

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

LOCATION: Victorville Hilton Garden Inn
12603 Mariposa Road
Victorville, CA

DATE AND TIME: Saturday, March 26, 2011
8:13 a.m. to 4:28 p.m.

REPORTED BY: JUDITH W. GILLESPIE, CSR, RPR, CLR
(CSR No. 3710)

JOB NO. : 69578JG

A P P E A R A N C E S

MEMBERS PRESENT:

REPRESENTING:

CHAIR RANDY BANIS

Public-at-Large

THOMAS ACUNA

Renewable Energy

MEG GROSSGLASS

Public-at-Large

PATRICK LLOYD GUNN

Wildlife

BRAD MITZELFELT

Elected Official

ALEXANDER SCHREINER, JR.

Renewable Resources (Absent)

APRIL SALL

Public-at-Large

DINAH O. SHUMWAY

Nonrenewable Resources

RICHARD RUDNICK

Renewable Resources

MONICA ARGANDONA

Environmental Protection
(Absent)

RICHARD HOLLIDAY

Recreation

BLM STAFF PRESENT:

TERI RAML, District Manager, California Desert
District (CDD)

BEKKI LASELL, CDD Deputy District Manager, Operations
Support

JACK HAMBY, CDD Associate District Manager

STEVE RAZO, CDD External Affairs Officer

DAVID BRIERY, CDD External Affairs Specialist

AL STEIN, CDD Resources Manager

JENNIFER WOLGEMUTH, CDD, Administrative Assistant

HECTOR VILLALOBOS, Ridgecrest Field Office Manager

JOHN KALISH, Palm Springs Field Office Manager

RUSTY LEE, Needles Field Office Manager

MARGARET GOODRO, El Centro Field Office Manager

ROXIE TROST, Barstow Field Office Manager

LARRY BLAINE, Barstow Field Office Chief of Recreation

MICKEY QUILLMAN, Barstow Field Office, Assistant Field
Manager

PATRICK CHASSIE, Barstow Field Office, Chief Ranger

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1 Victorville, CA

Saturday, March 26, 2011

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

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CHAIRMAN BANIS: Thank you, ladies and gentlemen. I would like to convene this meeting of the Desert Advisory Council to order. And first, I would like to ask my friend Tom Acuna to lead us in the pledge of allegiance.

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(Pledge of allegiance)

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CHAIRMAN BANIS: Thank you all for coming today. I appreciate you taking this Saturday out of your schedule to join us here. And while I was standing outside having a cup of coffee this morning, I could see all the City's recreationists rolling up the freeway to enjoy a fun weekend, and nothing would be more enjoyable than to be out there with them. And I know you are sacrificing your time to be with us, and we appreciate it very much.

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I would like to introduce myself. I'm newly elected chairman of the Desert Advisory Council. Before I do the introductions, I would like very much to say a word of thanks to Tom Acuna, who has served as chairman prior to me.

25

Tom guided us through a time in which we were

1 finding our mojo. And Tom was a terrific partner.
2 Tom challenged me regularly to think differently, to
3 think creatively and constructively and to see if
4 there is something we have never done before, and the
5 way to address some issues very unique for us all.
6 And Tom's leadership was really inspirational for me,
7 and I'm going to have a very hard act to follow in
8 this upcoming year.

9 And I would like for all of you, if you
10 would, kindly join me in a round of thanks to Tom for
11 his services.

12 (Applause from the audience.)

13 Fortunately, Tom isn't leaving the Council.
14 Tom's term is still well in swing, and therefore, I
15 would like to introduce -- going off to my right
16 around the table -- to introduce the rest of the
17 Council members, please.

18 MEMBER ACUNA: Tom Acuna representing
19 renewable energy. Thank you for your kind words and
20 thanks DAC and community for allowing me to serve you.
21 Thanks.

22 MR. HALLENBECK: Good morning. I'm Tom
23 Hallenbeck. I represent transportation and
24 rights-of-way.

25 MEMBER GUNN: Good morning. My name is

1 Patrick Lloyd Gunn. I represent wildlife.

2 MEMBER SALL: Good morning. April Sall,
3 public-at-large.

4 MEMBER HOLLIDAY: Dick Holliday, recreation.

5 MEMBER RUDNICK: Richard Rudnick, renewable
6 resources.

7 MEMBER SHUMWAY: Dinah Shumway, nonrenewable
8 resources.

9 MEMBER JOHNSTON: Ron Johnston, public-at-
10 large.

11 MEMBER GROSSGLASS: Meg Grossglass, public-
12 at-large.

13 MR. MITZELFELT: Brad Mitzelfelt, San
14 Bernardino County, elected official.

15 DIRECTOR RAML: I'm Teri Raml, Desert
16 District manager and Designated Federal Official for
17 this DAC.

18 CHAIRMAN BANIS: We have numerous public
19 comment periods on the agenda today. It would help me
20 greatly to keep organized if you would complete a
21 speaker card available in the back of the room and
22 when completed, if you would be so kind as to hand it
23 to the table to my left, and they will bring it up to
24 me and make sure that I keep organized today.

25 The public comments will be limited to three

1 minutes per individual, per speaker comment period.
2 And if there is -- first, this is important. If there
3 is an item you would like to speak about that is not
4 on the agenda, that will be the first comment period
5 on the agenda. So please think for a moment about
6 what you would like to say to us today, review the
7 agenda that's in front of you, and see which of the
8 items are of most interest and fill out the speaker
9 cards accordingly. That will help me make sure that
10 everyone gets a chance today.

11 First thing we would like to do, please, is
12 to take a motion to approve the transcripts from the
13 last meeting, the December 11th meeting of the DAC.
14 Are there any -- do I have a motion or comments on
15 that, please?

16 MEMBER SALL: I will make a motion.

17 CHAIRMAN BANIS: I have a motion from April
18 to accept the transcript. Do I have a second?

19 MEMBER ACUNA: Second.

20 CHAIRMAN BANIS: Second from Tom. In favor,
21 aye; opposed? Motion passes. We also would like to
22 review the agenda for today. Are there any items that
23 are not on the agenda that need to be added at this
24 last minute? Hearing and seeing none, is there a
25 motion to approve the agenda?

1 MEMBER GROSSGLASS: I move we approve the
2 agenda.

3 MEMBER ACUNA: Second.

4 CHAIRMAN BANIS: Second by Tom. Are there
5 any objections? Hearing and seeing no objections, the
6 agenda is passed.

7 Our first item of business is to review a
8 long and productive day that the DAC spent together to
9 review a number of business meeting actions and
10 proposals. It's a continuing effort to organize
11 ourselves and to find our way, and I would like to
12 take a moment, and with Teri and I together, I think
13 we can try to do our best to summarize what was really
14 a productive and creative day.

15 The first thing, as I mentioned earlier, I
16 was lucky enough to enjoy the support of my colleagues
17 to serve as chair for this upcoming year, and I
18 appreciate that. And I will do the very best I can
19 and make myself available as often as possible to help
20 with anything that my colleagues and the BLM needs.

21 But I would also like to announce that a vice
22 chairperson was selected, and I'm pleased to say that
23 the vice chair is April Sall.

24 (Applause from the audience.)

25 The first thing that we touched on was a

1 quick strategic work plan that we went through all
2 together, and I want everybody to look at this because
3 it's important to understand what the DAC is and in
4 some ways, what the DAC isn't. You know, a sedan
5 doesn't do very well on the Mojave Road, but my old
6 Land Rover doesn't really do too well on the freeways.
7 Each of them I love, but they are what they are, and
8 you put those special characteristics to use as
9 appropriate.

10 And we spent a good deal of time on some of
11 our guiding documents, the charter and the bylaws.
12 But first, to review some of the roles. The most
13 important thing to understand is that the mission of
14 the DAC is to provide advice to the BLM through the
15 Designated Federal Officer, which is the Desert
16 District manager, Teri Raml. And as we think about
17 the issues and the things that we want to provide
18 advice on, we should do so in the context of providing
19 that advice to the DFO.

20 The DAC, by the charter, is a vehicle for
21 taking public comment. Not only to take public
22 comment to the BLM, but it's important to provide the
23 public comment to guide the DAC itself in our
24 decisions. So over the course of the day, as you help
25 us in deliberating the issues and help inform us of

1 the issues, it would be very helpful, please, to focus
2 as much as possible on the issues at hand that we are
3 challenged with trying to make a decision on. And to
4 focus those comments in a way in which the Designated
5 Federal Officer can make use of that advice and the
6 DAC can make use of that advice to help guide us all
7 on these issues.

8 This is important, too -- the DAC is also
9 important because it provides a way in which the BLM
10 can reach out to the various constituencies. Many of
11 you who are here today may find a representative or
12 two at this table that serves the interest that you
13 have, and we would like very much to reach out to you
14 and reach out to our constituents to make sure that
15 you are involved and that you are informed and try to
16 facilitate your involvement on the issues of the BLM.

17 DIRECTOR RAML: Yes, so one of the -- as we
18 are talking about the strategic plan -- let me back up
19 and I will introduce myself a little bit.

20 I have been here a year now, and it's been a
21 wonderful year and I have been involved -- we have had
22 four DAC meetings during that time. And I was
23 thinking, because of the capacity of this particular
24 group of individuals that serve on the DAC, that we
25 had an opportunity to even focus our work and even

1 become even more strategic.

2 So we put quite a bit of effort in the last
3 several months to putting together a strategic plan
4 that's going to be helpful for the BLM and helpful for
5 the DAC members and hopefully helpful for the public
6 that's interested in certain issues that the DAC
7 brings to the table. But one of the items we talked
8 about is what merits the Desert Advisory Council's
9 attention. And this was expressed by the Council
10 itself, that the three things that will help guide
11 what they take into consideration are their ability to
12 be effective in that issue, and also to be able to
13 come together to deliberate, provide advice to me in a
14 timely way.

15 Some of the issues that the BLM meets with,
16 if an issue comes up and gets resolved within two
17 months, then it may not be timely for DAC
18 consideration. So one is to have the topics addressed
19 for the DAC to be able to provide timely input. And
20 as all of you know, everybody is busy. We all have
21 way too much to do: Business, family, hobbies,
22 vocations. And for this group of people to spend time
23 on something, it needs to be of significance. They
24 want to spend their time and BLM is interested in
25 having them spend their valuable time on issues

1 important to the Desert District as a whole.

2 There are lots of forums for people to
3 provide, but for this particular Council it needs to
4 matter to the desert as a whole. So those are the
5 screens that we will collectively use to determine
6 what the DAC will work on.

7 So part of it was -- I will talk a little bit
8 about the process we used to kind of come up with the
9 topics for themes. I was interested in -- it's
10 obvious that there are certain priorities. So what we
11 did is I took the California BLM strategic plan that
12 our state directors put together, which is very broad
13 and has lots of topics. And we walked through each of
14 those topics on the strategic plan and kind of looking
15 at the criteria that I discussed, I had some critical
16 items for the DAC to work on, critical topic areas for
17 the DAC to work on.

18 What would be the best way for us to approach
19 our work on these items? And the way that seemed to
20 make the most sense to us was to establish a key
21 theme. So looking at those priority items or issues
22 or programs to basically target, each of our meetings
23 will be dedicated to that theme. So rather than
24 having a meeting that kind of hits everything lightly,
25 what we will do is we will pick our theme. We have

1 chosen themes, and we will organize our work, our
2 public comments, our speakers we bring to the meeting
3 all around that particular theme.

4 The benefit of that is that it allows us to
5 target the specific issues -- the BLM is big, we are
6 big, we have lots going on -- and by using a key theme
7 approach it will allow us to seek advice on specific
8 issues, this idea of providing focus. The other thing
9 is to allow us to have proper time to prepare for
10 these meetings and also to be able to engage the
11 subgroups and the BLM staff to prepare for these
12 themed meetings. So it's kind of a focus.

13 At the end of all this -- and this is
14 important to all of us -- is to be able to make a
15 difference. So the BLM's commitment is to be able to
16 report back to the DAC and also to the public, who is
17 interested in following what the DAC does, how their
18 work has made a difference and how their advice has
19 been taken. And in the cases where we can't take
20 their advice, why we were not able to.

21 The themes for the DAC for 2011 should be no
22 surprise to folks here. The first theme is to
23 continue to be engaged in renewable energy. To all of
24 us, the renewable energy program and the BLM's
25 involvement in it is a big issue, and we will continue

1 to seek DAC advice on renewable energy.

2 And second -- and that certainly speaks to
3 the number of people gathered in the room today -- our
4 focus will be on providing safe, quality, cost-
5 effective recreation opportunities. And for the BLM,
6 we never can do this work alone. And to do it in
7 partnership with others.

8 We will continue to do some work on user
9 fees. We are not exactly entirely sure how that will
10 be formulated now, but the DAC will have a role
11 working with the subgroups, most likely, in reviewing
12 our policies and proposals for user fees.

13 And then our fall meeting is to take a look
14 at the larger California desert landscape, or for us,
15 the National Landscape Conservation System. And I
16 discovered yesterday we have a lot of communication
17 challenges ahead, but basically to talk about that BLM
18 portfolio that includes wilderness areas, national
19 monuments, our trails, our wide and scenic rivers, and
20 spend some time with DAC and interested public on
21 discussing how BLM California or the Desert District
22 specifically can increase our effectiveness in
23 communicating about the larger California landscapes
24 or our National Landscape Conservation System.

25 CHAIRMAN BANIS: We are doing a little tag

1 team here to give our vocal cords a rest.

2 We have agreed also that it's best -- it's
3 important for us to receive periodic updates from the
4 BLM and the various agencies for the various
5 activities here in the Desert District. And we have
6 done that in the past and we will continue to do that,
7 and that's going to be a key focus for us because we
8 do need to remain educated and informed so we can
9 offer the best advice possible. And we will try
10 through the course of the agendas to focus those
11 agendas on a selected theme, a major issue that wraps
12 around -- it's a wrapper for that meeting.

13 We will want to leave room on the agenda and
14 a place on the agenda for critical issues that pop up
15 and that require our attention, but rather than
16 spreading ourselves out on every issue all the time,
17 it might be better to give us a theme that we can
18 address more deeply.

19 The DAC will also be discussing what those
20 themes will be in advance so that the BLM will be able
21 to have time to -- and other agencies will have time
22 to prepare good presentations for not only the DAC but
23 for the public, rather than dropping issues on them at
24 the last minute and having to scramble. I think we
25 are going to have much more in-depth and helpful

1 information.

2 The BLM will also be engaging the DAC so that
3 we can engage the public, work with the public, and
4 focus our attention on those issues that will really
5 help the BLM.

6 The next slides go in detail on the four
7 issues. I'm going to hand the microphone back to
8 Teri. We talked a bit over these, and I think Teri
9 has some insight on these major key issues that we
10 will be looking at as our themes.

11 DIRECTOR RAML: The topic of renewable energy
12 for the DAC has been a challenge for us because of the
13 numerous public processes available for input. And at
14 the same time that they were available for input,
15 there is also some rather large processes. So when we
16 talked about how we would tackle renewable energy, we
17 went back to those three: Can you be effective,
18 significance, and timeliness.

19 And I think what is really guiding our work
20 on renewable energy, there is certainly an opportunity
21 for DAC to be effective in providing advice. There is
22 certainly significance in the renewable energy
23 program, but where we bumped up against it was
24 timeliness in terms of project input. And last year
25 the DAC worked very successfully in kind of going

1 really down into the details on certain projects.

2 But what we recognized is that certainly at
3 the individual solar or wind project level, the DAC's
4 advice couldn't be timely. So we stepped back and
5 took another approach for looking at this. What I am
6 looking for as advice from the DAC is some advice on
7 the BLM, and me in particular, and be effective in
8 working on these larger processes.

9 We were very active, a number of the DAC
10 members are active in the Desert Renewable Energy
11 Conservation Plan, and I think what I'm seeking advice
12 on is how to increase our effectiveness in that arena.
13 And we also have a solar Programmatic EIS underway,
14 also looking for advice if there is anything
15 associated with those bigger programmatic documents
16 where BLM can pay more attention or pay appropriate
17 attention to all issues.

18 I think the other thing is the interested
19 advice on the renewable program is a very large
20 program, and it requires a lot of attention. But the
21 impact right now of the projects that we are -- the
22 applications we were processing is still really
23 relatively small. So one of the things I'm interested
24 in and what I need to do to help this conversation
25 with the DAC is to provide a little bit of perspective

1 on how renewable energy fits on the California desert
2 and seek their advice on that, on how to communicate
3 that to make sure we are doing a good job of
4 describing for the entirety of the BLM, California
5 Desert District's portfolio, where the renewable fits
6 with other programs.

7 I mentioned there are lots of ongoing
8 processes, lots of scoping periods, lots of public
9 comment periods on drafts. We also have some new
10 processes where we have pre-application meetings open
11 to stakeholders. One of the things I'm going to be
12 seeking advice on is the adequacy on the public input
13 processes, and is there more we should do. If you
14 look at the back table there, you will see we have a
15 lot of information on our Web site. We have the
16 official processes by which we announce meetings and
17 comment periods.

18 But at times are we seeking advice and in the
19 right place to encourage public involvement in these
20 processes? One of the things about these themes, the
21 theme approach to these meetings is we are raising the
22 bar a little bit on preparation, the quality, quantity
23 of preparation by the BLM and also the lead time. So
24 those are the items we will continue to do.

25 We will continue to provide briefings. I

1 think the DAC has expressed interest on updates on
2 individual projects, so we will continue to do that as
3 part of the meeting. And we will also -- I will also
4 communicate back to the DAC on how input from them is
5 being utilized.

6 The date and location, we are going to have a
7 piece on renewable energy at this particular meeting,
8 but yesterday at the meeting, we also determined that
9 we want to have one more -- I don't know if I'm
10 jumping ahead a little bit, but we are going to have
11 one more opportunity for the DAC to talk about
12 renewable energy in a more focused manner in between
13 now and the next stakeholder's meeting for the DRECP.

14 Next topic: Near and dear to all of us,
15 recreation. So recreation in the Desert District is
16 huge and it's broad and it's varied, it's important.
17 And there is no way that we could proceed without
18 spending significant time on recreation programs. So
19 one of the things we are looking at is particularly in
20 the line of safety, quality and cost effectiveness of
21 how BLM delivers its recreation program. And we are
22 going to be seeking input on that.

23 One of the things that is probably no secret
24 to all of us if you are listening to the news, the
25 federal budget is in the news. And I think BLM always

1 wants assistance, but I think we may be facing times
2 when we are going to be looking for even more
3 assistance. We are looking for ways and advice how we
4 can increase volunteers and expand our partnerships.
5 I can't even begin to describe the partnerships.
6 Every time I meet with the field managers, I find out
7 about new ways for partnerships. There are a lot of
8 people that live in this area, and is there a way that
9 we can increase our use of volunteers?

10 The other is -- I think similar to the
11 renewable energy program in terms of conversation
12 versus breadth, we spend a lot of time talking about
13 motorized recreation. But I know that other forms of
14 recreation in the California Desert District are
15 important to people. Often those folks aren't as
16 organized, so we also want to have a discussion and
17 seek advice on the broad array of recreation
18 opportunities in the Desert District and if there are
19 ways that we should provide focus or make sure that
20 people know all the opportunities to enjoy their
21 public lands.

22 We are going to a piece of this, and we will
23 talk a lot more about this in the later agenda. We
24 have special recreation permit programs, and I will
25 keep going because it will be on this afternoon's

1 agenda. We have subgroups that are very active, or
2 two of them that are very active, and we will continue
3 to seek report out from those subgroups. And we have
4 a task force that we will talk about later this
5 afternoon. The focus for that particular meeting is
6 June 4 in San Diego.

7 User fees: I will go rather quickly through
8 this. This is a moving target. We have a REC-RAC,
9 (R-RAC) Recreation Resource Advisory Council structure
10 whereby fee increases are approved. That particular
11 structure is a little bit in flux, the partnership
12 between the Forest Service and the BLM on that
13 structure, so we are not exactly sure how things are
14 going to play out in whether we continue to work in
15 partnership with the Forest Service on that advisory
16 council for fee increases. But I know that the
17 advisory council and particularly the subgroups are
18 very interested in user fees and particularly fee
19 increases. So we will continue to engage the DAC on
20 that topic.

21 We are looking also not just for increases
22 and decreases, but what is working and what needs
23 improvement. Also feedback from other members of the
24 advisory council. There is kind of a very focused
25 group of people that know a lot about fees, but I

1 think it's also because it's an important element of
2 our BLM's delivery method for recreation. I'm anxious
3 to have other members of the advisory council make
4 sure it's understandable if you are not engaged in the
5 very fine details of it.

6 So anyway, hopefully all the dust will be
7 settled on where we are headed. And we will be able
8 to focus on this particular topic in September,
9 Ridgecrest.

10 Last one, I gave a pretty large introduction
11 about the larger California Desert Landscape, so I
12 will be seeking suggestions from the DAC on elements
13 of that program. Key messages so the public
14 understands what the National Landscape Conservation
15 System is, if that's even what it's called now and
16 even -- I have been here a year, but coming from
17 another area, the diversity and richness of the
18 California desert landscape is almost unsurpassed.
19 And I have very fond memories of Oregon, Arizona and
20 other places. I am going to be looking for advice,
21 and I think I should stop. Proposed date,
22 November-December focus on NLCS.

23 CHAIRMAN BANIS: Some of the major issues
24 that we focus on are done through our subgroups. We
25 have two subgroups that are currently constituted.

1 The ISDRA, which is the Imperial Sand Dunes Recreation
2 Area subgroup, and the Dumont Dunes subgroup. A
3 member of the Dumont Dunes subgroup is John Dalglish.
4 I served with him on that subgroup for too many years
5 to count. Ed Waldheim sits with us there, and Gerry
6 Hillier, and are there other members of the ISDRA
7 here? I have not been to your meetings. Dick is the
8 chairman of that subgroup. Those of you who are on
9 your subgroups know your mission very well, but these
10 subgroup meetings are open to the public. And it's an
11 opportunity to really get deep into the issues and
12 discuss them at much greater length than often we are
13 afforded here at the DAC.

14 And the challenges that we have with the
15 subgroups is to make sure that we can provide input on
16 the successes and the challenges and some of the
17 opportunities to improve the safety and the quality
18 and cost effectiveness of recreation in these areas.
19 And it's also important to ensure that we are
20 recruiting and effectively making use of volunteers
21 and the partnerships. And we will be talking about
22 that issue extensively at the June meeting.

23 The major issue for the September meeting
24 will be in-depth discussion of the BLM fee policies
25 and fee schedules. That also is a major part of the

1 discussion and agenda for those two subgroups. And a
2 third item -- and also a subgroup for the El Mirage
3 area has been approved by the DAC and is still in the
4 formulation process.

5 We will be discussing these area-specific
6 operational issues, very specific. The conditions at
7 ISDRA and Dumont Dunes are different. The resources
8 are different. And as much as both of them are dune
9 areas that feature recreating in the dunes, they are
10 very different areas to recreate in. And some people
11 have their favorite areas; sometimes it's just some
12 people like to go to ISDRA and other people like to go
13 to Dumont Dunes. So we can get into these very
14 specific issues and see what the users think is an
15 important priority for these areas.

16 So what would be helpful for the subgroups is
17 if there are templates established to help us in
18 receiving information, sharing information, as well as
19 templates for reviewing financial matters since the
20 use of user fees and keeping these recreation areas
21 going, the use of fees is up as the No. 1 issue for
22 many of the users and members of the subgroups. And
23 it would be very helpful by standardizing some kind of
24 template so, especially on the DAC side, we can start
25 looking apples and apples and oranges and oranges.

1 We have some suggestions -- the DAC has
2 suggestions for BLM's consideration. We suggested
3 that the BLM look at additional opportunities for
4 public comment through the Web site to help provide a
5 focused place for you to provide advice and provide
6 your ideas. And we also may consider some public
7 seminars, Webinars over the Internet. Some of you
8 have participated in those before. They are gaining
9 popularity and can be very helpful in promoting remote
10 discussions. It's important to make sure that the
11 public is involved in all of these issues because the
12 NEPA process not only requires it, but the NEPA
13 process benefits from it.

14 The DAC will benefit also from your input on
15 our discussion items, and we would greatly appreciate
16 your advice on other procedures and other methods for
17 us to gain your suggestions and to get your input.
18 And also, we would like to find a method and a
19 procedure for summarizing our advice and reporting our
20 advice to the public and to provide a way in which the
21 BLM can respond to that advice that we have given and
22 to update us and the public on the status of how that
23 advice has been received and if that advice has been
24 implemented, and if so, how it would be implemented.

25 DIRECTOR RAML: I will take on this. So at

1 the end of the day after we had laid out this very
2 aggressive agenda and the themes, we had a brief
3 discussion where Don helped talk to us about what do
4 we think would be key factors for our future success.

5 These are the points that came up.
6 Obviously, a shared understanding of what that is and
7 an understanding of the direction, really making sure
8 that we spend the time to know we are on the same
9 page.

10 The other is clear, clearness, clear, concise
11 understandable requests from the DFO to the DAC. If
12 I'm asking them to spend time on something, that we
13 know what that is. And that can sometimes be a
14 challenge. Our topics are complex, so it's very
15 important for me to be specific about what we are
16 asking for.

17 Critical: This is the bane of all of us, I
18 think. Advanced preparation with lead time for
19 review. Lots going on for everybody. So BLM is going
20 to make a commitment to provide materials sufficiently
21 in advance so people who like to have materials to
22 review and think about and be able to formulate their
23 thoughts and concepts, they will have sufficient time
24 to do it. BLM will do their part, and DAC says when
25 we give them that in time, they will use it.

1 What is important is even though we are
2 looking for structure and focus, I think it's very
3 critical that we provide sufficient opportunities for
4 out-of-the-box thinking. To not construct our work so
5 rigidly that we don't allow brainstorming. And we
6 will look to continue to provide opportunities for
7 creative ideas. And that's how we will learn to do
8 new things.

9 We talked a lot about the tours. Everybody
10 loves the tours. I certainly do. But -- but yet, we
11 know that the business of reaching shared
12 understanding and all this kind of stuff takes time
13 also. So we made a commitment to continue to do field
14 tours, to be on the resources we are talking about,
15 but at the same time, we are going to try to focus
16 those tours to really complement the theme of the
17 meetings we are having.

18 And then the other, it's important to provide
19 feedback on the advice that we receive to make the
20 work worthwhile, so we will make every effort to
21 describe that feedback. Some of it will be very
22 specific. It will be a suggestion of an item to do,
23 and we will do the item. And I think the harder part
24 for me is a lot of this stuff has to do with how we
25 influence each other's perspectives.

1 And that's one of the beauties of having a
2 group like this is through conversation, I learn. I
3 look at things differently, and sometimes it's harder
4 to measure. But I will do my best, particularly when
5 I have little "ah-hah" moments or big "ah-hah" moments
6 to articulate that so people know that they have had
7 an influence on the way we are approaching something.
8 That's it on this topic.

9 CHAIRMAN BANIS: The DAC will be taking an
10 action to adopt these items. And we will be doing a
11 brief discussion before doing so. We will want to
12 take public comment on these issues before we do.

13 Don, should we break these into separate, as
14 you suggested, or should we roll on this?

15 MR. MARUSKA: I suggest you look at it as an
16 overall package of how you are approaching this year.
17 Maybe get a few comments from the DAC members about
18 your experience in creating that yesterday, and then
19 see what comments you get from the public, and then
20 come back for your action.

21 CHAIRMAN BANIS: There we are. Are there any
22 comments from the DAC on this agenda? Did we
23 summarize it well enough? Were you all at the same
24 meeting we were at? Richard, please.

25 MEMBER RUDNICK: Just one small

1 clarification. You spoke of the tours and of focusing
2 on the tours being on the subject at hand or the theme
3 of that meeting.

4 I would also like to add that it can be a
5 tour of something that was of interest at that time
6 that was not the focus of that meeting, but something
7 that was germane to being solved then in that
8 district.

9 CHAIRMAN BANIS: Thank you.

10 MR. HALLENBECK: I'm Tom Hallenbeck. There
11 was also a discussion on some changes to the bylaws
12 that would clarify the roles of the subgroups versus
13 subcommittees, a definition to the way that those were
14 put together. Is that for later?

15 MR. MARUSKA: That's part of this package.

16 CHAIRMAN BANIS: I would like to introduce
17 Steve Razo from the external affairs office at BLM.
18 And it would be nice to also recognize and introduce
19 Don Maruska, who has been guiding us. He also spent
20 not only yesterday with us, but he has been in
21 pre-meetings. And Don, I'm sure, has spent countless
22 hours in advance of this meeting helping us prepare.
23 Don Maruska has been advising advisory councils all
24 through the west and throughout California, and he has
25 been doing this for many years and is intimately

1 knowledgeable about the charters and bylaws and the
2 different operations of the different resource
3 advisory councils.

4 We were not all the same. We are somewhat
5 different flavors and animals, and Don has helped us
6 keep on track and help understand our unique qualities
7 and to take advantage of that. We are trying to pull
8 up for a moment here some of the discussions that we
9 had regarding the bylaws.

10 MEMBER SHUMWAY: Before you move to Don's
11 presentation, also, you might want to remind everybody
12 that we had also agreed to limit field trips to
13 perhaps half a day, especially depending on the
14 schedule of work that we have. That's a possibility
15 as well.

16 CHAIRMAN BANIS: In general, we have kind of
17 discussed a number of ways to make better use of our
18 time on that Friday and discuss the concept of hybrid
19 field trips and business meetings. We found
20 yesterday's business meeting to be really quite
21 productive, and although we were not anxious to jump
22 right into another eight-hour marathon, after we have
23 had a chance to digest some of this, I think we will
24 have opportunities in the future to help focus our
25 actions. Steve, take the mike and explain the bylaws.

1 MR. RAZO: We took a look at the bylaws, the
2 charter. All of the R-RAC charters are going through
3 revision at this time by direction of the Washington
4 office. That includes the DAC charter, and we needed
5 to look at the bylaws to make sure that it conformed
6 to the proposed changes for the DAC charter.

7 Interestingly enough, though, the DAC charter
8 continues for be going through a change in Washington
9 with wording. The Desert Advisory Council is very
10 unique among all of the RACs in the nation. This is
11 the only one that's congressionally mandated in 1976
12 by FLPMA, and there is some language in the charter
13 that pertains only to the DAC; it's unique to the DAC.
14 And in some of the areas that it's unique is when we
15 get down into subcommittees, subgroups. Some of that
16 wording has become confusing for those of you who have
17 interacted with the DAC over the years, have heard of
18 TRT's as well as subcommittees and subgroups.

19 What we are doing is making sure that the
20 current charter or the current bylaws will reflect
21 what the charter is going to indicate in terms of
22 subcommittees, as well as the makeup of the group, the
23 authorized representation of the Desert Advisory
24 Council on those areas represented by the people up
25 front.

1 One of the issues was elected officials.
2 Somehow the elected official was left off of the last
3 charter. That is being fixed and put back on that.
4 There needs to be an elected official on the Council.
5 One of the changes to that is the old rule was you
6 needed an elected official present if there was going
7 to be a vote on anything. That has changed. No
8 longer is an elected official needed to be present if
9 you have a quorum and you are going to vote on
10 something. If Mr. Mitzelfelt happens to be absent at
11 this time, we will still vote without him, and he is
12 okay with that.

13 We cleaned up some of the items. This
14 particular one, general requirements, the second
15 paragraph, "Council members may not serve concurrently
16 on more than one resource advisory council, but may
17 represent the council on a related committee. Council
18 members may serve concurrently on council subgroups"
19 and then in red I have "and subgroups" because we have
20 further defined what is a subcommittee and what is a
21 subgroup.

