

**MOJAVE-SOUTHERN GREAT BASIN
RESOURCE ADVISORY COUNCIL
MEETING MINUTES
MAY 18, 2000
BEATTY, NEVADA**

Resource Advisory Council (**RAC**) Members Present and Category Represented:

Susan Selby	Environment
Stanley Smith	Academic
Marta Agee	Ranching
Barbara Callihan	Dispersed Recreation
Robert Maichle	Recreation
Alan Levinson	Permitted Recreation
Mike Wickersham	State Agency
Steve Mellington	Public-At-Large
John Hiatt	Wildlife
Duane Whiting	Mining
Gary Hollis	Elected Official
Dr. Colleen Beck	Archaeology

RAC Members Absent:

Maurice Frank-Churchill (Excused)	Native American
Jerry Helton (Excused—prior commitment)	Transportation and ROW

Bureau of Land Management (**BLM**) Representatives Present:

Mark Morse	Las Vegas Field Manager
Jerry Smith	Battle Mountain Field Manager
Eric Luse	Associate Field Manager, Ely
Craig MacKinnon	Tonopah Field Station Manager
Jo Simpson	Chief, External Affairs, Nevada State Office
Mike Gates	Public Affairs Specialist, Tonopah Field Station
Phil Guerrero	Public Affairs Specialist, Las Vegas Field Office
Bill Fisher	Natural Resources Supervisor, Tonopah Field Station
Lance Brown	Wildlife Biologist, Tonopah Field Station
Mike Baskerville	Archaeologist, Tonopah Field Station
Steve Kramer	Recreation Specialist, Tonopah Field Station
Debra Kolkman	Public Affairs Specialist, Nevada State Office

Public Attendees:

Susan McCoy	BLM Volunteer and Beta Mu
Marina Anderson	Friends of Rhyolite and Beta Mu
Bill Ludwick	Environmental Coordinator, Barrick Mine

**A copy of each attachment is listed in the text of, or at the end of these minutes is on file with the official copy of the minutes in the Las Vegas Field Office of the BLM. Persons desiring to view attachments should contact Phillip Guerrero, Las Vegas Field Office, at (702) 647-5046.*

After traveling to Beatty, Nev., RAC members toured the historic Bottle House with Riley McCoy giving a lively rendition of the history of the Bottle House. Members then toured historical Rhyolite, along with the old train depot. MacKinnon encouraged all RAC members to browse through the old depot and note the depleting condition of the building. Barrick Gold, as part of the proposed land exchange, was able to construct a temporary roof over the depot to keep any further water damage from occurring. MacKinnon and Barrick Gold representative Bill Ludwick, updated everyone on the proposed land exchange. After lunch at the old depot, members toured Barrick Gold which is the process of shutting down its operation at Rhyolite. Bill Ludwick and Dan Kump explained the procedures that will be followed to tear down existing buildings and reclamation procedures that Barrick/Bullfrog Mine will follow to successfully reclaim the area.

Amargosa Toad Habitat discussion. Lance Brown, wildlife biologist, and Dr. Jim Marble, Director, Nye County Natural Resources Department, explained to RAC members how the BLM and other agencies are trying to create a “green belt” along the Amargosa River that will enable the toad to thrive, and at the same time, provide wetlands habitat along an 11-mile corridor.

Beatty resident David Spicer conducted a tour of ponds he has developed, where the Amargosa toad is thriving. Members viewed a three-month old pond, which had tadpoles, a 2-year old pond where Brown showed members a one-year old toad, and a 5-year old pond, which had various ages of toads and tadpoles. Spicer explained how he develops the ponds, which provides habitat for the toad. He encouraged BLM to create more partnerships with landowners around Beatty to create additional habitat for the toad.

Timbisha Tribe, Customs and Cultures-Pauline Esteves, Tribal Chairperson and Grace Goad, visited with RAC members to discuss some of the Timbishas’ customs and cultures. She explained how the Timbisha have dealt with various Federal agencies since their land was taken from them. The tribe now lives on forty acres of land in Furnace Creek, at Death Valley.

Dinner discussion of local issues led by Jeff Taguchi, Nye County Commissioner. Mr. Taguchi explained how vital it was for Beatty residents and Federal agencies to work together to help create tourism-based attractions. Since the closure of Barrick/Bullfrog Gold Mine and several other mines, Beatty businesses have been seeing a steady decline in the economy. He briefed RAC members on possibilities the Commission is pursuing to enhance tourism in the area

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(excused due to SME Meeting conflict in Elko of which he is Vice-President)

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Public Attendees:

Dr. Jim Marble	Director, Nye County Planning
Marina Anderson	Friends of Rhyolite and Beta Mu
Susan McCoy	BLM Volunteer and Beta Mu
Riley McCoy	BLM Volunteer
Kevin Brady	Yomba Tribal Chairman

The meeting was called to order by Vice-Chairman Susan Selby at 8:10 a.m.

