BUREAU OF LAND MANAGEMENT CALIFORNIA DESERT DISTRICT
ADVISORY COUNCIL AT 3500 MARKET STREET, RIVERSIDE,
CALIFORNIA, COMMENCING AT 8:08 A.M. ON SATURDAY,
DECEMBER 7, 2013, BEFORE DIANE CARVER MANN,
CSR NO. 6008.

APPEARANCES

MEMBERS PRESENT: REPRESENTING:
RANDY BANIS, CHAIRPERSON PUBLIC-AT-LARGE
APRIL SALL, VICE CHAIR PUBLIC AT LARGE
DON HOUSTON NONRENEWABLE RESOURCES
RONALD V. JOHNSTON PUBLIC-AT-LARGE, CDD
SETH SHTEIR ENVIRONMENTAL PROTECTION
PAUL R. O'BOYLE TRANSPORTATION/RIGHTS-OF-WAY
KIM CAMPBELL-ERB RECREATION
AL MUTH WILDLIFE
DINAH O. SHUMWAY NONRENEWABLE RESOURCES

BLM STAFF PRESENT:
TERI RAML, DISTRICT MANAGER (CDD)
STEPHEN RAZO, EXTERNAL AFFAIRS DIRECTOR
DAVID BRIERY, EXTERNAL AFFAIRS STAFF
APPEARANCES (CONTINUED)

JENNIFER WOHLGEMUTH, DISTRICT MANAGER STAFF ASSISTANT
TOM ZALE, ASSOCIATE FIELD MANAGER, EL CENTRO
TIM WAKEFIELD, ASSOCIATE DISTRICT MANAGER, CDD
JOHN KALISH, FIELD MANAGER, PALM SPRINGS
CARL SYMONS, FIELD MANAGER, RIDGECREST
KATRINA SYMONS, FIELD MANAGER, BARSTOW
MIKE AHRENS, ACTING FIELD MANAGER, NEEDLES
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RIVERSIDE, CALIFORNIA; SATURDAY, DECEMBER 7, 2013

8:08 A.M.

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

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CHAIRPERSON BANIS: Hi. Good morning, everybody. Welcome to the Desert Advisory Council meeting. I call the meeting to order at approximately 8:08 a.m., please.

If I may, the first thing we'd like to do is, I'd like to call upon Ron Johnston. Would you do us the honors of the Pledge of Allegiance. This is Ron's last meeting, and I thought this would be a chance for him to have his final salute with the DAC today.

MEMBER JOHNSTON: Okay.

CHAIRPERSON BANIS: Thank you.

(The Pledge of Allegiance was recited.)

CHAIRPERSON BANIS: Thank you, Ron. Thanks very much.

We have two transcripts to approve. We have the transcripts for our June DAC meeting, and we also have transcripts for our August RRAC meeting. I don't believe at the RRAC meeting we approved the June
transcripts. We stayed right on RRAC business, so those transcripts have been posted on the internet for some time now. Hopefully you've all had a chance to download and take a look. I'll entertain any changes, corrections.

Hearing and seeing none, do I have a motion to approve the June transcripts?

MEMBER JOHNSTON: So moved.

CHAIRPERSON BANIS: Moved by Ron. Second?

MEMBER MUTH: Second.

CHAIRPERSON BANIS: Second by Al. Those in favor, aye. Opposed?

(A voice vote was taken.)

CHAIRPERSON BANIS: Thank you. Motion to approve the August transcripts for the RRAC meeting. That's the Recreation Resource Advisory Council meeting at which the DAC considered the Imperial Sand Dunes Recreation Area fee increase proposal. Do I have a motion to approve?

MEMBER JOHNSTON: So moved.

CHAIRPERSON BANIS: Second?

MEMBER SHTEIR: Second.

CHAIRPERSON BANIS: Second from Seth. All in favor, aye. Opposed?

(A voice vote was taken.)
CHAIRPERSON BANIS: Thank you. Transcripts are approved. You have the agenda in front of you today. Any last-minute additions, changes or corrections? Hearing and seeing none, we'll move forward.

Procedures for public comment. We ask you to come to the table and pick up a speaker comment card. We'd like you to complete that and drop it with Steve at the side table, and he'll bring those up to me in groups. My only request is that if you'd like to speak in a particular comment slot, I would like to have your card before we start comment in that slot. That way we can see how many speakers we have for that slot and better allocate our time. So thank you for that.

Also just a last notice. Your cell phones, if you would kindly turn the ringer off for us. And that should pretty much do it for the introductory comments for the meeting.

I'd like to now go around the room and have the DAC members introduce themselves to the audience, and I'm going to start, please, on my right. May I start with Kim.

MEMBER CAMPELL-ERB: Kim Campbell-Erb. I represent recreation, and I am a rockhound.

MEMBER MUTH: Al Muth representing wildlife.

I'm not a rockhound.
MEMBER O'BOYLE: Paul O'Boyle representing right-of-way.

MEMBER SHTEIR: Seth Shteir representing the environment.

MEMBER JOHNSTON: I'll just pick the whole thing up. Ron Johnston representing public-at-large.

MEMBER SHUMWAY: Dinah Shumway, geologist, nonrenewable resources.

MEMBER HOUSTON: Don Houston, nonrenewable resources.

CHAIRPERSON BANIS: My name is Randy Banis. I'm the representative for the public-at-large, chairman of the DAC, and to my left, April, would you introduce yourself, please.

MEMBER SALL: April Sall, public-at-large.

DIRECTOR RAML: And I'm Teri Raml. I'm the District Manager for the California Desert District and the designated federal official for this DAC. And I'd like to start out by having the BLM staff here introduce themselves, starting with Steve.

MR. RAZO: Stephen Razo, Director of External Affairs, Desert District.

MS. SYMONS: Katrina Symons, Barstow Field Manager.

MR. ZALE: Tom Zale, El Centro Field Manager.
MR. WAKEFIELD: Tim Wakefield, Associate District Manager.

MR. SYMONS: Carl Symons, Ridgecrest Field Manager.

MR. AHRENS: Mike Ahrens, Needles, Acting Field Manager.

MR. KALISH: John Kalish, Field Manager of the Palm Springs South Coast Field Office.

MS. WOHLGEMUTH: I'm Jennifer Wohlgemuth. I'm the District Manager Staff Assistant.

DIRECTOR RAML: And Al, maybe you could stand up. We have an illustrious retiree here.

MR. STEIN: More than one. I'm Al Stein. I was formerly Chief of Resources in the Desert District. I retired in January.

CHAIRPERSON BANIS: Very good. Nice to see you, Al. Thanks for coming.

The next item on the agenda throws back to Teri, State Director, and California Desert District Manager Report.

DIRECTOR RAML: It seems like every meeting I make my report shorter and shorter because I know that the interest is primarily in -- it happens later in the meeting with the field managers' reports, which is really where most of the action is. That's where the
work gets done is at the field office, so I'm going to be very brief.

I'll make a couple of announcements. I think I will I want to talk a little about personnel. I know people are interested in personnel. So Mike Ahrens introduced himself as the acting field manager for Needles, and that has taken place. Rusty Lee has taken leave. He's focusing on his health, so Mike is acting until he's not acting. We'll just do it that way.

Another announcement is, those of you who know Becky LaSalle, she's our Deputy District Manager for resources. She has accepted an assignment with the National Park Service in Alaska, darn it, so yeah, she'll be -- yes, that's two for Alaska. Actually there's three because someone from our public affairs shop in Sacramento is also in Anchorage, Alaska. For some reason or another, they're finding Anchorage a nice place to go. Becky will be moving to Alaska sometime in mid January. She sends her regards to everyone else.

Another one is a retirement. Greg Thompson, who has had a long career in the Desert District, he's retiring at the end of this month. And for those of you who are friends of Greg's, we're going to have an internal going away party for him here in the next month, but we want to have a big blowout event for Greg
sometime in January, so we'll be extending some
invitations to folks. And it will be pretty open, but
we're hoping to do something in tribute to his long
career and love of the outdoors. It will give employees
and friends and partners a chance to do something in the
out of doors, so we're hoping to have a nice picnic or
something.

Tim Wakefield is here. Also I think afternoon
people are going back looking to the weather and
figuring out their travel plans. I have to leave you
early this afternoon, and Tim will be sitting up here.
He is, as he says, our associate district manager, and
he'll become the DFO for the meeting in the afternoon
after I leave. So be nice to him, or not.

Let's see. The last thing I wanted to probably
talk about is the meetings themselves. Since we last
met, several of us took an 18-day unplanned-for
vacation. The field managers were actually called in
and did a lot of work during the furlough. I was
fortunate to be in Ireland, so I didn't even hardly feel
the furlough. But it seems like once a year we have
some kind of event that interferes with our
well-laid-out plans for DAC meetings.

And so our September meeting was supposed to be
on working landscapes, and we were hoping to be up
north, hoping to actually have an opportunity for
Richard Rudnick to address us with his family and his
background in ranching and talk about ranching on Public
Lands and then of course talk about mining. Well, with
the September meeting not being able to be held because
of the furlough and then December coming upon us, we
totally switched gears again. So we're going to do
ironically an indoor meeting on working landscapes, and
you'll see the agenda will be addressing that later this
afternoon. Then we kind of lost our volunteer partners'
meeting that was going to be for today.

I think the nice part is that -- and I know
Randy will talk about this later -- yesterday was one of
the days that -- I think I'll speak for me and field
managers too. It's very enjoyable for us to be able to
see the enthusiasm of the DAC members in play, so we
planned our next year's program of work. This is a
hardworking DAC. They worked hard this year, and our
accomplishments this year, including stepping up to be
an RRAC, takes a lot of work, takes a lot of
preparation. And they do their homework. They come to
meetings well prepared.

So after 2013 being a very busy meeting year,
they've actually laid out an even more aggressive
program of work and a little bit for us, but the nice
part for how this DAC works is that they pick topics BLM is working on and is very interested in so that we are in good alignment. And we're all going to work together, but I really want to thank this DAC. And yesterday was a fun day to see your interest, and you're putting on a pretty good agenda, and then the idea that our meetings are going to be pretty cool. So for those of you that are sitting out there, we're going to have a wonderful 2014.

And the last thing I'm going to say is, this doesn't come together by accident. We have wonderful DAC members. And I guess we've got three people that termed out. This would have been their last meeting. Meg Grossglass, who moved on to other things, left us earlier. Richard Rudnick, who we wish would have been here today to talk about ranching, but certainly during the time that he was on the DAC, I think a lot of people were able to spend personal time with him. And plus he was such a great host. I think just in my short tenure we had two wonderful barbecues he hosted. He's a remarkable man, and I think we're going to really miss him.

And then my colleague here -- this is his last meeting -- Ron Johnston. And fortunately for me in the time that I have with the DAC members, I usually get to
spend, you know, one time on a bus trip or one time
sitting across from someone at a restaurant. And I
think the time that Ron and I spent the most time was --
I think it was Redondo Beach.

When we have an extended conversation and I
really get to know people a little bit better, what I
get to know and really appreciate is their love of
Public Lands and their willingness for public service.
And so I think on behalf of the BLM -- and I think
Jennifer has got the plaque -- I would like to thank Ron
for his service. And I guess we should stand.

CHAIRPERSON BANIS: Yes. Take some pictures.

Steve is coming with the professional camera.

DIRECTOR RAML: Ron has got this coolest shirt
that Katrina keeps needing to get; right?

MS. SYMONS: Yes.

DIRECTOR RAML: On behalf of BLM, thank you for
your service. You're supposed to hold it.

MEMBER JOHNSTON: We can share it.

DIRECTOR RAML: Photographers.

MR. RAZO: Ready. Here we go.

MEMBER SHUMWAY: Turn the plaque around. It's
backwards.

DIRECTOR RAML: So you can see how Ron and I
got along.
MEMBER JOHNSTON: Here we go.

MR. RAZO: Okay. Perfect.

(Appplause.)

DIRECTOR RAML: One last word. Yesterday he gave us a couple of cautions which I think were wonderful, and the one that I continue to violate is, we try our best -- and I think our stenographer will think we do not do a very good job of keeping acronyms and jargon and techno-speak out of our language. And Ron reminded us yesterday that that's something that bugs him when it happens, and we will miss him reminding us, and we'll try to remember in his memory to cut the jargon.

MEMBER JOHNSTON: Thank you, Teri.

DIRECTOR RAML: I think that's it.

MEMBER JOHNSTON: Actually, though, I'm usually at a loss for words. For the past six years or two terms in serving on the DAC, I think for me have been a remarkable and rewarding experience, not just for me but for my wife, Pat, as well, who the DAC has been kind and generous enough to allow her to participate in many of the functions and projects that we have been involved with.

The knowledge, insight and friendship of some of the marvelous people that I have met during my tenure
on the DAC have just been tremendously rewarding. And
the public-at-large, I've done my very best to represent
the comments, suggestions and things that I hear in the
field. And thanks to the kindness and insight and
thoughtfulness of such people as Teri, Randy,
Roxie Trost, Jennifer Wohlgemuth, Steve Razo,
John Kalish and all the field managers as well as the
rangers and other staff members who I've encountered
have just been just exceptional people to work with. My
wife and I both want to extend our thanks to all of them
for being such great friends and great hosts.

And thank you, Randy, for running succinct,
relatively prompt, always well-organized -- usually
well-organized meetings that have been thoughtful and
incisive and focused.

And I believe that the DAC has a long way to go
for a long time in continuing to bring focus to some of
the concerns and thoughts that the people of the
United States might want to have voiced concerning the
management and use of their Public Lands.

And I would just like to thank all of you again
for your comradeship, your assistance, your knowledge
and friendship throughout the last six years.

(Appause.)

CHAIRPERSON BANIS: On behalf of the DAC, Ron,
we'll miss you here at the table, and we'll miss -- I
don't know that we're really going to miss you forever.
I think we'll see you soon and see Pat soon again, I
truly hope. Thank you. It's been nice to see you here
for as many years as well, Pat.

And a special word of thanks from me to Ron.
Six years ago it was -- it was Ron, quite frankly, that
put the issue of renewable energy development and its
potential impacts to the desert on my agenda. It hadn't
made it even onto the forefront of my mind until I
learned and heard from Ron.

I also would like to thank Ron for being there
for the DAC and me during the time that the Imperial
Sand Dunes Recreation Area Subgroup was rudderless
without a leader, and Ron kindly stepped in to help us
fill that gap during a very difficult important time.

I'd also like to thank Ron for personal advice
and his interest in my personal life over the years, and
I appreciated very much his advice. And also I think it
may be Ron that re-energized my newfound love for cars.
So when I thought about it, Ron has had a bigger impact
on me than I expected. So, Ron, thank you very much for
being my friend during these six years at the DAC, and
we'll have many more years of friendship together, I'm
sure. Thank you.
MEMBER JOHNSTON: Thank you.

CHAIRPERSON BANIS: Next item on the agenda, the Advisory Council Member Reports. And then I'll close out discussions from our previous topic. So let's start -- since we did introductions to the right, would it be okay to start DAC member reports to the left? Don, the floor is yours, if you have anything.

MEMBER HOUSTON: I just have one brief comment. I wanted to echo Teri's comments about the value of yesterday's meeting. I thought it was great. And then about the work ethic of the DAC members, I think that's in no small part because our chairman sets such a high bar for us all.

CHAIRPERSON BANIS: Thank you. Thanks.

MEMBER SHUMWAY: Thanks. Dinah Shumway, nonrenewable resources. I don't have anything to report. And I'm just glad the WEMO report that we worked on is done.

(Applause.)

MEMBER SHUMWAY: So I feel like I'm on vacation. However I really appreciated yesterday, and I especially appreciated yesterday because we were able to set at least target dates for our meetings for the entire year, which is absolutely critical in my life.

MEMBER SALL: Good morning. I also would like
to thank everyone who worked with us on yesterday's plan. I think it was a very useful time, and we got a lot of planning accomplished, and hopefully we're able to stick to that schedule. And I'll make some more comments later on, but I just wanted to thank the Needles Field Office staff for the Route 66 tour earlier this week. And we look forward to all the future meetings at all the field offices. Thank you.

MEMBER JOHNSTON: I really don't have anything else to add. I'm kind of talked out.

CHAIRPERSON BANIS: I guess. Seth, the floor is yours.

MEMBER SHTEIR: Nothing to report on the environmental side, but I'd also like to thank the DAC members and BLM staff and other folks who attended yesterday's meeting. I think the organization of the meeting really encouraged both public participation and participation from our DAC members. And I know we came up with some really good stuff. So thank you.

MEMBER O'BOYLE: Paul O'Boyle, right-of-way. I really don't have anything to report specifically, other than during the individual reports I have some individual comments, which I'll get to later. Thank you.

MEMBER MUTH: Al Muth. When you're seventh in
line, there's not much to add. Thank you.

MEMBER CAMPELL-ERB: Kim Campbell-Erb. First I want to thank Ron Johnston for his service on the DAC. I have really enjoyed your friendship and working with you during my term so far on the DAC. And I hope you will continue to be involved and come to meetings in the future.

MEMBER JOHNSTON: Thank you.

MEMBER CAMPELL-ERB: Other than that I don't have anything to report. I'll be talking about the SRP Subgroup later.

CHAIRPERSON BANIS: Thank you, all. What I'd like to do first is briefly point out the summary of our discussions yesterday as to our meeting topics for 2014, our meeting locations and our meeting dates. So I'm very proud of the DAC for having pulled their calendars out and put them in in ink because it really makes the year go by so much easier when we know our dates in advance.

The next meeting will be in Palm Springs on March 14 and 15 with the focus topic of DRECP public participation, and that would be for the Desert Renewable Energy Conservation Plan. The second meeting will be held in Needles May 9th and May 10th with the topic of connecting people with the desert, specifically
interpretive opportunities for the BLM and the public as
a partner to help interpret the desert for our visitors.

The third meeting will be held at the Barstow
area on September 26 and September 27. The topic will
again be working landscape but will focus on ecological
function. And our final meeting of 2014 will be back in
Palm Springs, December 5th and December 6th, on the
issue of climate change. So thank you again for setting
the agenda. I'm glad the public has this, and we look
forward to seeing you all with us at our meetings in
2014.

The last official meeting of the Desert
Advisory Council was in June, and we had the topic of
the West Mojave Plan Route Designation Network, and the
jewel that came out of that meeting was the subgroup
report from our West Mojave Route Planning Subgroup
chaired by Dinah. And the DAC accepted that report, and
we also accepted testimony and dissenting reports on
that work. It was a large volume of comment and a large
volume of information, and thank you to the BLM for
taking that and accepting it. And I hope it is coming
in helpful in your efforts to plan the West Mojave Route
Network.

Before we close out the West Mojave topic, I'd
like to update the DAC on a couple of items that are
happening in the West Mojave relative to OHV and routes. And the first is a letter from the Public Roundtable of Ridgecrest to the Desert Advisory Council. Actually it's to the Off Highway Motor Vehicle Division of California State Parks. It was cc'd to the Desert Advisory Council, and it's relative to the East Kern County Acquisition Project by the Off Highway Motor Vehicle Division.

Steve, I'm wondering if you could help me for a second. I think you could help with this. Thank you. Sorry for this. This is great. It will reach. We'll leave it plugged in for a minute. The East Kern Acquisition Project is a project of the Off Highway Motor Vehicle Recreation Division of State Parks. I'm just going to call that State Parks moving forward so it's easier to talk about this.

In the greater Jawbone Canyon area, which many of us are familiar with because we've had many meetings there and tours, you notice that in Jawbone Canyon area is a checkerboard arrangement of public and private properties. The purple or the bluish colors are the private property parcels that are currently being held by RENEW, which is a renewable energy development company. They had hoped of course to develop the area with renewable energy, and instead the company is
seeking to sell their property.

And the OHV division of State Parks connected with RENEW and have worked out a proposal to purchase these properties and to integrate them with the checkerboard BLM lands, including in the OHV open area of Jawbone Canyon and to create an area that is managed for off-highway vehicle recreation.

Right now the private property parcels do allow the designated route network to pass through their parcels and are comfortable with use by the public. They have a memorandum of understanding with the Friends of Jawbone to sign, maintain and fence the private properties in order to offer this designated route network across the private property to the public.

The Friends of Jawbone also has an agreement with the BLM Ridgecrest Field Office to assist in maintaining, signing and fencing on the BLM properties. The State Park released a draft environmental impact report earlier this year, received public comments and approximately 60 days ago released their final environmental impact report, which recommends the purchase of the property and the creation of this joint-management area.

The purchase is a two-step process. The way that State Parks acquires these kinds of properties is
to first do an environmental action, this environmental impact report, regarding just the question of the purchase: should it be purchased or not? Then there will be a subsequent planning process initiated by State Parks to determine what kinds of uses, infrastructures? Will there be more trails? Will there be less trails? Will certain activities be allowed? Will some activities not be allowed?

There will be another public process and a public conversation regarding going forward with this. Also a possibility is that the State might propose to create a state vehicle recreation area in these joint properties. The State Parks Division has -- I'm sorry. I'm going to guess -- about eight or ten state vehicle recreation areas, another acronym, SVRA. The SVRA's are managed by the State for OHV use. The OHV community very much supports this acquisition.

I have a letter from the Public Lands Roundtable. The Public Lands Roundtable by and large supports the acquisition, but their concern is that this area is a rich and historic tapestry of multiple use and multiple-use recreation. And although OHV use is a primary recreational use in the area, it is not exclusive OHV use. Significant upland game hunting opportunities exist there, as do gem and
mineral-collecting opportunities.

The Public Lands Roundtable wrote a letter that I passed to the DAC that was cc'd to me asking the State to work with the BLM in a way in which the BLM -- or in a way in which the multiple-use activities that are occurring in this area could continue to occur.

Unfortunately the final environmental impact report places what the letter describes as a paltry limit on gem and mineral collecting. They're going to limit collecting to five pounds of material, which is basically a rock, and not a very big one at that.