22 And I'm not going to go through all the
23 bylaws. What I am addressing are the significant
24 changes that we discussed yesterday and how those
25 changes were made. It's hard to see the red, but the

1 last sentence on the top is in red, which addresses
2 subcommittees. As you can see by my topic header, I
3 changed that to reflect subcommittees, subgroups,
4 technical review teams, and under subcommittees, this
5 definition of a subcommittee is directly off the
6 charter. That has always been in the charter and will
7 continue to be.

8 Where we added is subcommittees are
9 considered an internal working group of the Council
10 and comprised of Council members only. So there might
11 be a tasking that the DAC might choose to deal with,
12 which they did with renewable energy when they created
13 their little ad hoc committee. Technically that was a
14 subcommittee of the DAC. It didn't involve any
15 outside public input or membership.

16 Subgroups are formed in the same way;
17 however, the difference is, of course, a subgroup will
18 have public membership in that. And so the process
19 for that becomes a little more formal. And as the
20 people with the ISDRA subgroup and the Dumont Dunes
21 subgroup know, that what that will entail is a formal
22 process of nomination, selection, and appointment of
23 subgroup members is by the DAC with concurrence of the
24 DFO through a public nomination and selection process,
25 and a lot of you have already seen that in action.

1 So what will happen is, for instance, if
2 there is a proposal today to form an SRP subgroup,
3 what will happen is that we have the authority to
4 declare we need a subgroup. With the concurrence of
5 the DFO, we will have a subgroup. What should happen
6 is Randy will state, now we will have a period of
7 nomination for the public and you will have an
8 opportunity to to nominate yourself to be on that.
9 The parameters will be discussed. There will be a
10 time period and the nominations will come in. They
11 will review them and they will select the members.
12 And then between the chair and the DFO, the chair of
13 that subcommittee will be appointed and then off you
14 go on your mission as the SRP subgroup.

15 The Technical Review Team is listed just to
16 make sure there is clarifications here. A TRT is
17 strictly made up of federal employees. That would be
18 something very specific that maybe the DAC or Teri
19 feels we need a very technical team to look into this
20 particular matter. It will only involve federal
21 employees and/or paid consultants. It will not
22 involve members of the public, but it's there just to
23 make clear that those are the three types of groups
24 that would be involved when there is a sub of the
25 Desert Advisory Council.

1 Those are the significant changes or, say,
2 realignment that were done on the bylaws we discussed
3 yesterday.

4 CHAIRMAN BANIS: Thank you, Steve. Any
5 questions about the bylaws and the presentation? Did
6 we cover everything from our group? Good.

7 Are there any other comments at this time
8 from the Council regarding yesterday's business
9 meeting? Then I think what would be nice for us to do
10 is hear from the public and get their thoughts on this
11 before I take a motion to act on these items.

12 And first, I'm glad to see so many friends
13 here in the audience here today. And I hope you all
14 have a chance at the microphone today. Before we
15 start with the general public comments, the comments
16 are three minutes. Jennifer is running a clock over
17 at the table, and we will see how that works today.
18 There is a light, mild ding, and that is not
19 somebody's cell phone going off. That's the sound
20 that your three minutes have expired. And we would
21 appreciate you adhering to that so we can stay on
22 schedule.

23 Before hearing comments on the general items
24 not on the agenda or the items we have discussed so
25 far, I would like to hear from Supervisor Zack

1 Scrivner to the DAC as well as to the audience, the
2 newly elected supervisor of neighboring Kern County.

3 SUPERVISOR SCRIVNER: Thank you, Randy. It's
4 a pleasure to be here. I was elected to the seat
5 formerly occupied by Don Maben. I assumed office
6 January 3. I was a city councilman in Bakersfield,
7 which is Kern County's seat, for six years -- and
8 after the census is now the 9th largest city in the
9 state, so we have cracked the top 10.

10 I served as district director for Jean
11 Fuller, who is now a state senator. That district is
12 an expansive one, the 18th Senate district from
13 Barstow to Needles, Twentynine Palms, Bakersfield,
14 Ridgecrest, Tulare, et cetera. But most relevant to
15 the DAC, the second district that I now represent has
16 not only, I would say, the bulk of the off-highway
17 desert recreation in Kern County, but is also the home
18 to the epicenter of renewable center resources in the
19 state.

20 The State of California has set a goal of
21 5,000 megawatts by 2015, and Kern County already has
22 half of that either constructed or permitted and in
23 the construction process. We have set an aggressive
24 schedule to achieve 10,000 megawatts of renewable
25 energy on line by 2015. We also are the home to what

1 will be the largest wind energy project in the world,
2 which is Terra-Gen Alta Wind Energy Project between
3 Tehachapi and Mojave.

4 I understand that there is an effort to seek
5 nominations for elected officials for a second seat on
6 the DAC. I have submitted an application to that, and
7 I look forward to an opportunity to get to serve with
8 you and represent the interests of all the folks that
9 enjoy recreating and are interested in renewable
10 energy resources in the desert areas. Thank you very
11 much.

12 CHAIRMAN BANIS: Thank you, Supervisor.

13 I will call the public speakers, please. I
14 would like to start with Ed Waldheim, please.

15 MR. WALDHEIM: Good morning, everybody.
16 Congratulations, new officer. Boy, you have been
17 wanting to do this, to be the chairman of the DAC.
18 That's cool. Tom, make sure you stay right next to
19 him. Keep guiding him.

20 In front of you I put a whole bunch of stuff.
21 You have maps that we have produced, the Friends of
22 Jawbone. We have gone outside of your district up in
23 Bishop in Inyo National Forest. That's a new map we
24 have. We keep on doing these all over the place.

25 For your consideration, we do not have on the

1 agenda WEMO. WEMO has been left out for some reason.
2 I gave you packets of things, of statements and
3 positions that we have, so they were up on the table
4 for you to look at.

5 One big thing you have not covered is grants.
6 We have a partner in our OHV program to provide
7 funding to manage our public lands, not babysit our
8 public lands, manage our public lands. And the DAC
9 has not taken advantage of getting the director of
10 parks and recreation of the OHV program to dialogue
11 with you. For some reason we just accept, hey, they
12 are always going to give us money. We were a big
13 customer of the State of California, yet we work it
14 the other way. Somehow we do not give due credit to
15 the millions and millions of funds provided to BLM to
16 manage the public lands. We just accept them, and
17 that has to change.

18 You need to bring that up to the forefront.
19 We have a commission meeting coming up on April 4 and
20 5 down in Heber Dunes in San Diego. We have another
21 commission coming up on May 24 and 25 up in Yuma. The
22 acting director of the BLM should be participating in
23 that group. It just appalls me that a big customer
24 does not come to this OHV division, OHV commission
25 meeting. After all, we are providing money for the

1 federal agency. They are supposed to be the customer.
2 For some reason the BLM and the Forest Service, they
3 feel immune from having to come to that. If they were
4 to cut off the funds to us tomorrow morning, we would
5 be in big, dire need.

6 The landscape, as Teri brought up, is great.
7 Don't forget that Mark Connelly is the one involved in
8 that. That should be put on the agenda. The PCT
9 should be put on the agenda. We personally work with
10 the field office -- Ridgecrest works with us, the
11 Angeles National Forest works with us, that is not
12 motorized.

13 Everybody uses wheels to get where they are
14 going, motorized or nonmotorized, you are going to use
15 a wheel to go on a hike. So everybody is an off-
16 roader. I don't care what you think; you are an off-
17 roader. We are all in the same boat working together.

18 I would like to invite the DAC members to
19 avail yourself to come to, if you can, to the
20 quarterly meeting that we have with Teri, with the
21 leadership meeting. Dick Holliday comes, Meg comes,
22 Randy Banis comes there, but that's available because
23 you get to meet all the field managers and the public
24 who are leaders of the public to work with the field
25 offices and try to resolve issues. Now, it's not a

1 subgroup or DAC meeting, but a dialogue of us to try
2 to resolve issues as they occur or before they occur.
3 Thank you.

4 CHAIRMAN BANIS: Thank you, Ed.

5 MEMBER GROSSGLASS: Something that you
6 brought up several times, that you said the DAC
7 doesn't engage in the Greensticker Commission. So I
8 would like a specific suggestion on how you think we
9 should engage Daphne or the commission or how you
10 think that kind of partnership -- what is your
11 specific suggestion?

12 MR. WALDHEIM: On the agenda there should be
13 an Off-Highway Vehicle, OHV State Parks agenda item.
14 And we ask either Daphne Greene or Phil Jacobs or
15 (unintelligible) Fernandez to come to bring you an
16 update on where we are. We are in a big fight for our
17 life, and we are not bringing that here.

18 MEMBER GROSSGLASS: An update for what?
19 Budgets? Grants?

20 MR. WALDHEIM: All of the above. There is
21 not a field office in this room here who doesn't
22 depend on the off-highway program, yet they are not
23 here.

24 MEMBER GROSSGLASS: Specifically, what do you
25 want them to tell the DAC?

1 MR. WALDHEIM: I want the DAC to realize how
2 the actual OHV program, how desperately important it
3 is in the operation of the California desert programs.
4 It's a vital -- and the whole State of California, for
5 that matter. We don't give it enough credit,
6 dialogue. We have to work with it. 236 new grants
7 were submitted for this new grant cycle for a total of
8 37 million dollars. We only have 27 million dollars.
9 You guys don't have a clue what is happening out here.
10 This is something that the DAC should dialogue in.
11 Money is very important. Money talks. Without it
12 nothing happens.

13 CHAIRMAN BANIS: Do we have any other
14 questions?

15 MEMBER SHUMWAY: I have a brief comment.
16 Correct me if I'm wrong. Ed has a point about
17 agendizing certain issues that are important to the
18 off-road community. However, I think the new
19 strategic plan we are trying to implement might take
20 care of that, unless there are issues that need
21 attention right now. And we have already resolved
22 that there are issues that can be addressed by e-mail
23 at the DAC and get out some kind of decision, if
24 needed. So if the off-road community, maybe led by
25 Ed, has an issue, they can contact you or Teri

1 directly. If they need a decision, we can make that
2 decision. They don't have to be at one of our
3 meetings.

4 CHAIRMAN BANIS: We have -- recreation will
5 be slated for in-depth discussion for our September
6 meeting. It will be hopefully early in that month and
7 that will --

8 MR. MARUSKA: June.

9 CHAIRMAN BANIS: It would be the June
10 meeting. That's going to give us plenty of time to
11 help engage the BLM and the various field offices on
12 how we can better take advantage of the OHV division's
13 grants and to work with us.

14 MR. WALDHEIM: Please invite the state office
15 to come to dialogue and work with you rather than
16 demand that you be here. But a dialogue that we need
17 her help, assistance in order to maximize our
18 opportunities.

19 CHAIRMAN BANIS: Absolutely. We have heard
20 from Daphne and her staff, and she is really quite
21 enlightening. And I think that would be a good thing
22 to hear from in the June agenda.

23 Next speaker, please. It would be Dave
24 Beaumont, followed by John Stewart. Dave Beaumont,
25 please.

1 MR. BEAUMONT: Thank you. I just simply
2 wanted to ask if anything is occurring with lands with
3 wilderness characteristics at this point in time in
4 the BLM offices.

5 CHAIRMAN BANIS: The question has been asked
6 if there is anything being done with the wilderness
7 lands.

8 MR. BEAUMONT: Have they received any public
9 requests for surveys?

10 DIRECTOR RAML: I count on my field managers
11 and my trusty BLM team to jump in if I'm not answering
12 this question comprehensively enough.

13 But managing lands for wilderness
14 characteristics -- and I think other folks are
15 interested in the wild lands policy -- the
16 implementation of that happens through planning
17 processes. So where we are engaged in planning, we do
18 take a look at that facet of land management. So
19 that's how it will occur.

20 So I think, you know, when we are doing
21 renewable energy applications and doing EIS's, we do
22 take a look at the wilderness characteristics aspects
23 during this process. So any kind of planning process,
24 you know, the Imperial Sand Dunes Recreation planning
25 process, any planning process that we have ongoing,

1 that is the planning process.

2 MR. BEAUMONT: That is at the end of the
3 planning process. But I understand that there is also
4 at the beginning of it an opportunity for a public
5 individual which feels that an area suits wilderness
6 characteristics or contains wilderness characteristics
7 to make a request.

8 DIRECTOR RAML: I don't have the same
9 understanding of that. I will look into that a little
10 deeper. To me, it's always part of a planning
11 process, so it would be part of scoping. But I will
12 read closely. But no, we don't have any requests that
13 I am aware of to do it other than associated with
14 planning.

15 MR. BEAUMONT: My concern was that if you did
16 receive the request and that you started, that the
17 public doesn't know it until the process is finished.
18 That's my big concern.

19 DIRECTOR RAML: Okay, yes.

20 CHAIRMAN BANIS: John Stewart and then Gerry
21 Hillier, please.

22 MR. STEWART: Good morning, Council, John
23 Stewart, California Association of Four-Wheel Drive
24 clubs. Thank you for your focus on strategic
25 planning. I believe it will work towards moving

1 forward in a cohesive manner and something that
2 focuses the energies.

3 One thing, when looking at the verbiage for
4 the Council's subgroups and TRTs, the comment was made
5 they are open to the public. And yet there is nothing
6 in the bylaws that indicate they are open to public
7 and how the public interaction would be taken or what
8 the interaction with the public would be.

9 Second, I would like to say I echo Ed
10 Waldheim's comments, the WEMO and the lawsuit. That's
11 a very important aspect to the recreation
12 opportunities in the desert and should be brought up
13 to be a standalone item and not buried in the field
14 manager's reports.

15 In 1964 the Wilderness Act gave Congress the
16 authority to designate wilderness areas where
17 motorized recreation is banned. In 1976 the FLPMA
18 gave BLM the authority to identify wilderness study
19 areas managed as wilderness until Congress decides
20 their fate.

21 The Secretary of Interior Order 3310
22 announced in late December that it was reversing
23 course on a 2003 settlement between then-Interior
24 Secretary Gale Norton and then-Utah Governor Mike
25 Leavitt that ended BLM's wilderness inventories on all

1 258 million acres it manages. That settlement barred
2 BLM from creating new wilderness study areas.

3 The new Interior Department policy will
4 permit BLM the use of temporary roadless protections
5 by identifying certain lands that have not been
6 inventoried as wilderness study areas. And they will
7 be defined as wildlands until Congress decides their
8 fate. The secretary's order does not recognize
9 motorized recreation on public lands as a factor on
10 how people and communities value public lands.
11 Therefore, we believe this action will undermine the
12 long-held authority of Congress to designate
13 wilderness.

14 Cal4Wheel believes that BLM focus should be
15 on updating existing management plans as directed
16 under FLPMA and submit wilderness proposals to
17 Congress and work to release encumbered lands not
18 found suitable for wilderness to multiple use for
19 other recreation opportunities. Thank you.

20 CHAIRMAN BANIS: Point taken on the lack of
21 specificity of how the subgroups will be open to the
22 public. But I would refer you to -- I would refer you
23 to the charter. Steve? Is that -- is that we are
24 getting at? The charter, the first paragraph has
25 citations of the specific regulation sections that we

1 need to pertain to.

2 MR. RAZO: For point of clarification, I
3 didn't have all of the bylaws up there, but section 3,
4 meeting procedures, it does indicate that all meetings
5 are open, including subgroup meetings. These bylaws,
6 per procedure now that the DAC has adopted, these will
7 be posted publicly; you will have a chance to comment
8 on the bylaws before they become formal.

9 MR. STEWART: It did not say it within the
10 individual sections. But my interest areas is if they
11 are open to the public, is the public allowed to
12 engage in conversation during the discussion? Will
13 the public be allowed a comment period time, and what
14 type of controls or interaction will be applied when
15 receiving public comments or input at those meetings?

16 MR. RAZO: I understand.

17 CHAIRMAN BANIS: Thank you, John. Good
18 morning, Gerry.

19 MR. HILLIER: Always a pleasure to be here.
20 Always a pleasure to be on the right side of the
21 grass. Old guys and alumni don't get a chance to
22 stand up all that often.

23 I had a comment specifically with my Quad
24 State Local Government authority hat on this morning.
25 I serve as executive director of that assembly of

1 local governments in the Mojave and Sonoran deserts.

2 About two weeks ago there was a meeting in
3 Las Vegas called Management Oversight Group that was
4 to announce the release of the revised recovery plan
5 for Desert Tortoises. As it turned out, it didn't
6 happen, and the regional director indicates that it
7 may happen by May 1. At any rate, whether it happened
8 this month or in May, this is a very critical
9 document.

10 The organization that I represent has been
11 involved in trying to get Fish and Wildlife to this
12 point for the last 12 years. The recovery plan for
13 Desert Tortoises that is still out there was adopted
14 in 1994, and it's horribly out of date and never
15 reviewed or revised by Fish and Wildlife Service, even
16 though they are under a five-year requirement to do
17 such.

18 The point of my comment here is that when
19 this is released, there are two very important
20 characteristics. One, it has been viewed by BLM that
21 this is a Fish and Wildlife Service thing. The fact
22 of the matter is that BLM will be the primary
23 implementing agency and it will have significant
24 effect on the land use plans, the resource management
25 plans that BLM does.

1 Second, an integral part of this -- and I
2 think it's part of the public dialogue already -- will
3 be the formation of recovery limitation teams in each
4 one of the recovery units. And these will be composed
5 of a variety of government officials and stakeholders.
6 And as I look at this group, you clearly are
7 stakeholders and behind me and to my side here are
8 another group of stakeholders.

9 At the MOG meeting in Las Vegas, it was
10 interesting that there was probably 90 people present
11 at this meeting, and I would roughly say that 10 were
12 stakeholders and the other 80 were bureaucrats. And
13 the 10 stakeholders were entirely from the
14 conservation organizations, except myself. So it's
15 going to be very critical that the other stakeholders
16 who have a role to play in Desert Tortoise habitat
17 management and recovery, and regardless of what side
18 of the fence you are on, relative to the kinds of
19 measures that ought to be applied, you are going to
20 have a stake in this.

21 And I think -- and my reason for standing up
22 at this point in the agenda is to recommend very
23 strongly that BLM have a full review of the recovery
24 plan and its implementation and how they intend to
25 work on it at the soonest meeting after it's released

1 by the service, which would obviously be in June. And
2 I encourage you, even though it may not fit with your
3 proposed themes, I think it's a document that's going
4 to have tremendous implications for land use planning
5 going forward, and I think it's something that this
6 Council needs to be fully informed and engaged with.

7 And I hadn't planned to say anything about
8 your work plan going forward, but I commend you on
9 what you did. Having been an alumni and struggled
10 with how to organize with the advisory councils and
11 have them meaningful and use people's time
12 effectively, I think it was probably timely that you
13 had this understanding. And hopefully, with the
14 rotation of memberships and term limits and all the
15 other things going on, you have set in motion ways to
16 effectively use the Council. And I commend you having
17 spent the day doing what you did.

18 CHAIRMAN BANIS: Thank you. Appreciate that.
19 Good.

20 Ladies and gentlemen, I would like to now
21 call for a motion from our body to adopt the framework
22 that we discussed yesterday. Do I have a motion for
23 such?

24 MEMBER ACUNA: I have a motion that we adopt
25 the framework.

1 CHAIRMAN BANIS: Moved by Tom.

2 MEMBER JOHNSTON: Second.

3 CHAIRMAN BANIS: Second by Ron Johnston. Are
4 there any opposed? Hearing, seeing none, motion
5 passes.

6 Now we are moving on to Advisory Council --

7 MR. MARUSKA: Are you going to take an action
8 on the bylaws? Did your motion include the bylaws or
9 are you going to do a separate motion?

10 CHAIRMAN BANIS: Let me take a second motion.
11 It's more than just a work plan. This is really going
12 to be a guiding document for us.

13 May I have a motion from the floor relative
14 to the bylaws changes?

15 MEMBER SHUMWAY: I move that we adopt the
16 bylaws as we discussed yesterday.

17 CHAIRMAN BANIS: Do I have a second?

18 MEMBER SALL: Second.

19 MEMBER HOLLIDAY: I thought that he was going
20 to make it posted for public comment, so that would be
21 something that would be done prior to a motion to
22 approve those.

23 MR. RAZO: You could be approving the draft.
24 It's going to be a draft going forward now for public
25 review. If there aren't any issues with the public --

1 CHAIRMAN BANIS: Would that be friendly to
2 the maker and seconder of the motion?

3 MEMBER SHUMWAY: Please amend that to we
4 approve the draft proposed amendments to the bylaws as
5 discussed on the 25th.

6 MEMBER SALL: Second.

7 CHAIRMAN BANIS: Thank you, Dick, for
8 bringing that up. Any further comments?

9 MR. MITZELFELT: We would do a final approval
10 in June?

11 CHAIR BANIS: Any comments relative to that?

12 MR. RAZO: By e-mail.

13 CHAIRMAN BANIS: That's correct. We will be
14 polling the Council between now and the next meeting
15 by seeking e-mail approval. But please, this item is
16 open for comment. Take that document and look at it
17 very closely. Let us know your suggestions.

18 Dick, please.

19 MEMBER HOLLIDAY: Do you want to set a time
20 frame for public comment on that before you have -- is
21 there going to be some kind of an announcement or
22 press release?

23 MR. RAZO: Yes.

24 MEMBER HOLLIDAY: Some kind of time frame?

25 MR. RAZO: Yes, there will be a press

1 release.

2 MEMBER HOLLIDAY: And at the end of the time
3 frame we will get the comments. And after that
4 time --

5 MR. RAZO: Ten days after that.

6 MEMBER HALLENBECK: Just procedural. The
7 current form of the bylaws depends on additional
8 changes to the charter. When might those come about?

9 MR. RAZO: I fully anticipate there won't be
10 any show-stoppers there.

11 MEMBER HALLENBECK: There is a reference to
12 paragraph 7-A.

13 MR. RAZO: 7-A was removed by the Bush
14 administration. It's returning. All that references
15 is the makeup of the Council, which will not change
16 here. So 7-A is not -- in fact, I took it out because
17 it wasn't necessary.

18 MR. HALLENBECK: Thank you.

19 CHAIRMAN BANIS: Motion on the floor is to
20 approve the draft bylaws. Any opposed? Hearing and
21 seeing none, the draft bylaws are approved. Thank
22 you. Appreciate that clarification.

23 It's time to move on to Advisory Council
24 members, and I'm starting to loosen up a little.
25 Thank you. Little stiff in the beginning, folks, but

1 we are getting there. Once I got these cards
2 organized, I started feeling much better about things.
3 I would like to start with this side of the table.

4 Dick, do you have anything you would like to share?

5 MEMBER HOLLIDAY: I would like to say I think
6 that the work we did yesterday was quite impressive
7 and gave us a much better framework for discussion. I
8 think it will help the public understand better what
9 we do.

10 Some of the things that we -- that you see --
11 that you have seen on the slides were generated last
12 night from our discussions yesterday. And one of the
13 important things is to get feedback from the BLM on
14 our suggestions, positive or negative or whether they
15 can. And if we make a suggestion and they can't for
16 some reason do that, get that back to us also so that
17 we have a framework of what our suggestions have
18 accomplished.

19 CHAIRMAN BANIS: April Sall.

20 MEMBER SALL: Thank you. And I concur with
21 Dick's comments of yesterday, and it was a really
22 productive day. And I think moving forward we are
23 looking for some good dialogue both with BLM and DFO
24 on how we can be most effective, not only bringing
25 public representation to the issues, but also getting

1 feedback from the BLM on how that advice is being
2 implemented or not and how we can be successful moving
3 forward and making improvements on those issues.

4 CHAIRMAN BANIS: Lloyd Gunn, please.

5 MEMBER GUNN: Would this be the time to read
6 a statement on renewable energy?

7 CHAIRMAN BANIS: No, that will be on the
8 agenda following the field manager reports.

9 MEMBER HALLENBECK: Nothing to report.

10 MEMBER ACUNA: Just a real simple thing. The
11 work we did yesterday, the strategic plan and doing a
12 better job of planning our future together, I think
13 it's going to be very timely, especially with the
14 disaster that happened in the last two weeks in the
15 nuclear industry. I think all of us in the room
16 probably would be agree that there is going to be a
17 lot more focus on renewable production in the desert,
18 whether you like it or you don't.

19 It will be interesting to see what the
20 general public of the United States as well as our
21 government in DC, what they are going to be pushing
22 our direction. So I think we will be more focused,
23 and this is really timely that we are getting ready
24 for it.

25 CHAIRMAN BANIS: I think at future meetings

1 we are going to have to split the two Toms up. Brad
2 Mitzelfelt.

3 MR. MITZELFELT: First I would like to
4 announce that the county's newest museum, the Victor
5 Valley Museum, which used to be a private museum --
6 these bookmarks have all the information. I recommend
7 you check it out. I also have these on the table back
8 there. I would like to recognize and thank the Desert
9 Managers Group for their help with the exhibits. I
10 think you will like it. So if you get a chance to
11 check that out, I'm very proud of it.

12 Secondly, I wanted to mention the county's
13 position on Secretarial Order 3310 of December 22,
14 2010. County of San Bernardino is seeking the
15 rescission of this order for a few reasons. I will
16 keep it brief. I'm going to give a partial
17 explanation.

18 One is that the CDPA has already more
19 congressionally designated wilderness than any other
20 unit of BLM-administered land. The 1994 CDPA created
21 wildernesses from both the recommended suitable and
22 recommended unsuitable, thus creating a network of 8.8
23 million acres of desert wilderness, almost 10 percent
24 of the State of California.

25 Wilderness, and by extension Wild Lands,

1 removes federal public land from productive use, in
2 our opinion, to contribute -- used to contribute to
3 the economy of the region and employment. This is
4 most striking in the case of mineral resources, from
5 which exploration for new commercially viable deposits
6 in the CDCA has virtually ceased since 1994.

7 Wild land, created under the Order, will
8 become administratively designated, and while short of
9 "wilderness," will be subject to non-impairment
10 management until released. This, in essence, adds to
11 the land removed from productive uses.

12 The recent land use plans prepared in
13 response to the Desert Tortoise listing, WEMO, NECO
14 and NEMO, created broad conservation areas out of the
15 DWMA's (and critical habitat) recommended in the 1994
16 Recovery Plan. These areas, because of their
17 character, may likely qualify as "wild lands." The
18 plans, however, respected valid existing rights and
19 potential development character on private land by
20 providing for a 1 percent development ceiling. The
21 provision does not designate where this can or should
22 take place. Wild lands designation and its regulatory
23 requirements will potentially and essentially render
24 the plan provision moot. The 1 percent was a
25 significant agreement which made the plan acceptable

1 to counties as well as other stakeholders.

2 And despite assurances of public involvement
3 in the process, the public doesn't really have a shot
4 to be involved until after the administrative
5 designation of an area having wilderness character,
6 and until released, the area will be subject to the
7 non-impairment criteria.

8 We were a bit dismayed by the adoption of
9 this order on December 22nd, as practically Christmas
10 eve, not the best time to announce new regulations and
11 have the public's attention focused, in our opinion.
12 And so we will be seeking again to -- we are opposing
13 that order.

14 And also I wanted to -- I'm going to pass
15 this out. This is the National Association of
16 Counties adopted a similar position. And in addition
17 to that -- these are all the same -- the County of San
18 Bernardino's position and the Quad State Local
19 Government Authority, of which I'm the Vice
20 Chairman -- these are all in these materials and those
21 all go to the left and I'm doing the right. Okay.
22 Thanks.

23 MEMBER GROSSGLASS: I was just hoping to
24 stand up for a while.

25 MEMBER MITZELFELT: I will have a similar

1 position, and I'm passing those out for your
2 information. Thank you.

3 CHAIRMAN BANIS: Thank you, Brad.

4 MR. MITZELFELT: We have copies if anyone in
5 the audience wants. Can you put them maybe on the
6 table?

7 MR. HILLIER: If the federal official will
8 let me.

9 MR. MITZELFELT: Or just see Gerry if you
10 want a copy.

11 CHAIRMAN BANIS: Now, the floor goes to the
12 effervescent Meg Grossglass

13 MEMBER GROSSGLASS: You are so funny.

14 I thought the work we did yesterday was
15 great. One of my pet peeves has been I want us to be
16 effective. Not just sit up here and rattle on. I am
17 not quite sure that is the point of the DAC.

18 We worked on several things that we want to
19 try to get more public participation in. I think that
20 is important. There is a lot of public land out
21 there, and the public doesn't always know what is
22 going on, so one of our main goals is to increase
23 public participation.

24 And another one of our goals is going to be
25 increase how the public -- to educate the public on

1 how to make substantive comments through the NEPA
2 process. We don't want to give people the impression
3 if you come here and make a statement, that that's
4 necessarily going to change what is going on with land
5 management planning because we are just an advisory
6 council. So I think educating the public on how to be
7 part of the NEPA process is very important, and I
8 think we will be doing a lot more of that in the
9 future.

10 CHAIRMAN BANIS: Ron Johnston next.

11 MEMBER JOHNSTON: Thank you. Well, I think
12 Meg pretty well summarized what I was going to
13 mention. But that's okay, Meg, you did it better than
14 I would have anyway, I'm sure.

15 I do think, though, that, patting ourselves
16 on the back a little bit, we figured out some ways
17 with the help of Randy and everyone on the panel and
18 Don Maruska, to streamline the things we do and the
19 way we do it with more transparency and effectiveness.
20 So it should make us a more effective body in trying
21 to convey your feelings to the BLM. Anyway, thank
22 you.

23 CHAIRMAN BANIS: Now, the lady with the cream
24 commute, hometown girl, Dinah Shumway.

25 MEMBER SHUMWAY: We were going to talk about

1 renewable energy yesterday and as all you know, I
2 don't think that's a dead horse yet, so I will be
3 commenting more on that and continue to beat it to
4 death.

5 But I do want to comment on getting
6 information early. That was one of the strategic
7 plans we said. We need information earlier than a
8 week ahead of time so we can all review and schedule.
9 But I also wanted to thank the field offices again and
10 acknowledge that they are really making an effort to
11 standardize their reports to us, which makes it a lot
12 easier for those of us interested in certain aspects
13 of BLM management.

14 I would also like to ask John Kalish to get
15 on board with the standardization, and I also think
16 it's really important in renewable energy to, when you
17 say it's going to be a 100 megawatt plant, I would
18 like to say "installed" or not, because that's really
19 important when we go to determine what the least cost
20 would be. So if it's an installed 100 megawatt plant,
21 I would like to know that that is what it is.

22 CHAIRMAN BANIS: And anchoring the table,
23 Richard Rudnick.

24 MEMBER RUDNICK: Does that mean I am the
25 heavyweight? Thank you. Well, between mother nature

1 and myself, I'm happy to report that renewable
2 resources are in great shape on the desert. Thank
3 you.

4 CHAIRMAN BANIS: That, they are.

5 For my own report, may I say that the agenda
6 is ripe for future comment on my behalf. And I'm
7 actually having a good time just keeping track of
8 everything that's going on at this moment. So I'm
9 going to defer my comments to the issues at hand on
10 the agenda.

11 We are a minute or two ahead of schedule,
12 which is a good time for us to move into the district
13 manager and state director reports. Teri.

14 DIRECTOR RAML: Well, first, I would like to
15 introduce the BLM team that's here with me today. I
16 will start on that side of the room with Patrick at
17 the coffee machine. Just go across the room. That's
18 Patrick at the coffee machine.

