

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CALIFORNIA DESERT DISTRICT ADVISORY COUNCIL

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A-P-P-E-A-R-A-N-C-E-S

MEMBERS PRESENT:

- JON McQUISTON (Chairperson)
- ROY DENNER
- PRESTON ARROW-WEED
- RON SCHILLER
- BILL BETTERLEY
- JIM BUGERA
- CAROLE ANNE WILEY
- DR. WILLIAM PRESCH
- TOM SCOTT
- SHERI DAVIS
- DAVE CHARLTON

STAFF PRESENT:

- LINDA HANSEN, CDD, DISTRICT MANAGER
- LARRY MORGAN
- HECTOR VILLALOBOS
- LARRY LA PRE
- STEVE RAZO
- ROXIE TROST
- JOHN KALISH
- JAN BEDROSIAN, DEPUTY STATE DIRECTOR,
EXTERNAL AFFAIRS

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1 Ontario, CA

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P-R-O-C-E-E-D-I-N-G-S

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5

MS. HANSEN: Chairman Kemper is not here
6 yet this morning, so we are going to ask Jon
7 McQuiston, our county supervisor representative, to
8 stand in.

9

MEMBER MC QUISTON: Thank you. I would
10 be happy to.

11

First of all, welcome to everyone who is
12 here today. We appreciate particularly members of the
13 public and Council members for being here. We will
14 begin today's session with a salute to the flag. I
15 will ask that you please stand and join me in the
16 salute.

17

(Pledge of allegiance.)

18

Thank you. First order would be a review
19 of the agenda. Copies are available out front, I
20 believe. If there is any Council member that does not
21 have an agenda that perhaps needs one, they are there.
22 Are there any additions, deletions, modifications to
23 the agenda that any member would like to bring
24 forward?

25

MEMBER BETTERLEY: Mr. Chairman, Bill

4

1 Betterley. I do notice that in the minutes there was
2 some things that were to be brought back for this
3 agenda that might be covered in Linda's report, but
4 they are not itemized on the agenda.

5 MEMBER MC QUISTON: Do you know what
6 those were by name? Or Linda, do you have any --

7 MS. HANSEN: Could you refresh my
8 memory, Bill, about what those are?

9 MEMBER BETTERLEY: Page 250, Linda, of
10 the Saturday's -- no, it would be Friday's regarding
11 becoming a Recreation Advisory Committee. You were
12 going to -- it said you need to take that back to make
13 sure we can deal with that because it's a national
14 issue.

15 MS. HANSEN: That's correct, Bill, and
16 we will be talking about that with some brief comment
17 in my report today. But then tomorrow is going to be
18 spent almost extensively on those two agenda items
19 suggested by the Council.

20 MEMBER BETTERLEY: I didn't see that.

21 MS. HANSEN: There were a few changes on
22 that agenda, so it's not on the agenda.

23 MEMBER MC QUISTON: Were there any
24 others? We will adopt the agenda as posted.

25 And now we -- let me just make one comment.

1 We do have a recorder here, as we normally do, and if
2 you would state your name before speaking, I'm sure it
3 would help, even though we all have names attached
4 here. Please, if you remember to state your name.

5 We will now move to approval of the January
6 8th minutes. Any discussion, comments, corrections?
7 Seeing none, is there a motion to approve?

8 MEMBER BETTERLEY: There are a lot of
9 typo errors in the minutes, but they -- I move it.

10 MEMBER MC QUISTON: I have a motion.

11 MEMBER PRESCH: Second.

12 MEMBER MC QUISTON: All in favor, aye.

13 Now move to Council member reports and
14 start over here to my right. Carole, we are going to
15 let you lead off with any comments or reports you
16 would like to make.

17 MEMBER WILEY: We had a TRT meeting in
18 the Ridgecrest area at Siebert Cabin. It was a very
19 successful gathering. We had a lot of Adopt-a-Cabin
20 people there that were very enthusiastic about their
21 project. And I think it was a really good meeting and
22 good outcome.

23 The only other thing is in my area we are
24 concerned about the Juniper Flats area. And so we
25 took the new person from the California Wilderness

1 Coalition on a tour of that area. And we visited the
2 ACEC there and some of the really scenic things there.
3 That was productive.

4 MEMBER MC QUISTON: Thank you. And I
5 wonder if everybody in your comments and reports would
6 state what group or organization you represent. I
7 think it would be beneficial for the folks out in the
8 public. Carole.

9 MEMBER WILEY: I represent the
10 environmental community.

11 MEMBER MC QUISTON: Before we move to
12 the next member, I am going to turn the microphone
13 over here to Linda for one brief introduction that I
14 should have done earlier.

15 MS. HANSEN: Linda Hansen, the District
16 Manager for the California Desert District.

17 We do have a new member that is starting
18 with us today on our Council. And I wanted to make
19 sure that we noted his presence and welcome, Thomas
20 Scott. Thomas is from Riverside. He has been
21 appointed as a new representative for wildlife. And
22 Tom, maybe you can give everybody a little bit of
23 information about you and your background a little bit
24 and what you will be doing with us here.

25 But I do want to welcome you to the Council

1 and also, welcome all of those of you who were
2 reappointed this last time. I think everybody has
3 their new appointment letters from this time around.
4 I apologize for the time it takes. So thank you, Jon.

5 MEMBER MC QUISTON: Thank you. Please.

6 MEMBER BUGERA: Jim Bugera. I represent
7 transportation and rights-of-way from California City,
8 and I represent people of the desert.

9 I just wanted to account that we have a --
10 we had an event recently where the X-37, which is a
11 NASA flight -- actually, what it is is a scaled-down
12 version of the space shuttle. It was strapped under
13 the White Knight, which is the first commercial
14 aircraft built by Mr. Rutan. There is the one-year
15 anniversary and sort of a celebration, and all the
16 school children in the region were brought out to
17 build models of the White Knight for the -- for a
18 project, school project. And every school in eastern
19 Kern County.

20 And Mr. Rutan wound up closing the ceremony
21 by reporting that not one desert tortoise had been
22 injured or spotted, because they had the kids walk the
23 entire runway to make sure everything was good before
24 they lifted off. So we have the old and new in
25 Mojave.

1 MEMBER DENNER: My name is Roy Denner.

2 I'm the recreation representative on the Council.

3 And before I give my report, I want to say
4 that I have been threatened by the person that's
5 taking the minutes here. She tells me that if I speak
6 too fast or have too much to say, she is simply going
7 to leave my report out of the minutes. So I will try
8 to keep it brief, and I will certainly talk very
9 slowly.

10 I have several items, first of all, that I
11 think should be of interest to the Council. First of
12 all, if you haven't seen the report, the washes in the
13 NECO planning area that were closed to vehicle use
14 have now been reopened. And the OHV community wants
15 to thank the Desert District Manager for making that a
16 priority to see what they needed to do to reopen those
17 washes.

18 If anyone has looked up or down a wash in
19 the past year with all the rain we have had and seen
20 exactly what Mother Nature does to those washes
21 whenever she feels like it, I would expect you to
22 agree that OHV use in the washes has to be
23 insignificant relative to Mother Nature. We have seen
24 roads washed out and washes completely refigured, and
25 there can't be anything living in those washes after a

1 rain event like that. And every year it happens to
2 more or less of a degree. We just happened to have a
3 severe one this year, and it points out the impact
4 Mother Nature has on those particular areas.

5 I have been riding all sorts of vehicles in
6 desert washes for probably 50 years now, and I have to
7 say I have never ever seen a desert tortoise in a
8 wash. That doesn't mean they don't exist. What it
9 means is there has to certainly be a very low
10 population of desert tortoises relative to other areas
11 of the desert. And if we are going to be allowed to
12 play anywhere, desert washes would be the appropriate
13 place to be. So that's my own personal comment.

14 Secondly, shortly after the CDD lawsuit
15 that made so many closures across the desert,
16 including roughly half of the riding area that was
17 left open at the Imperial Dunes recreation area,
18 another closure took place where 26,000 acres east of
19 the Glamis area that had previously been open for
20 camping had been closed. With the implementation of
21 the new management plan for the sand dunes, which is
22 now taking place, we got a Record of Decision, and we
23 have mixed emotions about what is going on there. I
24 will talk more about it when the report is given.

25 But the key thing is that the new plan

1 includes 1200 acres east of Glamis that used to be
2 part of that 26,000 acre closure where it is open to
3 vehicle use and camping, and that takes a significant
4 load. You hear about all the problems at the Glamis
5 area, and a lot of it is due to the fact there is not
6 simply enough camping area. So 1200 acres is now
7 completely open adjacent to the sand dunes on the
8 east.

9 On top of that, the BLM recently announced
10 that the rest of that 26,000 acres will return to the
11 status it was before the closure, which means it's
12 limited access and people can camp along the
13 designated routes within that 26,000 acres. So from
14 the standpoint of the users at Glamis, this really
15 should alleviate a lot of the problems, accommodating
16 the people that like to go there.

17 The next item is something that I think the
18 Council is going to have to address pretty seriously
19 in the not-too-distant future. There are two counties
20 in California, each of which has a piece of the CDCA.
21 One is Riverside County and one is San Bernardino
22 County. They are in the process of developing sound
23 ordinances. The Riverside County ordinance starts out
24 by saying that OHV use in Riverside County is not a
25 right. And then it goes downhill from there.

1 A quick little story. There is a young man
2 by the name of Jeremy McGrath, who is a world famous
3 Motocross racer. A very nice young man, a very
4 intelligent, clean, up-standing kind of guy who bought
5 100 acres in Riverside County with the idea that he
6 would get away from civilization and build his own
7 practice track on his own property to be able to
8 practice with his motorcycle for Motocross events. It
9 wasn't very long before neighbors decided they didn't
10 like to have somebody running around, even on their
11 own property, with a motorcycle.

12 Part of the problem was that some of these
13 off-road motorcycles are very loud. California has an
14 ordinance recently passed that reduced the allowable
15 sound level of motorcycles from 110 dB down to 96 dB.
16 It's not a linear formula. And they are very quiet,
17 much quieter than your average lawnmower or chain saw.

18 So this ordinance in Riverside County
19 specifically cites motorcycles and ATVs as not being
20 allowed to ride anywhere in Riverside County, even on
21 private property, with a few exceptions, like farmers
22 using an ATV to service their land.

23 We feel this is very discriminatory. I am
24 100 percent in favor of limiting the sound of these
25 off-road vehicles. We are our own worst enemy. The

1 old schoolers like me thinks that a noisy vehicle is a
2 sign of power and makes you feel very good to have
3 that. Now if I even hear a loud bike or loud dune
4 buggy go passing by me, I cringe at the thought of
5 what people who are not off-roaders are going to think
6 about all that loud noise.

7 So I'm 100 percent in favor of enforcing a
8 sound ordinance in Riverside and San Bernardino
9 Counties. I am opposed to it targeting specifically
10 off-highway vehicles. And we are going to have the
11 same problem with a lot of BLM lands around the San
12 Bernardino, Riverside and Kern Counties. Riverside
13 and San Bernardino are in the process of developing
14 ordinances. We are working hard to make sure that the
15 ordinances are fair and not discriminatory.

16 It's a sound problem, and if they succeed
17 in excluding recreational OHVs from people being able
18 to drive them on their own private property, what is
19 next? Chain saws? Farm tractors? Leaf mulchers? We
20 are losing our liberties every single day, and this is
21 in my mind an example of the camel getting his nose
22 under the tent. And I think everyone here should be
23 concerned about not an OHV problem, but a
24 discriminatory application of a sound issue.

25 We will be hearing more about it. I

1 guarantee it will be on the table here before another
2 year's over because the BLM has a lot of checkerboard
3 properties interspersed with private property all over
4 the California Desert District.

5 The next item on my agenda, I would like
6 everybody to know that next month from July 11 through
7 the 14th I am co-chairing with the chairman of the
8 board of the Blue Ribbon Coalition a national
9 motorized off-highway vehicle recreation summit in
10 Washington D.C. Anyone who will be in that area is
11 welcome to join us. We have off-road leaders from all
12 over the country going to Washington.

13 The function is to promote a new bill being
14 drafted by Congressman Pambo directed toward reforming
15 the Endangered Species Act. Most people believe that
16 that act is not doing its job and for one reasons or
17 another, needs to be modified. Some say strengthened.
18 Some say changed, whatever. But the fact of the
19 matter is we now have a congressman who happens to be
20 chairman of the Resources Committee who is going to
21 take some action relative to the Endangered Species
22 Act.

23 He issued a report to say the Endangered
24 Species Act is 30 years old now. What has it done?
25 Some 1300 species over the last 30 years have been

1 listed. Millions, maybe billions of dollars have been
2 spent to enforce the Endangered Species Act, and
3 something like only 10 species have been taken off the
4 list. And many of those have been shown to have been
5 listed in the first place falsely. So to me, that
6 stacks up as a federal regulation that really isn't
7 doing its job. So most of the OHV community is going
8 to support that bill, and anyone who wants to come to
9 Washington July 14 to the 17th is welcome to join us.

10 As you know, I am your representative on
11 the Imperial Sand Dunes Recreation TRT, and I have
12 some comments about what is happening there. I will
13 save those until the field member there gives her
14 report on what is happening in the ISDRA. Thank you.

15 MEMBER PRESCH: I'm William Presch. I'm
16 from California State University, Fullerton. I'm
17 director of the Desert Studies Consortium, and we
18 operate the field station at Zzyzx, California.

19 My report won't make Roy here very happy,
20 I'm afraid. BLM is worried about another species that
21 it's found in open sand areas which are the
22 fringe-toed lizards. There has been a marked decline
23 in their populations, and I'm currently working with
24 Jim Weigaurd, the state ecologist at BLM, Sacramento,
25 to do a survey on the fringe-toed lizard populations

15

1 in San Bernardino County. And these animals are
2 restricted to sand dune areas with loose sand, of
3 course, yes.

4 And we are going to be surveying the Dunes
5 systems in San Bernardino County: Ibex Dunes, which
6 are in Death Valley; West Crones Lake, Razor Open Area
7 and all of Devil's Playground, which is in the Mojave
8 National Preserve, and try to begin a survey that will
9 let us know what kinds of population densities we have
10 and so forth.

11 And we will be doing this hopefully for the
12 next three or four years. But I wanted to make sure
13 that this got before the Council to let everybody on
14 the Council and everybody know that I'm very active in
15 trying to do the right kind of science in order to get
16 the data for these particular populations. This data
17 will be used, I assume, for management of the species.
18 And hopefully, we are going to be able to do it
19 correctly this time and get the right kind of data.

20 MR. SCOTT: Tom Scott. I'm with the
21 Agricultural Experimental Station. I'm probably one
22 of the only live biologists. And you guys are home
23 advisors. We also have stations that we run in
24 various parts of the state.

25 Just to give you a background on what I do,
16

1 we basically provide information. We try not to take
2 sides on issues that you face. As an extension agent,
3 I'm used to standing in front of crowds on my feet
4 talking real loud. And I'm trying not to do that so I
5 blast everybody out today. So you might know about
6 cooperative extension, which is the main part of my
7 job as the county agent. And as I said, we work on
8 research projects within the university.

9 My particular area, because I grew up in
10 Southern California in the desert, has always been to
11 try to integrate wildlife into human landscapes. So
12 that's made me an inadvertent expert on the Endangered
13 Species Act because we have over 800 species, although
14 a certain number of them haven't been listed.

15 I think what we try to do at the university
16 is not take sides. We tend to try to diffuse issues
17 or at least get people talking about information
18 rather than talking about emotions. Probably that's
19 enough of an introduction for now.

20 MEMBER MC QUISTON: Jon McQuiston. I
21 represent local government, and I'm the first district
22 supervisor in Kern County.

23 We have substantial portions of Kern County
24 in the Mojave Desert. And one thing I am going to go
25 back to, when I welcomed you all here, I welcomed the

1 board members and the members of the public, but
2 forgive me for not welcoming all the BLM staff folks
3 who traveled all the way from various spots in order
4 to support us. Thank you for being here, as well.

5 Regarding your comments, Roy, Kern County
6 does not have a noise ordinance, per se. We do have
7 with respect to our general plan, projects that come
8 before us for planning purposes at 95 dB, CNEL, which
9 is not a peak noise; it's an average noise. There has
10 been some discussion from time to time of noise
11 ordinances, but it has not been related to OHVs. It's
12 been more related to noise coming from over the fence
13 with a party and barking dogs and that sort of thing.

14 I would suspect -- and it's only an
15 opinion -- that if noise is the issue that is trying
16 to be regulated, there may be some vulnerability if
17 they are only targeting one source of noise. That's
18 kind of what the courts have said over the years. You
19 can't use selective enforcement. If noise is noise,
20 you can't just pick out one form of noise and say we
21 are going to restrict that.

22 So I'm sure that's being looked at as
23 perhaps an area that may need to be challenged. But
24 we haven't had the pressure yet. It wouldn't surprise
25 me if it doesn't come back.

1 Howard.

2 MEMBER BROWN: Howard Brown representing
3 nonrenewable resources.

4 And for my report, I actually wrote it down
5 and submitted it. And I have some copies out in
6 front. Basically, I wanted to talk about the
7 importance of mining. And I guess -- I represent
8 nonrenewable resources -- the importance of mining in
9 both the United States and California and where it's
10 going.

11 And I got recently some statistical
12 information from the US Geological Survey, some other
13 sources. In the United States \$47 billion worth of
14 raw materials were mined. And from that, \$5 trillion
15 worth of consumer products were produced. And that
16 represents about 25 percent of the total gross
17 domestic value of the United States. Clearly, mining
18 forms the basis for most of our consumer products and
19 is the root of most economic wealth in the United
20 States.

21 So if you can't grow it, you have to mine
22 it. And California ranks No. 1 in the nation in
23 nonfuel mineral production. And of that, roughly 99
24 percent is industrial minerals and 1 percent is
25 metallic minerals. And of the industrial minerals,

19

1 sand and gravel is the leading value, followed by
2 Portland cement and boron minerals.

3 Of the metals, despite increasing prices in
4 gold, the gold production in California has continued
5 to decline and has declined by 85 percent since 1999.
6 And there are only four remaining gold mines,
7 significant gold mines left in the state, all of which
8 are located in the desert area: Rand Mine in Kern
9 County, Briggs Mine in Inyo County, Mesquite Mine,
10 Imperial County, and Castle Mine in San Bernardino
11 County. But, in fact, active mining does not occur in
12 any of those sites anymore. All that's left is
13 residual leaching operations so that over the next few
14 years, the gold mining in California will probably
15 cease to exist -- or I should say gold production.
16 The mining already has stopped.

17 So you have to ask what has happened to
18 metal mining in California. And a number of surveys
19 have been taken over the years by Appraiser Institute
20 that show that attractive geology, presence of known
21 mineral deposits, good infrastructure, and political
22 stability which might attract mining companies are
23 overshadowed by excessive environmental regulations
24 and land use restrictions.

25 And Roy was alluding to things like noise

1 ordinances and Endangered Species Act and stuff. And
2 those have really impacted the mining industry, as
3 well. And so from those surveys, California has
4 earned the dubious distinction of being the lowest
5 ranking area in the world to attract new mineral
6 exploration. And regulations such as required
7 backfilling in gold mines have basically driven away
8 the exploration. They would rather look in other
9 places where there are chances of actually not finding
10 something and if found, getting it permitted, are
11 realistic. So unless the regulatory environment
12 changes, California basically will cease to be a metal
13 producing state in a few years.

14 Basically, if you look at the charts, you
15 can see the stuff. I have printed them out. But at
16 any rate, it's clear that mining is the foundation of
17 our society. And if you look around you and say,
18 well, where did all this stuff come from, this
19 building came from mines, lights came from mines, cars
20 came from mines, silverware came from mines and plates
21 came from mines. And we couldn't exist without
22 mining.

23 So my point here is to get you to recognize
24 all of the things in your life that are important to
25 you come from mines. And without it, we couldn't

1 exist. So changing our mind frame to one that is more
2 receptive to encouraging exploration for new minerals
3 is a goal that we should all have. And that's my
4 report. Thank you.

5 MEMBER BETTERLEY: My name is Bill
6 Betterley, and I represent public-at-large. And I do
7 not have any report. But Roy, while you are in
8 Washington, you should check on HR-411. That's going
9 to have a hell of an impact on Imperial management.

10 MEMBER DENNER: What is it?

11 MEMBER BETTERLEY: It's a bill that -- I
12 can't tell you the gentleman's name. It was
13 introduced by Rick Renzi, R-e-n-z-i, and he is a
14 congressman from Arizona. It's pegged as the
15 Saddleman's Bill of Rights. And what that bill does
16 is if by chance an allotment is taken away from a
17 rancher and he can't find another allotment for his
18 animals to graze on, then he must be reimbursed for
19 the amount of money that he would lose in production.
20 That's all I have.

21 MEMBER CHARLTON: I am Dave Charlton. I
22 represent renewable resources. And I am the
23 representative for the California Native Plant
24 Society.

25 As I have mentioned last time and what I

1 was asked to talk about today is we have heard a lot
2 about the heavy rainfall that we had this year, and
3 the timing of the rainfall wasn't optimum. I live in
4 the desert, and we didn't have that great a year where
5 I was. It was equivalent to the year before and the
6 year before that, really, as far as good plant survey
7 goes.

8 But we have with the early rainfall this
9 year a heavy invasion of weeds. There is a weed that
10 I talked about last time, Sahara mustard, that was a
11 problem in the Colorado desert. And it has spread all
12 the way up. I saw large amounts of it up in the
13 St. George area. So it rapidly spread this year, and
14 I think it's a problem.

15 We were asked to see if the BLM is
16 considering doing something about it. It's a
17 difficult problem because it's an annual weed very
18 similar to split grass and all the broom grasses we
19 have in dealing with it. When we have shrubby weeds
20 or something like that, the Ag Department can
21 concentrate on eradicating them.

22 In this case, we are probably dealing with
23 trying to come up with an insect vector that would
24 prey on the reproductive parts of the plant to
25 eliminate the problem. And when you talk about things

1 in the grass family or mustard family, which are of
2 economic value, it's difficult to find an organism
3 that's just going to attack the leaf and leave the
4 economic plants alone. So it's a tremendous problem,
5 trying to solve it.

6 So that's a problem there. And a little
7 comment about fringe-toed lizards. I have them on my
8 property and the research that has been done in the
9 sand dunes should also include the alluvial sand
10 deposits, because I think there is a greater
11 population along the Mojave River than there are in
12 any other areas. That's what I have.