Vice-Chairman Selby lead the Pledge of Allegiance.

Craig McKinnon, Field Station Manager, announced that a public hearing will be held on the Amargosa toad sometime in July--date to be announced. *After a brief discussion, it was decided that MacKinnon would notify all RAC members of the hearing date.*

Phil Guerrero, Las Vegas Field Office reminded members that discussion of the March minutes were not on the agenda. All members should email their comments to Debra Kolkman to make necessary corrections. The minutes can then be approved at the August meeting.

DISCUSSION/ACTION ON RED ROCK CANYON NATIONAL CONSERVATION AREA GENERAL MANAGEMENT PLAN. There was no action on this plan.

Mark Morse, Las Vegas Field Manager postponed this discussion because some major changes had to be made (e.g., wild horse numbers in Herd Management Areas {HMAs}).

The draft document will be distributed to RAC members and to the BLM State Office staff for review. RAC members can then discuss at the August meeting. A final plan should be out by the end of the year.

Council member Robert Maichle asked if the BLM addressed concerns about wild horse numbers outside the Red Rock HMA area. Morse said yes, but BLM did not want to remove the horses, but would rather develop an alternative.

Other activities at Red Rock included meetings with all concessionaires to lay out conditions that BLM expects from these operators.

The BLM is planning a major clean up at Oliver Ranch. BLM will try to save the historical parts of the ranch, clean up the garbage, and conduct a feasibility study. Morse stated that the BLM would then like to build an environmental center and conduct environmental education. BLM will take various interest groups, including this RAC, to the Oliver Ranch to get their input.

As far as safety at Red Rock, more and more search and rescue missions are being conducted than ever before. Some of these accidents have resulted in deaths--mostly children under the age of 18 years of age. BLM is trying to put together a safety program. They have ordered signs showing dangers, are talking with other recreation areas that have hiking problems, and are going to go to the schools to educate children via videos and discussions. Selby asked if accidents are local people or out-of-town users. Morse answered it is mostly local users--that is why education is so important.

Council member John Hiatt asked how many accidents happen to truant children. Guerrero answered that most accidents that have occurred at Red Rock are truant teenagers. There was discussion on the need to address school security, but since the area is on a 12-month school year, that would be very difficult to enforce. There also was some discussion on whether, through education, BLM should address the fact that drinking or drugs and climbing do not mix.

Jerry Helton, RAC member, asked if BLM had statistics of how many of the accidents actually are truants as compared to other rescue missions. Guerrero does not believe BLM has this information, but they can research.

RAC member Stan Smith asked if the County or BLM can charge the parents for the search and rescue costs. Guerrero answered that Clark County ordinance calls for the county to pay for expenses. BLM cannot patrol or enforce the area any more than they already are because of lack of man power..

Dr. Colleen Beck, RAC member, asked how many of the rescued people were under the age of 18 years of age? Guerrero answered that almost all rescues are for kids under the age of 21. Older adults usually do not seriously injure themselves.

S. Smith believes that numbers will keep going up, especially with increased visitor use. With a population of 1.3 million people in the Las Vegas Valley, BLM needs to continue to educate children and adults, and devote the necessary man power whenever possible.

Members agreed to table this discussion since there was no further action that could be taken at this time that would help prevent accidents at Red Rock.

DISCUSSION/ACTION ON NELLIS AIR FORCE BASE PLAN led by Jeff Steinmetz, BLM, Las Vegas Field Office. Steinmetz asked RAC members to briefly look over their handout “106-65 Military Lands Withdrawal Act.”

The BLM needs to revise its Nellis Plan: some land will revert back to the BLM, Paiute Mesa will be turned over to the Department of Energy (DOE), and the BLM needs to address the Nevada Wild Horse Range. This basin is part of a non-attainment area, and the BLM needs to decide what type of coordination is needed. The Area of Critical Environmental Concern (ACEC) within the range was designated in 1992. The question was asked if it makes sense to have an ACEC already in a protected area. Steinmetz said that is another issue that needs to be addressed in the revised plan.

S. Smith asked what the fire policy was in the ACEC. Steinmetz said it varies depending on the area. BLM does have an existing MOU with Nellis for fighting fire in this area.

In early May, BLM held several scoping meetings with limited public participation. Some good comments were received from those that attended. BLM is getting ready to identify the scoping issues identified in the meetings. The military would like to see one integrated plan, but the Fish and Wildlife Service will not receive funding for planning on the area to the east until 2001. The BLM is getting ready to start the consultation process with tribal leaders within the area. The *Federal Register* notice on BLM’s Intent to Revise will be published shortly.

