

Bureau of Land Management
Northwest California Resource Advisory Council
Business Meeting

Thursday, May 12, 2005
Red Lion Hotel Conference Center
Redding, California

Summary Minutes

Opening business

Chairman Don Klusman called the meeting to order at about 8 a.m.

Attendance

Category One: Stan Leach, Ruth Shriber, Charlene Wardlow, Don Klusman

Category Two: Diane Beck, Ryan Henson, Michael Kelley. Absent: Bob Warren

Category Three: Philip Moyer, Bill Radtkey, Gene Parham. One vacancy.

There is a quorum

BLM Staff: Deputy State Director (Resources) Tony Danna, National RAC Coordinator Twinkle Seitts, Arcata Field Manager Lynda Roush (DFO), Redding Field Manager Steve Anderson, Ukiah Field Manager Rich Burns, Redding Associate Field Manager Francis Berg, Redding Natural Resources Specialist Kelly Williams, BLM NorCal Public Affairs Officer Jeff Fontana.

The agenda was approved as mailed.

The minutes from the February meeting were approved as mailed.

Pledge of Allegiance

The agenda item was requested by Stan Leach for determining whether the council desired to begin each meeting with a recitation of the Pledge of Allegiance. Chairman Don Klusman said he contacted RAC chairs in the West and asked whether they started meetings with the pledge. He had no responses indicating that councils open meetings with the pledge. As chairman, Don said he will not begin meetings with this recitation because there is not unanimous agreement among the members. He noted the topic has been divisive.

Off Highway Grants:

Don wants the RAC to send a letter of support of the grants to State Director Mike Pool and to the California State Parks Department's Off Highway Motorized Vehicle Recreation Division. The Redding, Arcata and Ukiah field offices have requested grants.

Ukiah Request: Rich Burns said the Ukiah Field Office is asking for \$110,000 to help fund law enforcement needs in off-highway vehicle recreation areas.

Redding Request: Redding Field Manager Steve Anderson said the Redding Field Office asked for \$72,000 in law enforcement funding, \$400,000 to fund acquisitions, \$40,000 for trail maintenance, \$91,000 for trail for resource management and \$60,000 for trail maintenance equipment, for a total of about \$660,000.

Arcata Request: Arcata Field Manager Lynda Roush said her staff is requesting about \$150,000. She said \$112,000 is needed for restoration planning for 5,000 newly-acquired acres at Lak's Creek, \$22,000 is needed for operations and maintenance at Samoa Dunes and \$12,000 is needed for trails maintenance at Samoa.

Don explained that grants are provided from OHV registration fees and from a portion of gas taxes. There is usually \$40 million in the OHV fund with at least 50 percent used for state OHV recreation areas. The grant budget is set by the legislature with OHMVR division and user input. There will be \$18 million available for grants to local and federal agencies such as BLM.

Don said support from the RAC is persuasive in the grant process because the support comes from a broad-based advisory council.

Action: The RAC voted unanimously to endorse the field office grant requests as presented in the meeting. Their letter of endorsement will be sent to the BLM state director with copies sent to the California State Parks Division of Off Highway Motorized Vehicle Recreation. The RAC directed Jeff to prepare the recommendation for Don's signature and forwarding to the state director and OHMVR division.

Recreation Fee Collections

Field managers reported on fees collected under the recreation fee demonstration program and described how funds are spent to benefit the recreation sites where the funds originated.

Rich Burns presented information on collection of fees in the Ukiah Field Office. Rich distributed the Rec Fee Demo report to congress, a recreation use spectrum, a copy of the

Northwest RAC's guidelines for off highway vehicle use and guidelines for use of recreation fees (attachments).

Rich said recreation fees collected in his area are used primarily for maintenance.

Ukiah follows the RAC guidance that supports a fee structure only where there are improvements. The field office has no areas where fees are charged for admission to public lands.

Don Klusman said that prior to the Recreation Fee Demo program, recreation fees collected went to the general treasury. They are now used in the sites where collected. He said the OHV community supports the fees as long as funds are used to benefit the sites from which they are collected.

There was discussion about method of collection. It varies from permits to individual collections to use of collection boxes.

Lynda said the entire Arcata Field Office jurisdiction is a fee demo site, with fees collected only in the King Range. Funds come from outfitter permits and bear canister rentals. There is no entrance fee. The office collects about \$26,000 annually and uses the money for campgrounds and maintenance, including contracts for toilet maintenance.