There is confusion over the future of hunting. The committee believed through their interpretation of the document that hunting will be allowed in the interim period but that the subsequent management planning decision may go the other way. And there is also the potential for some routes to be closed on the State properties that are acquired.

So this letter has been sent to the DAC, and they're asking for us to stay in tune. And my take from this would be, if we wanted to, to ask the BLM to work with the State Parks to create an MOU for managing this land that allows for the existing activities that we have today to continue in that area, activities that the people of east Kern County have come to love and enjoy.
in that area.

There. I hope that was a fair presentation on the issue. Are there any discussions, anything that the group would like to ask, anything that I would be able to speak on behalf of State Parks? I think I can answer or others. I'd be happy to take those. Don?

MEMBER HOUSTON: Mr. Chairman, you referred to an environmental evaluation of the acquisition itself?

CHAIRPERSON BANIS: Yes.

MEMBER HOUSTON: What did that look like? Is that an --

CHAIRPERSON BANIS: EIR.

MEMBER HOUSTON: It is an EIR?

CHAIRPERSON BANIS: Yes, it is.

MEMBER HOUSTON: Is that public?

CHAIRPERSON BANIS: Yes, it is.

MEMBER HOUSTON: There's a final out now?

CHAIRPERSON BANIS: Yes, the final 60 days ago. And as I understand it, there was a 30-day period following that release where entities who wished to take legal action are required to submit a notice to sue. That 30-day period has passed. There is no real protest period. So this is a post-final EIR discussion that's occurring, no question about it.

You know, I also want to add -- pardon me -- I
also want to add that where Friends of Jawbone has secured a meeting with the addressee on the letter, the deputy director has secured a meeting with the deputy director and his staff for late next week to sit down and work on these issues directly and specifically, and we're really, really looking forward to that very much. And any input that the DAC could have would be helpful in our discussions as well. Thanks again. Seth.

MEMBER SHTEIR: Mr. Chairman -- and perhaps this is a question for Al too -- is this area the location of Butterbredt Springs?

CHAIRPERSON BANIS: Yes.

MEMBER SHTEIR: I know that's a significant migratory birding spot.

CHAIRPERSON BANIS: It is. And the birding groups, the OHV watch groups and the general environmental community supports this acquisition. The draft document was framed by saying these are potential renewable energy properties, and we're seeking to integrate them into OHV instead and manage them for that purpose. And the environmental community felt that it was preferable to have this managed as limited use or as a joint-use recreation area than it would be to become a renewable energy development facility.

Subsequently, though, there are contentions
that frankly wind energy can't be built there. That's why they're selling it. If they could build there, they wouldn't be selling it. It's in a restricted flight corridor for military overflight testing. They are not happy about windmills there. It's also in an area that Kern County has not zoned for wind development. And before the DRECP went dark, early indications are that wind development wouldn't be allowed there either.

So my take is that the renewable company read the writing on the wall and wants to dispose of the properties. But nonetheless the discussion was framed as renewable energy or a managed open space OHV recreation area, and there was great support for this acquisition.

And again I'm not saying that I or Friends of Jawbone or any others oppose this. It's more that, what happens on the day after the lands are purchased? Will Kim be allowed to collect gems and minerals, and in what quantities?

I don't want to get too geeky, but you can see the blue parcels here. This is Red Rock Canyon State Park (pointing). So we do have a significant presence of State Park in that area. Gem and mineral collecting is not allowed, not allowed on those blue parcels.

Those blue parcels are down in the bottom of the canyon,
and that area had long been known for generations as arguably the best gem and mineral rock-collecting area in the Mojave Desert. Many people thought so. The reason it was such a good place to collect is because it was down in the bottom of the wash and everything washed there and you could get these pieces.

Well, where are those minerals washing down from? They're washing down from these higher areas, so there's still significant collectible minerals there. And that's a concern I would think that rock and gem and mineral collectors would have. And upland game hunting, this whole region is known for the best chukar hunting in California and on the east side of 395. So those are just some of the concerns that the folks in Ridgecrest and the Public Lands Roundtable wanted to bring up to the DAC.

Again if there's a motion of any kind of support or help, or if there's any other further comments. Dinah?

MEMBER SHUMWAY: Yes. So you're leaving it as we're going to be updated on this. Is it your proposal for us to weigh in at some time in the future? It sounds like it's sort of after the fact again.

CHAIRPERSON BANIS: I'd be comfortable with entertaining a motion urging the BLM to work closely
with the OHV division to develop a memorandum of understanding that respects the current diverse uses there.

MEMBER SHUMWAY: At the levels that they're already --

CHAIRPERSON BANIS: That's right. And I would say that would be the only focus of our advice that would be appropriate.

MEMBER SHUMWAY: Right.

CHAIRPERSON BANIS: We're not advising State Parks; we're advising the BLM.

MEMBER SHUMWAY: I'd like to put this issue to bed right now, so can we have some input from the rest of the members about whether they want to pursue a recommendation to the BLM to work with managers?

MEMBER O'BOYLE: Wouldn't these uses be grandfathered in?

CHAIRPERSON BANIS: No. Once they're required to become State Park properties and then are subject to the constraints, activities constraints that State Park properties do. Hunting is allowable in some State Parks, certain State Parks. But it's a special process, and it takes a special recognition. Very few do allow it, but some State Parks do allow hunting.

Some State Parks will also allow gem and
mineral collecting. If it is allowed, I believe there's a top limit of 15 pounds per day. But this environmental document has chosen to limit the collection to five, for example. So these are things that could occur, should it be the decisions of the BLM and the State Parks and the public working together on the lands.

MEMBER HOUSTON: Mr. Chairman, I would ask, normally during the CEQA process -- you mentioned an EIR, so I'm assuming it is a CEQA process.

CHAIRPERSON BANIS: Yes.

MEMBER HOUSTON: There is a solicitation of public comments, and my guess is the BLM did make comments on this EIR.

CHAIRPERSON BANIS: Yes.

MEMBER HOUSTON: And I would be reluctant to make a motion until I have read those comments because certainly I wouldn't want to make a motion that is contrary to the comments that are on the record today from the BLM.

CHAIRPERSON BANIS: Other comments?

MEMBER CAMPELL-ERB: Is there a remaining issue about who or how this area will be managed?

CHAIRPERSON BANIS: Yes. An MOU is in development at this time, and this is what we're -- I'm
proposing to seek to influence the MOU. That's what I'm seeking, not to influence a CEQA action.

MEMBER CAMPELL-ERB: So we have an opportunity here today request that in the memorandum of understanding the area continue to be managed consistent with the way the BLM has been -- under the same rules that the BLM has been managing the area to date, consistent with that? I would move -- this may be premature.

I would move that we recommend that the BLM take the position that the land continue to be managed consistent with the way it is currently being managed over the broader area controlled by the BLM.

CHAIRPERSON BANIS: Do we have a second to continue discussion?

MEMBER O'BOYLE: Randy, it should be until such time that they come up with a long-term plan.

CHAIRPERSON BANIS: That is right. There is a subsequent planning process. This MOU would be through this interim period.

MEMBER O'BOYLE: That's fine.

CHAIRPERSON BANIS: Is that a second?

MEMBER O'BOYLE: That's fine. I'll second that.

CHAIRPERSON BANIS: If I may, just a point of
clarification. If there's no objection after we've had a little more discussion, before we do take a vote, I think it would be good to hear from public comments. That's generally what we do. And one thing we could do is to discuss and postpone our vote until the public comment period of items not on the agenda potentially, and we could hear from them and we could pick up and have a vote following them?

MEMBER SHUMWAY: Would it be appropriate to ask BLM staff who are familiar with this to comment? That way we could get feedback. Teri, is that possible to do? Okay. I would like to hear from the BLM because I that's a good comment that Don made about what they already weighed in with.


MR. SYMONS: Carl Symons, Field Manager, Ridgecrest Field Office. The comments that we had to the acquisition were more broad ranging and not in the specific modes because what was before us is the acquisition alone. There isn't a management plan or what they had actually intended to do, so our comments to it was that we support the acquisition. We think that it's going to be a great opportunity having the
State Parks Department rather than private ownership that we have the ability and the public involvement to manage the land together and that we're looking forward to that. There wasn't anything in the comments that dealt with the future plans because it wasn't appropriate at the time and didn't want to cloud the issues.

Since then there has been conversations, and there was a meeting with the State Director and the State Parks Department and myself. I believe Teri was in that meeting as well, and at that time the State Director requested that I work with the State Parks in order to develop an MOU going forward. Mr. Ten was very supportive of this action. And just the overall direction that I got is, this is an opportunity once again for the State Parks and ourselves to work together to provide opportunities for the public that we could not provide individually. And that's the overall arching goal that we have.

I have started a draft MOU. I'm working with Mr. Gaffe any from the State Parks Department to basically, as you've kind of commented here -- I'm hearing maybe a little more, and this is good feedback, but that we would continue to monitor and operate as we have been operating. My understanding is it's a three-
to five-year process for State Parks to control that for
their management plan.

The other parts that I hadn't really looked
into, and that's something that I can discuss, is the
other portions of it, State lands, such as mineral
collecting and other stuff because we didn't manage
per se that part of the private land as we had it. The
agreement was for the protection of the resources for
controlling off-road traffic, erosion, keeping and
maintaining the trail system that we have and public
safety in the area.

And in the MOU drafting also is a fact that
we'll take advantage of both State Parks law enforcement
and our law enforcement as staffing and budget allows.
And they have started to step forward. Over the
Thanksgiving holiday we had an entire time from
State Parks and Jawbone area, which was very much
appreciated to try to help with that, especially since
this was a higher use than the last few years.

CHAIRPERSON BANIS: Just to follow up on Don's
question -- and then forgive me if I mischaracterize
it -- do you see a conflict between the motion and
position stated by the BLM during that CEQA process?

MR. SYMONS: No, not at all.

MEMBER HOUSTON: You're forgiven. No. What I
heard is that the issue of continuing the existing uses under State ownership was not addressed in the written record, as evidenced by their comments during the public comment period. Is that accurate?

MR. SYMONS: I can't speak specifically to that. I haven't gone through the EIR in that extent. There is an MOU. We're working with the State in order to develop that. Basically the State will have their land, and we'll have our land. This MOU is where we'll decide how we're going to do that. We have to come to an agreement between the two. We can't force the State Parks into anything, just as they can't with us. But it behooves us both -- as you can see from the map there, there's pretty much to do much for either side without cooperative agreement to manage those types of lands.

MEMBER HOUSTON: I see it as neighbors trying to get along here.

MR. SYMONS: Yes.

CHAIRPERSON BANIS: Yes.

MEMBER HOUSTON: Okay. Is the MOU process subject to public review and comment?

CHAIRPERSON BANIS: No.

MR. SYMONS: No. One other thing I will say is that in the comments one thing I did get is that BLM is committed to the multiuse directive, that it doesn't
change our directive as far as our lands. And that was
included in there, but that's the basic of BLM's
mission.

MEMBER HOUSTON: That's what I wanted to here. My only concern is, I don't want to make a motion that is contrary to the BLM's position. And I haven't reviewed the written administrative record, so I'm kind of flying blind here, so there's a little risk, I think, of making a motion at this time.

But based on Carl's comments and the BLM's support of the continuing mixed use, I'd have to hear the motion again, but my discomfort is lowered.

CHAIRPERSON BANIS: Let me just put forward a scenario that is, I think, what some of the public sees. They would be frustrated if they were on one of these green lines and were doing upland game hunting. And you get your gun out, get it all loaded or whatever. You're doing your hunting for one mile, because every one of these squares is a mile, and then, oh, there's a new thing that's got to be posted. They've got to have signs posted, everything. No hunting. Put your gun away, da, da, da, da. You do that. Go away. Now there's another mile. You can do that here, and then you can't do it for the next mile.

Or then the rockhounding and so forth and the
cumbersome nature of having to -- it's hard enough for the public to follow one rule set in these areas, and to now have two rule sets that are on a parcel-by-parcel basis is what I'm reading is something that the public would like to avoid seeing that. I'm sorry. I interrupted Al there.

MEMBER MUTH: It seems to me from what I've heard that what you were asking for is already ongoing, that there is a cooperative effort underway, that an MOU is being pursued by both agencies.

CHAIRPERSON BANIS: Yes.

MEMBER MUTH: So I'm not sure I quite follow what the issue is or what you want that isn't already underway. Hang on, Randy.

CHAIRPERSON BANIS: Good point.

MEMBER MUTH: The other thing is, I'm uncomfortable with proceedings of this nature because this is the first time I've seen it. And as Don says, I have no idea what the background documents are for this, so I would think it's a little premature to make a recommendation to pass on to the Bureau, but it sounds like it's already happening.

CHAIRPERSON BANIS: As Don asked about how MOU's are developed, they're not developed necessarily for public comment and public scrutiny, so this
conversation is creating revelations to us, and we're getting new information and helpful information on this. And I'll agree, you know, I'm happy to hear what I've heard from Carl here. That makes me feel comfortable. I don't see anything wrong with us saying, kudos, carry on.

DIRECTOR RAML: Can I add something, Randy. Maybe this will help a little bit. I think Carl and I have been involved since the very beginning -- actually even Daphne Green was still with the State Parks division. Hector and I were involved. I think the process is similar to a lot of our processes. There's the EIR that goes to the acquisition, but with the EIR with the acquisition there's certain statements made about potential future land use.

I'll try to see if this works. What the issue is, in a way, is a level of trust that -- okay. Everybody thinks the acquisition is great. What the concern is, is once the acquisition is made, what is the level of commitment to working together and not, you know -- and I think it would be a little naive of us to say there is no potential for any changes. I mean, the State Parks has the way they have done their business, and so has the BLM. And I think if I can kind of surmise what's going on with the Friends of Jawbone is
that they want some kind of assurance that there's a process and discussion before there is a change made.

So everybody likes the acquisition, but then what? And I think that's what's here: but then what? And the EIR that covers it doesn't make any commitments on future management. It just says the potential for management in the future and could include the following. And like Randy and the other group bring up, if you look to how State Parks normally manages, you'll have fees, hunting may be restricted, you know, so I think people are -- it is appropriate for people to be concerned about what will be the management framework in the future, but we're not there yet.

MEMBER HOUSTON: Yeah. Usually these are lengthy processes. And our next meeting is in March, and I think the council needs time to do its due diligence on this issue. I think it is an important one and, I think, something we should address. But I think it would be more prudent to table it until the next meeting so we can do our due diligence then bring it to the vote of the --

CHAIRPERSON BANIS: May I ask, what do you envision for timing on this, Carl? Now, They haven't bought the land. They've got the okay to do it. Theoretically I think they could go and do it. And
you're doing the MOU. What do you think is the timing
is on this?

MR. SYMONS: First of all, we can't enter in
the MOU until they own the land. That's the first
issue. I can't have an MOU on an area they don't own.
So that's the first limitation that will happen is, the
acquisition has to be finalized, and they have to take
possession.

The second part is up to the Parks and myself
or the BLM to do. And these discussions are really
great as far as Mr. Chair. I appreciate you bringing it
forward. I've actually written some things down here
that as I go back in tweaking it in our discussions that
I hadn't actually looked up because it sort of deals
with them, but maybe there is that possibility to bring
more of a joint management together for the convenience
of the public, which is, I think, both of our needs.

And I agree that, as you go down and you cross
over a section line which aren't marked because they've
been managed basically together, it is confusing for the
public at best. And that's why the importance of this
MOU so there is a consistent management strategy for the
area. And I'd be happy to bring it up as a topic at the
next DAC meeting and keep the DAC informed of where
we're at in the process.
CHAIRPERSON BANIS: Kim?

MEMBER CAMPELL-ERB: I have a couple of questions. First when would they anticipate that the acquisition would be complete? And what happens with the management plan for that land in the interim after the acquisition is complete, because the public is still going to be there, and there are still going to be these checkerboards, and the public is not going to know for the most part whether they're on an area where they can collect a reasonable amount of rock or whether they're going to be limited to five pounds, which is ridiculous, really.

And I think that's where the concern is. The people who use the desert are going to continue to be out there. So the interim plan once the acquisition is complete is of great concern to a lot of us.

MR. SYMONS: When the acquisition comes through, the Parks Department will manage their land, and we'll manage those. Still without an MOU or anything else, they'll be like any other landowner until the MOU is put together. That's one of the reasons why we don't want a long delay between the acquisition and the MOU in order to try to put something together in order to have that consistency. But until that time it's the State Parks that will regulate their own land
and -- well, they always will, but they'll regulate their own land independent of BLM until we have an MOU or some sort of agreement in place. And that's one of the issues that you'd have to take up with the State Parks.

CHAIRPERSON BANIS: April?

MEMBER SALL: Thank you. Being that this is the first time I've heard this issue, it seems to me that there is still plenty of opportunity. And it's a good time for this issue to be brought up to the BLM's attention and for the public comment to be considered, but it seems to me premature for the DAC to make a recommendation given how early we are in the process. I'm fairly familiar with the checkerboarded land ownership challenges and how that land goes forward and, you know, with Wildlands Conservancy and checkerboard acquisitions.

And we certainly had lots of conversations with BLM, but my understanding is that it pretty much functions as a status quo until there is a management plan or actions taken. So I think that it sounds like there is time for us to make appropriate recommendations at appropriate times. I'll see if DFO has any other thoughts.

CHAIRPERSON BANIS: Don, do you want to make
your recommendation, do a motion to postpone until our
next meeting?

MEMBER HOUSTON: Is that really necessary? If
the motion before us just dies, then as chairman you can
agendize anything you want to. So I don't think we need
a motion.

MR. ALGAZY: Will the public get to talk before
you make a decision?

CHAIRPERSON BANIS: The reason I'd like to have
a motion to postpone is so that the public sees it's
still on our table, that we didn't just let a motion
die.

MEMBER HOUSTON: Let's listen to the public,
and then we can vote.

CHAIRPERSON BANIS: Is that fine? Would you
like to do that?

MEMBER HOUSTON: Yeah.

MEMBER SHUMWAY: Yes.

MR. SYMONS: Mr. Chairman, one thing I want to
make sure I understand is that just as the acquisition
and the planning is a two-part process, there will end
up being two MOU's. One will replace the other. The
first MOU will be the interim MOU, which will be managed
until such time as a management plan is put together for
the Parks. And then a much more detailed and in-depth
MOU, depending on what comes out of the planning process, will have to be put. So I wanted to make sure people understand this won't be the MOU that stands from here on. This is an interim MOU to get us until the planning process is done; okay?

CHAIRPERSON BANIS: Very good. Before we take that comment, if there's no objections from the DAC, I'd like to move to this second rather related item, and we may be able to hear from the public on both of these in that same opportunity. Thank you, by the way. Thank you all for your thoughtfulness and the comments. And I think this is going to be an interesting topic as we continue.

Here we are back again. I wanted to make the board aware of a neat development in Los Angeles County. The County of Los Angeles receives money from the OHV division to manage off-highway vehicle use in the county. At this time the County has very little facilities themselves for OHV. They have been using the money to help contribute to infrastructure improvements in other OHV areas like, for example, a Forest Service OHV area in San Gabriel Canyon. They've used money to put in an obstacle course for recreation. But they don't have a recreation area of their own, L.A. County, and they've been trying to put in an OHV park somewhere
in the county for many years, and they seem to be run 
out of every neighborhood they go to.

This is an unusual situation where -- what we 
have here is, this is outside of Little Rock or outside 
of Palmdale. This is the Angeles National Forest. 
These are private parcels. These four areas here are 
private parcels, private parcels that have been a 
longstanding de facto OHV use area. It is a highly 
developed network of primarily four-wheel drive trails 
there. Adjacent is this parcel of BLM lands. It 
contains that same network.

The Forest Service has been unable to develop 
any egresses in here because it doesn't have any nexus 
through either of those properties. The County of 
Los Angeles applied for an acquisition grant from the 
OHV fund and received it last year, so they have the 
money to make this purchase, and there is a willing 
seller.

And it's a small area. The whole thing 
together, 550 acres. This is a mini-park. This may be 
the future of OHV, quite frankly, in going forward. I 
personally think the days of big, hulking gigantic tens 
of thousands of acres OHV areas, I think that's over. I 
don't think that's in our future anymore.

When I see the Desert Renewable Energy
Conservation Plan looking to essentially designate each square, every acre of the desert, as something, I've seen some of the preliminary planning before it went dark, and there are no future OHV open recreation areas in that DRECP plan. There are no new OHV open areas. So what we have now for OHV open areas in the California desert in my opinion is pretty much going to be it for perpetuity.

And those are shrinking. Even though we have them, they are still shrinking. The potential loss of a third or more, up to two-thirds of Johnson Valley may be just down the road. We've lost a lot of recreation in this area. This area right down in here, Little Rock Dam Recreation Area, used to be a network of OHV trails and used to be an OHV open area. It is no longer. So the community of Little Rock, the Little Rock Town Council and members of the Vehicle Recreation Community of the Antelope Valley are supporting this project by L.A. County.

A meeting was held in Little Rock last month. Nearly 300 attendees mostly from the Antelope Valley turned out in support of this. So if there were a statement from the DAC on this, I would envision it would be something maybe limited in just saying that we'd ask the BLM to cooperate with Los Angeles County
Department of Parks and Recreation as it moves forward to explore the potential of a jointly managed 550-acre OHV park.

I'm not going to talk for Parks and Recreation or the County. My guess is that these parcels, if their process continues to go through only on their own, they will still purchase and try to develop that as a recreation area. But these adjacent BLM lands that just are left alone out there, I think, would make a great companion area for nice OHV mini-park for the people of Little Rock. That would be all we could say is to cooperate with L.A. County in developing a jointly managed OHV park of the Little Rock area.

Thank you for letting me bring this up before I turn the floor over to the DAC. Dinah?

MEMBER SHUMWAY: Is there opposition to this project?

