporary shade and windbreaks consistent with the written permission you originally received on October 22, 1999 (which you included in your incoming letter). I have coordinated this response with Ms. Acheson, so you will not be receiving a separate letter from her.

I truly am sorry about the misunderstanding between the Yuma BLM staff and yourself, and also the misunderstandings of all others who were under the impression that BLM was opposed to the weekly music event. You must appreciate the concern of the BLM within the entire LTVA system to consistently and evenly apply policies for structures. I can only suggest to both my staff and our visitors that it important to keep the lines of communication open, especially when there is any change from the normal operating procedures and customs of the LTVA. Ms. Acheson has identified Mr. Mark Lowans as the primary point of contact for this and related matters. Mr. Lowans can be reached at (520) 317-3200.

Sincerely,



Denise P. Meridith
State Director