19 MR. CHASSIE: Patrick Chassie. I'm the chief
20 ranger in Barstow. Been there almost six months. I'm
21 working for Roxie, and I used to be a ranger there,
22 and I came back and worked for Roxie because she is
23 awesome.

24 MR. HAMBY: I'm Jack Hamby. I'm the
25 Associate District Manager. I have been here a little

1 over two and a half years.

2 MR. STEIN: I'm Al Stein, chief of resources
3 in the district office. Been here almost 19 years, at
4 least.

5 MR. LEE: Rusty Lee, field manager in
6 Needles.

7 MS. TROST: I'm Roxie Trost. I'm the field
8 manager for Barstow.

9 MR. KALISH: John Kalish of Palm Springs
10 South Coast field office.

11 MS. LASELL: Bekki Lasell, chief of
12 operations.

13 MS. GOODRO: Good morning. I'm Margaret
14 Goodro, El Centro field office manager, on board 10
15 months. And congratulations, Mr. Chairman.

16 MR. VILLALOBOS: I'm Hector Villalobos. I'm
17 the field manager in Ridgecrest, and I have been there
18 too long.

19 MS. WOLGEMUTH: I am Jennifer Wolgemuth. I'm
20 the staff assistant to the District Manager, and I
21 have been in the district office for almost 25 years.

22 MR. BRIERY: David Briery, external affairs.

23 MR. RAZO: Stephen Razo, ten years in the
24 district office in external affairs.

25 MR. BLAINE: Larry Blaine, I work for Roxie

1 Trost in the Barstow field office. I'm chief of
2 recreation.

3 MR. QUILLMAN: I'm Mickey Quillman, associate
4 field manager and chief of resources out of the
5 Barstow field office.

6 MEMBER GROSSGLASS: Nice mustache, Mickey.

7 DIRECTOR RAML: As you can see, we put a lot
8 of effort in being here, and I'm going to do something
9 a little different with the District Manager and State
10 Director report, because it's available to you over on
11 the table. As you noticed, the field manager reports,
12 you can pick up copies of those. And right after I'm
13 done, you will have an opportunity to ask questions of
14 the field managers. The state director's report on
15 the table covers the items such as personnel -- no
16 changes. Budget -- hope no changes. But I'm not
17 going to go through it, and I'm going to defer my time
18 to public comment.

19 CHAIRMAN BANIS: All right. Everybody will
20 have a chance to please pick up those documents and
21 look at them closely. We will have a public comment
22 on these reports shortly. We have worked ourselves
23 into a brief break, and we will be readjourn in 15
24 minutes.

25 (Recess was taken from 9:42 a.m. to 10:04 a.m.)

1 CHAIRMAN BANIS: Thank you. I will reconvene
2 the meeting to order.

3 First, I would like to express the regrets of
4 fellow Council members Monica Argandona and Alex
5 Schreiner, who can't be here today because of
6 longstanding commitments on their schedules.

7 We are now going to move into Council member
8 questions for the field office managers, district
9 manager and state director reports. And before I do,
10 please, I would like to explain to my fellow Council
11 members, on a motion when I called for an objection,
12 it's not to ram something through; it's just to avoid
13 taking up additional time with an unnecessary vote.
14 If you were in the opposition, please, just signify,
15 and then we will just take a vote. That's all. Thank
16 you. Any questions? Any comments from the Council
17 members today?

18 MEMBER ACUNA: On the reports?

19 CHAIRMAN BANIS: On the reports. Tom.

20 MEMBER ACUNA: Thank you, Randy. Let's see.
21 I have two questions on the field reports.

22 The first one -- perhaps on the El Centro
23 field office report, perhaps we could hear from
24 Margaret. And to the point of the DAC, why I'm asking
25 this question is, When we look at renewable projects,

1 there are fast-track projects, we all know that. And
2 that means the government supports finding ways to
3 move these projects along quickly to help get our
4 renewable policy implemented with more generation.

5 And in Margaret's district, there is one
6 project that got a fast-track approval that apparently
7 is on a rock. And it's not moving forward at this
8 point. So what I would like to ask Margaret is to
9 give us an update on Imperial Valley Solar.

10 MS. GOODRO: Thanks, Tom. Okay.

11 So quick update for Imperial Valley Solar. A
12 little overview. Imperial Valley Solar is a larger
13 project, over 6,000 acres, over 700 megawatts would be
14 produced. That project was approved. The
15 right-of-way was approved, and it was to Terra Solar,
16 and we refer to it as Imperial Valley Solar Project.
17 Imperial Valley Solar went into litigation, and the
18 company could no longer stay with the project. And a
19 new company has come forward, which is AES. The BLM
20 then requested that AES provide information to show
21 that it's a viable company and to see if there would
22 be a chance of sustaining the project. And that will
23 be reviewed by the BLM to make a determination. And
24 if that is determined, then they would be submitting
25 for a new plan of development.

1 MEMBER ACUNA: Can you explain -- I think
2 there is a technological change in their product?

3 MS. GOODRO: Well, meeting with AES, the
4 original plan was using Stirling Energy dishes, which
5 is a 40 by 40 dish for the solar power. And meeting
6 with AES, what they mentioned is if they do submit a
7 new plan of development, that that plan of development
8 would be utilizing a different system to produce the
9 solar power, and they would not be going with the
10 Stirling Energy.

11 MEMBER SHUMWAY: I have a question.

12 CHAIRMAN BANIS: Just a moment. I would like
13 to let Tom continue.

14 MEMBER ACUNA: I'm hopeful that it's
15 meaningful to the rest of the DAC.

16 MEMBER SHUMWAY: I have a quick question.

17 CHAIRMAN BANIS: Dinah, please.

18 MEMBER SHUMWAY: When you say a viable
19 company, what exactly do you mean?

20 MS. GOODRO: Basically, part of when you are
21 issuing permits and you have projects like this, the
22 company has to have the financial stability to see a
23 project through. So they have to provide that
24 documentation to the BLM to show that they can sustain
25 and handle a project of that size financially and

1 management-wise.

2 MEMBER SHUMWAY: So you are looking at their
3 business plan?

4 MS. GOODRO: Business plan, basically their
5 portfolio, and also their funds available.

6 MEMBER SHUMWAY: Thank you.

7 CHAIRMAN BANIS: Dick.

8 MEMBER HOLLIDAY: Is that the location we
9 went and visited down there at Placer City? That's
10 where it was; right?

11 MS. GOODRO: Right. It's right off the 8.

12 MEMBER HOLLIDAY: Is that American Electric?

13 MS. GOODRO: AES produces about 10 percent of
14 the power in California.

15 CHAIRMAN BANIS: Thank you, Margaret. Any
16 other questions?

17 By the way, just a brief point of order. I
18 do maintain a speaker list. A wink, a little nod and
19 I will get you on the list. And No. 2, a habit of
20 mine is to allow a member to have the floor, follow-up
21 questions, and exhaust their questions before moving
22 on. But in exchange for that privilege, I would like
23 us to have one good round a piece and only have a
24 second bite of the apple if it's short, brief, and you
25 really need it. That way we can all have a chance.

1 Any other questions for the field manager reports?

2 MEMBER ACUNA: My second question is
3 regarding the Palm Springs report. And this is
4 towards John Kalish. And it's on page 5, for my
5 fellow DAC members and those in the audience, and it's
6 Item No. 2 is the US Navy Withdrawal Proposal,
7 Vicinity of Campo, San Diego County, California. And
8 it appears to me that the Navy is looking at getting
9 additional land from BLM, taking it from public use
10 similar to Twentynine Palms. And my specific question
11 is John, what kinds of current uses are occurring on
12 that property today that would be excluded as a result
13 of this property being shifted to the Navy?

14 MR. KALISH: Thank you, Tom. My name is John
15 Kalish, field manager, Palm Springs, South Coast field
16 office.

17 And again, this is on page 5 of the handout
18 that clearly needs some reformatting. We will
19 certainly do that.

20 But moving on, yeah, this proposal does
21 involve the United States Navy seeking to withdraw
22 additional lands that were located right northwest of
23 the community of Campo in southern San Diego County.
24 It's in an area called La Posta Mountain, and it's
25 really recognized, for those of you who have spent any

1 time down in that area, by a very large microwave
2 space relay station. It's a big microwave dish that
3 really harkens back to the early space race days that
4 is still on the very top of the mountain peak. And
5 you can see it for miles. So when you are in that
6 area, you will know that that is the lands that are
7 involved.

8 As far as the chronology, NASA has had a
9 withdrawal on the top of the mountain that encompasses
10 a little over 1,000 acres for almost 50 years. This
11 facility, due to nonuse, was taken over by the Navy
12 back in the nineties and has been utilized as a
13 mountain warfare training facility, mainly a facility
14 to train the Navy Seals. The Navy identified a need
15 to expand this facility. They essentially outgrew the
16 1,000 or so acres on top of the mountain.

17 Back in 2002 to 2004, a plan was developed
18 during that time to expand onto adjacent BLM land
19 that, even though it went through a number of
20 iterations, it was pretty much finalized as a proposed
21 plan that involves a mix of secure or exclusive use
22 lands under a withdrawal to the US Navy. And that
23 area under withdrawal, which would be closed to the
24 public, encompasses 3,385 acres.

25 But in addition to that, and really to

1 address public concerns and issues for use of those
2 lands, which are really very scenic -- it's in a very
3 scenic area -- an additional 2,169 acres was proposed
4 to be placed under a right-of-way reservation to the
5 Navy that would allow for both Navy use of those lands
6 as well as ongoing public use.

7 An Environmental Assessment was completed.
8 Public meetings were held; and we had a lengthy public
9 comment process. And overall, there was very little
10 controversy expressed by the public involving this
11 proposal.

12 The next steps: We, as an agency, are in the
13 process of submitting a complete package to our
14 Washington office that would recommend this project
15 proposal as stated. That package goes to the
16 Secretary of Interior for his decision as to whether
17 to implement the withdrawal to the Navy, as well as
18 the other right-of-way reservations, that kind of
19 joint use lands tied into the overall project.

20 Much of the use of that area really involves
21 people that live in and around the community of Campo.
22 They have long regarded these BLM lands around La
23 Posta as their backyard. And you talk to local
24 residents, and they do spend quite a bit of time just
25 getting up into these lands. And in the public

1 meetings, it was very interesting in that they really
2 supported the idea of an expanded Navy training
3 facility, especially one that involves training of the
4 Navy Seals. And by really providing a mix of the
5 withdrawn lands that are not open to the public that
6 are secure for use of the Navy involving firearms
7 training and other such incompatible uses for an area
8 that would be open to the public, and then adding
9 that, a mix of lands where the Navy would continue to
10 use a lot of their training on those right-of-way
11 grant lands would involve just being able to travel
12 through mountainous, rugged, wooded terrain and
13 especially not being seen. So the public might be out
14 there at some point and find out that the bush they
15 are sitting next to is not a bush, it's a Navy Seal.
16 But they are fine with that, so -- so as far as a good
17 compromise, it seems to have really worked and not a
18 lot of controversy, and we are moving forward with the
19 proposal.

20 MEMBER ACUNA: Thank you, John. I think you
21 answered the question perfectly, and it's a precursor
22 to what is happening at Twentynine Palms, except there
23 was no controversy and it was supported by the
24 community. Thank you.

25 MR. KALISH: Right.

1 CHAIRMAN BANIS: Any other Council member
2 questions? April?

3 MEMBER SALL: Yeah, I have a similar question
4 for Roxie Trost from Barstow regarding the Calico
5 Solar project update. Would you just talk about the
6 status of the new K-Road component?

7 MS. TROST: Roxie Trost, field manager,
8 Barstow field office.

9 It's a similar status as to what Margaret
10 presented for the project in the Imperial Sands Dunes.
11 We are waiting on a new plan of development for
12 K-Road. They are still working on perfecting their
13 application. They are looking also at new technology
14 rather than the Stirling engines. They are looking at
15 Sun PV, with a small field remaining for the Stirling
16 technology. So still in the preliminary phases.

17 MEMBER SALL: Any timeline anticipated?

18 MS. TROST: No, not at this point. We are
19 still perfecting the application.

20 CHAIRMAN BANIS: Any other questions on that
21 or for Roxie?

22 MEMBER GROSSGLASS: It might be a stupid
23 question, so I'm sorry. Apology first. You mentioned
24 that soil survey is happening out in Johnson Valley
25 and the Natural Resource Conservation Service. Who

1 are they? Why are they doing it? Is it going to be
2 something bad for us?

3 MS. TROST: Natural Resources Conservation
4 Service is a governmental organization. And the soil
5 surveys, they dig trenches and just look at the soil
6 type. They take that data and extrapolate it over the
7 area. It also helps us with the grants because one of
8 the grant requirements is that we have completed soil
9 surveys.

10 MEMBER GROSSGLASS: Good job.

11 CHAIRMAN BANIS: Hector would like to add to
12 that, please.

13 MR. VILLALOBOS: Not the soils program.
14 Hector Villalobos, field manager for the Ridgecrest
15 field office.

16 And I just wanted to update my report. I had
17 forgotten to acknowledge an important contribution
18 that was made by one of the Council members, and
19 that's Mr. Richard Rudnick. A couple of weeks ago,
20 maybe two or three weeks ago, we had a little
21 dedication to an addition to NLCS lands in the Bright
22 Star Wilderness, and some of the land used to be the
23 Rudnick Trust property.

24 MEMBER RUDNICK: It was mine.

25 MR. VILLALOBOS: Yours. So I have to make

1 sure I'm make the right -- characterizing it the right
2 way.

3 Anyway, there were several hundred acres, I
4 believe, that were put into the NLCS system. And I
5 wanted to make sure -- I have a little description in
6 here, and those volunteers were out at the Bright Star
7 Wilderness area, and they made a nice little parking
8 trailhead area for those who have to drive to the
9 trailhead. And the hiking trails were reclaimed --
10 not the hiking trails, but some of the OHV trails were
11 reclaimed. Anyway, that was an acknowledgment I
12 wanted to make.

13 And also, I failed to put in my report the
14 fact that March is the beginning of our sheep grazing
15 season. And we have bands of sheep that are now in
16 the Spangler area and probably soon we will have about
17 20 bands. And don't ask me how many sheep are in a
18 band because I get mixed up on it. 300, 800, I'm not
19 sure. But it's a lot of sheep.

20 So our rangeland management specialist is out
21 there measuring and cropping plants out there, making
22 sure that there is enough forage for the sheep. So we
23 have multiple use going on in the public lands with
24 the sheep grazing.

25 We are keeping them out of the places they

1 are not supposed to be in, and the other neat thing
2 about it is this weekend we are going to have a race
3 out in the Spangler area, and the sheep are going to
4 be spectators out there. So we want to make sure they
5 stay a safe distance away from the course.

6 CHAIRMAN BANIS: The generous and humble
7 Richard Rudnick.

8 MEMBER RUDNICK: Well, I got paid for it.
9 Don't worry.

10 But it was -- it was a natural fit to be an
11 addition to the wilderness, to the Bright Star
12 Wilderness in the Kelso Creek area. It was part of an
13 old mining community called Sageland. And my brother
14 and I bought it some years ago and thought that was
15 the best use. When they developed the wilderness,
16 they came right to our border.

17 Anyway, just a little clarification. A band
18 of sheep can vary from 600 to 1500, but basically in
19 the desert, there are 6 to 800 when they have lambs
20 with them.

21 MR. VILLALOBOS: That's probably the
22 number -- 800. And I started adding up, wow, that's a
23 lot of sheep. But, yeah, 20-plus bands out there this
24 season, probably. And they started to come in in
25 March. We are probably going to be seeing them

1 leaving in May. Thank you.

2 MEMBER GROSSGLASS: Don't let him go yet.

3 CHAIRMAN BANIS: Did you have more questions
4 for Hector?

5 MEMBER GROSSGLASS: I wanted to know, you
6 talked about the Briggs Mine. There was going to be
7 gold mining happening. How are they going to extract
8 that particular resource?

9 MR. VILLALOBOS: It's going to be some more
10 open pit work in the open pit they have right now,
11 except for the open pit that it's at right now, even
12 though it's in one location, they are going to be
13 expanding into another location that has been
14 previously disturbed, but it's not open pit. It was
15 mined underground many, many years ago. So now they
16 are expanding into that ore body by submitting that
17 amendment to their plan. Again, it's within the same
18 footprint of the mining plan of operations, but now,
19 instead of it just being part of the footprint, now it
20 will be part of the open pit.

21 MEMBER GROSSGLASS: On the first page of your
22 field manager report, you had two separate subjects on
23 Type II right-of-ways for wind. Why were they
24 separate?

25 MR. VILLALOBOS: The Type IIs, there are some

1 that we have already processed and gone through, and
2 there are some pending. We are waiting for an
3 agreement. We may be waiting for the cost recovery
4 account to be set up. Maybe we are just waiting for
5 them to give us some more updates on what their plans
6 are. That's Type IIs.

7 But then there is the Type IIIs. That means
8 they have already gone through their monitoring
9 process, and now they are proposing to put turbines
10 in. And that's one of the areas that the Type IIIs,
11 mostly concentrated in Tehachapi and around Mojave and
12 Rosemont area. And that's where the CDD RECO team is
13 taking the ball now. We tried to --

14 MEMBER GROSSGLASS: Sloughed it off.

15 MR. VILLALOBOS: And they are running with
16 it, basically, and working with the county, because if
17 you know the Tehachapi area, it's very checkerboarded.
18 There's even some projects that are on a 10-acre
19 parcel and separated by private property. So they are
20 developing both the private property and the BLM land
21 in between, looking for access, looking for
22 transmission lines, working with the county on the
23 private property and working with us on the BLM land,
24 putting these packages together to put more turbines
25 in there. Every time I go there, there are more

1 turbines being put in.

2 MEMBER GROSSGLASS: Your section on grant
3 requests, I really like the way you put that together.
4 Here is the buckets we requested. Here is the dollar
5 amount, and here is the basic thing. Boom-boom-boom.
6 With one shot I could see exactly what you are doing.

7 MR. VILLALOBOS: That was the work of
8 Mr. Beck, and we got a grant request in there for
9 about 1.4 million dollars in three categories, and you
10 have it on your report.

11 MEMBER GROSSGLASS: You did a great job on
12 field office reports. It was nice that they were all
13 consistent, and that was wonderful.

14 CHAIRMAN BANIS: Hector, a few -- last month,
15 Hector's staff facilitated a fieldtrip by the
16 Ridgecrest steering committee to have a unique
17 opportunity to look at the geothermal power generation
18 stations on the China Lake Naval Weapons Center. It
19 was a very eye-opening opportunity for us all, and
20 thanks to your staff for that.

21 The segueway, though, is to alert our fellow
22 Council members of the item on page 2, the Haiwee
23 Geothermal Leasing EIS Evaluation Initiative. This
24 tract of land is not only special because of the
25 resource on which it is located, but it's also special

1 due to some very remote and wonderful recreational
2 opportunities in that area. And I hope when this
3 document comes around, we all have a chance to look at
4 it very carefully. There is a lot to that area.

5 So thanks again to your staff for having a
6 good look at that.

7 MEMBER RUDNICK: Just one more clarification
8 that I think maybe is important. On the land that we
9 sold and put into the Bright Star Wilderness, it was
10 facilitated through the Audubon, the Kern River
11 Preserve chapter of the Audubon Society, and they had
12 a donor that paid for the land, so there was no cost
13 to the BLM. It was a straight donation to the BLM of
14 about 600 acres. Just wanted to let you know, you
15 didn't pay for it.

16 MR. VILLALOBOS: Another credit goes to the
17 district for helping us process that, because we are
18 so busy on renewable energy, we had people like Al
19 Stein and his staff to help process the donation.

20 MEMBER SHUMWAY: I have a comment and
21 clarification for Meg. The Briggs Mine became
22 permitted and operational in early nineties and was a
23 typical cyanide operation and continues to be, even
24 though it was in reclamation in the last decade.
25 Exploration was going on continually, but it was

1 recently reopened because of high gold prices,
2 obviously.

3 CHAIRMAN BANIS: Richard.

4 MEMBER RUDNICK: I would like to have Rusty
5 come from Needles.

6 CHAIRMAN BANIS: Hi, Rusty. Thanks for
7 joining us.

8 MR. LEE: Rusty Lee, Needles field manager.

9 MEMBER RUDNICK: Rusty, on your report
10 concerning grazing, how many grazing allotments are
11 left in the Needles Resource Area?

12 MR. LEE: Three: Lazy Daisy, Horsethief, and
13 Clark Mountain.

14 MEMBER RUDNICK: Now, on Horsethief, you have
15 had a final decision to renew the allotment?

16 MR. LEE: We have a proposed decision out.
17 We received considerable comment from the interest
18 groups and the permittee on that and are awaiting a
19 final decision at this point of time.

20 MEMBER RUDNICK: Is it premature to judge
21 what it is?

22 MR. LEE: Our proposed decision was to renew
23 with the existing management plan in place with the
24 existing AUM's and to basically enforce the allotment
25 management plan in place since, I believe, 1987.

1 MEMBER RUDNICK: In that -- I understand
2 there is some areas of wilderness, quite a few
3 wilderness areas.

4 MR. LEE: Considerable wilderness area in
5 that allotment, yes.

6 MEMBER RUDNICK: It's also my understanding
7 that the main corrals were taken out by the BLM,
8 removed.

9 MR. LEE: There are actually about 15 corrals
10 in that allotment. One of them was constructed at
11 some point in the past and was never permitted and was
12 constructed on top of an archaeological site,
13 actually, a significant village site. And under an
14 agreement that we have with the State Historic
15 Preservation office dating back before my time, there
16 was an agreement to remove the corral to correct the
17 impacts. And the only sad side of this, because it
18 was not a permitted corral, BLM was not in a position
19 to compensate anyone for its removal.

20 MEMBER RUDNICK: Did you work with the
21 rancher, Ron Kemper, on removing it?

22 MR. LEE: I would say we spent considerable
23 time working with Mr. Kemper. I think Mr. Kemper
24 would disagree firmly on that.

25 MEMBER RUDNICK: What steps are taken to

1 replace the corrals at another location?

2 MR. LEE: We have proposed several
3 alternative locations, and actually, we have been
4 proposing alternative locations for that corral since
5 2006 when it first became a concern. And basically,
6 we were actually, based on a five-hour mediation
7 session, awaiting a proposal from him. He brought
8 issues to the table. And actually, if I could look
9 for -- Jack, you were there. My understanding is that
10 he promised that he would submit a proposal for all
11 alternative locations.

12 MR. HAMBY: Yes.

13 MR. LEE: So we are still awaiting that.

14 MEMBER RUDNICK: What is the process when he
15 picks a location, which I understand there are very
16 few because of the wilderness and there is only a
17 road. And our DAC committee had a barbecue there put
18 on by Ron some years ago when I first came on, about
19 three or four years ago, I believe. Is that the same
20 area, do you know? You weren't there then.

21 MR. LEE: I wouldn't know, but my
22 understanding is there was a barbecue somewhere up in
23 that location.

24 MEMBER RUDNICK: It was a campground.

25 MR. LEE: The campground is considerably down

1 below. The corral was above Horsethief Springs on the
2 flat.

3 MEMBER RUDNICK: What would be the process,
4 then? He picks a location or jointly you guys pick a
5 location and then you have to do an EIS or EIR or
6 something?

7 MR. LEE: Hopefully just an EA on this one.
8 There was a corral there. In my mind, another corral
9 in the neighboring location in the same general
10 vicinity does not change any pattern or type of
11 livestock grazing in that area.

12 MEMBER RUDNICK: How long would that process
13 take to do an EA?

14 MR. LEE: Oh, you are talking to an old
15 planner. We have it down to two months normally.
16 About six months. There has to be some degree of
17 public outreach on that. Obviously if the permittee
18 is bringing it to us, we have done CCC, which cuts the
19 timeline down considerably at that point.

20 MEMBER RUDNICK: That's good.

21 MR. LEE: One constraint we have in that area
22 is a village site, which is not defined by me but by
23 the archaeologists, and they basically show me the
24 line and say thou shalt not do anything within that
25 line.

1 MEMBER RUDNICK: How big an area that would
2 be? Do you know how many acres?

3 MR. LEE: It was large. It was one of the
4 four main village sites that the Paiutes and their
5 predecessors had in this area. They congregated there
6 because it was a major water source, which is pretty
7 typical. If you find water sources in the desert, you
8 will find something of an archeological concern around
9 there. This unfortunately was one of the main
10 habitations sites for desert. You know the other
11 ones: Pahrump Valley, Las Vegas, Tecopa. This is
12 probably the only one that wasn't significantly
13 developed.

14 MEMBER RUDNICK: A corral, the new corral
15 would be an acre or two acres?

16 MR. LEE: We were in discussions on this.
17 Some of Mr. Kemper's uses, he needs a larger area
18 because he uses it for calving. So he needs enough
19 area that basically momma cows and calves have
20 sufficient feed in there for that.

21 MEMBER RUDNICK: He needs a holding pasture,
22 which wouldn't be the same as a corral. It wouldn't
23 be as intense.

24 MR. LEE: No, what was taken out was a
25 corral. We are trying to work with him to see what

1 his needs are. Part of his problem is he has three
2 pastures and corrals in them, but he would prefer to
3 have one corral versus having to handle them on each
4 of the pastures separately.

5 MEMBER RUDNICK: Right. Make it more
6 efficient and less impacts on the ground having one
7 central shipping area or working area that he can
8 utilize.

9 Okay, that's all my questions. I just hope
10 you continue to work with Mr. Kemper and get his
11 corrals located someplace where he can then work his
12 cattle and make the operation more efficient and
13 better for the land.

14 CHAIRMAN BANIS: Thank you, Richard. Brad.

15 MR. MITZELFELT: Well, actually, I would like
16 to echo similar concerns and support the request to
17 work with the permittee. But I also had a question
18 about -- you mentioned a mediation. What kind of
19 mediation was that?

20 MR. LEE: You know, because of the situation
21 and there had been considerable disagreement on what
22 has taken place, we actually -- we hired a third party
23 mediator to come in, and we held a closed door session
24 with the permittee, his wife, Billy Mitchell came in,
25 Jack Hamby and I, BLM-wise. And we basically went

1 through the issues and discussed it in a mediator
2 format. There was a signed agreement that came out of
3 the end of that session. It was reported.

4 MR. MITZELFELT: So that mediation, was that
5 just done out of the discretion of the bureau or was
6 that part of the permit process?

7 MR. LEE: No, that was done out of the
8 discretion of the bureau. I want to ask Jack how much
9 it cost because we did have to hire someone to come in
10 third party. We looked around and there wasn't anyone
11 on the bureau that would be considered totally
12 impartial, and same on his side. So we tried to find
13 someone who did not have a grazing background but knew
14 enough about it to be conversant in it. A
15 professional mediator.

16 CHAIRMAN BANIS: Ron and then Meg, please.

17 MEMBER JOHNSTON: Hi, Rusty. I find your
18 report very interesting and well written. I just
19 can't help but notice the Horsethief Springs riparian
20 damages section of your report. And it's absolutely
21 appalling that this outfit, this US Iron, is showing
22 reckless disregard. And even though approached by law
23 enforcement, continued to destroy the area for miles
24 and miles of land. What is being done to stop these
25 people?

1 MR. LEE: We are working on it is about all I
2 can really say at this point. It's a complex
3 situation because the actual mine is on private land.
4 What originally started all of this is they have been
5 unable to bond for their operation on private land.
6 And I don't know quite why they went into the spring
7 or what their thinking was on why they did something
8 on that. Their statement at the time, they did not
9 realize it was public land, which I don't understand.

10 But we are pursuing that. We have looked for
11 bonding, recovery cost to fix the area back up. If
12 you have been up there, that spring pretty much is it.
13 It's probably the most significant spring source for
14 miles around, so --

15 CHAIRMAN BANIS: Meg.

16 MEMBER GROSSGLASS: Was this the area that
17 you talked about on the ride?

18 MR. LEE: Yes.

19 MEMBER GROSSGLASS: I don't know if we ever
20 properly thanked you. The route you found around it,
21 the guys loved it. We really appreciate you working
22 with us. Thank you very much.

23 MR. LEE: You can probably guess where the
24 archaeological fence was, and I do appreciate your
25 working with us, Meg. There is access across this

1 area, but can we run an event across it? And the
2 answer is we can't. I don't set the archaeology laws.
3 I just have to follow them.

4 MEMBER GROSSGLASS: Rusty and staff worked
5 with us to find an alternate route, and the guys loved
6 it. Apparently it was a lot more fun. I didn't go up
7 there, so --

8 MEMBER RUDNICK: Just as a point of
9 clarification, the Horsethief damage that was done was
10 separate than what the grazing allotment is. There is
11 no connection.

12 MR. LEE: No connection whatsoever. This is
13 related to the Briggs Iron Mine and some of the folks
14 that are hoping to operate that mine in the near
15 future.

16 MEMBER RUDNICK: Thank you.

17 CHAIRMAN BANIS: Any other questions? Thank
18 you, Rusty, appreciate that. Any other Council
19 members have questions for the field managers, state
20 reports or district manager reports?

21 MEMBER GROSSGLASS: I have one on Margaret
22 that I forgot to ask. Did we have an update on the
23 Navy PEIS hanging in the wind forever? Do we have any
24 idea when that's going to come up?

25 MS. GOODRO: It's hanging in the winds in the

1 Washington Navy level. And I sent you an e-mail on
2 that.

3 MEMBER GROSSGLASS: You answered my question.
4 That's fine.

5 CHAIRMAN BANIS: Thank you. I would like to
6 move now to the public comments on the field manager
7 and other reports. I'm calling to the microphone John
8 Dalgleish.

9 MR. DALGLEISH: Mine are for Roxie and her
10 staff. I'm John Dalgleish. I'm a board member of
11 Friends of Dumont Dunes. I also sit on the Dumont
12 Dunes subgroup with Randy and Ed. On the 12th, we
13 held our 9th annual cleanup. I just want to send
14 appreciation to Roxie and her entire staff for all the
15 help they were.

16 And also, a special note: In the
17 Christmas/New Year's holiday we had a significant
18 amount of rain come down through our canyon. And the
19 road was washed out. There were reports it was at
20 least five feet deep, the washout. If you want to try
21 to pull a trailer or motor home through that, it
22 doesn't work. And for that kind of vehicle, that's
23 the only access to our area. And her staff, I think,
24 went above and beyond by getting that road back open
25 again. And I want to make sure that they get the

1 thank you. Thank you.

2 CHAIRMAN BANIS: Thank you, John. Public
3 comments from John Stewart.

4 MR. STEWART: Good morning, Council members.
5 John Stewart, California Association of Four-Wheel
6 Drive clubs.

7 Hector made a comment that I just can't pass
8 it up. He talked about the event, permitted event
9 going on with the sheep being spectators. Does that
10 mean the guy holding the permit is going to have to
11 get spectator insurance for the new spectators?

12 I know it's a serious topic, and I hate to
13 make light of it, but it's something of great
14 importance when we move forward with this topic later
15 in the agenda.

16 Right now there is information from the
17 Barstow office about West Mojave route signing. I
18 find it's kind of short and not really informative.
19 And I'm a little bit more curious as to what the
20 progress the Barstow office is making towards the time
21 lines that are within the WEMO settlement on the
22 particular stipulations.

23 And also, there are several reports that
24 mentioned the Abandoned Mines program. The DAC was
25 provided a brief on the abandoned mines program, I

1 believe at December of 2009 meeting, and that was
2 almost a year and a half ago. I think it would be
3 important to have a full, more in-depth briefing on
4 what the Abandoned Mines program is doing since it
5 encompasses multiple field offices, and any activities
6 there will have a big impact on recreation
7 opportunities.

