

U.S. Department of the Interior Bureau
of Land Management California
Desert District Advisory Council

Reporter's Transcript of Proceedings

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS
SATURDAY, FEBRUARY 25, 2017

JOB NO. 95718

REPORTED BY: DIANE CARVER MANN, CLR, CSR NO. 6008

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1 MEETING OF THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF
2 LAND MANAGEMENT CALIFORNIA DESERT DISTRICT ADVISORY
3 COUNCIL AT 1511 EAST MAIN STREET, BARSTOW, CALIFORNIA,
4 COMMENCING AT 8:09 A.M. ON SATURDAY, FEBRUARY 25, 2017,
5 BEFORE DIANE CARVER MANN,
6 CSR NO. 6008.
7
8 APPEARANCES
9
10 MEMBERS PRESENT: REPRESENTING:
11 RANDY BANIS, CHAIR RECREATION
12 (RECEIVED GAVEL AFTER MORNING BREAK)
13 ROBERT BURKE, VICE CHAIR PUBLIC AT LARGE
14 LESLIE BARRETT RENEWABLE RESOURCES
15 MICHELLE LONG TRANSPORTATION/RIGHTS OF WAY
16 NATHAN FRANCIS NONRENEWABLE RESOURCES
17 MARIANA MAGUIRE PUBLIC AT LARGE
18 ROBERT ROBINSON TRIBAL INTERESTS
19 AL MUTH, VICE-CHAIR WILDLIFE
20 JAMES KENNEY PUBLIC AT LARGE
21 WILLIAM "BILLY" MITCHELL RENEWABLE RESOURCES
22 FRAZIER HANEY ENVIRONMENTAL PROTECTION
23 BETH RANSEL DESERT DISTRICT MANAGER
24 \\\

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2
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4 STEPHEN RAZO, EXTERNAL AFFAIRS DIRECTOR, CDD
5 JENNIFER WOHLGEMUTH, DISTRICT MANAGER STAFF ASSISTANT
6 CARL SYMONS, RIDGECREST FIELD MANAGER
7 KATRINA SYMONS, BARSTOW FIELD MANAGER
8 MIKE AHRENS, NEEDLES FIELD MANAGER
9 BEN GRUBER, ASSOCIATE DESERT DISTRICT MANAGER
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1 BARSTOW, CALIFORNIA; SATURDAY, FEBRUARY 25, 2017
 2 8:09 A.M.
 3 P-R-O-C-E-E-D-I-N-G-S
 4 CHAIR BARRETT: Thank you all for coming and on
 5 somewhat short notice and all, so we're really pleased
 6 to see quite a turnout. And thank you.
 7 So we're going to start this morning with the
 8 Pledge of Allegiance. I'm going to ask Jim, actually,
 9 if he doesn't mind leading us in the Pledge of
 10 Allegiance, if you don't mind standing.
 11 (The Pledge of Allegiance was recited.)
 12 CHAIR BARRETT: I'm going to digress just for a
 13 little bit. In fact I think a few of us want to make a
 14 couple of words about one of our ex-DAC members,
 15 Supervisor Benoit, who passed away since the last DAC
 16 meeting. And obviously we're very, very sad to have
 17 lost such a distinguished gentleman, somebody who helped
 18 us tremendously for the short time he was here but also
 19 who made a huge impact on his district and for many
 20 other areas that he was involved in before.
 21 I'd like to, if you don't mind, just if there's
 22 a couple of words some of our members would like to say
 23 about our ex-colleague, that would be great, and maybe
 24 we could follow with a few minutes of silence. Randy, I
 25 know you'd like to say something.

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1 MEMBER BANIS: I'd like that. You know,
 2 John Benoit was with us for a few meetings last year,
 3 and his impact was felt at the very first meeting that
 4 he attended. The DAC visited a field trip to a location
 5 that had a proposed action, and all of us, all of us
 6 were incensed about it. Oh, my, were we up in arms
 7 about it. And then we came back to the DAC meeting the
 8 next day, and a motion was put forward to oppose that
 9 action, boom, just like that.
 10 And John reminded us that hearing from all
 11 sides on an issue is not only important so that we have
 12 the most information possible for us to be able to
 13 consider in giving our advice to the BLM, but it's not
 14 just about getting the most information; it's about
 15 fairness. And I think that's important for us to
 16 remember as we go forward in deliberating the issues and
 17 hearing from the public and everyone in our
 18 constituencies that we can reach out to. So thank you,
 19 John, for that lesson, and I'll miss you for that.
 20 CHAIR BARRETT: Thank you, Randy. And hearing
 21 no other comments, if we don't mind just a moment of
 22 silence for passing of our ex-council member.
 23 (A moment of silence was held in memory of John Benoit.)
 24 CHAIR BARRETT: Thank you.
 25 DISTRICT MANAGER RANSEL: Can I say a couple of

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1 words as well?
 2 CHAIR BARRETT: Certainly.
 3 DISTRICT MANAGER RANSEL: I just want to say a
 4 couple of words as well. I didn't work with
 5 Supervisor Benoit for very long, but everybody that I've
 6 ever interacted with, when his name has come up, has had
 7 nothing but positive things to say about his
 8 contribution to everything that he's been involved with.
 9 And, like Randy was talking about, when his name comes
 10 up, people talk about the way that he was able to
 11 balance the different interests so artfully and with
 12 skill and presence. And so for that we definitely thank
 13 him.
 14 And so on behalf of the BLM I thank him for his
 15 service on this DAC but also on his service in his
 16 position as supervisor and all the interactions and the
 17 legacy that he leaves behind. So we definitely thank
 18 him for his service.
 19 CHAIR BARRETT: Thank you, Beth. And although
 20 our time here is somewhat short -- I'm sorry, Bob.
 21 Would you like to say something as well, please.
 22 MEMBER BURKE: Yeah. Not only was John an
 23 awesome supervisor, friend and so on, he also served the
 24 State of California as a highway patrolman, and he
 25 retired from there, and he will be greatly missed.

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1 CHAIR BARRETT: Thank you. And anyone else?
 2 If not, so I was saying our time is somewhat short,
 3 especially our time on this council, but we're somewhat
 4 the changing of the guards to some extent today in that
 5 we invite a number of new council members here. And if
 6 we can just digress for just a little second, I would
 7 love if some of the newer council members would offer
 8 just a little brief bio who they are, where they come
 9 from and their interest, of course in the desert. That
 10 would be wonderful.
 11 Who would like to start? Okay. Thank you,
 12 Frazier.
 13 MEMBER HANEY: Good morning. My name is
 14 Frazier Haney, and I live in Joshua Tree. I've lived in
 15 Joshua Tree for most of my life. I grew up there, went
 16 away to school, worked in White Water Canyon for seven
 17 or eight years, if people are familiar with the preserve
 18 down there by Palm Springs, have been up in
 19 Northern California for a stretch and then about three
 20 and a half years ago moved back into the house I grew up
 21 in in Joshua Tree to start work as a conservation
 22 director at the Mojave Desert Land Trust.
 23 So for me I've been coming out to enjoy the
 24 desert and work in conservation for my whole career and
 25 my whole life, and I'm really happy to be here in the

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1 environmental protection position. So thanks for having
 2 me.
 3 CHAIR BARRETT: Thank you, Frazier.
 4 Michelle? Thank you.
 5 MEMBER LONG: Hello, everyone. My name is
 6 Shelly Long. I'm an archeologist by training. I work
 7 for the gas company, and I am here to represent
 8 transportation and right-of-way. As I said my training
 9 is in archaeology. I received my Bachelor's at UCLA, my
 10 Master's at Cal State Northridge. I've been doing
 11 archeology for about 14 years. I've been doing utility
 12 work for about eight of those years.
 13 CHAIR BARRETT: Thank you, Shelly.
 14 And Mariana, thank you.
 15 MEMBER MAGUIRE: Hi. My name is
 16 Mariana Maguire. I am from San Francisco originally. I
 17 live in Joshua Tree now. I spent about seven years in
 18 Washington, D.C. I actually studied politics and social
 19 and public policy, so that made sense, but had to return
 20 home to my beloved California. And I work for a
 21 conservation organization call Conservation Lands
 22 Foundation. We have many partners in various diverse
 23 communities throughout the desert throughout the west.
 24 So I'm here representing the public at large. Very
 25 happy to be able to represent those different voices

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1 here today and in future meetings. Thank you very much
 2 for having me.
 3 CHAIR BARRETT: Thank you all. And we do value
 4 your input. And I believe there's one other member who
 5 could not make it, one other new member who could not
 6 make it today. So we're really encouraged by
 7 essentially the new members who have now joined us.
 8 It's been many, many months, if not longer, in the
 9 making, and we trust it will be a much more effective
 10 and representative group because of the addition of
 11 these new members. And we look forward to you, the
 12 public's input as well, so thank you for joining. Thank
 13 you for volunteering. And of course thank you all for
 14 coming.
 15 And with that, I'd like for an approval of
 16 the -- was it the May, 2016 meeting?
 17 DISTRICT MANAGER RANSEL: October.
 18 CHAIR BARRETT: Exactly. It should be October
 19 transcript. So if there's any questions with respect to
 20 or any observations, comments with respect to the
 21 October meeting minutes? Hearing none, I'd like
 22 somebody to make a motion for approval.
 23 MEMBER MITCHELL: Make a motion to accept the
 24 meeting minutes.
 25 MEMBER BANIS: Second.

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1 CHAIR BARRETT: Excellent. And no further
 2 comment? Thank you. I think it's all approved?
 3 (Voice vote taken.)
 4 CHAIR BARRETT: With that I hope and trust that
 5 most of the audience participants here have a copy of
 6 the agenda today. I think we're pretty full, and so
 7 we're going to probably push right through into the
 8 afternoon. A lot of very important topics and a lot of
 9 interest from the public with respect to these topics
 10 and other issues as well.
 11 And so where there are other issues and where
 12 you don't see your specific topic on the list, please,
 13 please feel free to send the comment letters to the
 14 front. This is all about you, to be honest, and it's
 15 all about getting your input so that we can act as a
 16 conduit for you to bring up issues, discuss concerns,
 17 acknowledge work well done or work still to be done with
 18 respect to the BLM. And so please feel free to take
 19 advantage of that.
 20 Those procedures -- essentially we'll have
 21 those public comments about 8:45 or so. And with that I
 22 have a few public comment letters, but we're certainly
 23 looking forward to taking more.
 24 So with that, I think we'll pass it over to
 25 Beth for your District Manager's Report. Actually Beth,

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1 if you don't mind --
 2 DISTRICT MANAGER RANSEL: Sure.
 3 CHAIR BARRETT: This will be my last day as the
 4 chair, interestingly enough, and I wanted to take an
 5 opportunity to acknowledge my friend and compadre beside
 6 me, whose vice-chair role ends today, I think, also.
 7 There will be a new chair and vice-chair elected. And I
 8 trust they'll do as well I hope as AI has done and as I
 9 try to do. But we just wanted to all acknowledge that
 10 it's been a real pleasure to have served you, and we
 11 look forward to staying on in some capacity for a while
 12 longer and to thank you all for your help and support.
 13 So with that, Beth, thank you.
 14 DISTRICT MANAGER RANSEL: Good morning. I'll
 15 start out by thanking AI and Leslie for their service in
 16 the positions that they've been serving in. Maybe we
 17 can just give them a round of applause for the work
 18 they've done.
 19 (Applause.)
 20 DISTRICT MANAGER RANSEL: Definitely held those
 21 positions with class and brought flair to the DAC.
 22 So in terms of my District Manager's Report,
 23 I'm going to start out by acknowledging that the
 24 logistics for this meeting were definitely more
 25 challenging than anticipated. So I'll start with an

1 apology for the last-minute nature of the change in
 2 location and the agendas coming out a little later than
 3 we normally like them to go out, so I apologize for
 4 that. And I'm just very heartened to see the turnout
 5 here.

6 And I wanted to thank you all for your interest
 7 in Public Lands that has brought you here on a Saturday
 8 morning. And maybe many of you might stay throughout
 9 the day. So thank you very much, and thank you to all
 10 the DAC members that are here as well on short notice,
 11 on their birthday, or the weekend of their birthday,
 12 Billy.

13 MEMBER MITCHELL: You stop having birthdays
 14 when you hit my age, or you start going backwards.

15 DISTRICT MANAGER RANSEL: So thank you to
 16 everyone for being flexible. I think it's going to be a
 17 worthwhile agenda and worthwhile topics, and I look
 18 forward to hearing from all of you as well as the DAC
 19 members on the items that we have on the agenda today.

20 I also want to acknowledge the loss of two DAC
 21 members, Supervisor Benoit, who we talked about already,
 22 and Mark Algazy, who has given his resignation due to
 23 personal things that he needs to be focusing on. So I
 24 want to acknowledge his service to the DAC and his
 25 contributions and say that we definitely thank him and

1 recognize that the contributions that he has made to
 2 this council.

3 Welcome also to our new DAC members. So thank
 4 you all for joining us. I look forward to working with
 5 each and every one of you. And many thanks to all of
 6 our DAC members. These positions are largely volunteer
 7 positions, and so it definitely does not escape me, the
 8 contributions, the service and the sacrifices that you
 9 make to be here and to make sure that the BLM has
 10 information and is informed in the decisions we're
 11 making and also the contributions that you make on
 12 behalf of the publics that you all represent. So thank
 13 you all.

14 So as was mentioned, we have a couple of vacant
 15 seats, and we have four terms that are going to be
 16 expiring in May. So the BLM is going to be working very
 17 hard to move forward with a Federal Register Notice to
 18 seek out applications and maybe some re-apps from some
 19 of our current members. We'll be looking for those, so
 20 please get the word out that hopefully we'll be
 21 soliciting applications in the near future here for all
 22 those positions. And we want to have a full and robust
 23 DAC that is fully representational of all interests that
 24 are intended to be here.

25 All right. So let me also get to some

1 information about BLM leadership. So you know we are in
 2 a transitional period within the BLM right now, you
 3 know, as well as throughout the Federal Government. So
 4 just to make you aware of who's who in the BLM right
 5 now, like who's acting in the different positions, back
 6 in Washington office, we have Kristin Bail. She's
 7 acting as our director right now during this
 8 transitional period.

9 Our current state director, Jerry Perez, is
 10 back in the Washington office, which is really good for
 11 us here, since he's really familiar and has California
 12 issues at heart. He's acting as the deputy director for
 13 operations back in the Washington office during this
 14 transitional period. And currently the deputy director
 15 for programs and policy is vacant, but I'm sure that
 16 they're covering that need as well, as BLM often does,
 17 is cover wherever the needs are. So while Jerry,
 18 state director, Perez is back in Washington office,
 19 Joe Stout is our acting state director right now. He is
 20 usually our associate state director, so it's really
 21 good we have him acting as our state director, since he
 22 is also extremely familiar with the program, the
 23 challenges and the projects and other work that's
 24 already happening here in California. So it's been very
 25 smooth having him act as our state director during this

1 period.

2 Jim Scrivner is acting as our associate
 3 state director right now, and he's also from within the
 4 state. He's usually our deputy state director in our
 5 state office for our nonrenewable resources programs.
 6 In terms of Joe's schedule, he wanted to highlight that
 7 he recently attended the state OHV Commission tour at
 8 the King of the Hammers. And that was great to have him
 9 out there to see that event and also to meet with the
 10 commissioners onsite and speak with them and interact
 11 with them.

12 Jerry -- state director Jerry Perez, he's going
 13 to be back here in California next week for our state
 14 leadership team meeting, so he definitely has California
 15 in his heart, so he's making a point to come back and
 16 interact with our state leadership here, even though I
 17 know his schedule is probably extremely full in the
 18 Washington office.

19 So here in the desert I am the district manager
 20 here, Beth Ransel. We have Ben Gruber. I want to
 21 introduce him. You want to stand up, Ben? He's our
 22 associate district manager. He recently came to us from
 23 the Washington office. He brings a wealth of knowledge
 24 with legislative affairs and budget programs in the
 25 Washington office, and he's been a great addition. It's

1 wonderful to have additional help in the district
 2 office.
 3 Everyone probably -- most people know
 4 Katrina Symons. She's back there in the back of the
 5 room. She's the Barstow Field Office manager. She's
 6 joining us for today. We also have Carl Symons. He is
 7 here also.
 8 MS. SYMONS: He just stepped out for coffee.
 9 DISTRICT MANAGER RANSEL: Carl stepped out, but
 10 he is the Ridgecrest Field Office manager. We have
 11 Mike Ahrens, who was on the field trip yesterday. He's
 12 the Needles field manager. Doug Herrema, he's a recent
 13 addition, but he did attend our last DAC meeting. He's
 14 the field manager in the Palm Springs South Coast Field
 15 Office, and finally Tom Zale, our El Centro Field Office
 16 manager. We have Ashley Adams, who is acting as the
 17 Santa Rosa San Jacinto Mountains National Monument
 18 manager; Jihadda Govan, who's our Sand to Snow National
 19 Monument manager, we're happy to have her on board. She
 20 was a recent addition. I think she's been on board --
 21 we brought her on since our last meeting, so anyone who
 22 has interest in Sand to Snow National Monument and the
 23 planning effort going on there, I encourage you to reach
 24 out. All of our managers are extremely approachable,
 25 and Jihadda is no exception. We also have Kyle Sullivan

1 on board. Kyle, he's the Mojave Trails National
 2 Monument manager. He's going to be giving a
 3 presentation a little bit later.
 4 In terms of budget the president is working on
 5 a budget proposal for fiscal year 2018. We're currently
 6 operating under a continuing resolution in terms of our
 7 budget, and that is set to expire in April. So we're
 8 keeping a close eye on how that's proceeding. And then
 9 I also want to highlight that in fiscal year 2015 the
 10 BLM generated over 88 billion in economic output from
 11 Public Lands that benefited state governments and the
 12 U.S. Treasury. So BLM is actually one of the agencies
 13 or one of the few agencies that actually returns more
 14 money to the treasury than is given to us in
 15 appropriations. So it's pretty exciting to be a part of
 16 that.
 17 In terms of legislation there's a number of
 18 legislative proposals that are of interest in the
 19 California Desert. Those include the California Desert
 20 Protection and Recreation Act of 2017, S.32. It was
 21 introduced in January and includes Senator Feinstein's
 22 proposal for the desert, including designating
 23 wilderness national off-highway vehicle areas, wild and
 24 scenic rivers, et cetera. But as of right now no
 25 hearings have yet been scheduled on that bill or piece

1 of legislation.
 2 California Off-Road Recreation and Conservation
 3 Act at H.R.857 was introduced by Congressman Vargas in
 4 February, and the proposal also -- this one includes
 5 land transfers and designates a special management area.
 6 Oh, wait. I'm sorry. 857. Let's see. It was
 7 introduced in February, includes -- so I'll start on
 8 this one again so we don't get confused.
 9 So California Off-Road Recreation and
 10 Conservation Act, H.R.857, introduced in February
 11 includes Congressman Cook's proposal for the desert,
 12 including designating wilderness, national off-highway
 13 vehicle areas and wild and scenic rivers, et cetera. No
 14 hearings have been scheduled for that piece of
 15 legislation yet.
 16 Imperial Valley Desert Conservation and
 17 Recreation Act, H.R.827, was introduced by
 18 Congressman Vargas in February. The proposal includes
 19 land transfers and designates a special management area.
 20 No hearings have been scheduled for that piece of
 21 legislation yet.
 22 Santa Ana River Wash Plan Land Exchange Act,
 23 S.357, was introduced by Senator Feinstein in February.
 24 No hearings have been scheduled for that piece of
 25 legislation yet. And then companion bill Santa Ana

1 River Wash Plan Land Exchange Act H.R.497 was introduced
 2 by Congressman Cook in January, and no hearings have
 3 been scheduled for that piece of legislation yet.
 4 Statewide priorities. DRECP, Desert Renewable
 5 Energy Conservation Plan, is a statewide priority, as we
 6 mentioned at the last meeting. And many of you are
 7 aware it was signed in September of 2016. We're
 8 actually going to have a presentation later today about
 9 implementation of the DRECP.
 10 As part of that we're currently processing ten
 11 renewable energy applications in Development Focus Areas
 12 that were established under the DRECP. We're also
 13 currently consulting on Programmatic Agreements with
 14 Programmatic Agreement signatories, which we'll mention
 15 a little more about that during the presentation later.
 16 And notice was published in the
 17 Federal Register on December 28th, 2016 to consider
 18 withdrawal of 1.3 million acres from locatable mineral
 19 entry. And that notice segregated those lands for two
 20 years while the BLM considers that withdrawal. And
 21 we'll talk about that a little bit more later when we
 22 have our DRECP presentation.
 23 And monuments. We'll have the monument
 24 presentation later, Mojave Trails. But we're also
 25 working on Sand to Snow planning efforts. And so the

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1 Mojave Trails and Sand to Snow are on similar tracks,
 2 but if people have questions about the Sand to Snow
 3 planning efforts, let me know or contact Jihadda, and
 4 we're happy to answer any questions about that or try
 5 and get information to you or get you added to a mailing
 6 list if you want to be engaged with that effort.
 7 And that's all I have for the
 8 district manager's report. Thank you.
 9 CHAIR BARRETT: Excellent. Thank you, Beth.
 10 And before we get into the advisory council members'
 11 reports, and I did want to acknowledge the big image
 12 right here in front of me in orange, Ed Waldheim. And
 13 we missed you at the last meeting.
 14 MR. WALDHEIM: Thank you.
 15 CHAIR BARRETT: We're so glad to have you here
 16 again today.
 17 MR. WALDHEIM: Thank you.
 18 CHAIR BARRETT: Thank you for coming. I expect
 19 we'll hear from you later on.
 20 MR. WALDHEIM: May I take, Mr. Chair, and
 21 introduce Maria Olmos from the OHV Division from the
 22 State of California. She represents the Off-Highway
 23 Vehicle Division of Grants program.
 24 CHAIR BARRETT: We're looking forward to
 25 hearing from Maria as well later on. Thank you.

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1 With that in mind I think, Beth, you wanted to
 2 go straight into elections at this stage.
 3 DISTRICT MANAGER RANSEL: We can do elections.
 4 CHAIR BARRETT: We wanted to do elections so we
 5 could move forward seamlessly with the rest of the
 6 agenda today. As Beth mentioned, there's some
 7 significant issues being discussed today. And even
 8 though there's an awful lot of changeover the on the
 9 federal level, even on the state level, this is exactly
 10 the time that we as a DAC and you as the public can make
 11 your issues known and influence those that are making
 12 decisions at a state and national level. So we truly do
 13 look forward to your input at these various issues, on
 14 the DRECP and Mojave Trails National Monument and any
 15 other issues and so forth you notice during the day. So
 16 please do continue to participate.
 17 With that I'd like to open up to the council
 18 for discussion with respect to replacement of both the
 19 chair and vice-chair. And we're essentially looking for
 20 nominations for the chair, I believe.
 21 Bob, would you like to nominate?
 22 MEMBER BURKE: I'm going to nominate Randy for
 23 the chair.
 24 CHAIR BARRETT: Excellent.
 25 MEMBER MUTH: Second that.

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1 MEMBER BANIS: Thank you.
 2 CHAIR BARRETT: Al will second that. Any
 3 others that would like to nominate? Hearing none, I
 4 think we'd like to vote on that, if possible, hearing
 5 all "ayes," perhaps. Do I hear?
 6 (Voice vote taken.)
 7 CHAIR BARRETT: Thank you. Randy, thank you so
 8 much for doing this.
 9 MEMBER BANIS: Thank you, Leslie.
 10 CHAIR BARRETT: Randy has done this in the
 11 past. I think he's experienced and has knowledge, and
 12 his pleasant demeanor will go a long way towards being a
 13 very effective chair. Unfortunately with Al deciding
 14 not to continue his eminent role as vice-chair, we also
 15 have to open up to a vice-chair. And is anyone seeking
 16 to nominate anyone for vice-chair?
 17 Randy.
 18 MEMBER BANIS: At the risk of appearing that
 19 this is collusion, I'd like to nominate Robert Burke for
 20 the vice-chair position, please.
 21 MEMBER KENNEY: I'll second that.
 22 CHAIR BARRETT: Excellent, Jim. Thank you so
 23 much. I think Bob would be a very welcome addition to
 24 vice-chair. Thank you. With that we put that to a
 25 vote. All "ayes" on that?

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1 (Voice vote taken.)
 2 CHAIR BARRETT: Excellent. Hearing no "nays,"
 3 Bob, thank you so much for your volunteering.
 4 And with that my apologies again to all of you
 5 here, but this is a process that we go through every so
 6 often to ensure our continuity of our chair. So thank
 7 you. I think if you don't mind now, maybe we'll vacate
 8 these seats. Sorry.
 9 MEMBER BANIS: May I as a first proposal as
 10 chairman, would you be so kind to accept the passing of
 11 the gavel until the break, and then we can do the chairs
 12 then; is that okay?
 13 CHAIR BARRETT: Yes.
 14 MEMBER BANIS: Thank you, so we don't disrupt
 15 too much. I'd like that very much. Thank you. You're
 16 doing a bang-up.
 17 CHAIR BARRETT: Thank you so much. Thank you
 18 all for your patience. With that we have the advisory
 19 council member reports.
 20 Do we have any advisory council member reports?
 21 MEMBER BANIS: Thank you. Briefly I'd like to
 22 acknowledge the help of Bob Burke with a field trip to
 23 the Cady Mountains on November 11th with
 24 Congressman Cook's staff. Thank you also, Beth, for
 25 attending. I think it was a wonderful day, not only

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1 weather-wise, but what great scenery and really
 2 interesting people we met up with in the field today. I
 3 especially want to thank Bob because we went to the
 4 Hansen Quarry, which was a field trip stop of ours not
 5 long ago. This time he had sheep for us. They were
 6 kind of hidden behind the rocks, so I couldn't tell if
 7 they were staked down or not, but they stayed there the
 8 whole time, and it was really a thrill for all of us.
 9 Animaltronics.

10 I also want to acknowledge some guests.
 11 Tom Acuna is here. He's from the ISDRA Subgroup;
 12 Andy Silva from San Bernardino County, the Dumont Dunes
 13 Subgroup; and there's a number of people from the
 14 Roundtable of Ridgecrest, who are my colleagues. I'd
 15 like to acknowledge Ed, of course. Sam Merk represents
 16 the public at large; Earl Wilson, who represents the
 17 Dark Skies. Will Liebscher is here, who represents
 18 east of the 395. And Ruth Hidalgo, our rockhounder
 19 representative, is here too. It's nice to see
 20 everybody, so thank you.

21 CHAIR BARRETT: Excellent. Thank you, Randy.
 22 Al, would you like to make comments? Thank
 23 you.

24 MEMBER MUTH: How's that for a dramatic entry,
 25 here? Okay. What I wanted to say was, it's been a

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1 pleasure serving as the vice-chair with Leslie. Unless
 2 you think there's any Game of Thrones internecine stuff
 3 going on, I didn't choose to continue on, because
 4 usually vice-chair is the heir apparent. I'm retiring
 5 in June.

6 (Applause.)

7 MEMBER MUTH: June the 28th, and as of today
 8 that's, I think, 94 days.

9 MEMBER BURKE: Not that you're counting.

10 MEMBER MUTH: It's been 35 years, one month and
 11 25 days in Boyd Deep Canyon, so it's past time for me to
 12 go. But I will be serving out my term, and I look
 13 forward to working with Randy and Bob.

14 A couple of things. Have we set our meeting
 15 dates for this coming year?

16 MEMBER BURKE: Yes.

17 MEMBER MUTH: Okay. I missed them. And will
 18 there be any discussion of the Joshua Tree National Park
 19 boundary study and expansion at this meeting?

20 DISTRICT MANAGER RANSEL: Not for this meeting,
 21 but there is potential for the next one, and we can get
 22 information that's needed.

23 MEMBER MUTH: It's a major event, and it's an
 24 unusual land transfer, and I think the DAC would benefit
 25 from being exposed to it. That's all I have to say.

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1 CHAIR BARRETT: Thank you, Al. And obviously
 2 we'll all miss you terribly. And it's been a pleasure,
 3 and thank you. You actually nominated myself over a
 4 year ago, and it's been a pleasure to work with you and
 5 an honor and a true privilege. And I consider Al a
 6 friend, as I'm sure many of you do.

7 And with that in mind, I think we get to
 8 probably the most interesting part from our perspective,
 9 which is to hear from you with respect to the public
 10 comments not on the agenda. And I do apologize. The
 11 cards were brought up to me in different groups, so I'm
 12 not a hundred percent sure who filled out which cards
 13 first. So my apologies if I get you out of order in any
 14 way.

15 But hearing no further comments from the DAC,
 16 I'd like to open it up for essentially public comment on
 17 items not on the agenda or including any requests for
 18 the DAC to considerate future meetings.

19 So with that, Sam. Thank you so much.

20 MS. MERK: If I have any more surgeries, I'm
 21 going to get taller. But anyway, I seem to grow on each
 22 one. There we go.

23 Okay. I have some questions in regards to the
 24 latest bylaws of the DAC committee. The last one I have
 25 is for May 23rd of 2011. Is that the most current one?

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1 DISTRICT MANAGER RANSEL: I'm seeing a "no."
 2 Steve, could you respond to that, please.

3 MR. RAZO: We've had much more recent,
 4 including this year's, but with the new website change
 5 all that got taken off, but I could get to you the
 6 latest file.

7 MS. MERK: With the absentee of the website --
 8 and we all accept that -- but it's been very, very hard
 9 for the public to figure out what the DAC is really
 10 doing. And the meetings are supposed to, according to
 11 this one -- is supposed to be held. They're supposed to
 12 be noticed in the Federal Register 30 days in advance.
 13 I don't know if that's changed or not, since this is not
 14 the most current one. I do not have access to it.

15 I would also like to know what the budget is of
 16 the DAC, and I would like a report from Beth Ransel in
 17 regards to that. I would also like to know what the
 18 budget is for the State of California. I'd like to know
 19 how much money is being allocated to the CDCA.

20 And I would like to thank all the members of
 21 the DAC. And the DAC is really important. It is a
 22 conduit from the public, and when we cannot talk to the
 23 district manager, you are our only access. The
 24 leadership meetings have been cancelled, and it's been
 25 really heartfelt among the public. And maybe we don't

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1 count, but we really do.
2 I think that all the reports that come up from
3 the DAC, from the field managers, should be available on
4 the website. I think that the public needs to know this
5 information.
6 I would like to thank Leslie and Al for the
7 wonderful job last year. I would like to welcome Randy
8 and Bob and the new members. But I really feel that the
9 district is not listening to the public. Thank you.
10 That's all I want to say at this time.
11 MEMBER MITCHELL: Mr. Chairman? Thank you for
12 that, too, because that's an issue that's been bothering
13 me too. You brought up some very good points. We
14 should, I feel -- this is probably my third meeting, I
15 think, now -- we should know what this money has
16 generated, you know, in the desert and the exact same
17 things that you said. I wondered that at the last
18 meeting, why there was no treasury report.
19 San Bernardino County, I chair the Range
20 Improvement Board and have for 15 years, and for our
21 grazing fees we know exactly two times a year what's
22 generated and where it's going. And I'm glad you
23 brought that up, because later on I was going to see if
24 that could not be included with Beth so we know what's
25 happening and we have an idea where this money is going,

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1 not just 88 billion, you know, going in this place.
2 So I don't know if it's in the bylaws how this
3 is handled, but as far as I'm concerned, I would like
4 what she was just mentioning about if they could start
5 doing that so we know where we're at. Thank you for
6 saying that.
7 MS. MERK: Thank you, Bill. Thank you.
8 CHAIR BARRETT: Sam, thank you also. And I
9 echo all of your concerns and comments. And our
10 effectiveness up here is driven by your involvement,
11 your passion for the issues that you bring. We all come
12 from different backgrounds. We all seek to try to
13 understand and appreciate what we bring and the
14 interests we bring. But it's really the public who's
15 out there who lives the life of the desert. And it's
16 for you guys to let us know what's most of interest to
17 you so that we can try to be that conduit for you where
18 you find challenges. So please do continue to
19 participate. And we thank you, Sam, for your comments.
20 And for your kind comments to myself, thank you also.
21 With that, Lisbet. Lisbet, would you mind?
22 Thank you so much. It would be Lisbet Thoresen.
23 MS. THORESEN: Lisbet Thoresen. I'm the
24 Public Lands representative for the San Diego Mineral
25 Gems Society, the largest gem and mineral club in the

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1 state of California -- sorry. I'm going to slow down --
2 also known as SDMG. I'll refer to SDMG in my later
3 comments today. I'm also the chair for the Public Lands
4 Advisory Committee South, Southern California, for the
5 California Federation of Mineralogical Societies, which
6 is one of seven federations nationwide to the American
7 Federation of Mineralogical Societies.
8 And I wanted to second all of Sam's comments
9 about the website, the BLM website. There has been
10 non-accessible content since October when I started last
11 looking, perhaps even further back than that. And as
12 Sam said -- I want to reiterate -- this is where people
13 find out information.
14 There would have been so many rockhounds and
15 paleo people at that wonderful field tour that you gave
16 yesterday and would have come to this meeting today to
17 hear these wonderful presentations on -- I call it
18 PRPA -- and the MTMN and the DRECP, and they're not here
19 because they made other arrangements. On two days'
20 notice it just wasn't possible. But we feel this is
21 really, really important to have this opportunity.
22 And we appreciate that the DAC council members
23 are so receptive, so accommodating and facilitating for
24 us. We've never felt more welcome as a community than
25 we have in this last year, especially from this group.

