

ASSERT YOUR RIGHTS!

We don't need to fix something that's not broken, yet the Colorado National Monument (CNM), through its superintendent Lisa Eckert, comes to the community and holds these meetings under the false premises that 1) there is some kind of problem which needs community input to resolve, and 2) that she genuinely wants to “listen” to what the community wants. It seems highly unlikely that any rational person can believe that Ms. Eckert would be willing to pay a considerable sum of money for a “report” which contradicts her real agenda (whatever that may be).

It's well known that the National Park Service (NPS) doesn't always play nicely, above board, and in compliance with the rules (see e.g. <http://bit.ly/1oG1cEM>). It appears that the NPS wants to gain information it can use to get its way on whatever its real agenda might be by finding the most palatable way of selling its real agenda to the local citizenry. (Such as violating the public's right of way which exists through part of the CNM.)

Eckert allegedly wants to draft “a visitor activity and commercial services plan.” What exactly does that mean? Visitors have always visited the CNM; so what exactly is a “visitor activity” plan which would change that? Likewise, propane, diesel and gasoline have been transported to Glade Park and environs for decades without any major problems; so what exactly is a “commercial services” plan allegedly needed to change that? Ignoring the one or two eco-whackos who might want all roads to be removed from all parks and monuments – an idea even Eckert might oppose – where is the REAL issue/problem which needs to be resolved by more alleged “listening”?

What, EXACTLY, does Eckert want which might justify the \$26,876 and \$11,444.80 “listening” expenditures? It looks suspiciously like a disingenuous, wannabe-clever manipulation to achieve her goals.

No more "feel good" community meetings are necessary so the CNM/NPS have a chance to work their wannabe-clever little political manipulations about what is the best way to go about doing an illegal thing. This situation isn't rocket science, and propane, diesel fuel, and/or gasoline are not deadly radioactive nuclear waste. All that is necessary from a pragmatic point of view is that the existing law be obeyed and local politicians' feet be held to the fire.

The most obvious thing accomplished by hiring a “neutral” public relations “mediator” is that Eckert can hypothetically sit in the audience, pretending she is one of “us” and offer her input as an “equal” member of the audience. That seems suspiciously like a PR scam.

There is already a “commercial services plan” in place. It's called *John R. Wilkenson v. U.S. Dept. of Interior, et al.*, 634 FS 1265 (see <http://bit.ly/Y5uP9p>). That U.S. District Court decision, in a nutshell, holds that 1) there is a public right of way over the road segment "for the limited purpose of continuous travel between the Monument road and the DS Road (aka between Glade Park and the outside world)...The charging of a fee for such non-recreational use is an unlawful interference with that property right of public use and is, additionally, contrary to the statutory limitations on the authority of the National Park Service to charge entrance fees or other recreational use fees under 16 U.S.C. § 460l-6a(g). Moreover, the charging of an entrance fee for this use is a violation of the regulations at [36 C.F.R. § 71.13\(d\)](#)," and 2) that right of access is not limited to residents of Glade Park. It includes all of the public, including commercial vehicles...the absolute prohibition of all commercial traffic in the disputed area is unauthorized by the existing regulation and is contrary to the public's right of way."

Judge Matsch also said, "Size and weight restrictions would appear to be appropriate matters for regulation, and control over hazardous substance transportation is necessary. These are matters which are not now before the court in the present litigation. **The holding now is that THE ABSOLUTE PROHIBITION OF ALL COMMERCIAL TRAFFIC IN THE DISPUTED AREA IS UNAUTHORIZED BY THE EXISTING REGULATION AND IS CONTRARY TO THE PUBLIC'S RIGHT OF WAY.**" So why doesn't Eckert want to “listen” to (and obey) that “plan”?

The transportation of hazardous materials over the public roads is already governed by Title 49 of the U.S. Code (<http://bit.ly/1CjFBIn>). The propane trucks are most likely already in compliance with HAZMAT (<http://bit.ly/1sYwaqZ>) rules or they couldn't travel the public roads. The "hazardous materials" argument is a self-evident straw man. If existing law were being enforced, the NPS would have to give permits to the propane trucks to travel the public right of way in question anyway.

As anyone can easily see, from a pragmatic viewpoint, a “commercial services plan” has already been in place for decades without an actual articulable problem. So why the big push for a new “commercial services plan” now based on false premises, straw men and a complete lack of transparency as to what the proponent's real agenda is?

So, again, what is Eckert's REAL agenda? And why does she want to “listen” instead of forthrightly telling us what it is?