CHAIRPERSON BANIS: Opposition is from the Juniper Hills Town Council. Juniper Hills is over there (pointing) off the map. There are concerns of dust, concerns of noise and concerns of fire. I have to say that whether or not these properties are purchased, whether or not this is made into an OHV park, this activity is occurring every single day there, significant desert dumping. There's not a day in which
there isn't use out there, unmanaged use. No one is checking for spark arresters. No one is checking for alcohol use in driving. No one is checking for anything.

To make this into a managed OHV park would introduce containment, which has been asked for. Containment. Mitigation could include no overnight camping. It would allow the sheriff's department to have a presence there and to be able to patrol. And so essentially this area is a de facto OHV use area, and we're hoping to legitimize this as an official area to bring the potential impacts better under control.

MEMBER HOUSTON: Mr. Chair.

CHAIRPERSON BANIS: Don.

MEMBER HOUSTON: Just for my clarification, in your mind this is an L.A. County project?

CHAIRPERSON BANIS: Yes.

MEMBER HOUSTON: What is the nexus that this project has with BLM land-management responsibilities, in your mind?

CHAIRPERSON BANIS: It would be to request the cooperation -- L.A. County has approached the BLM for input on the potential of having a jointly managed OHV park there. And I would just say that we'd like to encourage the BLM to continue those discussions and move
forward with that.

MEMBER SHUMWAY: Is the County looking to have a joint management?

CHAIRPERSON BANIS: Yes.

MEMBER SHUMWAY: Okay. Fine.

CHAIRPERSON BANIS: But if all they get is their own private parcels, they'll do what they do on their own, but they'd like to have a larger. I wish this would do it a little better. I don't know that this is going to really do it. Do you see the network of trails here? This is the approximate private parcels would be right here, and the BLM parcel is over here (pointing). And the boundary with the Forest Service is right across there. That's the Forest Service boundary there, so it's very small, just in this area. April?

MEMBER SALL: What have been the conversations with the Forest Service, and what have been their commitments to any cooperation in enforcing boundaries, and what are the current OHV policies in that part of the forest?

CHAIRPERSON BANIS: There are no designated trails, no designated OHV use on the Forest Service lands in that area. The Forest Service is withholding comment because there is no action, official environmental document yet to comment on, and the Forest
Service is being tightlipped about it.

There is no barriers at the boundary at this time. And so I've been there, and you don't know that you're crossing into those lands by any nature whatsoever. No one is turning around and going back that road. They just keep on going on.

MEMBER SHUMWAY: There's no signs because it's not a designated road?

CHAIRPERSON BANIS: There's no sign. There's no fence. There's no anything. And if this property were an OHV area, the mitigation being proposed is that it would be contained with fencing.

MEMBER SHTEIR: Mr. Chairman.

CHAIRPERSON BANIS: Yes, you bet. Seth, please.

MEMBER SHTEIR: Quick question. In the Forest Service adjacent area, is it federally designated Wilderness, or is it --

CHAIRPERSON BANIS: No, not Wilderness. I don't know what their equivalent to limited-use designation is, but it is not Wilderness.

MEMBER HOUSTON: Does she need a break?

CHAIRPERSON BANIS: Are you okay? Diane, are you okay?

THE REPORTER: Within the next few minutes a
break would be great.

CHAIRPERSON BANIS: Sure. That's good. I think we're close to finishing this, and we'll be about to take public comment on it shortly. Do we have other comments, or is that good, or is there a motion, or do we not want to hear anything on this issue?

MEMBER SALL: We do not have a motion yet; correct?

CHAIRPERSON BANIS: We do not have a motion.

MEMBER SALL: I would suggest if we did propose a motion, that it contain conversations in cooperation with the Forest Service as well.

CHAIRPERSON BANIS: Very good. Do you want to make a motion with that so we get it on the table?

MEMBER SALL: Public comment.

MEMBER HOUSTON: Yeah, I thought we were going to listen to the public first.

CHAIRPERSON BANIS: Very good. Okay. Very good. Generally I like to have a motion to speak to or to hear on, but I'll allow general discussion.

MEMBER JOHNSTON: Randy, so there has not been an EIS done on this?

CHAIRPERSON BANIS: No. Very good. It sounds like the DAC would like to hear from the public, and before we do, we're going to take a brief break for our
stenographer to rest a tad and get ready for fast and
furious words on the public from this. Thank you very
much. We'll be back in ten minutes? Ten minutes,
please. Don't go far.

(A brief recess was taken.)

CHAIRPERSON BANIS: Thank you very much for the
short break. And if everybody could take their seat,
we'll resume with public comment for items not on the
agenda, but we'll also include our items we've discussed
just a few minutes ago.

The first speaker is Carl Symons, BLM. Items
not on the agenda.

MR. SYMONS: Thank you Mr. Chairman. I would
just like to read a little statement for informational
purposes, some activities that are going on at the
corrals situation we have.

Basically, "In the past 30 days the Ridgecrest
Regional Wild Horse and Burro Corrals have reported 15
horse fatalities that appear to be related to a single
undetermined cause. The Bureau of Land Management is
working closely with state and federal animal health
authorities along with a local veterinarian to determine
the cause and decide the best course of action to
protect the health and well-being of the wild and horses
and burros at the Ridgecrest Corrals.
"At this time the cause of the deaths does not appear to be contagious. The California Animal Health and Food Safety Laboratory in San Bernardino is testing samples from affected animals and feed supplies, and the results are still pending.

"A wild horse and burro adoption planned for December has been canceled, and no animals have been adopted since October. Animals are not being received or shipped from the facility. The Ridgecrest Corrals have approximately 800 wild horses and burros at this time.

"Additional information will be provided as it becomes available."

And we also have Steve Razo as a public contact if anybody has any questions or further information down the road, and his number is 951-697-2517 (as spoken). And this information will also be posted.

MR. RAZO: 5217.

MR. SYMONS: Sorry.

CHAIRPERSON BANIS: Read the number from the start again. I'm sorry.

MR. SYMONS: I'm sorry. 951-697-5217, and it will also be posted on our website.

CHAIRPERSON BANIS: Thank you.

MR. RAZO: If I may add, there is a copy of
that statement out on the table now for the public, and
as Carl indicated, it will be going live on the website
at any moment. He needed to make the announcement
first.

CHAIRPERSON BANIS: Thank you. Next speaker,
three minutes, Ed Waldheim followed by Gerry Hillier.
Ed?

MR. WALDHEIM: Thank you, Mr. Chairman.

Ed Waldheim, California Friends of Jawbone, Friends of
El Mirage and California Trail Users Coalition. I would
respectfully request all of you to please vote on the
motion that was presented to you by Kim and seconded by
Paul. Why? The State Park is on a mission. They're on
a mission to create an SVRA, state vehicle recreation
area. They already have plans in place. They already
know what they're going to do. They're just buying time
to jam this down our throat. They want to be the big
boy, the big gorilla. They say now that the BLM is the
minority property holder, just a gall for them to say
that.

Carl is doing everything in his power to do the
MOU, but he needs to know that you guys are behind him,
that what he does is on behalf of the Bureau of Land
Management. We cannot let underlying -- big
underlying -- to let the State Department of Parks and
Recreation run us over, shotgun over us and just run over us. All you would be doing is supporting Carl to negotiate to work on a good MOU and then come back to you to work on it, because trust me, they are on a mission, and they are not going to stop.

Just look at the fiasco in Red Rock State Park. They just closed a trail that's been open for 50 years, Nightmare Gulch, no public, nothing. Then the slide came down. Then they realized, we made a mistake. We didn't need to close it. We need to have the environmental documents to open it up again, but we don't have any money. Therefore we are out of luck.

I do not trust the State Parks. I work with those people, but trust me, they are holding the Bureau of Land Management in contempt because, yes, we have managed poorly a lot of areas in the BLM. There's no doubt about that. But Jawbone Dove Springs is a totally different place. There is nothing -- I'll put Jawbone Dove Springs against any other SVRA any other place in the world on how it's managed. We're doing management better than anybody else with $500,000 versus the State Parks' 200,000 acres of SVRA's that have been used, $13 million, and all we get is 500,000 to work on 1.9 million.

So trust me, please make a yes on the motion.
You're not giving anything away, but you're giving Carl
the support to do the right thing for the public for the
general use to continue as it is right now.

As far as L.A. County is concerned, we would
like you to make a motion to support because we'd like
to get those BLM lands that are unclassified around that
area to be in participation with the Los Angeles County
so they can utilize it and manage it so it's a win-win
for all around. So we'd like the DAC to support that
project and ask the BLM to please proceed and get that
going. Thank you.

CHAIRPERSON BANIS: Thank you, Ed.

Gerry Hillier followed by Marie Brashear.

MR. HILLIER: Good morning, council, and good
morning, Mr. Chairman. Actually I'm going to speak to
three points very quickly. The easy one first, items
not on the agenda. I want to repeat a request that I
had made earlier at previous meetings relative to the
Desert Tortoise Recovery Plan and the recovery
implementation team work. It's been about a year since
they have surfaced. Fish and Wildlife has not completed
their review. It supposedly is not in the public, even
though I think some of it has been circulated.

In the conversations that I've had with Fish
and Wildlife, I would like to emphasize that I think
there's a role for the council to play in terms of looking at these recovery implementation actions that are proposed and for the council -- or at least BLM to discuss the extent to which they have provided management review. And I think it's a function going on that I think is of direct interest to the council on a district-wide basis because all of the Mojave Desert and all of the Sonoran Desert has been covered with these proposals, and I think it's something there that certainly the BLM -- even they didn't ask for your advice, there needs to be full disclosure of how they're going to proceed because it is going to carry on implications for continuing land use separate and apart from the land-use plans.

Second, I'm sorry that the local government representative for the council today, Zack Scrivner from Kern County, is not present. The subject relative to Jawbone that you brought up not only is a perfect example of why the council has a local government representative, but this happens to fall in Kern County Supervisors District No. 2, which is his district. And so I would urge you, whatever you do and whatever contact you make, that you get specific input from Kern County in terms of their thoughts and recommendations regarding this. I think that's
critical.

One of the things -- and I'll remind the
council what they -- I guess it was at the meeting
almost a year ago, one of the things Zack said -- and it
was echoed of course by both Riverside and
San Bernardino Counties -- no more land acquisition
taking land off the tax rolls. Kern County has been
very, very adamant about this, and this is a perfect
element.

As far as the proposal in Jawbone goes, I think
it's just disastrous. With Red Rock State Park, they
may acquire it at this point as a motor vehicle
recreation area, but with the Red Rock State Park
sitting next to there, there's no --

(Interuption in proceedings.)

CHAIRPERSON BANIS: Please.

MR. HILLIER: -- there's no guarantee that it
will remain that. Remember that Red Rock 30 years ago
was originally established as a State Recreation Area
under State Parks administration. Later it was changed
to a State Park. And then subsequently under the Desert
Protection Act it was expanded to incorporate even more
land. And as far as I'm concerned, beyond the State
Vehicle Area, that's the 800-pound gorilla in the room.

And my experience certainly over a number of
years of working with inter-agency operations like this, 
if State Parks gets that land and gets the proverbial 
camel's nose into the tent, they will end up trying to 
dominate management and will tell BLM how that is to be 
taken care of.

And I think it's fair to remind the council 
this area was a subject of litigation some years ago to 
remove off-highway vehicle use. And Judge Toshima in 
District Court had an exchange with the Sierra Club 
attorney, which was, I think, meaningful and something 
to remember. This area has been managed as an open area 
in Dove Springs and then as an open trail area, and the 
the Sierra Club wanted the entire area closed. They 
sued the Bureau in the early '80s. It was almost 30 
years ago. I apologize for being an old guy and 
reminding people of history, but I remember the judge 
took the case because he had desert experience and he -- 
it was a joke at the time there because he had spent his 
youth at Manzanar. He was the same age as I was.

And so at any rate, he said, "Ms. Reams," who 
was the Sierra Club attorney, "what's going to happen if 
I ask BLM to close this area?"

And she said, "Well, nothing except that this 
is the first, really, area of public land coming north 
from L.A. that people discovered long before BLM got
into management. But if you close the area," which in
their opinion it needed, "there's a perfectly good open
area about 30 miles north in Spangler Hills."

And the judge said, "What's going to prevent
you from coming back before this court ten years from
now and saying, 'Well, it's being overused; close that
area too, judge'?"

And she said, "Nothing."

And so remember, these open areas and these
designated-use areas are critically important, that the
BLM form a multiuse management for rockhounding, hunting
and general recreation is extremely important, and the
current level of management needs to be maintained.

CHAIRPERSON BANIS: Finish up very quickly,
please.

MR. HILLIER: Last point, L.A. County, tell
them to get a Recreation and Public Purposes Act Lease.
Get BLM out of there because it's a small track. The
reason they've got it is because BLM can't afford to
send anybody down there. Now cooperative management is
absolutely impractical. Turn it all over to L.A. County
under RNPP.

CHAIRPERSON BANIS: That's what they're asking
for.

MR. HILLIER: Okay.
CHAIRPERSON BANIS: Don, question.

MEMBER HOUSTON: Going back to your first statement regarding the Desert Tortoise Recovery Implementation Plan, what is your knowledge about the level of coordination between the service and BLM right now?

MR. HILLIER: They say they're talking together, but I am not aware of much dialogue that has been going on. I have personally not been aware of any. The service assures me that they're going to have a management oversight group meeting which should bring all the parties together, but a date for that has not been set. And my organization, QuadState Local Governments Authority, has been pressing the regional office to call this together so there is a formal dialogue that goes on not only with BLM but other federal agencies involved, but to date that still has not happened.

CHAIRPERSON BANIS: Thank you, Don. Thank you, Gerry.

MR. HILLIER: Thank you, Randy, for letting me run over.

CHAIRPERSON BANIS: Thank you. Marie Brashear followed by Jay Erb. Good morning, Marie.

MS. BRASHEAR: Good morning, Randy.
CHAIRPERSON BANIS: Nice of you to join us yesterday too.

MS. BRASHEAR: Thank you. I have two or three points I want to make probably within three minutes. The first one is that I have been involved with the acquisition at Jawbone for since they came and said they wanted to do it. I think both Gerry and Ed, if you look at carefully what they said, were basically saying the same thing, that you should vote on something so that Carl knows that he has your support. But I also think the State cannot be trusted. And so it has to be -- and Carl is that kind of a manager -- it has to be somebody who is pretty strong to work out the MOU.

If you're worried about signing on to a document, you get a chance to comment on the management plan, what they say they're going to do with the area. That's the real EIR, so you aren't losing anything. And as a rockhound myself, five pounds out of there is nothing, maybe a rock about that big (indicating). And it is nothing. The one in Los Angeles County definitely, BLM needs to get out of there, give it to the county of Los Angeles on an RNPP. It's a wise move. And I think those are the comments I wanted to make.

Thank you.

CHAIRPERSON BANIS: Thanks, Marie. Thank you.
We have Jay Erb followed by Jim Bramham, please.

MR. ERB: Good morning, Mr. Chairman --

CHAIRPERSON BANIS: Good morning.

MR. ERB: -- and members of the DAC. I'm pleased as punch with the turnout of rockhounds today. It's actually tightening me up a bit.

Okay. I would like to ask the DAC to consider the possibility of allowing possibly selling a limited number of permits to rock clubs for access to some of the historic published collecting sites within Wilderness areas or other areas managed by the BLM where we can no longer collect. Perhaps this could be allowed under the umbrella of multiple use. That is my comment.

Thank you.


MEMBER SHUMWAY: Hey, it's Santa.

MR. BRAMHAM: Fat old guys are not well appreciated most of the year, so we have to take advantage of the moments that we are.

CHAIRPERSON BANIS: Ho, ho, ho.

MR. BRAMHAM: Thank you, Randy. Very well done.

Comments as to the land acquisition. We seem
to be on both sides of the Golden Rule. The gold of the
"He who has the gold makes the rules," State Parks has
the money, they are the only folks who have the money to
be able to buy this piece of property, and thus they are
going to try to invoke as much rule as they can.

The other side of that Golden Rule is, "Do unto
others as you would have done to you," and it's
incumbent upon State Parks to try to work with all of
those who have concerns to be able to create a positive
outcome to this.

And the OHV level of distrust for the State is
very high. We look at acquisitions at Hollister that
took 17 years to get vehicles back on. We're still at
Carnegie State Vehicle Recreation, still trying to do
something that dated back to the '90s for an
acquisition. So their history of acquisition -- and of
course we're doing the same thing at Ocotillo Wells. So
all of those make the OHV community very nervous about
the idea of the State being involved in something like
this.

So I think the idea of you folks doing some
form of an agreement or an MOU push where BLM tries to
push some more of its authority, some more of its
authority to actually be on the ground there better than
State Parks is a good thing.
And on the other side of that, you look at Little Rock. Again he who has the gold makes the rules. The State has the money to purchase that for L.A. County, and you are asking them to move forward with that. So there's some form of deal. But in that case they're willing to hand L.A. County the fee simple title to that, and it will make it an entirely different acquisition style.

But at the end of that we certainly hope that the Bureau of Land Management will step way from that isolated piece of property that's up against Forest Service land, and once it's designated, that purchase is done and the L.A. County takes control of the adjacent lands, that BLM will just completely step away from that and let L.A. County be the owner and primary manager.

Thank you.

CHAIRPERSON BANIS: Thank you, Jim. Thanks for coming today.

MR. BRAMHAM: Oh, no problem.

CHAIRPERSON BANIS: Ron Kemper followed by Mark Algazy. Good morning, Ron.

MR. KEMPER: Good morning. Ron Kemper, K-e-m-p-e-r. I was invited here today to talk a little about grazing issues, but before I get into that, I did want to ask Carl, I recognize the map that was up on the
screen as being part of an active allotment, being the
Onyx Ranch. I'm assuming, even with the State buying
those private parcels, that that won't affect that
allotment and how it's run, or will there have to be
adjustments made?

MR. SYMONS: As far as the graze allotments,
definitely it will add some complications to it
concerning that those lands are private lands -- well,
they belong to the State; they don't belong to the BLM.
And trying to do a grazing allotment in checkerboard
without the cooperation is extremely difficult, and
those are discussions that we're having right now with
the State to try to determine how we're going to work it
out. We've also had those discussions during the EIR
acquisition, how we're going to manage the grazing. But
final decision has not been done yet.

MR. KEMPER: My concern is for the economic
viability of that remnant holding. There are some major
water sources that are in those checkerboards that
probably affect 30 percent of that ranch, easily 20
percent of it. So without addressing those issues, it
will make managing the remainder a very expensive
proposition because fencing will be required and that
sort of thing.

MR. SYMONS: Correct. Grazing has a lot of the
same issues as the OHV does. When you're in checkerboard situation, in order to make it viable and economic and run together efficiently, there needs to somehow be an agreement in order to manage it in one direction with one type of plan.

MR. KEMPER: Yeah. So from the producers' standpoint, or at least those of us that are still in the desert as producers and that are grazing on Public Lands, we'd like to save those opportunities not only for us but for future generations, if possible.

Thank you, Carl. When I was invited here, I guess they wanted me to give a little bit of history of grazing and the economic viability. Do you want me to do that at a later date?

CHAIRPERSON BANIS: We've got you on the agenda next. After this discussion is over, you're on.

MR. KEMPER: Very good. Thank you.

CHAIRPERSON BANIS: And by the way, Ron is a former chairperson of the Desert Advisory Council. How many are in that club in the audience today? Look at that. We've got two members of the former DAC chair club members. Maybe one day they'll accept me into the club.

Last comment is Mark Algazy. Mark?

MR. ALGAZY: Everything has already been said.
CHAIRPERSON BANIS: Thank you, everybody, for your input on those items not on the agenda and for the two items that we've discussed today.

Any discussion on behalf of the DAC? We have one motion on the table relative to East Kern Acquisition. We do not have a motion on the table relative to Little Rock OHV area.

MEMBER SHUMWAY: Can we have a motion reread.

CHAIRPERSON BANIS: Do you have that?

THE REPORTER: Yes. Who made the motion?

CHAIRPERSON BANIS: It was made by Kim Erb.

MEMBER CAMPBELL-ERB: Kim Campbell-Erb.

THE REPORTER (Reading from the record): "I would move that we recommend that the BLM take the position that the land continue to be managed consistent with the way it is currently being managed over the broader area controlled by the BLM."

MEMBER SHUMWAY: Diane Shumway, nonrenewable resources. My inclinations are to encourage Carl to go forward with exactly that, to try to make his memo of understanding -- this is an interim management plan we're working on; right?
CHAIRPERSON BANIS: Interim MOU.

MEMBER SHUMWAY: Interim MOU, include the management practices that are in place now for the BLM lands. I mean, it's pretty simple, I think.

CHAIRPERSON BANIS: Do we have more comment, or should we move into a vote? Don?

MR. HILLIER: Has Kern County been contacted? I did raise the issue, and I would reaffirm my --

CHAIRPERSON BANIS: Kern County has -- I have personal knowledge that Kern County has been asked for comment and to participate and they have not yet.

MR. HILLIER: Okay.

CHAIRPERSON BANIS: We are exchanging e-mails with the planning director at this time for the opportunity to get on her calendar.

MEMBER HOUSTON: I share your concern, Gerry, with the absence of our elected official at this meeting when we're considering something in his district. Carl, will there ever be a time in the future when the council has a chance to look at this MOU and review it? I like to read what I'm voting on.

MR. SYMONS: The draft MOU, I'm just trying to think of it because it's not something that's out for public comment as to how -- I would have to get back to the DAC as to whether it's something that the DAC could
take into consideration or whether it's an internal agreement document between us. I've never gone out in this situation before, so I'm afraid I can't tell you whether or not. I just know it's not normally a public document that goes out for public review before we do it.

Do you have any other experience with that, Teri?

DIRECTOR RAML: No, I don't either, Carl. So we can ask. I don't see any problem with the DAC looking at it and reviewing, but it is uncharted turf for us.