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1 And so we want to thank you for that.
2 But a very strong criticism to the BLM at the
3 federal level for not doing something about this
4 website. It's really unconscionable, and we know that
5 this is not a local BLM issue, that this is on a higher
6 level. And I would think that at some point there would
7 be legal ramification because of things not being
8 published in a timely fashion made available on the
9 public website as is mandated by law. So thank you.
10 CHAIR BARRETT: Lisbet, thank you so much.
11 And Ruth, Ruth Hidalgo. Thank you, Ruth.
12 MS. HIDALGO: Hi. Ruth Hidalgo, rockhound. I
13 want to reiterate that the change in venue is a big
14 issue in getting people out here to these meetings.
15 There are people out in the Needles area, rockhounds,
16 and there's groups and organizations over there too that
17 also access the area that is now within the monument for
18 rockhounding. And they would also like to be able to
19 attend these meetings. They don't necessarily have the
20 funds or the means to travel this far. Those that were
21 planning weren't able to shift to be here today.
22 I have found that the DAC has been very
23 responsive. I attended my first DAC meeting completely
24 unknowledgeable as to even what NEPA was last March. I
25 appreciate the response that I have gotten from the DAC,

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1 the education. I have been able to reach out to various
2 members, Randy especially. Nathan even was able to get
3 some of us rockhounds into an area that we have not been
4 able to access for some time because he saw on one of
5 our t-shirts the minerals, so we really appreciate that.
6 And these meetings mean a lot to us. I reach
7 out to fellow rockhounds, "Hey, guess what? These
8 people really listen. It's a cool thing. Come check it
9 out." And then you try to get them here, and they shift
10 venues at the last minute.
11 It's hard for people to go in and say, "Hey, I
12 need Friday off." Because they see there's trilobites
13 on the agenda, they're going there. Let's go. Who has
14 the time to go in and say, "Hey, boss, I need Friday
15 off"? It's really important that we get these things a
16 little bit more notice on this kind of stuff. It
17 matters a lot to us. And I just wanted to make sure
18 that both the BLM and the DAC understands that.
19 The other issue is, when I come here, I'm
20 getting involved in this, and the same as many other
21 rockhounds -- I know Bill just -- you know, we're
22 learning a lot. And I go back to the meeting minutes
23 from the website and go through those little acronyms
24 and he's, "Who?"
25 There was a gentleman that commented about

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1 rockhounding in the Cadys back when it was a Wilderness
2 Study Area and why it was a Wilderness Study Area. I go
3 back to the meeting minutes to figure out who that was
4 and so on and so forth because I haven't been there as
5 long as everybody. We need those on there. We need
6 them to refresh our memory. We need to be able to go
7 back and look at those. So it is kind of important to
8 keep them up to date.
9 And if it is an issue at a higher level,
10 please, we have an email list. We all sign in our email
11 when we're here. Get the information out to us if you
12 can't get it on the website, please. Thank you.
13 CHAIR BARRETT: Ruth, thank you so much. And
14 thank you for actually presenting the DAC to others as a
15 venue or opportunity for them to comment and to learn
16 more about what we do and what the BLM does. And so
17 thank you also for that.
18 With that, Ed, would you like to speak alone,
19 or would you like to Ruth to assist you?
20 MR. WALDHEIM: No. I'm fine. Ed Waldheim.
21 Leslie, thank you very much for chairing and for being
22 there, and Al has been around for a long, long time.
23 Beth, welcome to the group. I have not had a chance to
24 meet you. Steve Razo, I make fun with him. He used to
25 communicate with us very clearly often, but since things

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1 have happened, things have gone dark.
2 And the reason we've worked very hard at the
3 Roundtable in Ridgecrest and the subgroups that is that
4 you need to come to the DAC. You guys are our reach-out
5 to the Bureau of Land Management because, if you are not
6 there, the BLM goes dark. We've been around that route
7 where BLM goes dark for a year, year and a half, and
8 then when they resurface, things have changed, plans
9 have changed, maps have changed. And we can't afford
10 that. We want to be part of the process.
11 We don't want to be getting surprises, which is
12 what's been happening with the BLM, unfortunately. It's
13 not your fault, but we have a long history there. I've
14 been at this now over 40 years, been working at this
15 thing with -- Gerry Hillier probably beats me because he
16 was field manager longer, about two or three years
17 before I came on the site.
18 But anyway, the importance of us being able to
19 talk to you, and your service is absolutely valuable.
20 Thank you very much for being here. And, Jennifer, I
21 love you. She's been here about three years less than I
22 have been around. And Razo also. We've been around a
23 long time. But thank you, thank you, thank you for
24 being here.
25 And everything that Sam said we echo. We

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1 talked about that at long lengths at the Roundtable, 30
2 people at the Roundtable in Ridgecrest. Carl runs that
3 meeting. It's absolutely incredible. I run monthly
4 meetings with Friends of Jawbone, monthly meetings with
5 friends of El Mirage for over 20, 25 years, monthly
6 meetings on these groups.
7 I cannot believe I've been doing it as long as
8 I have. We had our 20th anniversary, Friends of --
9 we have Moose Anderson day coming up in El Mirage last
10 weekend in April. First weekend in May, first Saturday
11 in May we do El Mirage cleanup.
12 I'm most proud to have with us today --
13 Sixto Fernandez, the grants administrator for the State
14 of California Off-Highway Vehicle Program, had his
15 assistant Maria to be here. So when she comes up, she
16 will talk about grants program. The grants program is
17 the most important thing for the Bureau of Land
18 Management and for the Federal Government. It's
19 80 percent of our opportunity is on federal land, and we
20 get \$30 million to administer or give grants,
21 cooperative agreements to the federal agencies.
22 And so Maria will talk to you. And thank you,
23 Maria, for taking the time being here with us. She's
24 the administrator for the Barstow BLM office. And
25 Ridgecrest, we have Jenny. She's an administrator for

1 us over there. Thank you.

2 CHAIR BARRETT: Thank you, Ed. And actually at

3 the last DAC meeting when Ed was not here, there was a

4 collective sigh of, "What's happened to Ed?" And

5 subsequently we found out you've had some health issues.

6 If I may say from all of us up here, our prayers and

7 best wishes to you and your family as you go through

8 this.

9 MR. WALDHEIM: I appreciate deeply the cards

10 that you have sent me and the wishes from

11 Washington, D.C. and all over. You guys have been

12 absolutely incredible, and the fight keeps going on.

13 Thank you.

14 CHAIR BARRETT: Thank you. Thank you.

15 DISTRICT MANAGER RANSEL: Ed, I just wanted to

16 let you know that I have it on my schedule to be joining

17 you for one of the upcoming Ridgecrest Roundtable

18 meetings, and I really look forward to meeting with that

19 group and hearing about all the great things that

20 they're working on.

21 MR. WALDHEIM: Cool. Thank you.

22 MEMBER MITCHELL: Mr. Chairman, yeah, you know,

23 this board -- even to sit on this board, this is

24 mandated that we do this and to advise the BLM. And the

25 only way that we can and do that is from hearing what

1 the different constituents, what the people, want. It

2 was like what Judge Scalia said. We can't interpret

3 what we as this board would like them to do on different

4 issues without listening to what the people have to say.

5 And that's why we're here and what we're mandated to do.

6 This is not something that BLM just says, "Okay, you

7 come, and we'll listen to you." It's a mandate that we

8 sit here and that we make those decisions to help them

9 advise of what you people want.

10 So you are the ones that have to reach out to

11 us and allow us to know what your feelings are. And I

12 think the rest of the members would agree with that. I

13 do, anyway.

14 And one short thing. I want to thank Jennifer

15 for helping with that motel. Nobody gives her very much

16 credit. My wife, too. At the last minute I was going

17 to sleep with a bed roll out here. It happens to all of

18 us. I don't think it's going to happen again, but we're

19 under a different transition now. It's hard for the

20 BLM. I'm not defending them, but they have guidance

21 coming down. Until all that's squared away, you know,

22 by the next meeting I'm sure it will be back like it

23 used to be and things will proceed like it has been.

24 But you go to your people, and they need to

25 come to this to advise us what their feelings are. All

1 right? Thank you. Thank you, Mr. Chairman.

2 CHAIR BARRETT: Thank you, Billy, for your

3 comments. And we do have one more speaker's card.

4 Actually there is probably no member of the public more

5 introduced now than Maria.

6 Thank you, Maria Olmos. Thank you.

7 MS. OLMOS: Hi, everybody. So it was a little

8 bit of a last-minute decision to send me down here, but

9 I do represent the State of California State Parks and

10 Recreation, their Off-Highway Motor Vehicle Division.

11 From this point forward, I'll just call it the

12 OHV Division.

13 And our division really is about the balance

14 between providing well-managed OHV quality OHV

15 recreation while at the same time protecting and

16 conserving natural and cultural resources. This balance

17 is very important to our division, and we really

18 appreciate and value the partnerships that we have with

19 our public land managers, Bureau of Land Management,

20 U.S. Forest Service, our non-profit organizations,

21 Ed Waldheim.

22 It's a really hard and difficult task managing

23 all the different stakeholder interests that go into our

24 Public Lands. So I just wanted to give you a brief

25 synopsis of our program. We administer the OHV trust

1 fund. And every year we provide -- normally it's

2 26 million in local assistance grants to manage programs

3 that have a nexus to OHV. This year we were lucky

4 enough to get an extra \$4 million. And it is a

5 competitive program.

6 The categories of funding are operation and

7 maintenance, and within operation and maintenance

8 there's -- and I might not hit them all. There's ground

9 operations for actually managing an OHV recreational

10 facility. An example of one is El Mirage. Ground

11 operations. Planning, development acquisition for

12 acquiring more land. Of course for all these categories

13 you have to be an eligible applicant. Restoration,

14 which I've heard Joshua Tree mentioned several times,

15 and Joshua Tree National Park Service is coming in to

16 apply for a restoration grant. That's restoring any

17 authorized trails. Law enforcement and education and

18 safety.

19 So again it really is -- I personally, I

20 shouldn't speak so much for myself -- but a great thing

21 to be able to provide the funding again to our partners

22 out in the field throughout California, to be able to

23 give back the funds to those who enjoy recreating out in

24 our nature. So thanks. And welcome to those of you

25 that are new to the DAC.

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1 CHAIR BARRETT: Thank you. Thank you, Maria.
 2 And Randy, please.
 3 MEMBER BANIS: I'd like to echo what Maria has
 4 said with a few numbers. In the last year's grant cycle
 5 the BLM received -- the BLM desert, okay -- just the BLM
 6 desert received \$2.75 million from that OHV grant
 7 program for ground operations and restoration and for
 8 law enforcement, in fact \$885,000 for law enforcement.
 9 That's a lot of money.
 10 But it's not just about the BLM. It's also
 11 about the partners. The partners in the desert, just
 12 the partners in the desert alone, receive \$3.1 million
 13 in grants out of the program. So that's a total of
 14 \$5.85 million on the ground from just last year's grants
 15 cycle.
 16 And these partners -- I know we look at Ed.
 17 He's the face of this program, but it's not just Ed.
 18 Your organization has been participating in the program
 19 successfully, the Amargosa Conservancy has participated
 20 successfully, the Transition Habitat Conservancy has
 21 participated. So this is a very broad program that has
 22 a remarkably broad set of partners that work with the
 23 BLM all across the desert.
 24 And so thank you, Maria, for coming down and
 25 introducing this program to us and letting me echo with

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1 these hard-dollar numbers. It really makes a lot of
 2 sense that we have to -- I think what wasn't said and
 3 what needs to be known is that this OHV program that
 4 we're talking about is currently being considered for
 5 re-authorization by the state legislature. It had a
 6 ten-year sunset -- twenty or ten-year?
 7 MR. WALDHEIM: Ten-year.
 8 MEMBER BANIS: This is the year they have to
 9 figure it out, and there are competing bills. This
 10 money essentially comes out of transportation monies.
 11 Transportation monies is a huge battleground, especially
 12 with the changes in driving habits and everything. So
 13 with the fuel tax and the Green Sticker monies, we're
 14 concerned that there's competing bills in the
 15 legislature.
 16 Some of them seek to change the program
 17 radically. Some seek to just extend it. So it's a
 18 really wide range, and I'm concerned that this
 19 program -- we don't want this program to go away. We
 20 need your support. Thank, you Maria.
 21 MS. OLMOS: I do want to add to Randy's
 22 comment. The majority of these funds are coming from
 23 the users themselves. The transportation money is
 24 primarily Green Sticker and Red Sticker registration
 25 fees for those that are going to off-highway recreate.

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1 We have to register our OHVs special.
 2 MEMBER BANIS: Thank you.
 3 MEMBER MITCHELL: This is probably about the
 4 best time to be more on OHV. I've got three major OHV
 5 areas within ten miles of my ranch. Since Thanksgiving
 6 through the Hammers they have totally jerked fences out,
 7 scattered my cattle to hell and back. The reason we
 8 weren't even on that trip yesterday, we were gathering
 9 15 head of cattle to get them back to ranch within two
 10 miles of a highway.
 11 And don't get me wrong. I'm not mad at the OHV
 12 specifically and the groups that you're doing, but when
 13 you bring 70,000 people out to an area, they don't all
 14 stay in that one area. See, multiple use in 1980 was a
 15 great plan. You didn't have a 70 million OHV people.
 16 I'm fourth generation of a rancher, and my grandfather
 17 had the first OHV, a wagon and a horse.
 18 So these trails and open roads that go through
 19 Rattlesnake Canyon, they do -- and Katrina saw them --
 20 they'll do 60 miles an hour on a one-lane road. Right
 21 now it takes me two days after a three-day weekend to go
 22 out and drag that road get the rocks out of it so my
 23 wife can go to work. If I don't, she's an extra 30
 24 minutes one way getting my vehicle out. And it's
 25 totally became a nightmare for Rattlesnake Canyon.

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1 We do have one good ranger. Mark Brown did an
 2 excellent job trying to write tickets, but when you have
 3 all those people down there and they try to send
 4 somebody to help me, obviously Billy's pulling second.
 5 Well, the devastation it's caused on my ranch right
 6 now -- and the bottom end, I cannot no longer put up
 7 with that.
 8 So we are going to have to figure out whether
 9 we're going to shut that canyon down, which I hate to
 10 say, on any given big event like that or holiday or
 11 there is going to be a specific ranger in that canyon
 12 monitoring the abuse on my cattle. It's not only just
 13 the cattle, but it's a public hazard right now. You
 14 cannot do 60 miles an hour on a one-lane road with
 15 willows and a cow and calf jump out.
 16 Two years ago they airlifted a motorcycle rider
 17 out, killed my cow. I got nothing for it. There's no
 18 cost recovery for me, and my family cannot keep doing
 19 this. We've been there 20 some years on that ranch, and
 20 the last three years have been nothing but a headache.
 21 Thanksgiving Mark wasn't there. I couldn't even get
 22 ahold of a ranger. The sheriffs came out and tried to
 23 do what they could. I don't know if the sheriffs were
 24 involved in the Hammers this year or not.
 25 I specifically left it up to Mark because I met

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1 him. They came up and went through the ranch. They
2 seen the fences that were jerked out. I have one,
3 Motino Wash, that 17 jeeps come through to go rock
4 climbing instead of going out on the OHV road and go
5 through the cattleguard. They go up and cut two major
6 fences. That's two days for Billy hauling horses 41
7 miles one way to find ten head of cow. That's a lot of
8 money.

9 You know, the cattle market is fair, you know,
10 but it's not fair for me for what this OHV -- and I'm
11 not trying to classify all them together. But if you
12 take two percent of 70,000 people, I don't have a
13 chance. So there's definitely got to be something done
14 at the local, the district or the state by next
15 Thanksgiving. I've got to have some kind of help. I
16 cannot put these cattle and public safety in danger any
17 longer, you know? It is a definite problem.

18 And if anybody has any idea, I know Katrina is
19 trying to work on it, but it always seems to go by the
20 wayside. I think it's time that, when these events
21 come, maybe Steve Shreves (phonetic spelling) should be
22 with me with some of these people and make sure they do
23 know, you know. Obviously they can't cure everybody,
24 but something is going to have to happen. Those
25 cattleguards belong to me. The fences, some of them are

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1 Section 4 permits. If you don't know what that is,
2 it's private money, my private property on federal
3 land. Some of them are cooperative agreements. To
4 bring you up to speed on that, that's county money.

5 Fifty percent of our grazing fees -- a hundred
6 percent of our grazing fees goes to the
7 Federal Government. In Section 15 of the Taylor Grazing
8 Act half of that comes back to San Bernardino County,
9 which I chaired for the last 15 years. That half goes
10 back into all the ranches on the priority list for
11 wildlife and development and sustained yield of federal
12 land.

13 The other 50 percent -- and correct me if I'm
14 wrong. I think 25 percent maybe stays in Washington,
15 maybe 25 percent goes to 8100 money, which in each year
16 the money that is generated, that's the BLM's money to
17 enhance wildlife and do what they used to help ranchers
18 with windmills and whatever.

19 And my particularly D-6 ranchers left -- out of
20 16 families in Mojave Desert now, they might get \$2,000
21 of grazing fees back. Now, I don't know what you got
22 this year. Right now is the first year in ten years --
23 actually, 15 years -- that the sheep men could turn out
24 in the Mojave Desert. Secretary Jewell took every sheep
25 lease -- I don't know how many thousand acres -- out of

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1 the Mojave Desert.

2 And then we wonder why we don't have any 8100
3 money where there's no budget? You know, in 1995 there
4 was a study done, and these families put two and a half
5 million dollars worth of cattle market that was 60 cents
6 a pound in San Bernardino County coffers. Went back and
7 trickle-down effect. I have a whole study that they did
8 on that. Now we're down to six families, and it's like,
9 I hate to say it, but we're the bottom of the list.

10 What we drove -- the BLM from 1934 to FLPMA now
11 has become nothing but OHV, the Hammers, they generate
12 money. I don't know. There might be 50 groups that
13 race out there, but I'm just letting everybody know
14 we've got to do something. I can no longer put up with
15 this, so we either got to get with the sheriffs, we've
16 got to have a ranger out there, or we've got to have a
17 way to shut it down.

18 There's canyons shut down that lets these
19 people in. We're going to have do something for my
20 business, you know. I mean, we're definitely going to
21 have to do something. I'm not going to have another cow
22 run over. Those rangers and Anthony Chavez came with
23 me. There was a cow and calf that ran four miles ahead
24 of my vehicle in first gear, a '62 Ford. I could walk
25 faster than that. And that animal would not get out.

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1 Scared to death. I can't have that anymore.

2 You start up a chainsaw next to them, and they
3 go through a fence. And that's not counting the damage
4 in the fences, which right now my daughter and
5 son-in-law are watching one area that I've got to get
6 back tomorrow and get that fixed two miles from the
7 highway.

8 Now, the BLM is responsible for acts of God.
9 And when people tear that stuff up, yes, I get the
10 material, but they can't find a man to go fix it. My
11 family has to do that, otherwise I take a chance on
12 somebody getting hurt on a highway or getting a cow
13 killed. I just can't -- can't have it no more. It's a
14 done deal.

15 I know that Hammer is going to have a hundred
16 thousand people for next year. Their NEPA is probably
17 done for next year. So there's going to have to be a
18 cost recovery for somebody to take care of that ranch
19 because I no longer should be responsible for other
20 people tearing shit up. Excuse my language.

21 Was that slow enough? No? So I'll talk to
22 Katrina about the ranching part. Thank you, sir.

23 CHAIR BARRETT: Thank you, Billy. And there's
24 going to be a number of responses to you, Billy, but I
25 think all of us understand the level of frustration that

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1 Billy has with what's going on out there. And if any of
 2 us had to deal with what he's had to deal with, I don't
 3 know that we'd be as reserved as he is today.
 4 MEMBER MITCHELL: I'm trying.
 5 CHAIR BARRETT: So we're with you, Billy, but
 6 I'd like to hear more comments on that.
 7 Beth.
 8 DISTRICT MANAGER RANSEL: I just want to say
 9 thank you, Billy, for your comments. Certainly the
 10 Bureau of Land Management, at least from my perspective,
 11 we really do value grazing use on Federal Lands. It's
 12 definitely one of the multiple uses and one of the early
 13 uses the agency oversaw.
 14 MEMBER MITCHELL: The earliest.
 15 DISTRICT MANAGER RANSEL: Yeah. It's part of
 16 the foundation of the types of uses that the agency has
 17 managed and has been built on. So I definitely value
 18 that grazing is a valid use and certainly a historic use
 19 of the landscape out there.
 20 We look forward to working with you on
 21 solutions. I know that Katrina has already met with you
 22 and Mark Brown as well, and we're going to continue to
 23 work with you to find something that helps to resolve
 24 and mitigate some of those issues.
 25 I saw some of the photos last night when we

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1 talked, and it's completely unacceptable to have people
 2 damaging personal property out there and creating a
 3 bunch of unnecessary work. And I don't know why people
 4 do that. I'm kind of appalled when we looked at those
 5 photos. It just seems completely unproductive to spend
 6 energy and time doing that and creating a bunch of work
 7 for other people. But we look forward to working with
 8 you on trying to resolve that issue and finding a path
 9 forward to prevent that from happening in the future
 10 hopefully. Hopefully people will learn that that is
 11 just not acceptable behavior.
 12 MEMBER MITCHELL: A lot of -- out of 25 years I
 13 had a call from that ranger last night with the ranger
 14 coming out to make sure somebody had seen him come up,
 15 because there's no phone service. So in 25 years this
 16 ranger has done an excellent job. He must have called
 17 me a couple of times a week. But the thing of it is, is
 18 you have to be there at that time, you know, to catch.
 19 This is the problem we're going to have.
 20 Any three-day weekend, like I said -- I don't
 21 want to repeat myself, but that ranger can't be pulled
 22 out. Somebody is going to have to be designated to
 23 maintain that canyon, just like they're designated for
 24 that OHV person. And if you're -- if I was going to
 25 bring 70,000 people to my ranch, I would imagine

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1 everybody in Johnson Valley would expect me to do
 2 something to control that.
 3 It's not just my frustration. There's people
 4 in Johnson Valley that are unhappy. They call me, the
 5 older people. When this is over with, you got the first
 6 wind. You got dust. You can't even see. I'm not
 7 trying to take away the OHV use, but you got to remember
 8 one thing. There are no cattle in the OHV area. And if
 9 I apply for the fee today, I doubt if you let me turn
 10 them out with the OHV going on there because there would
 11 probably be public safety involved with somebody doing
 12 80 miles an hour and a cow walked out in front of them.
 13 The same thing on my ranch. I've got speed
 14 limit signs posted. I've got cattle signs posted.
 15 They're not going to do nothing until it takes them to
 16 jail. And I just can't absorb the loss anymore. That's
 17 it.
 18 And I do appreciate this. I do want Mark Brown
 19 really acknowledged. First time on the job. That's
 20 most serious person I ever seen in my life. I mean, he
 21 takes his job seriously. He wrote a ticket to the guys
 22 at Big Bear a license for smoking marijuana up there.
 23 When he asked me if I knew them, he said, "They drove a
 24 long ways to get a ticket today, didn't they, Billy?"
 25 I said, "I guess so. I don't think I'll be

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1 seeing them again." He can camp there if he wanted to.
 2 I did give him permission to break the 15 miles an hour
 3 speed limit on that road. Thank you very much.
 4 DISTRICT MANAGER RANSEL: Thanks, Billy.
 5 CHAIR BARRETT: Thanks, Billy.
 6 Thank you, Al.
 7 MEMBER MUTH: Seems to me we've heard Billy go
 8 through this rant before, and he deserves a rant over
 9 there.
 10 MEMBER MITCHELL: Thank you.
 11 MEMBER MUTH: How is it that we can turn out
 12 every ranger in the BLM for Imperial Sand Dunes every
 13 year and not do something to help out Billy to control
 14 the King of the Hammers? Here we have some potential
 15 funding to help out in the room from Maria. We've got
 16 Ed. He's a magician working with diverse groups and
 17 getting them to work together. You've got the
 18 Roundtable folks in Ridgecrest. You know, let's quit
 19 talking about this issue and solve it.
 20 MEMBER MITCHELL: Thank you.
 21 MEMBER MUTH: We have the resources to do it.
 22 Let's just get it done. That's my comment.
 23 MEMBER MITCHELL: Thank you.
 24 CHAIR BARRETT: Thank you, Al. And thank you
 25 again, Billy. And we do have a couple of more public

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1 comments.

2 And hearing none from the council, Andy.

3 Andy Silva, thank you.

4 MR. SILVA: Good morning. Just a couple of

5 things. First on OHV, the county is very supportive.

6 The county is very supportive of responsible OHV use.

7 It's a big economic driver. It's a quality-of-life

8 issue. Folks head to the outdoors the way they do, and

9 it's wonderful. So we are watching some bills. The

10 last thing I did Thursday before I left the office was

11 send a letter to the legislature supporting the end of

12 the sunset of the OHV Grant Program. So that's

13 something that everybody should be tracking and sending

14 in letters and phone calls and stuff.

15 So on a separate issue -- and maybe this could

16 be an agenda item for a future meeting -- the county has

17 received over a million dollars in planning grants from

18 the California Energy Commission for a comprehensive

19 renewable energy plan and policy. It's not just big

20 utility-scale projects like BrightSource. The smaller

21 projects that we have jurisdiction over cause the

22 biggest heartburn in our rural communities,

23 Lucerne Valley, Joshua Tree and those necks of the

24 woods. We do have a draft plan that's on our website.

25 So I don't know if I can get one of our

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1 planning staff out on a Saturday, but if you guys are

2 interested, we do that. We're also looking at a

3 community choice aggregation, so that's an option we're

4 exploring. That will make renewable projects more

5 palatable to the local community. It will give local

6 benefit. We'll see how that plays out. We should

7 finish that up this year.

8 I also want to welcome all the new members of

9 the DAC and thank all of you for your service. It's a

10 big commitment, and groups like this can sometimes fade

11 away. So you guys are putting in time and the effort to

12 the desert we all love.

13 And finally, if nobody has said anything,

14 Gerry Hillier has been our county consultant on

15 Public Lands for over 20 years. He was sitting in the

16 chair when FLPMA was passed. Gerry knows a lot about

17 the desert, and we all know him and love him. He's a

18 great guy. And I just want to acknowledge his loss and

19 have him in all our thoughts and prayers for him and his

20 family and what they're going through. So thanks.

21 DISTRICT MANAGER RANSEL: Thanks.

22 CHAIR BARRETT: Thank you, Andy. And we echo

23 your comments with respect to Gerry and his loss.

24 And Ofelia Warthen. Thank you for coming. Is

25 that a little high?

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1 MS. WARTHEN: Good morning, everyone. I'm

2 Ofelia Warthen. I'm a member and past president of

3 Orange County Gem and Mineral Society in La Habra, and

4 I've been a member of the society for about 30 years. I

5 really enjoy the desert. I'm a rockhound and brought

6 our grandchildren up here many times. They loved it.

7 They're grown up. I hope our great grandchildren can do

8 the same thing.

9 It was wonderful yesterday to come to a

10 last-minute trip to come and enjoy the field trip at

11 BLM, especially Kyle. It was great, and we went to a

12 couple of the monuments and volcanoes that I had never

13 been to, went over to the tunnels, which I couldn't

14 really get into anymore. But it was beautiful.

15 And I appreciate, you know, the concert we have

16 among the diversity of our DAC members. It was

17 enjoyable to hear their comments and the diversity in

18 interests in the field that they are here to appreciate

19 the desert in different fields. And I heard a lot about

20 the land management concepts.

21 And Kyle spoke about that, about our future

22 generations. And that's what I am always passionate

23 about and hope that it continues to open a lot of our

24 sites that are closed now that we used to go to. That

25 would be under land management, of course.

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1 And I appreciate what Mr. Billy is saying. I

2 didn't know him before. All his great comments about

3 his cattle I think we should look into a lot. I

4 appreciate your interest in what you're doing. I

5 appreciate your opening up the desert for collecting

6 also. Thank you.

7 CHAIR BARRETT: Thank you. Thank you so much,

8 and thank you for coming yesterday, and thank you for

9 your comments.

10 Will, Will Liebscher.

11 MR. LIEBSCHER: You can call me "The Public

12 Will." Actually you can just call me "Will."

13 I wanted to emphasize what Maria said about the

14 OHV funds, transportation funds, fuel tax, all the same

15 thing. The BLM gets that money, and it helps the BLM

16 manage the desert for everybody, not just transportation

17 and off-roading and so forth. So it's just very

18 important.