The State Clearing House and NV Wild Horse Commission are very interested in the Nellis plan.

The Wild Horse Commission has requested copies of all past management plans. Specifically, they are concerned about the condition of animals (i.e., greater instance of cleft foot) on the Range.

S. Smith asked if Desert Research Institute (DRI) is conducting a full analyses for Nellis? Steinmetz answered yes and that BLM will be able to get copy of the plan when it is finished.

The question was asked whether BLM was preparing their plan in-house? Steinmetz answered that he and Fisher were working on Chapter 2. The actual amendment would be done by other personnel from the Las Vegas Field Office.

Fisher informed RAC members that the Air Force has to meet 10 parts of the Sikes Act. The Air Force's plan, by law, has to be a five-year plan, and has to be tied to their funding allocations.

There are some grazing issues within the Nellis Air Force Range. BLM met with Air Force personnel and the Air Force is open to suggestions.

Mike Wickersham, RAC member, asked Fisher if BLM was going to involve State agencies. And if so, would it be through a partnership? Fisher explained that under the Sikes Act, State agencies have to review and sign-off on these plans.

Wickersham stated that the Wild Horse and Burro Act specifically stipulates a requirement for consultation with the state wildlife agency regarding horse management and forage allocation.

SUPPORT TO HELP BARRICK GOLD WITH MINING ISSUES—Chairman Duane Whiting had asked Vice-Chairman Selby, in his absence, to pass out to RAC members a letter of support to Barrick and the BLM for closing abandoned mine shafts from the Nevada Mining Association. After review by the RAC members, the group proceeded to discuss issues of abandoned mine shafts.

The members expressed concern about biological issues of bats and the closing of the underground abandoned shafts in the Rhyolite area. BLM plans to ask the University of Nevada Las Vegas, Harry Reid Center for help with this issue.

BLM has to conduct a bat survey (which is part of the wildlife survey) to assure disturbances won't affect the bats. Wickersham commented it is a fairly involved process. Currently there is a design that allow bats, but not humans, to go into the shafts.

Morse stated a temporary remediation would be to fence the area to protect humans, but may not be very effective.

RAC member Barbara Callihan answered that she believes temporarily fencing of sites is a good idea. She asked why BLM couldn't use groups such as the boy scouts to help get some of the other work completed so that BLM can close the sites. Wickersham stated that it takes about one year to close an area such as this, as environmental concerns need to be addressed, which is more

of a consulting process. If not conducted properly, you run the risk of losing this valuable information.

Maichle told members how a group he was affiliated with had identified hazards 20 years ago. If BLM could get the records, they could find 60 to 70 shafts that were fenced and now should be backfilled.

Gary Hollis, RAC member said miners have real problems with the public stealing equipment that is protecting abandoned shafts. He stated that each year miners re-fence shafts to keep the public out, and some of the public comes and takes the fencing or removes it, goes in the shaft, and doesn't replace the equipment after they are done.

Selby asked if there is any public education about open mine shafts? Morse said no, not by BLM.

Maichle told members that the State Division of Mines has a very active education program on mines. The solution ought to be that if it is not an active mine, there is no reason for the nuisance to be there.

Agee asked if there is a standard size hole for bats and owls? Wickersham answered yes. But it is so much easier to bring in a backhoe to fill the shaft completely, because the other method is cost prohibitive.

Agee commented that GPS could help us locate abandoned shafts so they can be marked.

The first step for BLM is to determine land status which is very important. Then BLM needs to check to see if the mining patent is active. The BLM's Minerals Division's position is that covering abandoned shafts is not a good solution because you cannot always know the lateral distance of these shafts.

MacKinnon informed the RAC that on the proposed land exchange with Barrick, there are 10 abandoned mines, of which Barrick will cover.

Callihan asked if there was anything you can put in the shaft to keep people from falling in? Consensus was no except for backfill.

Selby asked if the BLM, Minerals Division was performing active searches for abandoned shafts. MacKinnon answered yes, but that they need to get them marked on maps. The State also has been a big help to BLM by providing maps of these areas.

Selby asked that BLM staff check into the feasibility of using satellite imagery to locate abandoned mines. Staff responded that it was a possibility, but is very expensive and limited.

Agee commented that the closure of mines was not for amateurs, and since the Mining Association is offering their help, we should allow them to help. We should also publically

recognize the Association for its support and help. MacKinnon agreed.

Hiatt stated that procedures are adequate, and suggested that BLM should put up signs along highways which indicate the dangers to watch out for. Morse agreed that was a good suggestion.

