

Chapter 7 - Consultation and Coordination

This chapter is divided into three sections. The first provides an overview of public involvement in the planning process. The second describes the distribution and public review of the Draft Plan and Draft Environmental Impact Statement (Draft Plan/EIS). The third is a list of people who prepared the document.

7.1 Overview of Public Involvement in the Planning Process

The Council on Environmental Quality regulations (40 CFR 1501.7) and BLM planning regulations (43 CFR 1610) require an early and open process (scoping) for determining the planning issues. The regulations also require agencies provide opportunities for public involvement in the planning process, including review of the planning criteria and the Draft Plan/EIS. Efforts have been made to make the public aware of the planning process and of opportunities for involvement. When the Proposed Plan and Final EIS are issued (after the 90 day public review of the Draft Plan/EIS), those persons or organizations who have participated in the planning process will be given an opportunity to protest or appeal any part of the Proposed Plan decisions that they believe are wrong.

Issue Identification/Public Scoping

Public Scoping was initially begun in 1993 for the Eastern Colorado Recovery Unit and included four public meetings and written comments. In 1994 the Northern Colorado Desert Recovery Unit was added to the planning area, so Public Scoping was reinitiated with a Notice of Intent to prepare the Plan and an EIS being published in the Federal Register on March 15, 1994. This publishing also announced the schedule and location for public meetings and invited public participation. The announcement was amended on April 25, 1994 to add additional public meetings and extend the public comment period until June 11, 1994. During this 1994 effort eight public meetings were held between March 29 and May 11 and a number of letters were received. In all 12 meetings were held to identify public concerns in the issue identification process. The totals for the two phases are as follows:

- 1993 Public Scoping
- 4 meetings with 67 individuals attending, 137 comments
- 17 letters with 45 comments
- 1994 Public Scoping
- 8 meetings with 128 individuals attending, 259 comments
- 28 letters with 100 comments
- discussions with 14 local, state, and federal agencies; 4 tribal councils; 2 utility companies and 1 major land owner

The total number of public comments was 541. Many issue subjects were covered: e.g., planning process, data collection, research and monitoring, management mandates, and a number of resource and use values. Considering the bulk of individual comments and the relatedness of all comments, the six issues noted in Chapter 1 resulted. It is important to note, however, that these six are not simple but should be considered as aggregates of comments. For instance, addressing the issue of recovery of the desert tortoise must include a consideration of several related comments: e.g., management of a variety of uses, control of ravens, monitoring, research, and

coordination among agencies and interest groups.

Plan Development

A number of federal, state and local agencies and non-agency interests have been involved throughout the planning process since public scoping. The people from these entities helped in such tasks as developing and analyzing data, developing and reviews of plan proposals and alternatives, and developing an understanding of the causes and effects of uses on species and habitats, and developing public support for the planning process. The specific individuals involved comprised a group called the Cooperating Agencies/Interest Group Committee and met with planning staff over the entire period of plan development. Many of the agencies and interests noted below were represented on this group.

A public mailing list of about 800 individuals, interest groups, and agencies has been developed. At several times throughout the planning process notifications were sent to this group on the following topics: completion and availability of the inventory of routes of travel and its availability for review or purchase; eight mid-process review public meetings in March, 1996; and a general update in August, 1997. Finally, elements and status of the Plan were reviewed at some of the regular meetings of BLM's Desert Advisory Council (public meetings) over the years.

Future Public Participation

Upon distribution of the Draft Plan/EIS, public meetings will be held and written comments will be accepted during the 90-day review period. The public meetings will be held primarily to receive comments and also to provide explanation of Plan alternatives. Following review of the Draft Plan/EIS, the comments will be considered in preparation of a Proposed Plan and Final EIS which will be prepared and released for a 30 day protest period. The public will be notified of their availability. These documents will also be sent to the Governor of California for a 60-day review of consistency with State or local plans, policies, and programs. The Approved Plan and Record of Decision will be prepared after any protests [?appeals] or inconsistencies have been resolved.

Endangered Species Act Consultation

The Congress specified that the purposes of the *Endangered Species Act of 1973* (Public Law 97-304), as amended, (ESA) "are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions..." (Sec. 2(b)) The ESA states it "to be the policy of the Congress that all Federal departments and agencies shall seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of this Act." (Sec. 2(c)(1)) The fulfillment of these purposes is a fundamental issue in this planning effort.

The ESA further provides that "Each Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out by such agency.. is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat of such species..." (Sec. 7(a)) By Federal regulations (*Code of Federal Regulations, Volume 50, Part 402*) implementing the provisions of Section 7 of the ESA, the BLM and other Federal agencies must

consult with the USFWS on projects, plans, and actions that may negatively affect a threatened or endangered species. The USFWS then issues a *biological opinion* relative to jeopardy and adverse modification. A similar review, referred to as a *conference* is required for species that are proposed for Federal listing.