19 But I was at Johnson Valley at the King of the

20 Hammers event with the state tour a couple of weeks ago.

21 And Billy, there was not 70,000 people. That was three

22 or four years ago. I was there three years ago. It's

23 doubled. I was there on Thursday, the day before

24 Thursday and Dave Cole told us that they had 210,000

25 paying customers there the day before. And I left there

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1 that night, and there was a stream of vehicles, so they
 2 probably had over 250,000 people there. It was just
 3 visually bigger this year than I've ever seen it.
 4 MEMBER MITCHELL: That. Thank you for that.
 5 MR. LIEBSCHER: And I'm kind of on the other
 6 side of this. We had the tour with the state, and we
 7 went through, and Dave Cole gave us a -- we had
 8 different places we went to, and Dave Cole told us all
 9 about it. And we got to the booth where all the video
 10 was, and there's Katrina sitting there, and she kind of
 11 had -- she was in the driver's seat for this event for
 12 public safety and well-represented. And they checked
 13 with her before they did anything. So it really was
 14 excellent on that side of public safety.
 15 And Billy, all you got to do is talk to
 16 Dave Cole, and you can ask Katrina about that. He's a
 17 very compliant guy, and he probably just doesn't know
 18 about your problems.
 19 MEMBER MITCHELL: I think he does.
 20 MR. LIEBSCHER: So anyway, the public safety
 21 was well-represented by the BLM in contradiction to some
 22 past events. And in fact they told us that it was the
 23 first live broadcast of a sports event to
 24 Communist China. So these people in these foreign
 25 countries are looking to America because they want to

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1 know. It's our freedom of speech. We broke open east
 2 Germany, broke the communists up there in the Soviet
 3 Union. South Africa, that wasn't communist, but those
 4 people all wanted to know what's happening. And they
 5 look to America for leadership in their freedoms.
 6 And recently in Cuba we're breaking the
 7 communist hold on Cuba, and people are looking to us for
 8 leadership, and our collaboration by law is also seen by
 9 these people. It's fundamental to our freedoms of
 10 speech and everybody in this room for what we do is
 11 helping lead the charge against communism in my lifetime
 12 by expressing their opinions and so forth. I mean, it's
 13 a real high level. And every one of us that's here
 14 expressing our opinions is leading the charge against
 15 communism. That's how important our collaboration is to
 16 you in all these events. Thank you.
 17 CHAIR BARRETT: Thank you, Will.
 18 And we've got one more card, Lisbet. And if
 19 you don't mind, it's not on the agenda.
 20 MS. THORESEN: Yes. I'll make it brief.
 21 Lisbet Thoresen, SDMG, CFMS. This relates to a comment
 22 I believe that Dr. Muth made in his remarks earlier
 23 about this extraordinary land exchange adjacent to
 24 Joshua Tree. It's only recently come to our attention,
 25 a topic that seems to have low public awareness, yet

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1 it's terribly important. And that is this proposed
 2 project for Eagle Mountain hydropower project. And we
 3 understand that there's a permitting process going on
 4 that's going to come from BLM. This is an area adjacent
 5 to Joshua Tree.
 6 Originally the lands that were covered there
 7 were part of the designated protected area but was taken
 8 out of it to accommodate mining at Eagle Mountain and
 9 several other places which are now defunct and closed,
 10 and now reuse is being considered for the development of
 11 this project.
 12 It's going to draw 32 billion or more gallons
 13 of water over 50 years, so we read in the newspapers to
 14 support this project in the desert in a blank state.
 15 Apart from the rockhounding considerations of where this
 16 is sited, just the sustainability on an environmental
 17 basis is extremely disturbing and alarming, and yet we
 18 hear nothing.
 19 So we are looking for or requesting that we get
 20 more information from BLM, that there's transparency in
 21 the process that's going on now with the permitting, and
 22 that the public be given opportunity to comment. And
 23 there will be a lot of comment, you can be sure.
 24 CHAIR BARRETT: Thank you, Lisbet. Thank you.
 25 Any other comments from any council members with respect

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1 to the public comments? And hearing none, we'll --
 2 MEMBER MUTH: I want to say something.
 3 CHAIR BARRETT: Al.
 4 MEMBER MUTH: Hearing none. Okay. First let's
 5 get the Joshua Tree expansion on the next agenda. I
 6 formally request that. And let's also come back and
 7 revisit the King of the Hammers and what's been done to
 8 rectify the situation that Billy refers to with his cows
 9 and law enforcement out there. Thank you.
 10 CHAIR BARRETT: Thank you, Al.
 11 And yes, Jim, please.
 12 MEMBER KENNEY: On Facebook there are several
 13 groups who have made reference not specifically to Billy
 14 but to all the fun they had running around the area
 15 surrounding the Hammers. Now, this is all the way
 16 around the area where they're running. So these guys
 17 are bragging that they're out running their own trails
 18 while the Hammers are going. And that mirrors what
 19 Billy is saying.
 20 MEMBER MITCHELL: Leslie?
 21 CHAIR BARRETT: Yes.
 22 MEMBER MITCHELL: Yeah. I did talk with Mark,
 23 and I think we might have something scheduled to ride
 24 through to let him know that country a little better.
 25 Gypsy Mine Road, you ride up near Dixie Mine Road and

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1 see what they've done to that wilderness area. It's
2 going to be unbelievable. It looks like an OHV area. I
3 mean, there's trails up where there have never been
4 trails 20 years ago. And I haven't got Mark out there
5 yet. He said he was interested. Whenever he gets free
6 time he's going to call.
7 You may have been up there. I don't know.
8 Katrina, have you been up there to Dixie Mine? I just
9 wanted to mention that. I think she had her hand up,
10 Mr. Chair. Katrina did.
11 DISTRICT MANAGER RANSEL: Yes. I'd like to ask
12 if Katrina can come up and provide a little bit of
13 information related to this topic, since there's been a
14 lot of discussion on it.
15 Thank you, Katrina.
16 MS. SYMONS: Hey, good morning. Oh, Billy,
17 we've been talking. So I do want to give some
18 clarification about King of the Hammers before numbers
19 start getting thrown out too bad. We did have a traffic
20 counter out there. It is estimated that the visitation
21 to Johnson Valley at the time of King of the Hammers,
22 which is a nine-day event, was anywhere between 40- to
23 45,000. As far as the, quote, unquote, paying
24 spectators, we have not gotten the final numbers from
25 Dave Cole, who is the permit holder for that Special

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1 Recreation Permit. But the last time I had talked to
2 him, it was around 15,000; okay?
3 As far as Billy, knowing that King of the
4 Hammers has been going on since I've been on the field
5 office, I have assigned law enforcement to be patrolling
6 your area during that nine-day event. For this last
7 event specifically, Mark Brown was out there, and he
8 only left your allotment to come back to help with the
9 fatality that happened, which was non-race related. It
10 happened on Saturday as everybody was pulling out.
11 So in my discussions with Billy, the amount of
12 OHV traffic that comes through the Rattlesnake Canyon,
13 which is the cherry stem through that wilderness, has
14 increased notably throughout the OHV season and not
15 specifically with King of the Hammers. So we have that
16 larger discussion of what BLM needs to do throughout the
17 year.
18 MEMBER MITCHELL: Exactly.
19 MS. SYMONS: In my opinion this is not a King
20 of the Hammers issue, because we have specifically
21 mitigated that by assigning law enforcement to that
22 area, knowing that just by that event taking place, it
23 encourages people to utilize that cherry stem.
24 MEMBER MITCHELL: Katrina, you know where I
25 have -- you've been out there. When I call Mark, the

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1 people going through, if they don't get there a certain
2 time, they're not going to catch them. Now, that's all
3 irrelevant of that. When he gets pulled off, I don't
4 car catch the people breaking it. Somebody needs to be
5 there 24/7 sitting in front of my house to stop that
6 stuff.
7 You can't go 15 miles away with one of them
8 doing 60 miles an hour then call the ranger 15 miles
9 away. That buggy went ten miles down the canyon
10 60 miles an hour. That ranger ain't never going to get
11 there. You understand that, Katrina.
12 MS. SYMONS: Correct. So Billy, are we in
13 agreement that this issue about the OHV use in
14 Rattlesnake Canyon is throughout the OHV season?
15 MEMBER MITCHELL: Exactly. I'm just not
16 sorting that guy out. There's more at his event, but it
17 starts from Thanksgiving, and it runs through all the
18 three-day weekend Presidents' Day 24-seven.
19 MS. SYMONS: Correct.
20 MEMBER MITCHELL: I'm not just singling him
21 out, and I'm damn sure not saying all OHV people are
22 bad, believe me, but there's a definite problem. It's
23 killing my bottom line on that ranch, and I do not think
24 I should have to put up with that.
25 MS. SYMONS: To expand on that, Billy, you are

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1 not the only grazing leaseholder that is experiencing
2 problems with cut fences.
3 MEMBER MITCHELL: Well, I know John Stone is
4 too.
5 MS. SYMONS: Right.
6 MEMBER MITCHELL: He's 60 miles away.
7 MS. SYMONS: So he's still getting his fences
8 cut. Mr. Ed Waldheim, who is a great partner for BLM in
9 Jawbone, has a long history of managing OHV use, and he
10 also experiences cut fences from some segment of the OHV
11 community. So it is not unique to the grazing
12 leaseholders about cut fences. So when we start talking
13 about that bigger fix, it's above and beyond just your
14 grazing lease.
15 MEMBER MITCHELL: Most of these leases are not
16 two miles from the highway. Come on. Let's don't even
17 go, there, please. There is a problem. You know
18 there's a problem, and we've got to solve it because
19 it's not by having a ranger ten miles away who Billy
20 calls to wait for him to get over there. So go ahead.
21 MS. SYMONS: What I would be hoping to do would
22 be to engage the representatives of the OHV community to
23 see how we can wind up partnering together to have that
24 larger dialogue about education, because it's not only
25 the grazing leaseholders such as Billy. We are

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1 experiencing cut fences throughout the West Mojave
 2 planning area within the CDD.
 3 So any other questions about King of the
 4 Hammers?
 5 MR. LIEBSCHER: Yes. It was Dave Cole himself
 6 who told us Thursday, told us directly that he had
 7 210,000 customers. There's a huge disparity in our
 8 numbers. I stand corrected.
 9 MS. SYMONS: So Dave must have misspoken when
 10 he mentioned that to you, Will.
 11 MR. LIEBSCHER: Perhaps.
 12 MS. SYMONS: Yeah. You're good? Thank you.
 13 DISTRICT MANAGER RANSEL: Thanks, Katrina and
 14 Billy.
 15 CHAIR BARRETT: Thank you all. And we've run a
 16 little bit overtime. But this is perhaps the most
 17 important part of the meeting because it is comments of
 18 the public. And so we're very, very grateful. And we
 19 commiserate with Billy again for issues that he's had to
 20 deal with.
 21 And with that we'll move ahead. And we do have
 22 a break coming up. I know it's a little chilly here.
 23 MS. WOHLGEMUTH: We're working on it.
 24 CHAIR BARRETT: We do have the Desert Advisory
 25 Council Subgroup reports. I know Tom is here, perhaps.

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1 So if you don't mind, Tom, would you mind taking the
 2 lead on this. Very grateful. Acuna, Tom Acuna.
 3 MR. ACUNA: Good morning, everyone, honorable
 4 DAC members and the public. I'm Tom Acuna, and I
 5 represent the DAC through the subgroup at the Imperial
 6 Sand Dunes Recreation Area, and I am the chair there.
 7 And I'm here to talk a little bit about what we're doing
 8 in the southeast corner of California.
 9 For those of you who are unfamiliar with the
 10 area, the recreational area, the recreational area is
 11 roughly 30 miles by six miles. That's a large area.
 12 It's a large sand dune, and so lots of sand buggies and
 13 dune buggies visit this locale. And roughly half a
 14 million visitors a year, so it's a very intense use.
 15 So our group serving your needs there, we have
 16 opportunities for the public to come and talk about the
 17 issues that are important to them. And I want to share
 18 with you three different items that -- they're
 19 interesting, and we're challenged, and we're trying to
 20 find solutions to them.
 21 But first of all I just wanted to name the
 22 folks on our subgroup. And that's Ray Castillo, our
 23 elected official, Ed Stovin, who is the vice-chair.
 24 He's also the president of San Diego Off-Road Coalition,
 25 Richard Holliday, Charlotte Teeters. She is from the

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1 Desert Gateways Association, does a lot for the group.
 2 Chuck Hattaway. Bob Ham is a political consultant who
 3 helps us with issues in Sacramento and has played a
 4 dramatic role in helping legislation that benefits the
 5 recreational users as well as BLM. We have
 6 Nicole Gilles, American Sand Association, and she plays
 7 a huge role in getting funding for special projects,
 8 running cleanups of the dunes, running a newsletter,
 9 just a lot of work that these folks are doing for the
 10 DAC.
 11 There are three items I just want to share with
 12 you that are happening in the dunes. I'll start with
 13 the lower, and I'll work my way up to the one that's the
 14 most priority. The good news. We've got a potential
 15 solution for one of them, and I'll share that. Two of
 16 them aren't doing so well. We don't have solutions for
 17 that, but nevertheless there's always the good and the
 18 bad.
 19 But one of the issues we've had that we haven't
 20 had too much success with is, there is a railroad
 21 crossing that goes through the sand dunes -- or a
 22 railroad, and they closed access to that. And so users
 23 can't go across the railroad. And so that is a problem
 24 because it prevents access to the store, and it also
 25 causes a problem for recreational users on the wrong

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1 side of the railroad track. So there's no solution. We
 2 are looking at resolving that. The only way you can get
 3 past the railroad track is to take your ATV and go down
 4 the highway, which the CHP doesn't like. So we're
 5 working on that. We don't have a solution for that.
 6 User fees. You have to buy by the week, a
 7 permit fee, and we can't offer a one-day permit fee.
 8 We've talked a lot about it for many years, and we've
 9 got a long list of solutions I could share with you
 10 sometime. But we haven't found a solution to that.
 11 Maybe next year we'll get a solution to that.
 12 I think the one thing we have been able to make
 13 a difference on is this. The Cahuilla Ranger Station is
 14 serving the sand dunes, and that is a location where you
 15 have enforcement, you have medical, you have visitors.
 16 You even have a little jailhouse built into that place.
 17 MEMBER MITCHELL: I need one in
 18 Rattlesnake Canyon.
 19 MR. ACUNA: Yeah. And it's a great location
 20 for serving the recreational users, but it has problems.
 21 The roof leaks. There's constant electrical shorts.
 22 It's falling apart. It's full of rats. So what we're
 23 trying to do is get that rebuilt. And so what the group
 24 did last year is, we got together with the BLM, and we
 25 developed a schedule, construction schedule for

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1 architectural and engineering to rebuild that. And the
 2 bottom line is this: It takes five years from the
 3 moment that you start designing before you get through
 4 NEPA and you get through the grant funding, before you
 5 get the building permits before it's operational. And
 6 that's the best case we can do this.

7 Positive news is that BLM staff, El Centro, is
 8 submitting a grant to our O.H. folks, Maria, for that
 9 architectural and engineering funding. We're going to
 10 put that grant in any day now. So that will be the kick
 11 start for rebuilding the station.

12 What else here? Well, here's the thing. I'm
 13 here working for you. If you have anything to say to
 14 the group at the Imperial Sand Dunes, I'm here to take
 15 your comments. I'm here to take your opinion or
 16 direction, if you have that. And I think that's really
 17 the big conclusion of my discussion here. So thank you.
 18 Let us know what you want us to do. I think we are
 19 doing okay so far, but just keep us in the loop. Thank
 20 you.

21 CHAIR BARRETT: Thank you, Tom. And any
 22 comments?
 23 Randy?

24 MEMBER BANIS: I can comment on the segway into
 25 the Dumont report.

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1 CHAIR BARRETT: Excellent. Thank you so much.
 2 And Tom is a past member of the DAC as well and travels
 3 extensively from San Diego to Imperial for all these
 4 meetings. So thank you for your service.

5 MR. ACUNA: Thank you, Leslie.

6 CHAIR BARRETT: Randy, thank you.

7 MEMBER BANIS: I think I've got a hot mic.
 8 It's a little hot. It's the only thing in the room
 9 that's hot.

10 Thanks, Tom. I want to clarify when you say
 11 the Cahuilla station is full of rats, we're not talking
 12 about the El Centro Field Office staff; right?

13 MR. ACUNA: Right, no.

14 MEMBER BANIS: Good. The ISDRA Subgroup is the
 15 most active of all of our subgroups, and it has been for
 16 as long as I can remember. And I wish all of our
 17 standing subgroups could be as active as that group is.

18 One that we continue to try to grow in our
 19 relationship with the BLM, as well as trying to grow our
 20 relationship with the users, is the Dumont Dunes
 21 Subgroup. We took our meeting to the dunes the last
 22 time for the first time ever. It was a meeting in
 23 November. It was really very warmly received. It was
 24 our best-attended meeting.

25 It was very odd just seeing a folding table in

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1 the middle of the dunes with three or four people
 2 sitting at it with a microphone. Very bizarre, but it
 3 caused people to come by and stop and see what the heck
 4 is going on at this table in the middle of the dunes. I
 5 thought it was terrific. And so we're going to do that
 6 again. We'll be meeting on March 18th for another
 7 subgroup meeting, and my priority there is to help to
 8 rebuild the volunteer base of a friends group there at
 9 the Dumont Dunes that's missing.

10 Another subgroup that I am involved in is the
 11 SRP, Special Recreation Permit Subgroup. But just
 12 reporting that has yet to meet and started on its work,
 13 and I hope we can move into that phase shortly. Then
 14 we'll have something to report from that group as well.
 15 Those are the subgroups that I work with.

16 CHAIR BARRETT: Excellent. Thank you, Randy.
 17 And any other subgroup reports? Hearing none, I think
 18 we can quickly move on to the field office reports. I
 19 think most of us have been given copies of those. Some
 20 of our field managers, I believe, are on the line as
 21 well. And thank you so much for taking time out of your
 22 Saturday morning to be with us. Sorry we've held you so
 23 late. But for those reports, are there any comments,
 24 concerns, questions or otherwise with respect to the
 25 reports?

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1 Bob, thank you.

2 MEMBER BURKE: Nice dinosaur.

3 CHAIR BARRETT: Okay. Bob, I don't expect
 4 you're speaking about anyone specifically here.

5 MEMBER BURKE: The Ridgecrest field report.

6 CHAIR BARRETT: Oh, thank you. Thank you. And
 7 we echo that. Thanks, Carl.

8 And with that, Jim.

9 MEMBER KENNEY: I would like to go on record to
 10 thank Carl for getting the South Park Bridge project
 11 underway and now fully funded, and we're starting
 12 tomorrow morning. We start doing the logistics of
 13 disassembling the bridge and replacing it permanently
 14 with a non-bridge, not-having-to-be-inspected rock wall,
 15 something he promised several of us when he first came
 16 to the Ridgecrest office. Nobody was jumping up and
 17 down about it, and he said this is the quiet users that
 18 just basically needed something and it was time for them
 19 to get something. I thank you, and a lot of us thank
 20 you.

21 CHAIR BARRETT: Thank you, Jim. And I'm
 22 hearing no comments from any other council members. Any
 23 comments from any of the field managers with respect to
 24 your reports or any updates?
 25 And hearing none, I'd like to open it up

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<p>1 actually to public comments now with respect to the</p> <p>2 reports, the subgroup reports and so forth. If there's</p> <p>3 any public comments? I see Sam.</p> <p>4 And thank you, Sam.</p> <p>5 MS. MERK: I guess this is right. I want to --</p> <p>6 Randy just said something just a few minutes ago, and I</p> <p>7 was thinking about the canyon of Billy Mitchell. And I</p> <p>8 have an idea. He said it stopped a lot of people with</p> <p>9 just putting up a table. So maybe there could be a</p> <p>10 volunteer group that could come out on those busy</p> <p>11 weekends and just sit there with a table, and maybe it</p> <p>12 might slow some of the people down if they knew that</p> <p>13 there was witnesses out there and so on and so forth.</p> <p>14 I would also like to thank Carl for his</p> <p>15 wonderful report -- it was very good -- and his staff</p> <p>16 for their help in that. And the bridge to a non-bridge</p> <p>17 is welcome in the Ridgecrest Field Office. Thank you.</p> <p>18 CHAIR BARRETT: Thank you, Sam. If you don't</p> <p>19 mind, Will behind you also his hand up.</p> <p>20 MR. LIEBSCHER: I was just going to say what</p> <p>21 could be on that table, Sam, is Ed's maps, which works</p> <p>22 great with the desert tortoise preserve. That slows</p> <p>23 them down. And there's the phone app that tells you in</p> <p>24 that area when you're on federal land and when you're on</p> <p>25 BLM land or open land. And we can hand out -- you can</p>		<p>1 that group at this meeting. Probably we'll do it at the</p> <p>2 beginning of the meeting, or if we don't have time,</p> <p>3 we'll do it after the meeting. Depends on how we do the</p> <p>4 agenda. But that thing is moving forward.</p> <p>5 The one thing that we are missing still is a</p> <p>6 financial report of the fees that are taken in in both</p> <p>7 the BLM, Barstow and El Centro. The DAC needs to get a</p> <p>8 report on what we have spent, what we have taken in.</p> <p>9 And it's long overdue. It's long overdue. We don't</p> <p>10 have a subgroup for El Mirage because we meet on a</p> <p>11 monthly basis. That's why the DAC didn't create one</p> <p>12 there, because there's no reason there. But we have</p> <p>13 Dumont Dunes, El Mirage and Imperial Sand Dunes. That</p> <p>14 report needs to be done, Beth, so if you can get that</p> <p>15 together so the DAC can see it and the public can see</p> <p>16 it, that would be very, very helpful for us. Thank you.</p> <p>17 CHAIR BARRETT: Excellent. Thank you, Ed, and</p> <p>18 thank you all.</p> <p>19 And sorry, Will.</p> <p>20 MR. LIEBSCHER: I just was just beginning to</p> <p>21 ask Jim, would you elucidate the importance of the</p> <p>22 South Park Bridge to people who are uninitiated?</p> <p>23 MEMBER KENNEY: Technically the South Park</p> <p>24 Bridge was created by the public. It is essentially, as</p> <p>25 far as the BLM officially is concerned, illegal, has</p>	
<p>1 hand out on that table the little cards for the Marines</p> <p>2 app so that people know where they're at. Once they</p> <p>3 stop, that will engage them to be more informed.</p> <p>4 CHAIR BARRETT: Thank you, Will.</p> <p>5 And Ruth, if you don't mind.</p> <p>6 MS. HIDALGO: I can't really comment on the</p> <p>7 field office reports because I didn't get them until I</p> <p>8 walked in here this morning, with the exception of</p> <p>9 Ridgecrest, which I was afforded at the BLM</p> <p>10 Roundtable -- not the BLM -- the Public Lands Roundtable</p> <p>11 meeting on Thursday. I can't sit there and read them</p> <p>12 and pay attention here. They really need to be</p> <p>13 available to us on the website or emailed out to us</p> <p>14 until we get the website figured out. Thank you.</p> <p>15 CHAIR BARRETT: Thank you, Ruth. And we echo</p> <p>16 that.</p> <p>17 Ed Waldheim.</p> <p>18 MR. WALDHEIM: Ed Waldheim, member of the</p> <p>19 Dumont Dunes Subgroup. I would like to thank Randy for</p> <p>20 chairing the meeting. Gerry Hillier, who's also part of</p> <p>21 the group, comes in there, and he's correct. At the</p> <p>22 next meeting we'll have a cleanup on the 18th, if you</p> <p>23 want to come help us do the cleanup. We will also have</p> <p>24 the new group forming again. The volunteer group the</p> <p>25 Friends of Dumont Dunes will be electing the officers of</p>	Page 75	<p>1 been prompted to be destroyed for years. Several</p> <p>2 regional managers have managed to not let that happen.</p> <p>3 But they can't certify it. It's a non-certifiable</p> <p>4 situation. I understand it's a bridge only by a couple</p> <p>5 of feet, but it still falls within the guidelines.</p> <p>6 What's going to happen is the bridge is going</p> <p>7 to come out, and we're going to put some pylons and some</p> <p>8 beams and then fill those with rock to create what's</p> <p>9 essentially a rock ledge to replace the bridge. No</p> <p>10 maintenance, not a bridge anymore. It doesn't have to</p> <p>11 be certified, can be repaired fairly easy by just</p> <p>12 putting more rock in it.</p> <p>13 MR. LIEBSCHER: But Jim, it's the connection</p> <p>14 between both sides of the Panamint Mountains. It's the</p> <p>15 only way to get across the mountains there.</p> <p>16 MEMBER KENNEY: It's the only way to make a</p> <p>17 loop trip out of Pleasant and South Park Canyon. It</p> <p>18 makes for a great full-day's run. Otherwise you have to</p> <p>19 go in and come back out the same road in both canyons,</p> <p>20 and that's a bit tedious.</p> <p>21 MR. WALDHEIM: Mr. Chairman, I failed to make</p> <p>22 my observation on the manager's reports. I always rate</p> <p>23 them, and I'd like to give the number-one category to</p> <p>24 Ridgecrest that did an incredible job. I don't know if</p> <p>25 Carolina did it or Dana did it, but they did a great job</p>	Page 77

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1 this time. So Ridgecrest gets number one on their
 2 thing. The other thing, Maria is responsible also for
 3 RTP grant, which is funding the park bridge.
 4 And a new thing for the DAC to know is on
 5 Highway 14 when we enter EP-15, when we go into the
 6 El Pasos, that is private property. We've been
 7 successful in securing a grant to acquire those 35 acres
 8 of land. Friends of Jawbone, RTB can get land. And so
 9 we have approval. We're waiting for funding. We will
 10 be purchasing that so we will have legal access to EP-15
 11 to cross Highway 14 to get into Dove Springs area.
 12 So that is another coup de graux Maria has been
 13 working on on the RTP. So that's two very important
 14 projects that the OHV has been part of.
 15 CHAIR BARRETT: Thank you all. Thank you, Ed.
 16 Thank you, Maria. Thank you, Will. Thank you, Jim.
 17 That concludes our early morning session. We're very
 18 much back on schedule, maybe even a few minutes ahead,
 19 so we'll try and push for 10:20 or so. And there's a
 20 pretty full rest of the morning before lunch. Thank you
 21 for surviving the chill, and I trust we'll all rush out
 22 and find warmth elsewhere. Thank you again.
 23 (A morning break was taken.)
 24 (Randy Banis served as chair from this point in the
 25 meeting forward.)

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1 CHAIR BANIS: Thank you, ladies and gentlemen.
 2 We'll be starting, if you'll take your seats. Thank
 3 you. Call the meeting back to order at 10:22.
 4 Next item on the agenda is presentation we are
 5 looking forward to, a presentation on the
 6 Paleontological Resources Protection Act. And our
 7 presenter is going to be Phil, Phil Gensler. Welcome.
 8 Thank you for the presentation yesterday in the field.
 9 The floor is yours.
 10 MR. GENSLER: Thanks for having me. I thank
 11 Beth and Kyle for their invite for me to come out here
 12 and talk to the group. Can you hear me okay? Good.
 13 So basically what I want to talk about is the
 14 Paleontological Resources Preservation Act. So this
 15 basically is a law that directs the Department of the
 16 Interior as well as the Department of Agriculture on how
 17 we're going to manage our paleontological resources on
 18 public lands.
 19 So under the Department of Interior, this is
 20 going to include the Bureau of Rec, the National Park
 21 Service, the BLM and the Fish and Wildlife Service. One
 22 other group in there, the Bureau of Indian Affairs, is
 23 actually exempt from the PRPA.
 24 There are concerns from the rockhound community
 25 that this is going affect them collecting rocks. It

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1 will not. There is a little bit of misinformation, I
 2 think, that's been going around. This is only going to
 3 pertain to fossil resources, not to rocks, gems,
 4 minerals. So that's not going to be affected.
 5 So underneath the PRPA, which came out 2009,
 6 there's different sections of it, and I want to just
 7 highlight some of those sections that I think may be of
 8 interest to the group here. First of all there's a
 9 section on definitions, which is going to include casual
 10 collection, which I'm going to talk about in a little
 11 more detail.
 12 It also gives a definition for what a
 13 paleontological resource is, and I'm going to read that
 14 off here to you out of the law. It says,
 15 "Paleontological resources means any fossilized remains,
 16 traces or imprints of organisms preserved in or on the
 17 earth's crust that are of paleontological interest and
 18 that provide information about the history of life on
 19 earth."
 20 So basically this is going include things like
 21 dinosaur bones, leaf impressions, burrows that animals
 22 have made in the ground or in the mud and any type of
 23 tracks. So you can have trilobite tracks, you can have
 24 dinosaur tracks, and these all fall under the PRPA.
 25 There's another section here on management,

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1 which directs, "The secretary shall manage and protect
 2 paleontological resources using scientific principles
 3 and expertise." So basically we need involvement from
 4 the professional community. The BLM does not have a
 5 whole lot of paleontologists. I'm one of them. There's
 6 four regional ones. I guess I didn't introduce myself
 7 very well, but I'm the regional paleontological for BLM.
 8 So I cover New Mexico, Arizona and California, and
 9 there's three others that have equal amounts of land.
 10 So there's not a whole lot of us to go around. We
 11 really rely on the professional community to help manage
 12 these resources, so we need to keep them involved.
 13 There's another section in there relating to
 14 public education, which means we basically need to
 15 increase the public awareness of the significance of
 16 fossils on Public Lands. And there's a big section on
 17 the collection of paleontological resources, one of
 18 which is casual collecting, which I said I will talk
 19 about a little further.
 20 The second type of authorized collection is
 21 going to be permitted collections. So that would be
 22 researchers who want to come out and do studies on
 23 Public Lands. We issue three types of permits: survey,
 24 excavation and consulting permits. Survey permit is
 25 basically a qualified researcher who is a paleontologist

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1 can come out on Public Lands in a certain area, and they
 2 can collect whatever fossils they're interested in as
 3 long as they fall within less than one-meter-square
 4 disturbance on the ground. Anything greater than that
 5 requires an excavation permit, which involves NEPA.

6 The third type I mentioned is consultants, and
 7 I think most of us are familiar with consultants, so we
 8 issue those to -- you know, we'll have a list of
 9 consultants who can go out and do paleo clearances for
 10 any type of ground disturbance like pipelines or
 11 transmission lines that may be going through a certain
 12 area.

13 So any of these items collected under permit,
 14 they remain property of the Federal Government, and they
 15 need to go to an approved repository, which is basically
 16 a museum or repository that has the expertise to handle
 17 those types of collections. And that's another section,
 18 actually, the whole curation aspect of it.

19 Here in Southern California you have a great
 20 number of museums, like Los Angeles County Museum,
 21 San Bernardino County Museum are all repositories for
 22 BLM.

23 The last section in there which is of
 24 importance is confidentiality. Basically this means
 25 that we cannot give out specific fossil locality data to

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1 the general public. This is exempt from the Freedom of
 2 Information Act, the same as any archaeology localities
 3 might be as well. But this does not necessarily --
 4 like, we looked at Marble Mountains yesterday. That's a
 5 generally known site, so that wouldn't really fall under
 6 the confidentiality. Any type of vertebrate fossils,
 7 though, would definitely fall underneath that.

8 Any questions so far? Basically that covers
 9 the highlights of what the act was in 2009. Recently
 10 all the Department of Interior got together and put
 11 together their proposed rule. And this was published in
 12 the Federal Register around December 7th of 2016, and
 13 the public comment period for that just closed. I think
 14 it was February 7th of 2017. That's about 24 pages
 15 long.

16 And right now we are in the process of
 17 reviewing all of those comments, and we want to respond
 18 to those comments and make adjustments as needed. And I
 19 know Lisbet and some of the rockhounding groups got
 20 together and put together pretty substantial comments,
 21 which we will hopefully be addressing.

22 But like I said, I was going to get back to
 23 casual collecting here and what the definition is in the
 24 proposed rule. I'm going to read this to you as well.
 25 "Casual collection means the collecting of a reasonable

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1 amount of common invertebrate and plant paleontological
 2 resources for non-commercial personal use either by
 3 surface collection or the use of non-powered hand tools
 4 resulting in only negligible disturbance to the earth's
 5 surface and other resources."

6 So that's a mouthful there, and there's a lot
 7 of things that we really needed to define in that
 8 statement. And the ones we really needed to work on
 9 was, what is a reasonable amount? And this is one of
 10 the biggest things we are getting comments on. The
 11 second was negligible disturbance.

12 But for reasonable amounts, the proposed rule
 13 states that you as an individual collector can go out
 14 and collect up to 25 pounds of fossil material, rocks --
 15 rocks that have fossils, per day but no more than 100
 16 pounds annually. In some cases that's going to be a
 17 very easy thing to do, and other times you might find a
 18 huge rock. But basically what this means is you can't
 19 collect any pieces that are over 25 pounds.

20 MEMBER MITCHELL: Well, over 25 pounds.
 21 MR. GENSLER: Over 25 pounds, correct, under
 22 casual collecting. You can collect those, but it may
 23 require additional authorization.
 24 MEMBER MITCHELL: Thank you.
 25 MR. GENSLER: You're not prohibited from doing

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1 that. It just requires authorization.
 2 Let's see. No negligible disturbance under
 3 here this means little or no changes to the surface of
 4 the land and basically no greater than one meter square.
 5 So I talked about permits that we issue. The survey
 6 permit requires researchers to stick within the one
 7 meter square. That's the same with casual collecting.
 8 We're going to apply that same rule to that. But you
 9 don't need a permit for casual collecting, though, as
 10 long as you stay within that one meter square.

11 And looking at cumulative effects that might
 12 happen from lots of casual collecting, we'd like to see
 13 these one meter pits be or disturbances be at least ten
 14 feet a apart. That's all assumed in the proposed rule,
 15 and that might be problematic in some cases too. That's
 16 why we're looking to see what the public has to say
 17 about those.

18 And this one meter square, just so you know,
 19 that's based on NEPA. So that didn't come from the
 20 paleo realm. In our discussions with planners and under
 21 NEPA, that's what they determined would be negligible
 22 disturbance.

23 And those are basically the highlights of the
 24 PRPA. And I know the site we visited yesterday at
 25 Marble Mountain there's a number of trilobites, and

1 people have been collecting there for years. And I
 2 think that -- we'll work with Beth and Kyle, but I think
 3 that can stay open for any type of casual collecting or
 4 professional use.

5 CHAIR BANIS: Before I take questions from the
 6 council, I have speaker cards on this subject from
 7 Lisbet, Marsha -- or Marcia -- forgive me -- Sam and
 8 from Ed. If there are others, can you bring the cards
 9 to us before we start the public comment period.

10 Speakers list. Al, the mic is yours. Anyone
 11 else, raise your hands.

12 MEMBER MUTH: I just want to make sure I got
 13 this right, because people can ask me about it. So if
 14 I'm teaching an Intro to Bio course and we're talking
 15 about fossils, I can take them to Marble Mountain, they
 16 can pick up trilobites and scattered material and not do
 17 major excavation on a cliff and still be within the
 18 intent and letter of the law; is that correct?

19 MR. GENSLER: That's correct, unless that area
 20 is closed otherwise. Any area on BLM land that has
 21 different protections, you can do exactly what you said.
 22 Since this is a national monument, this is the first
 23 case we've had that we're very much considering allowing
 24 casual collecting inside a national monument. Once it
 25 had that stamp, that's supposed to raise the protection

1 level for some of these sites.