8 And finally, to the El Centro field office, I
9 am still extremely interested in pursuing the
10 reopening of Devil's Canyon. I know we had an EA and
11 some agreements on a potential setup for resolution
12 prior to the change to the SRP program. But it's
13 something that I am not going to -- I don't want to
14 let it go and drop off the map. And it's something
15 I'm still interested in and seeing how they can't move
16 forward in the light of working with noncompetitive
17 and nonspectator events and try to look at ways they
18 can be conducted. Thank you.

19 CHAIRMAN BANIS: Thank you, John. Just a
20 moment. Roxie, would you mind being gracious and
21 updating what you have on John's question regarding
22 the WEMO plan of action?

23 MS. TROST: Roxie Trost, field manager for
24 the Barstow field office.

25 On January 28, Judge Illston's court ruled a

1 remedy brief of items that would be accomplished
2 between now and the West Mojave Plan update. Some of
3 those things -- actually, one of those things is the
4 implementation plan for the West Mojave signing. The
5 order said that BLM would have all of our West Mojave
6 routes signed within 180 days of the order. And that
7 takes us to July 28th.

8 Monday we'll be submitting the implementation
9 plan to the court, and it will have a detailed
10 schedule of how BLM plans to accomplish that. But
11 basically we have, between Ridgecrest and Barstow, we
12 have identified 14 teams. And in Barstow, we have
13 seven of those teams, and they have been working in
14 the field ever since we received the order from the
15 judge.

16 CHAIRMAN BANIS: Thank you, Roxie. Meg.

17 MEMBER GROSSGLASS: Two things. One thing I
18 thought I had heard was that someone had gotten a
19 permit to use Devil's Canyon. Is that true?

20 MS. GOODRO: So in the El Centro field office
21 for Devil's Canyon we did the EA. BLM staff spent
22 over 200 hours to provide the EA. It's a sensitive
23 habitat, and we do have limitations set by US Fish and
24 Wildlife Service, so it was open for 15 days during
25 the nonbreeding season. So we put an announcement out

1 on our Web page for applications for SRPs for Devil's
2 Canyon, and we did receive one. It was a small group
3 of five folks in their Jeeps. And we had one monitor,
4 and there were no issues and it went very well.

5 MEMBER GROSSGLASS: You are done. I'm done
6 with you.

7 I don't know if anyone knows the amount of
8 work that the Barstow field office did on the WEMO
9 lawsuit. They took the DOJ attorneys around, showed
10 them the supposed damage that the plaintiffs were
11 saying, because the plaintiffs and the CDB wanted to
12 close all the WEMO routes to Green Sticker people.
13 And I know I read what you guys submitted, and you did
14 a great job. And Judge Illston ruled for us. I think
15 we all owe Roxie and Larry and Mickey and everyone at
16 the Barstow field office a round of applause because
17 it really was a great job.

18 (Applause from the audience.)

19 MEMBER GROSSGLASS: I'm done with all of you
20 now.

21 MEMBER ACUNA: Hector, please, certainly.

22 MR. VILLALOBOS: I just wanted -- Hector
23 Villalobos, field manager for the Ridgecrest field
24 office.

25 On the issue of the sheep in the same area of

1 the motorcycle race, we really sat down -- actually,
2 the promoters sat down with me and he says, you know
3 there are going to be sheep in the area. And I'm
4 going to be working with the riders on the course to
5 make sure that they are aware that there is going to
6 be sheep in the area. And so we talked about it, and
7 we know what segments of the course where the sheep
8 might be in around that time during the weekend. This
9 is the level of review we are doing, not just for the
10 safety of the rider -- well, it's for the safety of
11 the rider. You have hundreds of sheep out there. But
12 from what I heard, as soon as the first guy goes
13 through the course, those sheep are going to go
14 someplace else. So they probably won't be watching
15 the race.

16 And the other way around, it becomes almost a
17 spectator from the other side because we have a lot of
18 participants. One year I observed we were having an
19 event at Spangler. And a lot of participants went
20 over to the sheep and they were looking at the sheep
21 being rounded up and being hauled off. And there was
22 a bunch of people watching the sheep. So anyway,
23 that's the way it goes.

24 MEMBER RUDNICK: Hector, I'm sure you will
25 alert the sheep herders that the race is going to

1 happen so they can move the sheep.

2 MR. VILLALOBOS: Yeah, they have been
3 alerted, so we did both sides. The sheep herders know
4 the race going on and the motorcyclists will know
5 there is sheep out there to make sure that it's safe.
6 The times it's not safe is when they wander onto the
7 pavement.

8 MEMBER RUDNICK: Thank you.

9 CHAIRMAN BANIS: I think we have queried on
10 these reports very well today, and let's move through.

11 MR. WALDHEIM: There were some more cards
12 there.

13 CHAIRMAN BANIS: Pardon me. That's my fault.
14 Ed, you did have a card for this. Ed Waldheim,
15 please.

16 MR. WALDHEIM: I always write "all." So
17 thank you very much for taking this.

18 The state director's report on behalf of the
19 state acting director Jim Abbott. I think we should
20 have the author written on these things.

21 All our new formats. That's cool, good idea.

22 However, you have left out OHV funding money.
23 I demand that OHV funding be on that. I'm not nice
24 anymore. I'm tired of for five years trying to get
25 recognition for what we provide the BLM, 37 million in

1 grants, 31 percent is from the BLM. If you are lucky
2 to get the 11.7 million dollars in the California
3 desert that you have put in, you would be getting 43
4 percent of the grants. That's no small potatoes. The
5 report states in the bottom, your budget will be
6 lowered in 2011 and 2012, so I feel we should have
7 that in there. It's just being left out. Mr.
8 Villalobos, thank you for him.

9 And Meg, you mentioned that they put those
10 grants in. They are the only ones that wrote down the
11 grants. He needs to put down the amount, 1.3 million
12 that they have asked for, which is very, very
13 important.

14 I also want to say I feel remiss and slighted
15 that the BLM office -- the Ridgecrest BLM office was
16 not given the coup de gras for the work they were
17 doing on the West Mojave. They also took people out.
18 I was with the attorneys who came out there. They
19 showcased our area, and we were a big part of what
20 happened with the WEMO outcome.

21 Not only Barstow. Ridgecrest needs to get
22 full recognition for that. So I'm upset about that.

23 Friends of Jawbone. Nothing was said about
24 Friends of Jawbone. We in the last two years have
25 collected close to 2 million dollars of money from the

1 Green Sticker to help. We were not just a volunteer;
2 we are a big part of it. This year we put 926 million
3 dollars worth of grants into the Ridgecrest BLM
4 office.

5 The Barstow office, I have to have some
6 clarification. In the sheet Status, "Phase two will
7 begin signing those routes without markings." Without
8 markings? That makes absolutely no sense. So that's
9 something we have to figure out. Read the paragraph,
10 the status. It doesn't make any sense whatsoever.

11 My understanding, we are going to sign 5,000
12 miles of trails. We are going to put markings on
13 there just to put a padlock on there?

14 Also in the Barstow report, they failed to
15 write down anything about OHV. They put in 1.58
16 million dollars worth of grants from the OHV. The
17 Friends of El Mirage put in 316,000 dollars. The
18 Friends of El Mirage is doing pretty much everything
19 except ground operations. We're not doing that.
20 Larry is taking care of that. But we do the signing,
21 fence reports, rest room cleaning, we do the visitors
22 service in there.

23 Likewise in Jawbone, we are pretty much doing
24 everything to help Edgar and their staff between trail
25 maintenance, restoration work, tractor work with the

1 rain that came down really hard. We are out there
2 with two pieces of equipment. We had staff fix it so
3 everything is really under control in that area.

4 CHAIRMAN BANIS: Thank you, Ed. We are over
5 time. Thank you, though. I'm sorry.

6 MEMBER GROSSGLASS: I want to say I'm sorry
7 to Ridgecrest field office (unintelligible).

8 DIRECTOR RAML: I will address -- I think I
9 can address most of the issues that Ed raised. One,
10 yes, I hear you on the grants. We rely heavily on the
11 grants. We will do better to highlight that effort
12 and also to recognize our partner with the State
13 Parks.

14 Second of all, WEMO, when something as large
15 as WEMO comes, there are a lot of people that deserve
16 recognition. I think we are right to call out Roxie
17 and her team and Hector and his team and Needles has a
18 piece of it. Al Stein made a declaration. I will
19 thank as a district manager every BLM employee who put
20 energy into WEMO the subsequent work on the remedy,
21 and the subsequent work we are going to do on the big
22 fix, which is our way to say replanting part of it.

23 Lastly, on that paragraph it was just a
24 matter of the inflexion. It is to sign those "routes
25 without marking." Not to "sign them, without

1 markings." The English language can be a tricky beast
2 sometimes. So they are going to sign those areas where
3 there are no markings. Did I get that right? Okay.
4 Cool.

5 CHAIRMAN BANIS: Thank you, Ed, for bringing
6 those up. And thanks, Teri, for recognizing those
7 comments.

8 MEMBER RUDNICK: Can I make a comment on Ed's
9 comments?

10 CHAIRMAN BANIS: You may.

11 MEMBER RUDNICK: I would like to thank Ed and
12 the Friends of Jawbone. They have a job that is
13 almost impossible to do. And over the last quite a
14 few years now, I don't know how long you have been
15 formed, but the Friends of Jawbone do help with the
16 trails and the maintenance and things that complement
17 what the BLM does out there. And Jawbone, Dove
18 Springs, farther north the Robber's Roost, and all
19 through there, Kelso Valley, and Kelso Creek, all
20 those areas are looked after by Friends of Jawbone,
21 along with the BLM. And they do a fantastic job.
22 Thank you very much.

23 MR. WALDHEIM: Thank you, Richard.

24 CHAIRMAN BANIS: Thank you. Now, that would
25 conclude this segment of the public comment. We have

1 had a lot of new arrivals to the meeting for the
2 upcoming agenda items.

3 There are public comment periods noted on the
4 agenda. If you wish to participate on those, I ask
5 you please to submit a speaker card. It helps me keep
6 track of things and will help us keep on schedule and
7 make sure everybody gets a shot at the microphone.
8 Thank you. Speaker cards are on the back table. And
9 if you could bring the speaker cards to Steve, who is
10 waving his hand, Steve will take those cards and run
11 them up to me.

12 The next item on the agenda is the DAC's role
13 to advise the BLM on renewable energy. Teri, would
14 you like to help with this?

15 DIRECTOR RAML: Randy and I are figuring out
16 our tag team approach to this. I will lead in and
17 then Randy, just tap me on the shoulder.

18 I mentioned earlier when we were talking
19 about the four themes, the renewable energy themes --
20 this is the discussion point for this particular
21 meeting on renewable energy. And as we talked
22 about -- and as you noticed in the field manager
23 reports, as you also will note back on the back table,
24 and that will cue me to talk about the back table in a
25 minute, there is a lot of documentation available

1 about renewable energy projects, the status of the
2 environmental impact process. So there is a lot of
3 written information out there. There is also a lot --
4 and we work very hard, and the public affairs team, we
5 are going to -- I'm going to improve our thanks to
6 Steve, Dave, who work very hard to keep our Web site
7 up to date.

8 I can thank Randy and DAC members for their
9 comments and encouragement to continue to make the
10 information available on renewable energy projects
11 easier to comprehend. So we continue to improve the
12 quality of our Web page. So part of this is, to set
13 the context of this, we are shifting the DAC focus
14 from spending a lot of time on specific renewable
15 energy projects. We will try to continue to highlight
16 dates, try to continue to highlight places where
17 information is available, but we are going to try to
18 change our focus to both the bigger, more landscape
19 level approach, whether it's the Desert Renewable
20 Energy Conservation Planning effort or there is a
21 little bit of time left on the solar programmatic EIS
22 that's being prepared by BLM with the Department of
23 Energy. So that's really going to be kind of where we
24 spend our time as a DAC. Let me continue to emphasize
25 with continued encouragement to interact with the

1 other processes available for input.

2 So we talked about -- but because renewable
3 energy is so important from almost any consideration,
4 the importance as you heard earlier to the economic
5 development of areas, important to provide energy,
6 important in terms of its impact on public lands and
7 how people would like to have it on private lands, we
8 are going to continue to have an update item on
9 renewable energy.

10 What we are also going to try to do is
11 continue to -- I'm going to seek advice from the DAC
12 at this forum in little bit, and also continue to seek
13 advice how the BLM can be more effective in providing
14 input to these bigger projects and continue to be more
15 effective in highlighting BLM's approach to project
16 level planning and our engagement of the public. And
17 particularly also to highlight when we have some new
18 policies that either change or increase public
19 opportunity to get engaged.

20 CHAIRMAN BANIS: We have a DAC subcommittee
21 to work and study on the renewable energy issues.
22 That included Meg, April, Dinah, Tom Acuna, Lloyd,
23 Alex and myself. We met a few times on this issue.
24 And just briefly, I think we realized at some point
25 that the real driving force here in the big picture

1 long run was the Draft Renewable Energy Conservation
2 Plan, DRECP, that's under development by the State of
3 California and the federal government.

4 And we thought that a good opportunity for
5 this subcommittee to essentially debrief and wrap
6 itself up in some regard would be perhaps at this
7 May -- at some point during the May two-day session of
8 the DRECP and wanted to check our calendars for a
9 minute and see if that might be all right. Dinah, do
10 you have a comment on that?

11 MEMBER SHUMWAY: That would work for me.
12 That's the 11th and 12th. That would work for me.
13 Give some of us the opportunity to go to the DRECP
14 meeting.

15 CHAIRMAN BANIS: Perhaps we can work with the
16 director and try to get a heads up on the agenda so
17 that we can come up with a little more time certain to
18 help us in case Dinah or other's schedules fill up so
19 that we can pinpoint that time.

20 Are there any other comments regarding the
21 DAC's role in renewable energy?

22 MEMBER SALL: I would just like to remind the
23 public of the Programmatic EIS comment period
24 ending -- someone from BLM help me out. I think April
25 16. Is that the extension? Yes? So public comments

1 are due on the Programmatic EIS for the solar
2 Programmatic EIS for the desert, for California, and
3 the western states on April 16.

4 CHAIRMAN BANIS: Lloyd.

5 MEMBER GUNN: I had a comment on renewable
6 energy. The mission, as I understand it anyway, of
7 the California Desert District of the BLM is to
8 protect the natural, historic, recreational and
9 economic riches of the California desert for
10 generations to come.

11 How does renewable energy fit into these
12 goals? In February BLM held public hearings
13 concerning future industrial solar development on our
14 public lands. The message was clear. The more
15 effective process for responsibly siting large-scale
16 industrial solar projects on public lands is needed to
17 avoid harming wildlife and the environment. There are
18 many places large enough to generate vast amounts of
19 energy in the desert without sacrificing wildlife,
20 wildland, sacred Indian cultural sites, and our
21 treasured desert landscapes.

22 While renewable energy in itself is good for
23 the environment, I don't think we need to destroy the
24 environment in order to save it.

25 CHAIRMAN BANIS: Thank you, Lloyd. Brad.

1 MR. MITZELFELT: Where is the DRECP in
2 session in May?

3 DIRECTOR RAML: Ontario Convention Center.

4 MR. MITZELFELT: Is it too late for me to
5 join that subcommittee?

6 CHAIRMAN BANIS: It's a stakeholder group.
7 Oh, for our subcommittee?

8 MEMBER MITZELFELT: The county is already on
9 the DRECP.

10 CHAIRMAN BANIS: Oh, my mistake. I don't
11 think that would be a problem. No.

12 MR. MITZELFELT: I will fill out this
13 application here.

14 CHAIRMAN BANIS: Subcommittee. We would be
15 pleased to have you join us.

16 MR. MITZELFELT: And does it run all of those
17 days?

18 CHAIRMAN BANIS: It's going to be a two-day
19 meeting. Usually it's only on one day. That's why I
20 asked if Teri would check with the director to see
21 what the schedule is looking like.

22 MR. MITZELFELT: So I can get input on my
23 availability.

24 CHAIRMAN BANIS: We would like that.

25 MEMBER SHUMWAY: You know what I'm going to

1 say. We discussed this at length at our meeting
2 yesterday. I assume the transcript will be available
3 at some time in the future. And I will continue to
4 beat this live horse.

5 I respectfully disagree with Teri's
6 assessment that everybody regards this as beneficial
7 to the economic development because these renewable
8 projects, I would submit, are not really economic.
9 They are not economic without some unwilling taxpayer
10 support, grant support, loan guarantees. So I don't
11 consider that economic in any -- in any economic world
12 that I deal with. So I would submit that making
13 energy, two, three, four times as expensive is not
14 viable economic development.

15 MEMBER MITZELFELT: If this is the time to
16 talk about the policy questions, I will be very brief
17 in just stating that the biggest policy question I
18 will be addressing and looking for the PEIS and the
19 DRECP to address -- there is a perception that -- or
20 an opinion that the amount of lands that will be
21 disturbed, BLM lands that are being proposed to be
22 disturbed by these projects is a small percentage.

23 But as far as the county is concerned, the
24 number we really have our eye on is the mitigation
25 land. It's private property that will be required at

1 3 to 1 mitigation ratio. There is not enough of it to
2 go around for all these projects. And that's where
3 our eye is and that's where the Fish and Game had
4 signalled that it recognizes that issue.

5 But now we have a new administration, and I
6 think it remains to be seen how they want to settle
7 it. But we are going to have -- we have our work cut
8 out with Fish and Game regarding the sustainability of
9 the mitigation ratios they have been requiring.

10 CHAIRMAN BANIS: April.

11 MEMBER SALL: Just to follow up on that
12 comment, I think I share your concerns, Brad, about
13 the mitigation ratios and the burdens that the
14 counties would take on if significant renewable energy
15 was developed on our federal lands. And I know that
16 the new administration is proposing 2,000 megawatts of
17 rooftop solar, so that will be interesting to see how
18 that factors into the overall goals for the state.

19 And also, I would just like to, on that note,
20 I guess, express my concern for an assumption that is
21 listed in the PEIS for solar that states that, I
22 believe, 75 percent of all renewable energy
23 development, solar development will be on public
24 lands. So that speaks to that issue, and I think
25 that's a flawed assumption. And I think many of us

1 would like to see this directed on private lands so
2 that this does not affect our public lands both from
3 an environmental and recreation standpoint. So that's
4 a statement that we will be addressing at the PEIS
5 comments.

6 CHAIRMAN BANIS: If there are no other
7 comments, I would like a bite of this apple.

8 I attended a solar PEIS public meeting, and
9 the solar PEIS, being an environmental assessment
10 document, studies and analyzes the various impacts of
11 these solar energy zones and areas that are being
12 proposed. It studies them for significant impacts.

13 Among the issues studied, of course, are
14 impacts to water, impacts to air quality, impacts to
15 sensitive habitats, cultural resources, but they were
16 also studying the impacts to recreation. I understand
17 that this is a document of approximately, I think,
18 13,000 (sic) pages. I would like to engage those who
19 are interested in recreational opportunities to look
20 at this document, but not all 1300 pages, if your
21 focus is on recreation. It's very easy, fortunately.
22 This document is broken out into a brief executive
23 summary, and then each of the states -- because this
24 is an eight-state plan -- each of the states is broken
25 out into its own large section.

1 So I would urge you to look at the executive
2 summary to see what the three options that are being
3 presented are, and then look at the California section
4 and look in the analysis of recreation. What you will
5 find is a study on the impacts to recreation of the
6 solar energy sites themselves, just the sites.

7 To follow up on what Brad and April and
8 others have said, what is not analyzed and missing
9 from that study are the potential loss of recreational
10 activities on what is referred to as compensatory and
11 acquisition lands.

12 At the hearing, I brought this up and was --
13 and learned that I was one of the first to raise that
14 issue. And those hearing my concerns understood fully
15 what my point was. And in their words, recreation may
16 be subject to a double whammy, a double hit. And at
17 this time, which is really fortunate for us, this DAC
18 meeting is occurring at a time in which the public
19 comments are open and due on this large-scale planning
20 process.

21 And so I urge you all, if you are looking to
22 preserve your recreational activities on public lands,
23 look not only at the -- merely the sites that are
24 proposed for disruption, but to consider the potential
25 loss of uses for recreation that would result from the

1 setting aside of potentially vast tracts of lands to
2 mitigate for these projects.

3 So again, I urge you all to participate and
4 please comment on this proposal. This is very
5 important, and it is going to be an overarching
6 guiding document for the entire renewable energy
7 development issue as we move forward. This is going
8 to be a pillar of what we are going see in the future.
9 Thank you.

10 MEMBER JOHNSTON: Do you have a Web site
11 address for everyone here?

12 CHAIRMAN BANIS: I believe it's solar PEIS --
13 if you just Google solar PEIS, and the first one that
14 comes up is the official federal government Website,
15 and the documents are split up into their separate
16 chapters, easy to download and look at.

17 Thank you for that obvious good suggestion.
18 From a tech guy, I --

19 MEMBER SHUMWAY: Randy, we had -- at our
20 meeting yesterday we had resolved in the public
21 comment section to make sure that the public knows
22 that the comments they make here at our meeting are
23 considered by the DAC in all cases. However, that's
24 not enough. You must go as part of the NEPA process
25 and file your comments with the proper agencies.

1 CHAIRMAN BANIS: Given that obvious segueway,
2 are there any objections to moving on public comment?
3 The agenda at this time calls for public comment on
4 possible action on the DAC's role on renewable energy.
5 And I urge speakers to please, if you can, focus on
6 that to help us as we continue to evolve and evaluate
7 our role on this very large and important item.

8 I'm going to call speakers in the order of
9 John Stewart, Marie Brachear and Ed Waldheim.

10 MR. STEWART: John Stewart, California
11 Association of Four-Wheel Drive clubs.

12 Teri, you had mentioned that you were looking
13 at more of a landscape level approach to your
14 planning. And with respect to the energy issues and
15 the WEMO plan and all of these things coming up, and
16 considering that you are looking at landscape level, I
17 would like to request that the data layers from the
18 GIS data that you will be receiving or looking at or
19 using be made available to the public so that the
20 public can also look at the same data. And that would
21 help -- I know you will use them internally with the
22 BLM in order to conduct your planning, but also having
23 that information available to the public would also
24 help in the public's understanding and realizing the
25 scope and level of the different competing interests

1 as they come through. Thank you.

2 CHAIRMAN BANIS: Thank you, John. Speakers
3 Marie Brashear, followed by Ed Waldheim, followed by
4 Gerry Hillier.

5 MS. BRASHEAR: On your proposed way of
6 handling it, I'm not sure that landscaping is the way
7 to go, at least as I understand landscaping. It
8 doesn't mean that we will be provided with an
9 opportunity at a DAC meeting to look at the specifics
10 of specific projects. It means that we are going to
11 sort of look at the general policy and the general
12 overall -- you know, we have 27 projects over here and
13 15 over here, but not the specifics of the 27 or the
14 15. I personally do not think that's the way to go.

15 The next issue is one concerning the PEIS.
16 And I think the DAC probably should go on record and
17 should probably submit comments for itself. And one
18 of the areas that I am concerned with is that as I
19 understand FLPMA, if you withdraw from mineral entry
20 anything over 5,000 acres -- and many of these
21 projects are over 5,000 acres -- and many of the blobs
22 on the maps in the PEIS is over 5,000 acres, there
23 must be congressional action and there must be a
24 minerals report, none of which is being talked about
25 anywhere. It's within the PEIS, it's hidden in there,

1 but it's in there that these withdrawals will occur.

2 And I think maybe if the DAC, if that was one
3 of the issues the DAC called to the attention of the
4 good folks doing the PEIS and maybe even our regional
5 managers -- there was a 6,000 acre withdrawal proposed
6 for the solar plant down in El Centro. That's over
7 5,000 acres. Has there been a minerals report? Is it
8 being submitted to Congress for withdrawal for mineral
9 entry for the time and the duration of that solar
10 project? I doubt it. It's something that should
11 happen. It's part of the law. It's part of an act
12 put in place by Congress. And I don't think we, as
13 the California Desert Conservation Area, can turn our
14 back on those kinds of issues.

15 CHAIRMAN BANIS: Thank you, Marie. Meg,
16 comments.

17 MEMBER GROSSGLASS: I have more of a question
18 of BLM. Those solar PEIS areas, are they withdrawals
19 or just changing the land use classification so that
20 kind of use will be allowed on those lands? Can
21 someone give us an answer to that? Al, I'm sure.
22 Sorry, Al, but I know you know this.

23 MR. STEIN: Alan Stein, chief of resources,
24 BLM Desert District office.

25 Those areas are currently segregated, which

1 means that nothing can happen on them. No
2 applications can be filed on them, no mining claims or
3 anything.

4 At the end of the process when those solar
5 energy study areas in the Draft EIS are decided upon
6 and saying this will be a solar energy zone,
7 essentially the decision that's being made is that we
8 are devoting those lands to development of solar
9 energy. To be honest, I will have to check, but I
10 think the intent is that they would be withdrawn then
11 because we are emphasizing solar energy development
12 there, but I don't know for sure.

13 MEMBER GROSSGLASS: Is it an Engle Act
14 withdrawal, like what is happening with the military
15 withdrawal?

16 MEMBER STEIN: The Engle Act is purely
17 military. Withdrawal from mineral entry is something
18 we can do for small parcels of lands, but Marie is
19 right. For 5,000 acres and above, it has to go to
20 Congress. It's not just something a manager can do.

21 MEMBER GROSSGLASS: Does that mean the solar
22 PEIS has to go through Congress?

23 MR. STEIN: The PEIS doesn't, but the
24 withdrawal does.

25 MEMBER SHUMWAY: I don't know if this is a

1 question or a comment. But in the mission of multiple
2 use for these things, the solar plants are going to be
3 permitted for a certain limited time?

4 MR. STEIN: That's correct.

5 MEMBER SHUMWAY: And if, let's just say, a
6 company becomes insolvent and they can't continue to
7 operate, they either could sell it to a company that
8 could operate it, or under the reclamation plans,
9 everything would be removed and the land would be
10 reclaimed to some similar, as to mining, compatible
11 use?

12 MEMBER STEIN: That's correct. It would be a
13 plan for reclamation, revegetation. It would then
14 be -- there is money through our bonding policy to do
15 that if the company can't do it themselves.

16 MEMBER SHUMWAY: So in that case, it's very
17 similar to what we have to practice in the mining
18 industry to operate any mine, public or private?

19 MR. STEIN: Yes.

20 MEMBER SHUMWAY: So in that case, an
21 additional use could be considered by the manager of
22 the land if it was reclaimed. It could be mined if it
23 had mineral value on it. So it's not necessarily like
24 a wilderness area where mineral withdrawal is more or
25 less regarded as permanent?

1 MEMBER STEIN: That's correct. For a project
2 site. But we are talking about a different kind of
3 decision being made for the solar energy zones.

4 MEMBER SHUMWAY: So we don't know what's
5 going to happen right now?

6 MR. STEIN: I don't know for sure. We,
7 collectively, as a federal government may know. But I
8 haven't read through the EIS to tell you exactly what
9 is going to come in. But essentially recognize what
10 we said when we started the process was that the
11 establishment of the solar energy zones would be a
12 plan amendment. And I do believe that it will be
13 withdrawn at the same time.

14 MEMBER SHUMWAY: Withdrawn from permanent
15 mineral entry, as Marie indicates?

16 MR. STEIN: I believe so. That's the intent
17 of the segregation is to segregate the lands and say
18 nothing can be done on this while we are going through
19 the PEIS process so that we are not prejudicing the
20 decision, something is not happening out there that
21 may prejudice the decision.

22 MEMBER SHUMWAY: Just for clarification, I
23 understand that process going forward on a project.
24 If I had a mining project, I wouldn't want someone
25 else to come in and propose a mining project for that

1 area while I'm in a permitting stage. However, I'm
2 simply trying to find out or to point out that under
3 the mission of multiple use, if the solar -- if a
4 solar plant was gone and the land was reclaimed, then
5 it would not prohibit later mining, assuming that
6 there was a resource there?

7 MR. STEIN: No, it would not.

8 MEMBER SHUMWAY: That was my question. Thank
9 you.

10 CHAIRMAN BANIS: Next is Ed Waldheim,
11 followed by Gerry Hillier.

12 MR. WALDHEIM: I want to thank Dave Beaumont
13 who is sitting over there who hit me over the head
14 finally about the DRECP happening. I didn't pay much
15 attention to him on that, but thank God he finally
16 woke me up and with the Supervisor Zack Scrivner and
17 Assemblywoman Jean Fuller, we were able to get a seat
18 at the table which prior to that point we were not at
19 that table. Two meetings we lost.

20 It was mind-boggling to see what is coming
21 out of that group and then to see the PEIS coming out
22 of that group. But we are in danger of losing our
23 recreational lands, and it's very simply this: When
24 you look at the map that Beaumont kept sending to me,
25 they have these beautiful blue areas. What is the

1 blue areas? It's areas of opportunity. They
2 described it in the DRECP. And I said, "Holy Toledo,
3 it's all of the Kern County area." May not get solar
4 or wind farm, but they are going to take the land for
5 mitigation.

6 Then I go to the PEIS, and at the meeting in
7 Barstow, we find out -- until Mr. Banis brought it up,
8 I didn't even consider where the mitigation land came
9 from. So you at the DAC, if you have strong feelings,
10 you should really collectively make your input on this
11 big issue because as Mr. Banis has said, that's an
12 800-pound gorilla that nobody is talking about, and
13 you are talking about our recreation lands for
14 motorized and nonmotorized that we could possibly
15 totally lose just by slipping it in.

16 CHAIRMAN BANIS: Thank you, Ed. Tom.

17 MEMBER ACUNA: Just a quick comment. On the
18 DRECP, we sent a letter to Dave Harlowe requesting
19 that we have a seat at the table, but we were denied.
20 So I just wanted to let you know there was an effort
21 at our end. Thank you.

22 MR. WALDHEIM: Appreciate that. Thank you.

23 CHAIRMAN BANIS: Hi, Gerry the floor is
24 yours.

25 MR. HILLIER: I have my San Bernardino County

1 consultant hat on now, so I kind of bounce back and
2 forth between both roles. This is going to sound like
3 a site-specific question, but it isn't. It's a
4 process question.

5 In looking at the solar PEIS within San
6 Bernardino County, I noticed that the Iron Mountain
7 area in the southern boundary of the county is an
8 identified solar development area.

9 Two days ago I was at a -- had the privilege
10 of sitting in on a Desert Managers Group meeting and
11 was briefed by Scott Flint of the Energy Commission
12 who is running the DRECP process. And Scott
13 identified that their process has raised questions in
14 terms of biological values in the Iron Mountain area
15 in which they are likely to come up with a different
16 recommendation for Iron Mountain and perhaps take it
17 off the table.

18 I'm familiar with the area, and I know that
19 it's a sensitive area from an historic standpoint
20 because one of the Patton training divisional camps
21 was located in that area close to the MWD station.
22 That said, I'm not sure of the extreme biological
23 values there. There may be some tortoises there, but
24 I know it's outside of the critical habitat.

25 The point of my question here is, Has the DAC

1 addressed how they are going to input BLM in terms of
2 the various processes? How are differences between
3 the states' DRECP, in which that is under the
4 direction of the CEC, and whether BLM is a participant
5 there or not, the decision maker and the Programmatic
6 DEIS that's being done on solar, if it has a different
7 recommendation, how are those differences going to be
8 resolved? And is the DAC going to play a role or
9 should they play a role on resolving those
10 differences? I really believe that they probably do
11 need to weigh in and at least at some point provide
12 some input into the process.