In earlier years, consultations were not conducted on land use plans, such as the CDCA Plan. The courts have determined that consultations are required on land-use plans. Therefore, as a part of this planning process, the BLM will formally consult and confer with USFWS on the affects of the NECO Plan and the CDCA Plan in the NECO Planning Area as modified by the NECO plan on threatened, endangered, and proposed species.

The BLM has determined that the only federally listed species affected by the CDCA Plan in the NECO Planning Area is the federally threatened desert tortoise. The BLM will also consult on the affects on desert tortoise critical habitat. In addition, the mountain plover, which is proposed for Federal listing as a threatened species, will require a formal conference. This Plan and Draft EIS together with a CDCA Plan edited with amendments and various other supporting documents (e.g, *Current Desert Tortoise Management Situation in Northern and Eastern Colorado Desert Planning Area*) will provide the necessary information to conduct the consultation/conference.

The BLM also proposes to obtain a *programmatic* biological opinion for desert tortoise on projects that may be proposed in the future. Standard mitigation measures are presented for application on these projects to protect desert tortoise and to compensate for residual impacts to its habitat after mitigation. Further formal consultation would not be required for covered projects (a reporting and review process is included). The programmatic biological opinion will also specify an allowable *incidental take* (i.e., incidental to an otherwise legal activity) for the CDCA Plan and for covered projects.

Consultation with Native Americans

To comply with Executive Orders regarding Government-to-Government relations with Native Americans, formal and informal contacts were made with a number of tribal councils at several points in the planning process. Advice on the nature and progress on the project, concerns and ideas to help define and direct the planning process were asked of the contacts. The tribal entities contacts are listed in Section 7.2. These entities will continue to be contacted and comments requested at key milestone points as the planning process continues.

7.2 Distribution of the Draft Plan and Draft EIS

Notice of availability of the Draft Plan/EIS is being distributed to the entire mailing list. Copies will be provided to anyone expressing an interest in the planning process. In addition, copies will be provided to public libraries throughout the planning area for public review and reference. The following agencies, organizations, political entities, and individuals are being sent a copy and requested to review the document:

Federal Agencies

Bureau of Land Management

Sacramento State Office

California Desert District Office

Palm Springs Field Office
El Centro Field Office
Needles Field Office
Yuma Field Office
Havasu Field Office

Joshua Tree National Park

U.S. Marine Corps Air Station, Yuma
(For the Chocolate Mountains Aerial Gunnery Range)

U.S. Fish and Wildlife Service

Carlsbad Field Office
Ventura Field Office
Havasu National Wildlife Refuge
Cibola National Wildlife Refuge
Imperial National Wildlife Refuge

U.S. Geological Survey

Tucson Field Office
Box Springs Field Office
Western Ecological Center

Environmental Protection Agency

San Francisco Office

U.S. Army Corps of Engineers

San Diego Office
Los Angeles Office

Bureau of Indian Affairs

Southern California Agency
Colorado River Agency
Ft. Yuma Agency

Bureau of Reclamation

Yuma Office

U.S. Border Patrol

El Centro Office
Yuma Office

Office of Environmental Policy and Compliance

San Francisco

California State Agencies

California office of Planning and Research (State Clearing House)

California Department of Fish and Game

Long Beach Office

Sacramento Office

CalTrans

San Diego Office

San Bernardino Office

State Lands Commission

Sacramento Office

Long Beach Office

State Department of Parks and Recreation

Sacramento OHMVR Office

Anza-Borego State Park

Picacho State Park

University of California, Riverside

Metropolitan Water District of Southern California

Imperial Irrigation District

Palo Verde Irrigation District

Coachella Valley Water District

Local Government

County Boards of Supervisors and Planning Departments

San Bernardino

Riverside

Imperial

City Managers

Needles

Blythe

San Bernardino Association of Governments

Coachella Valley Association of Governments

Imperial Valley Association of Governments

BLM, California Desert Advisory Council

Ms Ilene Anderson (Renewable Resources), West Hollywood, CA
Ms Marilyn Beardslee (Transportation & Rights-of-Way), Bakersfield, CA
Mrs. Isabella Burns (Recreation), Monterey Park, CA
Mr. Dennis Casebier (Public at Large), Essex, CA
Mr. Dick Conti (Wildlife), Eagle Rock, CA
Mr. Buford Crites (Elected Official), Palm Desert, CA
Mr. Ian Davidson (Public-at-Large), Riverside, CA
Ms Kathy Davis (Elected Official), San Bernardino, CA
Ms Sheri Davis (Public-at-Large), San Bernardino, CA
Mr. Roy Denner (Recreation), Lakeside, CA
Mr. Nick Ervin (Environmental Protection), San Diego, CA
Mr. Richard Milanovich (Public-at-Large), Palm Springs, CA
Mr. Jim Reddy (Non-renewable Resources), Lucerne, CA
Mr. Randy Rister (Public-at-Large), El Centro, CA
Mr. Jon Stone (Renewable Resources), Winchester, CA