2 A lot of people have in their minds what a
 3 National Park monument means. BLM is a little
 4 different. We're multiple use, and this has been a
 5 long -- this has been a use going on for a hundred years
 6 out there, and I see no problem from my professional
 7 point of view allowing that to continue.

8 CHAIR BANIS: Shelly?

9 MEMBER LONG: Yeah. You mentioned that
 10 surveyors would need a permit but casual collectors
 11 would not. Where are you drawing the line between
 12 casual collectors and surveyors?

13 MR. GENSLER: Casual collecting does not -- you
 14 know, it's for common invertebrate. Maybe I didn't
 15 specify that very well, but casual collecting allows you
 16 to collect common invertebrate fossils and plant fossils
 17 for personal use. People who are getting a permit,
 18 there's collections that they're making, are going to be
 19 vertebrate fossils. Anytime you want to collect a
 20 vertebrate fossil needs to have a permit, no matter
 21 what.

22 MEMBER LONG: Okay.

23 MR. GENSLER: Also if they are collecting
 24 trilobites to go in a museum out of Marble Mountain,
 25 they should have a permit as well, because those are

1 going to be used for scientific studies and put in
 2 publications. We want to keep track of where those
 3 fossils are, what they are, where they're going, how
 4 they're being used. So that raises the bar a little
 5 bit.

6 MEMBER LONG: It does. And just one further
 7 follow-up question. For ARPA permits archeologists are
 8 required to go through the state initially before
 9 getting an authorization. Is there a similar process
 10 for paleontologists, or would that fall under the same
 11 permit?

12 MR. GENSLER: An ARPA permit and a PRPA permit
 13 are going to be two different things. As far as I know,
 14 right now there's not any level of state authorization
 15 to collect fossils in any of the states that I cover.
 16 California may be different, but I have not heard of any
 17 authorizations from the states.

18 MEMBER LONG: Thank you.

19 CHAIR BANIS: Bill?

20 MEMBER MITCHELL: How is this enforced? I
 21 mean, do you periodically -- I missed the deal, and I
 22 obviously had a problem yesterday. But it would be
 23 interesting. How is this enforced? Do you periodically
 24 go check that site or the sites, or you just wait for a
 25 permit then go out after that?

1 MR. GENSLER: You know, for casual collection
 2 we never hear that people are going to go out usually.
 3 I think it would be great if there's a large group if
 4 they would let the field offices know they're going to
 5 be out there, you know, just for protection purposes for
 6 them, you know. In case something goes wrong, we know
 7 groups of people are out there.

8 And I'm sorry. I got lost in the question
 9 there.

10 MEMBER MITCHELL: I just was wondering how it
 11 is enforced if you go out and check on it every so often
 12 just to see what's going on. Obviously if they get a
 13 permit, you know something is going on.

14 MR. GENSLER: Yeah. Usually with permitted
 15 researchers, we try to go out. I try to go in the field
 16 and meet with them at least once a year in New Mexico.
 17 That's not always possible, but there's usually a
 18 check-in process, and you know they're going to be in
 19 the field, and that's pretty much it. Occasionally we
 20 do go check on them, though. It's pretty far and few
 21 between we can get out in the field.

22 As far as disturbance and unauthorized
 23 collections go, we usually we find much later in time
 24 that people have vandalized a site, and then we might
 25 put up cameras. Law enforcement gets involved at that

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1 point.

2 MEMBER MITCHELL: One other question. What was

3 it? I forgot what I was thinking about. Do you see

4 that being closed in the foreseeable future? You

5 mentioned you didn't think there would be a problem, but

6 do you see the next administration maybe or something's

7 that coming up that they may close it? Or do you think

8 it's pretty well going to be open for the casual people?

9 MR. GENSLER: I don't think the administration

10 change is going to make too much of a difference.

11 MEMBER MITCHELL: All right. Good. Thank you.

12 CHAIR BANIS: Council members? Actually, Phil,

13 if you wouldn't mind, I'd like to query one of the

14 rockhounds for a moment, if I could.

15 Ruth, could I ask you a couple of questions?

16 MS. HIDALGO: Yeah.

17 CHAIR BANIS: Here's why. I'm a casual casual

18 collector. What that means is, I don't work a one meter

19 square. I walk down the trail. Something catches my

20 eye. Kick it. "Ah, that's pretty cool." And then I

21 walk on.

22 How do collectors who collect invertebrate

23 fossils work? Do you actually find a one meter square

24 or an area and intensely look at that specific spot and

25 clear a one-by-one -- I guess what I'm trying to get at

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1 is, how do these limitations mesh with the actual

2 traditional practice of a collector? And do me a favor,

3 and please be brief. Thank you.

4 MS. HIDALGO: One meter square is typically not

5 how a casual collector would collect a fossil. We take

6 Girl Scouts out to collect. Girl Scout troops, they're

7 not going to excavate a square as a professional will

8 do. You might go along and find some here, find some

9 there. You'll dig a little here, dig a little there.

10 The formal documents that have been made by

11 both paleontologists and rockhounds have commented on

12 that, that it's not very practical when you're talking

13 about casual use. That's more applied to a professional

14 use.

15 CHAIR BANIS: And the 25-pound limit, how does

16 that compare to the typical, ordinary rockhounding limit

17 within a non-special protected place? Isn't it 40,

18 pounds, 50, a hundred?

19 MS. HIDALGO: For casual rockhounding the

20 limit, it differs from fossilized wood. Fossilized wood

21 there is a limit on. Casual collecting of rocks is what

22 you use for your personal use.

23 CHAIR BANIS: Right.

24 MS. HIDALGO: There have been comments made as

25 far as the use for the limits because, when you find a

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1 fossil, you don't want to be on it out in the field.

2 You want to take the surrounding rock home and then

3 properly get that out of there. And then how you break

4 the rock apart -- you're out there, practicality, you

5 can't sit there and say, "Okay. The rock is going to

6 break exactly here and exactly here, so I can get this

7 piece out." It fractures where it fractures, so

8 sometimes you're going to take a piece a lot bigger than

9 you'll use home.

10 So if the 25 pounds referred to exactly just

11 the fossil, that would make sense. But the matrix, it

12 needs to be a little more than 25 pounds to be practical

13 for a casual collector.

14 CHAIR BANIS: Interesting.

15 MS. HIDALGO: And there have been comments made

16 on that.

17 CHAIR BANIS: Thank you, Ruth. Was that

18 helpful? I hope so.

19 MEMBER KENNEY: Yes.

20 CHAIR BANIS: Any other council member

21 questions? Very good.

22 We'll move into public comment section, then.

23 Lisbet, would you like to have first crack on this

24 topic?

25 MS. THORESEN: Yes, please. The rockhound

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1 community supports the paleontology community. We are

2 very often the same clubs. Some of the paleontology

3 clubs are part of CFMS, for example, one of the

4 federations, AFMS. And we're giving a lot of support to

5 the comment letter that was drafted by Karol McQueary

6 representing the Southern California Paleontological

7 Society. There were 64 signatories to her letter that

8 were clubs, credentialed geologists, other non-profit

9 groups, five of the seven federations of the AFMS -- the

10 other two copied our letter and submitted theirs

11 separately, so we take that as a consensus -- plus the

12 president of the AFMS representing 50,000 rockhounds,

13 rock clubs throughout the nation.

14 We're deeply concerned about this. We really

15 think the PRPA is terribly important, but the language

16 of this is important also, the vagueness of the

17 language, the semantic ambiguities and vagueness,

18 because one of the things we're concerned about with

19 definitions of casual collecting or hobby collecting is

20 that, because PRPA is this overarching document by which

21 other land use planned amendments and management

22 processes will be drafted, they're going to be looking

23 for language in FLPMA and PRPA for guidance.

24 And I can see, especially, for example, say,

25 with Planning 2.0, when the bureaucrats in Washington

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<p>1 start to cherry-pick from these different acts, that 2 they're going to do it in perhaps a rather crude way and 3 that something that really was intended for fossil 4 collectors then extends to hobby collectors because it 5 covers just this surface-disturbing activity, which 6 necessarily then encompasses the activity done by 7 mineral collectors, rock collectors and geologists, so 8 hence that particular concern.</p> <p>9 Also just sort of the timber and tenor of that 10 letter or of the proposed regulation -- and I entered 11 into record the comment letter that was submitted for 12 the comment period, along with a supplementary letter 13 this morning from Andrew Hoekstra, who is the 14 paleontology specialist for CFMS, and we're concerned 15 about the proposed regulation seems to restrict 16 collecting commensurate with misuse, overuse or abuse.</p> <p>17 And we understand that has to be a concern, but 18 what we really -- the purpose was to support it, and 19 we're essentially concerned also with the educational 20 aspect. As soon as you publish something, it's not 21 casual collecting anymore. Suddenly you need a permit 22 because you're professional.</p> <p>23 But the way that rockhounds start, the Marble 24 Mountains is a great example. Those trilobites were 25 first discovered by rockhounds. They let their amateur</p>		<p>1 ideas.</p> <p>2 I wanted to talk about how I supported the 3 letter that she had written. And it's how I feel. It's 4 important for the kids to be able to get out, and it 5 gives them some freedom to go out and do things that you 6 can't do in the city. And also it gives them education, 7 which is what we want them to have.</p> <p>8 So I did have a thought about the idea about 9 one meter, and then ten feet away you have another one 10 meter. If we're out on a field trip, say we're looking 11 for the little rootlets that are out there, the green 12 hills, and it's like they're kind of in maybe a 20-foot 13 area or so. If you have a bunch of kids with us, how 14 are you going to tell them they can only stay here, and 15 the next one is, like, ten feet away, and there's 15, 16 you know, maybe 15 little kids with us there?</p> <p>17 And let's face it. They're not going to pick 18 up many, because it takes a long time to even find one. 19 So it's just like they sit there, and they pick through 20 the little dirt. It's just more -- it makes it 21 difficult to conceive how you're going to help them be 22 educated on these things. Thank you.</p> <p>23 CHAIR BANIS: Thanks, Marcia. 24 Sam, followed by Ed. 25 MS. MERK: I'd like to give my time to Lisbet.</p>	
<p>1 local paleo clubs know that it was there. They took it 2 over. They do the excavating. Then they take it to the 3 professionals. Then the professionals come in, and 4 they're the ones who -- it's really a partnership 5 between the amateurs and the professionals to extend the 6 education related to fossil materials and invertebrate 7 materials, especially.</p> <p>8 And we just want to make sure that sort of the 9 chain of custody or the food chain isn't completely 10 turned on its head the way it is in this document right 11 now under these proposed regulations. And I have much 12 more to say but not enough time. So thank you very much 13 for giving us the opportunity.</p> <p>14 CHAIR BANIS: I assume we'll be hearing from 15 you on other topics as well. So looking forward to 16 that. Thanks, Lisbet.</p> <p>17 I have -- is it Marsha or Marcia? 18 MS. GOETZ: Marcia. 19 CHAIR BANIS: Welcome. After Marcia will be 20 Sam. 21 MS. GOETZ: I'm Marcia Goetz. I've been a 22 prior president for Pasadena Lapidary Society and 23 currently am the CFMS secretary. I wanted to thank 24 Lisbet for helping us with all of our wording on these 25 letters and stuff because it's helping us cohesive our</p>	Page 95	<p>1 CHAIR BANIS: Any objection? No objection. 2 Lisbet? 3 MS. THORESEN: I wasn't quite ready for that. 4 MEMBER MITCHELL: Join the crowd. 5 MS. THORESEN: I have no gift for an economy of 6 words. I really appreciate your kind indulgence.</p> <p>7 The way that materials are distributed, they're 8 not contiguously distributed in the ground, and so this 9 notion of one square meter -- and I appreciate that you 10 segwayed -- that standard came from NEPA. I mean, this 11 is one of the things we're concerned about with 12 Planning 2.0 is that the sort of arbitrary standards 13 applicable in one area are not necessarily applicable to 14 another, and this is a case in point.</p> <p>15 We know that PRPA was based on the 16 Archaeological Protection Act. They're not exactly the 17 same thing, and the same kinds of standards cannot be 18 applied the identical way, even though the overarching 19 objectives are the same.</p> <p>20 We're really concerned about the permitting and 21 this quality of when does casual turn into an activity 22 that has to be permitted? We want to be able to write 23 articles about things we find. We want to be able to 24 take out a hundred pound rock because there's so much 25 over burden.</p>	Page 97

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<p>1 One of the really concerning things expressed 2 by Andrew Hoekstra, Karol McQueary and others is that, 3 in fact, fossils that are exposed at the surface are 4 going to be weathered out and they're going to be 5 destroyed. In fact collecting is a preserving activity. 6 It's not a destructive activity, which is sort of 7 overriding inference in the way that this is written. 8 So we would like to have that supported more, this 9 notion that collecting is an actually preserving 10 activity. 11 And it's not practical to have to find 12 something -- oh, dear. This looks like this may be 13 serious. We're going to have to go out and get a 14 professional, or we're going to have to call in an 15 officer to find out if we need a permit in order to 16 collect this thing. So this is a concern that's been 17 expressed by many people, club members, throughout the 18 United States who have helped contribute to writing this 19 letter. 20 So those are some of the main points. This 21 letter is here for anyone to inspect and read. Everyone 22 has had a hand in this from many clubs all over, so 23 we've really taken a lot of care and concern and taken 24 in the comments and thoughts of a lot of different 25 people.</p>	<p>1 CHAIR BANIS: I have Ed Waldheim next, followed 2 by Ruth. 3 MR. WALDHEIM: I'll pass. 4 CHAIR BANIS: Ruth. Thank you, Ruth. 5 MS. HIDALGO: Hi. I want to thank Lisbet for 6 her insight into all the technical part of that 7 particular regulation, the proposed regulations. 8 One of the things that I haven't heard anybody 9 mention and I want to bring up is that there is no list 10 of common and uncommon fossils. The regulations are 11 geared towards protecting uncommon fossils, which I 12 totally understand and which we support. But there is 13 no list to tell you what is and isn't common. What 14 would be considered common or not? 15 Many, many years ago, when I first started 16 getting out into the desert with my kids, we went to a 17 gem and mineral club who has having a field trip. They 18 went out to a place called Lonely View or Round View. 19 In that area there's fossilized reeds, little cattails 20 in some agate, and we picked up some. 21 And probably two years ago I showed them to -- 22 because the focus area -- they had a focus area right on 23 our collecting area, so that's when I got involved. And 24 I took it out, and I showed someone. His name is 25 Walt Wright. He's very well-known for petrified wood</p>
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<p>1 And I want to say one further thing. We are 2 really fortunate here in Southern California that we 3 have very accommodating, very sympathetic BLM field 4 officers. So when we go out and collect and there's 5 some ambiguous language, they're going to defer to us 6 for our good judgment. They see we're responsible. 7 That's not the case for a lot of people in a 8 lot of other parts of the United States. And the 9 regulations are used to run people off and prevent them 10 from people able to collect. Erring on the side of 11 caution is good, but if you have vague language, it 12 becomes when in doubt, then don't. And that really 13 controverts the very intent of the PRPA. 14 CHAIR BANIS: Lisbet, can you flip the page on 15 the thing, just the one page. And I want you to hold it 16 up and show the signors, all the signatures you have. 17 It's remarkable. Just flip through. That's good. 18 MS. THORESEN: The letter is six pages. 19 CHAIR BANIS: Yeah. Look at that. More than 20 half of it are people who are contributed all together 21 as a coalition. And that's awesome. I think that helps 22 the agency when they get those kinds of letters because 23 it really shows the buy-in and the work and the 24 collaboration. So thank you for that. 25 MS. THORESEN: Thank you.</p>	<p>1 identification. He about flipped because the reeds are 2 in 3-D. They literally are sticking up in one of the 3 pieces that I have, and he said that's very uncommon. 4 So unknowingly under these rules, how would I 5 know what is and isn't? How would a child know? Are we 6 supposed to educate every rockhound as to what is and 7 isn't common? There's a big concern in that regard, so 8 I'd like to make mention of that as well. Thank you. 9 CHAIR BANIS: Thank you, Ruth. Comments from 10 the council members? 11 Bill? 12 MEMBER MITCHELL: Yeah. I mean, obviously you 13 guys don't dig ten- or two-foot holes. I mean, when you 14 leave the site, you kind of smooth it all out, or 15 obviously I don't know what this is all about because 16 I've never done this. My grandfather was a prospector. 17 MS. HIDALGO: The gem and mineral clubs and the 18 members have what's called a code of ethics. In that 19 code of ethics it includes backfilling our holes. So if 20 there is a hole dug to dig a seam or whatever, the code 21 of ethics requires all members, all, however many Lisbet 22 said we have, and there's a lot. The idea is to follow 23 those and be responsible about it. 24 MEMBER MITCHELL: You just backfill and leave 25 it pretty much looking like however it was?</p>

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1 MS. HIDALGO: Exactly.

2 MS. THORESEN: Can I make a further comment

3 about that?

4 CHAIR BANIS: Just one moment.

5 Shelly.

6 You may have more when you hear more.

7 MEMBER LONG: Just one more quick comment for

8 Phil. When we're talking about the one meter by one

9 meter squares of disturbance, are we talking about

10 cumulative so can you do ten centimeters here by ten

11 centimeters here, ten centimeters here by ten

12 centimeters here? Or is it limited to one meter by one

13 meter?

14 Just a second part. When we're talking about

15 disturbance, are we talking about permanent disturbance

16 or temporary disturbance? So if you disturb it then

17 backfill, which would be temporary, is that included in

18 your one-meter disturbance?

19 MR. GENSLER: You can do ten centimeters all

20 over the place. We're looking at cumulative. What we

21 don't want to see is huge pits when other visitors go

22 out to different areas on BLM lands. And I know the

23 rockhounding community is very good and they have the

24 code of ethics, and that's not an issue.

25 But a lot of us, myself included, have been to

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1 sites that have been really trashed by people who do not

2 have that code of ethics, and that's more of what we're

3 trying to keep constraints on.

4 I think as long as it's naturalized, there's

5 some things that are in shales that are really friable,

6 and they mend. They heal up very quickly. You get a

7 rain on them. The wind blows. They're cleaned up.

8 That's negligible disturbance. But if you're in these

9 really hard sandstones and you start digging out big

10 holes, that may be a different issue. A lot of this is

11 going to be a case-by-case scenario too.

12 MEMBER LONG: It seems very subjective.

13 MR. GENSLER: It's little subjective. We try

14 to leave as much latitude. I mean, a

15 three-foot-by-three-foot slab is extremely heavy, and

16 that's generally not, as far as I know, what happens.

17 Maybe it happens differently in specific instances.

18 I got into paleontology as a kid because I

19 would find casual collecting -- it was mostly on private

20 land because I grew up in the East, but mostly what we

21 would find is just small, hand-held pieces that don't

22 require a whole lot of digging -- some of them

23 definitely do -- and we don't have an issue with that.

24 CHAIR BANIS: Council members, further

25 questions, comments?

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1 Lisbet, I'll give you the balance of Ruth's

2 time, if you would, please.

3 MS. THORESEN: Thank you.

4 Okay. So this business of -- I'm reading right

5 out of the PRPA -- "Negligible disturbance means little

6 or no change to the surface of the land and minimum or

7 no effect to natural and cultural resources."

8 Okay. So that's why we're concerned about the

9 rockhounding and picking up off the surface. We

10 actually use tools, or rockhounds use tools to dig some

11 surface excavation. In the process of natural

12 weathering and erosion, that's usually effaced in a

13 season.

14 I visited Peg Margosian at the BLM office, who

15 is the map person there. And I said, "I'm really

16 concerned about this business about disturbance caps."

17 And maybe Katrina can speak to this afterwards, because

18 I know there's a study being completed here this spring

19 concerning that. I was concerned about it being counted

20 against rockhounds' activity, collecting activity, as

21 contrasted against mining.

22 She said, "No, no, no. You don't have to

23 worry. Rockhounding is low-impact disturbance."

24 And I said, "So how do you quantify that?"

25 "Well, by aerial view we can see at a certain

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1 elevation." You can't even see that a rockhound has

2 been there as contrasted against a mining, where you're

3 using power tools and doing some serious excavation and

4 you're not digging.

5 I'd like to propose that this low-impact

6 disturbance criterion that seems to be used right now by

7 BLM as it regards this disturbance cap study be applied

8 to the PRPA language so that there is something that's a

9 little more precise to wrap our arms around in terms of

10 something specific and not something that's just sort of

11 abstract.

12 And then I'd like to say surface collection or

13 the use of non-powered hand tools should be changed in

14 the language of the PRPA. We request it be changed to,

15 "for shallow excavating, digging, or removing over

16 burden." It's not just a picking up right off the

17 surface.

18 CHAIR BANIS: Beth, of course, please.

19 DISTRICT MANAGER RANSEL: I just have a couple

20 of things to mention. One is that, as it pertains to

21 the proposed rule, we're not currently in a comment

22 period. But I'm very relieved to hear that you've

23 submitted comments and that comments have been submitted

24 about the things that you've been discussing here.

25 And we also have Phil here. And I know that,

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1 if there are some things that have been brought up, that
2 he'll bring it back to the team and let them know that
3 some of these things might be a concern if they haven't
4 already been captured in comments.
5 Am I correct, Phil?
6 MR. GENSLER: Yes.
7 DISTRICT MANAGER RANSEL: Okay. Thank you,
8 Phil.
9 And the other thing I would just like to
10 mention is that, in terms of having this presentation
11 now, you know, as we saw yesterday on the field trip
12 that the Marble Mountains area is within the
13 Mojave Trails National Monument, as well as I think
14 there are some other special areas where there's paleo
15 resources within the monument.
16 And so as we work through the monument planning
17 and we're engaging with all of you, the public, and also
18 the DAC, looking within that planning document about how
19 best to capture the importance of this use and also
20 understanding whether it's something that needs
21 management or it doesn't or, you know, how best to
22 consider it within that planning document, I think that
23 that's going to be something that's in front of all of
24 us.
25 And so we thought it was very timely to have

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1 this presentation and start having this discussion. But
2 this is just the start of the discussion in terms of the
3 planning effort. So I appreciate all the comments. I
4 know Kyle is here as well to hear all those comments.
5 And we look forward to continuing to engage on this
6 topic as we move through that planning effort.
7 CHAIR BANIS: Thank you very much. Phil, thank
8 you for the presentation yesterday and today. And I've
9 had about half a dozen emails in my email box on this
10 subject over the last three to four weeks. So this was
11 of great help to me.
12 The next item on our agenda, if there's no
13 objections, will be the Mojave Trails National Monument
14 Planning Update. And the floor is now to Kyle Sullivan,
15 the new BLM Mojave Trails National Monument manager.
16 Welcome to your first DAC meeting.
17 MR. SULLIVAN: Thank you, Randy, and thank you
18 all to the DAC members for being here.
19 The importance of the Desert Advisory Council
20 is not lost on me. The history of the council is
21 extremely important, and your service to the BLM is
22 something that I certainly value. Coming from Colorado,
23 I managed two advisory councils, and I must say that I
24 really appreciate the way that this council is run. And
25 I really appreciate the amount of public participation

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1 in this meeting. That's really heartwarming to see that
2 you care about your Public Lands enough to come out a
3 Saturday and participate in discussions about what we're
4 doing and provide advice and guidance to us. So thank
5 you for being here.
6 To backtrack a little bit, I wanted to talk
7 about the field trip that we had yesterday. We started
8 at Amboy Crater, which is one of the most iconic
9 features of Mojave Trails National Monument. And at
10 Amboy Crater we talked about the importance of the
11 community to the BLM.
12 We're a really small agency. We manage one out
13 of every ten acres of the United States and one-third of
14 the minerals, and we do it with a really small staff of
15 about 10,000 people. And we do amazing things as an
16 agency, and it's not because of what we do. It's
17 because of the community that helps us in this
18 management. And that's something we're especially
19 thankful for. And your efforts here in the desert to
20 protect Public Lands are something that really speaks to
21 your commitment to this landscape.
22 And I see community as a two-way street with
23 the BLM. BLM lands provide recreational opportunities,
24 economic opportunities. They provide health benefits,
25 both mental and physical benefits, for getting out and

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1 enjoying your Public Lands. But we really can't do what
2 we do without healthy communities and the support that
3 you provide to us.
4 After we went to Amboy Crater, we visited the
5 Marble Mountains. And the Marble Mountains was an
6 opportunity to discuss the unique management
7 opportunities we have within the monument. This
8 designation allows us to engage in creative and
9 collaborative decision-making that may not be possible
10 on traditional Public Lands.
11 Monument designations allow us a little more
12 flexibility in how we approach some of these challenges
13 over what may be traditional challenges for Conservation
14 Lands, to think outside of the box, to work with our
15 partners with local communities, rockhounds, OHV
16 communities to identify solutions that work for their
17 interests, their hobbies.
18 And that's something that I'm really looking
19 forward to in the management of Mojave Trails, is
20 identifying the challenges that we face and working with
21 everyone who's interested in coming to a solution that
22 works. And then if it doesn't work, we can look into
23 it.
24 Part of management planning process is to
25 develop a monitoring plan, and I see that not only as

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<p>1 monitoring the resources but monitoring our management 2 and the decisions that we've made and making sure in 3 going back that we made the right decision and, if we 4 didn't, learning from it and implementing something 5 better in the future.</p> <p>6 Finally we went to the Pisgah Lava Flow. To me 7 Pisgah represents the unknown and the scientific 8 opportunities. Part of the reason it was unknown was I 9 personally had never been out there before, so that was 10 a good opportunity. But there are a lot of discoveries 11 still to be made in the desert and with the 12 Mojave Trails.</p> <p>13 As part of our management plan we'll be 14 creating a science plan to learn what we know, what we 15 don't know and how to find out information that can 16 contribute to increased and improved management of 17 Public Lands. So there's great opportunities in front 18 of us with Mojave Trails, and I'm really looking forward 19 to working with everybody as we move forward.</p> <p>20 Now to get into the planning side of things, 21 you might be wondering what I've been doing in the three 22 months since I started as the monument manager. First 23 and foremost community and public participation is on my 24 mind. I had the pleasure of meeting Frazier fairly 25 early, and he took me out to Mojave Trails and</p>		<p>1 at providing some facilitation services initially for 2 the Mojave Trails Subgroup on the Desert Advisory 3 Council.</p> <p>4 Backtracking a little bit to community, I've 5 been working with a variety of interested parties in 6 hosting events at Mojave Trails. Coming up on 7 March 18th, we have CalWild coming out with about 35 8 veterans to do a stewardship project and a tour of one 9 of the Patton Camps. I've been working with the 10 Amargosa Conservancy, COFEM and the Desert Discovery 11 Center to host a youth camping trip at Afton Canyon on 12 March 24th and 25th. This is an opportunity to bring 13 out the next generation of Public Lands stewards and 14 engage them in the national monument, teach them about 15 the resources they have in their backyard they may not 16 know about and also plant the seeds of the future. This 17 group is going to be planting trees in Afton Canyon to 18 help combat the tamarisk that are invading the area.</p> <p>19 I've been working with Mariana on a 5K race at 20 Amboy Crater, so I think that will be a fun event as 21 well.</p> <p>22 Something that you may not know about that 23 we've been working on is, the California state office 24 has established a monument advisory team. There are a 25 number of new national monuments within California,</p>	
<p>1 introduced me to a wide variety of interested parties 2 and continues to be a champion of the monument.</p> <p>3 And I've been going to city council meetings, 4 meetings with different interest groups, local 5 governments, county government, state government. And 6 that coordination is something that we want to do early 7 on in the development of this management plan. I think 8 the more people we can engage and involve early in the 9 process, the more effective of a management plan we're 10 going to have.</p> <p>11 Let's see. I've also been working on 12 establishing an interdisciplinary team, and so this is a 13 team of BLM specialists from the Barstow Field Office 14 and the Needles Field Office, the California Desert 15 District Office, stretching all the way to New Mexico. 16 These are the BLM team that will help me in developing a 17 management plan for the monument.</p> <p>18 Let's see. I have a tiny amount of money, and 19 I have been working on a contract with that money to 20 hire a facilitator to help us with not only the 21 interdisciplinary team. I believe the facilitation is 22 extremely important for getting group cohesion together, 23 getting people to work efficiently together to lay 24 ground rules, so that's something I'm working to 25 establish with our interdisciplinary team. Also looking</p>	Page 111	<p>1 Sand to Snow, Mojave Trails. There's been additions at 2 California Coastal National Monument. So the state 3 office has been working on bring together all the 4 national monument managers and National Conservation 5 Area managers in California to serve as a team and a 6 support system as we navigate this new landscape.</p> <p>7 California now has more lands in conservation 8 than any other state. Approximately ten million acres 9 are protected lands now in California through the 10 National Conservation Lands. Let me pull out my notes 11 real quick to see what else I missed.</p> <p>12 I've also been working on cooperating agencies. 13 So cooperating agencies are the BLM's way of connecting 14 with local and state governments and sharing information 15 about the management of Mojave Trails. So BLM is no 16 longer able to look at Mojave Trails National Monument 17 or really any landscape as an island. We have moved 18 beyond our island mentality to look at the lands that we 19 border. So we have the Mojave Preserve to the north. 20 We have Joshua Tree National Park to the south. We 21 border the Marine Corps base, and then there's also all 22 of the communities that the monument serves. And so 23 these are our cooperating agencies that we're pulling 24 into the planning effort. We want to know what kind of 25 plans they have and how their plans impact the national</p>	Page 113

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1 monument and our management to try and manage this area
 2 not as an island but as a continuous landscape.
 3 Finally and probably what you all are really
 4 interested in hearing about is the work we've been doing
 5 on the subgroup. So I'm going to step away from the
 6 microphone real quick and blind Randy with the
 7 projector.
 8 CHAIR BANIS: Very good. Very good. Thank
 9 you.
 10 MR. SULLIVAN: So Beth reminded me that I
 11 should bring up the data call that we're doing. So we
 12 will be seeking high-quality information to be used in
 13 the development of the management plan. This could be
 14 anything from scientific studies to research to your use
 15 of the national monument, whether it's rockhounding or
 16 OHV or any historic uses. Basically we're looking for
 17 all of the information we possibly can early on in the
 18 process so that we know what we're working with and how
 19 to best manage the area.
 20 So up here we have the list of the positions
 21 for the Mojave Trails Subgroup. As you can see, this
 22 list is very closely reflective of the legislation that
 23 Senator Feinstein put together. We also received some
 24 feedback from coalition of conservation organizations
 25 and added the addition of the local Chamber of Commerce,

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1 tourism and hospitality organization.
 2 MEMBER MAGUIRE: I just wanted to express an
 3 additional request that came to me from the Native
 4 American Lands Conservancy and to them by the 29 Palms
 5 Band of Mission Indians, that they would like to be
 6 considered to be added to the list.
 7 MR. SULLIVAN: Okay.
 8 CHAIR BANIS: Good.
 9 MR. SULLIVAN: So in terms of the process for
 10 this subgroup, earlier this week we sent out a press
 11 release seeking applications to the subgroup and
 12 nominations. It's a 45-day nomination period, so please
 13 tell all of your friends. Get them engaged. This is a
 14 very good way to help inform the management plan for
 15 Mojave Trails.
 16 After the 45-day period the nomination packet
 17 will be handed over to the Desert Advisory Council and
 18 to Beth and myself to review the nominations. And I
 19 believe at the June DAC meeting we will be voting on the
 20 recommendations for appointments.
 21 Is that accurate, Steve?
 22 MR. RAZO: That's the plan. April 10th is the
 23 deadline for your application.
 24 MR. SULLIVAN: So at this point I'd like to
 25 open it up to discussion.