13 MEMBER ARROW-WEED: I don't have a
14 report, but I just want to make comments.

15 My name is Preston Arrow-Weed,
16 public-at-large, tribal. I'm glad you brought up the
17 subject about creatures in the desert. There are more
18 creatures than the turtles that are important. Snakes
19 are important, too, whether you believe it or not.
20 They were created for a purpose. Each creature is,
21 such as insects. An insect is just as important. And
22 it's just that the fringe-toed lizard is just one
23 species. Maybe there are lesser species, but it makes
24 them no less important than the fringe-toed lizard.

25 There are others. There are different type

1 snakes, too, and different species. And as for the
2 plant that I just heard, there are many foreign plants
3 coming into our area from different areas that are
4 growing that we are not used to. That started a long
5 time ago. There are trees that just take up the
6 ground and turn it to salt and no one has gotten rid
7 of them. So there are many things coming into our
8 areas that nobody seems to be able to solve at this
9 point. And the more people come over, the more people
10 bring different things that we are not used to. So
11 that's about all. Thank you.

12 MEMBER SCHILLER: My name is Ron
13 Schiller, and I represent recreation. I really don't
14 have much to report at this time. Most of the items
15 that I report on are on the agenda anyway, and I will
16 comment at that time.

17 I would like to make one kind of an
18 announcement, if anyone is interested. Once a year
19 Mike Patterson, who owns the Cerro Gordo mines, allows
20 mineral collecting in the Inyo Mountains. And it
21 happens to be this weekend that he will be allowing
22 folks to come up, in coordination with the Lone Pine
23 Mineral Society. So it's a very impressive place.
24 It's high in the mountains. Very nice specimens of
25 Smithsonite have been found there among silver

1 minerals. And if anyone is interested, the Lone Pine
2 Mineral Society will be gathering at the Chevron
3 station south of Lone Pine at 8 o'clock Sunday
4 morning. So I would just like to let everybody know
5 that's one rare opportunity that you may take
6 advantage of. Thank you.

7 MEMBER DAVIS: Sheri Davis. I represent
8 the public-at-large, but my focus is filming, film
9 production in the desert. And I wanted to comment
10 first on Roy's comment about the noise ordinances in
11 San Bernardino and Riverside County moving forward.
12 And I would like to offer, if he is making any
13 presentations to the County Board of Supervisors, we
14 would be glad to join him from our perspective because
15 we have issued a number of permits for filming in
16 those lands that are now being perhaps closed to use
17 by motorcycles.

18 One of my concerns is that one of the
19 pieces of property down there has been long in
20 existence. It's an extreme sports park, and the
21 neighbors moved in around the park. The park was
22 there. And it's kind of like complaining about an
23 airport when you buy a house next to it. They
24 certainly have the right to fly the planes, and these
25 people certainly have the right to use the vehicles on

1 the land that they purchased it for. So that's my
2 concern there.

3 And then I want to thank the BLM because we
4 are -- sometimes we can be a noisy industry also. And
5 anyone saw "Mr. and Mrs. Smith" and all the
6 explosions, that was done in Johnson Valley, and the
7 BLM Barstow field office worked very hard with us. If
8 you see "Alias," you also see our desert. And "Herbie
9 Fully Loaded" was also filmed on BLM property.

10 But I wanted to commend Gina Robison from
11 El Mirage. San Bernardino County is one of the
12 counties that enjoys the Joshua Tree, and in order to
13 protect the tree, they have been fenced off. And you
14 can sponsor a Joshua Tree on El Mirage. They are
15 fenced off. And not only do you get the privilege of
16 sponsoring the tree, you get the privilege of going
17 and picking out the invasive weeds. Gina was kind
18 enough to send us samples. So if anyone ever wants to
19 go to the desert and see some of the invasive weeds, I
20 happen to have samples right here, courtesy of the
21 Barstow field office and Gina Robison from El Mirage.

22 MEMBER MC QUISTON: We will move now to
23 District Manager's report.

24 MS. HANSEN: Thank you, Jon. Linda
25 Hansen.

1 First of all, I also want to thank the
2 field managers who are here today from the BLM, and I
3 would like to discuss a new field manager who has
4 recently taken a position in El Centro. Vicki, if I
5 could get you a stand up for a moment. Vicki Wood is
6 a new field manager in the El Centro field office.
7 She will be taking on the responsibility of keeping
8 Mr. Denner in line, obviously.

9 Vicki came from Winnemucca, and she was an
10 associate field manager there and has a very nice
11 background in a variety of activities that she has
12 done with the Bureau, and before she came to the
13 Bureau, with other government agencies. So we are
14 really pleased to have Vicki here. And she will be
15 giving her field manager's report later. So thank
16 you, Vicki.

17 Thank you very much for your appreciation
18 of actions that have been going on with the BLM over
19 the last few months. I think we have made some
20 progress in implementation of the grant for the Dunes,
21 getting ready for the season coming up in October. We
22 did open up the washes, as we said we would, upon
23 finalization of that particular challenge. And we
24 look forward to implementing the land use plans as
25 they have been completed in the last three years that

1 I have been here. So we have a lot in front of us,
2 but we appreciate your thoughts and input to finally
3 get that planning passed.

4 I did want to mention one other thing on
5 the nomination process. We did recently close the
6 nomination process for this year's nominations. We
7 had positions open for recreation, renewable
8 resources, public-at-large. I think those were the
9 categories that were open. Some of you have filed for
10 reappointment, and we had two positions for
11 rights-of-way and Native American interest, but we did
12 not have reappointments sought. So those nominations,
13 the nomination packages have been received by the
14 agency and we will be forwarding those through the
15 process for determination. And thank you to all of
16 you who did submit nominations or support of
17 nominations.

18 Last week, the State Management Team in
19 California met in Sacramento, and I wanted to spend a
20 little bit of time telling you basically about a
21 portion of that state management team which we all
22 joined in as a national leadership forum. It was an
23 interactive telecommunications summit, I guess is the
24 way to explain it. Some of you may remember about ten
25 years ago now, Bureau did a summit. We brought about

1 350 people together at Lake Tahoe, and that was quite
2 a big deal and set the stage for the next ten years,
3 really, of the agency's direction and vision and
4 purpose.

5 So the director, Secretary of the Interior,
6 the assistant director, the director of the BLM
7 decided it was probably time to review our future
8 direction again, so we had another summit. This time
9 it was more of a virtual summit than being together
10 all in one place. But the same basic numbers of
11 people, all of the management teams across the Bureau
12 from the west and also the Washington office, eastern
13 states office and others, were together in the
14 teleconferencing mode. And it was as I said an
15 interactive one.

16 It was opened up by the Secretary of
17 Interior, Gale Norton, joined with assistant secretary
18 Rebecca Watson, and they set out for us what their
19 national priorities were going to be for Interior and
20 ultimately for BLM. And I want to share that with you
21 first.

22 Their priorities, as well as the
23 administration's, lie with national energy policy for
24 renewable and nonrenewable resources, healthy forest
25 and range land, cooperative conservation, recreation,

1 business practices and accountability, and our
2 workforce, their skills and tools. Those are the
3 areas which the secretary and the assistant secretary
4 have placed priority for our agency, as well as other
5 interior agencies.

6 From the perspective of national direction,
7 the director also shared with us some of her feelings
8 about these priorities and the Bureau in general. She
9 told us that we need to acknowledge inescapable
10 realities. That future demands on this agency -- and
11 we talked a little bit already this morning with
12 Harold's report and Roy's comments about recreation --
13 it's been a topic of discussion in this Council many
14 times about the growth of industry, recreation
15 industry, mining industry, the need for a place for
16 people to go and not only be able to enjoy solitude
17 and quiet and the natural resources on public lands,
18 but also be able to address demands from industry.

19 There are some realities to that, and in
20 California I think those realities are becoming more
21 and more clear to us as we look at what there is on
22 the public lands and what the capabilities of those
23 public lands may be.

24 We need to demonstrate funding
25 effectiveness which, you know, budgets are not

1 growing. They are shrinking. I do want to say to
2 Sheri thank you for the efforts on behalf of the
3 filming industry for helping us to retrieve the permit
4 funds. Those have been now released back out to the
5 field offices in the state. So those funds are with
6 us and we are utilizing those funds.

7 As you mention with all the activity that's
8 going on with filming, I can see the coffers growing,
9 which is very nice.

10 We are going to continue to enlist our
11 partners and volunteers. They are all very important
12 to us, and we recognize that. And without their
13 assistance and without the work and the emphasis that
14 our partners provide in our common objectives, we
15 certainly would not be moving forward at all in many
16 areas. And that is one that we ask you to work in.

17 The director asked us to think creatively,
18 and I think we all know that has to happen, that we
19 need to be looking a lot more creatively in terms of
20 where our opportunities lie and what is best for the
21 public. We need to focus on our core mission work.
22 We do have some of that which continues to be a
23 priority of Congress and of the administration and of
24 our directorship, and so we will focus on that.

25 And also, the director issued sort of a --

1 well, I guess it was an invitation, but a little bit
2 of a challenge to the leadership of our agency to
3 engage in problem solving. We can't just sit back and
4 say, gosh, this is an issue. This is hard for us to
5 do. We really need to start talking about and be
6 again creative and a little more outside-the-box in
7 thinking about how we resolve problems, not just point
8 to what those problems are.

9 Obviously, identifying those problems is a
10 part of what we need to do, but certainly looking to
11 our partners and looking for cooperative activities to
12 find ways to solve those problems, whether they be
13 noise ordinances with counties, whether they be
14 working with cities and communities for fire
15 prevention, whatever the problem might be. Or if it's
16 just looking at how we can work through some of the
17 issues that the Endangered Species Act present to us,
18 challenges we have to face, certainly leadership needs
19 to take a role in that and engage in some of that
20 problem solving.

21 She also left us with some BLM key
22 messages. BLM leadership recognizes the pressures
23 being placed on workforce and certainly, that is true
24 of us here. The desert is a very busy place. Our
25 workforce does all it can. Our employees give us 110

1 percent all the time, and I just want you to know that
2 they are working for your interest as well as ours.

3 So we want to make sure we not totally
4 abuse them. BLM's leadership is working to direct an
5 optimistic but realistic future. I think that one of
6 the positive things she had to say -- and she actually
7 repeated something when she first came into her
8 position -- she thought the best for BLM was yet to
9 come. And she ended her comments the other day with
10 that same statement, and I have to agree with her.

11 I have been with the BLM more than 20
12 years, 20 plus years, and I still think that there is
13 lots of good stuff. So I think the best is yet to
14 come for us, but we have to help to find what that
15 future looks like. BLM's leadership is engaging in
16 efforts to strengthen capabilities by addressing core
17 mission function, identification, process and
18 assistance, measuring the intangibles, organizational
19 effectiveness, and workforce skill issues.

20 Outcomes of these work efforts will be
21 presented to the ELT in the fall. And that was sort
22 of the assignment that came back to the states and to
23 our leadership group as a whole, to look at those
24 issues and to provide back to top leadership our
25 thoughts on what some of those things are that maybe

1 we can do without these days and not have to do any
2 more. How we can potentially change processes or
3 requirements is one of the things that California is
4 looking at, and other states are looking at these
5 other issues. Stay tuned. I think there will be more
6 to come with that in the future.

7 It was a very positive experience. The
8 state management team in California overall felt
9 pretty good about the leadership forum. We thought
10 that it does help us to focus now on our direction for
11 the future, and so we will be continuing to work with
12 all of you as advisory councils as well at other
13 partnerships to find what that looks like. So I
14 wanted to share that with you. With that, I think I'm
15 through.

16 MEMBER MC QUISTON: Thank you, Linda.
17 We are running a little ahead of schedule.

18 MS. HANSEN: Not a bad thing.

19 MEMBER MC QUISTON: Not a bad thing,
20 except when we get to things when it comes to public
21 comment. I think we have a break scheduled at 10:00.
22 Let's go ahead and move on with our field manager's
23 reports, perhaps, if that meets with everyone's
24 concurrence. Who would like to be first? Don't
25 everybody jump up at once.

1 MS. TROST: Good morning, Council.
2 First, I want to say with our field manager's report
3 this time, I think in January we submitted to you
4 three pages and with run-on sentences, so I asked
5 staff to make it more concise, and you got half a
6 page.

7 MEMBER MC QUISTON: If I may, for our
8 recorder, would you give her your name?

9 MS. TROST: I'm Roxie Trost, and I'm the
10 field manager from the Barstow field office.

11 I have identified a few things not on our
12 report that I wanted to share with you. One of those
13 is called our Junior Naturalist Program, and that's
14 beginning at our Desert Discovery Center this summer.
15 And what that is is that we have several groups of
16 children that come to our Desert Discovery Center and
17 with their tuition, which a lot of that is by donation
18 from our local community, the children participate in
19 a summer program which extends for two weeks. So they
20 will be doing a lot of different activities at our
21 discovery center, from recreation to geology. Just a
22 number of things are scheduled for them this summer
23 there.

24 Another thing which Sheri talked a little
25 bit about is our Adopt-a-Tree program that has been

1 started by Gina Robison out at El Mirage. And it's
2 exactly like Sheri explained. For \$50 you can adopt a
3 Joshua tree for a five-year period, and with that you
4 get a picture of your tree. You go out and you get to
5 pull the weeds out there. And making sure that you
6 pull the weeds and not the native plants, Gina just
7 provides you with a lot of information in your packet.

8 You also get to have a little plaque, and
9 you can dedicate your tree to somebody or to yourself
10 and your family. So that's what you get for your \$50.
11 If you want to adopt it for your lifetime, that's
12 \$250, and that's something that's a really neat
13 program.

14 I also wanted to share with you our OHV
15 grant program. Barstow submitted one larger grant
16 this year for about \$2.4 million, which is
17 substantially higher than in the past. However, about
18 \$900,000 of that will be for -- for conservation. So
19 it's for the Juniper Flats area. And I know that's an
20 issue for Carole and also for some areas down in
21 Hunter Valley. Many of you through your organizations
22 have sent us letters of support for our grants, and we
23 really appreciate that.

24 The final thing that I had that wasn't on
25 our report is that I look forward to our discussion

1 tomorrow on cost recovery. That's it. Any questions?

2 MEMBER MC QUISTON: Any questions?

3 MEMBER SCHILLER: I would like to make a
4 comment. I would like to commend you on seeking other
5 kinds of funds for --

6 MEMBER MC QUISTON: Ron, could you speak
7 into the microphone?

8 MEMBER SCHILLER: I would like to
9 commend you on seeking other types of funds. I'm
10 impressed that the ERFO funds were sought rather than
11 relying on the same old sources. I believe this is
12 something new. At least I haven't run across it
13 before, and I think it's a great idea. Thank you.

14 MS. TROST: That wasn't just Barstow.
15 All the field offices have been involved in that this
16 year. All the field offices in the desert and
17 throughout California have been involved in that
18 program this year.

19 MEMBER MC QUISTON: Thank you. I was
20 given my instructions and that was to bring them up
21 alphabetically. I'm trainable. El Centro.

22 MS. WOOD: Good morning. My name is
23 Vicki Wood from the El Centro field office. And you
24 have a report in front of you. And Roy brought up
25 that he maybe wanted me to speak a little bit about

1 the TRT and what happened there.

2 The TRT is a new situation for me, and it's
3 a very helpful group that's going to help us protect
4 the desert and keep the Dunes open. So some of the
5 things that are mentioned on your report there on the
6 back page, I believe, some of the things that are
7 going to be happening all involve the RAMP, the
8 implementation of that. And at this time it's our
9 intention to implement the RAMP as written. That
10 doesn't mean that they are not going to entertain some
11 ideas to do things a little differently, but it is
12 going to take some education and some time to get that
13 done.

14 So just to go down the report, there in our
15 nonrenewable minerals arena, the community of Ocotillo
16 is getting closer to having their bypass road. The
17 mining companies have come in. We don't quite have a
18 complete agreement on the entire road, but that is
19 coming. That will be happening.

20 And our monitoring process for the
21 flat-tailed horned lizard -- I don't know if anybody
22 has any questions about that. I won't go into any
23 detail unless you do.

24 Eastern San Diego County is going well. We
25 have one widget to complete for this year, and that is

1 our scoping report. And we will get that done.

2 And then I will ask if there are any
3 questions about the RAMP implementation, and my report
4 is finished.

5 MEMBER MC QUISTON: Any questions?
6 Comments?

7 MEMBER SCHILLER: I have a question, not
8 necessarily with the RAMP. But I noticed at the end
9 of your report that a news release mentions our law
10 enforcement coalition continues zero tolerance. What
11 kind of coalition is involved there? Could you
12 elaborate on who is involved in the coalition?

13 MS. WOOD: Linda, can you help me?

14 MS. HANSEN: The coalition is primarily
15 made up of the law enforcement agencies that have been
16 involved over these most recent years, Ron, with the
17 Dunes: Imperial County Sheriff, Highway Patrol,
18 Border Patrol, BLM and others. And as a coalition,
19 they have worked together to get in place, if you
20 will, some rules and regulations that have helped us
21 to control some of what have been unacceptable
22 activity in the Dunes.

23 That coalition continues to meet. They
24 continue to work cooperatively with law enforcement in
25 the Dunes. In fact, the Imperial County Sheriff is

1 really trying to expand his role with us in the Dunes,
2 and we are very thankful and hope that will happen in
3 a good way. So when we speak about that, that is who
4 we are talking about is the group of law enforcement
5 agencies working with us here.

6 MEMBER SCHILLER: I was curious if it
7 was just law enforcement agencies or something beyond.

8 MS. HANSEN: No, it primarily addresses
9 the law enforcement issues.

10 MEMBER MC QUISTON: Roy?

11 MEMBER DENNER: I said I had some other
12 comments about what is going on in the Imperial Sand
13 Dunes, and I wanted to save it until Vicki gave her
14 report. It's a little bit lengthy. I would expect
15 people to be interested because what is happening in
16 Imperial Sand Dunes and what has happened over the
17 past several years is probably the poster child
18 nationally for land use issues relative to intense
19 recreation.

20 And first I want to welcome Vicki. I'm not
21 sure how they talked you into leaving Winnemucca and
22 jumping into this fire pit. Somebody must have sold
23 you one hell of a bill of goods. You have your work
24 cut out for you, as you could see by our first TRT
25 meeting, which was rather intense. And we would like

41

1 to think that the TRT in the Imperial Sand Dunes is a
2 perfect example of how organizations can relate
3 between the public and the BLM. I think we have done
4 a lot of damage control, if you will, out there, the
5 people that sit on the TRT, to keep the BLM from
6 getting hammered as heavily as they might. However,
7 we have some problems -- as you know; as you heard.

8 It all boils down to money, I think, and
9 priorities of implementation. The new RAMP, the
10 management plan has been approved for implementation
11 out there. And there are some problems that are going
12 to cause us grief with the implementation of the plan.
13 The major problem is that the organization, the
14 private agency that is hired to collect fees out
15 there, has completely dropped the ball. They used for
16 the past several years -- they have been using these
17 machines in the desert that are subject to the
18 vagrancies of the weather and intense temperatures and
19 that sort of thing. And you will find it hard to
20 believe that the machines just don't work anymore.
21 And the organization that put them out in the ground
22 has completely bailed out.

23 So fortunately, this has happened as we go
24 into a relatively off season; nevertheless, people do
25 go out there this time of the year, and right now we

1 are collecting zero fees from users in the Dunes
2 because there is no agency and the machines are all
3 broken.

4 The bottom line result of this is that
5 some -- relative to what was anticipated in terms of
6 collection from users out there, the BLM in El Centro
7 is going to realize about a \$500,000 shortfall this
8 year in fees collected. And the implementation of the
9 management plan was predicated on what the anticipated
10 revenue was expected to be. No surprise. That's how
11 it's supposed to work.

12 So there are a number of factors. To give
13 you a couple of points that are pertinent, I think,
14 trash collection -- take this one, for example. The
15 new RAMP requires that trash receptacles in the Dunes
16 be bird proof so ravens can't get into them. However,
17 the largest trash collector device that you can find
18 that's bird proof is 4 yards. The dumpsters out there
19 now are 40 yards. So for every 40-yard dumpster, we
20 need 10 of these smaller dumpsters. The cost to
21 collect the trash and to keep those dumpsters up
22 climbs astronomically if we take that approach.

23 So the TRT has considered everything from
24 the idea of let's just get rid of the dumpsters and
25 tell the people when they pack it in, they have to

1 pack it out, which again makes a lot of sense. In
2 real life, however, it ain't going to happen. And if
3 we have trash all over the place, that's a problem for
4 the BLM and for the users.

5 So we encouraged the BLM -- they were
6 preparing a request for proposal for people to put
7 dumpsters out there. We suggested they make it a
8 performance-related proposal. Maybe somebody can come
9 up with a clever idea like trash compactors or
10 something that would be more effective than ten 4-yard
11 dumpsters for every 40-yard dumpster. So that's a
12 problem that's going to be -- if we take the
13 conventional approach, it's going to be such a
14 tremendous amount of funding out there when we have a
15 \$500,000 shortfall.

16 The Dunes manager gave a report of what
17 tasks under the new management plan they plan to
18 implement this coming year, given a \$500,000
19 shortfall. They based the decision on what they want
20 to implement by those things that could cause the BLM
21 grief relative to keeping the sand dunes open and
22 keeping that recreation area alive.

23 So we will be doing things like building a
24 wildlife kiosk, which I think is a great idea. We
25 will be building a new ranger station. We will be

1 somehow investing a lot of money in trash collection.
2 What we will not be doing out there is we will not be
3 making a single improvement on the ground. The RAMP
4 approves the development of several more camping pads
5 in an intense use area within the Imperial Sand Dunes
6 recreation area. Well, there is no money left to
7 build even a single camping pad.

8 So those of us who are involved out there
9 have been telling the user public for a long time, we
10 understand your fees tripled out there to use that
11 area two years ago. We understand you haven't seen a
12 single improvement on the ground. But just wait until
13 the RAMP is ROD'd. When you get the RAMP approved,
14 you are going to see a lot of new things and that's
15 going to make up for the fact that your fees went so
16 sky high.

17 This year we are going to have to face the
18 user public out there and say, yes, the BLM is going
19 to spend another \$900,000 of their money to do another
20 environmental monitoring study. Yes, you are going to
21 see wildlife kiosks being built. Yes, you are going
22 to see a new ranger station being built. No, you are
23 not going to see a new camping pad or rest room
24 facility or anything like that. This is a serious
25 dilemma. These people have been sort of being patient

1 because we have been promising them when the RAMP is
2 approved, you are going to see a lot of new stuff out
3 there. So we have a serious problem.