Responding to a question from Michael Kelly, the managers said BLM has not moved to a fee structure focusing on fee collection primarily in high use areas. Determinations are now made based on the facilities available for recreation site users.

Gene said that if a public agency is spending money to provide services such as campground water he will not object to fees. But taxes should support other needs such as employees and routine maintenance of public lands.

Lynda Roush said the BLM may find itself discussing the need to charge fees at high use areas, or developing some kind of pass system in high use areas, because budgets are declining and public use is increasing.

Michael said he is concerned with the entire fee issue, even in areas where services are provided.

Steve Anderson said recreation use is declining in some National Forest and National Park areas where fees are increasing, thus increasing public use on BLM facilities where there are no fees. BLM is facing the reality of increasing use as a result of increasing fees elsewhere.

Michael said the fee impact on users is cumulative for those who use many parks and public land jurisdictions.

Steve said common sense dictates that if we are not providing a special service at a BLM site, there should be no fee.

Don said he does not support fees, but understands the reality of agencies having to manage more with less appropriated money.

Managers shared various observations about fees and public reactions.

Stan suggested there is a correlation between the decline in timber harvest receipts and an increase in recreation user fees. He said the timber sale program on public lands once provided the funding for support of many other public land programs, including recreation access.

Members had a wide ranging discussion about their philosophical beliefs on recreation fees for use of public lands and facilities.

Steve reported that in the Redding Field Office jurisdiction recreation fee collections average about \$30,000 annually. Fees are generated by commercial use permits and in campgrounds where BLM provides services.

Wilderness

Paul Brink, the California State Office wilderness coordinator, led a discussion about BLM wilderness management. He discussed interest areas specifically raised by council members:

- The National Landscape Conservation System
- The RAC role in wilderness and NLCS management.
- Wilderness Study Areas
- BLM areas that would be affected by Congressman Mike Thompson's wilderness legislation.
- Congressional role in wilderness
- Alternatives to wilderness

Paul summarized the history of the Wilderness Act and its passage by the Congress in 1964. It passed in 1964 by votes of 363 to 1 in the house and 73 to 12 in the Senate. In the past 40 years the wilderness question has become more polarized. He discussed the political and social climate that prevailed at the time the act was passed.

He provided a handout (attachment) providing key points about the wilderness Act, including congressional policy, definitions of wilderness, wilderness uses, wilderness prohibitions, and exemptions to the wilderness act.

Paul said that Congress, in formulating ideal and operational definitions of wilderness, expected federal agencies to manage for an operational definition. He further noted that the Wilderness Act provides for uses – it is not a “lock out” rule.

The act included nine prohibited uses and acts. It also provided for a series of exemptions from the prohibited uses.

Discussion continued about access issues, including motorized access to private lands – inholdings – within wilderness areas.

Gene questioned chainsaw use in wilderness. Paul said exceptions can be made for that use when it is the only appropriate way to accomplish the work that needs to be done. BLM has allowed chainsaw use, but it is rare. Ryan said the BLM does the best job (among federal agencies) of understanding what the wilderness act allows. He said wilderness advocacy groups in California support chainsaw use in wilderness to accomplish needed work.

Ryan provided input about Congressman Thompson's wilderness bill. He said currently, .012 percent of the public lands in the Arcata and Ukiah field offices are managed as wilderness. The legislation would increase wilderness management to about 24 percent in those jurisdictions, a percentage comparable to neighboring National Forests.

Alternatives to Wilderness

Paul discussed the various designations within the National Landscape Conservation System. Copies of his PowerPoint slides are attached to the minutes. They explain the National Landscape Conservation System and its various components, including wilderness, wilderness study areas, national monuments, national conservation areas and other special designations.

The NLCS was intended to identify the special public areas managed by the BLM and move them into a conservation-driven management mode. It also recognizes that people are attracted to landscapes, not programs. He said 34 percent of BLM managed lands are part of the NLCS program.

NLCS is important in the budget cycle because management of those units attracts budget outlays provided by Congress in response to the needs and desires of local publics. Paul noted that NLCS in some cases can be considered an alternative to wilderness. The units can allow for uses that are not allowed in wilderness. It increases the flexibility of BLM's management toolbox.

Salmon Creek Resources Land Exchange

Francis Berg, Redding FO assistant field manager, provided an update on the exchange. The field office has submitted for internal BLM review the environmental assessment and draft record of decision. He said it took longer than anticipated to complete the EA because the field office evaluated a citizen's alternative incorporated after the RAC discussion last meeting.