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1 CHAIR BANIS: That was it for the slide show,
 2 huh?
 3 MR. SULLIVAN: Yeah.
 4 CHAIR BANIS: Good, good. Very good. I'd like
 5 to remind members of the public to get their card in if
 6 they wish to speak on this topic. I have cards from
 7 Sam, from Ed, Ruth and Lisbet. So please make sure you
 8 get that card in before we start the public comment.
 9 Council members, would anybody like to talk?
 10 I've got Bill, Shelly and Frazier, and I'll keep going.
 11 Just raise your hand.
 12 Please, Bob.
 13 MEMBER BURKE: Kyle, we're one year into the
 14 proclamation that said you have three years to come up
 15 with a management plan. How close are you to a draft in
 16 any way on a management plan? And then I have a couple
 17 of other things.
 18 MR. SULLIVAN: That's a good question, and I
 19 was hoping to avoid it. I'm just kidding.
 20 MEMBER BURKE: I'm here.
 21 MR. SULLIVAN: The three-year timeline is
 22 looming in the back of my mind. As the administration
 23 has changed, we have had to re-look at some of the ways
 24 that we're announcing and moving forward with the
 25 management plan. I think there's a lot of components of

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1 Planning 2.0 that we were looking at incorporating, in
 2 particular the early and often public engagement,
 3 releasing of the draft alternatives ahead of time.
 4 There's a lot of really beneficial and proactive public
 5 engagement components of Planning 2.0 that we're hoping
 6 to include in the management plan.
 7 That said, we have to coordinate with the state
 8 office on the release of some of this information. So
 9 we quite a while ago had developed a press release for
 10 the data call. And that has been held up while we work
 11 on the language and move forward on that front.
 12 The other thing to note is that right now is
 13 the busiest time for the Needles and Barstow field
 14 offices. I'm looking forward to making a lot of
 15 progress when it's extremely hot outside and we can
 16 enjoy the air-conditioning as we move forward with the
 17 management plan.
 18 MEMBER BURKE: And on your list of people for
 19 the subgroup under recreation you list rockhounding,
 20 off-roaders and hunting as examples. I would like to
 21 see each one of those on the subgroup, someone from the
 22 hunting community, someone from the rockhounding
 23 community, someone from the off-roading community, not
 24 just one person.
 25 MR. SULLIVAN: Thank you for bringing that up.

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1 And that is something we're also interested in. And I
 2 don't think that the recreation has to be limited to
 3 just those activities as well.
 4 MEMBER BURKE: Correct. Thank you.
 5 DISTRICT MANAGER RANSEL: Maybe I can speak to
 6 that a little bit. We're looking at the press release
 7 that went out that announced the composition. It will
 8 be composed of the areas that were listed on there on
 9 the slide that Kyle showed. But I think that we're
 10 looking at whether to issue a revised press release. I
 11 think it might not have quite gone out the way we're
 12 expecting, and we're hoping to put another one out
 13 that's a little more inclusive of some of the categories
 14 listed on that slide.
 15 So I don't expect the categories to change. I
 16 know we just received another comment about that. But
 17 how inclusive they are, I'm expecting that we'll be
 18 issuing another press release that will be a little more
 19 inclusive.
 20 Then also on the planning effort I know we have
 21 about two years left to complete this planning effort,
 22 according to the proclamation, and Kyle and the team are
 23 charging full speed ahead. What they're working on, I
 24 think I'm a big fan of anyway, is doing a lot of
 25 up-front work so that it goes smoother down the road.

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1 So even though we haven't quite published and initiated
 2 the planning effort formally or put out that data call
 3 just yet, they've been doing a lot of legwork to
 4 identify previous planning efforts or other documents.
 5 They've been looking a lot at the breadth of
 6 data we have available to us, which is a huge list, and
 7 I think that will help inform the planning effort when
 8 we run down that road and actually get out there
 9 formally with the upcoming press releases and calls for
 10 information.
 11 So we're hoping to still be on track to meet
 12 that two-year timeframe. But given that piece, one
 13 thing I'd like to say is, I know the proclamation says
 14 two years, but we are going to make sure that the effort
 15 includes public involvement and involvement of our
 16 stakeholders, and we're going to work closely with you
 17 and keep charging forward. But I'm not going to work to
 18 meet that timeframe at the detriment of having a quality
 19 document or at the sacrifice of public involvement. So
 20 that's a commitment I make to you.
 21 So yes, we're charging forward. I really want
 22 us to meet that. But we're going to make sure we're
 23 doing public involvement appropriately and including
 24 feedback, information from our stakeholders to get to
 25 the end of the road and produce a quality plan. I'm

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1 sure Kyle would agree with that.
 2 MR. SULLIVAN: Yes.
 3 CHAIR BANIS: I've got Shelly, Frazier and Al.
 4 MEMBER LONG: Another comment on inclusivity.
 5 I noticed you did have some right-of-way holders on your
 6 list. You had PG and E, and you had Southern California
 7 Edison. You did not have Southern California Gas, so I
 8 do recommend adding them. I also recommend just taking
 9 a look at your other right-of-way holders to see,
 10 because they would have interest in this project. So
 11 check with them, especially if this list, which now is
 12 for subgroup, but if it rolls into some sort of
 13 consulting list, it would be good to make sure
 14 right-of-way holders are included as well.
 15 CHAIR BANIS: Frazier?
 16 MEMBER HANEY: Thank you, Randy. Thanks, Kyle,
 17 for the presentation.
 18 As many of you probably know, I've been working
 19 around this monument, the legislation, previously for
 20 going on eight years, I think, since the effort took
 21 off. And I'm really happy to see that the BLM is taking
 22 the effort to do the management planning very carefully,
 23 putting in a lot of resources to it and really trying to
 24 pull all the knowledge from the agency together to make
 25 it the best plan that it can be.

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1 I also want to recognize the fact that, for
 2 those of us, Randy included, that worked so hard on the
 3 legislation for a long time, this is an opportunity I
 4 think to make sure that the monument meets the
 5 expectations of all of those parties working on the
 6 legislation. So I wanted to just recognize that in the
 7 process.
 8 I'm excited about the public involvement in the
 9 management planning process, and I'm supportive of what
 10 you mentioned, Beth, which is that, if it takes us a
 11 little bit longer to get a plan out but that we feel
 12 good about having engaged the public during the planning
 13 process, then if it takes us a few more years to do that
 14 but we have a more inclusive plan, I think that's the
 15 right direction to go. And I'm confident about you
 16 being able to do that, Kyle.
 17 I wanted to note that in the last five years
 18 the visitation by the general public to Joshua Tree
 19 National Park has gone from 1.4 million visitors to just
 20 this last year 2.7, so it's about doubled in the last
 21 five years. There's a lot of interest in the desert
 22 from outside communities, as there always has been, but
 23 in particular there seems to be a lot of outside folks
 24 coming in to have a desert experience outdoors,
 25 obviously, in a variety of otherwise, like King of the

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1 Hammers.
 2 But I think one of the things that should be
 3 addressed in the management plan that I'm looking
 4 forward to the most is the development of public access
 5 resources at being able to get into places like
 6 Bonanza Spring, or we have one campground at
 7 Afton Canyon, being able to develop a campground at
 8 Amboy to welcome people in and teach them about the
 9 place.
 10 I'm taking the data call very seriously and
 11 will work very hard to make sure you're in touch with
 12 the people that I know that might provide data, and I
 13 would encourage everybody to take a moment to do that as
 14 well. I know the folks out at -- I mentioned the folks
 15 out at the Mojave Desert Heritage and Cultural
 16 Association, Goffs, have an incredible archive to
 17 contribute some knowledge to the plan.
 18 And then to end my comments with a question to
 19 you, Kyle, I wonder if you could talk about the existing
 20 plans that are already in place with some of the ACECs
 21 in the monument and how you think that those existing
 22 plans will be translated into the Mojave Trail
 23 Management Plan. Thank you.
 24 MR. SULLIVAN: Thank you, Frazier, and thank
 25 you for that question. That's something we've been

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1 wrestling with, as Beth said, running at full speed
 2 trying to determine what's out there, what's working,
 3 what isn't.
 4 Mojave Trails is a huge national monument,
 5 1.6 million acres that spans across three field offices.
 6 There's 1.2 million acres in the Needles Field Office,
 7 400,000 acres in Barstow and 10,000 acres in
 8 Palm Springs. There's three different tribal management
 9 plans within the monument, including WEMO. So it's not
 10 an easy task necessarily to identify where we're at
 11 necessarily in terms of, you know, what's shovel ready
 12 and what needs to be revised. So we're working through
 13 that data.
 14 And so to that end I can't really say right now
 15 what kind of decisions we would be making on ACECs or
 16 other previously existing designations, but something
 17 definitely worth chewing on as part of the management
 18 plan process.
 19 CHAIR BANIS: AI.
 20 MEMBER MUTH: Sometimes I think we need to
 21 revise my name tag here to say "wildlife and
 22 curmudgeons." I've been a survivor of one of these
 23 planning operations for the Santa Rosa San Jacinto
 24 National Monument. And I can tell you from that
 25 experience, if you could get this done in two years,

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1 that will be a monumental effort. And the inclusivity
 2 that is desirable on the planning group, every time you
 3 add another member, you add another voice and level of
 4 complexity. You started off with 18 on that list, and
 5 given what I've heard around here, you're probably up to
 6 25, 26 by now.
 7 So what I'm suggesting is that, when you
 8 structure the committee, perhaps an executive committee
 9 with subcommittees, some way that those groups can meet,
 10 trash it out among themselves what they really do want
 11 to bring forward, and then streamline your primary
 12 meetings. So give that some thought before you jump
 13 right into this. That's my advice.
 14 MR. SULLIVAN: And I think that's advice that I
 15 would throw right back to you because the DAC is going
 16 to be an integral component in determining the final
 17 composition of the subgroup.
 18 CHAIR BANIS: So reminding DAC members as a
 19 subgroup we are relying on outside experts as people to
 20 bring expertise to us. This subgroup will make
 21 recommendations to the DAC, and then the DAC acts and
 22 makes recommendations to the BLM. So this subgroup does
 23 not directly advise the BLM. It's our subgroup, and
 24 it's the group that -- this representation that we're
 25 suggesting and asking for is for the purpose of

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1 educating us because we don't have -- all of us don't
 2 have the expertise that we wish we perhaps had in order
 3 to make the advice to the BLM. So we're really looking
 4 to that subgroup to educate us and make sure that we can
 5 deliberate and give good advice in the long run.
 6 Any other comments, questions, council members,
 7 before we go to the public? Very good.
 8 MEMBER MAGUIRE: Randy.
 9 CHAIR BANIS: Yes, Mariana, please.
 10 MEMBER MAGUIRE: I just want to piggyback off
 11 that briefly. Thank you, and thank you, AI, as well for
 12 your comments there.
 13 And I would second your point, AI, that we want
 14 as much expertise as possible and to be efficient in
 15 that as possible, as efficient as possible so that we
 16 can really utilize that information in the best possible
 17 way, make the best possible recommendations that are
 18 inclusive and take all that into account. So I wanted
 19 to second that point.
 20 And then to piggyback on Randy's reminder, as
 21 we think about this moving forward, if there is a way
 22 that we can help to structure the subgroup so that it
 23 can work very inclusively but also very efficiently so
 24 that we can then take those good recommendations and
 25 make the best recommendations back to the BLM, I think

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1 we'll achieve some good results.

2 CHAIR BANIS: Very good. First speaker will be

3 Sam, followed by Ed, followed by Lisbet.

4 MS. MERK: Sam Merk. Again I would like to

5 echo what some of the people said up here in regards to

6 the representation of vehicles, rock hunting,

7 rockhounding. For instance a hunter may not know what a

8 rockhounder does. A rockhounder may not know what a

9 hunter does. And however there are a few of the people

10 or organizations that you have left off, stargazing, you

11 know, and you've also left off equestrian. You've left

12 off a couple of other recreational type of individuals.

13 And I like what Michelle said and what Mariana

14 said in regards to this. The right-of-way people could

15 meet separately and come up with a little plan maybe and

16 then get it concise then bring it forward. I think the

17 three-year expectation is a little bit -- I don't think

18 it's going to happen. I think realistically you should

19 look at five years.

20 But please don't take as long as Red Rock State

21 Park has. We've been waiting for a plan. It was listed

22 in the Desert Protection Act of 1994, and we've been

23 waiting for 23 years for them to come forward with a

24 plan, a general plan. So don't wait that long. Look at

25 it realistically. Plan on maybe five years, and get it

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1 done right. Be inclusive.

2 But there's many, many of the organizations and

3 stuff like that that could piggyback together. The

4 right-of-way people could say, oh, my lines go through

5 here, blah, blah, blah, blah. So there is a way to do

6 it and then bring it forward to a smaller group and get

7 a good plan together.

8 Also I've been asked to find out when you're

9 going to hold your next scoping meeting. Or will there

10 be a scoping meeting?

11 MR. SULLIVAN: So the Planning 2.0 process has

12 kind of changed how we're looking at scoping. So part

13 of Planning 2.0 said you couldn't start your Notice of

14 Intent until you did a planning assessment, which was

15 the pre-plan, which involves getting all of the

16 cooperating agencies on board doing the high-quality

17 data call. There were a number of hurdles to jump

18 through to be able to even start the Notice of Intent.

19 And then the actual timeline for developing the Notice

20 of Intent can take three months if the skids are greased

21 and things go really well.

22 So there potentially is hope that, if

23 Planning 2.0 does get repealed, we could start working

24 on the Notice of Intent sooner and start that scoping

25 period sooner. So it's a moving target on the timeline.

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1 MS. MERK: Thank you.

2 CHAIR BANIS: Thank you. Ed, followed by

3 Lisbet.

4 MR. WALDHEIM: Ed Waldheim, Friends of Jawbone,

5 Friends of El Mirage.

6 The news release -- I agree, Bob -- we need to

7 identify the bullet points so we end up with 35. They

8 may not all be filled. People may not apply. But I

9 think lumping the recreation with the Indian tribes, you

10 solicited four of them, but on the recreation you lumped

11 us all together.

12 MEMBER BURKE: Correct.

13 MR. WALDHEIM: It should be bullet points,

14 because what you left out is the bicycles, the people in

15 the bicycle community, mountain bikes, they are really

16 moving forward. I have them coming to meetings in the

17 San Bernardino Forest and the Angeles National Forest.

18 We're missing the hikers. I don't see any. Hikers are

19 really important. My son hikes all over the place in

20 West Mojave. So we need to get the categories down.

21 Also the equestrian, you don't see the

22 equestrian. Ron Schilling will go crazy. "Where am I

23 in there? I'm not in there." You need to list them.

24 Will you fill them all? Probably not, but at least do

25 not exclude them.

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1 The other thing that I do not see and I want to

2 make sure that when this monument was created, I don't

3 know if it was Mike Ahrens or who brought out the point

4 that says the uses that are existing are not going to

5 change. The current uses will continue. I want to make

6 sure that we stay to that, that all of a sudden that in

7 a dark corner of the planning process this Rule Two, I

8 understand maybe it's going to maybe be not even

9 implemented, or maybe Congress didn't know, they didn't

10 want to do it. So I want to make sure that we don't get

11 any surprises along the way, that all of a sudden I'm

12 not going to be able to rockhound or I'm not going to be

13 able to ride this trail.

14 I already had comments from the Needles office,

15 "We're going to close this campground," or, "We're going

16 to close this trail." Give me a break. We said the

17 current uses will continue during the planning process.

18 If something happens, well, then the public has the

19 opportunity to fight for their cause, but just to

20 arbitrarily start making executive decisions, I don't

21 want to see that, because especially we were promised

22 that we're going to keep the uses as they are so we

23 don't get surprised. Thank you.

24 CHAIR BANIS: Thank you, Ed.

25 Lisbet, followed by Ruth.

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1 MS. THORESEN: Thank you. Lisbet Thoresen,
 2 SDMG and CFMS. Thank you for your presentation, and I
 3 don't envy you your job. I think you have one hard job.
 4 What comes to mind has been raised now with all of these
 5 groups, Frazier -- is it Haney?
 6 MEMBER HANEY: Haney.
 7 MS. THORESEN: -- raised this issue that was
 8 also at the front of my mind about these different plans
 9 which already exist that overlay one another and how
 10 that's going to impact your being able to execute a
 11 management plan or even hasten that process, make it
 12 move forward.
 13 When I met with Peg Margosian at the BLM office
 14 in last October, she said that the WEMO TMP, which took
 15 eight years to draft, is going to be scrapped and thrown
 16 out and done over again, not the information, but it has
 17 to be rejiggered essentially to accommodate and comport
 18 with Planning 2, and that necessarily overlays NTMN and
 19 your planning.
 20 So the public is already confused. And I see
 21 that the BLM is confused, too, by how they're going to
 22 integrate all of these things. But it would really be
 23 helpful and I think you'd get a lot of support from
 24 public if you could post on your website how these
 25 things are overlaying and where the sticking points are

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1 and why it's going to take as long as it's going to take
 2 to make a management plan. People get nervous if after
 3 three years they don't see something, they don't hear
 4 something. And that's it for the management plan for
 5 me.
 6 I have a comment. I entered a comment letter
 7 into record on behalf of Andrew Hoekstra of Delvers and
 8 also CFMS regarding the Mojave Trails. And he was
 9 specifically asking in this letter -- it's available for
 10 everyone's perusal, but he asks specifically about
 11 access to the Marble Mountains because it's wilderness
 12 area, and now it's part of a national monument. Is
 13 there access? Does the quality of access change?
 14 They've already had two paleo groups that have
 15 cancelled field trips because they thought they couldn't
 16 so go. So we really appreciate posting information on
 17 the website from Mojave Trails where it relates with
 18 Marble Mountains so that the paleo people know whether
 19 or not they can go and what the constraints on them are.
 20 And then it works the other way with the fossil
 21 people or the mineral people, that you want explicit
 22 language that includes everybody. Thank you.
 23 CHAIR BANIS: Thank you, Lisbet.
 24 Ruth, followed by Will.
 25 MS. HIDALGO: Hi. I've heard a lot of comments

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1 about the list for the subgroup and the list of
 2 applications that you are requesting. I'm still not
 3 clear, even after hearing all this, are we looking for
 4 one or three for recreation?
 5 DISTRICT MANAGER RANSEL: The BLM --
 6 MS. HIDALGO: Or five, or how many?
 7 DISTRICT MANAGER RANSEL: The press release
 8 that went out was not what I was expecting, and so I'm
 9 expecting to be issuing a revised press release that is
 10 more inclusive. So I would say keep an eye out for
 11 that, and I would hope that that would go out next week.
 12 I'm seeing Steve nodding, because it's just a
 13 few minor tweaks, but it should be more inclusive where
 14 we're getting one much of each rather than one out of
 15 all the groups.
 16 MS. HIDALGO: Yeah. All recreation,
 17 1.6 million acres, one person representing that would
 18 really be not adequate input, needless to say.
 19 DISTRICT MANAGER RANSEL: One other thing to
 20 mention -- I don't want to eat into your time -- is just
 21 that, when the subgroup is formed and they have
 22 meetings, those meetings are open to the public --
 23 correct me if I'm wrong, Steve, but the public has
 24 opportunities to provide input to the subgroup.
 25 MR. RAZO: Yes.

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1 DISTRICT MANAGER RANSEL: So even if there
 2 might be some interests that might not be captured --
 3 because, I mean, we could fill a room with the different
 4 interests that are involved and interested in the
 5 Mojave Trails, and I love that we have that type of
 6 interest. But you need to have some type of a workable
 7 group that could actually get together and provide
 8 advisement to the DAC.
 9 But I definitely hope that if there are people
 10 maybe not included on that list but want to be involved,
 11 they could stay involved by attending those meetings and
 12 providing input to that subgroup that could be
 13 considered there.
 14 Also we'll be conducting a full public process
 15 and capturing thoughts and ideas from people as well.
 16 So we want to be inclusive. So I definitely apologize
 17 that we can't have everyone necessarily on the list,
 18 because we would love to have everyone, but at some
 19 point we had to kind of find a workable-sized group and
 20 try to be representational of different types of
 21 interests.
 22 So just to provide that clarification, because
 23 I think that's kind of come up a bit as we've talked
 24 about the subgroup composition.
 25 MS. HIDALGO: Thank you. And I certainly hope

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1 you consider rockhounding in that one, because how many
2 rockhounds do we have here?
3 DISTRICT MANAGER RANSEL: Rockhounding is on
4 the list.
5 MS. HIDALGO: So I appreciate it.
6 Did you see that, Kevin? We have how many?
7 MR. SULLIVAN: The whole room, yeah.
8 MS. HIDALGO: We would love the opportunity --
9 I heard you said you met with other groups and
10 organizations. We would love the opportunity to show
11 you why that area is so special to us.
12 MR. SULLIVAN: Absolutely.
13 MS. HIDALGO: You have acquired the best
14 rockhounding in California as part of the national
15 monument.
16 MR. SULLIVAN: Let's go check it out.
17 MS. HIDALGO: We'd love to show you what's out
18 there; okay? Thank you.
19 CHAIR BANIS: Thank you, Ruth.
20 Will Liebscher, followed by Earl Wilson.
21 MR. LIEBSCHER: Good morning, Kyle. Glad to
22 meet you. My name is Will Liebscher. You mentioned
23 Patton Training Center.
24 MR. SULLIVAN: Yes.
25 MR. LIEBSCHER: You also mentioned the

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1 historical organizations there. A few meetings ago here
2 we talked about bringing one of Patton's training
3 centers on the historic register, this National Registry
4 of Historic Places. It's kind of bordered to where you
5 are. You mentioned it. Anything going on there?
6 Second of all, as far as inclusive
7 organizations for your plan, you could look at the list
8 of inclusive organizations that we have with the Public
9 Lands Roundtable in Ridgecrest, and you could see all
10 the breakdown of many of the organizations that want to
11 participate in public feedback. So that's a list that
12 you can just run over your list and maybe add a few
13 things. Easy. That's it. Thank you.
14 CHAIR BANIS: Thank you, Will.
15 Earl, welcome to the DAC.
16 MR. WILSON: Thank you. Earl Wilson. I'm a
17 resident of Lone Pine, native son of the Owens Valley
18 and part of that group of people that are endangered
19 species called the desert rat.
20 As you already know, probably because Randy did
21 mention it, I'm involved in amateur astronomy, and I'm
22 concerned about night skies. And I also have a
23 hydrology mining background and many other things.
24 Will already mentioned the template that we
25 have at Ridgecrest. Look at it closely. I was appalled

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1 when I saw the list implying that there's only going to
2 be one of each one of those. That upset me. And
3 another thing that upsets me is the tribal
4 representatives. And I notice that we had some other
5 mentioned here. You have laws and regulations that
6 involve all of that. You're going to have to have
7 consultations, yeah.
8 And I would also recommend considering the
9 timeline that you're looking at, funding for a
10 facilitator. I'm a six-year victim of the Owens Lake
11 Master Plan that DWP has going for Inyo County up there.
12 And it's the project that keeps on giving. They
13 published their Notice of Intent in 2011, and we're
14 still at it. We aren't even close to having the draft.
15 So anyway, I'll let the rest of it go for now.
16 Thank you.
17 CHAIR BANIS: Thank you, Earl.
18 Andy Silva, last speaker on the topic.
19 MR. SILVA: Andy Silva, County of
20 San Bernardino.
21 Just going to Al's point on San Gabriel
22 National Monument, they set up a community
23 collaborative, so there's like 45 seats.
24 ED WALDHEIM'S SIRI: Sorry. I didn't get that.
25 CHAIR BANIS: Stenographer, that was Siri.

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1 MR. SILVA: So there's local governments.
2 There's user groups, mountain bikers, off-roaders,
3 environmentalists. Some elected officials sit on a
4 little piece of the monument in San Bernardino County.
5 So I was blessed as staff to sit on this humongous group
6 with very disparate interests.
7 And I was very skeptical at first. It took,
8 like, eight months to a year to get our feet under us.
9 They have established rules for the group, and it's
10 turned out very well. The major difference is, it's a
11 formal informal group. It's not like this group is
12 going to be. It's facilitated by the National Forest
13 Foundation, and their folks do a great job of herding
14 cats in debate.
15 So they did have a close relationship with the
16 Forest Service. They come to every meeting and update.
17 But, like I said, it's kind of a different animal. Our
18 comment letter carried no more weight than any citizen's
19 comment letter. But it was an interesting exercise in
20 group dynamics, and it's turned out very well.
21 You know, the draft national planning came out
22 for the San Gabriel Monument. They had various working
23 subgroups, so they did create subcommittees among the
24 subgroups to tackle certain tasks. And they submitted
25 very extensive, very thoughtful comments. The subgroup

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1 worked on consensus, which is kind of a strange thing,
 2 meaning everybody had to agree or at least not object.
 3 There were some bumps in the road because that
 4 meant one person out of 45 had the veto. So they came
 5 up with a process so that, if they ran into that
 6 situation, they could at the next meeting do a super
 7 majority and take care of it. But that's a model worth
 8 looking at.
 9 So they've been meeting for at least two years
 10 now, I think. Due to a conflict I haven't been able to
 11 go to a lot of meetings. If you talk about Ridgecrest,
 12 that's maybe one model, and San Gabriel group. It
 13 turned out really interesting. It's a really good
 14 group. We had a rep from Edison who did a ton of work.
 15 She got reassigned, and the group sent a letter to
 16 Edison saying, "We don't care if she's reassigned. She
 17 can still be working with us."
 18 So, like every group, you had a core of really
 19 hard workers who were dedicated, and everybody
 20 participated well. So even with the big unwieldy group,
 21 it can work. So I understand, you know, smaller can be
 22 better. But I've seen an example of a huge group that
 23 works really well together and has done some really good
 24 work. So something to look at.
 25 CHAIR BANIS: Thank you, Andy. Very cool.

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1 Comments from council.
 2 Mariana, please.
 3 MEMBER MAGUIRE: Thanks, everyone, for your
 4 comments. I so appreciate everyone wanting to be
 5 involved and participate. This is a really great
 6 challenge, slash, opportunity to have that so many folks
 7 want to be involved and be a part of the decision-making
 8 process.
 9 I do want to -- I feel I would be remiss if I
 10 don't just reiterate and to some extent caution our
 11 friends at BLM a bit, while I completely agree that
 12 there are processes that can make large groups work well
 13 and we should definitely look at those, to my comment
 14 earlier, if we can look at the kinds of processes that
 15 would help a larger group work well, I think that's
 16 going to be really critical, especially considering that
 17 there is so much interest in this room from so many
 18 different types of people within what we could, say,
 19 generally categorize as the recreation spectrum.
 20 But we know, then, as those opportunities
 21 expand, there's going to be other voices that say,
 22 "Well, what about the spectrum of the conservation
 23 community?" Some people focus on habitat. Some people
 24 focus on wildlife. Some people focus on lands. Some
 25 people focus on waters. Are we going to have every

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1 single one of those?
 2 Then we can imagine -- I work a lot with Latino
 3 based faith-based communities. Is every congregation
 4 going to have a slot? So on the one hand, I love and
 5 respect that there's so much interest in group
 6 participation. There should be group participation.
 7 There is a point where nothing will get done. So let's
 8 be cautious of that and work to make sure that we are
 9 doing it in the best possible way as we move forward.
 10 CHAIR BANIS: DAC members, any further
 11 comments? Very good. Nice work. Thank you.
 12 Seeing that we're a little bit early, I would
 13 rather not cannibalize from the afternoon's agenda in
 14 case there are folks that wanted to come for those
 15 afternoon presentations. So I would suggest instead
 16 that we break for lunch now. An hour and 15 minutes was
 17 allotted prior. Should we be back here at 1:15 for a
 18 start on DRECP Implementation Update?
 19 1:15, is that okay? Any objections? Are we
 20 good? Very good. Thank you very much. We'll break for
 21 lunch.
 22 (A lunch break was taken.)
 23 CHAIR BANIS: Thank you, everybody, for your
 24 prompt return to the meeting. Call the meeting back to
 25 order at 1:18.

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1 Next item on our agenda is the DRECP
 2 Implementation Update. And I saw Russ. There he is.
 3 He's hiding behind Earl. And up he comes. Nice to see
 4 you again, Russ.
 5 MR. SCOFIELD: Well, it's good to be seen.
 6 CHAIR BANIS: How did that first hundred days
 7 go?
 8 MR. SCOFIELD: Smashingly.
 9 CHAIR BANIS: Thank you. The floor is yours.
 10 MR. SCOFIELD: Thanks, Randy.
 11 So what I'm going to start out by doing is
 12 distributing this document which some of you might have
 13 seen an earlier version of and other of you have might
 14 not have seen. But we're titling this document
 15 "Transition to Implementation." And what I'm
 16 distributing now was updated this week. So this is the
 17 latest and greatest.
 18 So I'll go through this real quickly, and if
 19 any of you have any comments as I go through this,
 20 please, please just interrupt and we'll discuss your
 21 comments or questions at this time. And then we'll move
 22 on into the next part of the discussion.
 23 So when I met with you all last -- when was
 24 it? -- last fall, I talked basically from an earlier
 25 version of this document. And as I said, we updated

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1 this for today. So this reflects really our priorities
 2 of what we're trying to accomplish right now. So one of
 3 our early priorities was to conduct inreach training, if
 4 you will, with all of our BLM field offices to get them
 5 fully up to speed on implementing DRECP. That has
 6 partially occurred in that I've been out to each of the
 7 Desert District field offices, and I've done full-day
 8 trainings on DRECP.

9 At the same time that is an ongoing task
 10 because we still have questions. We still have things
 11 that need to be worked out. So for example, next week
 12 we're having a three-day training on NEPA in the
 13 district office. And then starting shortly after that,
 14 we will start having weekly calls with the field office
 15 staff to form basically a community of practice to drill
 16 down deeper on specific CMAs or other aspects of DRECP
 17 that folks are having difficulty interpreting or just
 18 want to talk some more about. So that will be something
 19 that's ongoing, and we'll probably decrease the
 20 frequency of those from weekly. But I see that as
 21 something that will be going on for quite a while.

22 We have been outreaching with local
 23 governments. Beth and I have met with a couple of
 24 counties, and we're scheduling meetings with primarily
 25 the county commission. We've met with Inyo County Board

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1 of Supervisors, as well just talking about DRECP, its
 2 relationship to county plans, its relationship to the
 3 county goals. And the recurring theme we're getting
 4 from the counties is their interest in working with this
 5 and implementing DRECP's regional mitigation strategy.

6 We're working with the tribes. I'll talk more
 7 about the tribes in just a moment when we talk about the
 8 Programmatic Agreement. And then we're continuing to
 9 outreach with key stakeholders, key public groups,
 10 again, just like BLM training, that is an ongoing task.

11 So the mineral withdrawal, we mentioned that.
 12 We talked about that last time. The mineral withdrawal
 13 was published as a segregation notice on December 28th,
 14 and it segregated 1.3 million acres of high-priority
 15 California Desert National Conservation Lands. So this
 16 segregation notice basically began a 90-day withdrawal
 17 public comment period and also kicked off an
 18 environmental impact statement.

19 So as we move into our phases with the mineral
 20 withdrawal, as I said, we'll be looking at continued
 21 public scoping, continued public comments. The
 22 durability agreement -- I talked a little bit about that
 23 at our last meeting. The durability agreement is a
 24 statewide tool that California developed with California
 25 Department of Fish and Wildlife. Or the agreement

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1 basically provides a suite of tools that can be used to
 2 meet mitigation requirements for impacts and the tools
 3 that are used on public land for mitigation that occurs
 4 on public land, the idea basically being that the
 5 mitigation occurring on public land is in fact durable,
 6 that it's long lasting, that it meets the California
 7 Endangered Species Act mitigation in perpetuity.

8 So we are working with a couple of different
 9 land trusts to conceptualize and design some
 10 demonstration projects under that durability agreement.
 11 The demonstration projects would not be associated with
 12 an impact. They would be conservation only to show the
 13 department and our other stakeholders that the
 14 durability agreement can be effective.

15 So the Programmatic Agreement under
 16 Section 106, again we talked about that at the last
 17 meeting. The Programmatic Agreement has two commitments
 18 that BLM made. The first commitment to develop a fee
 19 program to address the indirect impacts to the -- the
 20 cumulative indirect impacts to cultural resources from
 21 renewable energy development, and we effectively refer
 22 to that as Index G. So I'll just refer to it as
 23 Appendix G for shorthand.

24 So we've had three -- I think it says in this
 25 document two, but we've had really two and a half. One

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1 was just an informational Webinar, but we've had two
 2 tribal consultation meetings on Appendix G. As I said,
 3 right before Christmas we had an initial information
 4 Webinar. And we are currently working on a draft
 5 Appendix G that will be distributed to the tribes for
 6 their review.

7 At a request from the tribes we did extend the
 8 timeline for Appendix G by two months. Originally the
 9 commitment in the Programmatic Agreement was to wrap up
 10 Appendix G within six months of signing of the ROD. As
 11 I said, the tribes requested more time to allow their
 12 more active engagement and involvement. So BLM
 13 consulted with the SHPO and extended the period for two
 14 months. So we're now looking to wrap up Appendix G by
 15 May 15th.

16 So once we're done with Appendix G, we will
 17 start on Appendix F, which is the development of a
 18 sensitivity model for cultural resources. And if we
 19 stick to our six-month timeline on that, then that
 20 should wrap up somewhere around November 14th.