4 And the reason I took the time to describe
5 this is because, like I said, I think this is a poster
6 child for land use around the country. And when I go
7 back to Washington, D.C., I can talk about the NEMO/
8 WEMO until I am blue in the face. When I same Glamis,
9 they are aware of what is going on out there. So we
10 are going to have a big problem if somehow we don't
11 help find more resources for the BLM in this
12 particular recreation area within the CDCA.

13 So I wanted to kind of tell you guys that
14 story. If anybody has any ideas how we can improve
15 the situation out there, I'm certainly all ears. And
16 I know the TRT would be happy to listen if you have
17 any novel ideas of how we can alleviate the problem.
18 I think that pretty much describes what our dilemma is
19 out there, wouldn't you agree?

20 MS. WOOD: Yes.

21 MEMBER DENNER: My door is always open
22 if I can help you in any way.

23 MEMBER MC QUISTON: Any other questions?
24 Mr. Bugera.

25 MEMBER BUGERA: Jim Bugera,

1 transportation rights-of-way.

2 In listening to this, I'm hearing about
3 trash, and I'm wondering, do you have a recycling
4 center out there in the camping areas? The ones I see
5 all the time in town is nothing more than a scale and
6 a little container. I assume a lot of the trash is
7 aluminum cans. And it could be hauled into the
8 recycle center and in return, the BLM would be
9 actually making money or they could contract this work
10 out. All it would be is somebody sitting there
11 collecting the trash. Maybe handing out a trash bag
12 and you bring in your trash with your cans. Is this
13 feasible?

14 MS. WOOD: I believe that the contractor
15 wants the recyclables, and that is how they reduce
16 their -- the size of their contract is through being
17 able to have those recyclables and get the money back
18 for them.

19 MEMBER BUGERA: So we have something set
20 up in the camping areas for this already?

21 MS. WOOD: They go with the dumpsters
22 and it goes through the processing area. And they
23 actually separate it out, the trash contractor.

24 MEMBER BUGERA: I was thinking about
25 they just bring it on while they are there. They are

1 sitting there waiting, people bring in their entries,
2 and make a few coins, and that way we don't have to
3 contract with them.

4 MS. WOOD: I think it actually saves us
5 money to let them have the recyclables.

6 MEMBER BUGERA: But I would like to have
7 it live, not afterwards.

8 MS. WOOD: We can look at that.

9 MEMBER BUGERA: Thank you.

10 MEMBER MC QUISTON: Tom.

11 MR. SCOTT: Tom Scott.

12 I don't want to burden the rest of the
13 members of the committee with you bringing me up to
14 speed on basically how the fee structures are and what
15 goes on. But it seems to be a pretty intriguing
16 question that you have a city that's created in
17 Glamis, and it's a stunning thing to think that if you
18 have 100,000 people in the place, they are there for
19 only a short of period of time. It's a completely
20 different funding issue. So is there something that
21 you can get me to read how the fee structure is
22 created?

23 MEMBER MC QUISTON: Roy?

24 MEMBER DENNER: I can give you, maybe
25 everybody, a real thumbnail sketch of what works. And

1 it's not just at the Glamis area, it's national.

2 There is a mandate now that any recreation
3 area has to have a cost recovery area. The BLM can no
4 longer -- Kathleen Clark had a recreation forum, and
5 she pointed out there was no longer additional funding
6 for the BLM to manage these types of areas like they
7 used to. We now are operating under what is called
8 cost recovery mandate nationally.

9 And take the Imperial Sand Dunes as an
10 example. Even though it's one of the highest
11 recreation use areas in the universe, the total
12 appropriated dollars -- there are three sources of
13 income for typical recreation areas in the CDCA. One
14 is appropriated dollars. The total appropriated
15 dollars is only \$200,000 for the Imperial Sand Dunes.
16 The cost to run that area without any -- the bare
17 bones cost to run that area is about \$4 million a
18 year. So the other \$3.8 million has to come from
19 other sources.

20 One source has been grants from the
21 Greensticker program, the off-highway vehicle program
22 in the state of California. And this is typical of
23 all areas. I'm using Glamis as an example.

24 In the past, Glamis took -- the El Centro
25 office has gotten grants in the neighborhood of over

1 \$1.2 million. For reasons I would be happy to explain
2 separately, those grants were totally cut off two
3 years ago, three years ago, I guess now. So the total
4 balance of the funding to run this recreation area has
5 to come from user fees. That's why user fees tripled
6 three years ago.

7 So the federal government allocates
8 \$200,000 to this recreation and users pay \$3.8
9 million. And where that money goes I have pretty much
10 described in my previous discussion. None of it is
11 going to improvements on the ground that the users
12 see. I mean, there are indeed improvements on the
13 ground being made, but not the kind that users like to
14 see in terms of recreation enhancement. So this is
15 typical of all the areas. You can go to any other
16 area. Barstow office has several OHV areas. They are
17 operating under cost recovery programs. It applies to
18 that area, as well.

19 Linda, does that pretty much describe it.

20 MS. HANSEN: The fee areas are cost
21 recovery. Yes.

22 We rely on a combination of cost recovery
23 or fee, plus what we do have available in base funding
24 allocations from our normal funding processes, plus
25 what we gin up through other grant processes or

1 partnership opportunities. And that is how we
2 primarily support the recreation program. And it's a
3 very large program in our district.

4 The Dunes are a big piece of that. They
5 grab a lot of interest, and they also generate a lot
6 of fees for the agency. And I think the thing to
7 remember, however, is that those fees do, whether they
8 are always put exactly where our users would like to
9 see them first, the fees are returning to the ground
10 and they are being used in the areas where they are
11 collected, so they are definitely for that use in that
12 area.

13 The other thing -- I know you didn't say
14 too much about it -- but I think it's also sort of a
15 milestone that we passed. Last year with the whole
16 argument about what the fees should pay for and the
17 fact that we did move, you know, to utilize other
18 funding sources to cover the monitoring that is
19 required under the B0 for the Dunes, but we all have
20 to remember that's part and parcel of keeping the
21 Dunes open and being able to provide that opportunity
22 for the public itself. So I think from the agency's
23 perspective, it may not fall where everybody would
24 like to see it fall, but we are doing our best to put
25 those fees where they belong. And I think ultimately

1 you will see those improvements that are called for on
2 the RAMP. We are certainly working in that direction.
3 I do appreciate TRT's involvement in that. And I'm
4 sure El Centro does, as well.

5 MEMBER MC QUISTON: Any further
6 questions? Thank you very much.

7 Before we ask -- is there a
8 representative here from Needles? Come on up. But
9 before you make a comment, following our field
10 manager's reports, we will have an opportunity for
11 public comment for any member of the public to speak
12 on any item that's not on today's agenda. And any
13 item that's not on today's agenda, if you would like
14 to make a comment during this period which will follow
15 the field managers' reports, we have cards that can be
16 provided to you. If you will stick your hand up in
17 the air, we will see that one is made available.
18 Thank you. Please proceed.

19 MR. MORGAN: Good morning, Council
20 members. My name is Larry Morgan. I'm the Needles
21 field manager from Needles field office. You have my
22 handout in front of you. I just want to touch upon
23 some things that are going on, some little nuances for
24 those projects, and just a few of them.

25 The InterConnect Towers Blind Hills

1 Communication Site, the last tower site to be put in,
2 we are about right on the cusp of putting it in in the
3 next two or three months. We are accessing this
4 potential tower site from Interstate 40, so we have
5 been working with offices of Caltrans and the
6 California Highway Patrol to make sure that that
7 lonely stretch of Interstate 40 isn't impacting the
8 motorists as they go down the highway as we pull those
9 heavy pieces of equipment off to construct the tower
10 and the support facilities.

11 The next one, Clipper Windpower initially
12 put in a draft plan of development. We had a series
13 of meetings. We discussed some changes in the kinds
14 of resource information we like to have, and we were
15 underway for that. And then we discovered there could
16 be a potential problem with the Department of Defense.
17 There is a series of radar sites and flyways in this
18 area which is at Mountain Pass just north of Molycorp
19 Mine, so they are working with Department of Defense.
20 They have contacted US Air Force, and apparently, they
21 worked out any difficulties with them. However, they
22 are now working with US Navy, and they have run into a
23 few things. So we will see how that goes in the near
24 future.

25 Our grazing leases, I have said this

1 several times now, are on the cusp of being issued.
2 However, we are still doing some consultation with
3 some local tribes, and hopefully, in the next 30 to 60
4 days they will be issued to implement the NEMO and
5 NECO Plan.

6 We are doing a restoration project in the
7 Tecopa Pass Area, Horse Thief Springs general area, to
8 clean up some Pass application problems we have had
9 with Hazmat and some other things and install some
10 campsites. This was funded through a grant from
11 Molycorp who had to -- through a court decision, had
12 to give some money for restoration to the tune of
13 almost \$180,000. So we have been working with Ron
14 Kemper on locating some campsites in that general
15 facility and also working with him to put in some
16 fences and other facilities that will assist him as
17 well.

18 The Amboy Crater is going to be upgraded
19 soon. We are going to contract, hopefully in the next
20 two or three months. We believe we have some
21 contractors on the line, and we are going to be
22 putting in a parking area, a paid parking area, some
23 pathways and an overlook for those people who don't
24 want to go all the way out to the crater. In fact, we
25 are encouraging them not to go all the way out to the

1 crater. There are people who like to do this in the
2 summer. We are hoping to discourage a certain
3 percentage of them to stay in the parking area near
4 the toilet. So we are putting in some shade
5 stretchers and we're hoping that's going to start this
6 fall.

7 The last project isn't on your sheet. It's
8 the West Well Project. It was a repairing project
9 where we closed off a spring site that wild burros in
10 the area have been using for decades and have been
11 impacting that site for a very long time. So what we
12 did, we came up with alternative water site just out
13 of the area. And we have had those fences down or
14 gates down, open, so that they can still access the
15 spring, but we were hoping that they were going to get
16 acclimated to new troughs we put outside, and they
17 have. So we are in the process of fixing the fence
18 where it got busted because of water washing down the
19 drainage, which is going to be a continual maintenance
20 problem for us, and closing the gates and replacing
21 the gates.

22 Also, we are going to move the kiosk at
23 that particular site. And if you guys have been to
24 West Well, there is a kiosk at that specific site,
25 there is a kiosk in that general area. We are going

1 to move it outside of the fenced area so the public
2 can see it there. That's it.

3 If you have any questions, I would like to
4 entertain them.

5 MEMBER MC QUISTON: Thank you for the
6 presentation. Any questions?

7 MEMBER ARROW-WEED: How come --

8 MEMBER MC QUISTON: Would you take the
9 microphone?

10 MEMBER ARROW-WEED: How come you didn't
11 read the other one? I was waiting for that one.

12 MR. MORGAN: Which one?

13 MEMBER ARROW-WEED: Molycorp Waste
14 Discharge Pipeline.

15 MR. MORGAN: Molycorp, there is no
16 change. We are still waiting for the biological
17 opinion and until that happens, we are just sitting
18 and waiting.

19 MEMBER ARROW-WEED: So what you have
20 here says that there was some things have been done,
21 but it hasn't been done at all, then?

22 MR. MORGAN: No. We had a proposal to
23 replace the pipeline and then clean up the attendant
24 material. But we had not got the biological opinion
25 from the Fish and Wildlife Service. We are hoping to

1 get it in the next 60 days or so. And once that
2 happens, we are going to start the process.

3 MEMBER ARROW-WEED: All right. Then we
4 will be notified?

5 MR. MORGAN: Yes, you will. I am very
6 anxious to get on this project, but we are in a
7 holding mode at this point.

8 MEMBER MC QUISTON: Seeing no further
9 questions, thank you very much.

10 MR. MORGAN: Thank you.

11 MEMBER MC QUISTON: Palm Springs, it
12 looks like you are next. While we are waiting, I
13 would just like to make one announcement.

14 Our chair, Ron Kemper, will not be present
15 in the meeting today or tomorrow because of a family
16 emergency. So we will be proceeding without his
17 presence.

18 MR. KALISH: My name is John Kalish.
19 I'm the supervisor of the land, minerals and
20 recreation program in the Palm Springs-South Coast
21 field office. And I'm here representing Gail Acheson,
22 who unfortunately had another commitment today and she
23 sent her regards.

24 We did provide you with a handout of all of
25 our ongoing projects. But what I thought I would do

1 is just kind of highlight a few things.

2 Those of you that have been watching the
3 news know that our fire season has started this week
4 in a fairly big way. We have been involved in the
5 Paradise Fire located in Morongo Valley right north of
6 Palm Springs. The actual fire start was on private
7 lands. Right now there are about 3,000 acres
8 involved, 700 of which are on private lands, the rest
9 BLM. And the vast majority of the BLM lands involved
10 are within our big Morongo Canyon area, of critical
11 environmental concern. Quite a very key environmental
12 area, especially for migratory birds.

13 Overall, six houses or six structures have
14 been lost. But highlighting the BLM facilities, we
15 did lose 300 feet of the boardwalk within our
16 interpretive area in Morongo and then about 1500 feet
17 of the wooden boardwalk that is located more down the
18 canyon itself. So the actual interpretive portion of
19 the big Morongo ACEC, the visitor area, has definitely
20 been affected.

21 We also lost the barn, for those of you who
22 have been to the site, one area that is a remnant from
23 the old homestead that used to be on the site. Even
24 though this fire was in our ACEC or area of critical
25 environmental concern, we did not constrain any of the

1 fire protection efforts. There were or actually
2 presently are about 800 firefighters involved, so it's
3 quite a sizable effort. No wilderness areas have been
4 affected.

5 We have also been involved in the Soboba
6 Fire that -- this, again, was on private land starting
7 around Soboba Springs. It's about 1700 acres of BLM
8 lands involved, which they expect containment this
9 afternoon. Although it was close to another area of
10 critical environmental concern, the Potrero ACEC, no
11 ACEC lands are involved.

12 But overall, with our fire program, in
13 order to address a lot of our private land interface
14 that we deal with throughout our field office,
15 especially down in San Diego County where we have a
16 lot of very disperse public lands with a lot of
17 interface with private lands, we have initiated a
18 process, which is we will issue permits for fuel
19 reduction around people's private residences to attain
20 the 100 feet of defensible space. So we are working
21 with the private landowners to really try to control
22 that potential hazard.

23 One effort that we have had ongoing we have
24 been working with within the Coachella Valley is we
25 have been coordinating with the Coachella Valley

1 Association of Governments in their development of the
2 Multiple Species Habitat Conservation Plan for the
3 valley. Our -- one major part of that planning effort
4 that we are involved in is the trails plan that will
5 regulate the use of trails by recreationists within
6 the Santa Rosa-San Jacinto Mountains National
7 Monument. This effort has been going on for quite a
8 while, and we do provide information about the trails
9 planning effort in the handout.

10 However, I will just provide just a little
11 bit of an update. We are presently in the final
12 stages of that planning effort. We are in the process
13 of coordinating with all the other interests, as well
14 as addressing public comments on the draft plan. But
15 right now it's looking, as far as overall features of
16 the trails plan -- the main issue within the Santa
17 Rosa Mountains is the conflict between recreation use
18 and the Peninsular Range's bighorn sheep. But in
19 order to reduce those impacts, right now the trails
20 plan is looking at really no limits on overall trails
21 use.

22 However, we would have a permitting system.
23 We would, along with the Fish and Wildlife Service and
24 our other cooperators, initiate research on human
25 impacts within the Santa Rosas on the bighorn sheep.

1 And any closures of areas would be directed -- would
2 be implemented only as directed by research or if
3 research indicates that's necessary. However, summer
4 closures would remain on private trails such as Art
5 Smith and the Bear Creek Trails.

6 Then all other actions such as new trails,
7 newly proposed trails, are deferred to once the plan
8 is finalized, then another process to amend the
9 overall trails plan.

10 As far as the time frame for the Habitat
11 Conservation Plan, at least right now it's scheduled
12 for October for the City Council approvals of the
13 MSHCP and the actual take permits issued next spring
14 by the Fish and Wildlife Service.

15 And that concludes at least the highlights
16 that I have. If you have any questions.

17 MEMBER McQUISTON: Thank you. Any
18 questions by any Council members?

19 MR. SCOTT: One question. I know in
20 Clark County when they did their MSHCP, most of the
21 conservation actions were taken on public lands. So
22 the beneficiaries of this were the private landowners
23 who then got their habitat conservation permits, their
24 10-A permits.

25 But I was never really aware of the fact

1 that there was any kind of reimbursement to the
2 government agencies for pretty much the loss of that
3 use of land to certain recreationalists. Is that
4 situation going to happen in the desert where there is
5 going to be -- sort of the developers will go forward
6 and there may be a fee or something. But then the
7 public lands would be asked to assume a certain amount
8 of conservation responsibility to allow that
9 development to go forward. Is there reimbursement,
10 then, that comes back to the BLM?

11 MR. KALISH: There is really no
12 proposals for direct reimbursement to BLM. However,
13 we did several years ago amend our land use plan
14 within the Coachella Valley to address the habitat
15 issues. And actually, our land use plan amendment
16 within the Valley utilized the data or all of the
17 biological information that was being developed
18 through the CVAG or the Coachella Valley Association
19 of Governments' effort. So our -- through that
20 planning effort, we have already identified areas that
21 fit within the overall reserve and preserve designs
22 that are being identified within the overall MSHCP
23 effort. So we have actually already, over two years
24 ago, through that land use plan amendment identified
25 those habitat areas and areas that need increased

1 protection.

2 So that process has already been completed.

3 But as far as any money coming out of the whole fee

4 structure that will be tied into the MSHCP, I'm not

5 aware of any proposals to that effect.

6 MR. SCOTT: You can see where I'm going

7 with that. If there is a benefit to one group and a

8 sacrifice on one of the other, it seems there ought to

9 be some type of remuneration taking care of that.

10 Private lands get benefit from public lands. Those

11 people who lose some use of the public use might have

12 some need for restitution.

13 MR. KALISH: Yeah.

14 MEMBER MC QUISTON: Thank you. In

15 principle, I like that concept. When multiple use

16 gets squeezed out, it may be opening up some other

17 areas. So it's a two-edged sword, perhaps. Call them

18 mitigation.

19 MR. KALISH: As a -- one action that's

20 growing out of that MSHCP effort is trying -- the

21 various jurisdiction within Coachella Valley really

22 have recently really understood the need to provide

23 off-highway vehicle opportunities. So we are in a

24 very coordinated effort, trying to identify a

25 potential open OHV area within the valley, which is

1 not -- is absolutely not available right now.

2 So there are efforts to try and provide for
3 any loss of, say, recreation opportunities throughout
4 the valley and other areas that are outside of a
5 reserve and preserve designed areas.

6 MEMBER SCOTT: I should close by saying
7 it's a great plan. There has been a huge amount of
8 work done, and I think CVAG and BLM and the Mountains
9 Conservancy have done a major work on this. It's a
10 stellar work.

11 MR. KALISH: I agree.

12 MEMBER MC QUISTON: Comments by other
13 Council members? Thank you very much. I believe we
14 are down to our last presentation. Ridgecrest field
15 office. Welcome.

16 MR. VILLALOBOS: Good morning, Council
17 members. You have a report that I submitted to you.

18 MEMBER MC QUISTON: Could you state your
19 name, Hector?

20 MR. VILLALOBOS: Hector Villalobos for
21 Ridgecrest field office. You have a report that I
22 hope that you have received. And there is a number of
23 updates that I wanted to highlight for you.

24 And one thing that Jim mentioned this
25 morning was a NASA project that happened out in our

1 neck of the woods. And just for your information,
2 that was one project that was approved with us for the
3 recovery of the vehicle that was brought by NASA out
4 there in Cutting Back Lake. So it was kind of an
5 interesting project. They were testing a different
6 deployment of an orbital type vehicle. It's dropped
7 without the power on, and it mechanically is swung out
8 by a little parachute and the arm that hangs from the
9 vehicle that flies along. And then it turns the
10 vehicle on -- from horizontal position to a vertical
11 position where it can then deploy behind the craft
12 instead of in front of the craft.

13 So I thought that was kind of a neat thing
14 because when I was a kid, I used to launch rockets out
15 in the desert, so whenever those things cross my desk,
16 I get excited. Anyway, we approved the recovery and
17 there was no serious damage done at the lake. They
18 did a real good job of resurfacing the lake -- the dry
19 lake, I will say.

20 Anyway, getting up to the updates, we have
21 for the Deep Rose Geothermal Exploratory Well they are
22 proposing on state land out by Little Lake, they now
23 have a plan of operations that they submitted to us.
24 It's about an inch and a half thick. And we started
25 to review that. It includes a right-of-way donated

1 from the BLM 13 miles long, at least, and it's in an
2 area that has quite a bit of cultural resources. So
3 that will be kind of a mitigation challenge that we
4 will have to work through. And there will be some
5 consultation that will have to be done. And we have
6 already started to look into that.

7 So the update is that we do now have a plan
8 of operations. It's pretty complex. It includes a
9 pipeline, a water pipeline. And that's the other
10 concern that I know is going to be raised is basically
11 where is the water going to come from.

12 There also is another pipeline that's
13 proposed in that same area for the existing Coso
14 Geothermal Production happening out there. So we are
15 going to have to work through some kind of interesting
16 issues related to that geothermal development.

17 The other new update for you is that the
18 LADWP project, which is the turbine project in the
19 Jawbone Canyon area, Pine Tree area, and we are
20 getting real close to finalizing a decision record on
21 BLM lands, which is basically a small portion of the
22 overall project. BLM lands is going to involve the
23 construction, access, and right-of-way for their wind
24 farm to connect to the electrical grid out there.

25 So we are working with them on the

1 finalizing some of the details on transportation plans
2 so that we don't have the issues with off-roaders
3 getting -- because it is a very popular recreation
4 area. We have to make sure we have a safe
5 construction process out there while we have some
6 recreation going on out there at the same time. So we
7 are going to do some things to work with them to make
8 sure that we mitigate that concern.

9 One of the new concerns that was
10 identified, which involves most of the private land
11 which is the wind turbines themselves and the
12 monitoring surveys that have been done for migratory
13 birds. And it's a new concern that LADWP is working
14 with Department of Game and Fish and Fish and Wildlife
15 Service to try to understand what the monitoring
16 information that they used and what that has told
17 them. I think the issue is that there is a belief
18 that there is not enough monitoring information to
19 make some of the decisions that they have concluded.