Vice-Chairman Selby temporarily recessed the meeting for a break at 9:40 a.m. The meeting reconvened at 10:05 a.m.

DISCUSSION/ACTION ON CULTURAL BRIEFING DOCUMENT - Dr. Colleen Beck, RAC member discussed two field trips some of the members had taken. The first trip was to Lower Arrow Canyon petroglyph and the second was to the Gold Butte area.

BLM did a very good job of cleaning up the Lower Arrow Canyon site from prior years of field schools excavating at the site. They would like to see a turn-around area so vehicles don't continue to enter the canyon. Maichle said they had discussed some sort of presence to deter people from going through the proposed ACEC. He said members thought a nice turn-around area would lead people to believe they had reached the end of the road. **The RAC would like to get involved with some of the work that needs to be done at the Canyon.** Beck explained the turn-around area would be located next to several petroglyphs. The Canyon is narrow and dark, but through the years, climbers have hammered bolts into the rock. This is a distraction to the resource, and some RAC members would like to see the bolts taken out.

S. Smith asked if the subcommittee had discussed any other plans for a deterrent besides a turn around area? Maichle said they had discussed a gate with a lock. Most people would stop (responsible people would heed), but the ones that wanted to get through would find another way in.

Beck pointed out that there does not appear to be an immediate need to do anything, as things were not being ransacked. ***Beck suggested that a sign would be a good presence for now. Beck said a study was done a couple of years ago, in which signing helped reduce vandalism against the resource.***

S. Smith commented that recreation versus preservation is a dilemma. Is there any intention to promote this as a recreation site at this time? Hiatt replied that they certainly weren't going to promote the site, but once people find a site they inform others, such as Gold Butte, when a full-page article appeared in the Las Vegas Review Journal. After that article, visitor use increased tremendously.

Wickersham said if you are going to let people go to the site, then you have to have a presence to patrol it. RAC members acknowledged that as visitor use increases, a presence to act as a deterrent has to increase too.

Morse suggested the next step is to develop the ACEC, then if BLM goes to preservation mode,

they will have something to show for what they are doing.

April 28, 2000-Tour to Black Dog Cave and the Gold Butte area–Nine persons went on field trip. They had hoped to have a member of the Moapa tribe accompany them and give them some insight on what the tribe wants done with the site.

Black Dog Cave is located near the Reid Gardner coal power site. Nevada Power needs to expand, so they sent archaeologists to survey the site. Within this area is one of the largest number of pithouses found in one area. The tour group went about 100 feet into the cave. The cave was excavated in the early '40s, and no one had been there since.

The group proceeded to the Gold Butte area, which is a spectacular area. Due to time, they never reached the petroglyph site, but they did get a good idea of what access is like into the area.

Maichle stated that past proliferation of access to sites from ATVs, etc, was disturbing. This problem will only get worse as more people move into the area. Threat in next five years is worse than the last 25 years. The BLM needs a real concentrated effort to preserve the site, as it is definitely an ACEC. What about extending this area into a national monument area?

Morse asked members if they really wanted to go to national monument status and advertise to the public that it is there. BLM, Las Vegas Field Office has hired a Ranger to patrol the area and have a presence there, if so designated by the RAC.

Hiatt commented that there are a number of ACECs at Gold Butte, but BLM has not developed a plan yet. We all need to raise the level of consciousness of the public about an area. A Ranger out there is definitely a start.

Hiatt suggested that Mesquite is a small enough town that a Ranger could visit schools and start to educate children by making them aware of the damage that can be done at such sites. Morse believes that if you start educating people around Mesquite, you can catch a good majority of people in this area.

Selby asked Maichle if he had an idea where the majority of traffic was coming from in Gold Butte? Maichle commented that it is people going to the lake, and just people knowing the site is there. Scenic Byways created a problem with the public coming in and wanting a Gold Butte map because they know it is valuable and saw it featured on Scenic Byway map. Morse commented that ATV manufacturers need to be willing to put on a class about correct use of equipment, and to make a statement about responsible caretaking in their ads.

Frank-Churchill stated that tribes know about these places as they are spiritual sites. Once places are found, there is no protection for that site; the site is no longer a sacred area.

Callihan asked other RAC members if the group was trying to preserve sites for White man to

see cultural heritage of Indians, or trying to preserve for Indian nations? She asked the group if they were overstepping their boundaries. Beck said the problem is on public lands, where you have to deal with multiple-use activities and with all people seeing these sites.

Recommendation of RAC to the BLM was to sign the area first.

DISCUSSION/ACTION OF RHYOLITE TOUR/FUTURE MANAGEMENT STRATEGIES BRIEFING DOCUMENT led by Field Station Manager Craig MacKinnon.