Francis said after BLM issues a decision a protest period will run for 45 days. The California State Director will consider the protests by accepting or rejecting them. After the protest period, those who do not agree can appeal the decision to appeal to the Interior Board of Land Appeals.

To protest, a person must have been involved in the planning process. Those protesting can send letters to the state director pointing out the areas where they disagree. Each point will be addressed and responses provided to protestors.

Francis said protests to IBLA must have merit – they must be more than just a difference of opinion. Examples are breach of regulation, breach of procedure, etc.

Charlene Wardlow commented that IBLA appeals take 18 months to two years to resolve. Francis said expedited review can be completed in about three months, if that process is granted by the IBLA. Francis noted that in land exchanges, there would be an automatic stay of action – the exchange would be on hold while the IBLA rules on the appeal.

Public Comments

Susan Weale, Redding: Appeared on behalf of the Shasta Coalition for the Preservation of Public Land, and thanked the RAC for continuing to discuss the Salmon Creek Resources land exchange in a public forum. She said her group had hoped that a meeting of interested parties would lead to new approaches to allow the BLM to keep the “Area 51” parcel and the Grass Valley Creek parcel (subjects of the Salmon Creek Resources land exchange) in public ownership. She said the meeting format was too narrow in focus. Susan said her group remains concerned that if the community acquisition alternatives are in the BLM environmental assessment for the exchange they will not be adequately analyzed. They feel the EA will recommend proceeding with the exchange. Her group will protest and appeal to IBLA.

Susan said her group presented information to the Shasta County Supervisors and said county staff is pursuing the community acquisition proposal.

She provided for the record a chronology of communication between her group and the BLM Redding Field Office. She will post them on the Shasta Resources Council website.

Brian Zalner, west Redding: Brian expressed concern that BLM has been doing fuel reduction work on the “Area 51” parcel with an exchange pending. He is concerned that tax dollars are spent on lands destined for exchange. He said the BLM is not adhering to the Secretary’s 4Cs directive. He asked that the RAC ensure that National Fire Plan money is not spent on property that will be exchanged, thus benefiting the private landowner who would be acquiring the property. He presented a letter (attachment) outlining his points.

Randal Hauser, Old Shasta area: Chairs the Shasta Resources Council, which formed after the last RAC meeting, to pursue a community alternative to the proposed land exchange. Randall said the group's alternative was presented to BLM on March 15. The Shasta Community Services District is working with the group along with other land trusts. He said BLM did not contact the group members after they submitted the proposal to the BLM office. He said the group presented information to the Shasta County Board of Supervisors and are now working with the staff to pursue their alternative. The objective is to acquire the "Area 51" public land for community use. He said community polls show a willingness to fund an acquisition. There are 200 to 250 residents of the area who would be good candidates to support formation of an assessment district to complete the purchase from the BLM. They also want to acquire 100 acres between highway 299 and Tilton Mine Rd. Randal said the group would develop a comprehensive fuels reduction plan for the parcels. The fuels reduction plan would be applied to the 320 acres they hope to acquire. He said BLM has cut off communication on their proposal. He said the group can't further develop their proposal without being able to communicate with the BLM.

Randal said the group has submitted an offer to property owner Joe Rice to accomplish BLM objectives by buying the Grass Valley Creek parcels at fair market value.

He said further that his group supports the land sale authority amendment to the Redding Resource Management Plan with the provision that local government has first purchase option to lands offered for sale so parcels can be retained for public use.

He said community members have been attempting to submit proposals to the BLM for the past several years on acquisition of the "Area 51" parcel. The history of communication with the BLM is that proposals "go into a black hole then show up in an EA." He said the land exchange process is broken.

He thanked the RAC for their support and consideration at the February meeting, which gave the group a foundation on which to develop their proposal. He distributed a handout summarizing the group's proposal to acquire BLM public land holdings (attachment).

John Spitzley: John is a member of the Shasta Community Services District Board of Directors, which provides water and fire protection for the Old Shasta community. He discussed limitations on water availability, and said if the BLM transfers the "Area 51" parcel to developers the agency should inform them that the CSD cannot provide water. Responding to Ruth Shriber, John said the district has not declared a water service moratorium, saying several single users are on a waiting list for service. He said the district cannot serve a major residential development. He said the CSD board of directors has not taken a position on acquiring the "Area 51" parcel. He said the district does not have the resources to assume the financial or physical liability to manage the parcel; the district does not have the resources to manage parks.