20 But as far as the BLM lands, I think we are
21 getting pretty ready to do that decision record with
22 them.

23 I wanted to update you with some other
24 lands, some realty programs that I think are going to
25 be interesting in the future here. That is the

1 interest that has been expressed by the City of
2 Ridgecrest in Kern County. There is a lot of interest
3 because of the potential growth that might happen or
4 that probably will happen in Ridgecrest as a result of
5 the BRAC decisions that have -- are proposing to bring
6 a growth to that community. Basically around 2500
7 jobs are being proposed, and we are anticipating that
8 there is going to be some needs for some of the BLM
9 lands in that area.

10 And we know that we have identified quite a
11 few acres of land that have been identified for
12 disposal, so we are going to be working with the city
13 and with the county to see what might -- what we might
14 do with regard to disposal of those lands. And I want
15 to look at a bigger picture, too, because I have
16 gotten requests from Cal City -- Cal City is one of
17 them. We have already been working with a little
18 community in the Rands, Johannesburg and Randsburg,
19 Red Mountain area, to try to get some of the land
20 disposal concerns there, but we are looking at a much
21 bigger project. Also down by Lancaster and Palmdale
22 there are scattered pieces of BLM land in those areas.

23 We are trying to look at the big picture
24 here, but we know immediately in the near future in
25 the Ridgecrest area, so we are trying to get ahead of

1 the game and get a program going there. And there are
2 some opportunities, and I will keep you updated on
3 those things.

4 Another update I wanted to bring to your
5 attention is the mineral potential report. I
6 mentioned to you that those reports might be available
7 for yourselves. They are public documents, and I have
8 a box over there with a limited number of paper
9 copies, and I have a few CD's available. And I would
10 like to distribute those to you today. I don't know
11 if I have enough. If I don't, what I would like to do
12 is go back to my office and make CD's and send them to
13 you if I don't have enough.

14 I know I don't have enough because I have
15 made about, oh, gosh, I don't know. About a dozen
16 CD's and most of them are already gone. And I had
17 about 30 copies I think of that paper copy, and I only
18 have about half of them left now. But I'm trying to
19 accommodate you there, and if I don't have enough for
20 you today, I will take your name and I will get you a
21 copy. So I will distribute those as soon as I'm done
22 here with the rest of my updates.

23 Another important update for you is Furnace
24 Creek EA. We are working with the Forest Service on
25 finalizing the decision record for the BLM's portion

1 of it. One of the things that we have to finish on
2 that is the consultation with the state historic
3 preservation officer. We had the lead for the
4 cultural resources aspects of that, and we have been
5 working with the Forest Service on that.

6 Unfortunately, I don't have an
7 archaeologist now. He left, and what I have to do --
8 what we did was try and get the Forest Service all the
9 information that we had gathered, and we're trying to
10 work with them on finalizing the information so we can
11 do the SHPO consultation, but I'm still hoping that we
12 are getting close to the end of that process and that
13 pretty soon there will be a decision order on it, on
14 the Furnace Creek. I'm hoping it will be done this
15 summer. Hopefully by the end of the summer. But
16 again, the SHPO consultation is a concern.

17 The rest of the things I thought I might
18 just leave for any questions that might come up.

19 MEMBER MC QUISTON: Thank you.

20 MEMBER DENNER: Roy Denner, recreation.

21 Hector, I just have a question. With the
22 anticipated growth you are talking about here, you are
23 planning ahead for development. I think that's great.
24 What are you doing in the way of planning ahead for
25 providing additional recreation opportunities for all

1 the people that are going to move into your area?

2 MR. VILLALOBOS: Roy, I think that will
3 come along with some of the other things we are
4 already wanting to do. One of the things is the El
5 Paso collaborative effort that we want to get going
6 on, which includes the immediate Ridgecrest area too.
7 The area where Ridgecrest sort of has expanded is also
8 an area of concern that I know a lot of the landowners
9 out there have been making phone calls to us about. I
10 won't say a lot of them, but there are some that -- it
11 comes in cycles.

12 The concern is the noise, the dust, the
13 trails, the riding on private land. And there are
14 trails out there that basically have not been
15 identified -- well, they have been identified and it's
16 all been kind of an informal kind of route designation
17 process that we have come up with to this point. But
18 I think we are going to have to get into a formal
19 route designation process in and around the Ridgecrest
20 areas and out in the El Pasos.

21 MEMBER DENNER: I hear what you are
22 saying. This seems to be the typical approach. I ask
23 you what you are doing, and you say it will come
24 along. And then you talk about the typical problems
25 that occur when urban sprawl takes place with

1 recreation opportunities. And you certainly have to
2 deal with them. But you have a two-edged sword here.
3 The people already there are complaining about
4 recreation that's taking place in their backyard. And
5 now you are going to have a large influx of more
6 people. And you are saying that planning for
7 recreation will come along.

8 I think this is a perfect opportunity to
9 take a look at what Tom is talking about. If you are
10 going to be selling land to private developers, some
11 of that money right now should be planned to provide
12 more recreation opportunities. Not it will come along
13 when we get around to dealing it. Recreation always
14 seems to take a back seat, and it gets addressed when
15 a problem occurs.

16 I think we need to do some proactive work
17 in that area, particularly up in the Ridgecrest area
18 where we have seen nothing but closure after closure.
19 We have seen no mitigation for the impact. We used to
20 have over 1,000 miles of four-wheel drive up there.
21 It's down to 129 miles, and because of some
22 infractions, you closed another 29 miles of that.

23 It's time to start being proactive about
24 recreation opportunities, not reacting to the problem
25 where it occurs. And you are going to have a lot of

1 people coming out there and you need to accommodate
2 the opportunity to recreate on public lands now.

3 MR. VILLALOBOS: Let me remind you of
4 the recreation that occurs in our area. There is an
5 open area that's about three or four miles from
6 Ridgecrest. It consists of 60,000 acres, open,
7 completely. We have established corridors to that
8 area, which people use on a regular basis. The El
9 Paso area has around 600 miles worth of routes that we
10 know about right now. And they are being used.

11 So I feel that we have been proactive. We
12 not only do that, we permit something like around 25,
13 30 events for recreation in that area. And we are
14 very proud of those. And I understand your concern,
15 but I feel that we are addressing recreation. We have
16 done a good job.

17 MEMBER DENNER: Tell me when the last
18 time a new recreation area was opened in the
19 Ridgecrest area.

20 MR. VILLALOBOS: These have been open
21 since 19 --

22 MEMBER DENNER: That's not an answer to
23 my question. You have closed a lot of opportunities
24 there. Tell me the last time one new area was open in
25 the Ridgecrest area.

1 MR. VILLALOBOS: I haven't -- I'm not
2 sure that I understand your question about "new
3 areas." There are plenty of areas to recreate in the
4 Ridgecrest area. Okay?

5 MEMBER DENNER: No sense beating a dead
6 horse.

7 MEMBER MC QUISTON: Jon McQuiston. I
8 think it's bigger than just the Ridgecrest area. That
9 whole discussion we have had over time about
10 mitigating, when we take something away, opening up
11 something else. I think the answer to the question
12 that you posed for Ridgecrest would be the answer you
13 would get pretty much for the entire conservation
14 area.

15 MEMBER DENNER: I agree, but Ridgecrest
16 right now is not nearly as populated as some of the
17 other management areas. That's why I'm saying if we
18 can get these guys to take a proactive approach to
19 managing recreation in the Ridgecrest area now, we are
20 not going to have some of the problems we have in the
21 other more populated areas. If we wait until it gets
22 more populated and then say we need to do something
23 about it, we are going to be in the same bag we are
24 now.

25 Now is the time a plan has to be put in

1 place to provide for additional recreation for the
2 additional population. To me, it's perfectly clear.
3 To say, oh, we have had this area forever, it's true.
4 There used to be tons of recreation in the Ridgecrest
5 area. A lot of that has been taken away. And if that
6 trend continues, there will be less and less and no
7 plan for mitigating that impact. That's what we need,
8 and the Ridgecrest area is a perfect place to start
9 that.

10 MEMBER MC QUISTON: Thank you. Bill.

11 MEMBER PRESCH: Bill Presch.

12 I just had a question that popped into my
13 mind when Hector and Roy were having their discussion.
14 This may be more pointed to Roxie.

15 And that has to do with the 29,900-some
16 acres that are going to be developed between Barstow
17 and Victorville west of I-15 into 40-acre plots.

18 The County of San Bernardino was kind
19 enough to send me, I guess it's an EIS proposal of the
20 plan with some alternatives to cut up this whole part
21 of the desert, which I always thought was BLM's, but
22 apparently it's not anymore since the developer has
23 these 29,000 acres. Is there any involvement in the
24 planning process for this development from BLM in the
25 Barstow office? Or is there -- I'm just trying to get

75

1 the information.

2 MEMBER MC QUISTON: Come up to the
3 microphone for the recorder and give us your name.

4 MS. TROST: Yes.

5 MEMBER MC QUISTON: Don't run off,
6 Hector.

7 MS. TROST: Roxie Trost, field manager
8 for the Barstow field office. And I think the land
9 that you are referring to was part of a land exchange
10 many, many years ago with Sun Corp. We just recently
11 also received that proposal from them.

12 My understanding at this point in time is
13 that they have some access issues, and they are not
14 able to actually go forward with that proposal. But
15 we are working with them currently. So we are in the
16 process of reviewing that EIS, as well. So I hope
17 that answered your question.

18 MR. PRESCH: Yes, thank you very much.

19 MEMBER McQUISTON: I am going to
20 interject for a second. We are coming up close for
21 the break time. I would like for Hector to go ahead
22 and finish his presentation. Are your questions for
23 Roxie or Hector.

24 MEMBER BUGERA: It's not important.

25 MEMBER MC QUISTON: If it's related to

1 Hector's, I would like to take it now. And then if
2 there are any questions on some of the previous
3 presentations, we may come back to those after the
4 break.

5 MEMBER BUGERA: I just wanted to comment
6 that we are taking land that's -- I hear in these
7 meetings all the time in the desert, working with
8 Caltrans in the endless meetings I have to go to about
9 the Desert Tortoise and the lizards and the brush, is
10 we have to save these lands for future generations and
11 this piece of land can't be replaced ever in history.
12 And then the developer wants it. We say, you take
13 that and give us another piece of sacred land over
14 here. And is the land that easily interchangeable
15 that one day it's sacred and the next day we can swap
16 it out for something else?

17 And that's what happened with the Hyundai
18 Plant at California City. That was the most sacred
19 piece of land with the Desert Tortoises, so they just
20 really gave one of the really good campsites because
21 Hyundai wanted it. What happened to the tortoises?

22 MR. VILLALOBOS: If it's related to the
23 land that BLM has identified for disposal, it's
24 already been classified as not being, at this point
25 anyway, although we will do some consultations, being

1 identified as a sacred site or anything like that. So
2 I'm not sure I understand what your question was
3 about. We are not proposing to give away or take
4 land, but we are looking at the requests from the city
5 and the county on land that's already been identified
6 as land that might be disposed of by the BLM.

7 And there are parcels that are scattered
8 throughout, mostly surrounded by private land, and
9 that are hard to manage. They are
10 like little 40-acre-or-smaller-in-size-type tracts
11 that are scattered throughout the desert, surrounded
12 mostly by private land in and around the Ridgecrest
13 area, and they have already been identified for
14 disposal.

15 We will have to go through the appropriate
16 process to do the environmental documentation and
17 surveys, appraisals and those sort of things, in order
18 for us to be able to dispose of it. And there might
19 be some other county or city needs that they might
20 have a need to build a recreation facility on some of
21 these lands, for example. There are recreation for
22 public purposes law that allows this for nonprofit and
23 government entities to get some of this land, and
24 there are special provisions.

25 MEMBER McQUISTON: I have a few

1 comments, since this is an area I have some knowledge
2 of. First of all, at the broadest level the notion of
3 mitigation, my recollection is that this Council may
4 have taken a position on that in the past in terms of
5 a position that we believe that is a matter of policy
6 that's something that should occur. We are not going
7 to solve it today. And I know what you are saying,
8 too, Roy, is we have pressures.

9 This is one of the areas. As it grows, I
10 think it's important that we look at preservation,
11 advanced planning. Most of what we do has been
12 after-the-fact planning, but with respect to the
13 Ridgecrest area, just for the folks that may not be
14 privy to some of the numbers, it was the
15 recommendation of the BRAC commission that 2,469
16 military and civilian jobs be located at China Lake.
17 I think that when the dust settles, that number will
18 most likely be closer to 2,000 to 2,200. And the
19 reason for that is the BRAC was based on the data
20 call. And the date and time that data call went out
21 was September 30, 2003. And that's when they looked
22 at how many jobs you have, mission, roles,
23 responsibilities.

24 But since that data call and the time of
25 the BRAC Commission recommendations, there had already

1 been some internal moves of missions, functions and so
2 forth. But if you use 2,000, 2,200 or if you even use
3 the 2,400 or so, the general thought is there will
4 probably be an additional 1,500 to 2,000 direct
5 contractor support-type jobs. There is a huge
6 industrial technical base that follows defense jobs,
7 and they typically like to be located fairly close to
8 the customer. That's a hypothetical number, but
9 that's one that's been bantered about.

10 And then there is also some discussion
11 about there will be a need of growth in other related
12 service or delivery type businesses, whether it's fast
13 food, service stations, cleaners and those type of
14 things. So some of the numbers being bantered about
15 in terms of total job growth is somewhere between 5
16 and 6,000. I would note, however, that if you go back
17 to 1990, there is a perception -- okay, 6,000 jobs and
18 maybe 12,000 people. Huge pressures. That's about
19 the period of 1990 level before the previous rounds of
20 base realignment and closure.

21 China Lake lost about 3,000 direct jobs
22 over those four rounds of BRAC. There was associated
23 loss of technical support. So all of this growth
24 that's being projected in terms of numbers of people
25 won't be too much different than what existed in the

1 region 15 years ago. There will be different demands
2 and different pressures.

3 I don't expect a huge amount of what I
4 would call urban sprawl other than perhaps in some of
5 the planners' minds about, wow, this would be an
6 opportunity to really -- businesses and housing and so
7 forth.

8 I think there are two land issues as it
9 pertains to BLM. Some of those are what I would call
10 small parcels that are already surrounded by private
11 development. And the county has made a request of BLM
12 to take a look at those because in that private land,
13 we have people who are wanting to build on one acre,
14 two and a half acres. And my position has been we are
15 not going to allow that type of development in the
16 future without roadways going in. We did for a number
17 of years prior to having the zoning ordinance. And we
18 ended up with a huge amount of what I would call
19 residential development without any infrastructure at
20 all and creating tremendous dust problems.

21 In fact, those that are familiar with the
22 Buttermilk Acres area, which is between Inyo-Kern and
23 Ridgecrest, during the winter when we typically get
24 under high pressure dome, there would be a dust cloud
25 looming over that community sometimes for days at a

1 time. And we worked through some federal grants and
2 air district grants to actually put some new county
3 roads in those areas, and quite frankly, have
4 eliminated a tremendous problem in some little pockets
5 of population.

6 So we have asked BLM to look at those
7 areas. We want them to put roads in, but where you
8 have a BLM piece of property along a road alignment, I
9 don't want a situation with a two-lane road and a one-
10 lane road and half a mile of dirt because BLM owns
11 both parcels on either side. So those are some we
12 looked at.

13 And then at least for advanced planning and
14 strategic planning, what else might be available,
15 given the fact that there will over time be continued
16 growth. And Kern County will be doing a number of
17 things over the next year or so. I'm working very
18 hard to get some money in next year's budget to do a
19 specific plan for the entire Indian Wells Valley area.

20 It will focus that the growth is coming and
21 we want it, but our prevailing criteria will be what
22 that brought those jobs in the first place was a
23 military base. And first and foremost, we will be
24 looking at the sustainability of that military mission
25 and how we channel that growth so that we don't

1 inadvertently put encroachments on that mission.

2 And going back to your comment, Roy,
3 somewhere along the lines we may look at legislation
4 to allow the BLM to do some things they otherwise
5 would want to do but administratively may take years
6 to do. And it might be possible within that
7 legislative language to talk about some of these
8 monies may be used for mitigation or to enhance
9 recreational opportunities. And I would be happy to
10 talk to anybody about those if we ever get to that
11 point.

12 MEMBER DENNER: Given the potential for
13 growth that you are talking about there, I would like
14 to make a motion.

15 I would like to make a motion that this
16 Council recommend to the Ridgecrest field manager that
17 he right now develop a serious plan for accommodating
18 recreational needs within the Ridgecrest field office
19 in the event that the population increase there takes
20 place in the immediate future. And that he bring that
21 plan back to this Council so we can have input into it
22 so that -- this is not part of the motion -- that's
23 the motion.

24 MEMBER MC QUISTON: What I may request,
25 we typically take our motions at the end of the day.

1 If you put that in writing, we can have some
2 discussion on that.

3 MEMBER DENNER: I thought we had talked
4 about that and decided motions were more effective if
5 they occurred when the subject is on the table. Can
6 you shed any light on this, or do you have a
7 preference?

8 MS. HANSEN: We have done it both ways.
9 I think since your concern is on the table, however,
10 Roy, we have an upcoming public comment period. And
11 one of the issues we did discuss last time is allowing
12 for the public comment on what was in front of the
13 Council. So I guess if nothing else, I would suggest
14 we would want to hold your motion until after the
15 public comment is upcoming.

16 And if I might make one comment germane to
17 the issue very quickly, I think that I would like the
18 Council to recognize that BLM is very preliminarily
19 looking at all of this. We are being pretty proactive
20 here in trying to work with the county and city about
21 this whole issue. It obviously is one that has sprung
22 up based on BRAC recommendations, but I think we are
23 trying to be as proactive as you would like us to be,
24 just recognizing that we are trying to use our
25 processes that we have available to us, administrative

1 processes, to take that outlook and to consider -- and
2 I am very pleased to say that the county, Kern County
3 and Mr. McQuiston particularly, is very interested in
4 working with BLM in taking that look. And I know
5 Hector has been, so I think the discussion is underway
6 there.

7 I think the issue is out there. We know
8 it's coming, and based on current activity in other
9 counties that we know is out there, we are trying to
10 deal with that. I also think that this Council has
11 made it very clear previously, not that you can't
12 reiterate this, but what your feelings are in terms of
13 the agency's need to consider future activities on
14 public lands. We talked about that a little bit this
15 morning. I think we know it's there. Whatever we can
16 provide to this Council that will make you feel that
17 you have reassurance that the agency is looking at
18 those things we will be glad to do. If that's in the
19 form of plans, I'm sure Hector would be glad to share
20 anything developed in this with our cooperators as the
21 time goes on and bring it back to the Council for your
22 information.

23 MEMBER DENNER: I understand that you
24 are doing the best you can within your limited
25 resources, but I see this Council's job as needing to

1 be specific with what we might consider priority
2 items. And I think it would be good for both the BLM
3 and the people on this Council, if they agree, to have
4 an item like this within the minutes of this Council
5 meeting, because then it's documented. And we have
6 proposed a specific action, so I still plan to make my
7 motion when the time is appropriate.

8 MEMBER MC QUISTON: If you would, we
9 will continue with whatever questions we have. And I
10 would still like to get that motion in writing and
11 then after public comment period, we will go ahead and
12 entertain motions before we recess for the lunch
13 period.

14 Ron Schiller.

15 MEMBER SCHILLER: Obviously Ridgecrest
16 is very important to me since I live there. And I am
17 directly affected by a lot of the actions that are
18 going on there. I do have a number of questions on
19 the various topics that you presented today.

20 First thing is the plan of operation as
21 submitted for the Deep Rose budget. When would you
22 expect public review of that document?

23 MR. VILLALOBOS: Oh, gosh. I don't have
24 a date for you right now.

25 MEMBER SCHILLER: That's another one of

1 the areas where people like to go, and there is some
2 concern about that right-of-way being developed and
3 public losing access through there.

4 MR. VILLALOBOS: Let me say this: That
5 when we do identify the public -- we will have a
6 public review process for Deep Rose. And we will
7 definitely make sure that people are given enough
8 notice that they are going to be happening, where they
9 are going to be happening, and that sort of thing. We
10 have had them -- we have already -- I think we had a
11 Deep Rose discussion last night at our steering
12 committee, but we would like to keep those -- that one
13 little avenue open and invite Deep Rose to stay
14 engaged with us at the Ridgecrest steering committee
15 and keep us updated on progress and the BLM end of it
16 too.

17 MEMBER SCHILLER: I had like to comment
18 on the abandoned mine lands reclamation. I'm a little
19 frustrated there because there doesn't seem to be
20 enough public notice about what is going on. I
21 realize that the shafts were a hazard, but on a lot of
22 the other horizontal shafts, they also provided an
23 opportunity for gem and mineral collecting. And there
24 is some history there. And I think that there should
25 be more -- at least some kind of notice of what's

1 being proposed so the public is aware.

2 I have a question on the grazing program
3 update. It states, "Every grazing permit/lease
4 proposed decision was protested by interested
5 parties." How many interested parties were there? In
6 other words, there was 15 grazing allotments, but were
7 they all protested by the same party or were there one
8 party for each? In other words, how many parties are
9 we talking about?

10 MR. VILLALOBOS: There wasn't that many
11 parties, Ron. I think maybe about a dozen that I can
12 off the top of my head remember. And parties such as
13 the Center for Biodiversity, the Desert Tortoise
14 Preserve Committee, those are the only two that I can
15 remember off the top of my head. But there may be
16 about half a dozen.

17 MEMBER SCHILLER: Under your topic,
18 under the route designations and under specifically
19 Furnace Creek, you also say that "We also have to
20 complete the consultation with the SHPO."

21 How long does consultation with the SHPO
22 usually take?

23 MR. VILLALOBOS: I don't have a figure.
24 I don't think it takes that long. I am talking on
25 that specific situation, talking with the Forest

1 Service, reviewing this. We were thinking that we are
2 looking at the end of summer, the beginning of fall to
3 get that process completed. It's a matter of getting
4 the data all collected, putting the reports together,
5 and it all depends on the complexity of the
6 information and data that they have collected.

7 And it just happens that some of the
8 cultural resource concerns that have been identified
9 at Furnace are substantial. And there were a lot --
10 there is a lot of sites that we are identifying along
11 with the site reports that have to be put together.
12 And then the idea of how we are going to try to
13 mitigate some of the concerns. And a lot of the sites
14 are on the Forest Service side of the line. How long
15 it takes depends on how long it takes us to get all
16 the information together to the SHPO and have them
17 review it.