MacKinnon went over the logistics of the Barrick exchange- BLM would be picking up 155 acres, and processing 555 acres to go to Barrick. The exchange should be completed by fall. ***MacKinnon asked the RAC for their advice on the next step.***

Marina Anderson from Beta Mu and Friends of Rhyolite, discussed the Commission on Tourism study and the connection the towns people have with Rhyolite.

RAC members commented that BLM should not manage the site by themselves. They need to form a partnership with the local people such as Friends of Rhyolite and Beta Mu Chapter, Beatty Museum, etc. The Park Service is moving to Beatty which should also provide more of a presence. They envision a five-member foundation, where BLM would have one vote.

Rhyolite as a Fee-Demo Site—Rhyolite has been identified as 1 of 100 sites around the country, but MacKinnon won't institute a fee until the site has been fixed up, such as adding toilets for the public.

It was suggested that satellite imagery of Rhyolite and Beatty would help to locate old streets and sites.

MacKinnon asked members two questions: 1) What is the best way to partner (from their experiences); and 2) What other contacts are available to try to obtain funding?

Hiatt commented that in other situations with nonprofit groups, they have checked into 501(3)(c) status. Nonprofit groups can receive monies, which is a tax deductible contribution. Hiatt stated that foundations are set up mostly to disburse funds—to get rid of an endowment over a span of time.

BLM should research details of forming a 501(3)(c) nonprofit group. State has corporate framework set up in establishing a group. Maichle said BLM needs seed money. The first step is to close deal with Barrick on the land. Organizations will give no-interest loans. Since BLM will make this a fee demo program, the group should search for a big company to go and ask for a large amount of money that will be paid back with fee-demo monies. It was agreed that BLM needs to make several improvements to get the site to fee-demo status.

Beck told the group that she had been involved in the Nevada Test Site Historical group that is

chartered as a 501(3)(c) organization. It took about one year to get set up. To become a 501(3)(c), you need a charter, by-laws, etc.

Maichle suggested that BLM needs a “friends” group to write a letter to a Senator to make recommendations; and they need an interpretive organization to help with day-to-day activities and pay for salaries. The BLM also needs help to put in toilets, access to water, etc. Once done, interpretive organizations can start selling items to make money.

Agee asked why the County or town wasn’t participating to create a park system that is managed by the County Commission since the County Commission is an Advisory Board. McCoy stated that “Friends” is already a 501(3)(c) organization. Vice-Chairman Selby asked why BLM does not use “Friends.”

MacKinnon stated there is much broader interest than just “friends” organization. Some of these other entities have different opinions. Maichle commented that BLM needs a friends group, but overall management is broader scheme. Best source is to start with what you already have. BLM needs to get several things done first which includes its cultural plan, recreation plan, etc.

Agee asked what the connection is with the foundation that comes up with the money. Do they own the site? Hiatt answered that the foundation should have an Memorandum Of Understanding (MOU) with BLM that would link the foundation with management of the site.

RAC member, Jerry Helton, stated that BLM needs to know what they want to do for the next 25 years; a step-by-step process. Local residents should seek guidance from an attorney. MacKinnon agreed that the vision needs to go through local people, whatever is decided.

Hiatt believes BLM needs to have a public hearing at Beatty to see how the majority of residents want to proceed. Commission on Tourism study should answer some of these questions, but it is not all inclusive. Anderson believes most local residents know they need to tie Beatty and Rhyolite together to help in the preservation of Rhyolite which is the number one priority.

J. Smith stated that BLM has not gone forward with plans because they want to find out local opinions.

MacKinnon stated that BLM incurs major problems in the repair of historic sites because of all the hoops Federal agencies have to go through. BLM needs mechanisms in place so they can have cultural response to get things done with SHPO.

Hiatt asked if BLM actually owns the Bottle House. MacKinnon answered, “Yes they do.”

Callihan commented that this is a great opportunity to let residents know that BLM is not going to come in and tell them what to do. A public meeting at least starts the conversation—the process.

Agee asked why Beatty (local county) can’t apply for a Recreation and Public Purpose (R&PP) lease for the Bottle House? Then responsibility would turn to the local community and/or a

group of non-profit agencies could bring in concessionaires.

J. Smith-The BLM's land use plan indicates that BLM should acquire lands needed to protect cultural resources. They would have to amend the plan to issue a R&PP. BLM does not acquire cultural lands to sell to someone else. He believes that everyone working together can accomplish the needed goals. This matter is too big for any one agency or government to manage.

Beck asked MacKinnon what type of plan is BLM talking about? MacKinnon said the first priority was to work on a cultural plan. Then they would proceed with a recreation plan.