MR. SYMONS: Yeah. There's nothing in there that I would not want anybody to see. It's a matter of protocol, policy and precedence. That's what I'm looking more at.

CHAIRPERSON BANIS: Ron?

MEMBER JOHNSTON: Just in clarification, it sounds as though because of the lack of authority that we would really have in the situation, that this vote on this motion is nothing more than a vote on an advisory. Is that correct? Am I reading it correctly?

CHAIRPERSON BANIS: Yes.

MEMBER JOHNSTON: Okay.

CHAIRPERSON BANIS: Hearing and seeing no
further speakers on this motion, I'm going to call for a vote.

UNIDENTIFIED SPEAKER: Excuse me.

CHAIRPERSON BANIS: I'm sorry. I've got to close the comment. And we want to move on to your presentations next. So we have a motion on the floor. I'm going to call for the vote. For those in favor of the motion, please raise your hand. All in favor? One, two you three, four, five. Those opposed, one, two, three, four.

(A vote was taken.)

CHAIRPERSON BANIS: The motion only carries by one. The motion is carried. Do we have a motion relative to Little Rock?

MEMBER Shteir: Mr. Chairman, I'd like to just raise another issue related to Little Rock. From what you presented, I'm supportive in principle of the concept that you've described and the creation of the official off-road-vehicle area there. But I think that, you know, CEQA and NEPA documents, you know, that type of -- the purpose of those laws is to provide full disclosure for informed decision making, and I think absent those documents I'm really hesitant to make a recommendation.

CHAIRPERSON BANIS: Further comments? Don?
MEMBER HOUSTON: I'd like to make a motion.
I'd like to move that the East Kern Acquisition be
considered at the next meeting of the Desert Advisory
Council in March for the purpose of supporting the BLM
in their development of a memorandum of understanding
between State Parks and the Bureau of Land Management.

CHAIRPERSON BANIS: I'm writing that down.

Just a minute, please.

MEMBER MUTH: I would second that motion.

CHAIRPERSON BANIS: Moved by Don, seconded by
Al. Comment? Sounds like he has hit the string that
we're all hearing. All those in favor, raise your hand.

Opposed?

(A vote was taken.)

CHAIRPERSON BANIS: There we go. That's a good
motion. That's a motion with the support of everybody.

Thank you. I'm not hearing a motion on Little Rock.

MEMBER SHTEIR: Mr. Chair?

CHAIRPERSON BANIS: Please, Seth.

MEMBER SHTEIR: I will just add one more thing
for clarification. You know, it seems that there would
likely be very little potential impacts from Little Rock
becoming an official off-road-vehicle area, but again I
would really want to know about whether impacts have
been analyzed: socioeconomic impacts, environmental
impacts, any potential impacts on adjacent lands, et cetera, et cetera.

CHAIRPERSON BANIS: Absolutely. Very good. I'll call discussion on these items over. And if there's no further objections, we'll move on in the agenda to our focus topic briefing on range improvement.

We've asked two members of the public who have lifelong knowledge on these subjects as professional range managers to brief us on some of the issues that are important to the range members of the public who are managing ranges and managing livestock and their relationships and issues on the BLM land.

So it's my pleasure to introduce and welcome first Ron Kemper. We heard from him a few minutes ago. Thank you for coming back up to share some words with us, Ron. I do remember being on the other side now. It's all coming back.

MR. KEMPER: Wasn't it fun?

CHAIRPERSON BANIS: But you were good to me, so I'll reciprocate.

MR. KEMPER: I'll try to keep it short, and then I'll open it up for any questions. I'll give you a brief history. Our families and many families before us that have been playing the role of stewards here in the desert for well over a hundred years, some of us have
been here since before statehood, to give you a little bit of an idea. Now, I can tell you that when I was a young man here in the California desert, we had 50 families. Now we have about seven. I guess we're dying the same cut as a tortoise, you know, the death of a thousand cuts.

We've enjoyed sharing the desert with our neighbors, but our neighbors get to be more and more and more, and the uses and all the things that go along with it as well as the regulations have made it very difficult for most of the ranching families to stay in business.

The economics for the ranges is simply about animal units. For the BLM it's about how many of us and how many animal units we pay for. We used to raise annually about 50,000 head here in the Mojave. Today we're raising probably around 3,000. It's not because the Mojave won't support 50,000. It will support 50,000 easily.

The Mojave is actually a cattleman's paradise. You know, right now our neighbors in Montana and Wyoming are trying to figure out how to keep their cattle from freezing to death. They're trying to keep from figuring out how to feed them in four-foot snow. We don't have those issues here in the Mojave. The Mojave has always
been very, very good and very productive for producing livestock.

Most of the issues that we have today are the same issues the tortoise faces. It's just more and more and more use and demand on the desert. I think very few people are malicious about their acts, but you know, we see more and more cases of people hitting cattle on rural roads. We see our water is tampered with. And I don't think in most cases that it's done intentionally. It's just people tinkering. But the more people you have, the more tinkering you have, and you know, these are big ranches, and they take a lot of time to manage.

With that I'll open up any questions that you guys might have.

CHAIRPERSON BANIS: Who wants to start? April and then Don and then Seth.

MEMBER SALL: Hello. Thanks for coming. First question was just, how much vandalism, or tinkering, as you call it, are you regularly experiencing say in the last year or two years, some sort of timeframe?

MR. KEMPER: It is more and more as time goes on. You know, we used to -- you know, 20 years ago we didn't see a windmill shot. You know, today there are people who love to hear those bullets tink off those blades. I doubt if they know that they're really
destroying our property. They're not thinking.

But you know, it's different whatever environment that you grow up in. You know, I go to parts of Idaho and Montana and Utah and stuff, and everybody knows to close the gate. Everybody knows that windmill was there for a purpose because they're brought up in that agricultural community. But when you're squarely in the middle between the people in the city of Los Angeles and the people in the city of Las Vegas that don't have a clue but they have a Jeep or they have a sand buggy -- and it's not just off-roaders. It's all kinds of people. And like I say, it's by far the minority, but when you live between two population groups that are millions of people, that small percentage makes our job very difficult.

CHAIRPERSON BANIS: Don?

MEMBER HOUSTON: Yeah. Thanks for coming. This is a really interesting subject for me. Cattle ranchers enjoy a land right through the grazing allotments on Federal Lands. And I'm interested in the changes in the regulatory process that affect your ability to produce, that affect your costs and create, you know, challenges to operate a cattle-grazing operation in the Mojave. So could you just give us a little history of the changes in the regulatory process.
MR. KEMPER: Yeah. They've been devastating. Here again it's about economy scale. I don't care if you're raising calves or you're making pizzas. You know, you've got to raise a certain amount of calves to make cost. You've got to sell a certain amount of pizzas every day to pay your overhead.

I'll use our ranch for example, my wife and mine. That ranch historically ran over 1200 head of cattle. Through the regulatory process between the Protection Act in the '80s and between the Wilderness Acts and between everything else, we're cut down currently to 202. To go from 1200 to 202, that's tough. The ranch will run 1200 easily.

So you know, it's just not the folks that we have that are tinkerers. It's also the regulatory process. A lot of people within the agencies have really believed that it's their job to get us to compromise, and they've compromised a lot of us out of business.

MEMBER HOUSTON: And how about the fee structures? Has there been a big change in that as well?

MR. KEMPER: No, no. The fee structures have been about the same, but there's been a lot of discussion about it. And you know, I hear in Washington
a lot of people say, "Well, you know, these grazers aren't paying their fair share. They ought to be paying more. If they were on private land, they would be paying ten or 15 or 20 dollars a head per month."

And that's true, and I would love to pay that here. You know, one of the things is when I run on private ground, I control the entire private ground. I do lease private ground. And oftentimes I can pay $15 a head, and it costs me less at the end of the year because nobody else is on the property but me and I'm allowed a hundred percent of the graze. And they're usually smaller properties and not as expensive to run.

But no. The fee structure -- and what most people don't realize is, we not only pay a fee structure to the BLM, but we also pay a possessory use tax to the State, and then we also pay water-licensing fees to the County, and then we also pay water licensing fees to the State. So it's much more expensive than people realize.

MEMBER HOUSTON: Thank you.

MR. KEMPER: You bet.

CHAIRPERSON BANIS: Seth.

MEMBER SHTEIR: Thank you very much for coming. I had a question. Can you describe how cattle management differs in the summer versus winter months?

MR. KEMPER: In the Mojave it is not as
dramatic. I'll give you an idea. My daughter and
son-in-law in Idaho, they farm all summer to feed off a
sled all winter. In the Mojave we never throw a flake
of hay. And everybody has different management styles,
but usually you can manage your cattle by simply turning
water on and off. You can move your cattle from one
area to another.

Your cattle that are born on these ranches,
they know where every water source is. When I want to
move them from the south side to the north side of the
ranch, I just start turning off waters on the south side
and start turning on waters on the north side. Slowly
they work their way over. It's not as romantic as
seeing us all out there on horseback, but I tell people
all the time, you know, there's probably 11 months out
of the year I'm a plumber, and about a month out of the
year I get to cowboy a little bit.

MEMBER SHTEIR: Thank you very much.

MR. KEMPER: You bet.

MEMBER O'BOYLE: I have a question.

CHAIRPERSON BANIS: Paul, please.

MEMBER O'BOYLE: Thank you for coming. Real
quickly, you're saying the drop-off in production is
about 85, 88 percent, and you're saying that's strictly
from regulatory intervention?
MR. KEMPER: Mostly, yeah.

MEMBER O'BOYLE: Wow.

MR. KEMPER: Most of these ranches, the small ranches ran 500 to a thousand head. Now we've got ranches that are cut back from that thousand head narrowing operation down to 50, 60, 80.

MEMBER O'BOYLE: What areas would you say could be trimmed or be streamlined so they would help out the ranches more?

MR. KEMPER: It isn't streamlined. It is, I think, a different philosophy. And I'll give you an example. You guys are all familiar with the desert. I drove down the south of 15 on Cimo Road the other day all the way down to Kelso then across Sheep Hole Pass. When you go down through that country there off of Cima, that was known as Valley Wells and Valley View, and then eventually the O.X. I don't know if any of you have been there recently.

First of all, it's an absolutely incredible Joshua Tree forest. But right now the galleta grass is hip high. That's all flash fuel. Under the right circumstances, you get a lightning strike, the wind blowing the right direction, because it's not grazed, we'll lose that whole Joshua Tree forest for hundreds if not thousands of years. That's the benefits that
grazing does.

    We are harvesting absolutely a yearly renewable
resource, and we've been producing a very healthy
product for the citizens of America in some cases for
almost 200 years. But in this area because of the
demands on the desert and because of the demands on the
agency -- I don't want you to get me wrong. I'm not
blaming the BLM. When I was on this DAC, I walked the
halls of Congress for three years trying to get money to
fund the Desert Protection Act.

    You know, in 1990 dollars, the budget for the
act was a hundred million dollars a year. Congress has
never ratified the act by funding it with one dollar.
That's the problem.

    CHAIRPERSON BANIS: Let me interject for a
minute. The Cima Joshua Tree forest that you talk about
that is spectacular, and I think it's the densest I've
ever seen.

    MR. KEMPER: Yes.

    CHAIRPERSON BANIS: Am I correct that that is
as dense and as thick and lush as it is in part because
of grazing due to the spread of the Joshua Tree seeds
potentially?

    MR. KEMPER: You'd have to ask a biologist.
I'm just a poor, dumb country boy rancher. But what I
can tell you is that that forest is there after 200 years of grazing.

CHAIRPERSON BANIS: Exactly.

MR. KEMPER: Thank you. Any other questions?

MEMBER SHUMWAY: I just have one question, just a short one.

CHAIRPERSON BANIS: Dinah and then Al.

MEMBER SHUMWAY: So when you talk about your going from 1200 head to 200 head or so, is this because of constriction of available grazing areas primarily?

MR. KEMPER: No. Same area.

MEMBER SHUMWAY: Same area. Is it regulations that prevent you from running more cattle on certain grazing areas?

MR. KEMPER: You know, the agency, the BLM has been sued over and over and over again by different Friends of the Tortoise and friends of this and friends of that, and they've wanted to see a stop to off-road use. They wanted to see a stop to grazing. I can remember sitting in federal court and hearing over and over again the best thing that we could ever do is get rid of grazing, over and over again. So we work under an allotment management plan that's supposed to be reissued every ten years.

And like I said, every area manager that I have
had in my history, I've never had one come out and say, "Hey, Ron, let's see how we can increase your numbers." They really feel like it's their job to mitigate potential losses by getting us to cut back, and eventually they require us to cut back.

   MEMBER SHUMWAY: So it's a matter of density per acre that you're talking about?

   MR. KEMPER: To give you an idea, right now I run about one cow for every 3,000 acres.

   MEMBER SHUMWAY: Thank you.

   CHAIRPERSON BANIS: Al.

   MEMBER MUTH: So I gather, in following up with Dinah, that the regulation that you object to the most is the stocking rate on the allotment; is that correct?

   MR. KEMPER: I would say it's one of the larger contributors.

   MEMBER MUTH: And would it be your position then that allotment holder, the rancher, should set the stocking rate?

   MR. KEMPER: I think that's very difficult to do with Public Lands. However what I can share with you is that on the private lands that we run and many other ranchers run -- and there's probably people here who can verify it that are hunters or outdoorsmen -- we usually find that our wildlife is in better shape on those
private parcels. Now, is it because we graze heavier? I don't know. But I think those lands are controlled more.

You know, the BLM has a very difficult, very difficult thing to do here. It's multiple use. And just as all of those multiple uses impact indicator species like the rancher and the tortoise and the Mohave ground squirrel, it's a very difficult problem. But as far as the economic viability of ranches, I hear people in the BLM say, "Well, gosh. It costs so much to keep you guys out there." Well, you know, we used to be the biggest contributor in the desert until you cut us back.

MEMBER MUTH: This isn't the forum to debate grazing. I would take some issues with your positions.

MR. KEMPER: I would love to meet with you personally.

MEMBER MUTH: Are you sure?

MR. KEMPER: Absolutely.

MEMBER MUTH: Okay. The follow-up there is, looking beyond the Bureau and their policies, in the long run there's this thing, No. 4 on the board over there, called climate change. And the projections for the Mojave are more erratic rainfall, higher temperatures, continuing draught situation. Are you looking to the future with an eye on that putting you
guys out of business no matter what the Bureau does?

MR. KEMPER: Well, first of all let me say I believe there's been global warming starting and growing ever since the last Ice Age. You know, is it going to happen in the next five years or the next 40 years, the next 50 years? I think there's a lot of debate about that or even 200 years or a thousand years. But we have to manage what we have on the land. And if you'll do me the courtesy of going out and looking at the country that I just talked about, that country today has more renewable foliage on it than 10,000 cows could eat in a season.

MEMBER MUTH: Can you tell me what grazed that for the cows? Is that not a natural condition, or were there heavy grazers out there prior to cows? Unless you want to go back to the Pleistocene, I don't know. Do you?

MR. KEMPER: I don't know that I'm looking to stop time or to stop a natural progression of biological growth or the harvesting of that. I know that there are people out there that would like to take a particular point in time and say this is where we want to preserve it. But isn't that a little bit Godlike?

MEMBER MUTH: Isn't grazing it down to preserve that point in time the same?
MR. KEMPER: I think grazing is a very natural way to remove flash fuels, and those flash fuels come back year after year after year, and they're regrazed, and they're regrazed. Isn't it a lot like the sunlight making solar energy?

MEMBER MUTH: There's some problems with that too.

MR. KEMPER: I suspected you would say that.

MEMBER MUTH: I don't want to take up more time. But thanks, Ron.

MR. KEMPER: I look forward to talking to you sometime.

CHAIRPERSON BANIS: I enjoyed that exchange very much. That you, gentlemen. That was really good. Do you have a comment or question, Kim.

MEMBER CAMPBELL-ERB: Yes, I do. I have one more question. Ron?

CHAIRPERSON BANIS: Ron, can you come up.

MR. KEMPER: I'm sorry. You've got to talk loud.

CHAIRPERSON BANIS: And then we are going to save a few questions for Billy too, so we're going to have Billy next.

MEMBER CAMPBELL-ERB: I have an entirely different question. My question is, what uses are the
cattle put to that you graze on public land? I'd like
to know the many uses.

MR. KEMPER: I'm happy to tell you that I'm one
of the few guys out there partly because we have been
cut back on the amount of units that we've had to look
at other ways to grow our herds where they're not on
public land. So I am proud to say that I am in the
recreational cow business. I have happy cows. Now let
me explain that a little bit.

MEMBER CAMPELL-ERB: Are those the ones I see
on the commercials?

MR. KEMPER: Well said. Well said. The end
product is still a product consumed by humans. But in
the interim we raise a cow that's smaller than normal
and has larger horns than normal, and they go out for
such uses as equestrian cutting, team pinning, roping,
bulldogging and other events that involve cattle and
horses. And they go out on rent for a couple of years,
and then they come back when they're too big and too
heavy, and then eventually they go on to the meat
market.

MEMBER CAMPELL-ERB: I honestly would like to
know what products, what various -- I don't want a
complete exhaustive list, but I see that we have
dwindling ranching in our country, and I think there are
probably a lot of uses that those cattle are put to that
we take for granted that we're losing or that are going
to have to come from some other part of the world if we
don't have enough ranching in this country.

And I think that that plays into the whole
balance. There's got to be a balance. Just like
rockhounds, we have limited places where we can collect,
and we have to share what we have left. We need to come
up with a way for all of us to share what we have left
in a responsible way with the native species, native
plants. And I guess my point is, I want you to remind
everybody what we get from cattle. That's really my
question. Thank you.

MR. KEMPER: Well, I'll answer your question a
little bit broader if I can. And that is you either
grow it, you raise it or you mine it.

MEMBER SHUMWAY: Well said.

MR. KEMPER: Everything in this room,
everything that you touch, everything that's in your
refrigerator is either raised, grown or mined. And
that's really the basics. That's the core. You know, I
talked to a young lady the other day, and I told her
what I did, and she said, "My God. Why don't you just
go to the store and buy your meat there where some
animal isn't getting hurt?"
And I said, "Are you serious?"

And she goes, "Absolutely," you know. So there's a little bit of disconnect out there in the world today. But I really believe that if people will keep in mind, whether it's your computer, you know, your screen is probably lighting up because there's Molycorp out there. You know, there's things that we do every day. No matter what we do, they go back to the basics, and that's you raise it, you grow it or you mine it.

MEMBER CAMPELL-ERB: But I think --

MR. KEMPER: Any other questions?

MEMBER SHUMWAY: Wait a minute. So Ron, would you just like my PowerPoint, and you can continue?

MR. KEMPER: I'm sorry?

DIRECTOR RAML: She's going to do mining.

MR. KEMPER: I'd be happy to help you.

MEMBER CAMPELL-ERB: I think my point was that there's more than meat that we get from cattle.

MR. KEMPER: Oh, absolutely, absolutely, yep.

Thank you.

CHAIRPERSON BANIS: Thank you. We'll hear from Billy, and then if there's a couple more questions that Ron can help with, I'm sure we can call him back.

I wanted to introduce the family head of the Rattlesnake Ranch in Lucerne Valley area,
Johnson Valley, and that's Billy Mitchell. So nice to have you, Billy. Excuse me one minute.

(Chairperson Banis donned a cowboy hat.)

MR. MITCHELL: Now you're on it. I need to shape that hat a little bit for you so you'll know the difference walking down the street.

CHAIRPERSON BANIS: You can tell this hasn't been outside yet.

MR. MITCHELL: Don't have bull-riding creases in it yet.

CHAIRPERSON BANIS: I don't.

MR. MITCHELL: My name is Billy Mitchell. I'm a fourth-generation cattle rancher in the Mojave Desert out of seven, mind you. Ron told most of the stuff today. The issues I bring -- you know, I raise cattle in the Canyon Ranch, out of Johnson Valley. We run between Yucca Valley and Apple Valley, the back side of Big Bear.

We're having a terrible OHV problem. We have probably two roads that go through one corridor, a 60-foot corridor. And last year I had two cattle killed. This year I had one steer hit with a motorcycle and one other animal injured from OHV use.

The thing that -- you sit there and try to talk to these people. I've got signs up, "Don't hurt
domestic livestock." I've got a salting area on a road that says, "Please do not stop, stand or visit here."
So they'll stop, 50 of them at one time, which there was Saturday. They throw their beer cans in my salt feeders, you know.

And I want these people to -- I don't really know how to do this, but I don't have any cattle in an OHV area whatsoever. And I think it's time that people ought to think about getting the OHV out of Billy's area. That ranch has been there since 1900. I've owned it for 20 years. Twenty years ago I might have three people on a three-day weekend. Now, when you have 50 people on a one-lane road, four miles, and my cattle will have to transverse that through the spring, and these people pay no attention to my kids out riding horseback.

And believe me, my kids have motorcycles, but they ride responsible. And if they don't, they've got to answer to me, and that's not very nice. The bike gets put up for all time. But people don't pay any attention anymore. They don't even know that we exist half the time.

I don't know how to resolve this. Katrina is going to try to work with me. You've got the Hammers out there. You've got Means motorcycles. The three
major areas that sit — Dry Lake and Means sit right across 247 from me. And because there's one corridor they're allowed to use, they do 90 miles an hour up through that corridor. And if you've been up through there, you've got willows ten, 15 feet high, you've got cattle laying underneath in the shade, you've got cattle walking out from the sides. You can't do 90 miles. It would be like me in Riverside on both sides of the road, and they're going to hit them.

I personally have lost over 40 head in the last two years, I can't sustain that for long. I maintain four miles of dirt road. I shelter a lot of cattle there, and all these people are allowed to use that. They won't slow down to 15 miles an hour like a sign says. They won't do anything. They come across, ride illegally on places closed through the county, on which the sheriff department is going to try to work on me with that with signs and stuff.