21 Disturbance cap mapping. When we met last, we
 22 had some money that we were putting into mapping the
 23 baselines for disturbance caps throughout the desert.
 24 And if you recall, DRECP places disturbance caps on all
 25 conservation land. So that's California Desert National

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1 Conservation Lands. That's ACECs, and then it's also
 2 Wildlife Allocations. Wildlife Allocations are only in
 3 the Bakersfield Field Office, so it doesn't affect the
 4 Desert District.

5 So we're mapping our California Desert National
 6 Conservation Lands and our ACECs for a baseline of
 7 disturbance cap. So that's moving forward. Those units
 8 within the WEMO area are roughly 85 percent complete.

9 We've started working on the two new national
 10 monuments that were not covered by WEMO and hitting on
 11 high priorities from the field offices. The good news
 12 is, we got some additional funding, and now we have
 13 funding to completely map all of the Desert District, so
 14 we will be looking at being able to wrap up our
 15 disturbance baseline mapping with the funding we have
 16 available to us now.

17 MEMBER BURKE: By what time?

18 MR. SCOFIELD: I don't have an answer for you
 19 yet because we're working with two contractors. I keep
 20 asking. I keep asking the same question. We have two
 21 mapping contractors. One is a new contractor, and we
 22 don't have a good sense with how quickly they are
 23 operating yet, so I can't give you an answer to that.

24 MEMBER BURKE: That is holding up a couple of
 25 projects that I'm aware of that we'd like to see that

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1 done as quickly as possible.

2 MR. SCOFIELD: Okay. If we can find out where
 3 those projects are so we can see where those units are
 4 within the prioritization, and if we're holding
 5 something up, we need to look at either bumping them up
 6 at the prioritization to get them done sooner rather
 7 than later or looking at alternative methods to get
 8 those baselines done; okay?

9 MEMBER BURKE: Thank you.

10 MR. SCOFIELD: Before we're done, later this
 11 spring we are going to start uploading all of our
 12 disturbance mapping data into a new USGS database that
 13 was created specifically for disturbance mapping. It
 14 was actually created for sage-grouse. The name of the
 15 database is "Surface Disturbance Analysis and
 16 Reclamation Tracking Tool." Easy to remember; right?
 17 SDART, for short.

18 So SDART was created for sage-grouse. However
 19 we will be able to utilize what sage-grouse is paying
 20 for for DRECP. So this tool, once we start uploading
 21 data into it, probably in April, mid to late April, is a
 22 tool that is available to anyone with a computer. So
 23 anyone can go online and see what the disturbance is for
 24 any ACEC or California Desert National Conservation
 25 Land. It will be the tool that we utilize, obviously,

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1 to share information across field offices, and it will
 2 be the tool that we utilize when we do get projects to
 3 test whether we are above or below the disturbance cap
 4 for that unit.

5 But as I said, currently the SDART database is
 6 still in beta testing and does not have any DRECP
 7 information. If you go to the database now, you can see
 8 some sage-grouse data that's, I think, from Utah. And
 9 I'm hopeful that -- well, certainly by your next
 10 meeting, I can provide you a URL so you can visit the
 11 database.

12 When we do start uploading data into the
 13 database, I'll provide the URL to Steve, and he can
 14 email it out to each of you so you can have access to
 15 that if you want access to it.

16 The last thing that I'm going to talk about
 17 that we're currently working on is this development of
 18 an implementation strategy. And I mentioned this at our
 19 last meeting as well. BLM has policy that states that
 20 all land use plans will be accompanied with an
 21 implementation strategy. It's a good idea anyway. We'd
 22 do it anyway, even if it weren't policy.

23 So what we intend to do or what we are doing is
 24 going through. We're having the DRECP contractors
 25 identify all the action items within the DRECP. That is

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1 ongoing as we speak. The next step, which will be task
 2 two, is for BLM to internally come up with an initial
 3 set of priorities as to which actions are higher or
 4 lower priority for plan implementation. And then I'll
 5 talk a little bit more about that in just a moment. And
 6 then the third step will be to actually schedule the
 7 work and develop annual work plans.

8 So I'm not going to go into any more detail on
 9 implementation strategy yet because I want to talk to it
 10 a little bit more when I talk about how we would like
 11 you all to help us with that implementation strategy.

12 So on Page 4 we also talk about renewable
 13 energy permitting, and beginning on Page 5 there's a
 14 list of renewable energy projects that are in the queue
 15 right now. And the idea being that DRECP -- the idea
 16 behind DRECP is facilitating providing the upfront
 17 mitigation and conservation necessary to site renewable
 18 energy projects, siting them in lower controversy areas,
 19 providing incentives for folks to site their projects in
 20 those Development Focus Areas, et cetera, et cetera.

21 You all have heard this multiple times, so the
 22 idea being to identify renewable energy projects that
 23 are in DFAs now that we can show the benefits of DRECP,
 24 that we can show the benefits of utilizing the DRECP's
 25 biological opinion. Potentially, probably even at least

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<p>1 the projects I'm aware of, they more than likely will be 2 sited with an environmental assessment as opposed to 3 development of than EIS. So items like that we're 4 working on several renewable energy projects that will 5 fall under the DRECP where BLM could showcase the 6 DRECP's streamline.</p> <p>7 So the next section on Page 4 are some 8 accomplishments to date. Some of these I already 9 alluded to. Some of them you have already seen from our 10 last meeting. We developed a spreadsheet tool to help 11 field offices and project proponents better go through 12 and apply the Conservation and Management Actions.</p> <p>13 I already mentioned that all of the Desert 14 District and Bishop Field Office have all had their 15 one-day training on DRECP, and as I said, it's been a 16 tremendous amount of outreach to the folks in the field 17 that are actually processing projects of various kinds 18 and actually applying the DRECP.</p> <p>19 We already talked about the segregation notice 20 being published, as was stated in Appendix Z of the ROD. 21 BLM revised and distributed Appendix C of the 22 Programmatic Agreement to basically just harmonize it 23 with what the ROD said. So that basically just brought 24 the Programmatic Agreement in sync with all the 25 decisions that were in the ROD. Appendix C harmonized</p>	<p>1 the last meeting, which is why that appears on the 2 agenda a little later today. So just to provide that as 3 a point of clarification, that there's going to be 4 further clarification about subcommittee versus 5 subgroup. So I just wanted to mention that.</p> <p>6 Thank you, Russell.</p> <p>7 CHAIR BANIS: Then let's keep our comments at 8 this point to the implementation strategy document. 9 Then we'll touch on the subgroup discussion following 10 that. That is, if that's okay. Actually that would be 11 following the agenda. How novel.</p> <p>12 Thank you, Russell.</p> <p>13 DISTRICT MANAGER RANSEL: I think he's got some 14 more.</p> <p>15 CHAIR BANIS: Are we ready to open up to 16 questions from the council members? Who wants to go 17 first? I have Frazier. I have Bob.</p> <p>18 Frazier, you're on.</p> <p>19 MEMBER HANEY: Yeah. Thank you very much, 20 Russ. I just wanted to point out about the mineral 21 withdrawal that it's based on language from 2009 that 22 Congress gave us in the Omnibus Public Lands Act, 23 particularly in the California Desert that designates 24 the National Conservation Lands, and that throughout the 25 rest of that system the other National Conservation</p>
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<p>1 the decisions that were made in the ROD with the 2 Programmatic Agreement.</p> <p>3 So I already talked about Appendix G convening 4 the tribal work group. Well, it's more than tribal, 5 cultural work group, to work on Appendix G. I already 6 mentioned that we met with San Bernardino, 7 Inyo Counties, and we're scheduling meetings with the 8 other counties. I already talked about baseline 9 disturbance mapping. You all at the last meeting 10 approved a DRECP work group, and we'll talk more about 11 that in a moment.</p> <p>12 And, yeah, it says that Beth and I have begun 13 meeting with environmental and recreational groups. 14 Again, that's an ongoing. We've begun. We are, we 15 still are, we still will. We've met with a number of 16 different groups to talk about DRECP. And I already 17 mentioned that the contractor is working on 18 identification of action items.</p> <p>19 So with that I'll turn it over to Beth. It 20 looks like she has something to say, and then any 21 questions and discussion.</p> <p>22 DISTRICT MANAGER RANSEL: I just want to 23 provide one point of clarification, that we did hear 24 from a number of the DAC members that they wanted to 25 sort of revisit the subgroup decision which was made at</p>	<p>1 Lands are monuments, Wilderness Areas, other areas that 2 have been withdrawn from mineral entry. So I think it's 3 important to note that that implementation action is to 4 bring those Natural Conservation Lands into line with 5 the national standard.</p> <p>6 But I'd be curious to hear your thoughts, Russ, 7 about how that action will either support or take away 8 from the durability agreement, the ability to go into 9 those National Conservation Lands and do mitigation 10 work, because there's this concept of durability that 11 has to be met; right?</p> <p>12 MR. SCOFIELD: Right. So, yeah, and I wish 13 that I had brought with me an email that I had gotten 14 from some folks up at the state office, some of our 15 mining law experts that -- well, a lot of it is what I 16 forwarded you on how the mining law applies, doesn't 17 apply, provides discretionary and non-discretionary 18 points.</p> <p>19 So the point of -- what we're looking at is a 20 layering effect of conservation; right? So in many 21 cases we have ACECs that provide the conservation that 22 are overlaid -- with a disturbance cap, that are 23 overlaid on California Desert Natural Conservation 24 Lands, which are part of the National Landscape 25 Conservation System, which also have a disturbance cap.</p>

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1 In some cases those disturbance caps are the same. In
2 other cases you have a lower disturbance cap with the
3 ACECs.
4 California Desert National Conservation Lands'
5 disturbance cap is one percent across the board, so then
6 the durability agreement would be another layering on
7 top of that, where BLM could enter into -- it's like
8 half a dozen different tools that we have at our
9 disposal to further ensure the conservation or
10 protection, if you will, of those mitigation measures
11 that are put into place; you know, things like a Title 3
12 easement, Title 3 of FLPMA easement, a Title 5
13 right-of-way, you know, site staffed agreements. You
14 know, those are just a few. There are other durability
15 tools as well.
16 So how that relates to the mineral withdrawal
17 is that, you know, our regs say that the -- our regs say
18 that any plan of operations has to be in conformance
19 with the Land Use Plan Amendment. So let's pretend that
20 it's not withdrawn, not segregated, that you could file
21 a mining claim there. So for a mining claimant to file
22 a plan of operations to do something -- and not all
23 mining operations, of course, require a plan of
24 operations; right? You can have casual use. You can
25 have operations under five acres, which would be filed

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1 for a notice.
2 But the plan of operations we're making a
3 decision that has to be in conformance with our Land Use
4 Plan Amendment. Okay. The courts have also upheld that
5 a mining claim is a private property right; okay? So
6 we're in this case where, if we have a plan of
7 operations that is filed that is clearly not in
8 conformance with our Land Use Plan Amendment, clearly,
9 you know there's no way you can make it in conformance
10 with our land use plan. This is where I wish I had my
11 notes from my mining expert, but we would be faced with
12 a situation of, do we amend the Land Use Plan Amendment
13 to conform with the plan of operations, or do we ask the
14 miner to change his plan of operations to be consistent
15 with the Land Use Plan Amendment? And obviously the
16 latter of the two would be what we did.
17 If there was absolutely no way that the mining
18 operations could be in conformance with the Land Use
19 Plan Amendment, then it would be a situation where the
20 local line officer would be faced with a situation of,
21 well, do you reject that plan of operations? And that's
22 going to be a decision the local field manager would
23 have to make.
24 So I don't know whether that answers your
25 question or not.

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1 MEMBER HANEY: Yeah, yeah, I think so. And
2 I've just got one other comment that will end in a
3 question. Maybe you just don't have an answer to this.
4 But in a lot of areas I think the idea is to make sure
5 that renewables favor degraded lands. I think we want
6 to see development on those degraded lands ahead of
7 pristine lands, and in a lot of those degraded areas
8 it's mixed ownership. There's private and public
9 parcels.
10 In that case where a project wants to have
11 mixed ownership, how does the environmental permitting
12 work? Who is the lead agency? Is there any guidance
13 for that in the plan yet, or is that something that's
14 going to be hashed out in implementation?
15 MR. SCOFIELD: You know, there's -- let me get
16 back to you on that. We've had other projects, and
17 actually one of the projects I can speak in real life on
18 is a project that's an actual project up in Kern County
19 where it's not a checkerboard per se but there is a
20 private land and a private land component. The majority
21 of the project is public land, but it's, just as with,
22 you know, a lot of the other renewable energy projects
23 that have been sited, there is a local jurisdiction
24 component to that. And BLM will enter into an
25 agreement, an MOU, with the local county or the local

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1 permitting agency. It's always been a county that I'm
2 aware of. There might have been some cities involved
3 somewhere.
4 But in this case the bureau is in development
5 of an MOA with -- is it an MOA or an MOU? Anyway, an
6 agreement -- I think it's an MOU -- with Kern County,
7 and the proponent will -- is providing the reimbursable
8 fees for both us and the county to work on their NEPA
9 CEQA. And it will likely be a joint NEPA-CEQA document.
10 As I said, on the federal side, it's going to be an EEA.
11 I don't know what level of CEQA that was decided on, but
12 that would be the pattern, and that's been the practice
13 of how permitted projects in the past.
14 And, you know, going back to the early days of
15 renewable energy, that was one of the early things that
16 BLM did, was develop a workflow of how do we work with
17 the various state and local entities as we move forward
18 in permitting these projects?
19 MEMBER HANEY: Thank you.
20 CHAIR BANIS: Bob.
21 MEMBER BURKE: I'll pass.
22 CHAIR BANIS: AI?
23 MEMBER MUTH: I'm still trying to digest that.
24 MEMBER MITCHELL: Randy.
25 CHAIR BANIS: Got AI first. Then Billy.

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1	MEMBER MUTH: Frazier, did you digest all of		1	established that the mining claim was a private property	
2	that?		2	right. You kind of lost me right there. What happens	
3	MEMBER HANEY: I did.		3	if the discretion of the area manager they decide not to	
4	MEMBER MUTH: Did it answer your question?		4	let a mine? I got kind of lost right there.	
5	MEMBER HANEY: Yeah.		5	MR. SCOFIELD: Okay. So yes. If the proposed	
6	MEMBER MUTH: You can explain it to me later.		6	mining plan of operations cannot be brought into	
7	MR. SCOFIELD: Or I can try to explain it some		7	conformance with the Land Use Plan Amendment, then the	
8	more, Al.		8	authorized officer, the field manager, has the	
9	MEMBER MUTH: Save your time.		9	discretion to reject the plan of operations until the	
10	MR. SCOFIELD: Okay.		10	claimant can bring it into conformance with the Land Use	
11	MEMBER MUTH: I'm just surprised at this		11	Plan Amendment, because otherwise land use plan would	
12	mapping for disturbance caps. You know, we've had		12	thus have to be amended to fit the miner's plan of	
13	mapping efforts out there on the California Desert		13	operation. That of course is a decision and is	
14	Conservation Area going back decades. There are every		14	something that would be appealable to IBLA.	
15	conceivable plan you can think of. It seems like		15	MEMBER MITCHELL: That was my point. It goes	
16	there's a lot of redundancy built in here. The only		16	into takings, or they've got to take it.	
17	thing new should probably be uploading to the SDART		17	MR. SCOFIELD: It would be an appealable	
18	database.		18	decision, and then we would just see what IBLA said.	
19	Are we reinventing the wheel here? Or why		19	MEMBER MITCHELL: That could be the reclamation	
20	can't we use what's already been done?		20	part of it, I guess, or whatever is not in compliance.	
21	MR. SCOFIELD: We are utilizing a lot of what		21	MR. SCOFIELD: It would be any part of it,	
22	has already been done, but a lot of it is new because,		22	yeah.	
23	as you recall, the DRECP has a very specific protocol		23	CHAIR BANIS: Leslie then Nathan.	
24	for what counts as disturbance. It's either something		24	MEMBER FRANCIS: He answered my question, so	
25	that we authorized and permitted and is in LR2000.		25	I'm good.	
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1	That's easy. That's automated. We just pull it out of		1	CHAIR BANIS: Leslie then Shelly.	
2	LR2000. It's something that's a linear route. All		2	MEMBER BARRETT: Thank you. Thank you.	
3	routes are linear; right? So it's a route that's in one		3	Hi, Russell. Let me start by following up on	
4	of our various route databases. Again, that's more or		4	Al's question with respect to renewable energy	
5	less automated. We just pull it.		5	development on desert focused areas that also involved	
6	But then it's all these other disturbances that		6	perhaps county land that's under the jurisdiction of the	
7	are unauthorized, and that's what we're mapping for are		7	county, which -- and the reason I bring this up is, it's	
8	these unauthorized disturbances. And the protocol says		8	a significant weakness in the development focused areas	
9	that, in order to count as a disturbance, you have to be		9	as being developed within the DRECP. And specifically	
10	able to see it with the best available imagery at a		10	if you have a proposed project within a DFA and it's	
11	scale of one to 10,000, and that's never been done		11	totally within the DFA and a lead agency is generally	
12	before.		12	the BLM under NEPA; however, the state is not not	
13	You know, TNC -- I don't know if you recall in		13	involved. They still are involved very much with	
14	the early days of DRECP -- this would have been, like,		14	respect to species or basically habitat that may be on	
15	in '08, '09 -- developed an ecoregional assessment with		15	the property.	
16	the hexagons, and they counted whether they were highly		16	The state has traditionally fallen back on a	
17	impacted, moderately impacted or had a low impact. That		17	full EIR being required for what it determines to be its	
18	was probably the closest that we came to anything like		18	areas of interest, then, though it's wholly within	
19	this. But that TNC ecoregional assessment didn't		19	federal land. Obviously an EIR is a considerable	
20	utilize protocol that was specified in DRECP.		20	document in itself, and in many projects you've picked	
21	MEMBER MUTH: Just seemed like a lot of		21	up those that have both federal land and private land,	
22	reinventing the wheel, and that was it.		22	and a joint EIS/EIR has been the appropriate document.	
23	CHAIR BANIS: Billy?		23	But where a project is holding on federal land,	
24	MEMBER MITCHELL: Yeah, Russell, can you go		24	it seems inappropriate that you would have to do a joint	
25	back to that -- excuse me. Go back to -- you		25	EIS/EIR. There's lot of cost involved in that, so the	

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<p>1 state came up with what was called a novel approach to 2 that, which is to do what's called a gap analysis. 3 A gap analysis, for all of us, is essentially 4 the state looks at what the feds have done and 5 determines what's missing from what they would have 6 normally requested. And that seems wonderful, with the 7 exception of the fact that, when you now look at the DFA 8 and you say that, okay, we think we'll probably get away 9 with environmental assessment, the state don't recognize 10 the DFA, and they see it as the gap has suddenly got 11 larger between what they originally thought that you 12 would be doing, which was a full EIS, to what you're now 13 doing, which is just an E.A. And as a result the state 14 requires that you make up that gap. So effectually the 15 developer is back to where they were to begin with, 16 because the gap has grown larger because the state 17 requires. 18 Now, how do you get around this? From a 19 developer's perspective the last thing they want to do 20 is to develop a project that's wholly within the DFA 21 that's wholly within federal land because they don't 22 want to deal with the state because of those reasons. 23 So the developer will actively go out to try and find 24 private land adjacent to the federal land in order to 25 pull in the county, who is not required to follow the</p>		<p>1 folks in this area who are uniquely concerned and aware 2 of what has or has not been promised. 3 And to go ahead and produce actionable items 4 and have those prioritized, either of those should not 5 be done independently of this group or the subgroup or 6 the subcommittee or other interested groups. So I 7 caution once again, do not take the step that was done 8 with respect to the DRECP to move forward with 9 documents, plans or otherwise without more fully 10 engaging ourselves and the public. Thank you. 11 MR. SCOFIELD: So let's take the second part, 12 and that's actually a good segway into -- what's -- 13 DISTRICT MANAGER RANSEL: Excellent segway. 14 MR. SCOFIELD: Yeah, a good segway. So on your 15 first comment, while I'm distributing this, you know, on 16 the EIS/EIR versus other levels of CEQA, you know, yes, 17 we recognize that that is a problem, and it is something 18 that we're working with the state to address. And I 19 don't really have much more of an answer for you than 20 that, other than let's continue the dialogue here and -- 21 not here, but let's continue the dialogue with the 22 developers while we also continue the dialogue with the 23 state and local regulators. 24 The document that I'm passing out now is kind 25 of a segway into exactly your second comment. So let me</p>	
<p>1 same requirements as the state. 2 Now, you ask yourself, why isn't the county, 3 because county is a state agency or sub agency of the 4 state. Well, the state gives deference to the county's 5 decision on these matters, and so a project that is not 6 wholly within the DFA is actually at an advantage than a 7 project that is wholly within a DFA, which seems to run 8 contrary to the intent of this particular DRECP. And 9 that's just one of the many weaknesses. 10 So clearly the implementation of this 11 particular DRECP is greatly important. And therein lies 12 my second question. You indicate a three-phase approach 13 to the implementation. The first phase is where you 14 suggest these contractors will develop what they term 15 actionable items. The second phase, which you indicated 16 just an hour ago or so, was that they will present these 17 for internal review of the BLM. 18 Well, Russell, I caution that we are here as 19 the DAC. We are here as the public voice to be able to 20 develop actionable items outside of our purview, to be 21 able to decide and prioritize those outside of our 22 purview. It's just not acceptable. We have for too 23 long watched this DRECP being developed through 24 Sacramento and imposed upon the public in this area, the 25 communities in this area, those local environmental</p>	Page 163	<p>1 clarify it first. When I said that the contractor was 2 developing or pulling together the actionable items, 3 what they are doing in this Phase 1 is going through the 4 DRECP plan and identifying the action items that BLM has 5 already said it will implement in DRECP. So we're not 6 generating something new. 7 They're just pulling, you know -- the plan 8 itself is 250, 60 some-odd pages. It's got a lot of 9 stuff in it. The ACEC worksheets in Appendix B, that's 10 another 500-something pages. A lot of that is narrative 11 text, background information. A lot of it are either 12 things that BLM needs to do or else minimization 13 measures that BLM needs to ask folks doing things on 14 Public Lands to do. 15 So those are the action items that we're 16 talking about pulling out, not creating new action 17 items, just identifying and putting in one place and 18 categorizing by goals and objectives what those action 19 items actually are. 20 So Phase 2 internally, yes, BLM will do an 21 initial Phase 2 prioritization of those. But this 22 document that I just passed out, which has "Draft" 23 stamped all over it, draft, draft, draft, because this 24 is going to be for you to discuss. But what we would 25 like to task the DAC with, if it's acceptable for the</p>	Page 165

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1 DAC, is once BLM internally goes through and takes a
 2 first shot at this prioritization, we would like the DAC
 3 to then take a second shot at going through this
 4 prioritization, helping BLM understand what it missed,
 5 on-the-ground conditions that it might not be aware of,
 6 information that we might have missed, opportunities for
 7 partnership and essentially that we might not be aware
 8 of and provide that feedback to the BLM. We would even
 9 like to extend that in that we would like to see the DAC
 10 host some public outreach meetings that essentially goes
 11 through the same process.

12 Just what did we -- I mean, yes, we're BLM. We
 13 manage the land, but by all means we don't know
 14 everything that's going on out in the desert. So again
 15 looking for synergies, looking for partnership
 16 opportunities, looking for science we missed, looking
 17 for on-the-ground conditions that we missed that would
 18 change that priority list.

19 What we would like to see, if the DAC so
 20 chooses to take this task, is for the DAC to generate a
 21 report. And you can see the six bullets that would be
 22 included in the report. Basically we would want to
 23 know, you know, when were the outreach sessions? How
 24 were they held? What groups and constituencies were
 25 represented? We'd like to understand the information

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1 regarding BLM prioritization that we might not have.
 2 Like I said, what are the restoration opportunities?
 3 Future desert usage? You know, maybe enforcement needs.
 4 Like I said, what are we missing?

5 Opportunities for partnership with either
 6 individuals, groups. Maybe you even know of other
 7 agencies that are doing things that we're not aware of.
 8 And then which tasks have high stakeholder support?
 9 Which tasks have low stakeholder support? Which tasks
 10 are highly controversial? Which ones probably not so
 11 controversial? And then, as I said, is there any
 12 peer-reviewed science or literature we're missing that's
 13 going to inform this prioritization?

14 And I think having that information will really
 15 help BLM do a better job of implementing DRECP, not just
 16 based on BLM's priorities but also what is actually
 17 occurring on the ground, and what are the needs of our
 18 various publics down here in the desert?

19 And BLM, we'll be outreaching also to some of
 20 the other agencies, some of our neighbors, the wildlife
 21 agencies, things like that. But we see a role. And
 22 Beth and Steve and I have spent a lot of time talking
 23 about this. But we see a very valuable role that the
 24 DAC can play not only in providing your input but also
 25 reaching out to some communities that -- not physical

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1 communities but interest communities that we need to
 2 hear from. And recreation is one of those communities
 3 as an example. It's not the only community, though.
 4 And then also just the public at large. Outreach,
 5 meetings with the public at large to get a sense of this
 6 type of information that the public might have.

7 So do you have more to add, Beth?

8 DISTRICT MANAGER RANSEL: Just to say that,
 9 like Russell mentioned, this is marked "Draft" because
 10 there's a real opportunity to get input from the DAC and
 11 also from either the subgroup or subcommittee, depending
 12 on which way you go, and what they see or what you see
 13 as how best to accomplish getting this information or if
 14 there's other information that might aid us in this
 15 prioritization effort.

16 We really feel strongly that there's great
 17 partnership opportunities out there. There's volunteer
 18 organizations. There's people that would like to do
 19 things to help further implementation of DRECP. And so
 20 we could really accomplish a lot together. But we don't
 21 have the manpower or woman power to really get out there
 22 and interact with everybody that might have interests or
 23 be doing things on the ground. So that's where we
 24 really see a broad role for the DAC to help us with
 25 that.

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1 And I think we can accomplish some really
 2 fantastic implementation pieces if we're able to tap
 3 into those resources. That's all I have.

4 MEMBER BARRETT: Thank you, Russell, and thank
 5 you, Beth. And it may be just visual, but when you talk
 6 about your consulting coming up with a prioritization of
 7 action items -- and it may very well be, and we don't
 8 know what those action items are today, obviously, but
 9 it may very well be that they are comprehensive that
 10 they cover all of the interests of the public here and
 11 the public at large and many of the other groups that we
 12 wish to engage.

13 But again I would caution just for the effort
 14 of, if only for success or the perception of success,
 15 that we at least have one opportunity for the public and
 16 other groups to influence what they think should be
 17 action items within the DRECP. It may be that your
 18 contractors or consultants were already going to pull
 19 all that together. But the perception is that the
 20 public has been involved from the start rather than
 21 being presented with a list of prioritization action
 22 items.

23 MR. SCOFIELD: I think the contractor is going
 24 to take the broad approach. And honestly, all they're
 25 going to be doing is identifying the item and copying it

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1 into a spreadsheet. They're going to take a broad
 2 approach, cast a wide net. I could probably think of
 3 several other cliches.
 4 And there might be some that they give us that
 5 we say, yeah, that's not an action item and eighty-six
 6 that one. Or there might be others that you all or the
 7 public says, is that really an action item? What did
 8 you mean when you said that? So I understand your
 9 point. And as I said, we'll definitely have the
 10 opportunity to do that. And I think that, as we go
 11 through this with public scoping, it's going to be -- or
 12 public outreach, we're going to have room for that
 13 discussion.
 14 DISTRICT MANAGER RANSEL: I'm just going to add
 15 that, as Russell mentioned, the document is huge. So
 16 the contractor is really just doing initial legwork.
 17 They're just going to provide us with what they come up
 18 with as what they see in the document that's actionable,
 19 and BLM is going to take an initial stab at
 20 prioritization.
 21 But when that's presented and handed off to the
 22 subgroup or subcommittee or the DAC, however that
 23 process works, it's a preliminary list and is by no
 24 means a final list. So we welcome the input on if
 25 there's something that was missed that was in the

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1 document that should be on the list or if the
 2 prioritization is not correct or if there's something on
 3 the list, like Russell mentioned, that really isn't an
 4 actionable item that doesn't need to be there.
 5 At least from my perspective what we're getting
 6 from the contractor in that initial prioritization is
 7 just to bring something that's raw to the group for them
 8 to act on and to review and to help us to -- it's in no
 9 way final because this whole process, whatever this ends
 10 up being, needs to take place before it would be
 11 finalized.
 12 MEMBER BARRETT: Yeah. I think that's very
 13 helpful and perhaps better that there may be a
 14 perception out there in the public that in some ways
 15 that the DRECP did go through without a whole lot of
 16 modifications as associated with all the comments that
 17 were received or even the opportunity for the public to
 18 influence what was the final plan.
 19 So we may be in a situation where there is a
 20 certain sense that the public wasn't as involved as they
 21 would have liked to have been. And so where there's an
 22 opportunity, even if it's only to bless a document type
 23 of thing, to have them involved through the DAC or
 24 concurrence through the DAC and at the EIR stage, I
 25 think is best.