18 MEMBER SCHILLER: I guess the problem is
19 Surprise Canyon and Furnace Creek were both closed as
20 a result of the lawsuit. That was 2001? 2002? When
21 these roads get closed and no action is taken and the
22 time takes so long, the road gets lost. So the
23 validity of the "temporary closure" turns into a
24 permanent closure because, No. 1, the lack of use
25 deteriorates the road. And No. 2, everybody goes out

1 and takes the pictures of the new vegetation which is
2 inevitably going to grow in the road. And then it
3 turns out it's lost forever because we don't have the
4 funding to fix the damage we caused because of the
5 temporary closure that turns out to be a permanent
6 forever closure. And just a lot of concern that the
7 issue or the question that caused the initial closure
8 was never resolved, was never finalized, was never
9 even determined. It's just forever closed because no
10 action was taken to make a decision.

11 You talked about the OHV problems in the
12 area of Ridgecrest and the calls you are getting. I
13 have also read in numerous newspaper reports of the
14 problems in the Rands area. The problems that I have
15 heard about and seen about are not directly BLM
16 problems. They turn into BLM problems somewhere along
17 the way, but we are typically talking about kids in
18 the afternoon -- I live in Buttermilk Acres area, and
19 we are talking about kids in the afternoon zipping
20 around after school. Kids all summer long zipping
21 around, which has nothing to do with the BLM or the
22 BLM management, although it always is used to give a
23 black eye to motorized recreation when it really
24 doesn't have anything to do with your jurisdiction.
25 And it's more of a sheriff's issue and a local police

1 issue.

2 Now, the local police have just recently
3 brought a brand-new motorcycle, and hopefully they
4 will be doing some things to start easing that
5 problem. But I find it's frustrating to hear about
6 the OHV problem in all these reports, when there isn't
7 really anything I don't believe you can really do in
8 Ridgecrest Heights or in the adjacent city and county
9 areas on private property.

10 MR. VILLALOBOS: I agree with you 100
11 percent on that.

12 MEMBER SCHILLER: It's always used to
13 beat you over the head with.

14 MR. VILLALOBOS: For example, I remember
15 getting a call one time, a very irate homeowner that
16 was complaining because the person, the people that
17 were using the BLM lands parked their trucks in front
18 of the person's house and unloaded their motorcycles
19 and then took off onto the routes. And they were
20 heading out for BLM land. But I don't want to even
21 get into that because they will call us and we will
22 say "call the sheriff." "We already tried." That's
23 what happens.

24 MEMBER MC QUISTON: We are running ahead
25 of agenda, but we are running ahead at the break. I

1 would like to take a recess and come back, Ron, so we
2 can finish so we can have some substantive
3 discussions. And then we will go into our public
4 comment period. I'm going to call a 15-minute recess
5 and we will come back at about 10:45, and Hector, we
6 will let you continue. We need time to finish, and we
7 are all over.

8 (Brief recess was taken.)

9 MEMBER MC QUISTON: We are going to
10 reconvene at this time, and Ron Schiller, you were
11 going through your notes. And Hector, you are back,
12 so pick up where we left off. Ron.

13 MEMBER SCHILLER: I had one more item
14 that I wanted to really comment on. And that was the
15 OHV grant request this year for the Ridgecrest
16 resource area. I have expressed my frustrations a
17 number of times, and when I look at the grant request,
18 it always seems to go toward the more intensive
19 recreation aspects of recreational public land. And
20 I'd just like to reiterate that there are a lot of
21 different activities that are stakeholders in that
22 program. There are gem and mineral collecting,
23 hunting, equestrian users. Even though they are a
24 nonmotorized activity, you still have access
25 requirements for equestrian uses, trailers.

1 Sometimes we have several events every year
2 that involve vehicle support. Most people think,
3 well, you are riding on a horse so you really don't
4 care about motorized access. But many clubs, local
5 clubs have fund raisers that are -- involve poker
6 rides. You have to have vehicular access for that.
7 The endurance riders most definitely have to have
8 vehicular access for emergency situations for the
9 horses, for vet checks, for water sites and many other
10 areas. So these folks do have a stake in it, as well.
11 And there is some concern about not seeking grants to
12 maintain some of that access for those activities
13 which aren't normally associated with OHV activity.

14 In this case, I was particularly frustrated
15 by one grant request to look at designating and
16 establishing routes in the Spangler open area and
17 neglecting to seek any funding to support the CAPA
18 process, which is for the El Paso Mountains, which is
19 going to be essentially part of the West Mojave Plan.
20 It would seem to me that with inventories and
21 organizing this proposed CAPA group and getting
22 prepared for that, that some of those activities could
23 be and should be funded out of this fund.

24 And finally, I just had a question about
25 the ERFO. I can't remember what the acronym stands

1 for, but the emergency relief fund. What in the
2 Ridgecrest office has Ridgecrest applied for as far as
3 ERFO funds?

4 MR. VILLALOBOS: Ron, with regard to
5 that fund, I believe the emergency relief flood damage
6 occurred out there. Ridgecrest got \$52,000.

7 MEMBER SCHILLER: What did it go for?

8 MR. VILLALOBOS: It went for a lot of
9 maintenance of grounds that we did.

10 MEMBER SCHILLER: Could you elaborate?

11 MR. VILLALOBOS: I can't tell you which
12 ones. A lot of the routes in the eastern Sierras are
13 the ones we were paying particular attention to.

14 MEMBER SCHILLER: Wilderness mostly?

15 MR. VILLALOBOS: No, not in the
16 wilderness. They are the more remote routes you are
17 talking about. Like the route, for example, if you
18 went to the Seifert Cabin site. You know that whole
19 route had to be redone.

20 MEMBER SCHILLER: That was done with
21 ERFO funds?

22 MR. VILLALOBOS: Yes.

23 MEMBER SCHILLER: One last thing I find
24 frustrating, as well. As we go through these
25 exercises in designating routes in the Ridgecrest

1 area, which is going to be coming up, it seems to me
2 that it should be recognized that a lot of this was
3 supposedly mitigated with the Desert Bill passed in
4 1994. If you read some of the reports, in particular
5 the White Mountain one -- excuse me. The El Paso
6 Mountains, if you read that area, that area was set
7 aside, that wilderness area was set aside for the
8 significant cultural resources, which I know from
9 first-hand experience that there are many significant
10 cultural sites there.

11 So I am concerned that if we start
12 remitigating that mitigation and further diminish the
13 recreational access in that area for culture sites,
14 which in my mind was already mitigated in '94 through
15 the passage of that Desert Bill, and most of that's
16 pretty much stated in the pink wilderness study books
17 that was done for the 1980 planning effort for that.
18 So I did want to express some concern about that, as
19 well. Thank you.

20 MR. VILLALOBOS: Let me highlight just
21 another aspect of that, Ron, for you.

22 Before the 1994 establishment of the Black
23 Rock Wilderness area in the El Pasos, there is a huge
24 historic --

25 MEMBER SCHILLER: You mean Black

1 Mountain?

2 MR. VILLALOBOS: Black Mountain. I'm
3 sorry. There is a huge historical district that was
4 established prior to that. The report that I have
5 seen for the establishment of that historical district
6 had a number of mitigation measures that were
7 identified. One of them was the protection of Black
8 Mountains through some kind of designation, which has
9 come about. And the identification of a few other
10 sites that right now off the top of my head I can't
11 come up with. But the establishment of a few ACEC's
12 out there too. So those things are kind of -- the
13 Black Mountain Wilderness was one of the things that
14 were recommended to do for that huge district. So
15 anyway, there are a few others.

16 MEMBER SCHILLER: Well, as far as the
17 OHV grants go, the overflow from the closures in the
18 Rands and Jawbones are starting to affect the roads
19 that are used in the El Pasos for access to some of
20 the gem and mineral sites. They are starting to get
21 hammered pretty good. On top of that, the floods have
22 taken their tolls in some of those areas. And I think
23 that there should be some effort, at least, on the
24 part of the BLM to provide some maintenance for those
25 routes, as well.

1 MEMBER MC QUISTON: Any other questions?
2 Carole?

3 MEMBER WILEY: Not a question. Going
4 back to the growth and making new recreational lands
5 available, I'd just like to remind people there is not
6 an infinite amount of land. As growth comes, it takes
7 land. And there has to be land left for other things
8 than vehicle recreation.

9 MEMBER MC QUISTON: May I ask you to
10 speak in the microphone for our recorder, as well as
11 the public?

12 MEMBER WILEY: There have to be lands
13 left for other things: Deserts, mountains, wildlife
14 habitats, other kinds of recreation, even solitude
15 type of recreation, plus commercial uses, mining and
16 grazing. So there is not an infinite amount of land.
17 So every time a city grows, you can't necessarily have
18 an equal amount of land for something else. You are
19 going to run out.

20 MEMBER MC QUISTON: Thank you. Any
21 other questions for Hector? Preston Arrow-Weed,
22 please.

23 MEMBER ARROW-WEED: I heard you say
24 something about -- he said something about mitigation
25 some time ago. And cultural, cultural mitigation.

1 What was the result of that with the mitigation of
2 cultural resource there? That's what you were talking
3 about?

4 MEMBER SCHILLER: It was all designated
5 as wilderness. Quite a bit of it.

6 MEMBER MC QUISTON: If you would, for
7 the recorder, please use the microphone and state your
8 name.

9 MEMBER SCHILLER: I don't remember the
10 exact acreage, but a great chunk of the El Paso
11 Mountains was designated as wilderness because of the
12 cultural values. And all I'm asking is, is that we
13 exercise a little more leniency in access in some of
14 the adjacent areas that at least were theoretically
15 mitigated with that massive closure in the El Pasos.
16 And I have to say that there is some remarkable arc
17 sites in the Black Mountain Wilderness Area. The
18 question is, When you look at the comparison of these
19 big camps where there is house rings and there is, you
20 know, all kinds of cultural resources, when you get
21 away from those, well, they start diminishing in
22 quality and quantity. So where do you draw the line
23 as to what is significant in comparison to what has
24 already been preserved? You see what I am saying?

25 MEMBER ARROW-WEED: Yes, I do know that

1 some sites are important. But eventually, they kind
2 of fade out. And what shows more, where I come from
3 with my people, basically, we go back to live on what
4 was there before, whether it's burials or cremations
5 there. Eventually they go back and live on it again.

6 But other than that, they leave it alone
7 for a while. Let nature wipe it out, not man. Nature
8 wipes it out, then it's wiped out. For man to wipe it
9 out, that would be wrong.

10 MEMBER MC QUISTON: Any other comments
11 or questions for Hector? Thank you, Hector.

12 MR. VILLALOBOS: I've got three CD's and
13 three paper copies of that mineral report left. Who
14 wants one? I will start with the paper. Who wants
15 the paper one? If there is anyone else that wants
16 one, I will make you one.

17 MEMBER MC QUISTON: Hector, not right
18 now, but I would like an electronic copy for our
19 planning department.

20 MR. VILLALOBOS: Give me a list of those
21 that still want that report, and I will make sure that
22 you get it. The only thing, I will not be able to
23 send paper anymore. I have CD's made. I will try and
24 send it to you. This is a letter that goes along with
25 it.

1 MEMBER MC QUISTON: While Hector is
2 handing those out, let me talk about an agenda process
3 here. The next item on the agenda is public comment
4 for items not on the agenda. And I do have two
5 requests here, one from Jon Stewart and one from
6 Anthony Fender for that. However, because of the
7 discussion related to the field manager's reports and
8 the deferred motion that Roy wanted to make, I think
9 it would be appropriate to ask for public comment from
10 any member of the public if you would like to make any
11 comment regarding these field manager reports or any
12 of the items that we were discussing earlier. I won't
13 ask you to give me a card, but I will ask you to come
14 forward to the microphone and say your name for the
15 recorder, for the record.

16 But if you would like to make a comment
17 regarding the field manager's report or any of the
18 discussion associated with those, now would be the
19 appropriate time to come forward.

20 MR. STEWART: Good morning, Council
21 members. Jon Stewart, California Association of
22 Four-Wheel Drive Clubs. Some items that I was hoping
23 to hear covered was update on Surprise Canyon
24 Environmental Assessment. And a little bit was talked
25 about Furnace Creek, but nothing was mentioned about

1 the status of the Surprise Canyon.

2 Also the fee programs. I know that there
3 was some comments about the Imperial Sand Dunes;
4 however, there was not a notice about what is going to
5 happen if there are going to be any changes at Dumont
6 Dunes. And also whether there are additional fee
7 plans maybe in the works for the various desert areas.

8 I'm curious to hear that Kathleen Clark and
9 Rebecca Watson and others have recognized that
10 recreation is a viable action on public lands. And
11 that the direction is rolling out.

12 And some of the discussions this morning
13 that did highlight that, yes, there is problems and
14 people have to work to address problems. But one of
15 the issues in addressing problems is to identify where
16 the concerns are. It seems that a lot of the efforts
17 right now are identifying concerns. But nobody is
18 really looking to do a proper resolution step.

19 I think Mr. Denner kind of alluded to the
20 fact of trying to get a motion to establish a
21 recreational opportunity, at least in one district.
22 With the separate rolling out from Washington, it may
23 be more appropriate for the entire Desert District to
24 sit down and look at a strategic plan or a vision for
25 a recreation opportunity for the future that would be

1 encompassing of the motorized and nonmotorized
2 recreation, along with what is appropriate use of the
3 public lands and how these uses can coexist without an
4 adverse impact to the growing population of the
5 region.

6 We do know that there is a significant
7 metropolitan area that surrounds the desert with the
8 extremely fast-growing Clark County in Nevada, which
9 provides a lot of recreationists to the area, and the
10 San Bernardino, L.A. basin, Riverside and even the
11 Apple Valley areas that all rapidly growing areas, all
12 people with a demand for recreation. So instead of
13 concentrating on reporting problems and identifying
14 problems, we need to look for and identify
15 recreational opportunities and provide solutions for
16 recreation for the people of the future. Thank you.

17 MEMBER MC QUISTON: Thank you. Anyone
18 else? Seeing none, then, we will move to that portion
19 of the agenda for public comment for items that are
20 not on today's agenda. The first one, John, you
21 submitted a card. Did you just cover your comment?

22 MR. STEWART: I covered my comments.

23 MEMBER MC QUISTON: Anthony Fender, come
24 forward, sir.

25 MR. FENDER: I know that in October of

1 this year, that CORVA, in conjunction with SCORE, is
2 managing an off-road competitive event from the
3 Barstow area to the Primm, Nevada area. I have not
4 seen any environmental assessments as yet. This may
5 be because I'm having difficulty getting onto the BLM
6 Web site at present. But has a study been done on
7 this? What is the future of that?

8 MEMBER MC QUISTON: Any other questions?
9 What I will have is -- okay. Linda, do you have any
10 comment you would like to make on that?

11 MS. HANSEN: I'm going to ask Roxie to
12 address that.

13 MS. TROST: Last year CORVA did come to
14 Barstow and we did complete an environmental
15 assessment. This year their plan, however, is to hold
16 their event totally within Nevada, specifically the
17 Las Vegas area. So they have no plans to be in
18 Barstow or the California desert this year.

19 MEMBER MC QUISTON: Thank you. That
20 concludes or -- no, I take it back. It concludes the
21 agenda portion, but it now would be appropriate for
22 any motions. Did you have something for us, Roy?

23 MEMBER DENNER: I have written out my
24 motion. Before I do this, though, I would like to
25 respond to the comment regarding the limited amount of

1 land we have, and that other things need to be
2 protected too.

3 I'm not suggesting that recreation is the
4 only consideration that we need to address. That just
5 happens to be my important issue for my position on
6 the Council. I do believe we need to provide for the
7 protection of species and protection of areas where
8 there are artifacts and that sort of thing. I just
9 think we can did do both things in a balanced manner.
10 And obviously, I'm most concerned about my
11 constituents' opportunity to do what they want to do
12 on public land. But I do appreciate that you
13 commented we need to worry about the protection of
14 other things as well. And I'm 100 percent behind
15 that.

16 Having said that, my motion is for this
17 Council to recommend to the Ridgecrest field office
18 manager that he develop a serious proactive plan to
19 provide adequate recreation opportunities to
20 accommodate anticipated population growth in the
21 Ridgecrest area. That plan should consider using a
22 portion of the funds received from land sales to
23 private developers to provide for increasing
24 recreational needs. The Council would like the
25 Ridgecrest field manager to propose a schedule for the

1 development of that plan at the next DAC meeting.

2 MEMBER MC QUISTON: Do we have a second?

3 MEMBER SCHILLER: Second.

4 MEMBER MC QUISTON: We have a second.

5 Discussion? Tom.

6 MR. SCOTT: This is the first time I
7 have sat here. I don't have any idea about what your
8 procedures are.

9 MEMBER MC QUISTON: We kind of make them
10 up as we go.

11 MR. SCOTT: The vote goes on as a
12 recommendation? Are these determined as hard
13 recommendations?

14 MEMBER MC QUISTON: From my perspective,
15 it's a hard motion that we want to make a statement
16 and we want some feedback from the Ridgecrest field
17 office. And that may be -- it ranges from a broad
18 range of options. But that the group itself is
19 advisory in nature only to the District Manager.

20 MS. HANSEN: Technically, it becomes a
21 recommendation from this body to the district and
22 through me to the field office. Ridgecrest we are
23 talking about. It is not a mandatory requirement that
24 we take that recommendation and wholly implement it.
25 However, we do pay attention to what our Council asks

1 of us. And where we can provide for the Council, we
2 will.

3 MR. SCOTT: So my question, then, is it
4 dangerous to have a single group come forward with a
5 recommendation to the Ridgecrest office? Would it be
6 better if this was -- what general plans have come
7 forward for Ridgecrest? But I mean, certainly someone
8 else could say the minerals should be -- a similar
9 motion should be carried for minerals, another motion
10 for wildlife. So is there a way to reword this so
11 they would come for some sort of general assessment or
12 would that just get too nebulous?

13 MEMBER DENNER: If I can respond to
14 that. Tom, first of all, this motion does not
15 restrict any other particular interest from making a
16 motion of a similar nature. In fact, I would welcome
17 it because the more this Council provides specific
18 directions to the BLM, the more they can follow it.

19 Secondly, my personal opinion has been the
20 more involved the motion is, the more groups involved,
21 the less likely we are ever going to have anything
22 take place. It gets so complicated trying to
23 implement a motion that involves a number of different
24 interests because we end up fighting among ourselves
25 as to whose interest is the most important. I think

1 it's far better to have separate motions from
2 particular interest groups. That's my own personal
3 opinion. Maybe somebody else has a different feeling.

4 MEMBER MC QUISTON: Just speaking as a
5 member of the Council, it's not uncommon that I have
6 motions along this line. And this is not -- this
7 motion is not directed to a specific outcome. It's
8 merely a motion of referral to consider and study and
9 bring something back to this group, to report to this
10 group. And ultimately it's discretionary with respect
11 to the District Manager as to whether or not they want
12 to incorporate this or whether or not they have the
13 statutory or regulatory ability to incorporate this.
14 I don't know if that sheds any light on your question
15 or not.

16 MR. SCOTT: Yes, it does. Does
17 Ridgecrest, do they already have a plan before this,
18 like a general plan for your county?

19 MEMBER MC QUISTON: I will defer to the
20 Ridgecrest office, but I suspect that most of the
21 districts have a management plan.

22 MS. HANSEN: We can try to address that
23 better for you. We have a California Desert
24 Conservation Area Land Use Plan. And I think you have
25 probably heard that and have seen a lot of it.

1 Recently we completed regionwide amendments to those
2 plans. And as a part of those amendments, we have
3 looked at route designation, recreation -- not
4 specifically as an issue, other than route designation
5 in those plans -- but recreation is covered in the
6 California Desert Conservation Area Plan. So that is
7 the general plan that directs activities and
8 management of California Desert District.

9 I think through that process, we try to do
10 I guess what would be our futuring of land use
11 planning needs. But because it is issue specific in
12 those plans and in those directions, you know, I guess
13 it would be appropriate for the Council to say we want
14 you to take another look at this. It would also be
15 appropriate that our response would be we would do
16 that through the land use planning process because if
17 we are looking at changing allocations, that's where
18 it happens.

19 MR. SCOTT: That's regularly redone
20 every five years or something like that?

21 MEMBER BETTERLEY: Right.

22 MS. HANSEN: I have been under the
23 impression that the desert is in a constant planning
24 phase over the years.

25 There is a process of review that we go

1 through with our land use plans. Since I have been
2 here for over three years, all we have been doing is
3 land use planning. But we do periodic reviews of the
4 plan, and we do update them based on need to review
5 them and to update them. Does that answer?

6 MR. SCOTT: Yes. So I'm taking up again
7 too much of our time as a neophyte, but to me the
8 motion that would carry more water is one that says
9 the Ridgecrest area is in a state of flux. Why don't
10 you guys look at this in greater detail for all
11 possible uses. Therefore, you don't get truncated.
12 You can benefit from that, but you could also become a
13 target then and suffer as a result.

14 It seems to get more attention. It might
15 be good to say what is the reassessment for wildlife
16 and recreational use and build that into the system so
17 it becomes a generalized plan which everybody is going
18 to support. Everybody here.

19 MEMBER BUGERA: If you read the name
20 tag, I'm Jim.

21 You will see that all of these people they
22 are talking about are representative of those. I
23 represent three communities myself. And we have
24 recreation, we have public-at-large, nonrenewable
25 resources and renewable resources. We have recreation

1 and public-at-large. And we are mandated,
2 congressionally mandated since 1965 to give these
3 recommendations, and they are to be acted on. So we
4 are not doing something dangerous. We are just doing
5 what Congress is telling us to do.

6 MR. SCOTT: I'm confused. That was none
7 of what I said. I apologize if I am not doing it.

8 MEMBER BUGERA: I'm calling for a vote.

9 MEMBER MC QUISTON: I would, yes,
10 concur. I would like to have the motion reread.

11 MEMBER DENNER: My motion is: "For this
12 Council to recommend to the Ridgecrest field office
13 manager that he develop a serious, proactive plan to
14 provide adequate recreation opportunities to
15 accommodate anticipated population growth in the
16 Ridgecrest area. That plan should consider using a
17 portion of the funds received from land sales to
18 private developers to provide for increasing
19 recreational needs. The Council would like the
20 Ridgecrest field manager to propose a schedule for the
21 development of that plan at the next DAC meeting."