Pam Gluck, executive director, American Trails: Pam said her national group, headquartered in Redding, does not take positions on local issues, and is not taking a stand on the “Area 51” land exchange issue. She said the group’s mission is creation of a national trails infrastructure in which a trail or greenway would be within 15 minutes of every American home. She said there is a need to preserve green areas and this (keeping the “Area 51” parcel in public ownership) may be a good opportunity to preserve a place special to the community. She said the outcry over this exchange indicates that members of the community consider this parcel an important open space component, saying that “as a community we need to protect it.” She cited Secretary’s 4Cs position, and the Secretary’s directive for the federal government to involve those who live and work on the land. She further cited BLM Director Kathleen Clarke’s partnership emphasis. Pam said it seems there are many alternatives to the exchange. One option to consider would be no action, which would leave the area as it is: no development and protection of fish spawning grounds. Another would be leasing the parcel another managing agency, such as the Community Services District, for managing for public benefit. She said protests and appeals are expensive and time consuming. If BLM persists with the exchange, there should be deed restrictions to protect the trails system in place now.

Brent Owen: He has worked with Joe Rice on a property purchase, but does not represent him. He is a land use planner. He feels BLM is the only party that is not biased in the “Area 51” land exchange issue. The opposition is focused on preventing disposal of the “Area 51” parcel, while BLM has been focused on the Grass Valley Creek acquisition as a key to completion of Grass Valley Creek watershed conservation needs. He questioned why BLM would spend fire reduction money on land that could be disposed of. He characterized the Shasta County Board of Supervisors as sympathetic to the concerns of the “Area 51” land exchange opponents, but said he is not certain they are supportive. He said the Grass Valley Creek watershed parcel is more important. He also noted that BLM informed all property owners of intent to dispose of the “Area 51” parcel in 1993 and no one opposed it at the time.

Council comments

Michael Kelley asked about the next opportunity for council involvement in the Salmon Creek Resources land exchange issue. Don Klusman noted there is a 45-day protest period. He would like to review this issue “with the EA in our hand.”

Lynda noted that the RAC has taken position on actions and plans in the past.

Francis noted that after the EA is back from solicitor review it requires clearance by national review team prior to public release. He said Field Manager Steve Anderson Steve will sign the decision record after completion of internal clearances.

Gene Parham said he is concerned that there exchange opponents did not get involved when the issue was raised in 1992 during development of the Resource Management Plan.

Susan Weale said the neighbors have been involved since 1989 and have opposed land exchanges in the region. Don Klusman brought up the Redding RMP and the fact that scattered parcels were identified at that time for exchange. Don further mentioned that deed restriction would likely be placed on the property if the parcel stayed in BLM.

Steve Anderson addressed the fuel reduction issue at Area 51. He said the BLM has an obligation to reduce hazardous fuel loading on public lands to reduce threats to neighboring property. He said, "...we own it until we don't own it. If we save only one house in a fire it would be worth the money."

Philip Moyer said he is concerned with the lateness of the land exchange opposition, given that the land was identified for disposal in the Redding Resource Management Plan over a decade ago.

Francis said the BLM received no Resource Management Plan protests from residents near the "Area 51" parcel when the land use plan identified it for disposal from public ownership. There were no applications for acquisition of this parcel under Recreation and Public Purposes Act.

Michael asked Steve about deed restrictions or other options. Steve responded that if the EA and record of decision supports the exchange can deed restrictions be issued. Steve can make changes at the very end of the process. When Steve signs, the protest period begins

Steve said there are county planning processes that will govern development if the land is exchanged into private ownership. BLM is committed to sticking with the process that the agency must follow in land exchanges.

Responding to Gene, Steve said BLM will continue to follow the RMP and dispose of the parcel, even if the current land exchange proponent becomes disinterested. The management situation there continues to become more complex with the growth of the area. Steve said the BLM would be interested in talking to owners of Grass Valley Creek parcels, even if purchased by another group from Mr. Rice.

Ukiah Resource Management Plan

Rich Burns distributed several handouts updating the RAC on alternative development for the RMP. He said recreation will be a primary focus of the management plan. He posted working maps from the alternative development workshops held throughout the field office jurisdiction earlier this year. He said habitat conservation is the second major theme. He said the Ukiah field office has no major resource extraction programs – there is no grazing program, timber or mining. Charlene Wardlow noted that Ukiah administers the Geyers, the largest geothermal steam field in the world.

State Office Planner Eli Ilano thanked RAC members who participated in the alternative development workshops. He said recreation demand studies, visual resources evaluations and social/economic assessments are being completed. The field office used recreation opportunity spectrum descriptions to analyze recreational opportunity and allocations in various alternatives.