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1 CHAIR BANIS: Shelly is next on the list.
 2 MEMBER LONG: My question has passed.
 3 CHAIR BANIS: I'd like to jump in, if there's
 4 no objection. A couple of questions.
 5 Regarding the disturbance mapping by the
 6 contractors, has BLM performed a control area mapping
 7 analysis that can be used to validate the work of the
 8 contractor?
 9 MR. SCOFIELD: Yeah.
 10 CHAIR BANIS: Because that disturbance mapping
 11 and what comes out of those calculations in the end is
 12 probably one of the biggest concerns with our community.
 13 MR. SCOFIELD: Right. And yes, our GIS staff
 14 is QC-ing all of the work. So she takes a
 15 percentage -- and I don't know what the percentage
 16 is -- and goes through and essentially redoes that
 17 percentage to make sure that the contractor is meeting
 18 our quality standards. And actually for the mapping
 19 that's occurring in support of WEMO, we have some
 20 on-the-ground crews doing field validation, if you
 21 will, field verification, verification, validation,
 22 whatever.
 23 CHAIR BANIS: Ground truth?
 24 MR. SCOFIELD: Yeah.
 25 CHAIR BANIS: Good. Thank you. This tool that

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1 you spoke of with respect to the public being able to
 2 look at the results --
 3 MR. SCOFIELD: SDART. The database; right?
 4 CHAIR BANIS: Yeah. What kind of tool is it?
 5 Is it a tool that provides, you know, tabulating data or
 6 is it in interactive map format? I'm just curious.
 7 MR. SCOFIELD: It's an interactive map format.
 8 Like I said, it's online now, but there's a not a lot of
 9 data in it, and it's still beta tested. I have sat
 10 through one demonstration of it, and it's pretty slick.
 11 But yeah, it's built on ArcMap MS or whatever the
 12 equivalent now is. I'm dating myself probably, but it's
 13 on an ArcMap engine, and you can -- basically what it
 14 does is, you select the area that you're interested in,
 15 put in the disturbance cap for that area, because we
 16 have varied -- sage-grouse is three percent. We have a
 17 variety. And click on it, and it calculates where you
 18 are with the percentage disturbance.
 19 Also it has a feature to where -- and obviously
 20 the public won't be able to do this, but it will be BLM,
 21 probably mainly the realty specialists, project managers
 22 folks like that will be trained so when they are -- when
 23 they have a project, they can either upload a shapefile
 24 into it to either "A," edit to the database if indeed it
 25 is an approved project that's going to result in

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1 disturbance; or "B," if it's in project-planning phase,
 2 upload it to see is this going to keep you under or push
 3 you over the disturbance cap. So actually it's a pretty
 4 slick tool.
 5 I need to schedule a demo with some other BLM
 6 staff, including Beth, but we also have -- we're going
 7 to have the GS do some training to our field office
 8 staff and provide technical support, if you will, as
 9 they're utilizing it.
 10 So we've talked about a series of Webinars for
 11 BLM staff. I would have to talk to Steve and Beth, but
 12 I don't see why we couldn't also do a Webinar for
 13 interested public, DAC members, anyone else. I think
 14 that would be a good idea for folks outside of BLM that
 15 will be utilizing the database.
 16 CHAIR BANIS: That sounds cool. Wow. That's
 17 more than I expected. That is really cool.
 18 MR. SCOFIELD: As I said, you can thank
 19 sage-grouse groups for it.
 20 CHAIR BANIS: Okay. Wow.
 21 MEMBER BURKE: One more for the critters.
 22 CHAIR BANIS: Does the public have this?
 23 MS. MERK: No.
 24 CHAIR BANIS: The main item I wanted to alert
 25 the public, most of the rockhounds, to is that this does

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1 have a list of ten applications within DFAs that could
 2 represent some acreage of lost collection area. You
 3 might want to take a look at these projects, the
 4 footprints, compare them to your collecting areas and
 5 see if the DRECP's conservation management action for
 6 mitigation with respect to the rockhounding -- it was
 7 one of those issues that was really left open to a test
 8 case to see just how do we mitigate the loss of a
 9 rock-collecting site, because the gems and minerals are
 10 where they are. So there will be a test one day, and we
 11 will have that discussion then. But I'm hoping the
 12 rockhounds can check that out.
 13 Also how does DRECP now look with respect to
 14 the Mojave Trails National Monument? What drives me to
 15 that is, as of the issuance of the proclamation by the
 16 president -- at the issuance of the president's
 17 proclamation, all of that land became NLCS land.
 18 MR. SCOFIELD: Right.
 19 CHAIR BANIS: So what other things happened?
 20 Do we still have a SRMA there? On and on and on. Just
 21 wondering what -- what --
 22 MR. SCOFIELD: Do you want to address that?
 23 Obviously DRECP is an administrative planning process.
 24 Mojave Trails is a presidential proclamation, so I don't
 25 need to tell you that the presidential proclamation and

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1 the -- proclamation are going to trump anything we said
 2 in the DRECP.
 3 I don't know where we are with planning for
 4 Mojave Trails currently, but the idea is that shortly
 5 after the proclamation there was an effort to go through
 6 the proclamation, and DRECP looked for alignments,
 7 looked for conflicts. As I said, where there's a
 8 conflict, obviously the proclamation is going to take
 9 precedence.
 10 So do you have more to add to that or where we
 11 are with that, process Kyle?
 12 MR. SULLIVAN: Yeah. So what you said sounds
 13 good. I think the other thing we're looking at are --
 14 CHAIR BANIS: Could you come up, please --
 15 thank you -- so we can get it recorded and use it
 16 against you later.
 17 MR. SULLIVAN: Thank you.
 18 MR. SCOFIELD: We're all about that.
 19 MR. SULLIVAN: So I think the other thing that
 20 we're looking at and still need to decide and part of
 21 the streamlining and the three-year timeframe is what
 22 components of DRECP can we incorporate into the monument
 23 management plan without recreating that wheel?
 24 My personal preference is to focus on the fun
 25 side of the monument management plan, the science plan,

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1 the education plan, the interpretation plan, the
 2 specific area plans, you know, for, like, Amboy and
 3 Afton Canyon and Marble Mountains. There's a lot of
 4 really fun things we can do with the monument.
 5 So I think there's opportunities for us to
 6 incorporate a lot of the really good work we've done in
 7 the past into the monument plan without having to dig it
 8 up and recreate it.
 9 CHAIR BANIS: I guess when I see the Record of
 10 Decision signed for DRECP and I look at the acreage
 11 table, I create in my mind a new balance. However one
 12 might have looked at conservation versus recreation
 13 versus renewable. However one looks at it, as the
 14 signing of that document, I now see it all level. And
 15 moving forward changes to those acreage numbers now
 16 start to move things off of balance.
 17 I felt a sense of balance with respect to
 18 DRECP's conservation, recreation, acreage assignments.
 19 But with the increase of NLCS and if the SRMA acreage no
 20 longer sort of applies with respect, that acreage goes
 21 away -- you see where I'm going? -- I no longer see
 22 DRECP maybe having that balance that it had. Does the
 23 change of the status of the monument being all NLCS now
 24 have any impact on the work that was done to balance the
 25 plan?

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1 It's a hard question. I don't really --
2 MR. SCOFIELD: So keep in mind that before the
3 proclamation Mojave Trails was a piece of legislation
4 for many years, and that we knew about. So you know,
5 that was in the back of our mind. That was one of those
6 polygons.
7 CHAIR BANIS: True.
8 MR. SCOFIELD: That was on those maps going
9 back to on Teri's watch.
10 CHAIR BANIS: Yes, it was.
11 MR. SCOFIELD: So I guess to answer your
12 question, I guess Mojave Trails, much of it was already
13 considered in the conservation side or
14 conservation-recreation side because, as I said, we had
15 those early polygons from that initial legislation that
16 Senator Feinstein had drafted. So I guess personally I
17 don't see that balance shifting that much.
18 CHAIR BANIS: It is an updating of the numbers.
19 And I think at some point I would just like to see what
20 we have now for our total in the DRECP planning area for
21 those particular polygons. Thanks. That wasn't really
22 going anywhere. I appreciate that. I'm done with my
23 line of questioning.
24 And if there's no other comments --
25 DISTRICT MANAGER RANSEL: One other thing.

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1 CHAIR BANIS: Please.
2 DISTRICT MANAGER RANSEL: Just on the two
3 documents that Russell passed out to the DAC, the first
4 one is the transitioning to implementation. I know it's
5 the first time that many of you are seeing this
6 document. It's labeled "Draft." As Russell always
7 likes to say, it's always going to be a draft document
8 because we're always going to be updating it as we're
9 making progress on implementation and focusing on pieces
10 of the implementation. So we're always going to be
11 making changes to this, which is why there's a date at
12 the top of it.
13 And the second one is "Draft" because it's just
14 an initial proposal, and that's the one with the tasking
15 for the DAC in terms of assistance with the DRECP
16 implementation piece. So that one is "Draft" for that
17 reason. That being said, these two documents will be
18 provided to anyone who has signed in and provided their
19 email address. So we'll be getting those out shortly
20 after the meeting, if not by Monday.
21 So I apologize that you didn't have these in
22 advance of the meeting, but if you do have comments or
23 want to discuss any pieces of it, we're happy to do
24 that. And Russell's contact information is right at the
25 bottom. I'm kidding. You can call me as well.

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1 MR. SCOFIELD: I will respond, but it might
2 take a while.
3 MEMBER MITCHELL: Is that your home phone
4 number, Russell?
5 DISTRICT MANAGER RANSEL: We're happy to answer
6 questions, hear feedback about these documents from you
7 at any time. And this won't be the last time you're
8 hearing from us. This is going to be an ongoing
9 conversation between the BLM, the DAC and the public. I
10 mean, there's going to be a lot of discussion and
11 dialogue on this topic. So that's it.
12 CHAIR BANIS: Thank you. Thank you. Very
13 good. The next item of business is public comment on
14 the DRECP implementation issue. I have cards from Earl,
15 followed by Ed.
16 Earl Wilson.
17 MR. WILSON: Earl Wilson, Lone Pine resident
18 and speaking as public.
19 I have several concerns about what I've heard
20 already here. I have concerns about the disturbance
21 caps and the potential for them to change their
22 characterization after there's restoration or additional
23 work that's being done on them, in particular the ACECs.
24 I have a question about the wildlife being included in
25 Bakersfield. Why isn't Bishop BLM high-priority area

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1 for wildlife?
2 The new mapping. This whole process, the maps
3 have been horrible. Could we please put local,
4 knowledgeable, correct X's and name them properly. We
5 have names, at least two that I know of, where the mark
6 for an ACEC, the name for it is ten miles away. It's
7 called Independence Creek. It should be called Hog Back
8 Creek, Moffett Ranch or something like that.
9 The other thing, I hope you get your by-state
10 sage-grouse maps done properly because there's a lot of
11 that in the Bishop area too. And please do the maps
12 where we can find where the lines are for the polygons
13 that you're putting out. Okay. I'll pass on the rest
14 of this. Thank you.
15 CHAIR BANIS: Thank you, Earl.
16 Ed Waldheim, followed by Sam Merk.
17 MR. WALDHEIM: Ed Waldheim, Friends of Jawbone.
18 You got quite a job. Thank you, Beth, for
19 getting us the documents. It's pretty hard for us to --
20 you don't have anything out there on the table, so it's
21 pretty hard for -- we need to make a habit, if documents
22 are being passed out, please make sure they get on the
23 table so the public can see it, too, and react to it.
24 I am surprised that you're having meetings,
25 Russell, with cities and counties. To my last knowledge

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1 DRECP signing excluded lands in the cities and the
2 counties. That was not included in the DRECP. You just
3 decided to go with the BLM lands, and you excluded the
4 counties, and yet you're having meetings with the
5 counties. How is that happening when they're not even
6 part of the DRECP? That's what's been touted for a long
7 time, "We are doing only the BLM. We're not doing the
8 counties." Why are we having meetings with the
9 counties? I don't quite understand how that's
10 happening.

11 The last thing is that we never really got a
12 clear indication on the disturbance caps. Maria is
13 giving me millions and millions of dollars -- it's
14 probably got to be up to \$10 million at this point --
15 for Jawbone Springs restoration. We've restored
16 everything that is not part of the trail system line of
17 sight.

18 Now, when you do the disturbance things, are
19 you going to go up with a drone and start taking a
20 picture of the entire picture? We never got a
21 clarification. Am I going to get credit with the trails
22 that no longer exist? You cannot see them from line of
23 sight. They are gone. The public cannot see them. Yet
24 are we going to take that into consideration when we're
25 doing the disturbance caps?

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1 Normally when we started off, there was no
2 restoration, and nobody has been able to answer that
3 question. So if I'm going to be charged a disturbance
4 cap on something that I've already restored, that's
5 unfair. If I'm going to be charged something that I
6 can't even see and the public can't even see and use,
7 that's not fair. So I'm at a loss. What am I going to
8 do? Am I going to have to restore the entire route
9 regardless if you see it or you don't see it?

10 The whole description of management of the
11 trails system, sign the trails that you can stay on and
12 get rid of the trails that you are not legally
13 authorized to use. And we decided to use the line of
14 sight.

15 If you don't see it, you're not going to go
16 there, except if you leave one little finger ten miles
17 down the road and you don't go fix that and take it out
18 of the system, the Randy Banises of the world in his old
19 days would try to figure out, "How am I going to get to
20 that trail over there? I'm going to go over there. I'm
21 going to turn the earth around to get to that trail."
22 So we are forced to taking those trails long way away,
23 and we take them out of the system. They disappear.
24 They're not there anymore. And it takes a lot of work
25 to do that.

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1 We're probably the only ones who really go to
2 that length in Jawbone Springs doing that. I think we
3 need to get a good clarification because I hate to be
4 charged on a disturbance on something that I've restored
5 and it's not part of the system anymore. Thank you.

6 CHAIR BANIS: Did you catch that? And again to
7 reiterate, Russ said the calculations will be done
8 through aerial mapping, satellite maps, imageries, the
9 very best quality. And if they can see it at a
10 resolution of one to 10,000 -- you know how when you
11 zoom in and zoom out? -- at the resolution of one to
12 10,000, if they can see it, it will be considered a
13 disturbance. So I think what we're looking at is maybe
14 some of the stuff that hopefully much of the work that
15 has been done, the restoration work, will be captured in
16 the most current imagery.

17 I'm not sure of the age of the imagery. I know
18 the agencies have access to higher quality and more
19 recent imagery than the general public does through
20 things and Google and stuff. I'm hoping you have some
21 really good new stuff.

22 MR. WALDHEIM: But we need to make sure in my
23 case -- now it's also in the Barstow El Mirage
24 subregion, because we do restoration of both that and
25 Ridgecrest. We need to get the documentation from the

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1 Bureau of Land Management of the areas that we've
2 restored so they can take that into account, regardless
3 of what your drone or your 10,000 foot is going to do,
4 because otherwise Maria is going to say, "Why am I
5 spending that money when you're going to take it away
6 from me anyway? You're going to charge it to me as
7 disturbed." That's not right.

8 CHAIR BANIS: Thank you.

9 MR. SCOFIELD: So I understand your point, and
10 that's obviously been a point of discussion within BLM.
11 I will say that the plan has -- just as we have a very
12 specific mapping protocol or protocol to define what a
13 disturbance is, we also have a very specific protocol of
14 when a restored disturbance is no longer considered a
15 disturbance.

16 For example, when the area can no longer be
17 seen at the scale of one to 10,000, when the disturbance
18 is dominated by the establishment of native perennial
19 vegetation, or when the local biologist, wildlife
20 natural resource specialist, the local "ologist" --
21 right? -- feels that the area is now functioning as
22 habitat, because really, what's the disturbance cap all
23 about? It's not about visual resources. It's not so
24 much about visual resources. It's about acreages that
25 are not available for as functioning habitat.

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<p>1 So that's kind of the protocol for when it is 2 removed from being considered a disturbance, and I think 3 as to whether we are restoring to line of sight and 4 you're not getting any vehicle traffic on that route 5 versus restoring the whole thing, I think we can talk 6 about, well, at what point is the length of that route 7 functioning as habitat?</p> <p>8 And you know, maybe just by keeping vehicles 9 off of it for a year or two years, especially if we have 10 a wet winter like this, is going to do the trick. Or 11 maybe it's that it's a very narrow route, you know, a 12 single track or something and keeping vehicles off of it 13 is sufficient. So I think, you know, it's not going to 14 be a one size fits all. It's going to be a very 15 case-by-case basis. And again there's going to be 16 significant discretion to the local biologists and 17 therefore also the local line officer.</p> <p>18 MR. WALDHEIM: My whole point is that the whole 19 purpose of you calculating disturbance, because you are 20 going to take it away from me from someplace else. If I 21 got so many acres disturbed, you're going to take it 22 away for mitigation, you're going to take other trails 23 away from me.</p> <p>24 And I'm spending \$10 million to take trails out 25 of the system. I'll be darned if I'm going to get</p>		<p>1 fringe-toed lizard, there's an example of a species, 2 that because of the Aeolian sand transport thrives on 3 the disturbance -- right? --as opposed to static 4 ecosystem. So what we're looking at with the 5 disturbance mapping, as I said, we're utilizing several 6 of BLM's databases. That's easy. That's a no-brainer.</p> <p>7 We know that, if we've got a right-of-way or a 8 linear feature, then that's a disturbance; right? It's 9 more the unauthorized disturbance. So if we can detect 10 a loss of vegetation at a scale of one to 10,000 -- and 11 it is. It's a matter of detecting that loss of 12 vegetation at the scale of one to 10,000. It doesn't 13 matter whether it is, oh, a loss due to some 14 unauthorized activity or whether it's loss as a result 15 of fire. If we can detect that, the native vegetation 16 is lost.</p> <p>17 And you know, then comes up the topic, well, 18 what if you do have a fire and you get invasive species 19 that repopulate? You get a type conversion. Yes, 20 that's something we will be able to see at a scale of 21 one to 10,000. But you're actually right. You know, a 22 lot of it is going to be dependent on that particular 23 disturbance and, you know, what -- and your example of 24 the 1850s mining camp, you know, it might not be 25 established with creosote bush, but is it functioning</p>	
<p>1 zapped twice to go and lose some other trails because I 2 don't meet the disturbance cap, whatever imaginary 3 disturbance cap that you come up with. So we've got to 4 be very careful with what we're doing on that.</p> <p>5 CHAIR BANIS: Thank you.</p> <p>6 Al, you wanted to follow up on that.</p> <p>7 MEMBER MUTH: Yeah. Who's going to determine 8 what a disturbance is? If we look down from 10,000 9 feet, as a biologist, I can look down and say, "Okay. 10 There's no buildings there. You know, that was a 11 townsite in the 1880s. Creosote is not there. The 12 burrobushes have come back." So to me that's still a 13 disturbance because you haven't returned to the same 14 functionality, the same functional ecosystem that's 15 surrounding it.</p> <p>16 And what is a functional habitat? You know, if 17 we're looking at fringe-toed lizards, that's Aeolian 18 sand that's refreshed on a periodic basis. I can look 19 down I can say, "Well, there's no fresh sand there, but 20 that's a functional habitat for zebra-tailed lizards, 21 Callisaurus, desert iguanas, whiptails." So 22 biologically how do you define that disturbance and 23 functional habitat?</p> <p>24 MR. WALDHEIM: Good point.</p> <p>25 MR. SCOFIELD: So as you point out -- and</p>	Page 187	<p>1 habitat? And at what level is that functioning? I 2 think those are the questions we would need to ask 3 ourselves.</p> <p>4 MEMBER MUTH: Okay.</p> <p>5 CHAIR BANIS: Sam Merk, followed by Lisbet.</p> <p>6 MS. MERK: Thanks, Russ. Last October the 7 public was promised an implementation plan to even be 8 able to look at it. Once again I sit here in the 9 audience, and I notice that the papers are out for the 10 DAC, at least this time, but the public has not received 11 them.</p> <p>12 I hate to keep harping on a subject, but one of 13 the reasons why the California Desert Conservation Area 14 was put in FLPMA, we had a special section. We were 15 unique. And we're not being treated unique. The public 16 was promised certain things by the first Desert Advisory 17 Committee, and the public is still being shortchanged.</p> <p>18 I realize the scope of the DRECP, and I 19 understand a large part of it. But I still don't 20 understand why the public is not being involved. The 21 website from a national part of BLM is not representing 22 a lot of the things that are happening in the desert.</p> <p>23 I know you can't change it. I know that we're 24 going through a transition period with presidents and 25 all this kind of stuff. But we didn't have it last</p>	Page 189

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1 October, and we still had the same president. And here
 2 again we got another president, and we're still not
 3 getting it. So please remember the public. We're not
 4 that stupid. We can understand caps. We can understand
 5 certain things. But we can't understand something that
 6 we don't get. Thank you.

7 CHAIR BANIS: Lisbet, go right ahead.

8 MR. SCOFIELD: As Beth, said we'll email that
 9 out.

10 MS. MERK: Like the hundred-day plan.

11 MR. SCOFIELD: That's what this is.

12 CHAIR BANIS: Thank you.

13 Lisbet?

14 MS. THORESEN: Lisbet Thoresen, San Diego
 15 Mineral Gems Society, California Federation of
 16 Mineralogical Societies. Thank you for your
 17 presentation. Thank you very much, Leslie Barrett, for
 18 your comments. Randy Banis, thank you very much for
 19 your comments. I'm very anxious to see the document you
 20 have before you.

21 Mr. Scofield, you mentioned you reached out to
 22 recreational groups. Currently rockhounding groups are
 23 considered a recreational group. As far as I'm aware,
 24 no one at CFMS has been contacted or reached out, and I
 25 am the PLAC-South chair. I'd be happy to be a liaison

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1 or an interface on behalf of CFMS, which represents 110
 2 mineralogical societies, representing about 8,400
 3 members.

4 And there is an interest among the larger
 5 American Federation of Mineralogical Societies, which is
 6 comprised of seven federations representing 50,000
 7 members, who are all watching what's happening with MT
 8 and MN and how DRECP, even though that's very opaque
 9 outside of even Southern California, but we are making
 10 efforts to try to say that this is being replicated in
 11 other parts of the United States, and we hope to be a
 12 blueprint for success and a happier experience with
 13 other groups who are confronting the same kinds of
 14 issues. So we would really respectfully like to be
 15 included in that.

16 I was on the phone call September 13th, the day
 17 before the Record of Decision, fifteen people. They
 18 made a very special point of saying that, in light of
 19 the very many comment letters that were submitted by
 20 rockhounds, specific detailed letters -- Randy Banis was
 21 very helpful in producing maps and information and data
 22 for us for the very specific areas that we wanted
 23 separated that were impinged upon by DFAs. Whether it
 24 was literally because they were in a DFA or adjacent to,
 25 we were concerned about having access if a DFA was

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1 developed and we couldn't get to them.

2 Access is a big aspect. It's not just having
 3 the collecting areas but having access. We were assured
 4 by Vicki Wood Campbell that we would see in the Record
 5 of Decision that was going to come out the next day that
 6 the DFAs reflected significant changes explicitly in
 7 consideration for the rockhounds.

8 And when you look on the map -- and I think it
 9 was either Page 32 or 34 -- you really saw a difference
 10 between that and the Draft DRECP document, that
 11 voluminous document. So did I misread? Did we misread
 12 that Record of Decision and interpret the data
 13 incorrectly? Or what is in this document, this
 14 hundred-day plan, are you clawing back? Are you clawing
 15 back now, clawing away from us what we were previously
 16 promised we would have access to? Thank you.

17 DISTRICT MANAGER RANSEL: A few.

18 CHAIR BANIS: Please.

19 DISTRICT MANAGER RANSEL: Thanks for those
 20 comments. One thing I wanted to note. Russell didn't
 21 really introduce himself when he came. But we were able
 22 to get Russell -- we actually stole him from our state
 23 office to come down and be our DRECP implementation
 24 lead. He is our only staff member that is implementing
 25 DRECP on our district. I mean, he's training a team of

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1 people in the field offices to do the on-the-ground
 2 efforts. But he's the only one that his sole
 3 responsibility is DRECP.

4 And so if it didn't come across when he was
 5 talking, we are just beginning the outreach with the
 6 different groups, because he's just one person, and
 7 we're trying. So we fully intend -- I even saw Russell
 8 making a note when you were mentioning your
 9 organization. We would love to come and meet with any
 10 of your organizations that have interest and would like
 11 us to come. Just get in touch with Russell. His
 12 information is on this sheet.

13 So if for some reason you haven't heard from us
 14 or you haven't seen us, it's just because we're trying
 15 here. We're definitely interested in hearing from
 16 anybody that wants to have a presentation, coordinate
 17 with us, find those synergies. So please reach out to
 18 him.

19 And I know he's been talking about coordinating
 20 and trying to get help from the DAC, too, to identify
 21 where those groups are that we should be talking to. So
 22 it's not intentional if we haven't met with you yet.
 23 It's just that we haven't necessarily gotten there.
 24 But, yeah, I saw him making a note, so I'm certain that
 25 he'll be reaching out to you, and we'll come meet with

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1 organizations relating to rockhounding.

2 MS. THORESEN: We'll come to you too.

3 DISTRICT MANAGER RANSEL: We can come out. We

4 can do a field trip. It's great to get out to areas and

5 really see the activities. And I know that Kyle is

6 interested in terms of how it relates to Mojave Trails.

7 So if for some reason we haven't coordinated with a

8 certain group, it's not intentionally that we're trying

9 not to reach out. It's just that, you know, we're doing

10 the best we can to do the outreach, and we just haven't

11 gotten to you. And just raise your hand. Tell us,

12 "Hey, come over here. We want to talk to you."

13 MR. WALDHEIM: Invite him to the Roundtable.

14 MS. MERK: Public Lands Roundtable.

15 DISTRICT MANAGER RANSEL: We'll do that. I

16 want to highlight Kyle Sullivan, our Mojave Trails

17 Monument manager. His staff is one as well for the

18 monument. He's very approachable, and he's in the same

19 boat as Russell, that we just haven't gotten there yet,

20 if we haven't talked to you. So reach out, and we'll

21 make sure we get there.

22 CHAIR BANIS: Thanks, Beth. I appreciate that.

23 Jim Kenney?

24 MEMBER KENNEY: My question regards the

25 disturbance caps. If everything is said and done and

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1 there is a, shall we say, difference of opinion about

2 the disturbance cap and its significance, is there any

3 appropriation or position for arbitration or appeal or

4 somebody to decide which guy is closer to right?

5 MR. SCOFIELD: Yeah. We've had this

6 discussion. So as I said, we have funding for some

7 ground-truthing that's occurring within the WEMO area.

8 We don't have that for the DRECP area. Two different

9 pots of money, and they shall never mix; right? We know

10 how the federal budget works.

11 But the idea is that BLM is utilizing its

12 protocol and mapping the DRECP portion, so that is going

13 to be BLM's number. So if someone comes in and doesn't

14 like our number, then they will need to show us why they

15 don't like it. And if they provide some evidence and

16 say, "Hey, you got this wrong. Your evidence shows

17 that's a big disturbance over here, and that's really

18 desert pavement," for example, "You missed that," then

19 that's certainly something we'll discuss.

20 So is there a written-down process? No. But

21 yes, if someone does feel that our disturbance

22 calculations are incorrect, then we definitely will want

23 to understand why they feel that it's incorrect,

24 especially if there's a project that we're talking about

25 implementing and this would either make or break that

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1 project.

2 MEMBER KENNEY: I can see this coming up, and

3 I've already been told that, if some of those

4 disturbance caps are right at the maximum, that you're

5 essentially stopped from doing anything and maybe the

6 misinterpretation of that would let a project go forward

7 that otherwise will be stopped.

8 MR. SCOFIELD: And it will be critical in cases

9 like that, yeah, you're absolutely right.

10 CHAIR BANIS: Council members good? Thank you,

11 members of the public.

12 Next item on the agenda is related. The Desert

13 Advisory Council at its last meeting voted to create a

14 subgroup that is a group of outside expertise to advise

15 the Desert Advisory Council on DRECP implementation.

16 That has not happened yet. And we have an opportunity,

17 if we so desire, to revisit that at this moment.

18 And for the only reason I would suggest is the

19 fact that, if this were done through a subcommittee, the

20 one in which I forgot about that Bob tried over and over

21 to get back into my head, if we re-activate that

22 subcommittee, we can start today. We could set a

23 meeting right here and now.

24 If we would like to move -- continue moving

25 forward with a subgroup, we can. We'll have to do the

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1 list of people we're looking for, the Federal Register

2 Notice, the publication, the same thing that we're doing

3 for Mojave Trails. And that means that, if we're lucky

4 and that thing gets out and gets done by June, we get to

5 a point it in June, and then maybe by the time they're

6 announced and calendars are set, we might not have a

7 meeting of that subgroup until potentially July, August

8 or even later, really.

9 DISTRICT MANAGER RANSEL: Maybe I can chime in

10 for a minute.

11 CHAIR BANIS: So that's the choice. I think

12 that really it is -- I just thought it would be a chance

13 to talk about it again if we would like to. Otherwise

14 if we just want to plug forward, plug forward.

15 Thank you, ma'am. Very good. Jump right in.

16 DISTRICT MANAGER RANSEL: I just want to add

17 something about the process. So in terms of the process

18 to stand up a subgroup, it does require a press release

19 but not necessarily -- it doesn't require a Federal

20 Register Notice. So there is that.

21 The other thing that is a consideration is that

22 for a subgroup there's just one member of the DAC that

23 sits on that subgroup. But for a subcommittee, a

24 subcommittee is comprised only of DAC members, so it

25 would be a subset of the DAC members that are members of

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1 the DAC.

2 What I would like to just put forward is that

3 either way there was sort of a draft of a composition of

4 a subgroup that was floated around, and I would like to

5 see a somewhat similar composition either way that we go

6 or have discussion related to that.

7 And Steve, point of process. A subcommittee,

8 does that require a Federal Register Notice?

9 MR. RAZO: No.

10 DISTRICT MANAGER RANSEL: We can just stand it

11 up?

12 MR. RAZO: We can stand it up.

13 DISTRICT MANAGER RANSEL: The other thing is

14 just in terms of the work, we don't have the list in

15 hand yet of those actionable items, which, you know,

16 should the DAC approve of the tasking, then that would

17 be the first tasking. So when the group stands up

18 either way, you know, their first tasking would be sort

19 of, you know, finalizing the tasking that you have in

20 front of you, and then they probably wouldn't have too

21 many tasks or too many items on their radar until the

22 work was provided to them, so that initial prioritized

23 list of actionable items, just to sort of frame it.

24 CHAIR BANIS: Thank you.

25 Shelly, go ahead and take the floor. And

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1 anybody else, raise your hand. I'll catch you.

2 MEMBER LONG: Just a question for

3 clarification. When do you think we would get the list

4 of actionable items, because if it's going to say six

5 months to have a subgroup and everything is set up, if

6 it takes six months to have the action items, it might

7 be worth it.

8 DISTRICT MANAGER RANSEL: Russell, when do you

9 think we'll get that?

10 MR. SCOFIELD: Considerably less than six

11 months. I would be shocked if I didn't have it back

12 from the contractor by, you know, like, April time

13 period.

14 DISTRICT MANAGER RANSEL: And then there would

15 be some time that the agency would spend on it before

16 providing it over.

17 MR. SCOFIELD: Right. Before we engage the

18 DAC, we --

19 DISTRICT MANAGER RANSEL: Maybe May, June.

20 MR. SCOFIELD: Yeah. What I would want to do

21 is scope it with all field offices and then roll that up

22 to a plan-wide. Then remember we're actually dealing

23 with two BLM districts. So there's going to be some

24 internal stuff that needs to occur before you all get

25 it. But you know, I can't predict whether part of that

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1 is going to be scheduling with the offices, too, with

2 the field offices and their availability.

3 CHAIR BANIS: Leslie, Bob and Al.

4 MEMBER BARRETT: I do believe, of course, time

5 is always important. And like Shelly indicated, it may

6 make little difference with respect to schedule. But I

7 also think we have to look at it from the input to the

8 process. And I would be keenly interested for the input

9 from two different groups as regards to which is the

10 better approach to take. The first group is obviously

11 the public. If the public feels that their input is

12 better represented in a subgroup or a subcommittee or

13 has no preference or likes further explanation as to the

14 difference between the two, I think that would be

15 important.

16 But I would also like the input from the BLM

17 themselves. And ultimately what they are looking for is

18 comprehensive response with respect to implementation.

19 So they are looking for not only input from DAC members

20 and from the public that's here but also from various

21 interest groups, many of the interest groups that

22 actually helped develop the DRECP.

23 And so I think if time is not an issue one way

24 or the other, and then I think it's almost more

25 important that we focus on what is the mechanism that

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1 best brings in this comprehensive review so that the

2 implementation strategy document is the best it can be?

3 Thank you.

4 CHAIR BANIS: Thank you, Leslie.

5 Bob and Al.

6 MEMBER BURKE: As I stated at the last meeting,

7 I was definitely opposed to another subgroup since we

8 had a committee to begin with. But we voted to have the

9 subgroup. So my question is basically a point of order.

10 If we've already voted to have the subgroup, why are we

11 having this discussion?

12 MEMBER MITCHELL: I think we already had an

13 amendment too. I think I seconded it or something on

14 that.

15 CHAIR BANIS: The only reason is that we have

16 an opportunity to do so. It hasn't started. It hasn't

17 formed, and we're concerned that we're running behind on

18 time. That may not be the case, but it was -- I don't

19 think -- am I going out on a limb here? I don't think

20 this being on the agenda held up the formation of that

21 subgroup. I don't think it was even there yet. I don't

22 remember a composition document or anything coming to us

23 yet to review. And so that's why I was willing to

24 reconsider a discussion of this. That was merely it.

25 And also as voting in favor, I could always make a

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1 motion to reconsider.

2 MEMBER BURKE: In that case do we need to have

3 a motion or something to not have the subgroup that we

4 already voted and approved?

5 MEMBER MITCHELL: I would think so.

6 CHAIR BANIS: If we decide to change our mind,

7 of course we'll take a vote.

8 MEMBER MITCHELL: It would have to be in the

9 form of a motion.

10 CHAIR BANIS: Absolutely, absolutely. And then

11 we'll also hear from the public, because Leslie queried,

12 we want to know.

13 Al, thank you for waiting.

14 MEMBER MUTH: I think I missed the last

15 meeting. There are advantages to going either way, the

16 subgroup or the subcommittee. Subcommittee, bang, we

17 can get it done and get on our way. I think, though,

18 that a subgroup would be more appropriate. You've heard

19 the concerns and the passionate testimony from the

20 public that's here, and they represent a whole bunch of

21 people that aren't here.

22 And I think we need to give our constituents,

23 whatever, whomever they may be -- I think we need their

24 input, and so I for one would be in favor of retaining

25 the subgroup, and I would argue against going with the

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1 subcommittee. That's my thoughts on the matter.

2 CHAIR BANIS: Only to clarify, it's generally

3 the practice of the DAC to create a subgroup when it's

4 seeking outside expertise that it does not have. That's

5 why you have a subgroup, to reach out to others, and we

6 provide a DAC member as the FACA nexus directly back to

7 the DAC.

8 The public input happens whether you have a

9 subgroup, a subcommittee, a DAC meeting. The public

10 will have input every step along the way. It's just a

11 matter of, will they have input to a subgroup meeting?

12 Will they have input at a subcommittee meeting or

13 another kind of meeting? So the question is, do we need

14 that outside expertise?

15 Al, is there a wildlife expert on DRECP, more

16 of an expert on DRECP than you? Is there a renewable

17 energy people more in touch or who followed it more than

18 Leslie has and some of us? Now, some of us may feel not

19 so. Maybe we do feel we would like outside expertise.