13 I had a couple of other things there, but I
14 think everybody has addressed the issues relative to
15 the compensation and reimbursement. It's a desert-
16 wide issue, but this process question I think is
17 important.

18 CHAIRMAN BANIS: Thank you, Gerry.

19 May I take a shot at responding to the over-
20 arching theme of our speakers, and which actually is
21 the crux of the question that we wrestled with
22 yesterday for maybe as much as 30 minutes, is to how
23 we involve ourselves in that particular process.

24 We discussed how the DAC could play a role or
25 whether the DAC could formulate a comment on its own,

1 a collective comment into the NEPA process. And there
2 are two things that were -- that we struggled with
3 that kind of put up a little roadblock for us.

4 One was our charter, again, calls for us to
5 advise and focus our comments through the Desert
6 District manager. And the second stumbling block was
7 that the DAC -- that we felt that there would be
8 inadequate time for us to arrive at a consensus on
9 this issue. And that in order for us to express the
10 sentiments of the full DAC, to have a split vote would
11 not do the DAC's business, essentially. There is no
12 opportunity for a minority opinion in a NEPA response.

13 And we struggled with this, and we have come
14 to -- we have come to unanimous consent on questions
15 regarding renewable energy before. Approximately
16 three years ago, Ed worked with Geary Hund and with
17 Dinah to develop a letter regarding the DAC's position
18 on this issue, and that letter is still, I think, very
19 relevant. It doesn't really change. These issues
20 flow right into that letter. But nonetheless, that
21 letter didn't come without significant struggle, and
22 it took quite some time. It took a period of a full
23 three-month period to be able to construct that so we
24 could have unanimity.

25 And given the aggressive deadline, even

1 though we were fortunate to have an extension in the
2 comment period for the PEIS, I believe, if I'm
3 speaking correctly for everyone, we kind of reached a
4 head-shaking consensus -- and that's shaking our head
5 not yes, not no, shaking our head more like this
6 (indicating) that we didn't feel we had enough time
7 for us to do that. And I may be wrong in summing that
8 up, but I'm happy to hear others' viewpoints on how
9 they saw that discussion going.

10 April.

11 MEMBER SALL: Yeah, I think you are correct
12 in that discussion yesterday. The only thing that
13 came to mind as you were speaking is would we be
14 interested in entertaining the idea of resubmitting a
15 newly updated version of that letter, since it had
16 consensus?

17 MEMBER SHUMWAY: Mr. Chairman, wow, three
18 years ago, I hardly remember what we said. I do
19 recollect that I thought it was pretty weird that
20 Geary and I would be on the same page about anything.
21 But it just goes to show you that even if we all have
22 diverse experience and attitudes about these things,
23 that we did arrive at somewhat of a consensus on that
24 issue.

25 So, yeah, I do agree with April. Maybe we

1 should look at that letter again, see what needs to be
2 changed, and see if we can arrive at consensus, submit
3 it to our manager, and see if it can go under the DAC
4 letterhead. I don't know if we have a letterhead.
5 But maybe that would be some way to proceed.

6 But to follow up with what Randy said, that
7 might be the only time we would ever actually have a
8 consensus on an issue, but that's precisely what the
9 strength of the DAC is. We all bring advice to the
10 manager based on our own experiences, and I think that
11 is what Teri really needs. She doesn't need everybody
12 speaking in one voice; she needs everybody's attitude
13 to make a viable decision that's going to affect all
14 of the desert owners. I think with that said, I think
15 maybe we should follow up on April's suggestion.

16 CHAIRMAN BANIS: I have a copy of that, but
17 not with me. But it's right on my desktop for quick
18 and occasional read.

19 MEMBER SHUMWAY: It's not on your iPad?

20 CHAIRMAN BANIS: It's the one document that
21 didn't make it to my iPad yet.

22 MR. RAZO: I might have it.

23 CHAIRMAN BANIS: Maybe we could have a look
24 at it at some point, and then it will be on my iPad.
25 Pardon me. I have been told by the front desk that we

1 did have another comment card submitted in time for
2 public comment on this issue, and I overlooked.

3 Kim Campbell, there you are. Kim, thank you.
4 I apologize for overlooking your card.

5 MS. CAMPBELL: Kim Campbell, rockhound
6 activist.

7 I want to commend the DAC and Randy, to you
8 in particular, for bringing this to our attention
9 because I don't think -- I don't know anybody that has
10 really been looking at all the litigation land in
11 addition to the land set aside for the energy
12 projects. So I will make sure that the America
13 Federation of Mineralogical Societies and the American
14 Land Access Association are aware of it, and hopefully
15 they will comment on it also. And I hope all the
16 recreation groups out there will do the same. But I
17 wanted to express my great appreciation for the
18 information.

19 CHAIRMAN BANIS: Thank you, Kim.

20 Are there further comments or any motions
21 relative to this -- I would be happy to entertain them
22 at this time.

23 MEMBER ACUNA: The comment was our charter
24 with regard to the larger scale land use plans, DRECP,
25 PEIS. That's not our charter to advise through the

1 NEPA process. But we as the DAC -- and maybe this is
2 our little renewable subcommittee -- we might be able
3 to provide Teri some opinions about those plans. That
4 might be helpful, so we might be able to take care of
5 some of these points mentioned by those in the
6 audience and still do some service to you. That's
7 all.

8 CHAIRMAN BANIS: Any other comments? With
9 that point, would it be the -- we are only -- we are
10 only 15 minutes ahead of schedule, if that. I don't
11 think we want to move into the next agenda item yet.
12 It would be sad to break that up just as we get
13 rolling. So perhaps we should break for lunch at this
14 time while we have no -- I have no motions, no action.

15 MS. SALL: Should we make that a motion?

16 CHAIRMAN BANIS: Would you care to --

17 MS. SALL: I will make a motion to
18 recirculate the letter and have an e-mail vote, I
19 guess, if we should resubmit or take any further
20 action for PEIS comments.

21 MEMBER SHUMWAY: I will second that.

22 CHAIRMAN BANIS: Are there any objections to
23 that action? Hearing and seeing none, it will be
24 done. Steve, you have a copy of that?

25 MR. RAZO: I believe so.

1 CHAIRMAN BANIS: Is there a way to get that
2 up on the screen and look at it?

3 MR. RAZO: Was it the -- April, do you want
4 to see it? Or do you want to just make copies? I can
5 get copies made.

6 CHAIRMAN BANIS: Why don't we do that. We
7 can have copies made and circulate it after lunch for
8 everybody to review.

9 Just one moment, please.

10 Let's adjourn until 1 p.m. Is that all
11 right? We are going to adjourn and we will resume
12 again at 1 o'clock. Thank you, everybody.

13 (Lunch recess from 11:43 a.m. to 1:09 p.m.)

14 CHAIRMAN BANIS: Thank you, everybody for
15 coming back from lunch. Nice turnout here today. I
16 would like to thank everyone for taking their time to
17 join us. I know that there are millions of acres of
18 public land that you would rather be out recreating on
19 today, and it's beautiful weather for being out there.
20 And I appreciate your sacrifice and your time to come
21 and join us and talk about this important issue.

22 My name is Randy Banis. I'm the chair of the
23 DAC. And we will begin today's agenda -- this
24 afternoon's agenda with the Desert Advisory Council Ad
25 Hoc Task Force on the recreation permit process and a

1 proposed SRP special recreation permit subcommittee.
2 If there are no objections from the table, I would be
3 grateful if Meg Grossglass would begin this agenda
4 item, please. Thank you.

5 MEMBER GROSSGLASS: I really hate microphones
6 and most of you know, I don't need one. So I will do
7 the best I can.

8 As most of you are aware, there was an
9 unfortunate incident over the summer that required the
10 BLM to kind of look at the way -- the practices they
11 were using to give out special recreation permits. So
12 as a result, they are now adhering strictly to their
13 regulations, and that has caused some measure of
14 discomfort in the OHV community and for the BLM staff
15 also.

16 So as a result, they put out some documents
17 that were procedures that they were going to follow
18 and some new documents. And then we asked for public
19 comment. As a result, we got 16 e-mail and written
20 comments back.

21 The SRP task force, that Roxie Trost in the
22 Barstow field office is in charge of, got them, and
23 she will be addressing what they are doing with those
24 comments after my report.

25 What the DAC has decided to do or what --

1 kind of our little ad hoc SRP -- it's kind of an
2 informal group that we formed quickly to address this
3 issue. We have decided that we would like to form an
4 official DAC subgroup to deal with the ongoing issues.
5 All of us were hopeful that once the report came out
6 and that every issue had been addressed, we could all
7 move forward. But we are all learning that the BLM
8 doesn't necessarily know what the event people do.
9 And the event people don't know what the BLM should
10 do. So this is our first year of marriage and we are
11 all getting to know each other.

12 And things are changing more than any of us
13 would like. So to address that concern, we are going
14 to -- I'm going to recommend to the rest of the group
15 and hopefully they will oblige, that we are going to
16 create a DAC subgroup that will include -- let me get
17 to the right sheet. The mission of this subgroup will
18 be to identify operational issues and the application
19 of required SRP procedures, provide comments about
20 current and proposed actions by the BLM's internal SRP
21 task force -- that's the one you are going to hear
22 about from Roxie Trost after I'm done -- and to aid
23 the BLM in accurately communicating SRP procedures for
24 interested parties.

25 One of the things that you are aware of is

1 that communication has been so difficult since things
2 are changing so quickly. It's a very dynamic
3 environment, and I think having this subgroup will be
4 one way to fix that.

5 The other changes that we have requested from
6 the BLM is to set up a list serve so when things are
7 officially changed, that an e-mail will automatically
8 go out to the people that have -- what is the word I'm
9 looking for -- when you apply for this, when you sign
10 up for this list serve, so you don't have to be a
11 stakeholder. You could be Joe Q. Public and sign up
12 to the list serve and get information about changes
13 and things that the BLM subgroup think that are
14 important that are happening with SRP procedures.

15 The other thing suggested to the BLM and they
16 are taking on as an item is to have "frequently asked
17 questions" about SRPs on their CDD Web site. Becky?
18 Is it going to be on the CDD Web site? Yes.

19 So sometimes rumors get started and they were
20 not always factual and there is really no place for
21 users to go and easily to look at those. And so one
22 of the suggestions was, let's have a frequently asked
23 questions page about SRP permits.

24 So those are the issues that the DAC
25 forwarded to the BLM, and they are taking under

1 advisement and we are going to do. So I want to give
2 you a little bit more information about the subgroup.

3 This is going to be an official DAC subgroup,
4 and it will have seven members. One person from the
5 DAC will be a member, and then there will be six
6 people that can apply. And I believe there are
7 nomination papers on the back table. They are on the
8 back table and with Jennifer. And the expertise and
9 interest needed to be nominated and to be placed on
10 this committee are that you need to be an event
11 permittee or participant familiar with planning and
12 permitting and implementing SRP events. And we are
13 going to try to have a fairly balanced -- we want
14 representatives from 4-wheel drive, dual sport,
15 equestrian and all kinds of people that get SRP
16 permits.

17 So we really want this to be people that are
18 knowledgeable about the subject, because one of the
19 things that we heard from the group that commented on
20 the BLM's new or advised or whatever SRP procedures
21 was that they were a little nervous that the DAC was
22 going to be doing that when members of the DAC,
23 probably besides me, don't know much about SRP
24 permits. So we wanted people on this subgroup that
25 knew what the problems were, what worked, what didn't

1 work, to work hand-in-hand with the SRP task force to
2 work out all of these issues.

3 They were going to -- we are going to fast
4 track the application process. We are going to try to
5 get it done in 45 days. So you turn in your
6 nomination forms, and we are going to try to get this
7 process done and this group up and running within 45
8 days. We will have four to six meetings, and we did
9 agree they were going to be open to the public;
10 correct? And it was important to me that these
11 meetings were open to the public so that even if your
12 club did not get on -- wasn't on the official
13 membership, you can always show up to the meetings and
14 give us your input.

15 We really want this to be a place where the
16 SRP permittees and spectators and participants had a
17 chance for their voice to be heard. This is going to
18 be a very challenging process for all of us. Many
19 things have changed, people are very passionate about
20 it, and the DAC wants to make sure that the BLM hears
21 all of your concerns.

22 It doesn't mean they will always be able to
23 address that and work on that. But I think through
24 this process, they can at least tell us, we know this
25 is your concern and we can't do it because of this or

1 that concern needs to go up to Washington, DC. So we
2 have experts talking to the BLM, and the public has
3 time to give us their input too. Because essentially,
4 I can't take up all of our time at the DAC meeting on
5 this specific one subject, but it's very important to
6 a huge amount of the users out there.

7 And I think I actually did it. I think I can
8 turn it over to Roxie now; yes?

9 MS. TROST: Good afternoon, Council and
10 members of the public. Roxie Trost, field manager for
11 the Barstow field office.

12 BLM has a long history of being an agency of
13 choice by groups, individuals, and organizations.
14 Event organizers have been part of that history. And
15 to borrow Randy's analogy, some of us are sedans and
16 some of us are Land Rovers. No matter what you are,
17 you have a special place on your public land.

18 BLM is proud of our multiple use mission, and
19 that's what makes us unique. BLM is and has been and
20 will continue to be a place that promotes that
21 diversity, and I think that's evident by the actions
22 of the agency post the tragedy at Johnson Valley.

23 Some of the things that happened after that
24 tragedy, the following weekend the Invader's race
25 occurred, just as planned. It was a under a

1 microscope; however, it still occurred.

2 Teri was our brand-new District Manager. And
3 she stepped up to the plate and gave us the
4 opportunity to change the program and to get us back
5 into compliance. She asked us to form what we called
6 our SRP task group. So before I get into the specific
7 products of that SRP task group, I would like to spend
8 just one minute talking a little bit about some of the
9 most recent things that I have seen come up, and
10 that's insurance.

11 After the Johnson Valley tragedy, all of our
12 permits were sent through the district office, so
13 there was one set of eyes looking on all permits for
14 all five field offices. What we found was there was a
15 difference in what the certificate of insurance page
16 looked like. And some of them, but not all of them,
17 had the words "excluded" under the medical coverage.
18 So we asked the question, What does that mean? We
19 read our manual, and we went to the CFRs. And when
20 you read the CFR, it clearly says "BLM judges
21 sufficient to protect the public and the United
22 States."

23 So we still -- we were very uncertain. We
24 contacted a commercial insurance provider and we asked
25 the question, "If our insurance policies have the word

1 'excluded' for medical, what does that mean to us?"
2 The answer was that then BLM assumes that liability.
3 And we weren't protecting the interest of the public
4 or the government.

5 So since then, we also contacted our
6 solicitor's office and asked for a solicitor's
7 opinion. And we had the same response from the
8 solicitor.

9 I know that it has been a very dynamic
10 process and things have changed. And I think that's
11 why it will be so important for this SRP group,
12 subgroup to form so that they can help us and get
13 information out as soon as we hear about it.

14 So let me talk now a little bit more about
15 the tools that the SRP group, the products that we
16 actually produced. We produced what we called the
17 staffing matrix, and we had a lot of discussion about
18 that in the comments. And the BLM state director
19 identified BLM's actions, including that a staffing
20 matrix will be the tool used to inform field managers'
21 decisions on BLM staff for monitoring the events. We
22 have been testing it. It worked pretty well, and we
23 have some flexibility in that. And I will talk a
24 little more about that when I get to cost recovery.

25 But since your comments came through and went

1 back through the DAC, we have taken another look at
2 that staffing matrix, and the numbering system within
3 the matrix has changed. And we are taking a look at
4 the definitions. Those were some of the comments made
5 by the public.

6 Under the heading of cost recovery, that
7 was -- that is actually in our regulations. This
8 isn't new. And in the report we found that BLM wasn't
9 implementing cost recovery. We are looking at doing
10 some new things, like bringing on some seasonal
11 employees to reduce the cost, to monitor the SRP
12 events. But I think more importantly, we are working
13 with many of the organizations, and they are helping
14 us in their staffing their events and BLM's role is
15 strictly to be the monitor for that.

16 I have a couple of really good examples of
17 events that we have had in the Barstow field office,
18 and one of those events is King of the Hammers. We
19 anticipated there could be anywhere between 10 to
20 15,000 people, spectators at that event, and you can
21 imagine that the Barstow field office in no way would
22 have the appropriate number of staff to be able to
23 staff that sort of event.

24 Based on the King of the Hammers operating
25 plan, we found that their operating plan included 139

1 volunteers. Their 139 volunteers were placed in
2 strategic locations. They were rovers. They were
3 road crossings. They did many of the jobs that BLM
4 was looking for. Our job, then, was just to go out
5 and ensure that their stipulations were being met.
6 And we could reduce our number of people in the field
7 significantly. So that is one example.

8 Another example is we are working closely
9 with District 37, and they have identified two new
10 positions. One is their BLM liaison, and we work
11 directly with that person in the field. If there are
12 any issues, we can notify that person directly and
13 they can make changes in the field.

14 The other position we are looking at is
15 having a BLM contact to work with the permitting
16 process. And that will reduce the time that BLM
17 spends on the applications significantly. So those
18 are the things that we are looking for with this SRP
19 subgroup and thinking outside the box.

20 Another change that was made -- and we heard
21 a lot from you -- were the blackout days. We
22 identified as part of our group that there would be
23 five blackout days to coincide with the five holidays
24 that we staff Dumont Dunes and the Imperial Sand
25 Dunes. After we took a closer look at the program, we

1 felt that we could actually possibly cover an event if
2 it was in proximity to where we already had staff, or
3 if it was a small enough event that it wouldn't have a
4 significant impact on either the sand dunes, Dumont
5 Dunes or the Imperial Sand Dunes. So those are some
6 changes that we made, as well.

7 Another change was that what was formerly
8 known as the lottery has now been put back into the
9 hands of each field office. So the event organizers
10 can work directly with each field office to decide
11 when their events are. And I think that has stream-
12 lined the process, as well.

13 Some things we are looking at getting some
14 help from the SRP subgroup with would be the 2007
15 booklet update. There is a lot of old information in
16 that booklet, and I think it needs to be revised. And
17 since that booklet was released and actually just in
18 the last few weeks, a new permit has come out. We
19 think that the SRP subgroup could help us with the
20 Frequently Asked Questions Web site and that you could
21 also help us with some checklists and things that we
22 have been working on for a while.

23 Another thing we thought of is that there
24 could be the opportunity to develop a list of
25 insurance companies that meet the BLM requirements. I

1 know there are some out there. Other of our event
2 organizers have been able to find them.

3 That is really all that I have right now. I
4 really appreciate all of your comments, working
5 through the DAC, and bringing this forward. It's
6 helped us in being able to work through some of the
7 issues. I think it is a very still fluid process, and
8 it's been hard for you. It's been hard for us to get
9 the information out to you as quickly as we would
10 like. And we are working very hard to try to make
11 that a little better, a little easier.

12 CHAIRMAN BANIS: Thank you, Roxie. Meg,
13 would you like to add something?

14 MEMBER GROSSGLASS: I was going to add a
15 couple things to Roxie's.

16 First, I do want to thank you, because my
17 motorcycle club, the Desert Daisies, had a race almost
18 exactly a month after the accident in Johnson Valley
19 and it was stressful. But you guys made it so it
20 could happen. You guys had the option to suspend all
21 races, but you didn't. And the races are still
22 occurring.

23 And then by the time -- I'm also involved
24 with dual sport, and by the time November rolled
25 around, it was a much better process. And I hope that

1 continuing to work together through this task force
2 and subgroup, that it will be less and less painful
3 for all of us. And we need to keep an open mind and
4 be willing to work together and communicate. And I
5 appreciate you and all the other field managers that
6 have had patience with us. Appreciate it.

7 CHAIRMAN BANIS: Are there other comments
8 from the Council at this time? Thank you.

9 I would like to say a couple of things to all
10 of you who are here. Please don't think that the
11 silence that you are hearing from the other Council
12 members has anything to do with any disinterest. We
13 have talked about this very much yesterday, long and
14 hard. We spent more time on this issue than any of
15 the other issues yesterday. We even talked about
16 bylaw revisions yesterday, and you know what that can
17 do for an organization. This was our biggest topic
18 yesterday. So we are very, very interested in all you
19 have to say. What is important, though, please, is
20 for you all to understand just briefly -- let me tell
21 you what the role of the DAC is.

22 The role of the DAC per a federal charter
23 says that it is our duty to advise the Desert District
24 manager and to take public comment. The DAC doesn't
25 have the power to change insurance policies. The DAC

1 does not have the power to issue permits. The DAC
2 doesn't have the power to change the rules and the
3 regulations regarding the issuing of the permits.

4 But we do have the power to engage the public
5 and to ask for your opinions and to ask what can we do
6 to help you in communicating with the BLM? And I want
7 to ask you to keep that in mind when you are
8 addressing us today. Advise us as the DAC, given that
9 limitation of our role, what can we do to help you?
10 Because we want to.

11 And I can say myself that I have been
12 privileged to be a part of many of the meetings that
13 you have all held on this. I have been part of many
14 of the conference calls you have held on this. I
15 can't say that I'm the No. 1 expert on this issue by
16 far. But I have heard from many of you who are
17 experts on this issue. And I'm your friend on this.

18 But at the same time, today we have a lot of
19 people who have things that they want to say, and I
20 want to make sure that you all have that opportunity.
21 And that we all have a chance to hear from you.

22 This issue of a subgroup, please don't take
23 this lightly. You need to understand that there are
24 only two other subgroups that exist with the DAC. One
25 is a subgroup for the Imperial Sand Dunes Recreation

1 Area, ISDRA, and there is a second subgroup for the
2 Dumont Dune. And these subgroups have been around for
3 many years, going on six years or more. And in all
4 that time, we have no other standing subgroups of this
5 nature.

6 So the fact that we are very happy and
7 pleased to offer a subgroup for this specific issue,
8 don't take that lightly. That is an important thing
9 for us. And too, this subgroup, this is your
10 subgroup. There will be one representative from the
11 DAC to provide a nexus to the DAC. But this is going
12 to be your subgroup. It will your ongoing, regularly
13 meeting, publicly open entity for you to get deep down
14 in the weeds on this issue. They will explore the
15 most mundane and detailed parts of this complicated
16 process, and it will be an iterative process and
17 adaptive process. And if it works like the other
18 subgroups, one of which I have had the privilege to
19 participate in, I think you will see that there will
20 be a receptiveness and that there will be positive
21 results, and potentially you will see some change.

22 But today, I would like to ask for your
23 cooperation at first. Please address me in your
24 comments as the chairman of the DAC. This is not an
25 opportunity to necessarily rule on the BLM. But it's

1 an opportunity to rale on the DAC. But please, just
2 do so through me and all of your comments are being
3 recorded by a stenographer. This is going to be part
4 of the public record: From here to digital
5 perpetuity.

6 Also, many of you are part of organizations
7 and groups that have leaders that you have elected and
8 who have worked very hard on your behalf for several
9 months on this process. And I encourage you to
10 support your leadership, and if possible, defer to
11 your leadership to present your comments. This isn't
12 a vote. There is no majority-rules-thing here. And
13 as much as we want to know that there is support for
14 the comments being said today, too many "me too's" up
15 at the microphone won't help us hear diversity and new
16 perspectives.

17 So please, again, let your leadership do as
18 much as they can. But if they are not covering the
19 bases and things they were not able to get to or if
20 there is something perhaps maybe you disagree with, we
21 would be more than happy to hear that comment.

22 Also, this may not sound terribly fulfilling,
23 because many of you have come a long way to be here.
24 But at the front table we have yellow pieces of paper
25 and plenty of pens. And over the course of this

1 discussion, if you find that you think it would be
2 just as helpful for you to jot down your comments and
3 leave it with us, they will be put into the record and
4 we will see those. We will hear those. I will ensure
5 that we do. Okay?

6 Lastly, I have nearly 30 comment cards, and
7 that's a lot of people and a lot of comments. But I
8 will do my best to give everybody a turn at the wheel.
9 And so in order to do so, it saddens me, but I need to
10 move from a three-minute to a two-minute comment
11 period. It's the only way we can give everybody a
12 chance at the mike. If you go over, it means somebody
13 else isn't going to have something to say.

14 I know I've thrown a wrench because they only
15 have a three-minute timer. One of us is going to have
16 to figure out -- it must be an iPad person -- we are
17 going to figure out and get that at two minutes. But
18 in the meantime, I'm going to be keeping a clock until
19 they get that set. But I ask you to please do your
20 best to make sure you don't take other people's times.

21 MEMBER GROSSGLASS: I fixed it. That's the
22 only thing I will fix today.

23 CHAIRMAN BANIS: I believe it's a cricket
24 chirp. If you hear a cricket chirp, that's not
25 somebody's phone going off. That does mean your two

1 minutes is up, and you have a chance to finish your
2 sentence and your thought. This is my first day on
3 the job, folks. Welcome to the job, and I will do the
4 best that I can for you all.

5 I first want to -- before I take comments, I
6 am going to turn the floor to Dinah.

7 MEMBER SHUMWAY: The DAC is a Council
8 resolved to attempt to avoid using acronyms without
9 first telling what they are. I'm not an off-road
10 person, and if you could just identify your acronym
11 before you use it, that would be really helpful.

12 CHAIRMAN BANIS: I have a written comment,
13 just like to let everybody know and for the record,
14 and this will be inserted into the record from
15 Mr. Dave Bolles. Thank you, Dave, for your comment.
16 I had a chance to glance through while we were getting
17 settled, and I will make sure that everybody has this
18 and sees this.

19 And I'm calling these names in actually no
20 particular order. But there may be from time to time
21 I may ask for a show of hands if people are associated
22 with these leaderships and if they are all in support
23 of these comments.

24 I'm going to actually call first Rob Niemela
25 from AMA, District 38. And forgive me if I

1 mispronounced your last name.

2 MR. NIEMELA: You did pronounce it correctly.
3 And I'm Rod Niemela from District 38. I come here to
4 talk about the matrix.

5 The matrix I feel is incomplete for a few
6 reasons. It does not take the number of volunteers
7 into account or the number of volunteers or hired
8 medical staff. It also doesn't take into account
9 speed events such as motorcycle racing and trucks and
10 cars, which there is a difference in those. You have
11 dual sports and Jeep events, which are motorized but
12 nonspeed. And then you have stuff like desert
13 clean-ups and we have a rocket club. So all these
14 things need to be accounted for on that.

15 On the subcommittee, I got wind of it about a
16 week and a half ago, and this is something that I have
17 contacted Teri on many times. And it makes me very
18 happy. I'm very pleased to hear about the
19 subcommittee. I feel strongly that this is the
20 correct way to go.

21 As far as spectators go, I think there needs
22 to be a definition on what is a spectator and what is
23 not. Is a participant a spectator? Is somebody on a
24 crew a spectator? These are things that need to be
25 addressed and these are my opinions, even though I

1 come from District 38. You can take a poll, but if I
2 offend somebody, don't hold it against my district.
3 Was that under two minutes?

4 CHAIRMAN BANIS: Dynamite!

5 (Applause from the audience.)

6 CHAIRMAN BANIS: Are there other District 38
7 members here? Thank you all for coming. Thank you.
8 Thank you, Rob. Next on the list is Mark Underwood.
9 Mark, thank you.

10 MR. UNDERWOOD: Mark Underwood. Thank you
11 for your time. I will be brief due to the time
12 constraints.

13 My concern is mainly with race events; that
14 you also look at the separation between a race event
15 and a recreational event and that the two are not the
16 same. Thank you.

17 CHAIRMAN BANIS: Very good. Thank you, I
18 appreciate that. Just one moment. I want to catch
19 that. Thanks again, Mark.

20 ^ Check Rich Wohlers from District 37 and the
21 Four Aces. Rich. Hey, there we are.

22 MR. WOHLERS: Rich Wohlers. I live here in
23 Apple Valley, retired, and I'm a District 37 member.
24 My club is Four Aces. Since the MBR incident we have
25 had two events that our club has put ON. One in

1 November we had an Enduro at Johnson Valley. And in
2 February we had a national (unintelligible). These
3 are half a dozen comments I will make, and I think you
4 will hear them from a lot of people.

5 No. 1 is that motorcycle events are
6 different. The Enduro we had is not a speed contest.
7 It's an event where four riders take off every minute
8 and they go at various speeds, typically low speed.
9 There is nothing really high speed. I didn't feel
10 that our event was treated like that because the BLM
11 people who were really involved with us don't
12 understand what an Enduro is or the difference between
13 different motorcycle events. So we need to help
14 educate you on what our events are like and what
15 concerns you might have.

16 The new requirement to provide course maps in
17 six months at least right now is difficult. I guess
18 we will grow into it. But when we lay out an event,
19 we are not just looking at places on the ground.
20 There are other events that have been around, and
21 environmental concerns due to weather. Typically we
22 are working on a course at about two months before our
23 event. So six months we will get around it, but it's
24 a difficult thing for us, I think, to be able to
25 handle it.

1 One of the problems that we have had with
2 both events we have had is we get told these are the
3 requirements, so go work A-B-C and D. And then we
4 completed those and now we have E-F and G, so we don't
5 know what everything is we need to be working on.

6 And the other thing we need to address is
7 communication. I was personally a little bit offended
8 at our November event. My son is president of Four
9 Aces. He is the person who has dealt with the BLM for
10 many years, is the person that fills out the forms and
11 communicates with the BLM on these events. The
12 gentleman who was in charge of that event said I been
13 trying to get ahold of this guy 15, 16 times. He
14 never returns my call. We are people who are workers
15 and have phones off during work if our work doesn't
16 allow us. My desire is for the majority of
17 communications by e-mails. The --

18 CHAIRMAN BANIS: The two minutes has expired.
19 Thank you, though. I very much appreciate it.

20 Grant Tucker.

21 MR. TUCKER: My name is Grant Tucker. I'm
22 taking my three minute and trying to cut it down to
23 two.

24 Mr. Chairman, Council members, good
25 afternoon. My name is Grant Tucker. The past 11

1 years I have been involved at all levels with an
2 off-road race team.

3 The ever-changing conditions placed on
4 California off-road race promoters applying for a
5 Special Recreation Permit are creating ripples. I'm
6 speaking specifically about the impact on a way of
7 life for myself, 100-plus race teams, and the hundreds
8 of families that participate in events held under the
9 banner of Mojave Off-Road Racing Enthusiasts.

10 The vast majority of us welcome reasonable
11 changes and the tools to promote safety. That being
12 said, each of the five SRPs issued to M.O.R.E. since
13 the tragedy has required additional conditions to be
14 met.

15 The industry fees for the final race were
16 \$200 for sportsmen and \$360 for pros. The race held
17 in January under the newly imposed requirement of cost
18 recovery saw proposed entry fees jump to \$240 and \$400
19 respectively. However, before the SRP was issued to
20 the promoter, only days before the scheduled race,
21 even as teams were loading their race vehicles and
22 RVs, BLM changed the promoter's liability insurance
23 requirement.

24 This new condition resulted in another fee
25 increase to race teams. Now we are paying \$340 and

1 \$500. Over 100 teams found or made room in their
2 budgets to pay the new fees last weekend. Even before
3 the dust had settled from the day's events, we were
4 informed that a new insurance requirement had been
5 mandated by BLM for the next event. Another
6 substantial entry fee increase is most certainly on
7 the horizon.

8 The current economic state of Californians
9 has made our racing community particularly susceptible
10 to the effects of increased costs across the board.
11 Increases in travel cost and entry fees added
12 approximately \$750 to my team's bill for last weekend.
13 The collective investment of the team I race with and
14 its members is something north of \$500,000. That much
15 is about in the middle of the pack for the 100-plus
16 teams that regularly participate.