Eli distributed charts showing land use allocations alternatives in the Cow Mountain, Knoxville, Indian Valley, Cache Creek, Cedar Roughs, Berryessa, Stornetta, Geysers and Scattered Tracts management areas. He covered various possible alternatives for recreation, travel management, areas of critical environmental concern, wilderness characteristics.

Don Klusman expressed concern with the primitive and back country designations being so similar.

Don, Gene, and Ruth agreed that it would be easier to understand various alternatives if they were depicted on maps, with BLM staff leading discussions about the rationale behind development of each of the alternatives. They said text descriptions are difficult to follow.

Gene said he would like to have the RAC review the preferred alternative and have the BLM explain and defend the proposals. Michael would like to see details on various alternatives early, before development of a preferred alternative.

All members agreed that RAC input is critical at the front end of the planning process, not just in the review stage.

Eli, responding to Charlene, said the RMP will use data and other materials from the BLM wind energy environmental impact statement recently developed.

The Ukiah Field Office will discuss specifics in alternative formation in an intensive seminar for interested members in Ukiah. It will not be an official meeting for deliberations, but an opportunity for members to get better informed about the process and provide information about constituents' views on formation of alternatives.

The seminar will be Thursday, June 2 at the Ukiah Field Office. The council agreed to focus the bulk of the next business meeting, July 20, on review and comment for the RMP.

The meeting will be July 19 and 20 in Calistoga – Calistoga resort and with a Cache Creek float trip the first day and a meeting on the second day.

Eli said that the Proposed Final Resource Management Plan/Final Environmental Impact Statement for the California Coastal National Monument will be released in early June. A 30-day protest period follows.

Sacramento River Bend ACEC

Ryan Henson distributed a proposed resolution expressing support for a special federal designation for the Sacramento River Bend south of Redding. He also pointed out that there is wide variety of multiple uses occurring there. He noted that population pressures are growing and pressure to develop river frontage are also growing, suggesting that special area designation will be a good vehicle to protect this special area.

He noted that national designations are important because they can attract funding, as Paul Brink pointed out in his NLCS discussion.

*Action: The advisory council unanimously endorsed a resolution supporting establishment of a National Recreation Area in the Sacramento River Bend Area.
The resolution:*

RESOLUTION OF THE BUREAU OF LAND MANAGEMENT NORTHWEST CALIFORNIA RESOURCE ADVISORY COUNCIL

ESTABLISHMENT OF THE SACRAMENTO RIVER NATIONAL RECREATION AREA

WHEREAS, the Sacramento River is the most important river in California for anadromous fish; and

WHEREAS, less than 5 percent of the historic riparian habitat of the Sacramento River systems remains; and

WHEREAS, the State of California has developed an upper Sacramento River Fisheries and Riparian Management Plan which recommends restoration of the Sacramento River systems; and

WHEREAS, BLM administers over 17,000 acres of public land along the Sacramento River between Balls Ferry in Shasta County and Red Bluff in Tehama County; and

WHEREAS, BLM administers an approved Record of Decision of the Redding Resource Management Plan, which establishes a 39,370 acre Bend Area of Critical Environmental Concern within this portion of the Sacramento River; and

WHEREAS, BLM is acquiring privately owned lands in the area via the exchange of surplus public lands elsewhere; and

WHEREAS, BLM has the support of local government and organizations, and will continue to expand this support to create a grassroots effort to seek a national designation, which will facilitate increased financial resources to foster stewardship efforts in this area; as well as positively affect local economic activity from increased visitation and

WHEREAS, BLM has received national recognition of its management of the nationally significant natural resources within this area;

NOW, THEREFORE BE IT RESOLVED, that the Northwest California Resource Council strongly supports establishment of the Sacramento River National Recreation Area to coincide with the boundaries of the Bend area of Critical Environmental Concern as described in the Redding Resource Management Plan and Record of Decision of July 1993.

Next Meeting

The next meeting is Tuesday and Wednesday, July 19 and 20. A float trip on Cache Creek will be held the first day, taking members through recreation areas that will be the focus of decisions in the Ukiah Resource Management Plan. The business meeting will be held the second day at the Konocti Harbor Resort in Kelseyville.

Meeting topics: Ukiah Resource Management Plan review and resolution, review of “Area 51” environmental assessment, field managers’ summary reports.

The meeting was adjourned at about 3:30 p.m.

Summary Minutes compiled by
Jeff Fontana, Public Affairs Officer, NorCal.