Indian Tribal Councils

Ft. Mojave Indian Reservation, Needles, CA
Chemehuevi Indian Reservation, Havasu Lake, CA
Colorado Indian Tribes Reservation, Parker, AZ
Quechon Indian Reservation, Yuma, AZ
Torres-Martinez Band of Mission Indians, Thermal, CA
Twenty-Nine Palms Band of Mission Indians, Palm Springs, CA
Cabazon Band of Mission Indians, Indio, CA
Palm Springs Band of Mission Indians, Aqua Caliente Reservation, Palm Springs, CA

Leads, Adjacent Planning Projects

West Mojave Plan
Northern & Eastern Mojave Plan
Coachella Valley Multi-Species Conservation Plan
Mojave National Preserve

Interest Groups

Desert Tortoise

Mr. Roger Dale, Desert Tortoise Preserve Committee
Dr. Al Muth, Desert Tortoise Council

Other Wildlife

Mr. Dick Conti, Society for Conservation of Bighorn Sheep
Mr. Leon Lesicka, Desert Wildlife Unlimited
Mr. Norm Wuytens, Desert Wildlife Unlimited

Plants/Plant Communities

Mr. Steve Hartman, California Native Plant Society
Mr. Cameron Barrows, Center for Natural Lands Management

Non-motorized Recreation

Joan Taylor, Sierra Club
Bill Harris, International Mountain Biking Association

Motorized Recreation

Mr. Mike Ahrens, California Association of Four-Wheel Drive Clubs
Ms Jeri Ferguson, (same as above)
Mr. Jim Strain, California Federation of Mineralogical Societies
Mr. Ed Waldhiem, California Off-Road Vehicle Association
Mr. Al Guzman, American Motorcycle Association

Mining

Mr. Craig Smith, Newmont Gold Co. - Mesquite Mine
Mr. Steve Bauman, Glamis Gold, Inc.
Mr. Gary Boyle, Glamis Gold, Inc.

Grazing

Dr. Juan Guerrero, University of California Cooperative Extension

Wild Burros

Mr. Fred Burke, Wild Horse & Burro Board (Dept. of the Interior)

Utilities & Infrastructure

Ms Laura Solorio, Southern California Edison
Mr. Bob Filler, Arid Operations, Inc.

Research & Education

Dr. Bill Presch, Desert Studies Consortium
Dr. Edie Allen, University of California, Riverside

Land Tenure Adjustment

Mr. John Bezzant, Catellus Resources Group
Mr. Shelton Douthit, Riverside Land Conservancy

Agriculture & Business

Mr. Marv Shaw, Cadiz Land Co.
Mr. Steve Jones, Desert Center resident

Congressional Representatives

U.S. Senate

Honorable Diane Feinstein
Honorable Barbara Boxer

U.S. House of Representatives

Honorable Jerry Lewis
Honorable Mary Bono
Honorable Duncan Hunter

California Legislature

State Senate

Honorable William Knight

Honorable Jim Brutte

Honorable Donald Kelly

State Assembly

Honorable Keith Olbers

Honorable Brett Granlund

Honorable Jim Battin

Libraries

The document should be found in most public libraries in Southern California.

7.3 List of Preparers

Introduction

The principle preparers (i.e., writers and geographic information system support) of the Draft Plan and EIS were primarily BLM staff from the California Desert District and are listed below. However, an additional set of people are recognized for making significant contributions at some point in the planning process to the collection and analysis of data and the planning process. Apologies are made where the list may not recognize all contributions.

Principle Preparers (name, discipline, office)

Team Lead

Dick Crowe, District Office

Environmental Specialist and Writer-Editor

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Species and Habitats

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Livestock Grazing

Larry Morgan, District Office

Wild Burros

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Recreation/Routes of Travel/Wilderness

Jim Foote, Palm Springs Field Office

Minerals

Ken Downing, Needles Field Office

Realty/Land Tenure Adjustment

Lynda Kastoll, El Centro Field Office

Socio-Economic Analysis

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Geographic Information System Support

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Cultural Resource/Native American Values

Rolla Queen

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Kim Nicol, California Department of Fish and Game

Randy Rister, Desert Wildlife Unlimited

Karen Dorweiler, ECO Biologist

Principle Contributors for Data, Analyses, and Other aspects of Planning Process

Wildlife/Botany/Plant Communities

Kim Nicol, (plus wildlife team leadership), California Department of Fish and Game

Todd Keeler-Wolfe, California Department of Fish and Game

Nancy Andrew, California Department of Fish and Game

Vern Bleich, California Department of Fish and Game

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Nanette Pratini, University of California at Riverside

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Bob Bower, BLM, El Centro Field Office

Mike Ahrens, California Association of Four-Wheel Drive Clubs

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Wild Horses and Burros

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Cindy Barnes, BLM, Havasu Field Office