Maichle stated that BLM should let residents help develop plan a coordinated resource management plan. Then BLM would perform the NEPA process. BLM could be ready to go immediately after the land exchange. BLM presence is there to help and answer questions—not to take the initiative.

S. Smith asked who the primary groups are? McCoy answered that Friends of Rhyolite are not able to do much right now because of the health of some of its members. They have been collecting money. Beta Mu collected money for repairs to the Bottle House. Anderson pointed out that Friends of Rhyolite are not just Beatty residents, as they receive several out-of-area donations.

Selby said that local groups need to decide who is going to take the lead, etc.

Morse stated that the BLM needs to learn to sit at the table and participate as a member—not with any more authority or clout than any other member.

Wickersham suggested process for Rhyolite to become a Federal site is very lengthy because you have to comply with Federal regulations. Morse expects local people to research this information and know the limitations themselves—not BLM.

Helton stated that Federal ownership has a greater limitation on what you can do to the site. Residents may want to have a discussion on whether they want BLM to take Federal ownership.

Selby inquired into the asking price for the old depot? MacKinnon was unsure, but will look at the papers. He believes it was \$80,000. Bottom line is it is incumbent upon BLM to protect the Bottle House which is located on BLM-administered lands and the old depot which is owned by Barrick.

Luse told members that Ely Field Office has taken a Conservation Resource Management (CRM) approach. They have involved several parties, of which BLM was one player but not the main player. First step is to get disciplines together to sit down and talk about issues and ideas.

Vice-Chairman Selby suggested the RAC had given BLM several suggestions on ways to proceed. She then adjourned the meeting for lunch at 11:55 a.m.

The meeting was reconvened at 1:05 p.m.

SCHEDULE FOR NEXT MEETING, August 10& 11 in Pahrump

Thursday

Field Trip to recreation areas around Pahrump

Friday

National Off-Highway Vehicle (OHV) use

Coordination with FS on cleanup of Copper Canyon site

Follow-up on SNPLMA issue

Red Rock Canyon Management Plan

Pahrump Issues-Gary Hollis

- Habitat areas
- Changes in management strategies for certain areas

Members should plan to spend the night in Pahrump.

Thursday night there will be a public meeting in Pahrump concerning OHV use.

Fisher announced that a public meeting on the Amargosa toad will be held in July and he would like RAC members to attend. RAC members will receive a notice of the meeting.

DISCUSSION/ACTION ON NOXIOUS WEEDS GUIDELINES BRIEFING

DOCUMENT. The discussion on this topic was tabled until the August 11 meeting at the request of RAC member Maichle.

FIELD MANAGERS UPDATE

Ely Field Office - Eric Luse, Associate Field Manager discussed the following activities:

Caselton Tailings -This is an abandoned site located in Caselton Wash in the Panaca Valley watershed, southwest of Pioche, Nev. An Engineering Evaluation/Cost Analysis (EE/CA) is needed to clean up the area. The site contains ten tailings impoundments of very fine sandy/clayey material. This site is one of the higher priority sights within Nevada, as there is concern of heavy metal contaminants and the risk to communities close by. ORV use is heavy in this area. BLM has posted signs as a temporary remedy. The EE/CA will give BLM an idea on how they need to proceed.

The Ely office is hosting a **Pinyon/Juniper (P/J) workshop** June 23, 24 and 25. They are trying to bring P/J ecology into the economic light and bring the public together to discuss ideas on P/J ecology. Dr. Robin Taush, Forest Service, will give a presentation on Distribution and Management of P/J Communities. Field tours will look at various sites such as past burn areas and over mature P/J areas. Luse encouraged any interested members to attend.

Grazing/Range Permit Renewal Process. Ely office has 7 grazing permits pending which should be completed in 45 days.

Allotment and HMA Evaluations. Ely has 7 evaluations pending. BLM is proceeding differently this year as they are trying to shorten process. They are consulting with different groups on the monitoring process so they are able to make decisions quicker.

Range Improvements are being done mostly in Lincoln County such as fences, spring enclosures, prescribed burns (30-day hold) and pipelines. Fencing of springs for riparian source protection is ongoing.

OHV. Ely office is exploring a different method of Off Highway Vehicle use. OHV use in the Duck Creek Basin has been turned over to technical review team to determine whether there is a need to limit use of outdoor recreation vehicles.

Luse suggested the RAC host a public meeting on ORV use, preferably in Caliente.

Field Office will be looking at ways to restrict OHV use in the future, but with collaboration with other interest groups. Ely office believes there is a lot more common ground with groups than is believed. They want to deal with groups extensively in all three counties. White Pine County is already working on some resolutions.