22 MEMBER MC QUISTON: We have a motion and
23 a second. We have had a request for no further
24 discussion. Under parliamentary rules, I think that
25 means we have to vote. But I'm going to vote "no" for

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1 the motion that I would have voted "yes" for because I
2 don't believe we have had enough discussion yet. So
3 with that, I'm going to call for the ayes and noes.

4 All in favor? Aye. Opposed? No. And it
5 looks like there is one, two, three, four, five noes.
6 And how many yeses? The ayes have it. That
7 concludes -- I will say, I will certainly afford the
8 other members an opportunity.

9 The reason I voted no is we are doing a
10 specific plan for the Indian Wells Valley. And that
11 planning process will be underway for probably the
12 next 12 to 24 months. And it is imperative that we
13 start looking strategically in terms of mitigating the
14 impact of growth, species conservation or habitat
15 conservation, and all those other things. But I think
16 a part of the solution in doing this is that as lands
17 convert, lands can be set aside for recreational value
18 either as county property or city property. And
19 whatever we do in the long term in that area, it
20 should be a coordinated effort between both the BLM,
21 the city and the county. So that if lands mitigation
22 can't occur on federal lands, maybe it could occur on
23 city or county lands and create those types of
24 activities.

25 And reporting back to the next DAC on

1 specific solutions I simply don't think is -- there is
2 any way the BLM can come back and answer the questions
3 of how you may have to have opportunities to mitigate
4 on other public lands. But I do support
5 wholeheartedly the notion that this Council needs to
6 set a precedent, again, if it hasn't been done, that
7 we mitigate for everything else. We mitigate for
8 conservation of species. We mitigate for flora and
9 fauna. We mitigate for predatory birds. We mitigate
10 for every form of activity.

11 But under the notion of multiple use,
12 conservation and endangered species has trumped
13 everything else out. And at some point in time it
14 would be beneficial for some of us, at least, that we
15 also mitigate for lost recreational opportunities.
16 That doesn't happen, and I think that goes to the core
17 of the policy issue of what Roy Denner is referring
18 to. But because I believe you asked an impossible
19 task for Hector to come back and present in three
20 months, that that was my reason for being
21 uncomfortable in supporting the motion as worded.

22 MEMBER DENNER: I'm not asking him to
23 come back in three months with a plan. I'm asking him
24 to come back in three months with a proposal for
25 developing a plan. Obviously, he can't have this plan

1 worked out in a three-month period. But he can come
2 back and say, the way I see it, these are the steps I
3 have to take to develop a plan. Here is how long it's
4 going to take and these are the phases that you can
5 monitor as I develop my new plan. Obviously, he can't
6 have a plan in three months.

7 MEMBER MC QUISTON: My mistake for not
8 catching that subtlety. I thought we were asking for
9 some sort of a plan.

10 MEMBER DENNER: Propose a schedule for
11 the development of a plan.

12 MEMBER MC QUISTON: Well, to propose the
13 schedule would presuppose that the county can give him
14 a time line of what we would do in terms of trying to
15 complement that. So purely from the BLM side, fine.
16 From the city or county perspective, I'm not sure he
17 will be able to give you that kind of time line. Jim.

18 MEMBER BUGERA: We voted on this. Could
19 we move onto the next issue?

20 MEMBER MC QUISTON: There is no other
21 issue, but I'm not going to close out discussion until
22 people are through. It's a done deal. I felt
23 compelled to state why I wouldn't vote yes for
24 something I typically would have and have it in the
25 record. Is there any other member that would like to

1 make any comments? Ron Schiller.

2 MEMBER SCHILLER: Yes. You know, when
3 we talk about this, this proposed plan, we have to
4 remember West Mojave Plan is already in its final
5 stages. The only thing really left is that route
6 designation process as far as the proposed CAPA. I
7 can't remember what CAPA stands for now. But
8 essentially establishing routes and designating routes
9 in the El Pasos. So primarily most of your other
10 endangered species, wildlife issues, most of that has
11 been already addressed by WEMO. And we are down to
12 the last bit on recreation, which is dependent upon --
13 actually, as an economic benefit, there are a lot of
14 people come to Ridgecrest every year to go out and see
15 the wild flowers. That's an OHV activity now under
16 the established definition. So when we talk about all
17 these other factors, most of those factors have
18 already been taken care of by WEMO.

19 MEMBER MC QUISTON: That pretty much
20 concludes our morning agenda. We finished up early,
21 and because we have some agenda items this afternoon,
22 the West Mojave Plan and proposed Geothermal, there
23 may be people that will not show up until the
24 afternoon. We will just have a longer lunch recess.
25 And I will call a recess, and we will reconvene this

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1 afternoon at 1:30. Thank you.

2 (Lunch recess taken.)

3 MEMBER MC QUISTON: The Council will
4 reconvene. Let the record note all members are
5 present and Linda Hansen has I guess a statement, a
6 comment or matter she would like to discuss.

7 MS. HANSEN: Actually I have a couple of
8 announcements that I wanted to make. First of all, in
9 regards to this evening's dinner, there was a
10 reservation made for council members for dinner at the
11 New York Grill, I guess, which is closely located here
12 next to Ontario Mills, which is that way (indicating).
13 And for those of you who are here specifically with
14 members or to see members tonight, if you would like
15 to be added to that number, we do have an opportunity
16 to send in a new number for this evening. So would
17 you please talk with Steve Razo if you would like to
18 be included in the dinner for tonight and we will get
19 that taken care of. It's at the New York Grill. And
20 Steve has information for you.

21 I guess I was going to take an opportunity
22 to give you a little update on our fire situation
23 which I got some information on during lunchtime.
24 Some of you may be interested on what is happening
25 with those.

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1 As far as the Soboba Fire which as John
2 pointed out this morning was about 1700 acres of BLM,
3 that one is pretty much coming to closure. They are
4 getting a handle on that one. At Big Morongo, the
5 Paradise Fire, we are initiating a temporary closure
6 there, and we are going to ask the public to help us
7 with that. And we have had folks trying to go into
8 the preserve, and we really need to keep them out. So
9 you will or may tonight on the news see a notice of
10 temporary closure for folks to go into the preserve
11 until the fire situation is in hand. So just to let
12 you know that.

13 Probably the largest fire is still going on
14 out on the Mojave Preserve in the middle, and I think
15 they are somewhere about 60,000 acres with joint fires
16 now. And they have a Type 2 team on that, which is an
17 overhead team that sort of comes in and takes over
18 running the fire and gives a lot of relief to the
19 local resources. So hopefully, they will be getting a
20 handle on that one, but it's still fairly large. They
21 are calling it the Hackberry complex, so it's
22 Hackberry Mountain over by Wild Horse, and what they
23 are calling the Ranch Fire, which is burning into it.
24 I think it's in the same general area of the preserve.
25 Central area.

1 If there are no questions, that was it.

2 Thank you.

3 MEMBER MC QUISTON: Thank you. Next
4 item up on the agenda is West Mojave Plan Status
5 Report. Your name is listed on that.

6 MS. HANSEN: This is not the first time
7 we have been in front of the Council with an update on
8 the West Mojave Plan. Larry Le Pre, who has sort of
9 taken over the duties as our project lead on this
10 particular plan as we come to close on it, is here to
11 share the latest updates with you on where we are with
12 the process of protests and final and I guess the
13 Biological Opinion and Record of Decision. So Larry,
14 I will leave it to you.

15 MR. LA PRE: Thank you, and good
16 afternoon.

17 You might recall that we had an update on
18 the West Mojave Plan at the Barstow Desert Advisory
19 Council. At that meeting I damaged the CD one minute
20 before the presentation, so I just stood here and
21 talked. So the Power Point is back. There isn't a
22 whole lot new, however.

23 The plan and the final EIS have been mailed
24 April 1st. A 30-day protest period followed. And it
25 ended on May 2nd. Since that time, we have received

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1 33 protests.

2 You recall that the West Mojave Plan, which
3 is in the dark purple, is part of regional planning
4 throughout Southern California, particularly the
5 California Desert. We have the Northern and Eastern
6 Colorado Desert Plan in blue and the Western Colorado
7 Plan at the bottom near the Mexico border. And each
8 of the parks has their own management plan, and the
9 Northern and Eastern Mojave Plan in light blue. The
10 West Mojave Plan is the last one of these bioregional
11 plan amendments to be completed.

12 It's different than the others because it
13 combines a federal land use plan with a habitat
14 conservation plan governing private lands through the
15 local jurisdictions under the Endangered Species Act
16 and the California Endangered Species Act. So it has
17 two goals: One is to streamline the ESA permitting
18 process, which has been completely annoying for
19 projects in the private sector where there might be an
20 endangered species present, and the goal of conserving
21 the listed and sensitive species.

22 There is a picture of a Parish's daisy.
23 The plan involves four counties, 11 cities. It's had
24 Fish and Wildlife Service and Department of Fish and
25 Game involved all along the way. Caltrans, the

1 military sent representatives from each of the
2 military facilities, although military lands are not
3 covered by the plan. And then we have had hundreds,
4 that is to say over 1,000, individuals and stakeholder
5 groups.

6 So this just reinforced what I have already
7 said. It's a two-part plan, the first being the BLM
8 Plan Amendment, how we govern the BLM lands which are
9 shown there in yellow. And the Private Land Habitat
10 Conservation Plan, which governs the lands shown in
11 white. Military bases are in that color, and then the
12 National Forest is green. The National Park Service
13 is purple around the edges.

14 The Desert Tortoise is the driving species
15 of the plan, and most of these prior regional plans
16 were developed in response to listing of the Desert
17 Tortoise and to achieve compliance with Desert
18 Tortoise Recovery Plan. So in the West Mojave, this
19 slide shows up where we have set up Desert Wildlife
20 Management Areas or DWMAs in relation to where the
21 critical habitat is.

22 It's a little hard to see the critical
23 habitat. It's a line, diagonal line, because it's
24 completely overlaying by the DWMAs. And for the most
25 part, the critical habitat and the DWMAs are in

1 exactly the same place. There are four of one. One
2 above Joshua Tree National Park, that's 96 percent or
3 more federal land. One in the Ord-Rodman areas south
4 of Interstate 40. And that's a mixture of private and
5 public land, mostly public. And then north of Barstow
6 is the Superior Crones, and west of there along 395 is
7 the Fremont-Kramer DWMA. They total 1.3 million
8 acres.

9 We know that the recovery plan is
10 undergoing revision, that there are policy disputes on
11 how the conserved areas for the tortoise should look,
12 whether there should even be DWMA's or recovery units
13 or distinct population segments or evolutionarily
14 significant units. But that's still in the future.
15 What we have now is the recovery plan that says
16 establish at least three large DWMA's in the West
17 Mojave, and that's what has been done here is four
18 DWMA's.

19 So the plan basically sets out 16 -- we
20 call it 14 conservation areas, one for the tortoise,
21 consisting of those four DWMA's, one for the Mojave
22 ground squirrel, and then 12 others for special
23 species. A lot of these are plants with a very small
24 distribution, and they have names after the species as
25 in the case of the Lane Mountain Milk Vetch or after a

1 region if there are several species in the region,
2 such as Big Rock Creek or the Middle Conservation
3 area.

4 The strategy of the preferred plan is to
5 establish these conservation areas and then to set up
6 a three-tiered fee structure, a mitigation fee for
7 projects that are within the planning area. There is
8 a limit of 1 percent ground disturbance in the Habitat
9 Conservation Area, which is everything there shown in
10 blue, whether dark blue or light blue. The 1 percent
11 is derived from aerial photo analysis of all the
12 disturbance that has happened in those areas since
13 settlement, basically.

14 We looked at those aerial photos, and over
15 the last 100 years there has only been about 1.2
16 percent. So we think that although it sounds like you
17 are really limiting things that can take place in the
18 conservation area, most of these are the more remote
19 desert. And 1 percent is actually plenty of ground to
20 have these projects for the next 30 years.

21 The conservation strategy has a program for
22 habitat restoration, and this was developed in
23 conjunction with mining companies for the most part,
24 where if roads or disturbed areas were restored, then
25 you could get credit back against the 1 percent. And

1 then it has a fairly substantial education program.

2 Now, the mitigation fees apply to both BLM
3 and private lands. But, of course, BLM doesn't have
4 nearly the number of projects that are in the private
5 sectors. BLM charges fees now and would charge in the
6 future based on these formulas for things like
7 transmission rights-of-way, pipeline rights-of-way,
8 cell phone towers. Generally smaller projects.
9 Sometimes bigger ones, wind farms.

10 So there is a disincentive for constructing
11 something in the Habitat Conservation Area. That
12 disincentive being a 5-to-1 ratio. You take the basic
13 fee, which is \$770 per acre, and multiply it by 5.

14 If you are outside the conservation area,
15 it's an incentive, especially if you are near cities
16 and disturbed habitat, and then the ratio is 1/2 to 1,
17 or \$375 per acre, which is almost insignificant, given
18 the value of land in Victor Valley and Antelope Valley
19 right now. It works out to about \$75 or \$100 per
20 house.

21 The fee is 1 to 1 if you are in the
22 undisturbed habitat where there is native vegetation.
23 These are generally areas on the outskirts of cities.

24 The fees that are collected, the BLM will
25 collect its own and do mitigation projects on its own.

1 For the private sector, the fees are collected by the
2 local jurisdiction, the counties or the cities, and
3 it's envisioned that there will be a Joint Powers
4 Agency of those counties and cities that will direct
5 the spending of the mitigation fees. The Joint Powers
6 Agency would work with the Desert Managers Group to
7 determine priorities for conservation within the
8 conservation areas.

9 This method of collecting and spending the
10 fees is far more effective than what is in place right
11 now, which is on a project-by-project basis. If a
12 developer, for instance, needs to provide replacement
13 land for habitat lost, they go shopping. It's
14 wherever they can find something, they buy it and turn
15 it over. It might not be in a place that is feasible
16 to conserve, but it does satisfy their mitigation
17 requirement.

18 The plan has also done extensive tortoise
19 surveys, where Ed LaRue walked 6,000 miles with his
20 colleagues and redid the tortoise surveys, you might
21 say, of '78, '79, done by Kristin Berry, to find out
22 where are the tortoises now. And where they are are
23 in the conservation areas shown there in green in the
24 critical habitat.

25 We looked through all the bio reports

1 submitted for the counties and cities, and some places
2 consistently showed no more tortoises, a lot of areas
3 around the Victor Valley, Palmdale, Lancaster. And
4 they came up with survey and no-survey areas. There
5 are no longer surveys required in urban and suburban
6 areas that are shown there in purple, or that reddish
7 color.

8 And then as far as surveys, there is
9 clearance surveys only. That's the areas where there
10 might be tortoises, such as around Yucca Valley,
11 Joshua Tree, Twentynine Palms. There are plenty of
12 tortoises out there next to houses. Barstow is
13 another area. So you do surveys in those areas, but
14 only for the purpose of rescuing the tortoises right
15 prior to grading.

16 Then, of course, in the conservation area,
17 it's kind of old style where you do presence/absence
18 surveys to start and then clearance surveys at the
19 end.

20 Okay. I think you knew most of that. We
21 have briefed on that before.

22 Since May 2, we have gathered up the
23 protests. There are 32. I was told one more is
24 coming from an individual. Of these 32 that I have,
25 there is 15 individuals who are lawyers, five

1 environmental organizations, four recreation
2 organizations -- which is mostly off-highway vehicle
3 organizations -- two ranchers -- that's one sheep
4 rancher, one cattle rancher -- one mining company, and
5 one community organization.

6 Of the types of comments on the access
7 issue for off-highway vehicles, there were eight
8 protests that covered all areas with a general comment
9 that too many routes were being closed. Of the
10 anti-OHV interests, there were 12 protests saying too
11 many routes are staying open, and those focused
12 particularly on the Wonder Valley area and Juniper
13 Flats area of San Bernardino County.

14 The conservation organizations are all
15 national groups. And they had quite a few concerns
16 about the Habitat Conservation Plan component and
17 specific comments about the rare plants, the Desert
18 Tortoise and the Mojave ground squirrel.

19 There were two protests from developers.
20 One specific project in Brisbane Valley and a specific
21 project in Palmdale. One protest from an
22 anti-developer for the same project in Brisbane
23 Valley. So the controversy is going to develop in the
24 next few years. It's a big project between Barstow
25 and Victorville.

1 Of the ranching protests, the sheep
2 grazers, I believe we have successfully answered the
3 protest already. We have talked to the rancher. He
4 understands what the plan means. We are going to make
5 clarification in the Record of Decision because when
6 we reread it, it wasn't really clear what was allowed
7 with the sheep grazing in certain areas. It's in Kern
8 County west of Highway 395. However, he didn't
9 withdraw the protest. He wants to see it in writing.
10 And then for cattle, it's in San Bernardino County.
11 We haven't answered it yet, but we have heard the same
12 arguments before.

13 The mining was a very specific protest
14 about a future mine that might take place in the
15 Alvord Mountain, and they didn't like the fee
16 structure.

17 Now, we had two under the category of
18 environmental justice that we hardly ever get, but
19 these were all from the Trona area, which has a
20 depressed economy and very well-reasoned arguments.
21 We will see what we can do about that. But I'm not
22 sure it's something that the federal government can
23 address.

24 I had these two. I mentioned these at the
25 last briefing, what the plan is not. It's not an

1 acquisition plan. And this makes it different than
2 all other habitat conservation plans, far different
3 than all other plans. The mitigation fees are not
4 just used to go buy land somewhere. They would be
5 used to manage the desert and to do signs, to do
6 rehabilitation, to do education, local fencing. There
7 are a lot of things that need to be done besides buy
8 land and then hope it does well on its own. The plan
9 does not replace local land use authority. Basically,
10 the Joint Powers Authority has control over the fees
11 and can spend the money however they like.

12 And this plan is not a permit to the
13 landowners. It's the environmental effects of having
14 a permit. Sort of the environmental review of the
15 Habitat Conservation Plan, but not the plan itself.
16 All these three points on this slide are addressing
17 the private sector Habitat Conservation Plan.

18 This one tells what the plan is. It's a
19 plan implementing the Tortoise Recovery Plan, the way
20 the recovery plan is now and was when it was finished
21 in 1994. It's a federal/local government partnership.
22 The partnership's main point being that the
23 conservation lands are almost all federal lands and
24 development is nearly all private lands. Fees from
25 the development would help manage the federal lands.

1 The plan is an amendment to the California
2 Desert Conservation Area Plan, the last bioregional
3 plan amendment, and the plan is a program EIR for the
4 Habitat Conservation Plan.

5 Okay. The next things we do is to answer
6 the protests. We sign the Record of Decision. Then
7 we will start -- then the BLM plan will be done.
8 After that, the local jurisdictions, the cities and
9 counties, will prepare an implementing agreement and a
10 Habitat Conservation Plan in the format required by
11 the wildlife agencies. There are details to be filled
12 in on that that could take as long as a year. After
13 that is submitted, there is local government approval.
14 Each and every jurisdiction has to pass its own fee
15 ordinance and determine whether it wants to
16 participate in the plan. And then after that, the
17 incidental take permits are issued.

18 To put a time line on those, we believe the
19 Record of Decision will be signed in September. I
20 can't be more specific than that. But most definitely
21 before October 1, the beginning of the next federal
22 fiscal year.

23 That's it. Questions?

24 MEMBER DENNER: As you know, there is a
25 new Desert Courts Recovery Office and Roy or Bill

1 Murray is developing -- is taking a look at restudying
2 the current Desert Tortoise Recovery Plan. It may
3 stay the same or it may change significantly as a
4 result of that review. What provisions are made in
5 the implementation of the WEMO plan to accommodate
6 changes to the Desert Tortoise Recovery Plan which you
7 are attempting to implement?

8 MR. LA PRE: Yeah, thanks for that
9 question because I attend and Linda attends and others
10 attend those recovery plan meetings. It could be
11 substantially different and not say four DWMAs. Maybe
12 it would say one and maybe it would have a different
13 concept. And counties of Kern and San Bernardino sent
14 us a letter with those same comments. And our answer
15 was, when that happens, we will amend the plan.
16 That's about all we can say now. But if it's
17 necessary to amend the plan to be up to date with the
18 recovery plan, then we will do so.

19 MEMBER DENNER: So there was no thought
20 of holding up any kind of implementation until --

21 MEMBER MC QUISTON: Roy, could you use
22 the microphone for our reporter?

23 MEMBER DENNER: So there is no thought
24 of delaying any implementation until the new study is
25 at least in process?

1 MR. LA PRE: That's a good question too.
2 The answer is no, there isn't. I foresee these
3 meetings on the recovery plan going a little longer
4 than projected. I think a lot could get done in a
5 couple years until the recovery plan is set.

6 MEMBER MC QUISTON: Any other questions?
7 Ron Schiller.

8 MEMBER SCHILLER: I have a question -- I
9 had a question that I essentially asked at our last
10 meeting. And that was in regard to litigation. And I
11 had asked the question about, based on a Federal
12 Register notice, that I had copied from the Federal
13 Register where the EPA had been sued by an
14 organization. And the EPA was asking for comments on
15 the settlement agreement. Now, I understand there is
16 plenty of potential here for litigation. And I
17 wondered how that settlement agreements would be
18 handled and what opportunity the public would have to
19 comment on those as stakeholders?

20 MR. LA PRE: Well, I specifically dodged
21 that question at the last meeting and turned it over
22 to Linda. I can tell you, though, that all the
23 agencies that I have dealt with, federal agencies, the
24 BLM is the most open. And I know in the Desert
25 District, we don't like those settlements. Other than

1 that, I will have to let Linda answer it again.

2 MS. HANSEN: You want to read me my
3 answer from last time so I don't repeat tonight?

4 Well, Larry is right. I mean, as a federal
5 agency, if we had litigation, we work through the
6 Department of Justice as our attorneys to deal with
7 that litigation. We are not and have told the
8 Department of Justice we are not currently real
9 excited about any broad-based settlement agreements
10 similar to what we have dealt with in recent years.
11 They create a lot of problems for us in terms of the
12 public involvement or the public having a say in what
13 happens on the public lands.

14 I think you are probably aware that there
15 is a formal process for intervening in those kinds of
16 things, but obviously, that is a decision by the Court
17 and the judge as to whether or not they determine you
18 to be a successful intervenor in a lawsuit action. So
19 I guess what I will say is, you know, we try to be as
20 open as we can be about what we think the potential
21 outcomes of these things are. And we have had an
22 awful lot of discussion in this Council about where,
23 you know, vulnerabilities and risks might be in these
24 plans and what they actually lay out for management of
25 public lands over time.