But the BLM needs to put law enforcement out there on the ground, and it doesn't need to be during the week on a Wednesday. It needs to be on Thanksgiving and when these big weekends are, and I'm sure Katrina is going to work with me on it.

That's the issue that my family and I have. And I have nothing against the OHV people if they stay
in their area. I have two very good friends out of District 37 that's ruined all their life, and they came and spent one weekend with me and could not believe what the people were doing. I mean, it's just totally unbelievable, you know, when they get off in their vehicle and come through that ranch of mine, you know.

And my cattle, they don't know what's going on. You know, it's pretty bad when a guy takes a hundred head of cow by himself driving pretty much where he wants to, pins them up, work them, loads them. And now I can't even start a damn chain saw that they don't go through a fence just because it sounds like a motorcycle. You know, I've got to sit there and watch the bikes go and run my cattle up the side of a hill. That's my private property. I've worked all my life for this. It comes to the point where I get pretty upset about it, you know.

What can I -- do you know can you help me with it? I mean, how can you people get the message out? Who is the OHV person here? Is there an OHV person here?

CHAIRPERSON BANIS: Myself, Kim.

MR. MITCHELL: This has got to be said. I don't know how many other ranchers have this problem, but I have a serious problem, you know, a very serious
problem. Like I say, this ranch predates OHV. This
goes back to 1900, runs all the way from Old Woman
Springs, clean up over on Onyx Summit and all the way
down to Santa Ana Canyon. The first forest ranger built
this ranch in San Bernardino County. They ran a
thousand head of cattle in 1900 to 1940. Run a hundred
head now on this ranch. So you can see, like Ron was
talking, how the regulations have cut us down. That's
the basic thing that I really had to say.

So if there's any questions.

CHAIRPERSON BANIS: Steve, could you do me a
favor, and could we hit the light again. I'd like to
show them where your place is, unless it's a big secret.

MR. MITCHELL: Not anymore.

CHAIRPERSON BANIS: It is not. I want to show
them so they can see, because this is a real important
dilemma here; this really is. I remember a few years
ago. You did your very best to let OHV know about this
problem a few years ago --

MR. MITCHELL: Yeah.

CHAIRPERSON BANIS: -- when it was really bad
then. Things cooled down for a little bit, but it was
really short lived.

MR. MITCHELL: Right.

CHAIRPERSON BANIS: And now it seems to be back
to normal again, back to the way it was before, so there's been no lasting change in any of that. It was a very short-lived, if any, relief.

What we're looking at, what this is here, it's just to see -- I'm going to zoom this out a little bit. This is a map. Pardon me, Billy. Johnson Valley OHV area is across this Highway 247, the world's largest or biggest OHV area in the universe right across the way. This is the road in not only into Billy's place, but this road keeps on going onto Forest Service property into a Wilderness, into a Wilderness corridor designated by Congress that goes all the way up to the top of Burns Canyon in the San Bernardino National Forest.

MR. MITCHELL: Right.

CHAIRPERSON BANIS: Then from Burns Canyon you get down into Yucca Valley, you go up into Big Bear. The point I'm trying to make is that the connectivity to different areas that's been provided by this corridor, you know, is very significant. And if OHV were to lose this opportunity because of its irresponsibility and its bad behavior, I've got to say it might be just rewards, but it would be a disservice in general to the recreating public.

But it still has to be resolved, and I think this is a very important and very serious issue to
address with some heavy hitting and some dollar signs.
And I would be really grateful to be a part of an effort
to work with Billy and his family and OHV to give one
last shot and one effort to see if we can work something
out so that he doesn't have to do what he doesn't want
to do, which is take the steps to ask that this thing be
closed to the public.

    MR. MITCHELL: That's what I'm doing now.

    CHAIRPERSON BANIS: He's up against the wall
here.

    MR. MITCHELL: You have to realize that in
1962 -- the desert is what it is. I worked on most of
those cattle ranches since I was a kid. Now the people
in Barstow at that point -- and we're a founding family
out of Barstow. You work in the gas station. They roll
the window down, an air-conditioner like this, want to
know what the hell you're doing here. Now we have
motorhomes and everything else. Everybody loves the
desert. The desert is only this big (indicating). And
each year these kids have kids and grandkids, and
everybody gets a motorcycle for Christmas, and Billy's
ranch is only this big.

    So now they're trying to fit a million and a
half people in this area, and with technology now, where
they didn't know 15 years ago where that canyon was, and
now everybody knows. It's in magazines and this and
that.

And what I think should happen is the BLM, they
have sometimes on the radio about these different areas
and stuff. But even in their signing on the stuff, you
put out open roads, only BLM open roads. They say
nothing about the cattle rancher, you know? And we're
the ones that created this. We were the people that BLM
had to work with, and now we're a few six families that
sit in this Mojave Desert. Nobody wants to do nothing,
you know?

CHAIRPERSON BANIS: And you maintain the road.

MR. MITCHELL: I maintain the road, yes.

CHAIRPERSON BANIS: He maintains the road.
Okay. Let me ask -- some more some folks have more
questions too. I'm going to go to April and then Ron.
April is one of your neighbors on the other side of the
hill.

MEMBER SALL: Hi there. I guess first a
comment and then a question. You know, I think it's an
important issue, and it's really easy for users to, you
know, blame the BLM or in this case blame the rancher.
But it's really about, you know, responsible riding.
And I think that the recreation community -- in this
case it's mostly green-sticker bikes and street-legal
Enduro bikes -- need to play a role in continuing the education of responsible riding in this area because again there is a lot of burden that, you know, you have taken on of this issue.

And my question is, in your opinion -- obviously I'm sure you weren't there during the events. But do you think the impacts that have occurred with the cattle deaths have been accidents, or do you think they've been intentional? What is your guess?

MR. MITCHELL: I know two of them happened when the Hammers, the week of the Hammers was on. There was one vehicle. I don't know whether it's intentional or not, but the one transversed that probably six miles of that dirt road in less than two minutes. My wife was coming in. I have no -- the house sits up on that green deal that goes right there. I sit on the base of the mountain. I have no neighbors whatsoever, and I watch that whole road, and I called her because they were coming home. At the time that I called her, that guy was already at the pavement four miles. That's how fast he was going.

MEMBER SALL: Right.

MR. MITCHELL: And I don't think they intentionally go out there to hit the cow, but the bottom line is, it would be like me doing 90 miles an
hour down this freeway and a pedestrian walks out, and
there's all kinds of signs, hey, there's a pedestrian.
Well, do you think it would be my fault for doing that,
you know?

MEMBER SALL:  Sure.

MR. MITCHELL:  If there were no signs up, so be it. But there's signs everywhere. You know, there's
cattle guards. You hit a cattle guard, it'll ring a bell. There's something inside it. There's something
walking on the ground.

MEMBER SALL:  And so I mean, it seems like it
would be crazy to try and hit a cow on a dirt bike. I
certainly wouldn't recommend that. But is it your
opinion that they are just completely unaware and that
signage would be the answer, or have you witnessed dirt
bikes ever chasing your cattle or harassing them on
bikes?

MR. MITCHELL:  I've watched it. I've tied
cattle down on the top part of that ranch, and before I
could get back to my vehicle, there was motorcycle
tracks around it while it was tied down. I don't think
that was just him driving around in circles. I've
witnessed a lot of that, yes, ma'am.

MEMBER SALL:  Okay. All right. And then last
question. I meant to ask this to Ron as well. But what
has been your practices with, you know, increased regulations and just change of time in spring management on these allotments?

    MR. MITCHELL: Say it again now.

    MEMBER SALL: What has been your management practices for natural springs and water sources?

    MR. MITCHELL: Management? I have to dig them out. I own every piece of water on Rattlesnake Canyon. I have to maintain the riparian area, the fences. There's also a problem right there because everybody wants to go up by the water trough and picnic because there's big willows in the summertime. And there's sign up, there, do not disturb cow. BLM signs, you've got to be 600 feet away.

    I've signed everything, tried to put up more signs. You know, when I get into it with the people, they'll go down to the beginning of the ranch toward Johnson Valley and tear out about 25 posts so the cattle get out from the highway. I had 50 posts stole out of my west boundary that we just had to get fixed.

    MEMBER SALL: And so are the signs up right now, or are they down?

    MR. MITCHELL: Yes, ma'am. They've been up for the last ten years.

    CHAIRPERSON BANIS: Ron?
MEMBER JOHNSTON: Billy, thanks very much for coming today. This is the first time in the six years I have been on this council, and unfortunately now the last time, that I have heard anything from a rancher concerning some of the abuses that go on that cost you and your family your livelihood and impinge upon your rights. All the other voices are shrill and very loud about their rights to do other things, but the rancher who lives that that's dependent upon this land rarely has had the opportunity to speak up the way you have today.

I say that with a lot of personal feeling. My family were ranchers in Orange County when there were really orange trees, lemon trees, horses, cattle, chickens, pigs, and we had some of the same experiences you're having not from off-road-vehicle people but from other people that wanted to make use of the land, tease the horses --

MR. MITCHELL: Sure.

MEMBER JOHNSTON: -- harm the animals just for fun, take their guns out and try to shoot a horse or a pig or a rabbit. And it drove my family out of the ranching business in Orange County. And now what ranches are left there? None. So I really empathize with what you're going through, and I have a home in
Joshua Tree just the other side of the mountain from where you are.

MR. MITCHELL: I know where that's at.

MEMBER JOHNSTON: I know if it were me personally -- I could only speak for me personally, not for the DAC or anybody else -- I'd close the property off, you bet.

MR. MITCHELL: You know what? I've been debating this for the last four or five years, and after this year, I mean, I have got -- I'm talking to Cook's office. I met with Feinstein's office. And it's just like I said, I don't have any cattle in the OHV area to bother them, and I'm getting tired of them bothering me because it doesn't seem like talking is doing any good. It doesn't seem like the signs are doing good anymore.

I'm hoping maybe they can get the police out there and maybe they can do something, you know. If you set up a sting deal and you're there two or three major weekends, it starts costing them money out of their pocket, maybe they'll go in the OHV area. That's what it was set aside for. Otherwise we have cattle over there grazing. We have no problem with them going and tearing them up. They can kill themselves over there. They do. They've lost seven or eight people over there. But they don't need to come on my side and destroy my
stuff.

CHAIRPERSON BANIS: I have a question for you, Billy, if it's okay, Ron.

MEMBER JOHNSTON: I'm through.

CHAIRPERSON BANIS: Do you know that the Marines are proposing an expansion of the Johnson Valley OHV -- of the Marine Base into the Johnson Valley OHV area?

MR. MITCHELL: Yes.

CHAIRPERSON BANIS: Do you think that will hurt or help your situation?

MR. MITCHELL: It will hurt me. All those people will come to my side. Don't get me wrong. My son-in-law is Afghanistan. My grandson, special forces. I've worked out at Fort Irwin and all that training stuff they have done for these guys. I've heard those guys telling me they saved their life. I know we need. That but as far as -- I'm not against that, but I know if something happens or if they take something away from the OHV people, it's bound to send them to me. It's the only thing that's left there.

And we have only so much land to plan on. And right now I know a lot of you are not my age, but we've maxed that out. You're not going to be able to fit any more people in this area. That's the problem. I don't
know how we're going to solve it. I really don't.

CHAIRPERSON BANIS: Another an area we just talked about earlier, the Jawbone area, is an active grazing allotment. I believe there's about 500 head. Ed, am I right on that, do you think? Ed, is there about 500 head in Jawbone?

MR. WALDHEIM: We had 600. Hesselfield (phonetic spelling) bought about 600 of them, but because of draught and water, they've been removed now.

CHAIRPERSON BANIS: Ed said there were about 600 but the draught has caused a temporary removal from that area, but there seems to be a little -- there seems to be better harmony among the animals and the users there due to ... I'm going to go out a limb. I don't think it's a big limb, but I'm going to go on a limb and say it's due to the management activities that Friends of Jawbone, BLM and -- have worked together to put on the ground there. There's been a lot of management put on the ground, a lot of money put on the ground, and there may be lessons there that we can help with.

And I'd like to introduce you, Billy, to Ed Waldheim and vice versa and see if all of us can't be given one more chance to fix this thing up.

MR. WALDHEIM: Mr. Chair.

CHAIRPERSON BANIS: I'm sorry. I am going to
recognize this because Ed really has spoken for OHV and
done a good job in trying to do this. Ed, take a minute
and explain.

MR. WALDHEIM: Ed Waldheim, Friends of Jawbone.
We work with Hasselfield and the Bureau of Land
Management, put in more cattle crossing, more stepovers,
more fences to make sure we have the cattle protected
from the OHV area users. So I would suggest that
perhaps if the DAC would support me on this one and
support Katrina, the field manager of these Barstow
Field Offices, that because this is Barstow Field Office
that perhaps we put in for a grant. We have an
opportunity to put an RTP grant. Applications for RTP
grants are due on January 6. We can make it very quick
to go. And if this is something you feel would help
you, fence the bloody thing. Just fence on both sides.

MR. MITCHELL: No. BLM has got the Wilderness
out there now. What that does is, my cattle got to
cross both sides of that Wilderness, come into that
canyon for water.

MR. WALDHEIM: You would have cattle openings
but not for OHV but cattle. The cattle move.

MR. MITCHELL: We got that, and motorcycles go
through it.

MS. SYMONS: Solution finding.
CHAIRPERSON BANIS: This conversation just started right now. We need this conversation. Exactly what Billy is saying, he's got special circumstances. I think we can come up with a hybrid idea. Katrina, could I you give a chance to say something for a minute.

MS. SYMONS: The biggest thing is, I'm glad you're saying something because this is a larger fix than just BLM or you and I working alone. It's that larger fix. So this is a start of a dialogue. I believe we should be taking this dialogue and getting that larger discussion going as a community. And I'm committed to it. I'm dealing with Dave Cole and King of the Hammers in order to deal with the extra 30,000 that will be in the area come end of January and February.

MR. MITCHELL: Exactly. Thirty thousand people in just that little bitty area there, and they don't stay in their area. They're everywhere.

CHAIRPERSON BANIS: Don?

MEMBER HOUSTON: Yeah, Billy, I'd like to better understand the consequences of these accidents on your business and on you personally. And frankly I want you to paint the ugliest picture possible in your response. So, you know, when a motorcycle strikes a several-hundred-pound cow, the bike is damaged, there's a possible injury.
MR. MITCHELL: They life flighted the last guy out.

MEMBER HOUSTON: There's insurance companies, lawyers, and there's costs. So are you able to seek any financial remedies when these things happen?

MR. MITCHELL: No.

MEMBER HOUSTON: And do people come after you legally?

MR. MITCHELL: No, no.

MEMBER HOUSTON: So it's just a dead cow in the road?

MR. MITCHELL: Yeah. Then you got to go out and identify it if somebody hasn't drug it off. So by the time I find out I've got a carcass to deal with, then if it was mine, a lot of times you get some animal -- just the other day dropped off five miles of the ranch in Lucerne. They called, and it was somebody who didn't want to feed it anymore. So I mean, it's really a hard thing to go through, you know. You lose roughly that particular animal. The one that I saved is registered out of the PBR, Professional Bucking Bulls. She was a registered cow out of that, so I spent six months trying to field that out, which I did. The other one, she was probably about an $800 loss, that one there. Plus you got the projection of the life of the
cow, up to 18 years, so you lost that cow. It amortizes out, you know. Not destroying the other animals that are affected by it by the noise that they start scattering, you know, when they hear a vehicle come.

MEMBER HOUSTON: So that hurts production long-term.

MR. MITCHELL: Definitely. Anytime you've got to run a cow, you run off their weight. We just don't go out there and run cattle anywhere. You spend a lot, get them what they call culture an animal. You get them to work with you so you don't ruin your horses, hurt your cowboys or cowgirls in my instance or me.

MEMBER HOUSTON: Thanks, Billy.

CHAIRPERSON BANIS: We're running just a little behind, not bad, not bad just a tad behind. We're getting good. Kim and Dinah. But we're doing good. Thanks for bearing with us, Billy.

MEMBER CAMPELL-ERB: First I want to thank you for coming. I don't know what I can do to help you. My background is not in motorcycles or racing. It's as a rockhound. But I do have some affiliation with some groups like CORVA, and there's got to be something we can do to help you. And I don't want to let this die. I'd really like to follow up on this at a later meeting so we know what's going on with you. So give us an
opportunity to help you and see what we could do.

MR. MITCHELL: All right.

MEMBER CAMPELL-ERB: I know there's people here
today with CORVA, and I'd like to talk to you after
you're done at the break, please.

MR. MITCHELL: Okay.

CHAIRPERSON BANIS: Dinah.

MEMBER SHUMWAY: I have just a little bit of a
comment, please. And I would just like to remind the
DAC especially that in our recent WEMO Transportation
Subgroup Report one of our recommendations that came up
continually in addressing the issues that we identified
as problems was to adopt as nearly as possible the
Jawbone strategies for controlling OHV and allowing a
variety of activities to take place on these lands. So
I highly recommend that Billy work with Katrina and Ed
to see what they can do to implement strategies that
have been proven to work in cases like this.

And we have recognized that in these areas,
especially in these areas that have a very small
interface with a lot of people next to these rural
areas, that these kinds of issues happen partly because
of that at certain times of the year. But there are
strategies that do work, and a lot of them require a lot
of vigilance. And I think that's what we have to do,
what the BLM needs to do. And the public and the
volunteers and the OHV associations need to step up
their vigilance in these cases.

CHAIRPERSON BANIS: I'd like to move into the
public comment on this issue if I could. Billy, thank
you very much.

MR. MITCHELL: Thank you.

CHAIRPERSON BANIS: Do you have another minute
just in case there's a question, and we'll be moving on
to the next agenda item. Thank you, Billy.

MR. MITCHELL: You bet.

CHAIRPERSON BANIS: I have potentially four
speakers with cards on this issue. I'm going to call
Gerry Hillier followed by Marie.

MR. HILLIER: Thank you again, Mr. Chairman.

Gerry Hillier. I'm here with two hats on,
San Bernardino County consultant and also with
QuadState. And for those of you who admire old
technology, I still have a Blackberry instead of an
iPhone.

But I would like to share with you folks a
photograph that I took in Washington, Billy and
Ron Kemper and -- help me with the other name --
Jay Moon went to Washington a couple of years ago and
met with Senator Feinstein and Congressman Lewis when he
was still in Congress and were able to secure a special provision the Appropriations Act to prevent buyouts of cattle ranches. It wasn't because these guys wanted to get out of the ranching business, quite the contrary. But the County and others supported this on a very, very limited scope as a means of reducing the pressure requiring private lands in the lands in the counties, that they could mitigate the renewable energy projects by at least making this available.

And to my knowledge there have been a couple over in Inyo County and Kern County that have taken advantage of this, but these fellows have chosen to stay in the ranching business and are pillars. And I want to compliment them. I will pass this around. All you have to do is click on the button there, and you can see there meeting with Jerry.

    CHAIRPERSON BANIS: Okay.

    MR. HILLIER: Since it's old technology, I don't have to worry about getting it back here at the other end.

    CHAIRPERSON BANIS: Exactly.

    MR. HILLIER: Second, I wanted to say a word about the vandalism. Regardless of the vandalism these guys have, let me assure you that in my experience of too many years on the range and dealing with these
issues, that the depopulation that has occurred out
there exacerbates the vandalism. These fellows
encounter it on a regular basis. But believe me,
without the public out there, then you need more park
rangers, you need more BLM rangers, and they're not out
there 24/7 as a ranching family is. And I can assure
you that there is more vandalism that has to be replaced
by high-cost government people to supervise that. And
so there's a real down side that is associated with --
and I will say it -- driving the ranching families off
the ranch, and it's not often accounted for.

The third thing I'd like to comment about in
terms of ranching is, because of the tortoise work, a
lot of people have taken the conclusion that ranching
has to go, the use of Public Lands has to go. And there
are a number of examples that we have over a fairly long
period of time.

There's a plot in the Mojave National Preserve
that I have protected with my life, if you will, that
has been fenced since 1966. It's getting on board to
almost 50 years. There has been no change in terms of
the vegetation composition inside or outside of that
plot. And it's in the middle of one of Blair's grazing
areas. It's in the preserve. The sheep were removed
from the West Mojave in 1990. It's been 23 years now,
and there's -- as I go through Cuddeback Lake and those areas, Kramer Hills, there's been no change in the vegetation. And as near as I know, the tortoises have not responded to the removal of livestock. And the sheep industry basically has been gone from that region for 20 some years, and there's been no recovery of the tortoise population.

And so the questions that are raised about the use of these people -- they get an unfair rap. They do a good job of stewardship. Their presence on the land is a positive factor. Thank you.

CHAIRPERSON BANIS: You bet. Thank you. Hi, Marie, if you'd like to join us. Jim, do you have a comment on this too?

MR. BRAMHAM: No. I'll refrain. Thank you.

CHAIRPERSON BANIS: Ed, would you like me to save you a minute after Marie?

MR. WALDHEIM: Please.

CHAIRPERSON BANIS: Very good. We have Marie followed by Ed, and that will conclude our public comment on the subject.

MS. BRASHEAR: One of you -- I don't remember which one -- suggested that the corridor be closed. It can't be unless Congress acts because it's part of a stipulated agreement that happened 30-some years ago.
So that's something you're going to have to take care of a different way. The congressmen are going to have to be involved and the state senators.

CHAIRPERSON BANIS: I'm sorry to jump in with a question, but was that specific to that area, to that --

MS. BRASHEAR: It says Rattlesnake Canyon. I'm telling you. I know. I was partly involved in it. So yes, it does.

The other thing I think that some of you, including us, should remember is that while we're out in the desert hiking, riding bicycles, riding horses, riding motorcycles and quads and all the other good things, we're having fun. But this is their livelihood. This is their families' way to earn a living. This is not for fun.