BATTLE MOUNTAIN FIELD OFFICE - Jerry Smith, Field Manager explained the BLM and **Yomba** are still trying to negotiate a settlement on the trespass issue. A meeting was held on April 27 in Austin, Nev. Smith believes progress was made concerning the trespass.

The issue concerning non-renewal of a temporary grazing permit by BLM is still unresolved. This creates a new trespass. Both parties still want to work through the issue. The next meeting should be attended by Western Shoshone, Department of Justice, Yomba, and BLM.

Kevin Brady, Yomba Tribal Chairman, explained that at the Austin meeting, the Tribe explained to the group that the grazing laws do not apply to the Shoshone according to 40 CFR. BLM has been having considerable trouble with Shoshone tribes in adhering to grazing regulations, and with the government not accepting checks for grazing fees. The tribe does not believe it has to adhere to grazing regulations set forth by BLM. Tribes are trying to find a way to work under BLM's management. At the April meeting, tribe offered the \$5,000 (the Agees had offered to Yomba) on behalf of all tribes. Yomba will not stand alone. Shoshone would establish their own grazing regulations, fill out periodic reports, and spend the fee money on range improvements.

The Yomba Tribe concluded at a meeting held May 17 that they will continue to work with BLM to show their good faith effort. Problems Yomba are having, the RAC needs to know about. The RAC needs to understand some of the ways of the tribe. The Yomba believe that under Federal rulings from the 1930s, rules promulgated afterwards, don't apply to the Tribe. The Tribe wants to show that at any time and any point, Yomba Shoshone can walk away. They want to continue a working relationship with BLM, so they can bring in all groups having trouble with BLM. Brady stated that a Trespass Notice was issued to the Yomba from Elko this week. He called State Director Abbey who was not aware of trespass, but Abbey asked why tribe had turned out.

Brady said he stated that it is tradition of the tribe to graze cattle.

Shoshone tribe encourages State Director Abbey to meet with Secretary of Interior to come up with grazing rules the tribes can adhere to. Only other option if for tribe to issue their own regulations. All things he is discussing today are documented on papers he has in his briefcase.

Brady believes Yomba are rewriting history with BLM. After settlement is out of the way, they can look at cooperative management agreement, but if it does not work, Shoshone will have to develop their own rules.

Hiatt stated that he wanted to understand the rules. Brady stated tribes do not adhere to grazing rules. As the laws do not apply to Indians.

Brady read some of the authority of the act and the constitution. He stated that the rules and regulations apply to land bases. Since the Tribe does not own land, but it is assigned to them and held in trust, the regulations do not apply to the Tribe.

Maichle commented that the Yomba have their own interpretation of laws that apply to grazing regulations for lands outside the Yomba reservation.

J. Smith proceeded with Battle Mountain Field Office update.

Mining Bankruptcies. Five mining bankruptcies are located within the Battle Mountain Field Office jurisdiction. This has resulted in a 35 percent increase in workload to look at closure and reclamation plans.

The State of Nevada and BLM have concluded that bonding of water management was not done properly. There is insufficient funds for all post-closure plans.

The **Lockes Ranch Acquisition** is progressing.

LAS VEGAS FIELD OFFICE - Mark Morse, Field Manager gave members the status of lands under the **Southern Nevada Public Land Management Act (SNPLMA)**. The BLM just laid out \$30 million worth of land disposals. Eighty-five percent comes back to the four agencies; 10 percent goes to the Las Vegas water authority; and 5 percent goes to the Nevada school system.

BLM would like to accelerate the process. State Director Abbey wants to go through the process for direct expenditure of funds while Senator Bryan is still in office, and wants to expend monies before new administration comes in.

Working group from four agencies and state representative, Pam Wilcox, were supposed to make recommendations to State Director Abbey. The group opted to take the appraised value of lands and use \$24 to \$28 million in acquisition proposals (e.g., Las Vegas Wash, and lands within Forest Service conservation areas). In the proposal package given to the RAC at the March

meeting, \$9 million was for infrastructure and maintenance (Clark County and Park & Trails).

SNPLMA group received criticism that public was not involved enough. Director Abbey may use statewide RAC meeting in October to have local representatives participate in this process.

Morse would like the Mojave-Southern Great Basin RAC to approve or disapprove recommendations made by the Federal agencies for Clark County projects. He also wanted the RAC members to solicit their constituents for proposals.

Selby asked where the RACs' recommendations fit in with final recommendations to the Secretary—the importance of their recommendations. She asked for a poll to see how all members felt about taking on this added task. (The following comments are from RAC members and BLM personnel on this issue.)

Agee wants to see sites—doesn't want to just pop in and make suggestions. Agee needs to review pros and cons and wade through process and see what happens.