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1 And so I can't promise you we won't enter
2 into agreements again or won't do settlement
3 agreements. And we are currently in negotiation on
4 some things with the other side, some off-highway
5 vehicle groups, talking about the NEMO and NECO plans
6 and whether or not there are any negotiation that we
7 want to do to settle lawsuits with them. So
8 obviously, we are asked to look at that. And I would
9 imagine we would be asked to look at it again. But it
10 is not our preferred mode of operation for all the
11 reasons that we know we have problems with settlement
12 agreements.

13 And that's not -- I know that doesn't
14 directly answer your question because I don't think we
15 can give you a direct answer right now whether we
16 would or not.

17 MEMBER SCHILLER: I appreciate your
18 answer. And I understand the opportunity to go
19 through the court system. However, a lot of the
20 public -- let me say most all of the public don't have
21 the resources that many of these special interest
22 organizations do have. And many of us feel that this
23 robs us of our opportunity to participate in the
24 process, especially when many of us have
25 participated -- spent great amount of personal expense

1 and time to participate in this process, and see that
2 the stewards, or I should say, the people who filed
3 the litigation have not participated in the process
4 throughout this, yet we seem to have lost this.

5 And I admit, this last time I have a real
6 sour taste after the effects of the last one and do
7 not wish to see the public suffer those consequences
8 again without some form of input, without having to
9 litigate.

10 MEMBER MC QUISTON: Are there any other
11 questions by Council members? It's my intent before
12 we conclude this subject to offer the public an
13 opportunity to make whatever comments you want. But
14 if there are any questions or clarification from
15 Council members before I do that, now would be the
16 appropriate time.

17 Seeing none, is there any member of the
18 public that would like to make any statements
19 regarding the West Mojave Plan, please come forward
20 and give us your name for the record.

21 MR. STEWART: John Stewart, California
22 Association of Four-Wheel Drive Clubs. I have been
23 listening and watching and reading about the West
24 Mojave Plan for quite a while. And I echo the
25 comments by Mr. Schiller. I am extremely concerned

1 about groups that have not been participants in the
2 process coming in and throwing a monkey wrench in the
3 works at the last minute and delaying us even further.

4 I am also -- I recognize that this is a
5 programmatic document and not meant to be an end-all,
6 cure-all. And to that extent I'm anxiously awaiting
7 the next phase where we get down to the site-specific
8 issues and actually looking at what will be permitted
9 or allowed for use for recreation opportunities within
10 this region. And the fact that the previous desert
11 plans have not been very kind to public access issues,
12 I'm hoping that this time that we could learn from
13 past mistakes and actually work towards a valid
14 recreation plan and something that does carry the
15 region into the future. Thank you.

16 MEMBER MC QUISTON: Thank you.

17 Any other members of the public? Thank
18 you. Is there any just general statements by any of
19 the Council members before we move on?

20 I have one. And I think this goes to the
21 core. I may be wrong. But an issue that Ron was
22 talking about, that is as a general rule, if any
23 agency, BLM, Forest Service, EPA, intends to implement
24 a plan or major policy decisions, there is a public
25 comment, public participation process. With respect

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1 to, in this case, the California Desert Conservation
2 Area, during the public process, when discretionary
3 decisions are being contemplated and formed,
4 oftentimes groups either don't participate or if they
5 don't get any outcome, then we do end up with a lot of
6 litigation. And once the litigation starts, legally
7 you can either intervene if you can rise to an
8 intervener status, or you can file an amicus brief if
9 you want to be a friend of the court. But there are
10 legal limitations to what your impact can be.

11 The question is, Does a federal agency have
12 the ability, once the settlement negotiations are
13 fairly concluded and before they go into signing the
14 documents, is there any prohibition, either
15 statutorily or regulatorily, that would prohibit the
16 agency from publishing what these settlement
17 agreements are and for a reasonable amount of time,
18 let public input back into those? Is that a fair
19 assessment, because typically, you would have public
20 input in a discretionary decision. Now you are in a
21 legal arena.

22 Before you bind the agency to what it will
23 do, is there anything that prohibits you from
24 announcing what those terms are when they are in some
25 draft stage and letting public have comment on those

1 before signing?

2 MR. LA PRE: We need the solicitor on
3 that one. But during negotiations, there is this
4 attorney-client privilege so you are supposed to go
5 silent during that period. And for the point that Ron
6 brought up and that you just reinforced, can you
7 publish and let the public know what might be coming
8 or what the agency is contemplating, I don't know the
9 answer to that. I'm not even sure --

10 MEMBER MC QUISTON: This may be
11 something that could be referred back up. Or does the
12 legal system allow that at least these public comments
13 become a part of the court record? And I know you
14 don't have an answer to that, but I think that's an
15 issue.

16 MR. LA PRE: No, I don't. But it's a
17 good idea. I could conceive of even asking the judge
18 that. But of course, we have a lot of lawyers
19 weighing in one way or another. I appreciate the
20 idea. We are all unhappy about what happened before.
21 Do you have anything to say about that?

22 MEMBER McQUISTON: No, I think it's a
23 question that I don't know that we need any formal
24 resolution on referral today. But through the agency
25 solicitor general's office, just some sort of inquiry

1 about what is the -- is this legally permissible? And
2 if it were allowed, would an agency have the
3 discretion to say this is -- once the attorney-client
4 privilege portion of it is over or even the solicitor
5 may say no, it's all subject to attorney-client
6 privilege until, you know, it's submitted in the court
7 and adopted. What latitudes might exist such that
8 before a final decision or settlement agreement is
9 made, if you are not an intervenor legally or an
10 amicus brief legally, nevertheless for public comment
11 to enter into official judicial proceedings.

12 MR. LA PRE: That's a good idea. Maybe
13 we could take the question forward before any of that
14 happens and see if we can get some opinions on that.

15 MEMBER MC QUISTON: I would not say it
16 needs to occur before this particular project has to
17 make a decision reached or the current cases that may
18 be out there. But it's more of a general question.
19 Would there ever be such latitude permissible under
20 federal judicial or statutory or regulatory rulings
21 and guidelines?

22 MEMBER BUGERA: I have a question that's
23 so complicated I'm having a hard time putting it
24 together. I'm Jim Bugera, transportation and
25 rights-of-way.

1 I'm from California City. I have seen maps
2 drawn around the neighborhood. My neighborhood is one
3 of them, and it's zoned so that, say, they ever needed
4 to trade over land to a developer, a developer comes
5 out and builds, say, a Hyundai plant. They have to
6 give a 5-to-1 payback on that, so they have to come up
7 with land. Well, now, with the Supreme Court decision
8 that they could come in and seize my land if it's for
9 the benefit of the community, they can say that by
10 building this Hyundai plant and taking my house as
11 part of the 5-in-1 trade, we have a new tax ecobase
12 that would fit into this new Supreme Court finding,
13 and they can take my home.

14 Can't we just take a parcel size and
15 designate it as the parcel size for wildlife without
16 the payback when we have run down to that amount of
17 space left? Then no developer can develop because the
18 way it's going right now, the trade-off is going to
19 cost me and my neighbors our homes in the trade-off
20 for land. We have already lost our best campsite,
21 campsite C, I believe it was in California City,
22 trading that away to get the Hyundai plant.

23 All that's left now in Cal City is the
24 neighborhood I live in. And they are already zoned to
25 be the first to go if we have any trouble due to

1 tortoises. And now the Supreme Court will allow them
2 to take it.

3 MR. LA PRE: I see that as two parts, at
4 least that I'm familiar with. One is I have heard
5 discussion of use of eminent domain for conservation,
6 and I don't think that's ever going to happen.

7 MEMBER BUGERA: It's a big talk where I
8 come from.

9 MR. LA PRE: It's talked about a lot,
10 but the Supreme Court decision referred to development
11 that benefited a jurisdiction. It was discussed in
12 San Diego and Orange County and Riverside County, and
13 the boards of supervisors there just headed out the
14 door because they didn't want to be in the position of
15 condemning through eminent domain for the purpose of
16 conservation.

17 The other thing that you described was a
18 mitigation bank where a plot of land is set aside for
19 conservation. And as development goes on, credits are
20 taken out of the bank. Now, if you are living in the
21 bank, that's another story. I don't know of any that
22 are like that.

23 And then finally, all the situation around
24 California City is so complicated that you have to
25 have Mr. McQuiston answer that.

1 now move to our next agenda item. Proposed Geothermal
2 Exploration and Development. It looks like John
3 Dalton and Lynette Elser. Welcome.

4 MS. ELSER: I'm Lynnette Elser from the
5 El Centro field office. And I will be doing the
6 presentation. John will help answer some of the
7 questions, and John works in the district office and
8 he is actually managing the project for us.

9 We are just at the very beginning stages of
10 this project. We don't even have our Notice of Intent
11 published, but because we are in a really fast time
12 frame to start the Notice of Intent and public
13 scoping, we wanted to take this opportunity to let you
14 know about the project and what was going on so if you
15 want to participate or you want to tell the groups
16 that you work with about the project, we can get their
17 input during the scoping. We are hoping to finish the
18 scoping before the end of this fiscal year.

19 Do I need to sign on again?

20 MEMBER MC QUISTON: No.

21 MS. ELSER: Truckhaven and Superstition
22 Geothermal Project, it was just pointed out to me a
23 few minutes ago, actually it's not in Truckhaven. The
24 part that's in Truckhaven is actually the park. And
25 Truckhaven is a small community that's to the north.

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1 And we acknowledge that we just named it that because
2 that's what the leases have always been called in our
3 office. We weren't trying to take away or give to any
4 other organization. That's just the name we gave it.

5 In Superstition Mountain, we have several
6 areas that are concerns that we already know about.
7 We know that there is a congressional withdrawal on
8 part of the area. There is an active bombing range.
9 It is a target and it is used for bombing.

10 There are active communication sites on
11 part of the project area. Within the bombing range
12 there is a height restriction of zero feet that's part
13 of how the land was withdrawn. The area around the
14 bombing range has a height restriction of 20 feet.

15 There is also the Superstition OHV area and
16 there is some Native American concerns. On the map
17 here, this is actually the Superstition project area
18 right down here. And that's the area that's in red.
19 Down in this area, it's OHV open area, the
20 Superstition OHV area, it's a highly used recreation
21 area. And these two sections are an area that's
22 already fenced off because of Native American
23 concerns.

24 So we know that there are a lot of impacts.
25 The bombing range is this pink area. This is the

1 communication tower area. And so as we develop this
2 project, we realize that we need to take into
3 consideration the other local land uses and the other
4 concerns. And during our scoping, we actively need to
5 have other organizations outside of BLM tell us what
6 their concerns are and how we can mitigate and address
7 these other concerns.

8 We realize that they are a multiple use
9 agency, and we have a lot of uses going on in this
10 project area. And we need to figure out how we can
11 work all our uses together to work on this project.
12 We just started the project, and so now is the time to
13 let us know what the concerns are.

14 Next slide. Thank you. This information
15 is from the Web page for the Navy Air Facility, and
16 it's just background on what that Navy does there.
17 The Air Facility in El Centro provides realistic
18 training to active and reserve aviation units and
19 activity of the Navy's operating and training forces.
20 Squadrons tend to visit the Naval Air Facility in El
21 Centro to practice gunnery, bombing, carrier, land
22 use, and air combat.

23 A remote control target area allows naval
24 aviators to practice ordinance delivery. The desert
25 range is used for air-to-ground bombing, rocket

1 firing, staffing, dummy drops and mobile land target
2 training.

3 Because of its unique location, the Naval
4 Air Facility in El Centro is known to every Naval
5 aviator and plays a key role in their initial and
6 refresher training. What makes the Naval Air Facility
7 so special is a combination of the weather, the local
8 communities' cooperation, the air space, and it's own
9 dedicated personnel.

10 Every month 7 to 12 squadrons and up to
11 1600 personnel train at the Navy Air Facility in El
12 Centro. Additionally, US and Air Force parachutists,
13 US Navy Seals, Army Green Berets, British, French,
14 German, and Italian aviators visit for various phases
15 of their training.

16 Just as a side note, "Top Gun" was filmed
17 in most part in that facility. It is a facility that
18 they don't feel like they are at risk to be closed.
19 They are going to be there. And part of the reason
20 they are there is because they have active bombing
21 ranges. They have all of the things that they feel
22 like they need to be a first-class training facility
23 and they do actively use this land.

24 That's a picture of the Superstition area.
25 It's for the most part flat, other than this area down

1 here with the communication towers. It is posted that
2 it does have live ordinance, that is a live, active
3 bombing range and patrolled by military police.

4 Truckhaven is a checker-boarded area up
5 here and just orientationwise, this is a State highway
6 and this is a State highway. All of this area in here
7 is right now actively managed by the State as an OHV
8 park. Its use is recreation.

9 We do have known concerns for the
10 Truckhaven area. We have Native American use of
11 nearby land. This is the solvency test space right
12 here. We know that there is traditional activities
13 done by Native Americans on the Salton Sea test space.
14 They do go out there on a regular basis to have their
15 native activities there and from what we understand,
16 at the Yuma-Mesa area there that overlooks our project
17 area.

18 There is a request from the State of
19 California to transfer this land north of this road
20 and on the side of this one to the State. It would be
21 under a recreation and public purposes, and they would
22 like to have it become part of their OHV park, which
23 it's currently managed as an OHV park under a
24 Memorandum of Agreement with us, but they would like
25 to retain ownership of the land as well.

1 We do know that there is -- for this
2 project there is going to be some concern with the
3 State OHV park. How does the pipelines for geothermal
4 activities of the well work in with their being able
5 to use their park.

6 Another thing within the park is there are
7 some Native American concerns that have been areas
8 that the park has had to divert traffic around because
9 of Native American concerns. And they have worked
10 with the tribes in order to move pathways away from
11 areas like cremation remains.

12 There are also concern that we need to
13 address in our EIS about the compatibility with the
14 local land use. Part of the project area right in
15 here, that square right there, up one, that one, that
16 red one right under it. That one. Thank you.

17 That has been transferred to -- half of
18 that square has been transferred to the county for a
19 landfill. And the geothermal in this area is not 100
20 percent compatible with the Salton Sea Restoration
21 Plan they are currently working on funding.

22 These are just some slides of the
23 Truckhaven area. You can see the OHV use. There are
24 routes and trails. There is a lot of hilly areas and
25 a lot of flat areas. There are huge washes in the

1 area.

2 It's a really nice resource area with a lot
3 of different types of land there. Part of the area
4 also has the mud baths, which some people who have
5 recreated in the OHV area, they will go to the mud
6 baths, and it's warm mud that they bathe in. And
7 there is kind of rocks that looks like they are round
8 and they are made out of metal, so --

9 You can see on the bottom of the slide a
10 fence there. That's the fence that's around the
11 landfill area. Right now it's not active as a
12 landfill. The county hopes to close down a lot of
13 their smaller landfills and make them into transfer
14 stations and to make that land actually their large
15 regional landfill, so that's their future plans for
16 that land.

17 This is a Salton Sea Plan that is one of
18 many floating around, but very similar to this one.
19 The area that's bright yellow is the area that the
20 Salton Sea Plans have looked at developing for
21 geothermal purposes. The area for our project is over
22 closer to the head and back of the bird that's on the
23 left-hand side. So it's not 100 percent incompatible,
24 but it's a little bit different than what had been
25 anticipated by the Salton Sea Authority through their

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1 planning process.

2 So we see there are a lot of concerns and a
3 lot of things we want to address. But that's part of
4 what scoping is about is to find out what the concerns
5 are. Those are the things that we have identified
6 internally within for BLM for both the Truckhaven and
7 the Superstition. We want to hear from the public on
8 other things.

9 This is what the project status is. We
10 have sent out this week letters to the Native American
11 tribes and other contacts within the tribes by
12 cultural committees to inform them of the beginning of
13 this project so they can participate. And they don't
14 need to participate within scoping. That's just to
15 let them know the project is starting. They are not
16 limited to scoping periods.

17 We have the Notice of Intent to prepare the
18 Environmental Impact Statement that is in concurrence
19 in Washington. It hasn't been published yet. We
20 don't have a really good idea of when it will be
21 published, but we know that it will be shortly. We
22 will be having public meetings so that the public can
23 participate and they can tell us what their thoughts
24 are that they want us to address in the EIS. We
25 anticipate having public meetings in El Centro, San

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1 Diego, Anaheim, and Long Beach. We are trying to make
2 the meetings convenient for a large group of people
3 and for the Native Americans, as well, if they have
4 members that would like to go. And anybody else that
5 would like to participate. We do want to have the
6 public involved and we do want to hear from people on
7 what their concerns are and what we need to address in
8 the EIS.

9 We will be advertising the public meetings
10 in the newspaper. We can't give you the schedule for
11 them now because we can't start them until the Notice
12 of Intent is published in the Federal Register, and we
13 don't have the exact date for it yet. We will be
14 putting it on the Web page and putting ads in the
15 newspaper, and we will also have a press release. And
16 we will put together a valid list from people that
17 have been interested in projects that are similar to
18 this or have interests that could be affected and
19 other projects that would also be affected in this
20 project.

21 We will allow comments on the scoping page
22 through an e-mail account that will be set up at the
23 district office, through regular mail, and through
24 public meetings. And as typically, we won't accept
25 comments through Fax because we tie up our Fax machine

1 and we can't do normal business. And that's it.

2 MEMBER MC QUISTON: Thank you.

3 MEMBER BETTERLEY: In the one slide that
4 you showed there with the Salton Sea, isn't there
5 already geothermal wells in that general area?

6 MS. ELSER: There are geothermal wells
7 there. And I think that they plan on expanding that
8 area. I'm not 100 percent sure of that project,
9 though.

10 MEMBER BETTERLEY: I was under the
11 impression that Chevron went in there in the eighties,
12 early eighties, and drilled about 12 different wells
13 in that general area.

14 MS. ELSER: I think that's correct.

15 MEMBER BROWN: Howard Brown,
16 nonrenewable resources.

17 I have a whole bunch of questions for you.
18 Maybe what I can do is ask them one at a time, and you
19 can answer them. And then I will go to the next one.

20 You immediately went into the concerns.
21 What exactly is being proposed as the project? You
22 didn't even mention what the project is.

23 MS. ELSER: I'm sorry. The project is
24 to do geothermal leasing in those areas. And there is
25 a lot of different project applications. There is

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1 mixed ownership of the applications, so right now we
2 have no exact planned development. We can't say we
3 are going to put in so many wells or anything like
4 that. We are just doing the general idea of should we
5 have leasing on these sections of land.

6 MEMBER BROWN: So there aren't any
7 leases and there aren't any projects specifically
8 proposed? Or you are just considering having leases
9 and what the potential impacts would be if something
10 would actually happen after they lease the land?

11 MS. ELSER: This is the first part.
12 Should there be leasing? And then once that decision
13 is made, then we would go to the next step of exactly
14 where wells should be, where the facility should be
15 constructed, which would be the second stage. And
16 then in all likelihood it would be an EA. It may be
17 done jointly with the county. It may be a plan
18 amendment, if there is high voltage transmission lines
19 outside of corridors. So there would be a second step
20 of the environmental compliance with the exact
21 lessees.

22 This area down here -- you probably can't
23 see it at all -- but this is all Layman's (as
24 pronounced) lease. That's who has the application.
25 This up here, this is MAC. This is for MAC Layman.

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1 So it's a checkerboard.

2 MEMBER BROWN: Those names are
3 companies, geothermal companies?

4 MS. ELSER: They are the companies that
5 requested the leases.

6 MEMBER BROWN: So the EIS would be to
7 determine whether you would be able to lease or not?

8 MS. ELSER: That's correct.

9 MEMBER BROWN: Rather than having
10 specific projects proposed?

11 MS. ELSER: That's correct.

12 MEMBER BROWN: Okay. And isn't there
13 kind of a quandary between having these areas open to
14 lease and receive money, yet the concerns might
15 override the ability to ever have a successful
16 project? You would take the money from these people,
17 yet they would never have a chance of having it
18 approved?

19 MS. ELSER: I'm not sure when we
20 actually start taking money. Do you know, Linda?

21 MS. HANSEN: We haven't.

22 MS. ELSER: So would we not take money
23 until actually there is an approved project?

24 MEMBER BROWN: It hasn't been determined
25 whether you can even have leases or not?

1 MS. ELSER: That's correct. I'm sorry.
2 I don't know when we start taking money on it. Most
3 of the other projects I have worked on have already
4 been in place.

5 MEMBER BROWN: If it's determined it's
6 not viable to have leases, you would never have the
7 leases anyway. Okay. I have a little better
8 understanding of what is proposed. It seems like you
9 have the cart way before the horse.

10 THE WITNESS: Sorry.

11 MR. PRESCH: I believe this is called
12 proactive.

13 MEMBER MC QUISTON: Preston?

14 MEMBER ARROW-WEED: Does it worry you
15 that all the obsidian was destroyed or you would
16 destroy obsidian there in that area?

17 MS. ELSER: There is an obsidian area
18 that is by the leases, and that is something that
19 would have to be looked at in the EIS, exactly how far
20 away it is and whether it would be impacted. And then
21 the second step is where we would actually look where
22 they would construct facilities. At that point there
23 could be considerations of not constructing in certain
24 parts of it and constructing on others.

25 For geothermal, they don't need to use 100
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1 percent of the surface area. There is incredible
2 technology. If their resource is under the area where
3 there is something they shouldn't touch, they can
4 directionally drill. It's fairly easy to protect
5 surface areas that need to be protected and still have
6 access. That's something we would definitely want to
7 have commented on, so it could be looked at in the EIS
8 and mitigation could be put in for it.

9 MEMBER ARROW-WEED: That is important to
10 the Native American, to the people in the area.
11 Obsidian is a very important source that we try to
12 protect, so we just hoped nobody would find it. And
13 they keep getting close to it. And they are there
14 now, and I think we did write a letter on that, our
15 tribe did, or I know we did, my organization wrote a
16 letter and Council members wrote one there. I think
17 they didn't want that to destroy the obsidian because
18 there has been a lot that I know of.

19 MS. ELSER: I know we did receive a
20 letter on a different project about the obsidian. I
21 know that has been a concern before.

22 MEMBER ARROW-WEED: Since we stopped
23 fighting, we don't use obsidian for arrowheads or
24 weapons or use it for tools to survive. We just hoped
25 nobody would bother and leave it alone. So I hope you

1 think about it more and give me especially some
2 information on that so I can take it back with me.

3 MS. ELSER: Okay. And we will be
4 meeting with Native American tribes and we'll be
5 meeting with representatives. We will be meeting with
6 tribes that aren't federally recognized and with
7 tribal members interested, but not necessarily in the
8 leadership within the tribes so we can definitely meet
9 with you on it.