17 The teams of M.O.R.E. did not receive big
18 dollar sponsorship. For the majority of us it is a
19 good day just to get some free parts or maybe gas
20 money for the race. I believe we are on the verge of
21 seeing a decline in total entries. Any significant
22 fee increases, and uncertainty in planning budgets,
23 will surely see mom and pop teams begin to fold.

24 I respectfully submit the increases in
25 insurance requirements conditional to a permit are

1 becoming onerous, and only have relevance in the event
2 of a severe failure of the safety programs now being
3 placed. I believe the SRP's emphasis should be placed
4 on safety and prevention, not indemnification and
5 compensation. Thank you.

6 (Applause from the audience.)

7 CHAIRMAN BANIS: Thank you for your
8 eloquence. I appreciate that.

9 Mr. Ed Waldheim.

10 MR. WALDHEIM: The health insurance that was
11 put in was not part of the regulations. It's an
12 interpretation that somebody is doing up and down the
13 food chain. If the BLM wants to force the new health
14 insurance tax on you, the BLM needs authorization.

15 The current law does not grant that
16 authorization. That comes from an insurance person
17 who does all the insurance for vehicles and so forth.
18 What the BLM is determining applies on your day-to-day
19 insurance policy. It's a standard thing, insuring the
20 people that you may hurt, something like that. But
21 for you personally, who may have a Kaiser plan or some
22 other plan, it's redundant to require them to have
23 insurance. That has to be resolved because you are
24 bankrupting people.

25 What is happening -- I put the five points I

1 put up -- I'm not going to go over them right now.

2 You have them in writing as part of the record.

3 The economic impact on our society down here
4 in Southern California is tremendous. For every race
5 that you lose, it's millions of dollars of ripple
6 effect that happens on our economy. We are all on a
7 shoe-string. There is not one of us who is a rich
8 person out there. One race less, that means
9 manufacturers of engines and so forth may not be able
10 to pay their bills and they may fold. This is an
11 economic issue. The racing SRP is more economic than
12 is tourism. The recreational riders is a tourism
13 issue.

14 The other issue that the subgroup needs to
15 tackle is that my little stupid poker run should not
16 have more BLM employees watching my five people on a
17 poker run than I have in the event. It makes no sense
18 whatsoever.

19 The equestrian people, the new federal
20 employees putting new regulations on dual sports, you
21 shall ride double or you will have a buddy partner or
22 you shall sign in and sign out. I don't have to sign
23 out. I can go anyplace I want to. I'm street legal.
24 I don't have to come back to the start. I don't even
25 have to follow the road chart. I can go home. What

1 regulations are you going to impose or force on a
2 promoter who sells a roll chart to go and enforce
3 that. It makes no sense.

4 So there is a lot of issues you need to
5 resolve. Thank you.

6 CHAIRMAN BANIS: Thank you, Ed.

7 MEMBER GROSSGLASS: I would like to have a
8 question on Ed's comments. Ed mentioned -- and I'm
9 not sure who can answer this question. Ed mentioned
10 health insurance being required by the BLM. Maybe I'm
11 wrong, which happens all the time. I thought it was
12 public liability insurance that was required. Who is
13 going to step up and answer my question? I don't mean
14 to put you on the spot, but I wasn't understanding it
15 to be health insurance. I was understanding it to be
16 type of liability insurance.

17 MS. LASELL: I'm Bekki Lasell. I'm the
18 deputy district manager of operations for the BLM CDD
19 office.

20 It's the medical expenses. The reason why
21 that is required on insurance is because if there was
22 an injured party from these races, if that was to be
23 excluded, the injured party would have to sue BLM and
24 the event promoter in order to cover those injured.
25 So BLM is asking that the insurance covers a minimum

1 of \$10,000 under that medical expenses coverage
2 section of the insurance.

3 MEMBER GROSSGLASS: But that is under the
4 liability. It's a type of liability insurance. It's
5 not a type of health insurance. It's a liability
6 insurance; correct?

7 MS. LASELL: That's correct.

8 MEMBER GROSSGLASS: It's just like a slip and
9 fall you get for a business or something like that.
10 It's been very confusing, especially for me.

11 CHAIRMAN BANIS: We are going to have an
12 opportunity as the Council after the public comments
13 to be able to query the BLM further should we desire
14 to. Thank you, Bekki, I appreciate that.

15 Back to public comments. And again, thank
16 you all very much for sticking with the time. This is
17 very informative, and it's going very smoothly. I
18 think everyone is going to have a chance here today.

19 Pat Riley from SCTA, Southern California
20 Timing Association.

21 MR. RILEY: I want to put a face, first of
22 all, on what the SCTA does. I will do it quickly. I
23 want to put a face on what the SCTA does so you as a
24 board knows what we are about.

25 We have been racing out at the El Mirage land

1 speed trials since 1930. We have had 60 years out
2 there now, and we consider that the start of our roots
3 in the off-road landspeed racing. We are the stewards
4 of that lake. We have been the stewards that lake for
5 many, many years. We have volunteers. We work with
6 BLM and we work with the Friends of El Mirage, we
7 contribute time, funds, and we have projects going on
8 out there all the time to help them.

9 We got considerable investment on the west
10 end of the lake, in the neighborhood of \$500,000, and
11 that's a building and a residence out there for our
12 trailers. Now, that's all the good side of it. We
13 are working with BLM. I'm a liaison to the BLM and
14 Friends and also the treasurer of the SCTA.

15 Now, the bad part. We are nonprofit. We
16 have always been a nonprofit organization, and I spend
17 about \$20,000 in loss every year when we have a
18 season, six meets. We also have two meets at
19 Bonneville. Now, that \$20,000 is picked up by the
20 Bonneville side of it. What is going to happen if we
21 have two rainouts at Bonneville? We have contingency
22 for that, but after that, we are out of money and the
23 backup money doesn't back. So basically that means
24 what we are looking at is 60 years of heritage that I
25 could lose, and we could have the racers done.

1 The average racer has about \$50 to \$75,000 in
2 their car. There are 831 people in the organization.
3 That impact on the Speed Equipment Manufacturers
4 Association here in California, if we quit buying this
5 stuff, it's going to be profound.

6 So these are the things I want you to know
7 what we do and how we volunteer with the BLM. And I
8 want you to know we support the community out there,
9 Chamber of Commerce. And also want you to know that
10 there aren't deep pockets, so what I would like you to
11 do is consider these fees down the road and see what
12 you can do to help us out on that.

13 CHAIRMAN BANIS: I'm sorry, this isn't
14 working for me. I'm sorry, pardon me. I think it
15 would be best if the folks could see the time. Would
16 it be all right if you came up and sat next to
17 Richard? I think it's going to be really helpful.

18 The reason I bring that up is that some of
19 you really want to get the meat and potatoes out at
20 some point. And if you see how the clock is doing, it
21 gives you a chance to be more effective. So it
22 doesn't do us any good to see the two minutes is up.
23 It's more for you folks to be able to time yourselves.
24 So thank you. I have John Stewart.

25 MR. STEWART: Good afternoon. John Stewart,

1 California Association Four-Wheel Drive clubs.

2 I have been involved on some of these SRP
3 discussions since I first broached the topic in 2003.
4 Then it was to try to move the BLM to a point where
5 all field offices were interpreting the regulations
6 correctly. After a couple of years' prodding, that
7 resulted in a team that was put together and resulted
8 in the 2007 handbook.

9 Fast forward to September 2010 after the
10 tragic accident at Johnson Valley. Again at the DAC
11 meeting in El Centro, I encouraged the BLM to put
12 together another team to look at how the changes to
13 the process need to be done, the changes that
14 reflected different types of events. And looking to,
15 when you start looking at this, put in a process that
16 avoids undue and costly stipulations to the recreation
17 events that are noncompetitive and nonspectator.

18 These were things that were not considered in
19 the original rule and these are things that are very
20 important now, as is being borne out. And within this
21 framework we also need to have a clear definition of
22 what is monitoring. Monitoring is mentioned very
23 heavily, but there is no real definition of what
24 monitoring entails. And does monitoring require a
25 special or specific knowledge? And where possible, to

1 use volunteers to accomplish the monitoring rather
2 than the expensive staff of BLM or the expense of BLM
3 staff, although that does -- the expensive BLM brings
4 you up into the cost recovery issues.

5 And then when you are looking at cost
6 recovery, that is the time and effort applied in order
7 to conduct and work through the permit process. So
8 these are issues that have to be looked at.

9 And then lastly, with respect to the matrix,
10 I am not very comfortable with the way that matrix is.
11 And I would rather see it defined in terms of risk
12 assessment. And within that framework, that risk
13 assessment would help define what is necessary for
14 monitoring and what is really necessary for BLM
15 staffing the event. Thank you.

16 CHAIRMAN BANIS: Thank you, John. And I know
17 that that's a challenge. You have done a tremendous
18 amount of research on this issue, and you have become
19 very learned on it, and I apologize for making you
20 have to put all of that into two minutes. But thank
21 you.

22 I'm going to call a couple of names just so
23 that folks can know where we were in the order. The
24 next speaker is Jerry Grabow, followed by Marie
25 Brashear, followed by Ron Matthews.

1 MS. BRASHEAR: I will give up my time to
2 whoever needs it.

3 CHAIRMAN BANIS: Thank you, Marie.

4 MR. GRABOW: Hi. Jerry Grabow, AMA District
5 37 Off-Road president. I would like to thank the BLM
6 and the field managers and staff for the tireless
7 hours to help us with the process of filing our events
8 and our SRP process.

9 I would also like the DAC to look at the
10 possibility of an MOU for each type of event and going
11 as far as a specific organizer. That way, the field
12 office manager can get that level of comfort that they
13 need to ensure that the event will come off safely.

14 Along those same lines, we all know what a
15 District 37 event looks like. As far as whether it is
16 a Hare and Hound or an Enduro, they all kind of look
17 the same. And the BLM -- I mean, we have been doing
18 this for 30 years. So I would hope that the BLM would
19 understand what type of an event we have and would
20 understand what type of staffing that they would need
21 on the ground.

22 We will also do our part to get the paperwork
23 process in line to where we would cut down on that
24 office staff review of paperwork so that the paperwork
25 looks more similar.

1 And then going along those same lines, we
2 would also ask that if we do go over that 50 hours, if
3 we could get some sort of a standardized ruling or
4 cost for each type of an event, whether it be a car-
5 truck race or motorcycle race and gear that toward the
6 specific end users or event organizers. And then that
7 way the end users would have more of an idea of what
8 their end costs would be in hosting some of these
9 events.

10 So again, I would like to thank all the DAC
11 and the BLM. Thanks.

12 CHAIRMAN BANIS: Thank you for your hard work
13 on this issue. I appreciate it. You have made this a
14 big priority. Ron Matthews, followed by Wayne Nosala.

15 MR. MATTHEWS: Thank you for hearing me. Ron
16 Matthews, race driver with M.O.R.E. racing. Can you
17 hear now?

18 I have a paper that I have given to Roxie.
19 There were plenty of copies of that that the DAC
20 should all receive from her.

21 I basically had all my questions answered,
22 but one thing I do have in mind.

23 There is some property right straight across
24 from Slash X and east of Highway 247. This area used
25 to be grazing land. There is now a kiosk and an area

1 open to public lands, totally fenced all the way to
2 Camp Rock Road. This area could be set aside for
3 racing only. And on the days that cars and trucks are
4 racing, no motorcycle people. No cars and trucks if
5 motorcycle people are out there. This is a safety
6 issue that would eliminate 90 percent of the problem
7 and ten-fold the safety factor.

8 I will submit this to the DAC. You can ask
9 Tami for others. There are probably 10 copies of this
10 floating around. Appreciate that.

11 CHAIRMAN BANIS: Appreciate that, Ron.

12 (Applause from the audience.)

13 CHAIRMAN BANIS: Hi, Wayne, welcome. The
14 floor is yours.

15 MR. NOSALA: Hello, committee. Wayne Nosala.
16 I'm from Mojave, California.

17 I would like to express my great concern for
18 the direction that the BLM has taken with regard to
19 motorized competition events in the California desert.
20 I'm a third generation outdoor recreationist and a
21 racing fan. I raced buggies and was involved in the
22 sport for almost all my 40 years.

23 I have also participated in competition
24 events in almost every capacity: Mechanic, pit crew,
25 a fabricator, driver, spectator, and even a component

1 manufacturer. Also a little bit of land use.

2 Because of the depth of this experience, I
3 have a unique ability to suggest workable solutions to
4 issues regarding desert-based motorized competition
5 events and ensure the viability of these events for
6 many years to come.

7 I have spoken to almost all the promoters --
8 buggy, truck, four-wheelers -- and they all have
9 enjoyed a positive, cooperative response and
10 relationships with their BLM district offices.

11 For 40 years trouble-free events have been
12 held with few issues. However, after this tragedy at
13 the California 200, this historic record seems to have
14 been forgotten. Race teams and supporting businesses
15 are now threatened by sudden changes in BLM's permit
16 processes. This year alone, we have lost events from
17 MDR, SNORE, AMA District 38 and DRIVE.

18 Year 2004 I was M.O.R.E. class champion, one
19 of the highest footnotes of my life. The only
20 remaining competition Truck/Buggy events are held
21 right now are by M.O.R.E., one by Hammer King
22 Productions.

23 (Interruption in proceedings.)

24 CHAIRMAN BANIS: Just a moment. Continue.

25 I'm not going to run the clock on you. That's my

1 fault. Just a moment. The floor continues to be
2 yours, my apologies.

3 MR. NOSALA: This is a very high toll for
4 businesses to pay when they were not at fault for the
5 tragedy. It's a very high toll for the businesses.
6 We have to remember that these same businesses create
7 jobs and bring considerable revenue to surrounding
8 areas during this time of economic difficulty.

9 The staffing matrix and cost recovery as
10 proposed by the BLM needs to be altered so these
11 promoters of business can resume holding these events.

12 It's also come to my attention that BLM is
13 monitoring events very closely to identify safety
14 issues. On the surface, there is nothing wrong with
15 this, but I see this sometimes as being used as an
16 excuse to penalize event organizers over small,
17 somewhat petty issues to identify small errors to
18 demand higher insurance and coverage for future
19 events.

20 I attended a M.O.R.E. race last January.
21 This event was very well organized. There were 33
22 volunteers on-site, all of whom had radio contact with
23 the main event scoring trailer during the entire day.
24 All issues were reported and corrected promptly by the
25 volunteers. The volunteers had every issue handled

1 before any BLM ranger had time to respond.

2 I invite the members of the DAC to attend a
3 M.O.R.E. race. I would love you guys to come out. I
4 will give you a tour and show you how professionally
5 run these races are. I like the concept of the
6 promissory MOU idea that Mr. Grabow has proposed. If
7 this MOU is not met, the BLM can say, don't start the
8 race.

9 I know some of these remarks you may not
10 understand. I will always be available to help
11 explain, and I know the DAC is only in an advisory
12 capacity to the BLM, and request that advice include a
13 call for balance to return to the permit process for
14 competition events.

15 (Applause from the audience.)

16 CHAIRMAN BANIS: Again, my first day on the
17 job. Sorry to have taken you out of that rhythm.

18 Before I call the next speaker, I would like
19 to acknowledge a written comment from Jeff Cepielick.
20 I hope I said that pretty close. Thank you, I
21 appreciate this very much. I have this.

22 I also would like to acknowledge a written
23 comment from Mr. Jeff Knoll. I know you were very
24 involved in this issue. Thank you very much for this
25 comment. Wherever you are --

1 MEMBER GROSSGLASS: Jeff is not here. I also
2 gave everybody a copy of his comments because I forgot
3 to do it yesterday. It was on all your desks.

4 CHAIRMAN BANIS: I have Mr. Tom Willis and I
5 have Jim Woods. Tom, you have the floor for two
6 minutes.

7 MR. WOODS: Tom Woods. I was at the start
8 line during last year's California 200 off-road race.
9 Just to clarify what happened, after we heard that the
10 41st (unintelligible) had crashed, we immediately
11 informed the racers, who shut off their motors, took
12 off their helmets, and asked how they could help.

13 This sport requires us to be self-sufficient.
14 We are also self-policing. In two decades as a
15 volunteer race course worker all the way back to the
16 days of the Run ACA, I have never witnessed a crime
17 between racers or crews, no one has ever been stabbed,
18 shot, or robbed. I have never heard of a single crime
19 against a child while attending a sanctioned off-road
20 race. We also leave our pit areas cleaner than we
21 found them.

22 The reason I bring this up is because I am a
23 government employee. I have been contacted by an
24 organization by called PEER, Public Employees for
25 Environmental Responsibility. Their Web site

1 encourages us to demand a congressional inquiry into
2 the full cost of reckless off-roading to taxpayers and
3 natural resources. We are encouraged to turn in
4 information of this kind, but nowhere does this list
5 mention writing Congress about the real problem:
6 Illegal dumping, everything from household trash,
7 refrigerators, computers, abandoned cars, even drums
8 of hazardous chemicals. There is no comparison
9 between legitimate and sanctioned off-road racing and
10 the criminal acts occurring as we speak. What is the
11 cost recovery plan on illegal dumping on established
12 race courses?

13 CHAIRMAN BANIS: We may seek an answer for
14 that at the conclusion. Thank you.

15 Jim Woods. We have other CORVA members here
16 in the audience? Other CORVA members in the audience?

17 MR. WOODS: My name is Jim Woods. I'm the
18 president of CORVA, California Off-Road Vehicle
19 Association. We promote all types of access to
20 recreation in the desert where it is off-road.

21 First, I would like to take my hat off. You
22 have done a good job. This was a tragic accident.
23 But as the old saying goes, don't throw out the baby
24 with the bath water. You need to look at the jobs
25 done by various groups over the past 40 years, the

1 safety record they have, and the quality of events
2 they put on for families and racers alike.

3 Back in 2004, Roxie Trost and I sat at a
4 table in Denny's. She handed me a cost recovery bill
5 for over \$10,000 for dual sports, and I was president
6 of dual sport at that time. We discussed it. We
7 found out what caused it.

8 The following year, our cost recovery was
9 less than \$2,000. We monitor our own corridors. We
10 got an A-plus report card. And the best part, when I
11 was sitting in sandy Nevada, Dave Rowe (as pronounced)
12 comes over and says, thank you guys. We were allowed
13 now to have enforcement where it was needed by not
14 having to over-enforce and over-monitor our event.

15 The SRP committee is vital to our desert
16 recreation. It's vital to our sport. I commend you
17 for allowing it to happen. I hope you all vote for it
18 to happen. And I will hand you our comments of CORVA.
19 They are very straightforward and repeating what
20 everybody else has said here.

21 The matrix is a good starting point. It's
22 not the final answer. Every event is different, and
23 every event is important to, whether it be the desert
24 racer, the rocketeer or the rockhound.

25 Thank you very much for letting us speak and

1 again, we hope you do allow this committee to form and
2 develop our deserts into what it should be, a
3 recreational area for the public. Thank you.

4 (Applause from the audience.)

5 CHAIRMAN BANIS: Thank you, Jim, for your
6 leadership on this issue.

7 Clayton Miller, followed by Helen Baker.

8 MR. MILLER: Good afternoon, chairman and
9 members of this Council. My name is Clayton Miller.
10 I'm the southern regional director for California
11 Off-Road Vehicle Association. I'm following the
12 president's comments.

13 I think when I am sitting here this
14 afternoon, what I am hearing is there is a distinct
15 interest on part of the Council to try to address
16 this. We have heard a lot of different problems
17 individually. I was going to talk about the number of
18 events at any given field office, but I don't think I
19 need for go into that kind of a specific example of
20 what CORVA experienced last year going into this year.

21 But I guess what I would like to say is I
22 recommend that this committee form this subgroup this
23 afternoon. And I think it sounds like it's something
24 that's really needed. And hearing Roxie Trost talk
25 about the changes that they are considering now, has

1 been a result of communication. So I think it's that
2 much more important. Thank you.

3 CHAIRMAN BANIS: Thank you, Clayton. It was
4 nice of you to come this far and fill us in.

5 Ms. Baker, welcome.

6 MS. BAKER: Thank you, Randy and
7 congratulations. Okay.

8 My name is Helen Baker. I'm representing the
9 Johnson Valley Improvement Association at the meeting
10 today. From the standpoint of the small rural
11 communities that surround the BLM land where all of
12 your events occur, we not only want you there, we need
13 you there. If the organized events do not come to our
14 country, we will die.

15 The local communities, the Lucerne Valley
16 Market, the Mojave Market, all the other areas out
17 there, we need you, we want you. We want you to know
18 that, and that's why we are here today supporting your
19 events.

20 I believe that the BLM is trying to fix the
21 wrong problem. The organized events and the people in
22 this room are not the problem. They are doing the
23 right thing. They take care of their events. They
24 police their constituents, and they consistently leave
25 the areas that they use in better order than they

1 found them. Again, they are not the problem.

2 My question is, why do we only see the BLM
3 monitoring the organized groups? Where are they the
4 rest of the time? Thank you.

5 (Applause from the audience.)

6 CHAIRMAN BANIS: Thank you, Helen. I would
7 like to acknowledge a written comment from Randy
8 Engen, E-n-g-e-n, property owner from Imperial County.
9 Thank you for coming.

10 I have two speakers, Lee Perfect, followed by
11 Joe Williamson. Welcome, Lee. Thanks for coming.
12 You have two minutes and the floor is yours.

13 MR. PERFECT: Thank you for the time. I'm up
14 here as an avid off-road racer. Been racing for 30
15 years. Have been making my living solely as extra
16 money since 1994. Currently my wife and myself are
17 employed in the off-road industry.

18 The BLM is in a hard position to enforce
19 these rules and regulations after this tragedy, and
20 that's what it was, an accident and a tragedy. The
21 biggest problem I think currently with M.O.R.E. and
22 all these organizations is we need to get a set of
23 rules and requirements that are obtainable. These
24 ridiculous requests for insurance that is maybe being
25 interpreted wrong, we need to get this set out that

1 there is a set requirement, rules, get it all in so
2 these organizers can meet them, not have the
3 regulations change days or weeks before an event so
4 every event they are scrambling to make the
5 requirements and get more insurance. It's costing
6 them money to go up for the racers.

7 If these races stop happening, it will be an
8 unbelievable effect on the industry, from Ford, to BF
9 Goodrich, to mom and pop stores in the Lucerne Valley,
10 to fab shops, RV dealers. It will be a huge burden.
11 So that's what I am requesting is a set, obtainable
12 requirement. The insurance thing is ridiculous what
13 they are requiring. I think that's a bad
14 interpretation. So that's what these organizers need
15 to have good races.

16 The BLM, they are requiring all these extra
17 officials to be out there and their pay. Let's get
18 them active. It's education that's going to keep
19 these people from getting hurt from standing back.
20 Just sitting in a truck, if that's what the BLM are
21 doing, and that's what I see and hear a little bit.
22 Don't just sit there and wait to write down a demerit
23 for these organizers. Let's get involved, let's
24 educate people. Stand back; pay attention; don't
25 stand on a corner, all this type of stuff. I have a

1 five-year-old son. I want him in ten years to be able
2 to race off-road if he chooses. And it's our deserts
3 and it's a great way of life. Thanks.

4 (Applause from the audience.)

5 CHAIRMAN BANIS: Thank you very much.

6 MR. WILSON: Joe Williamson, off-road racer
7 in District 38.

8 First off, I want to say, Mr. Chairman and
9 board members, I appreciate the subcommittee that you
10 have dedicated for the SRP. Like the gentleman before
11 me, the increase has gone up from last year to this
12 year 560 percent is how much District 38 basically
13 pays to put on a race. And that's not counting what
14 we pay LaSard (as pronounced), and the medical stuff,
15 that stuff remains the same, but 560 percent between
16 the cost recovery and the insurance going up over 100
17 percent.

18 The local BLM -- I'm from the El Centro area.
19 We have a very good rapport with them. I think they
20 do work on educating the promoters when they see
21 something wrong, unlike what the gentleman before
22 said, they don't just sit there in their truck in the
23 District 38 area. These guys are too close, have them
24 move, and they assist us in that.

25 I do think the oversight they have went from

1 one or two rangers driving in through the event, the
2 day before the event or during the event. Now they
3 have six or seven show up. And again, I think that's
4 overkill for a -- motorcycle racing is not that much
5 of a spectator sport as it is -- and I think the
6 definition of the spectator, like has been pointed out
7 before, should be better defined.

8 Thank you very much for my time.

9 CHAIRMAN BANIS: Thanks for coming from so
10 far away. I appreciate that very much.

11 (Applause from the audience.)

12 CHAIRMAN BANIS: Ladies and gentlemen, thank
13 you again. I realize that you all were only able to
14 scratch the surface. But on behalf of the Council,
15 I'm sure you will all agree that we are really quite
16 impressed with your professionalism and how well you
17 have really learned and delved into a very, very
18 complex issue. We have all become experts on this,
19 and we can only benefit from that. Thank you.

20 I now would like to turn the floor over to
21 the DAC. Thank you very much. Jennifer, that was
22 very helpful.

23 I would like to turn the floor over to any
24 DAC members who have further comments to add to this.
25 Dick Holliday.

1 MEMBER HOLLIDAY: I would like to comment on
2 the idea of an MOU, and I think that that will be
3 taken up with the DAC subgroup. I think the subgroup
4 will be the perfect entity for ideas such as that.
5 That never occurred to me, but it seems like if there
6 are promoters -- obviously that wouldn't work for a
7 single purpose use -- but if there were promoters
8 putting on many events, that may be a good way to
9 handle something like that to cut down on the amount
10 of time that they have to spend and that BLM also has
11 to spend on processing applications.

12 So I think that's a real good use for the DAC
13 subgroup, and I'm sure that other ideas that the
14 public has can be expressed at the subgroup level.
15 The subgroup will be constituted and it will allow the
16 public to have input to the DAC, and that input will
17 come through the DAC member on the subgroup to the
18 BLM.

19 And one of the things that we did work on
20 yesterday, and for those that were here this morning
21 and saw our presentation, one of the things that I
22 have been trying to get and I think that the BLM is
23 going to do now is to have more public visibility on
24 ideas that we have given to the BLM and how they have
25 accepted those or rejected those or what the results

1 of those were. Because in the past we would make a
2 recommendation and we may not fully understand how
3 that was implemented or not. So we are going to do
4 much better about making that information public so
5 the information that is coming through this DAC or
6 this DAC subgroup or SRP subgroup will be available
7 and you will be able to see how the recommendations of
8 that group have been addressed by the BLM.

9 CHAIRMAN BANIS: Thank you, Dick. Any
10 further comments from our Council members?

11 Therefore, if there are no objections from
12 the Council, and with the concurrence of Teri Raml,
13 the Designated Federal Official for the meeting, I
14 hereby, by the powers granted to me by the bylaws,
15 would like to establish, formally establish the SRP
16 subgroup. I would like to also thank and acknowledge
17 Meg Grossglass for -- she deserves credit and thanks
18 for being a leader on behalf of the DAC for this issue
19 and thank you.

20 I also would like to thank the rest of the
21 DAC for fulfilling your duties and paying close
22 attention to what folks have said. How many of you in
23 the audience didn't get a chance to speak? I would
24 like to see hands, or didn't speak. Didn't speak at
25 all?

1 I would like to thank all of you, though, for
2 coming and thank you for showing your support. I want
3 you to know we see this and we recognize that. And
4 also, there are applications available starting
5 immediately. This formation of this subgroup will be
6 published through the Federal Register and will be
7 done on a fast track. We will have this up and
8 running relatively quick.

9 MR. RAZO: No Federal Register.

10 CHAIRMAN BANIS: It's open. These
11 applications are available and ready to go now today.
12 And also I will be more than happy to continue to take
13 any comments that you have today. We still have a
14 couple of exciting issues on the agenda, so please
15 keep jotting down any other comments you have.

16 MEMBER HOLLIDAY: One more comment also. I
17 would like the public to also understand the
18 generation of this DAC subgroup is being fast-tracked
19 from the standpoint that we fully realize the
20 importance of this issue and to get it done.

21 Anything like this typically would go, and it
22 would be a motion and then we would wait until the
23 next DAC subgroup to vote on that. What we have
24 elected to do here is make a short period of time of
25 30 days to ask for people to be -- their applications,

1 if you will, for this.

2 BLM or Randy will work on selecting those
3 folks. And once they are selected, we will then
4 affirm those via an e-mail vote so we don't have to
5 wait until the next DAC group. But we hope to get
6 this group up and constituted and meeting within 45
7 days. And the primary time is just really to give
8 everybody the opportunity to put in their application.

9 CHAIRMAN BANIS: Thank you, Dick. Thank you
10 to Don Maruska on your good guidance on working this
11 issue through, and thank you to the BLM for all your
12 resources to facilitate the comments and look forward
13 into moving into a new chapter.

14 DIRECTOR RAML: I would also like to add my
15 thanks to the field managers, particularly Roxie, who
16 has put an incredible amount of time on this. This
17 has been a rough transition. We do acknowledge the
18 safety record and the long success that we have had in
19 conducting events in the Desert District. And we are
20 in a new era. And the field managers, Hector, Roxie
21 and Margaret, have worked very hard to learn the
22 intricacies of the permit, as have I. I understand
23 all your questions because I'm still learning about
24 it.

25 I also want to appreciate the DAC. We

1 actually even coined the term that I really didn't
2 have the authority to coin by calling it an "ad hoc
3 subcommittee." But the BLM really values public input
4 on this. This isn't an environmental process where we
5 have a public comment period, but I appreciate the
6 willingness of the DAC to kind of come together
7 quickly and take a lot of interest in this. It's not
8 always been transparent how we received and solicited
9 comments. The subgroup is going to help that
10 immensely.

11 And I also really do want to acknowledge
12 those of you who came indoors on a Saturday afternoon.
13 It encourages me to think it's worth it and that you
14 spent the time this afternoon to come and talk to us,
15 and we certainly appreciate that.

16 CHAIRMAN BANIS: Very good. We are moving to
17 a new agenda item at this point. There is a great
18 show that's going to be coming up on the board, on the
19 video. I urge you to stick around for a few more
20 minutes. You're going to see a great show. Is
21 Sterling going to be leading this or we go straight to
22 Wally?

23 MR. RAZO: Wally and Steve.

24 CHAIRMAN BANIS: I would like to turn the
25 floor over to Wally Cahill of Cahill Motor Sport

1 Mania, and Wally has an exciting show for us today.

2 MR. CAHILL: Thank you, Randy, all the
3 committee here, and more than anything, thank all you
4 guys that came out from the off-road enthusiasts' side
5 because it's very important to get the word out so we
6 can see what's going on. We do responsibly recreate
7 on public land. It's very important because we see
8 the results of what has happened here, so we have a
9 great committee out here.

10 And I do public outreach. I have a national
11 television show, "How The West Was Fun." We focused
12 on five different areas here in the Southern
13 California Desert District. And we would like to
14 share it with all you guys because it covers
15 everything from your rockhounds all the way to OHV
16 activity.

17 Personally, I have been an OHV activity type
18 of person, racing with District 37, then going down to
19 Glamis or the sand dunes way back in 1981. So we have
20 been out there a long time having a good time.

21 I would like to make sure that everybody
22 realizes that what we are promoting is good, positive
23 family recreation on public lands, our public land.
24 Like I like to say all the time, we are coming up to
25 tax time. When you give your accountants information

1 to cover your taxes, you give them all your
2 information and cooperation so they can do the best
3 job they can do.