And while it is a complex and complicated system, I decided I would probably not stir the pot too much speaking here. But I can remember in -- I think it was the '80s, but it might have been the '90s -- and the cry out there from some of our friends was, cattle free by '83, and then it became '93, and then it became whatever, all based on non-science.

What Gerry said is absolutely correct: there have been no changes where -- actually there have been changes where tortoises were. What happens is, the
tortoises have gone downhill, and they've gone downhill primarily because we have draught conditions. And in the past when we've had draught conditions, cattle droppings, not sheep but cattle droppings, are moist, and the tortoises survived on the liquids that were available. Maybe they even became more populous in areas where there were cattle. And when the cattle were removed -- and you can see this over and over and over again, not just with cattle but with other -- other species.

There was for instance your sage grouse and some other things that are out there and are in danger and are special critters. Those animals have about ten years once designated. In that ten years changes happen in the environment, and the species population go down particularly when cattle and sheep are removed.

I think that this is such a complex issue that you have made a good start on, but it's going to take not just the cooperation of BLM. It's going to take the cooperation of Congress. Thank you.

CHAIRPERSON BANIS: Thanks, Marie.

Ed Waldheim.

MR. WALDHEIM: Ed Waldheim, Friends of Jawbone, California Trail Users Coalition and Friends of El Mirage. Our issue as a society is our access to
Public Lands -- that's what we all are really fighting for in the Federal Lands, Bureau of Land Management Forest Service. With that comes a responsibility, and a responsibility falls on the citizens who utilize or recreate or use the accesses are open for us to utilize. That is where our society, our moral society, is falling apart. We have such total disregard for laws, signs. People don't read anymore. I don't care if you're in a Cadillac, in a pickup truck or a motorcycle. It is pretty pathetic.

The latest thing we have now is, we have the stealing of fences in the Wilderness Area. We lost a mile of fence at Grass Valley Wilderness area. We lost three miles of fencing in El Mirage. BLM went and put it back again. It was stolen again. Now when you go see fences and you see red tips or orange on it, it's me graffiti-ing the things so law enforcement can go to any junkyard. If they see anything with pink orange on the post bingo, you're dead. It was stolen. We just started it a week ago because we just can't keep up with it anymore.

So I sympathize with the cattle people, but I agree we cannot use that right-of-way. We have an opportunity to put with money -- if we can get together with Randy, if we can get together with Katrina and put
in the grant, I'll be more than happy to put in the grant to go and fence. I can send the staff there, and it won't take me any time to put the fencing, put the cattle crossing, put the cattle stepovers. You say OHV-ers are going to go over it anyway, some do, but it is a deterrent.

And we have to step up law enforcement. We have to step up law enforcement. I would also suggest we go to Congressman -- what's his name.

MEMBER SALL: Cook.

MR. WALDHEIM: -- Paul Cook -- April and I, we know him well -- and ask him to perhaps put in some special appropriations of funding of law enforcement people. Senator Feinstein did that for the marijuana folks. She got all kinds of money put in there for marijuana. We could put in special appropriations to put one ranger or two rangers to help you guys on that area. It probably would help us in Juniper Flat too, where we're having all that problem. So let's go that route. There's evidence we can do it.

Closing is a disaster because then we totally lose control. Closing we just lose control. So I look forward to working with you guys in trying to get something resolved on that issue.

CHAIRPERSON BANIS: Thank you, Ed.
MR. BRAMHAM: Can I request my time?

CHAIRPERSON BANIS: I'll give it to you. Go ahead.

MR. BRAMHAM: Thank you.

CHAIRPERSON BANIS: Then we're on schedule.

MR. BRAMHAM: At the risk of asking for more groups and more meetings, the groups have been highly responsible for positive reactions from the OHV community, whether it was Dumont, ISDRA, the Special Recreation Area Permit one that we just completed. I'm wondering if this issue raises to the level of a subgroup in the Barstow area to try to work through this with OHV leadership. Honestly this is the first time I've heard this mentioned. I want to be a positive part of making a solution to this. Thank you.

CHAIRPERSON BANIS: Thank you, Jim. Billy, do you want to close?

MR. MITCHELL: Yeah. Could I? I think what this gentleman said right here, he's got the answer. I think the Wilderness is already --

CHAIRPERSON BANIS: Into the mic. Come on up, please. We want to hear.

MR. MITCHELL: The Wilderness is also affected through Rattlesnake Canyon. You have really got to see how that canyon is. And the fence I am losing, all
they're going to do is cut that. But I think the answer
was -- he had it right. If there can be funding for a
ranger or if you can create that, that's going to be the
answer other than the fencing and the cow guards. I
mean, you know yourself when you drive down the highway
and you see a patrol sitting there, you slow down
automatically. All they've got to do is write tickets
out there, and it's going to dawn on people when they
take motorcycles away we are the not going to go over
there.

That's all I want to say. I don't want to
waste time and energy on something I know these people
are going to tear out, you know. So if we can put in
law enforcement or rangers, that will be excellent.
Thank you.

CHAIRPERSON BANIS: You bet. Thank you very
much for this conversation we had today in opening up
discussions on ranching. Do you want to have a question
on that? Remember we actually close this topic at our
next meeting, so be thinking about any thoughts,
recommendations, things that you might want to suggest
that comes out of this discussion today. April?

MEMBER SALL: Thank you. On that note, I would
just like to bring up again in the conversation of not
only the Rattlesnake Canyon area but that sort of area
of the Barstow Field Office with the discussion of
Johnson Valley and the potential Marine Base, I would
advocate again that some more conversations move forward
that, if any expansion of the Marine Base into
Johnson Valley occurs, any acreage at all, that part of
that mitigation be that the Marines or some other
funding sources besides the BLM's already restricted
budget be for additional law enforcement and that
preemptively there may be a study of current uses and
maybe abuses and comparisons as a baseline.

CHAIRPERSON BANIS: We are all set. If there
are any other comments on this, I'd be happy to take
them. Seth.

MEMBER SHTEIR: Just wanted to add to that very
simply I support that idea that was just introduced and
would add off-road vehicle education and signage to that
mitigation as well. Thank you.

CHAIRPERSON BANIS: How are you doing? Would
you like a little break?

THE REPORTER: Very little.
CHAIRPERSON: Could we take under ten?
THE REPORTER: Yes.
CHAIRPERSON BANIS: We'll take an
under-ten-minute break, and we'll start with Dinah's
report. Take a short break for stenographer break and
rest break. We'll be back with mining report and back on schedule soon. Thank you.

(A brief recess was taken.)

CHAIRPERSON BANIS: Sorry to interrupt. We're going to pick up our last briefing of the morning. Our next item on the agenda is a presentation on mining, mineral extraction related issue from Dinah. You'll recall at our last official DAC meeting in June Dinah made a presentation about iron deposits in Johnson Valley, and it was very well received.

MEMBER SHUMWAY: It was?

CHAIRPERSON BANIS: Yes, it was, and you had everybody on the edge of your words. And there was good discussion afterwards, so we decided to invite you back to the microphone and see if you couldn't recreate the magic.

MEMBER SHUMWAY: You poor people.

CHAIRPERSON BANIS: So Dinah Shumway is going to present on mining and minerals. The floor mic or whatever you need is yours.

MEMBER SHUMWAY: Do you want me to use the mic?

CHAIRPERSON BANIS: Mic is best. Thank you.

MEMBER SHUMWAY: Can I take it off and walk around?

MR. RAZO: It's taped, but you've got a little
ways.

    CHAIRPERSON BANIS: Or you can take one of these. I don't know if it will be any better.

    MEMBER SHUMWAY: I won't go very far. This is quite a difference from the talks I've been giving. I've given talks on gold five different times in the last two months to rotary, robotics classes, high school classes, various other types of things. So this is a little bit different because I'm not talking about gold.

    Okay. I'm going to be talking kind of informally about my take on developing mineral resources on Public Lands and the limitations about that and I think what we all need to be aware of. Next slide, please.

    I told you it was informal. This is from the Mineral Information Institute. They update this every year, and this is essentially how much every American born today will need over their lifetime. And you can see the gamut runs from clay, salt, copper, gold, phosphate, rock phosphate mostly for aluminum, iron, ore, cement, natural gas, other minerals and led.

    Does anybody know what do you use led for in your life, almost a thousand pounds of led.

    MEMBER MUTH: Fishing weights.

Next slide, please.

All right. This is kind of small writing, so you can move up close if you have to. Wait a minute. That should say "California." Why does it say "Montana"? This is a total land federal acreage in 13 western states. This is from 1999, but I got it from the 2012 Bureau of Land Management statistics. So California has got a hundred million acres of the Public Land, which is about 43.6 percent of our entire state lands. Next slide, please.

BLM manages about one eighth of the entire land mass in the U.S. That's about 12 percent. By comparison all of the mining that has ever been done in the U.S. throughout its history comprises less than two percent.

And I have a little comment here. And I saw a statistic once, and I am sorry I didn't collect it, but there is some incredible amount of percentage, much more than mining, that supermarket parking lots comprise in the U.S. So compare that to mining. Next slide, please.

This is from the Geology, Energy and Mineral Resources Element, and these are going to be your next three most boring slides. This is 1981–82 vintage, and the thing I'd like to point out is that it points out
the CDCA is the most diverse geologic region in the U.S. It's very important to our economy. In addition to the occurrence of energy and mineral resources, other minerals are known to be present in the CDC, and still other undoubtedly remain to be discovered. Next slide, please.

Further boring slides. The goals of the G-E-M -- and the G-E-M is geology, energy and minerals. It's an element. If you prepare a mineral potential report, you must consult with the BLM for using their G-E-M elements, which is a whole lot of information. One of the goals is to involve the BLM actively with multiple-use management and framework, continue to recognize access and availability of as much Public Land as possible for mineral exploration and development and maintain the current database and analysis of G-E-M resources. Next boring slide.

The specific objectives are to recognize ways of access and opportunities for the exploration and development of Public Lands for mineral potential critical resources. These are like chromite, platinum, things like that, strategic minerals. Recognize ways of access and opportunities for energy minerals and recognize ways of access and opportunities for exploration of development on Public Lands which is
assessed to have potential for mineral resources.

And I have a yellow thing down there because they specifically mentioned zeolites. This was 1980s.

Since this analysis was made in June, 1980, the zeolites have become of national importance. Yes, that's true.

But the production of natural zeolites was overtaken by the new technology which produced manufactured zeolites, so essentially the market for natural zeolites collapsed in the face of being able to manufacture zeolites for specific purposes. That's how fast technology changes.

Next slide.

Okay. I tried to find my old BLM mission statement which had "multiple use" in it as part of the language. The new one is, "The mission of the Bureau of Land Management to us is to sustain the health, diversity and productivity of Public Lands for the use and enjoyment of present and future generations."

There actually was a white paper on the web from the Wilderness Society, which was essentially crying over the fact that "multiple use" was taken out of the new BLM management mission statement. Next slide.

Okay. So here's why people like me care about not closing up too much of the desert to further mineral exploration. And it's because of geology. Geology is
what controls where minerals are. Advances in
technology is what controls how we use minerals in our
lives. Next slide.

Okay. So here are mining claims on
Public Lands. You can establish a mining claim for
certain minerals. In California we have about
21,000-plus claims. I could not get any data for the
Desert District at this point. I know it's there. I
just can't find it yet. Next slide.

Oh, each claim pays $140 per year annually for
every 20 acres. Most claims are just 20 acres. Okay.
Here's the receipts, three-million-plus dollars for the
State of California.

Next slide. Okay. So here's the realities of
mineral exploration if you're a geologist like me. So
first you need to have a good geologic map. Does
anybody here think that we have adequate geologic maps
everywhere?

UNIDENTIFIED SPEAKER: No.

MEMBER SHUMWAY: No, we don't. Of course we're
always revising these maps. You need to collect surface
samples, so you need to get there and collect samples.
You need to have these samples analyzed for whatever
commodity you're looking at. You need to conduct
subsurface exploration. That means you've got to do
some drilling or you've got to do some trenching, so you
have got to get in there to do that. You need to
identify a market. No market, no reason to mine, no
reason to explore. Sometimes the market is just not
there. Sometimes the market is too far away. Sometimes
the market requires something that you don't have right
now, you don't have enough of right now. The price is
too low right now.

You need to secure permits for exploration. In
California the average time to secure a permit for
something that I would consider sort of innocuous, like
construction aggregate adjacent to your property where
you're already constructing aggregate, is ten years. So
that's ten years of money going out. So to do a cash
flow, that doesn't always work out. You need a big
deposit for that.

You do not mine without community consent. You
need to build infrastructure, more capital, and you need
to ramp up to optimum production. And so here we are.
And that's all driven by the plan, by a reclamation
plan. So right at the very beginning when you discover
or decide that you need to go forward with developing a
potential mine, you need to have a reclamation plan.
Once again, community consent. Next slide.

So here's my perspective on claims on
Public Lands and minerals on Public Lands. Wilderness does not generate income for the owners of Public Lands. It's Wilderness. It's closed to mineral entry, no claims. Districts with significant Wilderness Lands seem to have less operating funds. Now, I actually asked somebody about this at the BLM, asked two different people, and this was driven by a meeting that I was at this week where a Forest Service hydrologist told me that Forest Service districts that have lots of Wilderness don't have as much money because the perception is that Wilderness does not require management. But we all know that all lands within Public Lands require some management, just maybe not as much. I don't know. I just know that that is the perception. Most claims are never developed but still provide revenue to the public.

I think as far as the environment is concerned, one of the best things that ever happened was the BLM and the Forest Service going to a fee for your annual maintenance for claims. It's better to do that because what would happen in the past is, if you had a claim, you still had to spend about a hundred bucks. I think it was a hundred dollars' worth of work to maintain your claim annually. Well, it doesn't take a lot of money to haul a dozer out and scrape up a little bit and doing
absolutely nothing but screwing up the environment when it's better just to pay a fee. So this is one of the good things that happened.

In California claim holders must maintain their claims, so it's important that access to those claims be maintained. So if you have a claim and you have to visit that claim, then you need to have access to that claim. Next slide.

Okay. So gold mines in California, there are really only three big ones operating right now. Briggs is a reopen. They're operating; right, Carl? Yeah. They were in full reclamation. Now they're open. Castle Mountain is conducting exploration activities. They have a permit for the next five years to conduct these activities. And Mesquite Mine has been more or less continuing operating for the last 15 or 20 years.

Castle Mountain is an interesting story right here -- and we can go to the next slide, please -- because Castle Mountain was in full reclamation, and Feinstein's bill proposed incorporating the old Viceroy property into the park, the East Mojave Preserve. Well, anybody who knows anything about gold mining knows that on your leach pad, which is the most efficient way for recovering gold, especially low-grade gold deposits, there is about 20 percent of the gold left on the pad.
You can never recover 100 percent of that unless you mix it up and try it again with less and less results.

So essentially do the math. When they were mining in Viceroy, the price of gold was about $350.

What's the price of gold today?

MR. BRAMHAM: Fifteen hundred.

MR. HILLIER: Fourteen-something, yeah.

MEMBER SHUMWAY: That's good. It's going up again. Do the math. Twenty percent of all the ore they put on those pads is still on those pads, and somebody wants to take it and put it into a park where it can never be accessed. Sorry. That doesn't seem like a logical way for a community to function.

Providence Mountains. In the Providence Mountains -- this is from Bureau of Mines report -- all of the gold and silver resources at mines in the study area are currently sub-economic at gold and silver prices -- at 400 troy and a hundred troy ounces respectively. However in the Providence Mountains there are areas that were regarded by the Bureau of Mines as high potential for mineral production. So that changes, but it's a Wilderness. There's more. Next slide.

Okay. This is a repeat, and I'm almost done.

So this is the access map for -- Ron, could you just stand up and show them where Camp Rock Road is. Do you
know where it is?

MEMBER JOHNSTON: I'm trying to see where it is here.

MEMBER SHUMWAY: See No. 6? If you could see No. 6, that's the area of Camp Rock Valley. Thank you. So up there two and three, that's the area of Camp Rock Valley. So it's north and east of Lucerne Valley, the Bessemer deposits and Camp Rock Road. Next slide, please.

Okay. So this is the gravity map, and I had this as a hard copy at our last meeting, but this time I added the tons that are identified as resources in these various deposits in the Camp Rock Valley. So the total is over 331 million tons of iron. Now, does anybody here remember what we use iron for? We use it for cement, primarily cement. If you don't have iron, you don't have cement. It's only five percent, but you still need it to make cement to specifications.

So we have in California two iron deposits. One is at Silver Lake, which will soon be closed by contract with the Army. And it's almost depleted anyway. Then we have another one at Baxter, and some of us might have been on the Friends of Mineralogy -- no. It was the Desert Conservation meeting this last April, where we went to the Baxter on a field trip.
UNIDENTIFIED SPEAKER: Desert Symposium.

MEMBER SHUMWAY: Thank you. So we went to the Baxter on a field trip. Well, the Baxter is privately owned by CalPortland, and if I owned that, I wouldn't sell it to my competitors either. So the next closest iron resource for our cement industry in Southern California is in Utah. Okay. So if you're an environmentalist and you don't like to see big trucks on the road hauling stuff back and forth when you have iron deposits in your backyard, I would say that's probably not a logical approach either.

Here's the problem: the Morris Lode at ten million tons in the far east here (pointing) is permitted, and that's probably enough for several decades to serve the mining industry. The other one, this 250 million tons at the Mann deposit, is about 2,000-feet deep. So right now that would be uneconomic.

Here's the problem that I have with this: the Cook Bill, which will essentially provide a designated off-road area in Johnson Valley, proposes to close the area to mineral entry. And here we are again closing an area to mineral entry when we have known resources. So I ask you as owners of Public Lands, do you think this is a logical way to proceed? I don't. Next slide.

So in closing, this is a cartoon that I've used
a lot. Even the high school kids get it. As your new efficiency expert, my first recommendation is to move all of your properties to a central location, preferably not on Federal Lands. Next slide.

And that's us right there. Okay. I'm done unless there are questions. As I said, it's my personal perspective. Questions?

(Appause.)

MEMBER SHTEIR: I'd like to thank you for that presentation. I had a question and then a comment. And what was zeolite?

MEMBER SHUMWAY: Zeolite is a clay.

MEMBER MUTH: We had to look it up over here too.

MEMBER SHUMWAY: It's a clay. But it's mostly used as a filtering agent, and they use it as a filtering agent for primarily nuclear-contaminated fluids, waters and things like that. And the beauty of it was, it has a certain angstrom size in its crystal structure that would grab these, I guess, nuclear pollutions from these things. But it's primarily used as a filtering agent like diatomite, something like that. And it's high filtration so they can essentially precipitate manufactured zeolites, synthetic zeolites from mostly silica to the exact angstrom size that they
need, so it's a better product.

    MEMBER SHTEIR: I certainly learned a lot there. I had one contrasting view of Wilderness, though. While I recognize that, you know, the agency doesn't make money from permits on Wilderness for mining and such-and-such, Wilderness does have a significant value in terms of recreational tourism. And there's been a lot of research out on this lately.

    And for those folks who want to find out more about this, please do go to Headwaters Economics -- you can Google that -- or Michigan State University NPS money-generation models. And I'll just share a few of the figures with you because I've been using them a lot. And that is this that in 2011 there are almost three million recreational visits to the three California Desert National Parks; for example, Joshua Tree, Death Valley and Mojave. And those visitors to those parks infuse local gateway community economies with over a hundred million dollars in direct spending and supported over 1200 full and part-time jobs.

    And so while Wilderness doesn't necessarily have an extractive value from that sense, it does have a recreational tourism value from that. And I just wanted to point that out as well.

    MEMBER SHUMWAY: I would point out also that
Wilderness is not the same as Parks. Parks allow people to camp, to drive as well as to hike. So it provides access for disabled people or people that don't have the skills or strength to hike into a Wilderness Area.

MEMBER SHTEIR: Most of the land in our three desert National Parks that's federally designated Wilderness, a park like Joshua Tree National Park, 80 percent of that, or over 585,000 acres, is federally designated Wilderness. So our California Desert parks, while they do have Wilderness in the front country, the majority of the lands are federally designated Wilderness.

MEMBER SHUMWAY: I don't dispute that, but there are plenty of other Wildernesses in the Public Lands who don't have Parks associated with them. And if you look, the old topo sheets show that there has been active mineral exploration. And when somebody like me sees a whole bunch of prospects in a certain area and has favorable geology, the first thing you would think is, I wonder what's out there. So if they're closed to Wilderness, you can't even find out.

MEMBER SHTEIR: Well, I understand that, and those are all good points. I'm not disputing the fact that mineral exploration has substantial economic value. I'm simply pointing out that our Wilderness-designated
areas have significant recreational attributes and other values and economic values as well to communities.
That's all.

CHAIRPERSON BANIS: Go ahead, Kim.

MEMBER CAMPELL-ERB: As a rockhound I can tell you that most rockhounds used to go to a lot of places that are now Wilderness, and they can't get there now if they were allowed to collect there at all. So there may be recreational value for people who want to go there for reasons other than rockhounding and mineral collecting, but number one, you have to be able to get there, and a lot of the old routes that went into those areas are no longer open.

If you want to hike in, you have to be very able bodied. You have to be able to carry food and water, and a lot of rockhounds are older and have physical limitations, and they have lost those areas. They've lost that recreational ability.

So I wanted to point that out. You are limiting who can use those areas by designating it as Wilderness. So yes, the Wilderness may provide recreational opportunities for a very limited group, but you're excluding other people from recreational opportunities who used to recreate there. Just a thought.
MEMBER SHTEIR: And that kind of has to do with nexus on our Federal Lands. You know, some areas are federally designated Wilderness, which do have certain types of recreation that are allowed and certain types of recreation that aren't allowed, and other nexus on our Public Lands have big mining claims, which preclude other sorts of development, and other places still have renewable energy development, which precludes other types of recreation.