10 MEMBER ARROW-WEED: Imperial Valley.
11 Imperial County. They are the ones. If I had some
12 information you have given to the tribal chairman or
13 someone, and I will -- if I can get some, I don't have
14 anything on it except -- first time I saw it -- I
15 heard about it.

16 MS. ELSER: Do you want us to tell what
17 we put in the package that we mailed to the tribes?

18 MR. DALTON: John Dalton. I would just
19 like to say that last week we sent out over 20 letters
20 to the tribes and interested individuals so that we
21 could start the scoping process and identify those
22 concerns, just as the ones that you mentioned with the
23 cremation sites and all the other sites in general.

24 So we just started the process, but we did
25 mail out a map of the area, a description of the

1 project, and an offer that if they want to meet and a
2 field trip is necessary, anything that we can do to
3 try to encourage identifying these issues is our goal.

4 MEMBER ARROW-WEED: Although I am a
5 member of the tribe, I'm not involved in their
6 political -- I'm not in the political arena. But I
7 wish that you could send me a package like that to
8 what you sent them because some of them, the new
9 Council, is not aware of the impact they would have.
10 As a traditionalist -- I'm a traditionalist. I'm a
11 cultural consultant at times, too. So if I had it, I
12 would say more because they don't really understand
13 it. Some of them don't believe these things can
14 happen. It's like they are going to destroy a whole
15 bunch of Bibles, whatever. So if you show them, give
16 me something to give them to explain to them what it's
17 about.

18 MR. DALTON: Certainly.

19 MEMBER ARROW-WEED: Thank you.

20 MEMBER MC QUISTON: Ron, did you have a
21 comment you wanted to make?

22 MEMBER SCHILLER: Yes, Ron Schiller.

23 I just had kind of a question of trying to
24 understand to what extent the geothermal potential is
25 here. Is this something that's already a known --

1 test wells done and a known potential? Or is this
2 still in an exploratory type of resource? I assume
3 there are test wells being done and there is some
4 measure of -- or is this still in the proposed
5 preliminary state, I guess?

6 MS. ELSER: The Truckhaven area does
7 have a test well that was done years ago that showed
8 that it should be a workable area. As best I know,
9 Superstition has not had any testing, but I could be
10 wrong on that. I don't know of any testing at
11 Superstition.

12 MEMBER SCHILLER: So we are really,
13 really preliminary here? You don't even know to what
14 extent a potential might be?

15 MR. DALTON: I would like -- I would
16 just like to say -- I just wanted to add that there
17 have been surveys done. They were done in the
18 eighties. So they have been done. The potential is
19 there, and I think that's what we are trying to do is
20 research that potential and see if it's feasible for
21 the leasing.

22 MEMBER SCHILLER: So the company would
23 actually come in to test it to see if it was feasible.
24 In other words, there is not a known potential right
25 now. Just a preliminary -- that's all we are doing?

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1 MEMBER DENNER: Lynnette, do you have a
2 feel for how large the Superstition area is and how
3 large the combined sections of what you are calling
4 the Truckhaven area is?

5 MS. ELSER: The squares are actually
6 sections of land.

7 MEMBER DENNER: One square mile each.
8 So that would be 11 square miles and something a
9 little less for the lower one?

10 MS. ELSER: That's correct.

11 MEMBER DENNER: Thank you.

12 MEMBER MC QUISTON: Bill.

13 MEMBER BETTERLEY: There has been an
14 awful lot of surveys done in the eighties with
15 Geothermal all through that area. And the biggest
16 problem at that time was the deterioration of the well
17 itself through the contaminates in the brine. And I
18 think they have gone in the last 20 years a long ways
19 to help that, but there are a lot of studies done.

20 MEMBER SCHILLER: I was just trying to
21 get a feel of exactly where we are at in the process
22 and what the potential was.

23 MEMBER BETTERLEY: Heat is there.

24 MEMBER MC QUISTON: Seeing no further
25 comments by Council members, I'm going to ask if there

1 is any member of the public who would like to make a
2 comment on this before we take a break here.

3 MR. STEWART: Yes, John Stewart with the
4 California Association of Four-Wheel Drive Clubs.

5 I would like to point out that what they
6 have got here is rather large segment of an existing
7 state-managed OHV area. Knowing that there will be a
8 certain impact as far as fencing off or blocking off
9 the proposed drilling sites for protection or whatever
10 security for the well site itself, it kind of brings a
11 point of concern as to exactly how much of this region
12 will be declared off limits for recreation and how
13 much recreation opportunity will be lost in the area.

14 And this is a point that if recreation is
15 lost in an existing authorized and designated OHV
16 area, why not exercise the option of getting some
17 mitigation? In other words, create a new recreation
18 site to replace what is being lost to this geothermal
19 activity that will essentially take land out of
20 recreation that it's already been set aside for.

21 But it also raises the question, the
22 existing geothermal operations south, in the far south
23 end of the Salton Sea are already facing problems with
24 disposal of contaminated waste, additional cubic yards
25 of material for disposal. And some of these will

1 probably be addressed and mentioned in the scoping,
2 but the biggest concern here is because this is an
3 existing OHV designated area, that the drilling is
4 going into it. Any impact in their recreation
5 activities need to be compensated for their loss.

6 MEMBER MC QUISTON: Thank you for your
7 comment. Any further Council member? I would like
8 just to say this probably tears off of the earlier
9 discussion, Roy, for the referral in Ridgecrest. If
10 you are talking about some BLM lands in this area that
11 may be leased for geothermal and it's in an area of
12 off-road recreation, and it may very well be, I would
13 at least look into anybody that wants to come and do
14 one of those leases being able to mitigate, maybe buy
15 some private land in order to reroute or create the
16 opportunity that's lost. That's just a comment.
17 Thank you very much for your presentation.

18 We are a little bit early, but I want to
19 go ahead and we are going to recess for a break until
20 3 o'clock. We will come back for any other public
21 comment at that time or any closing statements or
22 remarks. We are recessed.

23 (Brief recess was taken.)

24 MEMBER MC QUISTON: We would like to get
25 started if everybody will start working their way

1 here. We will reconvene the Council at this time and
2 let the record note that all persons on the Council
3 are present that were here at the beginning today, the
4 ones that were present are still present. We are
5 going to have a public comment period for those folks
6 that would like to address the Council either on
7 matters we previously discussed or not on the agenda.
8 We will also have -- Linda Hansen has a few closing
9 remarks. And also I think we are going to have a
10 little more information on the location of the New
11 York Grill before we conclude.

12 So I have one request from the public.
13 Geary Hund, if you would like to come forward now.
14 You said you need three minutes. The clock starts.

15 MR. HUND: Mr. Chairman, member of the
16 Council, thank you very much for allowing me to speak.

17 My name is Geary Hund, and I want to
18 introduce myself first. I am the new California
19 representative for the Wilderness Society for BLM
20 lands, and specifically with an emphasis on the units
21 of the National Landscape Conservation System, which,
22 of course, includes the California Desert Conservation
23 area.

24 We have over 200,000 members. We are also
25 part of a coalition of 40 different groups, more than

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1 40 groups that have come together to promote the
2 National Landscape Conservation System. I want to
3 talk to you briefly about it today. I would imagine
4 that all of you here sitting at the table are aware of
5 it, and many people in the audience. But I will
6 describe it for people not aware of it.

7 They are basically the crown jewels of BLM
8 lands, lands set aside for conservation, and they
9 are -- there are more than 26.1 million acres all
10 found in the Western United States. They are all BLM
11 lands, national monuments, conservation areas,
12 wilderness areas, wild and scenic rivers, and also
13 historic trails. And this year is the fifth
14 anniversary of the system.

15 The system was created in the year 2000,
16 and so in celebration of that fifth anniversary, our
17 group and other groups have created some materials. I
18 would like to pass those out to you today. And I see
19 some of you already have a brochure. And I did leave
20 some back on the table for other folks so there are
21 postcards there and a brochure produced on the
22 National Landscape Conservation System.

23 I think what's really important about this
24 system and taking a systems approach is that all of
25 the units are going to benefit if the system is a

1 strong and lasting system. Essentially what happened
2 is we have now created our newest park system in the
3 United States. This is a system that really parallels
4 and is comparable to the National Park system, but
5 some of the most wild, remote, rugged areas in the
6 United States containing fantastic natural landscapes
7 and many, many cultural resources, both archaeological
8 resources and historic resources.

9 So I think if you think of it in terms of
10 all ships float on a rising tide, if this system is
11 made more permanent and lasts and really gets caught
12 up within the public mind and we are able to educate
13 the public to its presence, then I think that will
14 benefit the entire system, including the California
15 Desert Conservation Area and the BLM Monuments and
16 Wilderness Areas within the state of California.

17 So last week I was part of a group that
18 went back to Washington DC, and we met with a number
19 of representatives in the Senate and House and
20 encouraged them to both celebrate the system and
21 provide it greater support in both its budget and the
22 funding of the system itself. And also we urged them
23 to support the earmarked dollars and the land and
24 water conservation fund for acquisition.

25 We also asked our representatives -- we

1 urged them to sign on a letter circulating the House
2 right now and also will be circulating in the Senate.
3 It's a "Dear Colleague" letter that's in the House and
4 supported by Rick Renzi, Mary Bono, Tom Udall, who are
5 all co-sponsors of this letter currently circulating
6 in the House. Basically it's a letter to Gale Norton
7 asking that the NLCS lands be prioritized --
8 prioritize the conservation of the lands and waters of
9 the NLCS in keeping with its mission; better protect
10 the systems' many thousands of cultural and historic
11 resources; increase the law enforcement presence in
12 NLCS, and increase the physical accountability and
13 transparency of the appropriations process.

14 So really urging Gale Norton to make this
15 system a priority. And I think in doing that, if the
16 Department of Interior and our elected representatives
17 make it a strong priority, we will have a bright and
18 shining future which will benefit all of the resources
19 and all of the users. So thank you.

20 MEMBER MC QUISTON: Bill Betterley.

21 MEMBER BETTERLEY: Are you under the BLM
22 or are you separate?

23 MR. HUND: No, I'm with a conservation
24 group called the Wilderness Society. It has 200,000
25 members nationwide.

1 MEMBER BETTERLEY: But you are not
2 funded through the BLM? What are you doing lobbying
3 in Washington?

4 MR. HUND: Well, we think that the
5 system is very important because our organization's
6 mission is based on protecting not only wilderness,
7 but also special wild places throughout the country.
8 And many of those special wild places are found on BLM
9 lands as part of this National Landscape Conservation
10 System. So we are very interested in a very strong
11 future for this system because we think it will help
12 to ensure that many generations to follow will have
13 wild areas to discover and see through the eyes of the
14 first Americans and the early explorers.

15 MEMBER BETTERLEY: But you are funded by
16 private enterprise; is that correct?

17 MR. HUND: My particular funding comes
18 from that organization, and we have a number of
19 members and donors that support our organization.

20 MEMBER BETTERLEY: This is going to be
21 another layer of governmental affairs, is it?

22 MR. HUND: No, actually it's not another
23 layer. It's just simply a way to organize within the
24 BLM and give recognition to these lands so that they
25 can be managed as a system, which would make

1 management most efficient.

2 MS. HANSEN: Maybe I can help you out a
3 little bit here, Gary, and it's nice to meet you
4 finally.

5 MR. HUND: Likewise.

6 MS. HANSEN: For BLM, Bill, the National
7 Landscape Conservation System is composed of a number
8 of units that already exist on the public lands. Here
9 in the California desert it's not only the California
10 Desert Conservation Area, but within that there are
11 six wilderness areas that are components of that
12 system. It includes the Santa Rosa National Monument
13 is a member of that, so any other monuments or special
14 units like that that have been designated on BLM
15 lands. It also includes -- I'm missing something
16 here. The wilderness areas, the CDCA as a whole, the
17 monuments and --

18 MR. HUND: Also wild and scenic rivers
19 and historic trails on BLM lands.

20 MS. HANSEN: So there are multiple
21 components of this system that cross public lands
22 across the west. Does that help you at all
23 understand? The Wilderness Society is a group that
24 often goes back and lobbies a variety of individuals
25 for funding and priority assistance for that system,

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1 which is a part of BLM. Does that help?

2 MEMBER BETTERLEY: No, but that's okay.

3 MEMBER MC QUISTON: Jim.

4 MEMBER BUGERA: Funding for what? Are
5 you buying this property?

6 MR. HUND: Well, there are two types of
7 funding: Funding for ongoing operations so that the
8 BLM can operate and take care of these lands,
9 everything from initial surveys to restoration to
10 public safety and law enforcement. So they have a
11 budget for that.

12 But what we are urging our legislators to
13 do is to ensure that that funding is adequate so that
14 the BLM can do their jobs out there properly. And
15 then there is also Land and Water Conservation Fund
16 money that each year is appropriated for ac -- for
17 land acquisition. For example, the Carrizo Plain
18 National Monument, which is in California in the
19 Central Valley, is one of the units in the National
20 Landscape Conservation System, and there is a proposed
21 funding in the Land and Water Conservation Fund to
22 purchase in-holdings from willing sellers within the
23 monument.

24 MEMBER BUGERA: You are buying up land?

25 MR. HUND: I'm not personally, but the

1 BLM is attempting to purchase, for example, in-
2 holdings within wilderness areas where you have
3 willing sellers. And that money comes primarily from
4 the Land and Water Conservation Fund.

5 MEMBER BUGERA: Okay, I know who you
6 are. You are an environmental activist group.

7 MR. HUND: I am a conservationist.

8 MEMBER PRESCH: This sounds like the
9 National Park Conservancy Organization, which is a
10 private organization which supports the National Park
11 system in much the same way. Do I understand that to
12 be correct?

13 MR. HUND: Well, the National Parks and
14 Conservation Association is a group that specifically
15 dedicates themselves to supporting the National Park
16 system. There is a specific organization that is
17 doing that at this point for the National Landscape
18 Conservation System, but there are more than 40
19 different conservation groups and actually other
20 groups, as well, that see these as very important wild
21 spaces for America and the people of America. And so
22 we have all rallied together to support the system.

23 MEMBER PRESCH: Thank you.

24 MEMBER MC QUISTON: Ron Schiller.

25 MR. HUND: I didn't realize I would get

1 so many questions.

2 MEMBER SCHILLER: I didn't catch your
3 name.

4 MR. HUND: Geary, G-e-a-r-y, and my last
5 name is Hund, H-u-n-d, as in David.

6 MEMBER SCHILLER: H-u-n-d?

7 MR. HUND: Yes.

8 MEMBER SCHILLER: G-e-a-r-y. I missed
9 it when you --

10 MR. HUND: In fact, let me do this.

11 MEMBER BUGERA: I will take one of
12 those.

13 MEMBER MC QUISTON: Thank you very much.
14 Thank you.

15 MR. HUND: You are welcome. My
16 pleasure.

17 MEMBER MC QUISTON: I do not have any
18 other requests that I'm aware of for public comment.
19 Seeing none, I'm going to turn the microphone over to
20 Linda. She has a few general remarks. Following hers
21 I believe we will have some follow-up information
22 regarding the location of the New York Grill or
23 directions. Linda.

24 MS. HANSEN: Thank you, Jon.

25 What I wanted to do before we close today

1 is talk a little bit about tomorrow's agenda because
2 there has been some confusion about what all is part
3 of that agenda. So I wanted to kind of walk through
4 it a little bit with the Council and with members of
5 the public who are still here today to hope to clarify
6 that a little bit.

7 We will start, as it says, with the
8 Adopt-a-Cabin status report at 8 o'clock. But what we
9 are going to be doing with the second agenda item,
10 which is kind of a compilation of three different
11 areas, is actually breaking it down into three
12 segments tomorrow.

13 The first segment of that will be to talk
14 about the Recreation Enhancement Act and the question
15 which the board had last time or Council had
16 previously about Recreation Resource Advisory groups.
17 Jan Bedrosian is with us, and she will be here
18 tomorrow and she will help us understand where we are
19 on the national picture on that. I think what you
20 will find is maybe we don't have a definitive answer
21 to your question from last time, but hopefully we will
22 be able to update you on where we are.

23 Then we are going to move on to the Dumont
24 Dunes area. And one of your agenda items previously
25 was to talk about a TRT specifically for Dumont Dunes

1 or some form of group that would work with them
2 similar to the way the TRT in the Imperial Sand Dunes
3 works. So that will be agenda item, part 2.

4 Then part 3, we are going to move on to the
5 discussion about special recreation use permits and
6 permitting. And that will be where we will talk about
7 the cost recovery issue. And hopefully have a short
8 report from Harold Johnson, who has been working
9 internally with some staff members to sort of do some
10 prework that will then set us up for a discussion to
11 talk about TRT or subgroup that will look at
12 implementation of that program within the CDCA, again,
13 looking at a small group that will come together
14 hopefully with a stated task and purpose in mind to
15 complete for the Advisory Council's recommendation
16 process or implementation process that will work for
17 us across the Desert Conservation area. So that's how
18 we are going to split that up tomorrow.

19 And I just wanted to go through that
20 because I think it was a little confusing the way it
21 looked on the agenda and maybe help clarify that.

22 The second thing I will say about tomorrow
23 is that Roxie Trost is going to be here as your
24 designated federal official tomorrow. I will not be
25 here, but she is going to step in in that regard

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1 tomorrow and will be working with you. And
2 Mr. McQuiston will remain as chairman tomorrow because
3 Mr. Kemper is not able to join us for the meeting this
4 time. So those are the changes for tomorrow.

5 Are there any questions about that? I know
6 it's a little different maybe than what it looked like
7 initially. And hopefully that will allow us then to
8 address all of the issues which the Council requested
9 be on the agenda for this time and dealing with
10 recreation.

11 Steve.

12 MR. RAZO: Just for this evening, the
13 New York Grill, you have a map there. If you just
14 remember it's on the east side of Ontario Mills. The
15 road that runs on the north side of the hotel, if you
16 get on that road, you can only turn right anyway. If
17 you exit the road on the north side of the hotel, that
18 actually goes right on to Ontario Mills, and you have
19 to go left or right. That circles the whole Ontario
20 Mills. And when it gets on the other side, you will
21 see the New York Grill. It's kind of across the
22 street from the theaters, cinemas.

23 They are expecting us at 6:00, and the way
24 it's set up is for two tables of five and two tables
25 of six. So it's not going to be one large area. I

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1 think we are all going to be in the same area, but it
2 will be split up into two tables of five and two
3 tables of six, and they are expecting four checks.
4 It's a total of four tables; each table will be one
5 check.

6 So however you end up seating yourselves,
7 you are going to get one check for that table. I
8 asked if we can have separate checks, and you know
9 what you get from them. They don't like that. And
10 it's set for 6 o'clock.

11 MEMBER MC QUISTON: Thank you.

12 MR. RAZO: Thank you. There are 22
13 slots. There is room for 22, so actually we can
14 almost all go. There are 27 in this room right now.
15 So work on it among yourselves.

16 MEMBER McQUISTON: Any members want to
17 make any remarks before we adjourn? Roy?

18 MEMBER DENNER: I know we normally save
19 this until the last day, but while Linda is still here
20 and in the event that tomorrow's agenda is a little
21 busier than today's agenda, I just would like to
22 recommend that we relook at how we do our meetings.
23 Over today's discussions, I heard a lot about a lot of
24 different areas that I have been to, Amboy Crater, Big
25 Morongo Valley and a number of places that people

1 talked about today that some new members on this
2 Council may have never seen. And somehow we seem to
3 have gotten away from those tours that I think are
4 damn important. When people talk about a particular
5 area in the CDCA, it's nice to know what they are
6 talking about. And those of us who have been here for
7 a long time maybe do, but a lot of people won't ever
8 know unless we get back into the mode of doing a tour
9 on the first day.

10 I don't know how the rest of the Council
11 feels about that. I thought I would put it on the
12 table and try to feel out how everybody else feels.
13 Do we want a tour or are we happy with two days of
14 meetings?

15 MEMBER PRESCH: Bill Presch. I agree
16 with you. And next meeting I notice I think is still
17 set for my place.

18 MS. HANSEN: I don't think we have any
19 other proposals.

20 MEMBER PRESCH: That's a two-day
21 meeting, Friday and Saturday. And on Friday I propose
22 to BLM -- this will come probably as a shock to
23 Needles -- I guess it is, but we go up to Dumont Dunes
24 where we are going to actually be able to see what we
25 are going to talk about tomorrow with the fees. And

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1 then we could run over to Horsethief Springs and do
2 the riparian restoration area that we talked about
3 earlier today. And then we can drop down into
4 Kingstons Ranch, where Ron Kemper's house is, and he
5 has indicated we can lunch at his place. And then we
6 can come back down to I-15 and we can see the site of
7 the new kiosk for the Caltrans, Park Service, BLM
8 information on our way back to Zzyzx for dinner.

9 And so I hope that that would be a route
10 that we could work on and then be able to see that
11 part. And then Saturday we would have our meeting.
12 And I recommend that we have it in the Baker Community
13 Center again so that the public could have access to
14 that and be there and wouldn't get all bunged up on
15 the road going down to Zzyzx. So that, I think, is
16 very exciting.

17 MEMBER MC QUISTON: My recollection is
18 we had a few fairly complex issues such as the
19 Surprise Canyon briefing, the West Mojave Plan and
20 some other ones that kind of drove us to the two days
21 of meetings, but I concur. As soon as we can go back
22 to incorporating the tours, that's critical.

23 I hear no other Council members comments,
24 so with that, we will stand adjourned until 8 o'clock
25 tomorrow morning.

1 (The proceedings adjourned at 3:25 p.m., to be
2 continued Saturday, June 25, 2005 at 8 a.m.)

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4 (Exhibits submitted for inclusion follow the
5 Reporter's Certificate as Appendix A)

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R E P O R T E R ' S C E R T I F I C A T E

I, Judith W. Gillespie, a certified shorthand reporter, do hereby certify that the foregoing pages comprise a full, true and correct transcription of the proceedings had and the testimony taken at the hearing in the hereinbefore-entitled matter of June 24, 2005

Dated this 10th day of July, 2005, at Riverside, California.

Judith W. Gillespie, CSR No. 3710

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A P P E N D I X A

- A "Mining in Your Life," submitted by Howard Brown, 6 pages

- B TRT Report, Adopt-a-Cabin, submitted by Jon McQuiston, 2 pages

- C "Desert Watch," submitted by Alfredo A. Figueroa, 424 N. Carlton, Blythe, CA 92225 8 pages