4 That's how we ought to be treating the BLM.
5 They are working for us, they take care of our public
6 lands, and the best thing we can do is give them as
7 much input as possible to make sure they can manage
8 our land to the best of their ability for us.

9 So what I would like to do is I would like to
10 show you a quick synopsis. Steve, are you going to
11 talk first? Then we are going to go ahead and go into
12 a brief overlay of five shows that we did last year
13 just so you can get an idea of what we do. And then
14 we are going to show you the Secretary of the
15 Department of Interior actually down in the Imperial
16 Sand Dunes driving a dune buggy. It shows that these
17 people really do care, from Washington all the way
18 down to Moreno Valley. Steve.

19 MR. RAZO: We have had a great relationship
20 with Wally for at least ten years with him helping us
21 promote safety out on public lands. These programs
22 were a result of grant money, and we have put in for
23 some more.

24 What you are going to see is a sample of "How
25 the West Was Fun," but I want to encourage you if you

1 have any ideas for show ideas, we want to hit all
2 those unusual places out in the desert that's
3 available for the public to enjoy. We will certainly
4 talk to you, and maybe program at one point to go out
5 and do a show out there in the format that you are
6 going to see.

7 And it was -- the Secretary was down at
8 ISDRA. But this is a vehicle for us. It's outreach
9 and it's available to you as the user to come up with
10 ideas and possibly be on one of these shows
11 eventually. By the way, his show reaches out to 6
12 million viewers nationwide.

13 ("How The West Was Fun" was viewed by the audience.)

14 CHAIRMAN BANIS: Gee, that was fun. It's the
15 best off-roading I have done all day.

16 Are there any comments from the DAC?

17 MEMBER SALL: It was fun.

18 CHAIRMAN BANIS: We have scheduled on the
19 agenda that we would be discussing abandoned mine
20 lands issues?

21 MR. RAZO: We are going to put that on the
22 next agenda to give it more time.

23 CHAIRMAN BANIS: The discussion on abandoned
24 mine lands is going to be tabled for a future meeting.
25 Could I have a motion on the table?

1 MEMBER SHUMWAY: Point of order. Maybe there
2 might be somebody here who came to specifically
3 comment, and you might want to ask for that first.

4 CHAIRMAN BANIS: I agree. Any objections
5 before I call for the motion? I have three speakers
6 on abandoned mine lands issues. First Marie Brashear.

7 MS. BRASHIER: You can skip me. I can do it
8 another time. I would open a Pandora's box, and I
9 don't think you have time to do that.

10 MR. WALDHEIM: Next meeting.

11 MR. STEWART: Next meeting.

12 CHAIRMAN BANIS: Very good. Do I have that
13 motion to table?

14 MEMBER SHUMWAY: I move to table the
15 abandoned mines to a future meeting.

16 CHAIRMAN BANIS: Do I have a second?

17 MEMBER ACUNA: Tom Acuna seconds.

18 CHAIRMAN BANIS: Anyone opposed? Hearing and
19 seeing none, this issue is tabled to a future meeting.

20 We have worked our way into a brief afternoon
21 break. We are 15 minutes behind, but we will -- let's
22 get back at 3 o'clock on the nose, please. That will
23 give us a 12-minute break. Three o'clock on the nose.
24 Thank you.

25 (Recess was taken 2:48 p.m. to 3:10 p.m.)

1 CHAIRMAN BANIS: Thank you all for speaking
2 with us. We've got another big presentation ahead
3 today. I would like to -- no, first, let folks know
4 that are still here for the SRP issues there are
5 questions of where to submit the SRP applications
6 submitted to the Desert District. And the address is
7 on the Web site for the California Desert District BLM
8 office.

9 Ladies and gentlemen, I'm pleased to
10 introduce to you from the United States Marine Corps,
11 Capt. Nick Mannweiller, who will be discussing --
12 starting us off on the discussion of the Twentynine
13 Palms Marine Corps Air-to-Ground Combat Center
14 proposed expansion. Captain, you have the floor.

15 CAPT. MANNWEILLER: Thank you very much. I'm
16 going to use my big boy voice. I do much better with
17 that than with the microphone. If for some reason you
18 can't hear me, please let me know and I will switch to
19 the mike.

20 I am Capt. Nick Mannweiller, called man child
21 for obvious reasons, and most of you are familiar with
22 our proposed land expansion project. I wanted to give
23 you a couple of quick moments -- feel free to put me
24 on the counter -- but in any case, we just want to
25 give you kind of a little bit of background real

1 quick. And then Chris Proudfoot will come up and talk
2 to you about where we stand on the project, how much
3 progress has been made.

4 My fundamental point I want to pass to you is
5 we need the feedback from the public. The document is
6 large, but in my mind this is a long, lengthy process
7 and it's very complicated for a reason. And it's to
8 keep the government from advancing too rapidly. We
9 need feedback. This is public dialogue.

10 All right, so to give a little bit of
11 background, most of you are probably familiar with the
12 fact that Twentynine Palms trains 90 percent of the
13 Marines that go to Afghanistan annually. We have
14 roughly 38,000 Marines that come through training
15 every year at Twentynine Palms.

16 The training program that we use to do this
17 is called Enhanced Mojave Viper. It's a 28-day
18 training package and utilizes all the different parts
19 of the Marine Corps. What makes the Marine Corps
20 special is that we play really well with each other
21 and not really very well with the other services. We
22 like to have our own aircraft because we think we do
23 it better than the other guys.

24 But we train for everyone to fight on the
25 ground. Everyone understands what it's like to be

1 down in the sand, 100-pound pack on the back and knees
2 hurting and getting shot at. You do that first, and
3 then you learn to fly aircraft or become a public
4 affairs officer or something like that.

5 So the 28 days of the training program is
6 entirely based around getting Marines ready to fight
7 as a cohesive team with aircraft, logistics, tanks and
8 everything like that.

9 This training that we are proposing to
10 expand -- the Marine Corps came and said we need to
11 train a Marine Expeditionary Brigade, which is the
12 middle-weight level of our combat power. We can fight
13 on a large or small level, large level called Marine
14 Expeditionary Force, or on a small level, and small is
15 about 3,000 or 5,000 Marines. A brigade is 15,000
16 Marines with aircraft, artillery, everything else, so
17 we need to train 15,000 every year in addition to the
18 38,000 we are already putting through.

19 There is no base that can currently support
20 that requirement. They did a study, and they said
21 that Twentynine Palms is the closest option. And so
22 now Chris is going to come up and talk to you a little
23 bit about the program. But my takeaway for you is we
24 need feedback on it. We want to give you an update on
25 where it stands, but we need feedback to complete

1 this.

2 MR. PROUDFOOT: Thank you for giving us the
3 time to come and talk to you today. As Capt.
4 Mannweiler said -- I wish I was that young again --
5 this is about providing information out to not only
6 your Council, but the entire public so that facts are
7 out and we don't work off a rumor. So the real goal
8 is to make sure that everybody has the information
9 required.

10 I guess I don't get away with my paper today.
11 We have charts. We will try to turn the lights down.
12 We did throw in some bigger maps so we can see a
13 little bit better as we go.

14 I'm a retired Marine. I spent 26 years in
15 the Marines. I trained for almost a quarter century
16 now. I have a lot of experience here, and that's just
17 meant to set up the background that I'm retired Marine
18 and I love the Corps and what Marines do.

19 I do want to highlight, the Marine Corps has
20 been working almost 12 years now on a new concept to
21 deploy Marines. We have seen it in Iraq and in
22 Afghanistan. It's a way to better respond to crisis.
23 And we have already referred to it: The Marine
24 Expeditionary Brigade is the way the Marines not only
25 want to deploy to a crisis, but actually respond to

1 the crisis for our nation's defense. That's what is
2 driving this requirement.

3 When we started looking at air and ground
4 space required to train Marines to be prepared to go
5 wherever the nation sends us, we need to train them
6 prior to going. Too many times in both Afghanistan
7 and Iraq over the last ten years, we had Marines
8 coming together on the ground and learning how to
9 fight as a MAGTF in combat conditions, not really the
10 best paradigm.

11 So when we start looking at employing the
12 Marine Expeditionary Brigade, we have to train them
13 first properly so when they hit the ground, they have
14 the highest chance for success in whatever crisis they
15 are sent to. That's kind of the genesis of the
16 requirement.

17 We spent about eight years studying in
18 detail different options, different pieces of the
19 puzzle. And it's one of those processes that is long
20 and arduous and it's meant that way by law. We follow
21 the National Environmental Policy Act, and we are in
22 that process of trying to do that. On the 25th of
23 February, the Secretary of the Navy approved the
24 public release of the Draft EIS. That's really why we
25 are here today. We are in the middle of a 90-day

1 public comment period, and we will talk about our
2 public meetings coming up here in about three weeks'
3 time as we go.

4 If I could get the next chart, please.

5 We talked about the throughput at Twentynine
6 Palms today. The current paradigm allows for two
7 battalion task forces, about 1500 to 2000 Marines, to
8 maneuver independently aboard the Combat Center. In
9 order to meet the MEB training part, the Marine
10 Expeditionary Brigade training part, we need to put
11 three Battalion Task Forces on the ground
12 simultaneously operating together. That's what really
13 drove the requirement when we looked at this.

14 We have already talked about that Twentynine
15 Palms is the premier training facility for the United
16 States Marine Corps. It's very unique. It's about
17 the only place I know of in the continental United
18 States where you can shoot every weapon system in the
19 Marine Corps inventory, air and ground, and then
20 maneuver Marines across that same ground. We don't
21 normally allow that in any other installation because
22 the procedures we have in place at Twentynine Palms,
23 we can set that environment up. That creates the most
24 real environment that any Marine getting ready to
25 deploy overseas can go through short of the actual

1 combat. That's why this is such a critical feature.

2 Here is the dynamic event, and I realize you
3 can't quite see this in the back. I did want to
4 highlight it. The MAGTF has four element: Command,
5 ground combat, tanks included, LAVs, other vehicles,
6 and roughly a regiment of Marines --

7 MEMBER SHUMWAY: What's an L-A-V?

8 MR. PROUDFOOT: Light Armored Vehicle. About
9 5,000 to 7,000 Marines alone in that organization,
10 dependent on how we build it. There is an aviation
11 combat element that has F-18s, carriers, helicopters
12 and all the associated air defense assets that come
13 with that. We also have a logistic command element
14 normally associated with lots of vehicles on the
15 ground. That's what we are talking about with the
16 MEB. It's about 15,000 Marines and sailors when it
17 comes together. That's what we were talking about
18 providing training for prior to deploying.

19 We started a process of looking -- the Marine
20 Corps started this process in about 2002, looking at
21 where could you train MEB, so we agreed we needed to
22 train MEB. Where could you do it? We started looking
23 at the coastal Carolina area on the East Coast. We
24 had to composite multiple bases and training areas
25 together to get this 15,000-man group at one place at

1 one time, so that was an option.

2 Then we looked Eglin Air Force base and
3 looked at that as a potential option. Again, we had
4 to get multiple installations together and block out a
5 fairly large chunk of the DOD base inventory along
6 that area.

7 Thirdly, we looked at the southwestern United
8 States; as you know, there is a lot of bases and air
9 space. What was determined was that the only place in
10 the DOD inventory that we could actually do what the
11 Marine requirement was becoming was Twentynine Palms
12 Air-to-Ground Combat Center, but only if it could be
13 expanded to support those three infantry battalion
14 task forces maneuvering simultaneously. We also
15 slapped onto that, as the Marine Corp did in about
16 2001, that it needed to be 48 to 72 hours of operation
17 time. So that's why you need the depth of the actual
18 evolution.

19 Now, we started looking at areas next to and
20 contiguous to Twentynine Palms because that enhanced
21 what we had and didn't create an even larger burden
22 somewhere else. So we looked at lands associated with
23 Twentynine Palms clear around. We established a
24 western study area here, generally aligned with the
25 Johnson Valley OHV area; we have a small section to

1 the south of the base here just near Twentynine Palms,
2 and we established an eastern study on the east just
3 south of Amboy and clear out to the east.

4 We used those as study areas in order to
5 analyze what the impact of our proposed action could
6 be: To the environment, to the communities, and
7 across the board in there. And that's the light 1500
8 pages of reading we just published in the last three
9 weeks.

10 In addition to land acquisition, we have to
11 increase the air space. The Marine Corps is the only
12 service that employs F-18s all the way down to an M-16
13 rifle simultaneously and complementary. We need to
14 expand the air space we currently have and establish
15 some new special use air space and some new operation
16 areas, and additionally modify some of the pieces
17 already in place surrounding the Combat Center. So
18 when we think land acquisition, we also think air
19 space establishment.

20 In 2008, in cooperation with the BLM, we were
21 able to segregate those three study areas that I just
22 showed on the previous slide. During that scoping
23 period, we presented five basic alternatives that met
24 the Marine Corps training requirement, the battalion
25 task forces for from 48 or 72 hours. We held three

1 public meetings in December of 2008. We received
2 about 19,000 comments. That's why this feedback is so
3 critical to us.

4 When we looked through those comments and
5 before publishing the Draft EIS, we added a sixth
6 alternative that looked to balance the concerns from
7 the principal commenter, which was the OHV community,
8 which allowed for some balanced activity between
9 Marine Corps training requirement and the OHV
10 recreational needs. And I will show you these
11 alternatives and give you just a quick exposure to
12 those.

13 Next chart, please.

14 You still can't quite see the boundary of the
15 current Combat Center, but the white hatchmarked line
16 is the current Combat Center. This is alternative 1:
17 Those three battalion task forces are represented by
18 the yellow lines going east to west across the Combat
19 Center.

20 In alternative 1, we would look to acquire
21 the south study area here and essentially the entire
22 west study area, encompassing all of the Johnson
23 Valley OHV area. This is an optimal solution for the
24 Marine Corps as it meets every training requirement
25 levied on us by the Department of Defense.

1 This is alternative 2, which is essentially
2 very similar to alternative 1; however, we only would
3 acquire one-half of that western study area, allowing
4 the remainder of that to stay in its current status.
5 We would also acquire the south study area, as well.

6 Alternative 3 is still an east-to-west
7 maneuver, but instead of looking west, we acquire the
8 east study area and the south study area and utilize
9 this for maneuver, with the termination of the
10 exercise just along the western edges of the current
11 Combat Center.

12 Alternative 4, this looks a lot like
13 alternative 1, yet we are going to do a west-to-east
14 maneuver, and we hatchmarked this yellow because we
15 are going to create a restricted public access area.
16 This means when the Marine Corps needs it for training
17 about two months of the year, give or take, there
18 would be exclusive use for the Marine Corps. For the
19 remaining 10 months or so of the year, this would be
20 open and eligible for authorized public access.
21 Recreation, filming, rocketry, those things we
22 normally see associated with Johnson Valley. We would
23 also acquire the south study area in this alternative,
24 as well.

25 Alternative 5 is exactly the same as 4. We

1 would just not acquire the south study area. But
2 again, this yellow hatchmarked area would have 10
3 months a year that would allow normal recreation
4 activities to be permitted in there when the Marine
5 Corps does not need it for training.

6 Alternative 6, I'm going to highlight. In
7 the DEIS we selected alternative 6 as preferred
8 alternative, the Marine Corps. Clear up through the
9 Congress gets a say in the matter whether this happens
10 or not. We did this based on that public comment we
11 got back in December of '08. Why? Because we created
12 an exclusive use area that allowed us to do everything
13 we needed to do in terms of distance, depth and the
14 air space surrounding it. But we also took the high
15 use area associated with the King of the Hammers race
16 down here to the south, and we made that a restricted
17 public access area.

18 In that concept, about 40,000 acres would for
19 10 months of the year be available for permitted
20 recreational activity. This slice of red here would
21 become exclusive use year around for the US Marine
22 Corps and its training requirement. We also, in
23 talking to some of the other uses out there, Southern
24 California Edison has a huge transmission line here
25 that moves from (unintelligible) to Pisgah, and we

1 trimmed the west study area down from that to reduce
2 the amount of impact that could have on other regional
3 activities.

4 We would also in alternative 6 acquire the
5 south study area. That's my last map.

6 Does anybody have any questions on the
7 alternative because I can go back and forth before I
8 push on to finish up.

9 MEMBER HOLLIDAY: You keep referring to the
10 yellow areas as open for permitted uses. Are you
11 trying to say that that those wouldn't be open areas
12 during those ten months and only available for
13 permitted uses?

14 MR. PROUDFOOT: Yes. The way we addressed
15 that in the EIS is that the Marine Corps would manage
16 that ground. And what that implies is that there
17 would have to be some education pieces done for the
18 folks that came in there, which would mean a Web
19 class. What we do today, just as an example, you
20 can't go off the main side of Twentynine Palms without
21 receiving a 30-minute briefing on Desert Tortoise, a
22 30-minute briefing on unexploded ordinance, and a
23 30-minute briefing on desert survival. Some semblance
24 of that package would be built in on a Web-based
25 permitting system to allow us to know that certain

1 things have been done. But aside from that, once that
2 permitting requirement had been met, it would
3 essentially be as it is today.

4 MR. MITZELFELT: Would the Marine Corps
5 decide what activities and level of activities and
6 number of activities and perhaps even advance events
7 are appropriate? Or would it be any and all comers as
8 long as they met the requirements of the briefing?

9 MR. PROUDFOOT: Great question. There is a
10 lot of work to be done with this, particularly with
11 BLM and our community partners. Right now our take is
12 that as long as they met the permitting requirement,
13 all activities that would normally be associated under
14 the BLM management plan today would still be allowed
15 to occur in that restricted public access area. Does
16 does that clarify the answer? Yes, ma'am.

17 MEMBER GROSSGLASS: I have a couple of
18 questions. I have actually read that section and I'm
19 a little confused.

20 You want us to get a permit for general play
21 use, as we call it; correct? So in order for us to
22 even go play in that area, me and my son on a dirt
23 bike, we go through a Web class and you signify that
24 that happens. When you say permit, this group thinks
25 of that, a permit as a special recreation permit for

1 events. I thought I had gone through most of the
2 stuff, and you don't actually say in the documents
3 that the existing uses that the BLM allows will be
4 able to continue and under the same rules or
5 regulations.

6 So that is something that will make my
7 community extremely nervous. And actually, reading
8 it, it made me nervous. You guys are more nervous
9 about getting sued than BLM, and if you are going to
10 give us this area, don't give it to us and not let us
11 do what we do in it. Let us have a King of the
12 Hammers event. You know what I mean?

13 MR. PROUDFOOT: That's exactly what we need
14 to see in the comments. That's going to allow us to
15 modify and do the work to make it more smart.

16 MEMBER GROSSGLASS: The other thing I saw in
17 the comments and you stated in, I think, the statement
18 of impacts that your impact to recreation was
19 unmitigatable.

20 MR. PROUDFOOT: Yes.

21 MEMBER GROSSGLASS: Make sure that I
22 understood that. Several people --

23 MR. PROUDFOOT: As a matter of fact, just if
24 I could. This alternative is our mitigation to that
25 problem. It doesn't lessen it to a level -- legally,

1 we were required to make a finding of significant
2 impact, less than significant impact, or no impact.
3 We still maintain that was a significant impact, but
4 this alternative is the mitigation for that.

5 MEMBER GROSSGLASS: Yes, that's interesting.
6 I'm so sorry. Maybe in your opinion that mitigated
7 it. There were several, probably hundreds of comments
8 made in the scoping period that gave you several
9 options for alternatives for mitigation. I have not
10 read the whole document, but I haven't seen that any
11 of those have been studied. And I have actually tried
12 to look through 941 pages to look for the reasons why
13 those weren't studied. Is that a bad question for
14 you?

15 MR. PROUDFOOT: In the book -- and I should
16 know the page number offhand -- we go for about a six-
17 page review of every -- this is the criticality of the
18 comment. Every comment that we received was addressed
19 in the Draft EIS. So if someone said declassify the
20 sheepfold wilderness area to general land and use it,
21 that was addressed in there. That particular segment
22 is probably a paragraph, but I'm at a loss for the
23 exact page number, but every comment received like
24 that was addressed in the Draft EIS. So there is a
25 plausible explanation of our view of the answer to

1 that.

2 MEMBER GROSSGLASS: I'm going to look for it.

3 MR. MITZELFELT: Does that mean that this
4 alternative, that that 10-month-of-the-year
5 alternative management is the extent of the mitigation
6 that you are proposing, that the Marine Corps is
7 proposing and there would be no additional?

8 MR. PROUDFOOT: At this stage what we are
9 really saying is in order to mitigate the comments
10 received here in scoping, we created this alternative.
11 This in and of itself is not legally mitigation. So
12 if we received other comments that allowed us to find
13 other mitigation elements, that's what we could do.

14 MR. MITZELFELT: As it stands, this is the
15 proposal?

16 MR. PROUDFOOT: As it stands now, this and
17 associated with what Ms. Grossglass was talking about,
18 that section is how we see that applying reasonable
19 access for the continued recreational activity.
20 Somebody behind you had her hand up first.

21 MS. SALL: Can you elaborate a little bit
22 more? You said earlier that other bases in Southern
23 California were looked at for this. Can you elaborate
24 a little bit more on that? I know you guys don't like
25 to play in the sand box, but we are talking about

1 historic use that's been an open area and it's a use
2 that you cannot displace. And everybody I think
3 recognizes that.

4 So not only is this a concern for the user
5 groups but for neighbors and people that have
6 purchased property adjacent to the OHV area because of
7 its location. Given that you are actually taking a
8 designated use area, how did that weigh into this
9 decision of looking at other military facilities?

10 MR. PROUDFOOT: I would say that we -- two
11 answers, if I could. One is that's probably driven
12 our work over the last two years more than anything
13 else we have done outside of the normal legal response
14 for each impact to the resource area. Initially when
15 we looked at all the bases in the southwestern area,
16 again, I'm going to go back to something I said
17 earlier. There were no bases in Southern California
18 that allow Marines or anyone to do what happens at the
19 center today. There are none.

20 MS. SALL: Why does not Fort Irwin not --

21 MR. PROUDFOOT: They do not do live fire
22 environments. They have a force-on-force blank fire
23 environment. Just as an example, this is the main
24 side of Twentynine Palms. Seven square miles of
25 infrastructure. The remaining 928 square miles of

1 that Combat Center is live fire almost anywhere. And
2 then we maneuver across it. That's what makes it so
3 unique. I know that's probably not fully registering,
4 but that's why you can't just go to Yuma proving
5 ground and do the same thing. This is what makes
6 Twentynine Palms so unique.

7 MS. SALL: I guess I'm just saying this is a
8 first-time situation and I feel like that out-of-the-
9 box thinking would be appropriate. But we will leave
10 that for now.

11 My second question is, Do you have a plan how
12 the expansion is going to change air space and for
13 communities especially that are around that?

14 MR. PROUDFOOT: It has an overview of the air
15 space we are talking about.

16 MR. HALLENBECK: Just want to get alternative
17 4 up there.

18 MEMBER ACUNA: My question on No. 4 is the
19 yellow seems to be better, the area on the west side
20 of the map, because that's only going to be utilized
21 by the military for two months of the year. The rest
22 of the time it's open to the public without having to
23 go through classes to use the area?

24 MR. HALLENBECK: Still have to go through
25 classes.

1 MR. PROUDFOOT: This would have to be
2 permitted activity. So it would still be some form of
3 educational permit, at which point normal recreational
4 activities would be able to take place.

5 MEMBER ACUNA: Can we go back to the next one
6 then, please? No, the one before 4. There were six,
7 I think. There you go. That one. Red. What does
8 the red imply?

9 MR. PROUDFOOT: The red is exclusive use,
10 meaning we are going to put DUD-producing ordnance,
11 bombs, artillery shells, hand grenades, those things
12 that on some occasions don't actually detonate the way
13 they are designed and they become unexploded ordnance
14 and does pose a harm or risk to anyone that would come
15 across that.

16 MEMBER ACUNA: So for that 10 months of the
17 year that others could use it, you really are
18 maintaining control of the property subject to
19 controls that the military requires of those users?

20 MR. PROUDFOOT: Yes, sir, well said. That's
21 an eloquent statement. I'm going to use that again.
22 Yellow is accessible. Red is not.

23 MS. SALL: One more question. So as you are
24 probably aware, San Bernardino County has an OHV
25 ordinance and BLM and the county have been working on

1 providing safe recreational areas and enforcing
2 private property rights and allowing the recreation in
3 the areas that is most appropriate.

4 This is such a confusing process when it
5 first changes ownership. How is the military going to
6 play a role in educating the public and protecting
7 private property rights and helping everyone through
8 this transition as one of these alternatives is
9 adopted?

10 MR. PROUDFOOT: That's a great question. I
11 think that's an area, again, there is going to have to
12 be a lot of refinement over time as we deal with law
13 enforcement and the BLM. One of the impacts we did
14 highlight is there's liable to be an increase in
15 illegal off-roading on private property. At that
16 point we are a partner with the community. I know
17 that may sound like a cop-out answer. But we will
18 partner with the community through outreach, education
19 and support.

20 MEMBER ACUNA: Quick inclusion. Just my
21 thought, opinion, is the idea of you opening something
22 back to the public or anyone else with conditions and
23 strings attached just doesn't go over well with me. I
24 think people want to be able to get their land back
25 and be able to use it as they had previously. How do

1 you do that? I realize there may be unexploded
2 ordnance and things left behind. Maybe that would be
3 part of a program to take care of that. But that
4 would be my suggestion. I think people would accept
5 that. They just don't want to have to go through a
6 bunch of rules to get back.

7 MR. PROUDFOOT: That would be exactly the
8 type of comment we need to see a lot of in the public
9 comments.

10 MEMBER SHUMWAY: I have three questions. So
11 please indulge me.

12 The permit process you are talking about both
13 in alternative 6 and alternative 4, would that be like
14 getting a gun permit where you go through the class
15 and you go through the security check and then you
16 have that permit, so you get it like once a year or
17 one time? Do you have to go through the class every
18 single time you go on the property?

19 MR. PROUDFOOT: I don't think we addressed
20 the time horizon on it.

21 MEMBER SHUMWAY: I would want to know that.
22 The users might be willing to do one time. We have to
23 do this on my mine sites.

24 MR. PROUDFOOT: That's a great comment.

25 MEMBER SHUMWAY: That should be something

1 that should be clear to the people who are going to be
2 approving these alternatives.

3 MR. PROUDFOOT: If I could modify one thing
4 so we can be quoted correctly. I would liken it to
5 getting a hunting permit rather than a gun permit.

6 MEMBER SHUMWAY: I guess you could use them
7 both.

8 My next thing is there are mineral resources
9 there, at least one significant that is in the permit
10 process. So how does permitting and developing and
11 operating that mine site fit in with your alternative
12 6, which is exclusive use by the military of the area
13 that's near the current boundary right now, and
14 alternative 4, which is the seasonal use?

15 MR. PROUDFOOT: Clearly, it's easier in the
16 seasonal use, as that activity could probably continue
17 along.

18 MEMBER SHUMWAY: That's something that could
19 be reached by agreement?

20 MR. PROUDFOOT: Absolutely. Much harder in
21 this particular, in alts 1, 2 and 6, much more
22 difficult because those areas would become essentially
23 unpassable without us sending explosive ordnance teams
24 to clear the way.

25 MEMBER SHUMWAY: What is the proposal?

1 MR. PROUDFOOT: Our proposal is we are going
2 to have to purchase any other claims that are active
3 pursuant to law. So that would become part of the
4 acquisition process.

5 MEMBER SHUMWAY: I'm sure the mine owner
6 would be happy to have something purchased at market
7 value. But sometimes these resources are not only of
8 value to the owner and operator, but they are valuable
9 to the community because they provide mineral
10 resources. And while we recognize that there could be
11 some mitigation by moving off-road activities to other
12 areas, there absolutely is no mitigation for providing
13 other resources of that quality.

14 So that is something that the community has
15 to consider and the military has to consider, as well.
16 It's not just a market value question.

17 My third question, the reasons for not
18 recommending or -- how did you address the question of
19 transferring wilderness areas or even proposed
20 wilderness areas that are adjacent to either off-road
21 access or to military access, either one? Because I
22 think that in a case like this, everybody with any
23 interest in the desert is sacrificing for this. And I
24 don't think anybody in this room would begrudge the
25 military its ability to have a very good fighting

1 force.

2 However, I think in that regard, everybody,
3 all communities, the environmental community as well,
4 and I would submit that critters out there too need to
5 sacrifice something as well. So what is your answer
6 to that in not being able to confer wilderness areas
7 to some other use? I said it's only a paragraph.

8 MR. PROUDFOOT: Twenty words or less. I'm
9 going to give you a process answer because we made the
10 assumption up front that as part of our proposed
11 actions, we would not look to convert any wilderness
12 areas or other federally mandated areas such as
13 wilderness, national parks, those type of things.

14 Legally, our requirement is to not search for
15 alternative places to accept the displacement. And at
16 that point that's a legal mandate for our EIS process,
17 meaning what you are really asking is if we support
18 getting out, finding other areas, helping someone else
19 designate the area. That's outside the scope of this
20 project.

21 MEMBER SHUMWAY: Outside the scope of the
22 project because the military made it that way. Or
23 does this require a congressional act?

24 MR. PROUDFOOT: That would take congressional
25 action. As BLM looked at it, they might come and say

1 we need to de-designate an area in order to open it up
2 more for races. I think one was proposed earlier in
3 this very meeting. But what I am saying is part of
4 this proposed action, we are not required legally to
5 come up with that particular alternative.

6 Our proposed action is listed down. We have
7 shown what the impacts are going to be. I would say
8 that if enough comments came in that sounds like that,
9 we would certainly include that in the Final EIS we
10 push out in the next seven or eight months. I feel
11 like I danced around that.

12 MEMBER SHUMWAY: You did somewhat. And it
13 wasn't in your mandate, I understand that. My next
14 question would be, why isn't it? You don't need to
15 answer that. But what would be the mitigation for
16 what I am asking? And the mitigation would be a
17 congressional act to designate that area?

18 MR. PROUDFOOT: Yes.

19 MEMBER SHUMWAY: So that would be mitigation
20 for that. It would be a way to do it?

21 MR. PROUDFOOT: Yes.

22 MEMBER SHUMWAY: Okay, thank you.

23 MR. PROUDFOOT: Ms. Grossglass, did you have
24 another question?

25 MEMBER GROSSGLASS: You remembered my name.

1 MR. PROUDFOOT: I could see the sign.

2 MEMBER GROSSGLASS: I have a process
3 question. I just read about the Record of Decision.
4 So FEIS comes out and the Record of Decision comes out
5 and it goes into the Federal Register for the
6 Department of the Navy and the DOI and then it goes
7 before Congress?

8 MR. PROUDFOOT: That's correct.

9 MEMBER GROSSGLASS: What happens if -- or is
10 it even a possibility that Congress kind of pooh-poohs
11 what you say and they change it? Do we have to go
12 back through the NEPA process; correct?

13 MR. PROUDFOOT: We would certainly have to go
14 through a portion of that NEPA process if the
15 direction from Congress was that that action, what
16 they wanted was something so far off of what we had
17 already analyzed that it required further
18 environmental analysis. One would suppose if they
19 took that action it would be, however --

20 MEMBER GROSSGLASS: One would suppose you got
21 your ducks in a row before you spent millions of
22 dollars on this.

23 MR. MITZELFELT: Ultimately, there will be a
24 congressional action; right? Associated with this?

25 MR. PROUDFOOT: Absolutely.

1 MR. MITZELFELT: So I guess in your final EIR
2 if you get significant comments that mitigation is not
3 adequate to address the loss of OHV recreation or open
4 area recreation in general, that Congress could come
5 in and say, we want the agencies to identify new areas
6 by such and such a date and so forth. Right?