So the purpose in my mind of Wilderness is that it has certain aesthetic scientific recreational values, not claiming here that every area should be designated Wilderness. Obviously not. But it does meet a certain important criteria in our Public Lands, just like mining areas do and just like the broader base OHV areas do.

MEMBER SHUMWAY: Questions? Told you it was boring.

CHAIRPERSON BANIS: No questions? We have room for public comment on this, questions and comments on this topic. I have three cards. If you have comment, raise your hand. I've got Ed, Marie and Jim on all of the subjects.

MR. BRAMHAM: Pass.

CHAIRPERSON BANIS: Marie, would you like to come up? Please do.
MS. BRASHEAR: Ninety-eight percent of collecting areas in California were lost with the California Desert Protection Act. And by the way, your Wilderness, it wasn't done by science, just like the current bill that's sitting back there waiting to be introduced, it's not science either. You can go to the website and look at it, and there's not one bit of science there either. This is of the supporters.

And I think what you have to understand is that in California there are about 40,000 folks who recreate as rockhounds. Not all of them belong to associations. However when the California Desert Protection Act was passed, it again took 98 percent of our collecting areas. We no longer can access them. We can still collect in them so long as we make sure we do not destroy any Wilderness values, if we have the strength to walk in and hike in and then hike out with whatever it is we've collected. I think that maybe that's all you need to know right now.

CHAIRPERSON BANIS: Thank you, Marie. Seth, question?

MEMBER SHTEIR: Just a comment pertaining of the relation between Wilderness and science is, what I mentioned is mainly that Wilderness is a living laboratory for many scientists because the ecosystems
and other processes and features are very unique there because they haven't been disturbed.

     MR. WALDHEIM: Ed Waldheim, Friends of Jawbone.

Dinah always does an incredible job in reporting the mining activities, but she failed to add our little gold-mining activity we have just north of Randsburg. They are mining gold all day long 365 days a year, and they're doing pretty good. The only threat we have now is with the taking of the water out of the Fremont Valley area, there's a big hullabaloo going on there.

     MEMBER SHUMWAY: Are you talking about Yellow Aster?

     MR. WALDHEIM: Smokey Bear, Little Bear.

     MR. SYMONS: Sleepy Bear.

     MR. WALDHEIM: Sleepy Bear.

     MEMBER SHUMWAY: I did forget that.

     MR. WALDHEIM: He's doing very, very good mining. Employs about four or five people there all the time. So mining is very, very important.

     CHAIRPERSON BANIS: Thank you. I have no other comment cards. It's been suggested that we press on in light of weather for an opportunity for an early exit. Is anybody opposed to that? Would that be okay to press on?
MEMBER SHUMWAY: Yes, I propose we press on.

MEMBER HOUSTON: I'm not terribly opposed, but
I was really looking forward to my tamale.

CHAIRPERSON BANIS: I'll have tamales with you
after.

MEMBER O'BOYLE: We all have to check out of
rooms by 1:00.

CHAIRPERSON BANIS: So we'll want to take a
break for that if you haven't already. So maybe we
should just press on. From what I understand, the next
topic briefing is actually brief. Is that true? I've
heard.

MS. SYMONS: I don't know. If it's anything
like Ridgecrest, it will be brief because Carl was
talking so much. But I've got Mike here, so I don't
know.

CHAIRPERSON BANIS: Let's see if we can press
on a bit for this one more session. The rest is "Q" and
"A." Let's see how far we get. We may be able to do
this.

The floor is yours, Katrina, for a topic
briefing on Route 66.

MR. AHRENS: I can be brief.

MS. SYMONS: Okay. Connecting people with the
California Desert. Underneath that initiative certainly
we've got the Route 66. We were able to secure a grant from the Federal Highway Administration and have now a contractor to prepare a corridor management plan. And ultimately that corridor management plan will be to designate the official Route 66 within California itself. We're going to be focusing on the segment between Needles and Barstow. It will also be talking about the intrinsic values within the corridor, which involves BLM lands. We currently have nine Wildernesses and one ACEC within that corridor, so it's a huge opportunity to recognize the National Conservation Lands.

And then the third component of the corridor management plan will be a marketing strategy. You know, it's a huge opportunity to have the partnership with our gateway communities in both Needles as well as Barstow.

On December 3rd through 5th we had a kickoff bus tour, which unfortunately I was not able to go on, but Mike Ahrens did, so he's here to talk a little bit about that. And then also April was fortunate enough to attend. I see that she has stepped out. So Mike, if you can take over.

MR. AHRENS: Okay. Thank you. Mike Ahrens, Needles Field Office. Yes, Katrina chose to rather to play with the WEMO folks than go out on Route 66. I
thought it a poor choose personally, but I was happy to
go to that. As Katrina said, it was a kickoff tour for
the corridor management plan. It's sponsored by the
California Historic Route 66 Association.

So just in brief, it was very well attended.

We had kickoff meeting beginning in Needles. I guess
that would have been Tuesday night. It was very well
attended by the local government and chambers and
tourism boards there. Had a lot of enthusiasm in the
room for the project and for Route 66. We traveled the
route on Wednesday, had a terrific narration by
Roger Hathaway, a consulting archaeologist for the
County of San Bernardino, who has been recording,
studying and recording sites along Route 66 since, it
sounds like, mid '80s, very knowledgeable of the area,
and it was very much like drinking out of a fire hose,
the wealth of information that was given us there.

And then we concluded the tour Wednesday night
and Thursday in Barstow, again kicked off the planning
effort, began to scope amongst those folks on the tour
about the values of Route 66, the needs for tourism and
how that plan could be put together.

So tour was really good. I was very impressed,
very good, and a lot of enthusiasm, very well attended
in each community, both Needles Barstow, and also
Newberry Springs, so off to a good start, I think, on the corridor management plan.

Also I wanted to take a moment to talk about some parallel plans that the Bureau is initiating in regards to Route 66. We spoke a little bit about this yesterday. In the course of the next few months the objective is -- by the end of March, our office intends to establish a roadside information center, if you will, area at the five-mile exit on I-40 right there for eastern California.

We have an already very well-disturbed piece of land there, which is essentially on the most eastern portion of Route 66, entrance into Route 66 into California. That allows you continuous access to Route 66 westward. We think it will be a great opportunity to not only interpret Route 66 but certainly our National Conservation Lands as well, surrounded there with BLM lands, the Chemehuevi Mountain Wilderness, Dead Mountain Wilderness in the distance. So we're looking forward to working on that. Looking forward to having you guys out there for groundbreaking as that comes along.

Also we find that we have three original Route 66 roadside rest areas within that jurisdiction. Two are in Needles, one just east of Ludlow in the
Barstow Field Office. We think we might actually be able to access the original building plans for those. Roger Hathaway is actually going to help us with that. So we wanted to explore as a little longer-term goal, reestablishing those and constructing to those old plans. So those are kind of the things, I guess, at this point that we're moving forward with and/or considering.

MS. SYMONS: All right. So at the end of the corridor management plan, which we're right now anticipating to be on or about February of 2015, then that will bring us into our next step of actually seeking a National Scenic Byway designation for Route 66. The route goes through eight states, and currently five of them have the designation, and so hopefully California will be the next one in line.

Also along with this, San Bernardino County has recently raised an issue of the aging infrastructure of the wooden bridges along the segments of the Route 66. They have been talking about, you know, anywhere from closure to repair to maybe partial closures. So it's just like, stay tuned. There will be more public dialogue on how San Bernardino County would like to proceed in order to address the aging infrastructure issue. There's certainly a cultural factor involved
with those, but just know that at least where we plan to
do our first kiosk turnout, we don't have an issue with
the infrastructure at that location.

Hand in hand with the overall strategy for the
route, there are also a number of other actions that BLM
will be undertaking this fiscal year, including
rewriting of Route 66 brochure, social media blitzes and
then certainly just all the work associated with putting
together the corridor management plan, which will be a
public process.

CHAIRPERSON BANIS: Don?

MEMBER HOUSTON: Yeah, I have a number of
questions, Katrina. What's the environmental process
looking like? Is it NEPA/CEQA on this plan?

MS. SYMONS: The San Bernardino County will be
taking the lead.

MEMBER HOUSTON: On CEQA?

MS. SYMONS: Yep.

MEMBER HOUSTON: Will there be a joint
document?

MS. SYMONS: So Mike Ahrens, actually, you
participated in one of the telephone calls?

MR. AHRENS: No. Actually I was managing too
many hats.

MS. SYMONS: I do not have all the answers, but
I can get that and make sure we report on it at the next meeting.

MEMBER HOUSTON: Two more, and I'll be done. Your field office report, when they describe this process, "solicited participation from the readers and gave two e-mail addresses." So what is that participation going to look like? Are there going to be scoping meetings? Is there going to be public comment and all that kind of good stuff?

MS. SYMONS: Yeah. So Duran Sanchez, he is the project manager for both the Route 66 as well as the Patton Camp initiatives. So I would say get ahold of Duran, and he'll be able to give you our calendar of events, the timeline of when to engage in the process.

MEMBER HOUSTON: One last thing, and this is more of a comment. There's lots of infrastructure that parallels portions of Route 66, of existing infrastructure, and maintenance of existing infrastructure is exempt. It's a categorical exemption under CEQA. But there are exceptions to those exemptions, and one of which is impacts to Scenic Highways. So this designation is going to extinguish that exemption for all those maintenance activities on all the pipelines, power lines, telecommunications equipment.
So today they don't have to go through CEQA, but with this designation, they will. And that's a huge regulatory burden. And so I think there needs to be some discussion of that impact to try to reconcile it to maintain those exemptions, because, you know, the infrastructure is there now.

CHAIRPERSON BANIS: Why did you save that for the last?

MEMBER JOHNSTON: Question, Katrina. My understanding is that there has been marginal, if any, maintenance of Route 66 now for probably two decades; correct?

MS. SYMONS: I would hesitate to talk on the behalf of San Bernardino County.

MEMBER JOHNSTON: Well, my question -- I guess more appropriate -- is, is Caltrans going to be involved in doing preparation work and other remedial work on the highway itself when this is all said and done?

MS. SYMONS: For the development of the corridor management plan, it is an open public process engaging stakeholders from all sectors, local, state, county governments, tribal entities, the Route 66 Association. I mean, I can go on and on. So we are just right now in the early processes. We have over a year to go, and I am absolutely positive that concerns
such as what you just raised will be coming out of how do we best move forward on the management of this unique resource.

MEMBER JOHNSTON: Thank you.

MEMBER SHUMWAY: Can I ask a question?

CHAIRPERSON BANIS: Dinah.

MEMBER SHUMWAY: It's in follow-up to Don's question. So let's assume that the request to make this a Scenic Byway is successful. Is your knowledge about other segments of Route 66 that has been designated as Scenic Byways -- do they have written into it an exemption for the maintenance of utilities, for example?

MS. SYMONS: I have no knowledge. I can do a followup.

MEMBER SHUMWAY: Right. I'm just thinking, studying precedence is always risky. But this does seem like a very legitimate concern for -- well, not only communities but for the independent industries themselves. But that impacts communities as well financially. Thank you.

CHAIRPERSON BANIS: Other questions? I can say I've seen interpretation of ancient geological features. I've seen interpretation of dinosaur areas. I've seen interpretation of thousand-year-old petroglyphs. I'm feeling old when we're interpreting paved roads in the
desert.

All right. No more comments and questions? Public, any comments or questions on this? I have cards from Ed, Jim and Marie.

MR. HILLIER: I'd like to speak.

CHAIRPERSON BANIS: Gerry, would you like to have a comment?

MR. HILLIER: Yes. Thank you, Mr. Chairman, and especially without a card that I handed in. I've been assured that there has been a close communication with the San Bernardino County Department of Public Works, and so you know there's no need for me to seek further input there, and Roger is a tremendous resource.

There is a chunk of this highway -- it's interesting. I have not looked at the master title plats, but I suspect that most of the highway exists under RS2477 rather than the formal right-of-way, but the stretch from Essex north of I-40 that goes through Goffs and then comes back through Arrowhead Junction was secured as a right-of-way under 2477 under the settlement with the Park Service under the Quiet Title Action a year ago, and so that clearly is the County's. But the State of California basically washed their hands of it. When they opened I-40, they gave their former
right-of-way to the County to maintain.

And this issue of replacing the timbers is a big deal because it's very, very expensive, and the Federal Highway Administration, when they do restoration and they find federal grant money to be able to subsidize -- and the County hasn't got a great deal of money to devote to this, not when they have highway and road maintenance needs in more populated areas of the County -- the Federal Highway Administration wants it built to current standards, which is all reinforced concrete.

And so the County has been actively participating to try and get a waiver of that so that they can use modern structural timber to maintain the historic integrity of those bridges. And this is going to be a difficult process to work around, and we've been in touch with Senator Feinstein's office in fact to attempt to write in some exclusions and waivers.

Mr. Houston's issue of the exemptions under CEQA were interesting and certainly raised a new issue, as far as I was concerned. But I would add to the exemptions and all there is that, assuming that Senator Feinstein does introduce California Desert Protection Act 2, that of course one of the targets is a National Monument that will be established.
By the way, Katrina, what's the width of your planning area? You haven't set that? Okay.

At any rate I'm sure that National Monument designation could also add to this regulatory framework and exclusions or non-exclusions. And so there's a great deal that needs to be integrated into this in terms of consideration, not only in terms of current regulatory framework but potential regulatory framework with the National Monument.

Oh, I just want to put on the record that this will be of concern to the County. The County is full-bore behind this, but it's got to be done right.

CHAIRPERSON BANIS: Thanks for tying that in.

MEMBER HOUSTON: One comment, Mr. Chairman.

CHAIRPERSON BANIS: There you are. Okay.

MEMBER HOUSTON: In this process this CEQA and/or NEPA process more than likely will also include an eligibility assessment under Section 106 for not only the road but the bridges as well. So that could also impose additional restrictions on use and maintenance of adjacent facilities.

CHAIRPERSON BANIS: Ed?

MR. WALDHEIM: Having traveled the route -- Ed Waldheim with California Trail Users Coalition -- I am very concerned with what Don just brought up. That
this is brought up not just yes, there was a report. I think we should highlight it, underline it, make sure Mr. Ten up in Sacramento fully understands the implications of what they have to do, not just, "Thank you very much, and seen you tomorrow."

The implications of losing those exemptions would be absolutely devastating and become a project that never gets finished because nobody has the money to do that anymore, so I think we should take that very seriously.

MEMBER HOUSTON: I think it's a good idea, but you want industry on your side, and if you're making a designation which is going to impose huge costs on the utility industry and the energy industry, you're not going to have them on your side, and the likelihood of success is much lower. You're not going to have the utility and energy industry on your side if they see these exemptions going away. I think that's the key of success to this effort.

CHAIRPERSON BANIS: Paul.

MEMBER O'BOYLE: Yes. I'd like to chime in. I agree with Don. I would say that a lot of the stuff is dictated by state and federal law, what they can and cannot do. There are certain rights the public utilities, specifically telephone companies, have. I
can't address the issues for the energy companies per se, but they do and continue to have right to be in the right-of-way, so I don't think it would be precluded. But I do think it's a good idea to actually write it into the language that you're speaking of.

CHAIRPERSON BANIS: Jim?

MR. BRAMHAM: My history for this route started when I started college in Flagstaff Arizona and there was no interstate 40, and so this was my route to college. And I fell in love with it at that point in time, and later I started trucking fuel oil out of Bakersfield into the Arizona fuel markets, and we found that this was the better route to drive with fuel trucks than the interstate because, once you leave Ludlow, there isn't a mile that goes uphill that goes back downhill, versus I-40 that goes up through the Sacramento Mountains was actually faster and more economical both fuel-wise and time-wise to drive 66 than it was to drive 40.

We have watched the weight limits on that road decrease and decrease through the years because of the bridge problems, and so no longer do you have interstate trucking going across that route, unless someone has chosen to ignore those signs.

But the other thing I want to expand on about
federal highway dollars is, it is my understanding that this land, this right-of-way was given to the County at the time the interstate was constructed, and therefore there has been very limited federal dollars available or even Caltrans dollars to do much of the work along this route.

And if you do apply for federal dollars, not only do they want you to build concrete bridges, they have to meet the width restrictions out of this current federal highway standard, which is 12-foot travel lanes and ten-foot breakdown lanes. So now you need a bridge that is 24 for the travel lanes and another ten on each side. So you're looking at way wider bridges than you were before, so there's a greater footprint to that.

It took Caltrans almost ten years to get an exemption to that rule to rebuild Interstate 80 from Truckee to Reno that goes down through Birdseye Canyon because they did not want to increase the footprint of that by including ten-foot breakdown lanes. So there are some serious issues to rebuilding this road funding-wise, construction-wise and so on.

But on the other side of that I've been very involved in Northern Nevada, where they did very much the similar process with Highway 50, the, quote, "loneliest highway in America," policy that went through
and brought a lot of tourism to the area, brought a lot of people to identify with that route, a lot of things to see obviously along that way between pony express routes and stage coach routes and so on and plus all the historic other things that were along Highway 50. So I'm glad to see that we're going to try to move to keep this, but I do see that there are a lot of problems with the infrastructure and the dollars available. Thank you.

CHAIRPERSON BANIS: Thank you, Jim. Last comments? Good. Thank you. Mike, Katrina, thank you very much for updating us on those issues. Those are great projects. We'll be hearing more.

Next item. Are we okay? We're going to try to push a little bit without lunch. The Dumont Dunes Subgroup Report is first.

The Dumont Subgroup met on November the 19th. We had a spirited conversation about a bumpy start to the beginning of the dunes season, but we also had a conversation regarding the lack of a cooperative agreement of law enforcement with the San Bernardino County Sheriff's office.

And the subgroup passed the following recommendation, and that is, "In order to improve communications, effectiveness and efficiency under
decreasing resources, we encourage the BLM to work with San Bernardino County's Sheriff's office to reinstitute a cooperative agreement for law enforcement."

I don't want to get too long into the history. I think many of you know that as much as a decade or more ago the cooperative agreement between the sheriff's office and the BLM was broken, and that caused us difficulties in trying to respond to incidences where you need quick, timely and sometimes joint responses. So that's where this comes into play. Years have gone by. Water has gone under the bridge. And we believe that it's time in the Dumont Dunes area that we could benefit from such a cooperative agreement again.

Comments, questions?

MEMBER SHUMWAY: Is there a reason it broke down?

DIRECTOR RAML: Long history, yeah.

CHAIRPERSON BANIS: It's rooted in the --

DIRECTOR RAML: If Billy were here, he would tell you.

CHAIRPERSON BANIS: Yeah. It's rooted in the Sage Brush Rebellion. Not really, but it's a bad -- Gerry didn't like that term. It's a bad coining, but it's the --

MR. HILLIER: There have been some longstanding
issues of concern between the ranching community and the sheriff's office, and about the time it started to get resolved, something else would happen. Leave it at that.

CHAIRPERSON BANIS: Okay.

MEMBER SHUMWAY: So are there new players so that you're optimistic about agreement being possible this time around?

CHAIRPERSON BANIS: Years have gone by and new elected officials and maybe new ears.

MEMBER SHUMWAY: The need is still there. Okay. Thank you.

CHAIRPERSON BANIS: Does the DAC wish to acknowledge this recommendation and accept the recommendation of the Dumont Subgroup?

MEMBER MUTH: So moved.

CHAIRPERSON BANIS: Thank you. Second?

MEMBER O'BOYLE: Second.

CHAIRPERSON BANIS: Seconded by Paul.

Discussion on the motion to accept?

MEMBER SHUMWAY: So the subgroup will go forward in approaching the sheriff?

CHAIRPERSON BANIS: No, no. This is advice from the subgroup to the DAC that we encourage the BLM to work with the sheriff's department to reinstitute the
cooperative agreement with law enforcement.

MEMBER SHUMWAY: I agree.

CHAIRPERSON BANIS: So it would be us either accepting the report or accepting their recommendation. Was this to accept the report or accept the recommendation, your motion?

MEMBER MUTH: The recommendation.

CHAIRPERSON BANIS: And the second?

MEMBER O'BOYLE: Yes.

CHAIRPERSON BANIS: The recommendation.

Comments?

MEMBER HOUSTON: So the BLM will just be revisiting old business? Or is there something new here?

CHAIRPERSON BANIS: How do I answer that? What is new may be a new cast of players and a new willingness to cooperate in times of declining resources. This is coming somewhat from complaints on the ground, and we know that the resources in law enforcement are continually under constraint, and we would hope to get more efficiency and effectiveness out of a cooperative agreement as other counties have with the BLM, as other counties have.

Okay. No other discussion? Those in favor of the accepting the recommendation, say "Aye" or raise
your hand. Opposed?

(A vote was taken.)

CHAIRPERSON BANIS: None. Motion passes. Next item on the agenda is a report from the SRP Subgroup. Kim is the chair of the SRP Subgroup.

MR. HILLIER: Quick question. Having given that recommendation, what's the course of action that's going to ensue from that?

CHAIRPERSON BANIS: I believe that the best thing the DAC could get would be perhaps a summary of the status of this, a little background and a future field office or district manager report to see if this is something that the BLM wishes to move forward on, and we'll will then move forward on it.

Katrina, do you think that would be okay.

MS. SYMONS: Just to give an update, Chief Chassie, my chief law enforcement officer or ranger, is already entering into that dialogue with San Bernardino County Sheriff's Department in order to do just that. So I see this as basically just an endorsement of the work and dialogue that's currently ongoing.

CHAIRPERSON BANIS: Yes.

MR. HILLIER: Thank you.

CHAIRPERSON BANIS: Kim, the floor is yours.
MEMBER CAMPELL-ERB: We had a subgroup meeting. The Special Recreation Subgroup met -- I believe it was November 13th at the Moreno Valley District Office of the BLM, and it was a good meeting. We're kind of kicking off our study and our evaluation of the special recreation permits for non-competitive events, and we are currently working toward processing some hypothetical permit applications for various events. And we will be doing that at different field offices for different events, coupled rockhound events at different places with different sizes.