Hiatt believes it is unfair to recommend next years' recommendations. They should know what this year's purchases are first. *Hiatt asked if the RAC could have a list of current projects so that they know what is being acquired and what they can recommend for next year.* Hiatt would like to comment on projects and propose future projects.

Morse will take recommendation to State Director, but BLM will not know the Secretary's decision until July.

S. Smith commented that RAC members must realize they should abstain from conflict of interest properties. S. Smith doesn't want to have to go to public for recommendations.

Selby would like BLM's staff to review proposals to see if they have provided the appropriate submittal requirements, before the RAC reviews the proposals.

Wickersham noted that their charter states that the RAC cannot make recommendations about BLM's funding. Simpson said that is for appropriations, not for the SNPLMA funding. Wickersham asked what kind of format BLM wanted recommendations in? Guerrero pointed out to members that the package he gave them contains directions on how to make these proposals.

Levinson asked if the RAC would just be making recommendations, not making final decisions on how to spend money. Morse answered that the RAC was not voting to spend money—just making recommendations. Levinson is all right with proposal. He stated that the RAC is part of the public.

Helton responded yes, with guidelines. He wants to get be involved in the process, but has serious concerns that they have not been given specific guidelines. This RAC does not even have a charter yet, so under what guidelines does this RAC make recommendations.

Beck commented that she doesn't see herself soliciting comments. But it is important to let archaeological community know the opportunity is out there. She is willing to spend time prioritizing projects.

Callihan believes this is an opportunity to participate as a member of the public. She is willing to spend time to prioritize as long as she can abstain if she needs to.

Frank-Churchill does not want to participate. Disposal of lands is taking away from life of land; land is significant to the Tribe. Group needs to look at tribal aspects such as Las Vegas Wash. Frank-Churchill is concerned that comments from the Tribe will not be taken into consideration.

S. Smith asked if there is a Request for Proposal (RFP) process? Morse stated yes, but he is not sure they have done a good job in getting message out about the process.

Wickersham has concerns that process was to start the first of May and it is now mid-May. Is there criteria RAC can develop to help with process, if not, he is not sure of RACs value.

Selby was concerned that this was an important new responsibility and that it, therefore, should involve more RAC time and effort. She was willing to take on the responsibility, if the rest of the group was.

Guerrero has additional material he can send RAC that explains criteria process.

Morse would like to see where we can go with process. Doesn't want to rush RAC like BLM has been rushed.

Selby agrees that this would be an additional responsibility. Willing to serve as conduit, but would like guidelines to make process efficient and fair.

With the exception of Frank-Churchill, the RAC members present were all willing to take on the responsibility of proposal review. Because of the importance of the task, she also wanted to poll members that were not present today. Assuming the likelihood that most of the RAC wants to do this work, she suggested that Frank-Churchill might simply choose to abstain when the RAC was in the process of carrying out this task. Frank-Churchill will consider and let the RAC know his decision.

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At this point, Vice-Chairman Selby turned the meeting over to past Chairman Helton.

Agee is concerned that ideas are specific to Las Vegas Field Office (Nye and Clark counties). Maichle believes that Agee's concerns are addressed in the Act. There is no guarantee that there is money set aside for the rural counties. Only latitude for rural counties is for acquisitions.

Original intent of the Act was to include surrounding counties if project overlapped. There is confusion about use issue; need clarification.

PUBLIC COMMENT PERIOD

Acting Chairman Jerry Helton asked if there was anyone who wanted to speak during the public comment period? There was no one. Acting Chairman Helton asked if there was any other discussion that needed to take place?

There being no further business, Acting Chairman Helton adjourned the meeting at 3:10 p.m.

DATE:

August 11, 2000

APPROVED:

Duane Whiting, Chairman
Mojave Southern Great Basin
Resource Advisory Council

DATE:

September 5, 2000

APPROVED:

Susan Selby, Vice-Chairman
Mojave Southern Great Basin
Resource Advisory Council

Minutes provided by Debra Kolkman
BLM, Nevada State Office, Office of Communications

Attachments:

Rhyolite Tour

- 1 - *Self Guided Tour Through Rhyolite, Nevada* (24 pp)
- 2 - Rhyolite, Nevada Handout (2 pp)
- 3 - Barrick/Bullfrog Tour (12 pp)
- 4 - Facsimile Transmittal from Nye County Natural Resources Offices about Amargosa Toad (2 pp)

May 19 Meeting

- 5 - Nellis Update (11 pp)
- 6 - Cultural Resources Sub-committee Report (1 p)
- 7 - Ely Field Office Update (2 pp)
- 8 - Pinyon/Juniper Management Workshop (2 pp)
- 9 - National OHV Strategy (10 pp)
- 10 - Battle Mountain Field Office Update (1 p)