20 Maybe someone will feel that they haven't been in it for

21 the four, five, six years as some of us have.

22 But I mean, just from my own standpoint, if I

23 go to my recreation community and say, "Who do we want

24 to this subgroup to represent recreation?" I get a

25 feeling they're probably going to ask me to do it. I'm

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1 being honest. And I'd be happy to, of course, so that's

2 what it comes to. So if there are folks who feel that

3 they want to bring in outside expertise from the public

4 on DRECP, the subgroup is absolutely the way to go.

5 That was the only clarification.

6 Any other comments, council members? Would you

7 like to hear from the public now?

8 MEMBER MITCHELL: Yes.

9 CHAIR BANIS: Let's hear from the public. I'll

10 go through the usual suspects.

11 Ed, do you have a thought on this?

12 Ed Waldheim, followed by Sam.

13 MR. WALDHEIM: Ed Waldheim. I like the

14 subgroups. As Al stated, there's too much going on and

15 too much history that we have on us being left out of

16 the loop. Today is a perfect example. A document has

17 been passed out. None of us saw it. None of us had an

18 opportunity to look at it. At least with the subgroup I

19 have some assurances that we'll be notified, I will be

20 part of the process. Right now I'm not part of the

21 process. I'm just being jammed down with what you want

22 to think about, and I have to go fight and fight and

23 fight. And I'm fighting this cap thing for four years

24 now.

25 And so I think a subgroup it has to be managed

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1 well. You have a good chair. Make sure you got a good

2 chair, and don't waste any time. I mean, it's not there

3 to take up time. It's there to resolve issues for the

4 BLM or the DAC to have the real information so that we

5 could get things moving.

6 CHAIR BANIS: Thank you, Ed.

7 Sam, your thoughts?

8 MS. MERK: I concur with Ed. I do believe a

9 subgroup would be better because of FACA and all that.

10 I think that you have more of a chance of actually

11 input, legitimate input rather than just a subcommittee

12 in the long run. I've been doing this for 42 years.

13 CHAIR BANIS: Any other thoughts or folks that

14 want to offer? Looks like it may be where it's going.

15 Good.

16 MS. THORESEN: Thank you. Lisbet Thoresen,

17 SDMG, CFMS. You're retiring, yes? Are you not going to

18 be --

19 MEMBER MUTH: From my day job.

20 MS. THORESEN: Your day job. So you're not

21 leaving us. Okay. Good.

22 For DRECP it seems with the land use that

23 surveying seems to be an issue. This is not my

24 expertise. It seems to me there needs to be somebody or

25 should be somebody who knows a lot about hydrology and

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1 has that special expertise, especially where it concerns
 2 siting of projects that doesn't rely upon industry
 3 giving the assessment but somebody who is unbiased and
 4 independent.
 5 And then also, if you're going to do surveying,
 6 if you do aerial surveying or if you do
 7 ground-penetrating surveying in order to assess what
 8 resources are there in terms of water resource,
 9 underground water resource, and also archaeological
 10 resource, I made a recommendation at the last DAC
 11 meeting. I identified a person. I can't commit to him,
 12 but I would like to put him forward. He already does
 13 work with the BLM on a project at Ft. Ord. He's very
 14 well acquainted with this, and it seems to be there's a
 15 tremendous efficiency and incredible expertise. The
 16 name of that individual is Douglas Comer, and he has
 17 worked with JPL and is a geologist. So if not him,
 18 someone like him or someone to play that role for the
 19 other questions that impinge upon DRECP. A rockhound
 20 would be nice.
 21 CHAIR BANIS: Thank you. So very good. Do I
 22 have any motions?
 23 MEMBER LONG: I just have something.
 24 CHAIR BANIS: Please, Shelly, go right ahead.
 25 MEMBER LONG: Just one more comment before we

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1 make a motion. You had mentioned is there anyone out
 2 there who has more experience in our respective fields
 3 than we do, and I just want to interject one thing into
 4 that. It's not a hundred percent about experience.
 5 It's also about perspective.
 6 So for example, Leslie might be completely -- I
 7 mean, I'm sure he has read the DRECP front and back and
 8 knows renewable resources in that area. But there may
 9 be someone else who has also read it front and back and
 10 knows renewable resources but comes in with a different
 11 perspective, and so I think that's something just to
 12 take into consideration when we're looking at subgroup
 13 versus subcommittee.
 14 CHAIR BANIS: Wonderful. So do I have motions?
 15 Three, two, hearing and seeing none, we'll move on to
 16 the next agenda item, or would we like to carry on a
 17 discussion on this, or is this for information?
 18 Should we ask for some comments on this, or is
 19 this just to take home?
 20 DISTRICT MANAGER RANSEL: Why don't we hold
 21 off, since the public doesn't have a copy of it.
 22 CHAIR BANIS: Very good.
 23 DISTRICT MANAGER RANSEL: Does that work for
 24 you? Then we can work on it, once the public has it in
 25 hands. Is that okay?

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1 CHAIR BANIS: Absolutely.
 2 DISTRICT MANAGER RANSEL: One thing I might
 3 want to mention is sort of the proposed makeup of such a
 4 subgroup, and maybe I could mention that, and then if
 5 there's comments from the DAC or the public, can we talk
 6 about that?
 7 CHAIR BANIS: Absolutely, please.
 8 DISTRICT MANAGER RANSEL: So a proposed
 9 potential makeup for the subgroup, which is definitely
 10 open to comment, would be a representative of
 11 environmental groups or organizations, a representative
 12 of renewable resources groups or organizations, a
 13 representative of motorized recreation groups or
 14 organizations, a representative of non-motorized groups
 15 or organizations, a representative of wildlife groups or
 16 organizations, a representative of renewable energy
 17 industry, a representative of transportation
 18 right-of-way groups or organizations and a
 19 representative of the public at large.
 20 MEMBER ROBINSON: What about tribes?
 21 DISTRICT MANAGER RANSEL: Certainly that's an
 22 oversight, so that should be added, and Steve is taking
 23 careful notes.
 24 MEMBER BURKE: So we just named everybody here.
 25 CHAIR BANIS: Yeah.

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1 DISTRICT MANAGER RANSEL: So the thinking in
 2 that this proposed list is that this group was stood up
 3 to assist and support the CDCA, and so when we're
 4 thinking about a proposed makeup, we're thinking that
 5 the DRECP is simply an amendment to the CDCA and that
 6 the expertise that was identified for this group, I
 7 figure why reinvent the wheel? I mean, obviously we
 8 left someone off, so I greatly apologize. We should
 9 definitely make sure that that's added.
 10 And if there's people that we've missed, you
 11 know, certainly we can add them in. But we are sort of
 12 borrowing from this the model of the DAC.
 13 CHAIR BANIS: Bob.
 14 MEMBER BURKE: I would like to see a member of
 15 the ranching community added to that list.
 16 MS. MERK: Yes.
 17 DISTRICT MANAGER RANSEL: And that would fall
 18 under the renewable resources group. Does that work for
 19 you?
 20 MEMBER BURKE: That works for me.
 21 DISTRICT MANAGER RANSEL: Okay. So there's a
 22 slot that they can come on to.
 23 CHAIR BANIS: Correct. Good thoughts. Okay.
 24 Any other comment on that list? I wrote it down. So
 25 where do we go with it from here?

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1 DISTRICT MANAGER RANSEL: Do you want to ask
2 the public if they have any comments on the list?
3 CHAIR BANIS: Absolutely. It's good. Any
4 additions that the public can think of that they would
5 recommend?
6 MS. GOETZ: Where did recreation fall under
7 that?
8 DISTRICT MANAGER RANSEL: Recreation is
9 represented by a representative from motorized
10 recreation groups and a representative from
11 non-motorized recreation groups.
12 MR. LIEBSCHER: Mining?
13 DISTRICT MANAGER RANSEL: Mining would
14 generally fall into nonrenewable resources, so the
15 representative from nonrenewable resources could be
16 somebody from the mining industry, if that's how it pans
17 out.
18 MR. RAZO: So the process would be a news
19 release will go out seeking applications from the
20 public. It will be a 45-day period. They'll have when
21 to get your application in by, so kind of operate the
22 same way as the Mojave Trails National Monument
23 Subgroup, where the applications will come in, be
24 reviewed by the DAC and have the district manager. And
25 then I don't know how the timing will be. Hopefully by

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1 June we can announce what we have.
2 CHAIR BANIS: Earl, a thought?
3 MR. WILSON: Yeah. What's your member count?
4 Do you need an even number?
5 CHAIR BANIS: We don't necessarily need
6 odd-evens.
7 MR. WILSON: Okay.
8 CHAIR BANIS: It's not so much political votes.
9 Well, then do we have a decision to make? Any last
10 calls for motion on this? Any other thoughts? Not
11 hearing it. Very good. Then I think are you okay
12 with --
13 DISTRICT MANAGER RANSEL: And inclusion of a
14 tribal member.
15 CHAIR BANIS: Are you okay moving into an
16 afternoon recess, or do we need to kick this around just
17 another minute or two? Are we okay? We're good with
18 it.
19 Afternoon recess will begin. We have a
20 15-minute recess period. I'd like to see you all back
21 here at 3:20, 3:20, please. Thank you. We're in recess
22 until 3:20.
23 (An afternoon break was taken.)
24 CHAIR BANIS: Good work, everybody. Thank you.
25 Call the meeting back on order at 3:27 p.m.

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1 Next item on the agenda is going to be very
2 quick, I promise. Thank you, by the way, BLM, for
3 allowing me a chance to show this off. You don't have
4 to get up yet. It will be something on the screen.
5 That's okay. I can explain the genesis of this, if I
6 may. Poor Jim. He's got to hear this again. He's
7 probably heard it a hundred times.
8 MEMBER KENNEY: If only.
9 CHAIR BANIS: Let me explain what the
10 OwsheadGPS project is. Been eight years ago a lady and
11 her six-year-old son from Las Vegas decided to take a
12 day trip to Death Valley National Park. They brought
13 some PB and J sandwiches, a gallon bottle of water.
14 They came in from Nevada, and they came into
15 Death Valley through the Harry Wade Road.
16 And they ended up going all the way into the
17 Owshead Mountains because their brand-new Tom Tom GPS
18 at the time showed a road going from the Owshead
19 Mountains through the China Lake Naval Weapons Center
20 into the town of Trona. Well, that road hasn't existed
21 for decades and decades and decades. And in fact the
22 Tom Tom even had Death Valley National Monument as the
23 name. That's how old this data was.
24 That's the way GPS data was when these units
25 were first coming out and people were buying them. And

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1 you've heard many stories about errors in the GPS data
2 in the cities, about streets not being there or things
3 like that. The stuff that was not part of the cities,
4 the Public Lands route data was horrible, horribly
5 inaccurate.
6 Well, to continue the story, it was August. It
7 was 124 degrees. They got their Jeep Cherokee stuck,
8 and three days later, when the rangers found them, young
9 Carlos Sanchez had died. And so I thought what we
10 really needed was good background data for the Garmins
11 and the Magellans and the Tom Toms. We needed the
12 accurate route data or at least the best that we could
13 get so that people who do go into the backcountry can do
14 so as safely as possible.
15 So I thought about this idea. Why don't we
16 just go to all the different agencies, and we'll go to
17 the offices, collect their GPS route data, put together
18 a system and put it online. I went to Sacramento. This
19 was, again, eight years ago when I first started the
20 DAC.
21 I was set up a meeting at the BLM state office.
22 I sat down, and the BLM people came out with a diagram
23 of the exact same thing I had in my head. It's like,
24 "We've been thinking about this too."
25 The same day I met with the state OHV team.

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1 They assembled a team of 12 people for a big meeting.
2 They put out a diagram, exact same thing that was in my
3 head. They, too, had been thinking about it. So we
4 thought, let's do this. And at the end of that day with
5 the OHV Commission the only thing we decided was, how
6 are we going to get a server?
7 I'm, like, going, "Really? This is as far as
8 we're going to get? If this thing is going to happen,
9 I'm going to do it." And I went to Ed. I said, "Ed, is
10 this something that Friends of Jawbone can support? And
11 can we work together through the grant program?"
12 Ed said, "Go for it." So we did it in four
13 phases. With the help from the OHV Division, their
14 education and safety program, we did it in four phases.
15 We started in the Jawbone area just as a proof of
16 concept. Then we added the whole desert. Then I went
17 north to I-80, and phase four took us from I-80 to the
18 Oregon border.
19 So essentially it took four grants over five
20 years just to put that route data together. And so when
21 I finished, I was very excited because we now had an
22 overlay for your GPS device to take out in the desert.
23 And people said, "Gee, that's really cool. We don't use
24 GPS devices anymore. We all use iPhones and android
25 phones. So that's cool and all, but ..."

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1 Oh, okay. Okay. I dig it. So thanks again --
2 OHV Division is with us, and we have converted this to a
3 mobile application, and it's now -- this is our -- this
4 is going to be our release copy that's going to Apple
5 this week. Actually let me just start this off. Let me
6 start it off fresh. First that's the one on the bottom,
7 OwlsheadGPS.
8 The OwlsheadGPS program has three goals. Or
9 let's put it this way: The OwlsheadGPS seeks to keep
10 people on the designated trail because, when you stay on
11 the designated trail, you protect three things. One,
12 you protect your own safety, less likely to fall off a
13 cliff or go in a mine shaft. No. 2, you better protect
14 the sensitive resources that are on the ground. And the
15 third thing that you protect is, you protect this
16 activity for future generations because, if we all stay
17 on the designated trails, we have a better chance of
18 sustainable motorized recreational opportunities going
19 forward.
20 So what you do when you launch this application
21 is, if you are actually on -- if you are connected to
22 the internet, you can view all of these maps and all of
23 these routes, which is really neat. But I don't know if
24 you notice at the top it says, "No service." I'm not
25 even connected to the internet. That's because you can

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1 also download all of this. The background maps and all
2 the route data can be downloaded for the seven regions.
3 They're huge downloads. They take a while. But it's
4 worth it to have it in the field while you're out riding
5 around.
6 So here's some stuff around the Barstow Field
7 Office. We can roll down here. Now, the data comes
8 from the agencies. We don't massage it. We don't
9 ground-truth it. It is what it is, the good and the
10 bad. The oldest data that we have is the least accurate
11 data, obviously, because GIS was just evolving at that
12 time. The newest data that has been put together by the
13 government is the most accurate data, and so some of
14 this stuff is absolutely smack on.
15 You overlay some of this stuff in the forest,
16 the National Forest, and if I change this -- I can't get
17 satellite. If I was connected to the internet, I could
18 go on satellite background. You would see these trails
19 aligning right up on the money in some of those.
20 Some of the older route data, the WEMO route
21 data is really the trouble data, but that's 2002, 2003
22 and we'll get new data. That will be the next. The
23 next great set of data to come out will be WEMO data,
24 and it will be the best data that we have at that time
25 because it will be the newest.

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1 So let me go back out and just show you. This
2 application will be available for free.
3 MS. WOHLGEMUTH: Seriously, wow.
4 CHAIR BANIS: Because it's paid for by the
5 taxpayers, the OHV users themselves by the OHV funds,
6 they need to have this in their hands. And so those are
7 the seven regions. And thank you for letting me show
8 you this app.
9 Just one other little thing to push while I'm
10 here. We also have those -- you see these little -- we
11 also have -- you see these printed CTUC maps that are in
12 front of you? We also have these printed maps in apps
13 that actually store on your phone so, when you're in the
14 backcountry and don't have the cell signal, you can see
15 it on your map and reference it.
16 So where are we? Let's try Barstow. Here's
17 the San Bernardino National Forest BLM map. So that's
18 the printed map that you see right in front of you, the
19 plain old georeference map. Hit the "find me" button.
20 There we are.
21 MR. MANN: So if you try to go from Nevada to
22 Trona, do you not go on that trail?
23 CHAIR BANIS: You will not see that trail. You
24 will see Death Valley National Park. So these maps that
25 are available, we have the mobile apps, and we keep

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<p>1 growing these apps as we add the paper maps to the 2 series.</p> <p>3 So I just want to show you what we've been 4 working on and what we're trying to do to get the route 5 data out to the public.</p> <p>6 MR. WALDHEIM: Tell them Jawbone, we're working 7 on No. 12 now.</p> <p>8 CHAIR BANIS: The Friends of Jawbone map is in 9 its 12th edition. This application here, this Friends 10 of Jawbone app is the 11th edition app. So when the 11 12th is done, we'll have that as well.</p> <p>12 MR. WALDHEIM: And every route that is on there 13 with a number is so signed on the ground.</p> <p>14 CHAIR BANIS: And you've got your discovery 15 points, Burro Schmidt's Tunnel, show on map. Then 16 find me. I'm off the map. But once I get on the map --</p> <p>17 MR. MANN: Can you say, "I want to go from here 18 to there," and it will route you?</p> <p>19 CHAIR BANIS: No. It doesn't do routing, 20 because what you're seeing here is an image. It's 21 graphic.</p> <p>22 MS. HIDALGO: But on the paper ones as well.</p> <p>23 CHAIR BANIS: This is the paper one. On the 24 app when you hit "find me," it shows where you are.</p> <p>25 DISTRICT MANAGER RANSEL: Will it route you on</p>	<p>1 MR. WILSON: Where's the fossil bed? Is that 2 whole area there?</p> <p>3 CHAIR BANIS: Yes. So thank you. Any 4 questions?</p> <p>5 MEMBER LONG: Well, first a comment. This is 6 awesome. I mean, the first thing that popped into my 7 head when I saw the maps is, like, what happens if you 8 don't have any reception? And you guys thought of that 9 by the downloadable map. So that's a very cool program.</p> <p>10 My one question -- and I know you're 11 anticipating that someone is going to ask this 12 question -- is, what about android?</p> <p>13 CHAIR BANIS: Yes, we have it.</p> <p>14 MEMBER LONG: Awesome.</p> <p>15 CHAIR BANIS: They're all available. Sometimes 16 they come a little bit later, couple of weeks, couple 17 months behind. But we do develop android as well as the 18 iPhone.</p> <p>19 MR. WALDHEIM: And just tell them we also -- 20 through the grants program we're updating the maps, so 21 it's numbered 11, three, four. Each one of the maps are 22 being updated.</p> <p>23 CHAIR BANIS: Exactly.</p> <p>24 Bob?</p> <p>25 MEMBER BURKE: Where do I get this?</p>
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<p>1 the app?</p> <p>2 CHAIR BANIS: No. Believe it or not, the 3 routing is a times-ten factor, not to say it's not on 4 the extended list for things that we want to add. 5 Routing requires a kind of indexing of all the 6 intersections along the way into a separate database. 7 Hopefully we will be able to do it at some point.</p> <p>8 MR. WALDHEIM: If you turn on your iPhone and 9 have the map, it will tell you where you are and it will 10 tell you if you're off trail or on trail.</p> <p>11 CHAIR BANIS: It's following you and tracks 12 you, so within about a hundred feet you should know 13 whether or not you're on the designated trail or not. 14 So turn around and go back if you're seeing yourself 15 going out into the middle of nowhere.</p> <p>16 One other thing to show you on this. This is 17 one little thing from yesterday. I was bragging a 18 little bit yesterday, so I'll brag again: the Amboy map 19 series. And we went over here to the -- here we are we. 20 We went to the Marble fossil beds, and there's that 21 question about the private property. Do you see that 22 little gray space right there in the middle? That's the 23 private property piece. So we have it. If people want 24 to look at it, they'll know if they're on private 25 property or not. So that's a helpful thing too.</p>	<p>1 CHAIR BANIS: iTunes or Google Play.</p> <p>2 Thanks, Will.</p> <p>3 MR. LIEBSCHER: So I live in a remote place. I 4 have two designated trails on both sides of me. And I'm 5 actually seeing people that are riding their motorcycles 6 and stop and looking at their smart phones. I see 7 people with side-by-sides and ATVs using this 8 application in the field to find out where they are.</p> <p>9 And to answer your question about what I think 10 the next step is and for you, too, Randy, is to put the 11 GPS on every one of the kiosks that the BLM has out 12 there and anything else that you can put a GPS location 13 on. You should locate all that stuff, one, so we can 14 keep track of it and it isn't a litter to the desert and 15 we can go back and pull it back if we need to.</p> <p>16 But routes change. But, too, is so that 17 everybody kind of can find out if they have an emergency 18 or something they can know where they are, just like the 19 blue phones besides the highways. You can pick up the 20 phone, tell them what box you're calling from and 21 they'll dispatch emergency services. And that helps 22 people locate where they are exactly. And that needs to 23 be on every kiosk and every piece of literature that you 24 can get it on in the desert, because people are using 25 this. It's excellent.</p>

<p style="text-align: right;">Page 222</p> <p>1 MS. THORESEN: What a testimonial. You said 2 you got your data from WEMO data. They've got over at 3 the BLM office with that map data from WEMO lots of 4 annotations, information about rockhound sites, people 5 who have input and provided that information, like 6 Kim Erb spent two days putting in collecting sites. 7 There was a geologist whose name escapes me 8 now -- it was something like Woodhouse or Greenwood, 9 something like that -- a number of years ago who input a 10 number of collecting sites. Is it possible those layers 11 or data could be imported with a special 2.0 app for 12 rockhounds based on this which you produced? 13 CHAIR BANIS: That sounds all possible. You 14 know, when you start the framework of things like this, 15 yes, it makes things like this possible. 16 MS. THORESEN: But you were funded through this 17 grant program? 18 CHAIR BANIS: Through the OHV Division. It's 19 through the OHV Division. But what it does, it provides 20 motorized opportunities. It is recreation and I do 21 think to some extent points of interest. I believe that 22 points of interest are a key component of a designated 23 trail network. They work hand in hand with keeping 24 people in the places that are most appropriate for them 25 to be with their vehicles. So, yeah, I think there's</p>	<p style="text-align: right;">Page 224</p> <p>1 rockhound areas that you would like us to identify, we 2 are not going to put them all on this, but let us know 3 which ones you would like to see for people to go. We 4 could put those on as a site to go look at. That's 5 something we could add on. We could put a number on as 6 a discovery point. 7 MS. THORESEN: That is the useful thing. But 8 part of the reason I ask is, we don't know what we don't 9 know. We don't know what the BLM has in their database. 10 And you have now got a user interface that makes 11 available this information. So I was just suggesting 12 that, if not that, another interface be made available, 13 because the data is sitting there. We would very much 14 like to have it. That's a beautiful application. 15 CHAIR BANIS: Talk about it. We'll maybe find 16 another way. 17 The last point is, to close the story, I was 18 trying to get this data together and maybe have it go to 19 the GPS companies. We signed an NDA with Apple. They 20 looked at it, but we never heard back. Garmin wasn't 21 even interested. But Magellan took it. So now our 22 route database is reflected on Magellan GPSs. So I'm at 23 least happy that that company has taken to that. 24 And it's the No. 2 companies, not always the 25 No. 1 company. Sometimes the No. 2s really do the right</p>
<p style="text-align: right;">Page 223</p> <p>1 arguments for that. 2 MR. LIEBSCHER: I was going to say, Randy, tell 3 them about the Marine Corps app that shows whether 4 you're either on the military base or you're in BLM 5 land. 6 CHAIR BANIS: Know that Johnson Valley, the 7 Marine Corps put out an application for Johnson Valley. 8 It's a neat application. It tells you when the 9 shared-use area is in use by the military and when it's 10 not, and it has some great other data. And it shows you 11 your locations. It's a great app. They did a very nice 12 job. 13 MR. WALDHEIM: As far as points of interest are 14 concerned, we reserve the right to eliminate or remove 15 anything on the map. It's our map. We will not add 16 anything that the BLM or the Forest Service doesn't want 17 to be added. So we go through them. They verify it. 18 I'm okay. But if something gets too busy, too heavy and 19 is a trail, we will eliminate something from the trails. 20 Guzzlers -- some say they want guzzlers. 21 Ridgecrest said no guzzlers. So we're not putting 22 guzzlers on our maps because they're not there for the 23 public to see. Those people who need to know need to 24 know. 25 As far as rockhounds, if there's some specific</p>	<p style="text-align: right;">Page 225</p> <p>1 thing, and I appreciate that. So thank you. 2 If there are no more questions or comments, 3 let's move to wrap-up and summary. There was a 4 redundant doubling, I'm afraid. The comments on DM/FO 5 reports was already done in the morning. And by the 6 way, Earl had an idea for me. Just want to explain to 7 the public on the first page what we did in the morning 8 under reports, "SO" means state office; "DM" means 9 desert manager; "FO" is the field office. So that's 10 what those are. And so since we took care of it this 11 morning, we don't need to do it again this afternoon. 12 So I would say, does anybody wish to have the 13 floor with respect to closing the meeting with their 14 comments and their thoughts on the field trip and 15 today's meeting? 16 DISTRICT MANAGER RANSEL: I have some comments 17 if nobody else does. Does anybody else want to go 18 first? 19 CHAIR BANIS: Anybody want to go first? Then, 20 Beth, you're on. 21 Leslie, please. 22 MEMBER BARRETT: Actually just on future agenda 23 items, I just want to reaffirm again, Al, you had 24 indicated a future agenda item you wanted to see, and I 25 concur with that too. If there is any other future</p>

1 agenda items from others here as well, now would be an
 2 appropriate time.
 3 CHAIR BANIS: Those two were the Joshua Tree
 4 expansion and King of Hammers follow-up.
 5 Bob.
 6 MEMBER BURKE: Following up on the future
 7 agenda items, since I believe Ridgecrest hopefully will
 8 be our next meeting in conjunction with the national
 9 monuments in our area, I would hope that we can arrange
 10 for a field trip to the regional corral. I would like
 11 to see that.
 12 CHAIR BANIS: Please, Billy.
 13 MEMBER MITCHELL: I would like a follow-up on
 14 ten-year leases on the agenda.
 15 CHAIR BANIS: Gotcha.
 16 MEMBER MITCHELL: I think East Mojave -- I
 17 think, yeah -- I think it's just the West Mojave. I
 18 think East Mojave, all those people are fine out there
 19 right now, so it will just be West Mojave.
 20 CHAIR BANIS: Got it. Thank you. Very good.
 21 Any last thoughts?
 22 Beth, would you like the microphone?
 23 DISTRICT MANAGER RANSEL: Sure. I just want to
 24 say -- I want to once again say thank you all for
 25 spending your Saturday with us, and many of you spent

1 your Friday with us as well. And I do know that it was
 2 on short notice, and once again I definitely apologize
 3 for not getting some of the materials out timely or not
 4 yet and for some of the last-minute logistical things
 5 that had to happen.
 6 But I think this was a very worthwhile meeting,
 7 so I'm extremely glad that we went ahead and moved
 8 forward with having this meeting, and I appreciate all
 9 the dialogue and the information that's been provided
 10 and the feedback.
 11 And I once again welcome our new DAC members,
 12 and I can tell already we're definitely going to have
 13 some very robust involvement from DAC members and good
 14 discussions. And I appreciate all of that. And I look
 15 forward to seeing you all at the next meeting in June.
 16 CHAIR BANIS: I've been asked by Billy.
 17 MEMBER MITCHELL: Katrina, can you give us an
 18 update on where the Stone family is on their turnout and
 19 the year-round lease on scoping? And I think I know
 20 where Irene is and Ralph, real quick.
 21 MS. SYMONS: Anthony is working on that scoping
 22 report. We're expecting to have that document out after
 23 I get back from the state leadership team.
 24 MEMBER MITCHELL: You did get it from
 25 Jack Hamby, then?

1 MS. SYMONS: Yes. By the middle of March I'm
 2 expecting that.
 3 MEMBER MITCHELL: I know you probably can't
 4 state. You think we'll be able to have to pull those
 5 cattle out before the lease?
 6 MS. SYMONS: That's just a scoping report,
 7 Billy. That is not the environmental document. The
 8 environmental document won't be done until probably
 9 closer to this summer, because Anthony is working with
 10 Jack Hamby on that.
 11 MEMBER MITCHELL: All right. Thank you.
 12 MR. WALDHEIM: Randy, can I say two things, two
 13 things in the public we didn't talk about. The 1,500
 14 tortoises that the public notice came out that they're
 15 taking away from Ft. Ord -- not Ft. Ord -- from
 16 29 Palms.
 17 CHAIR BANIS: That was items not on the agenda.
 18 That would be the morning.
 19 MR. WALDHEIM: This is unconscionable. I
 20 cannot believe we're taking 1,500 tortoises away. I did
 21 not even know about that. I would have fought that like
 22 crazy. That's absolutely crazy. We should do something
 23 about it.
 24 Then the map on the back there. Katrina
 25 provided a map that's 148 miles of trail, Bureau of Land

1 Management land that San Bernardino County is
 2 maintaining. There's no agreement between the county
 3 and BLM to doing that, and they want to decide to maybe
 4 make that street legal or not street legal. And I'm
 5 totally upset about that because it affects a whole
 6 bunch of people. It affects people, locals also. So we
 7 need to talk about that and see what's going to go on
 8 there.
 9 CHAIR BANIS: As I understand, there will be
 10 scoping, a Notice of Intent and --
 11 MS. SYMONS: Yeah. We're looking at the public
 12 meeting April 19th and 20th about street legal only.
 13 Once again the proposal coming forward is to make it a
 14 temporary restriction until such time that the WEMO
 15 Record of Decisions are issued, which is expected by
 16 October of 2019.
 17 So the temporary restriction for street legal
 18 only on San Bernardino County Works
 19 Department-maintained roads, April 19th and 20th. We'll
 20 be working with Steve to get out that news release.
 21 DISTRICT MANAGER RANSEL: So one point of
 22 clarification. This wasn't something on the agenda. I
 23 think Katrina is just trying to expose a few people to
 24 it, but it's going to have a full public process. And
 25 it should not come as a surprise, because we will be

1 talking to you about this. This is not something that's
 2 going to happen tomorrow or next month. It's something
 3 that's going to take a full public process in order for
 4 us to do even the temporary.
 5 CHAIR BANIS: In fact it sounds like this
 6 public process will be right in full swing about the
 7 next DAC meeting in June, so it could be a more timely
 8 opportunity for us to discuss it.
 9 Shelly?
 10 MEMBER LONG: Yeah. I just wanted to remark on
 11 the tortoise issue. I'm not sure when they are set to
 12 be released or if it's already been accomplished. But
 13 if they are not set to be released until after the next
 14 DAC meeting, there might be something we want to add to
 15 the agenda. It's a right-of-way issue as well, because
 16 I know that the tortoises were released at least onto
 17 the So Cal Gas right-of-way without notifying us.
 18 CHAIR BANIS: Okay. I've written that down as
 19 well. Thanks.
 20 MEMBER LONG: Thank you.
 21 CHAIR BANIS: Very good. If there are no other
 22 comments, questions from the DAC members -- any more
 23 comments or questions from the DAC members, do I have a
 24 motion to adjourn?
 25 MEMBER MITCHELL: Motion to adjourn. Do I have

1 a second?
 2 MEMBER KENNEY: Second.
 3 CHAIR BANIS: Those in favor? Opposed?
 4 (Voice vote taken.)
 5 CHAIR BANIS: Good. Very good. Thank you,
 6 everyone. We're adjourned at 3:53. We are adjourned
 7 until the next meeting, June 15th and 16th. Thank you.
 8
 9 (The meeting was adjourned at 3:53 p.m.)
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 11 ---o0o---
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MOTIONS

- 3 A. Maker: Mitchell
 4 Seconder: Banis
 4 Motion: To accept the October, 2016 meeting
 5 minutes
 5 Result: Carried
- 6 B. Maker: Burke
 6 Seconder: Muth
 7 Motion: To nominate Randy Banis as DAC chair
 7 Result: Carried
- 8 C. Maker: Banis
 9 Seconder: Kenney
 9 Motion: To nominate Bob Burke as DAC vice
 10 chair
 10 Result: Carried
- 11 D. Maker: Mitchell
 12 Seconder: Kenney
 12 Motion: To adjourn the meeting
 13 Result: Carried

CERTIFICATE

1
 2
 3
 4 I, Diane Carver Mann, CSR No. 6008, in and for
 5 the State of California, do hereby certify:
 6 That the foregoing ___ pages were taken down by me
 7 in shorthand at the time and place stated herein and
 8 represent a true and correct transcript of said
 9 proceedings.
 10 I further certify that I am not interested in
 11 the event of the action.
 12 Witness my hand this ____ day of
 13 _____, 20__.
 14
 15
 16
 17
 18
 19
 20 _____
 20 Certified Shorthand
 21 Reporter in and for the
 22 State of California
 23
 24
 25