And then at the next meeting we will be discussing the outcome from that, and I think it will be very interesting for those of us that are involved in non-competitive events. And the next meeting again is January 15th.

CHAIRPERSON BANIS: Thanks, Kim. Questions? Tom, could I put you on the spot for ISDRA Subgroup. I didn't receive any formal motions from the last meeting or formal recommendations. I'm not sure if there were any, but there may be some discussions you could help us characterize.

MR. ZALE: Sure, I will.

CHAIRPERSON BANIS: Thanks, Tom.

MR. ZALE: So the subgroup had a productive
meeting on November 20th. We talked a little bit about conforming the subgroup's charter with the DAC charter. We also talked about the need for the County of Imperial and the DAC to fill vacancies for the upcoming year and hope to have that accomplished before May 22nd, which is our next meeting date.

We talked about old business, including focusing some attention again on the Wash Road, on the ATV training for kids and also looking at the possibility of applying for a grant for the Watchable Wildlife site up in the North Algodones Dunes.

There was one motion, and the motion reads, "BLM have a proposal for a one-day pass as an agenda item for the May 22nd, 2014 meeting." It was made by Jim and seconded by Tom Acuna, and it passed unanimously. So we will be working to make a proposed one-day pass available for discussion at that next meeting.

We also talked about a second-vehicle permit, and finally we talked about the permit-replacement issue that you raised, Dinah, and we think we have that solved. Our contractor is basically currently refunding or replacing, I guess, damaged permits when an application is made for a fee of five dollars. So that problem was solved.
CHAIRPERSON BANIS: Okay. Terrific. Thank you for noting that for us. I appreciate it.

MR. ZALE: Okay.

MEMBER HOUSTON: Can I ask a question?

CHAIRPERSON BANIS: Yes, of course.

MEMBER HOUSTON: Tom, we will probably revisit this later when we get field office reports. So the subgroup is asking the DAC to consider recommending the one-day pass that was discussed a lot in August; is that right?

MR. ZALE: Well, the subgroup is recommending that BLM bring a proposed one-day pass for the subgroup's consideration at the May meeting.

CHAIRPERSON BANIS: So it was a vote among themselves to agendize that on their own next meeting.

MEMBER HOUSTON: Oh, their own next meeting?

CHAIRPERSON BANIS: Correct. It's not ripe for us yet. They're going to agendize, discuss, come up potentially with something, and then maybe we'll have it.

MEMBER HOUSTON: So it's not coming to us until later this year.

CHAIRPERSON BANIS: That's correct.

MEMBER HOUSTON: I guess the follow-up question is, you have a new vendor with the new contract. Does
the contract allow for those kinds of changes to occur?

MR. ZALE: That's an interesting question and one I probably can't answer definitively, yeah, without working through our National Operations Center. But that's a good point, and we will cross that bridge when we get to it.

MEMBER HOUSTON: Okay.

CHAIRPERSON BANIS: Are there old wooden timbers on that bridge? Okay. Thank you. Thanks very much.

MR. ZALE: They're categorically excluded timbers.

CHAIRPERSON BANIS: Yeah. I'd like to move on to the Council Comments on State Office District Manager and Field Office Reports now and then, if I may, open up to the public for their questions on those reports and questions on the subgroup, consolidate that a little bit so we'll get more out for us to talk about. So we'll be right back to that, if that's okay, move forward to -- are there any questions that the DAC has on the reports of the BLM? Don, we'll start with you.

MEMBER HOUSTON: I thought we were going to take a break now.

CHAIRPERSON BANIS: I did promise a break now, a brief stenographer break, a cracker break, a
cheese-and-cracker break. That's the best we can get. But I think we're going to be okay. Just so you know, it's 12:40. I think a ten-minute break, 12:50. I don't think it will be longer than 1:30 before we're gone. Is that okay for our tummies? Can we do that?

MEMBER HOUSTON: Oh, yeah.

CHAIRPERSON BANIS: Let's do that. Okay. Very good. We'll take another ten-minute break. Thank you. (A brief recess was taken.)

CHAIRPERSON BANIS: Thank you. Thanks, everybody for coming up quickly. And the item on the agenda I'd like to move into is the Council Questions on Reports. I think Don was going to go first, if you had something.

MEMBER HOUSTON: Yes.

CHAIRPERSON BANIS: These are the Comments on State Office, District Manager and Field Office Reports.

MEMBER HOUSTON: Okay. I'm going to start with Barstow. And I have a request in terms of the consistency in the writing of the descriptions of the different projects you're managing. And some descriptions do and some do not do this, but I would like the name of the project applicant in that description. Some of those descriptions have no name of the applicant, and then the NEPA status. And this kind
of goes for all the field office reports. So that is my request.

MS. SYMONS: I can give you some names.

MEMBER HOUSTON: That's okay. Just moving forward, you know, when you write the reports, as I read them, that helps me decide whether I really want to drill down on this particular project or not.

And I think it was the Barstow, but I could be wrong. It could be El Centro, and Tom, you're up next. There was a statement about patrolling Wilderness Areas, and since Wilderness Areas are typically roadless areas, I wonder what that patrolling looked like.

MS. SYMONS: For Barstow, it involves the patrol of the boundaries.

MEMBER HOUSTON: Boundary patrol.

MS. SYMONS: As well as we also have individuals that are hiking within the Wilderness itself and doing monitoring. And in such is also, because we have incursions into our Wilderness, is making the contacts with our visitors and educating them as to what's appropriate in Wilderness and what is not.

MEMBER HOUSTON: Okay. Thank you. That's it for Barstow. Is this how we want to do it?

CHAIRPERSON BANIS: Sure, yeah. Jump right on in.
MEMBER HOUSTON: Tom, you're up next, and you know what the question is I'm going to ask you about. We talked yesterday or the day before -- I think it was the day before -- about this, and this is in the record; it's in the minutes -- that during the deliberations over the fee increase, myself and other members of the council and especially when it related to the single-day permit, we were concerned about the administrative costs associated with the new permit scheme.

And Tom's response to that was, you know, we have a new vendor, a new contract. I can't tell you the details because the ink is not dry, but you're going to be very happy with it.

So now is the time to make me happy, yeah. And I think what you have to say is going to do that.

MR. ZALE: Okay. So how much would it take to make you happy? All right.

DIRECTOR RAML: Now that we established you can be bought.

MR. ZALE: In fiscal year 2012 we spent approximately $888,000 on fee collection. We don't have a final figure yet for FY13, but it's somewhere in that ballpark. In FY14 under this new contract we project to spend about 271,000. Does that make you happy?

CHAIRPERSON BANIS: Wow.
MEMBER HOUSTON: That makes me very happy. And just as we go forward, Tom, me and you, just know my philosophy is, whoever comes up with the number first loses in the end negotiation.

MR. ZALE: I'll keep that in mind, too. You have projects. Thank you.

CHAIRPERSON BANIS: That's funny. Very good. You still have the floor.

MEMBER HOUSTON: Okay. Needles. This is real quick. The joint point of entry there at Primm, is that going to replace Yermo?

MR. AHRENS: I believe that is the intent of it, yes.

MEMBER HOUSTON: Okay. So we have a new point of entry at Primm coming out of Vegas into California?

MR. AHRENS: Correct.

MEMBER HOUSTON: So that will be much closer to Vegas. You have much less time to sober up.

MR. AHRENS: Right, exactly.

CHAIRPERSON BANIS: Very good.

MEMBER HOUSTON: That's it.

CHAIRPERSON BANIS: Other council members with questions from the reports? Dinah.

MEMBER SHUMWAY: I have a couple questions.

Mike, you haven't been there very long, but do you know
who performed the mineral potential report for the joint point of entry? I would have thought that could have been inhouse, but I know they were looking for a contractor.

MR. AHRENS: I do not know that offhand, no. I could look it up and get back to you.

MEMBER SHUMWAY: It should be a matter of record, who did that.

MR. AHRENS: Yes, it would be, I'm sure. But I didn't commit it to memory.

MEMBER SHUMWAY: If you could just have somebody e-mail me with that information, I'd appreciate it. Thank you.

MR. AHRENS: I can do that.

MEMBER SHUMWAY: And then Tom for El Centro, on your education and outreach you have several bullet points for trails. I'm asking you -- and maybe I'm asking the other field offices too. Have there been any new trails that have been established, or are there plans for any new trails to be established, new trails?

MR. ZALE: I'm not aware of any new trails. We're doing trail maintenance work primarily, so I guess the answer to that is no, not at this time.

MEMBER SHUMWAY: Okay. I've been thinking a lot since our WEMO Transportation Subgroup, and I'm kind
of making a comment to all the field offices too. There was quite a bit of discussion about trails that end up getting used for motorcycle trails, so that's a hard thing to maintain, especially since trails are supposed to be just for hiking and horses and, you know, things like that. But I do think there are a lot of areas, at least in the area that I am familiar with and go out to a lot, where I think that there could be a market for some trails.

A lot of people like to go hiking, but they won't go off an established trail, so I think we need to think about providing that kind of access for people in the future, especially if we're talking about public outreach. There's a lot of people -- there's a big disparity between people who will only walk on a road or who are physically adept at going cross country, and I think sometimes having a trail can address sort of a middle market there between the people who just strike across and the people who will stay on a road. Thanks.

CHAIRPERSON BANIS: Ron, do you have anything for the reports?

MEMBER JOHNSTON: Not at this moment, no.

Thank you.

CHAIRPERSON BANIS: Kim, do you have questions for the reports?
MEMBER CAMPELL-ERB: No.

CHAIRPERSON BANIS: Al, you've got the mic.

MEMBER MUTH: Yes. This is for Palm Springs, and John, you can stay seated. It's just sort of a grandstanding comment.

DIRECTOR RAML: Maybe you should stand.

CHAIRPERSON BANIS: He might want to leave.

MEMBER MUTH: Anyway, we see the numbers on solar projects, but they don't mean anything after a while of looking at the numbers. And since most of the folks here, I think, were at Primm, I wanted to mention there's a solar project, BrightSource, out at Palen and at Dry Lake, and there was a recent hearing with the California Energy Commission, full disclosure. I testified with some concerns about fringe-toed lizards and sand dunes.

But the size of that project may become apparent to all of you when you put it in this perspective. Right now the tallest building in Riverside County is 331 feet high. That's the Casino Morongo that you can't help but notice as you drive out to Palm Springs. The Palen power towers, there will be two of them, closed structures, 730-feet high. And that may be short. There's some discrepancy or some concern about the Energy Commission's final
report of getting that right. So that would then be the
tallest structures in Riverside County.

You were at Primm. You saw the size of those
towers. Bump that up half again as high. That's what
we're talking about. And to support those towers,
that's 175,000 heliostats arrayed around the towers on
3,794 acres of BLM land. Then there's the
infrastructure that goes with it. Those numbers really
hit home for me, and I hope you can put some of this
stuff into perspective, the industrial scale of the
projects that are proposed on BLM land. So I'll get off
my soapbox.

CHAIRPERSON BANIS: Paul, do you have any
comments or questions for the field office reports?

MEMBER O'BOYLE: No.

CHAIRPERSON BANIS: Everybody set with that?
I'll open up to public comments on the subgroup reports
and the field office reports, and I still have cards
from Gerry, Ed, Jim and Marie. Any comments, questions?

MR. WALDHEIM: Ed Waldheim, Friends of Jawbone,
Friends of El Mirage. We always are happy when we get
reports from the field offices on those partners' jobs
that they're doing in the field offices, and we seem to
be letting that fall off the side of the table again.
And I'd like to see that at least there's more than just
Friends of Jawbone and El Mirage people are doing out there. We need to give attaboy kudos to those people who really bust their chops to help the Bureau of Land Management, so I'd like to see those in the reports.

The subgroup, meaning Kim, I just came back from Germany, went to Switzerland and met my friend Uwe Deimer, who runs Ad-Mo Tours. He wants to get permits to put his tours on, but he can't get them. It's just a total nightmare. He wants to do it legally. The man brings people over here from Germany, and he teaches them how to ride their motorcycles on El Mirage Dry Lake and takes them on a tour. He has six to eight people, sometimes five people. That's all it is, follow the leader, and it's unbelievable that he can't get a bloody permit.

We can send thousands of people up there to do whatever the heck they want to do, cut our fences, go away illegally, what ever they want to do. But here we got a guy who is just, follow the leader. These people will never get lost. They will never got off the trail because they got a guy in the back and a guy in the front. He's from Switzerland, so it's kind of hard to make that happen, but he's got an office in Wrightwood, and I'll give you the name of the girl over there. I asked her to come, but she didn't. But that has caused
me great concern.

Gerry Hillier, when we came up with the dual sport motorcycles, he said, "Ed, the motorcycles have license plates on it. I can take you to a whole bunch of places." Gerry, boy, were we wrong on that. It's gotten worse than before.

MR. HILLIER: Except that every I go to Paso Robles, and there's a German group of about 30 that come over here every year. There must be a way.

CHAIRPERSON BANIS: Jim, jump right in.

MR. BRAMHAM: Is Marie here?

MS. BRASHEAR: I'm here. Go ahead.

CHAIRPERSON BANIS: Okey dokey.

MR. BRAMHAM: First off as a former member of the Dumont Subgroup, I want to say thank you for the opportunity to have served on that body. I found that time very rewarding, and I'm very glad to see that there are some new people who have stepped up to take that torch. Also the idea that we would get back together with the county sheriff is a very positive step. There were several years where that would be putting your hand into a fully operational buzz saw. So I'm hopeful that that wheel has stopped turning so that some progress can be made and nobody hits the trigger again.

The ISDRA Subgroup, positive meeting. There
was great concern that there was no economic data that was provided at that point and not because the Bureau didn't want to give us that, just that because of the shutdown and the fact it couldn't sell passes during that period of time and the report from the vendor, et cetera, et cetera. And we are very pleased with the vendor amount, by the way. So we're really looking to see where this new process turns out financially.

I would consider the passes, the sales -- the annual pass sales to be absolutely dismal. They were probably 50 percent or less at the sand show, which is going to require a huge investment by the duners at the local places to buy the weekly passes. And we're really interested to see if that number picks up.

And lastly the question about the entry area at Primm. My wife works for the highway patrol. I have been counseled or have given them counsel on how to build that so that it is truck friendly, and it should not have been built where it is. It should have been built at the top of the hill instead of the bottom for the carbon footprint of everybody accelerating uphill. But it's going to be built at the bottom, and that's the deal.

But it does indeed have the replacement for Yermo involved in that trucks will go from one to
another, and it's built similarly to the Truckee facility. If you've ever been through Reno to Truckee where there's a weigh station and the trucks go to one side of the office, and the public goes to the other, so that it will replace Yermo.

CHAIRPERSON BANIS: Thank you. Marie, come on up.

MS. BRASHEAR: I just have a tiny little comment. It's been a really good meeting. A lot of great topics were handled well. I would like to see all of the field office managers come up with some suggestions of their own on how we more actively involve the public. I can remember when we used to have four, five, 600 people at DAC meetings. And we haven't had that in a long time, so not just the public coming up with ideas. I'd like to see each of the field officers come up with some ideas. Thank you.

CHAIRPERSON BANIS: Thank you, Marie. Gerry, any last comments on those reports?

MR. HILLIER: Unaccustomed as I am to public speaking, I just had one quick question there. Katrina, have you had an opportunity yet to provide any briefing to the new supervisor, Robert Lovingood, on the El Mirage project and operation and the partnership with the County?
MS. SYMONS: Yes, on a constant basis. He's got his representative who comes to our monthly meetings.

MR. HILLIER: Don Holland?

MS. SYMONS: So we are talking all the time.

MR. HILLIER: Okay. Good. I just wanted to make sure that had happened. And the other thing, has there been any further problems there with the land transfer and the documentation that was associated with that that was causing a problem before your arrival in Barstow?

MS. SYMONS: Not that I am aware of. As far as I know, there's no problem.

MR. WALDHEIM: They're bunching them all together. They're working all together. They want to get it as a group, and they are doing that now.

MR. HILLIER: Very good. That's all I needed to know. Thank you. Great meeting.

CHAIRPERSON BANIS: Thanks for coming, Gerry. Very good.

We're on the last item of business. I'd like to thank the Hyatt Hotel, first meeting here. What did you think of the place? I thought it was terrific. I loved the room. I thought the layout was terrific, and the room was really comfortable. Kudos for having lunch
done early yesterday, everything.

MEMBER MUTH: And the coffee.

CHAIRPERSON BANIS: And the coffee, so snaps to Hyatt. Thank you also to BLM for putting this meeting together in probably the shortest time ever, not only putting it together in the shortest time ever but having to do it from a complete and total stop. And having lost our November meeting, I was concerned that was going to be our last chance for the year, and I'm so grateful that my cries were heard and we have -- I know the Federal Register Notice didn't make the time, but we just really wanted to have a meeting this year. We only have so many, and we just couldn't let it go. So I really thank you for indulging me, the BLM, in doing what we had to do to get us together again one more time this year. Thank you.

Thanks, Steve, for that. And, Jennifer, thanks for arranging the room and all of us together and everything today. Thank you very, very much. I thank you, Jennifer.

(Applause.)

CHAIRPERSON BANIS: I do want to recognize one small item. I'd like to recognize my friend Ed Waldheim for having received the Kern County Jimmy Radoumis Award. Jimmy Radoumis was Mr. Kern County. He pushed
Kern County, and after he passed, Kern County Board of Tourism established an annual award in his name, and Ed was the recipient of that award for 2013 for the Kern County's tourism promoter of the year. So congratulations to Ed for that.

(Applause.)

CHAIRPERSON BANIS: Any final comments? Don.

MEMBER HOUSTON: Yes, if you would indulge me for a couple of minutes.

CHAIRPERSON BANIS: You bet.

MEMBER HOUSTON: There's been a lot of discussion about Wilderness today, and as Seth mentioned yesterday, next year is the 50th anniversary of the Wilderness Act, so I just want to take a moment to remind people of what was in the national consciousness and the strength of the legislative mandate that came about in 1964.

"In 1964 after 18 congressional hearings and 66 different versions of the bill, the nation's National Wilderness System became a reality. The vote in the House of Representatives was 373 to one. The vote in the Senate was 73 to 12.

"According to the Wilderness Act, a Wilderness is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man
himself is a visitor who does not remain."

CHAIRPERSON BANIS: That's right. Very good.

Dinah, any last comments?

MEMBER SHUMWAY: Get rid of those guzzlers.

CHAIRPERSON BANIS: Ron, any last words?

MEMBER SHUMWAY: Wait. Can I say one thing?

CHAIRPERSON BANIS: Oh, please, Dinah.

MEMBER SHUMWAY: I forgot to mention this yesterday, too. You might wanted to put it on your calendars. The Victor Valley Gem and Minerals Club is having their annual tailgate March 7th through March 10th off of Stoddard Wells Road. It's on private land, so it doesn't need an SR permit. If you're a rockhound or history buff, this is a good time to go out and see what everybody has got. It's really a fun time, and they have a field trip associated with it, but I don't know where they go.

MEMBER CAMPBELL-ERB: They have great deals on gems and minerals too. You should go. It's a great show.

CHAIRPERSON BANIS: Very good. Ron, would you like to have a word?

MEMBER JOHNSTON: I think I've had more than enough words, but thank you for leading another excellent meeting, Randy.
CHAIRPERSON BANIS: Thank you. Paul, final words?

MEMBER O'BOYLE: No.

CHAIRPERSON BANIS: Al?

MEMBER MUTH: I'm done.

CHAIRPERSON BANIS: Kim, April? Very good. Do I have a motion to adjourn?

MEMBER JOHNSTON: So moved.

MEMBER CAMPELL-ERB: Seconded.

CHAIRPERSON BANIS: Second by Kim. Those in favor, aye. Opposed?

(A voice vote was taken.)

CHAIRPERSON BANIS: Meeting adjourned at 1:17.

(Whereupon, the proceedings were concluded at 1:17 p.m.)

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MOTIONS

A. Maker: Johnston  
   Seconder: Muth  
   Motion: To approve the transcript from the  
            June, 2013 DAC meeting  
   Result: Motion carried

B. Maker: Johnston  
   Seconder: Shteir  
   Motion: To approve the transcript from the  
            August, 2013 RRAC meeting  
   Result: Motion carried

C. Maker: Campbell-Erb  
   Seconder: O'Boyle  
   Motion: (Regarding East Kern Acquisition)  
            To recommend the BLM take the  
            position that the land continue to be  
            managed consistent with the way it is  
            currently being managed over the broader  
            area controlled by the BLM until such time  
            that they come up with a long-term plan  
   Result: Motion carried

D. Maker: Houston  
   Seconder: Muth  
   Motion: That East Kern Acquisition be  
            considered at the next meeting of the  
            DAC in March for the purpose of supporting  
            the BLM in their development of a  
            memorandum of understanding between  
            State Parks and the BLM  
   Result: Motion carried

E. Maker: Muth  
   Seconder: O'Boyle  
   Motion: That the DAC accept the  
            recommendation of the Dumont Subgroup  
            encouraging the BLM to work with the  
            Sheriff's Department to reinstitute  
            the cooperative agreement with law  
            enforcement  
   Result: Motion carried

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M O T I O N S (CONTINUED)

F. Maker: Johnston
  Seconder: Campbell-Erb
  Motion: To adjourn
  Result: Motion carried
CERTIFICATE

I, Diane Carver Mann, CSR No. 6008, in and for the State of California, do hereby certify:

That the foregoing pages were taken down by me in shorthand at the time and place stated herein and represent a true and correct transcript of said proceedings.

I further certify that I am not interested in the event of the action.

Witness my hand this _____ day of _______________, 20__.

__________________________
Certified Shorthand
Reporter in and for the State of California