7 MR. PROUDFOOT: Yes, sir.

8 MR. MITZELFELT: The other thing was one of
9 my other duties is I'm the chair of the Local Agency
10 Formation Commission. And so we actually have a
11 representative here. And he mentioned to me that
12 there are some special districts in the area that are
13 being proposed to be overlaid. And I just want to
14 alert you and everyone to the fact that there may be
15 water districts that have wells that might be
16 impacted, et cetera. And some of them are board
17 governed, so they have the County of San Bernardino
18 standing behind them. So if you could be sensitive to
19 those. If you hear from the commission, that's part
20 of their job to work out all these boundary issues,
21 and we have just hundreds of special districts
22 throughout the county.

23 MR. PROUDFOOT: We have been looking at a
24 couple of those. That's a great point.

25 MEMBER SHUMWAY: One last easy question.

1 It's probably obvious to everyone else, but it's not
2 obvious to me. I notice in all of your alternatives
3 except for 4 -- are these brigades moving from east to
4 west? Could you sort of explain why the arrows go
5 from east to west in all of the other scenarios except
6 for 4?

7 MR. PROUDFOOT: Both 4 and 5 are from west to
8 east. So two of them go from west to east. What we
9 attempted to do is we developed a final exercise. So
10 when we talk about the Marine Expeditionary Brigade
11 doing its training, it's about a 24-day cycle twice a
12 year. Seventeen of those days would be workup
13 preparation training.

14 And the final exercise of that of three to
15 four days would be this exercise we have templated
16 here. We were going to start them as far as we can to
17 one side of the installation, and we created a three-
18 or four-day design that we went right down the central
19 pass -- this is what this unit is supposed to be able
20 to do before it passes. And that's what led you to
21 the depth required clear over into this area. If we
22 were to do it under the current confines, we would get
23 to day one and a half and we would be done right
24 there.

25 MEMBER SHUMWAY: I have been there, so --

1 MR. PROUDFOOT: So that's exactly why the
2 acquisition effort became required, because if you
3 look at the fundamental tasks that Marines are
4 supposed to achieve in order to be prepared to go into
5 combat, they can't get them done without that
6 additional depth.

7 CHAIRMAN BANIS: Any questions or comments?
8 Questions?

9 MR. PROUDFOOT: Can you go forward three
10 slides for me? Here is the air space chart. This is
11 a busy chart and actually built a little bit for
12 military folks. But this is the current air space
13 associated with the Combat Center R2501, surface level
14 to infinity. We routinely give back anything above
15 26,000 feet to the FAA.

16 And this is a good sequeway to say we are in
17 close partnership with the FAA and we are negotiating
18 with them on any of the air space. As you may or may
19 not know, the FAA has a separate but complementary
20 process to what the NEPA process is. When we make a
21 Record of Decision, when SEGNAN says, okay we have
22 this decision, that's when FAA has to move into formal
23 rule making to see if this can be supported or not.

24 What we are trying to do with them is figure
25 out what the art of the possible is. As I'm sure

1 everyone who has flown over Southern California knows,
2 this is about the busiest jetway for commercial
3 aircraft certainly in the Southern United States,
4 heading into L.A., San Diego, Orange County. Large
5 numbers of commercial aircraft usually above 26,000
6 feet.

7 But that's -- when we create this new area
8 here to the west, above the west study area, that
9 would have impact on that jetway, and it's a singular
10 jetway.

11 Just to get to your question you asked
12 earlier, there are three other areas that we worry
13 about in this, and they're not jetways but victor
14 areas, which means they are below 18,000 feet. The
15 movement out of Big Bear slashes right into here and
16 then down, and one of the outlets from Palm Springs is
17 right along this corridor.

18 The problem is there is altitude to the west
19 that forces them more along the 247 line, and then
20 this new extension we would have to put in here is
21 really not a problem for the FAA, but this is one of
22 the primary exit routes for Palm Springs as you look
23 at them departing out.

24 This is not too terrible a problem. There is
25 obviously a bigger problem for the FAA as all those

1 jets are streaming right along that line. And working
2 with the Big Bear outlet, that's going to be
3 difficult. So again, that's part of the negotiation
4 process we have with the FAA. Does that kind of get
5 at what you were asking earlier?

6 MEMBER SALL: Could you clarify what the two
7 colors are?

8 MR. PROUDFOOT: The light blue means
9 restricted, meaning we are going to drop bombs in that
10 area, inside the red area. But that means we have
11 aircraft doing combat maneuvers. The darker blue
12 means we are doing normal aircraft stuff: Refueling,
13 circling, waiting to get into one of the blue areas,
14 depending upon how the exercise floats.

15 MEMBER SALL: Is there a range of height in
16 the blue area?

17 MR. PROUDFOOT: Yes, we are templating out
18 the number of days per year at what flight level we
19 would need in each one of the six areas to conduct the
20 exercise we are talking about. This is based on
21 sample training exercise we set up and apply to a
22 certain number of aircraft and sorties associated with
23 that over the course of the year.

24 MEMBER RUDNICK: Just one clarification. The
25 purple or darker blue, is that a restricted area or a

1 MOA.

2 MR. PROUDFOOT: This would be a MOA or an
3 ATCAA. And they are time- and altitude-driven, and
4 they could be turned off or on as required
5 coordinating with the FAA. The FAA would still own
6 all that space, whereas the light blue space would be
7 controlled and essentially owned by the Marine Corps.

8 MEMBER SHUMWAY: Are you saying that private
9 pilots can fly at certain times and altitudes over the
10 dark blue but never over the military space?

11 MR. PROUDFOOT: I wouldn't say never, but
12 infrequently, certainly. For example, this MOA here
13 which would be a new MOA exactly where we are talking
14 would keep a 1500 and below free space for all the
15 private air fields in the area so that the Cessnas
16 that want to get into his private air field, he would
17 still have that access to it. If he wanted to come
18 from a higher altitude, he could do that with simple
19 coordination with the Los Angeles Center (inaudible).

20 MEMBER GROSSGLASS: You said you are using
21 the RPAA two months of the year? Are those continuous
22 or separate?

23 MR. PROUDFOOT: In the template, they would
24 largely be two -- about a one-month period.

25 MEMBER GROSSGLASS: It could be December and

1 June or --

2 MR. PROUDFOOT: Exactly.

3 CAPT. MANNWEILLER: When we do large-scale
4 exercises like this, I mean 15,000 people, that's a
5 lot of Marines. You have to get all the orders
6 together and the equipment, everything else. We would
7 probably be planning exercises two to three years in
8 advance. So we are going to have an idea two to three
9 years out of when we think these exercises are going
10 to go.

11 MEMBER GROSSGLASS: So it may not be the same
12 months every year?

13 CAPT. MANNWEILLER: Right. It may not be the
14 same exact months every year. But again, if you think
15 that's a better way to do it, please put that in a
16 comment because that's exactly what we need to take to
17 heart and say, okay, for planning purposes, how we do
18 these exercises, we need to look at these months.

19 MR. PROUDFOOT: Thanks for that.

20 I know I'm probably short on time, but one
21 more chart, please, and I will shut my trap. I just
22 wanted to highlight the timings. We have our public
23 meetings going on the 12th, 13th and 14th of April,
24 all in a row. The first one will be at Copper
25 Mountain College in Joshua Tree. The second one will

1 be in Ontario, and the third in this same room on the
2 14th.

3 The end of public comments is the 26th of
4 May. And we would look to proceed with an FEIS
5 roughly by the end of the year, hopefully leading to
6 the Secretary of the Navy's ROD before spring of 2012,
7 which would then start the legislative window.

8 And I know I have taken too much time and I
9 very much appreciate you all accepting information on
10 this project.

11 CHAIRMAN BANIS: Thank you kindly. We have a
12 public comment period on this matter. If you would
13 like to do a quick conclusion.

14 CAPT. MANNWEILLER: Absolutely. And just to
15 emphasize, we know it's a large document. We tried to
16 break it down a little bit on our Web site. The Web
17 site is on any literature that we put out on the
18 project.

19 But the best way to do it, just Google search
20 Twentynine Palms and it's a Marines.mil Web site. And
21 if you go to the main Web site for Twentynine Palms,
22 down on the left-hand side, it has a breakdown of all
23 the little sections, and it has one for land
24 acquisition. If you click on that, it will go into
25 the Web site and you have everything you need on

1 there.

2 So that will break it down. But again, this
3 is a public dialogue because, honestly, as a public
4 affairs officer, if we ruin completely our relations
5 with the community, we are not going to be effective.
6 We can't effectively train Marines for combat.

7 So this is a public dialogue. If you have
8 strong opinions or ideas how we can do something
9 better, please let us know. If there is a gray area
10 that we danced around a question a little bit, we'll
11 fess up and say we haven't really considered that
12 much.

13 If you have a better idea for how we can go
14 forward with that, please let us know. I want to jump
15 in real quick and state, you know, during the last
16 public comment period, we got roughly 19,000 comments.
17 We are a month into this comment period; we have 90
18 comments. With the public meetings coming up on the
19 12th, 13th, and 14th of April, that will provide a lot
20 better information. And once folks get some more
21 information, they will have better comments to give.

22 The more constructive and organized the
23 comments, the easier for us to take it to heart. Most
24 of our comments have been great. I have gone to
25 Pirate 4 by 4, and we have seen those in our comment

1 box, those are terrific. If you get a comment that
2 says "you guys suck" or "go buy Jeeps," okay, awesome.
3 That's fine. It's a registered comment. It goes in
4 the record.

5 But if it says something like "We think your
6 permitting process should look something like this,"
7 terrific. That's exactly what we need. So please go
8 to the Web site for any information. It's a huge
9 document. It's necessary that it's a large document.
10 If this thing was 15 pages, somebody is screwing up
11 big. That's just my two cents. Thanks for allowing
12 us to come out and talk to you.

13 CHAIRMAN BANIS: Thank you. It was nice of
14 you both to come in and explain the project to us. We
15 have public comment requests from about seven
16 individuals. In order to keep within the time period
17 for the public comment, we will move into a two-minute
18 comment period, please.

19 And I would like to call first, if it's all
20 right, Marie Brashear.

21 MS. BRASHEAR: He answered two of the
22 questions I had. My other question is, Is it
23 available digitally on a CD or two CD's or three?

24 MR. PROUDFOOT: I have a CD that I can give
25 to you.

1 CHAIRMAN BANIS: Next comment, and again,
2 these comments would be best for the DAC, but make
3 sure you set those dates into your appointment
4 calendar so you can query the Marine Corps directly
5 during their public comment period. I have Ed and
6 John, followed by Kim.

7 MR. WALDHEIM: Ladies and gentlemen, all day
8 long you have seen the continued erosion of our public
9 lands. The California Recreational Access Council is
10 taking it in the shorts with all the guns from the air
11 and from the ground, from the missiles and from the
12 submarines. We are bleeding to death on our public
13 lands. And it just appalls me, to tell you the truth,
14 that when is this going to stop until they shut us
15 completely out, because that's what's happening.

16 Everything we talked about today is take,
17 take, take, take, take. I'm getting tired of it. I'm
18 really getting tired of it. God forbid I'm going to
19 fight the Marines, but the Marines are wrong on this
20 one. They didn't give us a nonalternative action.
21 They don't need to go west. Okay, so go twice around
22 your existing activity and create three days. Go
23 around three times and create four days' activity.

24 Around the Rose Bowl you go hiking, you go
25 around two times, three times. The more miles you

1 want, you keep going around. Why do the Marines have
2 to go in a straight line? Do a circle; go around it.

3 I'm tired of losing our public lands and the
4 access to the public is just eroding continually. So
5 I think we really need to get serious about this. The
6 Marines do not need that. It is not necessary. They
7 have not given us a no-action alternative, and they
8 haven't thought outside of the box. They started
9 taking this thing, and today I see exactly the same
10 thing we did four or five years ago, and I'm really
11 disappointed.

12 CHAIRMAN BANIS: Thank you, Ed. John
13 Stewart.

14 MR. STEWART: I'm John Stewart, California
15 Association of Four-Wheel Drive clubs. I found it
16 very interesting that the Captain made a comment, the
17 Marines don't play well with others. I think it's
18 about time that the Marines started playing well with
19 others and looked at doing joint cooperations and
20 really take a good hard look at Fort Irwin and use the
21 existing facilities. The recreational community has
22 already lost major tracts of land to the Fort Irwin
23 expansion, and that's a process that goes largely
24 unused.

25 Second, I'm kind of concerned when you talk

1 about the permitted events and some of the lack of
2 specificity as far as when these months of training
3 will be defined. And yes, there are ten months out of
4 the year, maybe two. And the Marines say, well, it
5 takes us time. We are going to be doing planning a
6 couple years in advance, but things change at the last
7 minute. That's standard military operation. Things,
8 schedules slip by one or two months even towards the
9 end.

10 By the time you start looking at a permitted
11 event, then, you may start impacting the commercial
12 activity such as the King of the Hammers that have
13 scheduled an event, and they are working with
14 commercial entities. And they have hundreds of
15 thousands of dollars laid out and they stand to lose
16 if there is a schedule slippage on the part of the
17 Marines. I think that's an unacceptable way to
18 address it.

19 In order to get in there, the general public
20 is going to have to, what? Apply for the permit from
21 the BLM plus apply for this training through the
22 Marines? And when you have a permitted event, what
23 about the spectators that attend? Is it just the
24 participants or also the spectators that have to go
25 through the training? There are a lot of questions

1 and logistics on that that make it almost an
2 unmanageable process.

3 And finally, when you look at the desert, the
4 Marines and, in fact, the U.S. government over the
5 years has been one of the biggest polluters of the
6 desert, and they are still refusing to honor the
7 commitment to keep the desert clean. There are many
8 areas out in the desert with unexploded ordnance that
9 the U.S. government is still refusing to clean up. Go
10 back and play in your own sand box that you have
11 dirtied, or clean them up so they can be turned back
12 to recreational opportunities.

13 CHAIRMAN BANIS: Thank you. Kim Campbell,
14 followed by Jerry Grabow.

15 MS. CAMPBELL: As I have looked at Chapter 6
16 of the impacts and mitigation proposed, it looks to me
17 as if there are at least two popular rockhounding
18 sites, very popular rockhounding sites, one in the
19 west expansion area and one in the east. And both
20 contain very unique material that will be a loss, and
21 I hope that's considered or maybe that could be carved
22 out there near the borders.

23 The other thing I wanted to comment on, it
24 appears to me they say there are no mining impacts
25 because there are no active mines. I might be

1 ignorant about what is required to address mining
2 impacts, but it seems to me if there are minerals,
3 there are mining impacts. I don't think that has been
4 properly addressed, but I will be attending the
5 meetings and I will address it further at that time.

6 CHAIRMAN BANIS: We will see you there.
7 Harry, Jerry, and then John Dalgleish.

8 MR. VICK: Harry Vick with the Partnership
9 for Johnson Valley. And I'm very concerned about the
10 joint use area on the southern edge of the Johnson
11 Valley OHV area where the Marines are going to. And I
12 understand they are going to be shooting from the east
13 into the west. That was what the arrows actually
14 represented, not just the march of the Marines, but
15 the actual live firing into the Johnson Valley area
16 and the impact of that area will have on the
17 residents, and the economic impact that it will have
18 on the residents and the businesses in the Johnson
19 Valley area.

20 I don't think the Marines have considered
21 that. In every one of their alternatives, they have
22 shown they want that area around the Hardwood Hills
23 which is the KOH, King of the Hammers, area. It has
24 been considered and was one of the primaries for the
25 Marines, and they have always had that in their plan

1 to take that, either as a permanent base or as a joint
2 use area. Now they are saying that the joint use area
3 is restricted to only 10 months that we can use it out
4 there but have to go through a permitting process. I
5 don't understand that. If it's a joint use, why can't
6 we use it when the Marines don't use it, unrestricted
7 like we do today.

8 I have a big concern also on the air space
9 and the impact it has on the residents in that area.
10 The darker blue areas were shown as a holding pattern
11 for the aircraft to fly into the expanded base. I
12 understand there will be bombing in the Johnson Valley
13 area. And it was mentioned there would be bombs and
14 grenades and all the rest of that stuff. But what
15 happens if one ordinance gets dropped prematurely? It
16 goes right into the residents living in the Johnson
17 Valley, and I am concerned and I will address those
18 further.

19 And I would like to see on the map an
20 alternative. Those two little spurs of the yellow
21 lines pointing up north into the Marine base today,
22 what were they representing? Why can't they go to the
23 north side of Galloway Dry Lake and stay out of the
24 Hardwell Hills area for all their training and leave
25 the southern part of the Johnson Valley area as

1 permanent OHV area?

2 CHAIRMAN BANIS: Thank you. Jerry Grabow
3 followed by John Dalglish and then Helen Baker.

4 MR. GRABOW: In the item -- in the
5 preferred -- in the alternatives 4 and 5, were those
6 always a co-use area? That was one of the questions I
7 had for them.

8 And also, they made the comment about the --
9 I mean, is that appropriate to ask that here?

10 CHAIRMAN BANIS: Is there an easy response?
11 Do you understand the question?

12 MR. PROUDFOOT: Ten months of the year it
13 would be permitted access.

14 MR. GRABOW: In the initial -- two years or
15 three years ago when we saw these proposals, was it
16 always a co-use?

17 MR. PROUDFOOT: No. That came from those
18 comments.

19 MR. GRABOW: Okay. That was my question.

20 CHAIRMAN BANIS: Thank you. Thank you very
21 much, Jerry. John Dalglish.

22 MR. DALGLEISH: I have a couple points I want
23 to bring up. They are mainly questions, but I would
24 like to know why is the OHV recreation group the only
25 group that keeps getting asked to give up our land?

1 It's a very small amount of land we have left anymore,
2 and every time somebody wants land for anything, the
3 first place they go is OHV land. I don't understand
4 it.

5 Earlier today we heard about mitigation being
6 put in for -- I believe it was a solar project. And
7 mitigation for that land is 3 to 1. They have to
8 provide three acres or three square miles of lands to
9 take one square mile. Why can't we at least get 1 to
10 1 mitigation? For every square mile of land you take
11 from OHV, you have to buy OHV lands somewhere else to
12 open up to us and similar like land. Thank you.

13 CHAIRMAN BANIS: Thank you, John. Helen
14 Baker, would you like to close out the comment period
15 for us?

16 MS. BAKER: Oh, yeah. Helen Baker, speaking
17 on behalf of the Johnson Valley Improvement
18 Association.

19 Speaking in response to an answer that was
20 given to Council Member Sall when she asked, would
21 there be possibly additional activity happening on
22 private property if this area was not opened to the
23 OHV activity as it is today? And the answer was, yes,
24 we expect there will be an increase in illegal OHV
25 activity and we will partner with the community to fix

1 this.

2 I find that response to be cavalier. And I
3 also have to say, with all due respect to the Marines
4 and to all of our service members, how dare you? How
5 dare you perpetrate this atrocity on the community and
6 then ask them to help fix it? It's your problem, not
7 theirs. Thank you.

8 CHAIRMAN BANIS: Thank you, Helen. Well, we
9 have run quite the gamut of discussions today. Quite
10 the gamut of issues. Do you want a closing comment?

11 MEMBER SHUMWAY: I don't know if it's closing
12 comment. I would like to respond to John Dalglish.
13 I realize that the DAC meetings, being a minority of
14 the people here, I'm not a part of the off-road
15 community, but I do use roads in my work. I go out in
16 the desert all the time. I'm aware of the off-road
17 community and their needs.

18 However, the off-road community is not the
19 only sector that uses the desert that has been
20 impacted by not only the proposed military actions,
21 but wilderness actions, park actions. In the mining
22 business, I could probably sit down and list -- look
23 at a map and list 100 sites taken out of total mineral
24 entry because of a variety of actions by the federal
25 government which restrict access in some way or

1 another.

2 So I would just like to remind the off-road
3 community who has usually been a partner in opposing
4 many of these, for example, wilderness actions, that
5 the off-road community is not the only community that
6 is impacted by closure of public access to public
7 lands.

8 CHAIRMAN BANIS: Thank you. We will wrap
9 this item up -- Ron, please.

10 MEMBER JOHNSTON: Just one thing that, and
11 maybe something happened during the year that I was
12 not on the board, but originally when this first came
13 up, after two or three presentations by the Marine
14 Corps, there was serious discussion about replacing
15 the land that was being taken, whether it's for use by
16 equestrians or use by OHV or for other purposes,
17 because there is so much military land that is unused
18 around the state.

19 Has the military come back with anything
20 further in the way of replacing this land that they
21 want to now take with other military lands now not
22 being used?

23 MEMBER GROSSGLASS: Not that I can see in
24 their PDEIS, but I'm not an expert.

25 CHAIRMAN BANIS: I hope you will all come

1 back to this room very shortly and hear their
2 presentation again and bring your comments there.

3 If everybody could take out their appointment
4 book. Today we started by adopting a framework for
5 future meetings that will be topical. There would be
6 issues timely, effective, and in which the DAC's
7 participation would be timely, effective and
8 significant. We also saw a focus through the morning
9 on renewable energy. In June we hope to see a topical
10 focus of recreation. In September we will see topical
11 focus of user fees. And in a potential November/
12 December meeting, we will be looking at desert
13 landscape issues.

14 We suggested methods for boosting public
15 participation. We also determined a wind-down process
16 for the renewable energy subcommittee. We engaged
17 some eight members of the public on SRP issues and
18 solicited approximately 30 comments. We established a
19 subgroup for the SRP's and received numerous
20 applications.

21 We received -- heard an enjoyable
22 presentation from Wally Cahill on "How the West Was
23 Fun" and we hope it continues to be how the west was
24 fun. And we also heard today a very informative and
25 comprehensive presentation on the expansion of

1 Twentynine Palms. Hopefully we heard enough to entice
2 us back to this room or another room near our
3 communities where we can continue to participate in
4 this process or actually participate in the process
5 that the Marine Corps has in front of it for acting on
6 this proposal. So, wow, that was quite a day.

7 MEMBER SHUMWAY: Two days.

8 CHAIRMAN BANIS: The next meeting is
9 currently set for June 3 and 4 in the beautiful San
10 Diego area.

11 MEMBER GROSSGLASS: Is the theme user fees?

12 CHAIRMAN BANIS: The theme is recreation.

13 MEMBER GROSSGLASS: Okay.

14 MEMBER HOLLIDAY: Were we going to do
15 anything about this letter that was circulated that we
16 pulled out, this letter that we were looking at
17 possibly reissuing this to Teri?

18 CHAIRMAN BANIS: Yes. Dinah offered and
19 requested to have a first shot -- first pass at
20 drafting any revision that we might want to see and
21 updating it. And Dinah can circulate that to us all.
22 And this might be even a good topic for us to talk
23 about at our wind-down meeting for the renewable
24 energy subcommittee meeting.

25 MR. HALLENBECK: Is it the June 6th date?

1 June 3 and 4?

2 CHAIRMAN BANIS: Yes, 3 and 4.

3 MEMBER HALLENBECK: Is that set in concrete?

4 CHAIRMAN BANIS: Let's say unless -- I would
5 say unless there's unanimity around an alternate date,
6 I would say it's been set in concrete. It's been on
7 the calendar for a while, and folks have planned
8 around it.

9 MEMBER GROSSGLASS: I have graduation
10 requirements for members of my family.

11 CHAIRMAN BANIS: For every additional member
12 we gain at the table, we lose another. My apologies,
13 but I think that was set.

14 MR. HALLENBECK: I was going to propose 17th.

15 MEMBER SALL: Works for me.

16 MEMBER GROSSGLASS: I can't do that.

17 MEMBER SHUMWAY: You mean in June? I support
18 the original date.

19 MEMBER JOHNSTON: I do, too.

20 CHAIRMAN BANIS: We love you, Tom. We do.
21 But then let's look ahead, please.

22 MEMBER RUDNICK: It's my birthday. Can I
23 celebrate it here?

24 MEMBER GROSSGLASS: Margaritas.

25 CHAIRMAN BANIS: And some chicken ribs.

1 September, how is that looking? Could I throw
2 something our for September just to see? Let's start
3 with the 10th and 11. The 3rd, I believe, is labor
4 day weekend.

5 MEMBER SALL: 9th and 10th.

6 CHAIRMAN BANIS: Thank you.

7 MEMBER HOLLIDAY: That would be the preferred
8 date for me.

9 MS. SALL: The only one for me.

10 MEMBER RUDNICK: That's not my birthday.

11 MEMBER GROSSGLASS: That's good for me.

12 CHAIRMAN BANIS: The 9th and 10th seems to be
13 a consensus. Great, 9th and 10th it is. Do we want
14 to go far out and look at November and December.

15 MEMBER RUDNICK: What are the locations?

16 CHAIRMAN BANIS: September meeting was
17 Ridgecrest, and that topic would be user fees, the one
18 district that doesn't really have them except at
19 Fossil Falls.

20 MEMBER RUDNICK: We could do livestock
21 ranging.

22 MEMBER GROSSGLASS: Can we do the first
23 weekend in December?

24 CHAIRMAN BANIS: The 3rd and 4th of December.

25 MEMBER GROSSGLASS: The 2nd and 3rd.

1 MR. RAZO: We have made a call to find out
2 the availability of the room. So what we will do is
3 you can come up with dates that work for you and then
4 we will see if they match with what is available out
5 there. And then we will have to work it out by
6 e-mail.

7 CHAIRMAN BANIS: So we can't just show up?
8 Let's jump in and suggest the 2nd and 3rd.

9 MEMBER HOLLIDAY: Of December?

10 CHAIRMAN BANIS: And if worse came to worse,
11 would anyone want to consider the week before, or the
12 week after? The week before is Thanksgiving, so that
13 ain't going to fly.

14 MEMBER GROSSGLASS: That's kind of a busy
15 month.

16 CHAIRMAN BANIS: I would say we will beg for
17 the 2nd and 3rd.

18 MR. RAZO: That would be a meeting regarding
19 the national landscape system. Would be in the Rancho
20 Palos Verdes Peninsula. The Rancho Palos Verdes
21 Center.

22 CHAIRMAN BANIS: Unless there is another
23 alternative date, I don't know that we are having any
24 other suggestions. So we will beg for Holly's okay on
25 that. All righty.

1 MEMBER RUDNICK: Where is the meeting in
2 June?

3 CHAIRMAN BANIS: June, San Diego. September,
4 Ridgecrest. December, Palos Verdes.

5 MR. RAZO: Do you have a favorite restaurant
6 in San Diego for your birthday?

7 MEMBER RUDNICK: Somewhere on Coronado
8 Island.

9 MEMBER ACUNA: Where would the meeting
10 location be?

11 MR. RAZO: We will find it.

12 CHAIRMAN BANIS: Are there any agenda items
13 on the agenda for June in San Diego? The recreation
14 will be the key topic. We will try to keep some room
15 on the agenda for an emergency or an unexpected item
16 that may come up between now and then, but our theme
17 would be recreation.

18 MEMBER HOLLIDAY: I'm sure there will be a
19 report from our SRP subgroup.

20 MEMBER ACUNA: Quick question. The theme is
21 recreation in San Diego. Are we going to have a
22 fieldtrip on Friday? And if we do, can we blend a
23 visit to McCain Valley to look at the new wind
24 generation proposed for the recreational site? It's
25 not too far to drive and easy to get to from San

1 Diego.

2 MEMBER GROSSGLASS: It's a pretty far drive,
3 though.

4 MEMBER ACUNA: It's an important place.

5 MEMBER GROSSGLASS: We have to schedule an
6 hour and a half both ways.

7 MEMBER ACUNA: We have to have a field trip
8 on Friday anyway.

9 MEMBER GROSSGLASS: I wasn't arguing that.

10 CHAIRMAN BANIS: Any other agenda items?

11 MEMBER SHUMWAY: Will there be an update on
12 the PEIS process? It doesn't need to take up a lot of
13 time, but I think it's important that we keep apprised
14 on it on a regular basis.

15 CHAIRMAN BANIS: We will be reporting on the
16 wind-down of the subcommittee.

17 MEMBER HOLLIDAY: And something we talked
18 about at lunch, people that are on the DRECP, I would
19 really like to see somehow how the PEIS and DRECP
20 merge. How are the lands that are being set aside for
21 these renewable areas, do they have any connection?
22 Are these two initiatives somehow merging somehow?
23 And get some kind of a feel for that because it seems
24 to me -- and I'm not an expert on either one of
25 them -- but it seems like each one of them is trying

1 to segregate or set aside land for renewable areas.
2 And is there a duplication of effort there? Are they
3 both setting aside the same land?

4 CHAIRMAN BANIS: Maybe.

5 DIRECTOR RAML: We hope so.

6 CHAIRMAN BANIS: Well, then, before I turn
7 the microphone on to -- oh, OHV division issues and
8 WEMO will be a hot topic on for recreation. Before I
9 turn the agenda -- the microphone to Teri to have her
10 closing remarks, might I remind everybody of the
11 passing of a former DAC member that many of us knew
12 and worked with and were very fond of him. That would
13 be Bill Betterley. I wonder if I might entertain a
14 motion to adjourn today's session in his memory.

15 MEMBER RUDNICK: So moved.

16 MEMBER ACUNA: Second

17 CHAIRMAN BANIS: Moved by Richard and Tom
18 seconded that motion. Is there any opposition? Good,
19 thank you, that motion passes.

20 And Teri, would you care to close the meeting
21 today?

22 DIRECTOR RAML: Yes. This comes in maybe a
23 little bit of jarring, but if you could turn your
24 attention a little bit to the screen for me.

25 One of the issues that came up very -- well,

1 one of the concerns, the needs that came up frequently
2 in the last two days was the desire of the Council to
3 have follow-through, to know that we are taking into
4 account their suggestions, that we are hearing them
5 and noting them, and that we will provide feedback.

6 So Don, he put together this format that I
7 propose that we will use. I'm not going to go through
8 it. I think we are at the end of our patience,
9 maybe -- it's Saturday afternoon. Time to go. But
10 that's a format that I think we will use. We will try
11 to keep track of those and post them on the Web site.
12 And it identifies actions -- I think Randy covered a
13 summary of what we had done, but there were smaller
14 items that we will track and then you see there is BLM
15 response and a date.

16 So what we will try to do is I will try to do
17 some of this in between the meetings. And after that
18 we will also maybe make it something that we cover at
19 the very beginning of the meeting as part of the
20 business is to track through those items and keep a
21 living record of them. And I'm looking at Dick while
22 I say those.

23 With that, I want to thank everybody. Thank
24 those of you that stayed with us all day. Thank
25 goodness it was a little brisk outside; otherwise, you

1 would have given up a good day of recreating in the
2 desert. I will close the meeting in honor of a man
3 that sounds like I didn't have the privilege to meet
4 and work with. A great guy.

5 (Proceedings adjourned at 4:28 p.m.)

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R E P O R T E R ' S C E R T I F I C A T E

I, Judith W. Gillespie, a Certified Shorthand Reporter, No. 3710, for the State of California, do hereby certify that the foregoing pages comprise a full, true and correct transcription of the proceedings had and the testimony taken at the hearing in the hereinbefore-entitled matter of Saturday, March 26, 2011.

Dated this 8th day of April, 2011, at Riverside, California.

JUDITH W. GILLESPIE, CSR, RPR, CLR
(CSR NO. 3710)

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A P P E N D I X A

M O T I O N S A N D D E C L A R A T I O N S

A. MOVE: Sall
SECOND: Acuna
MOTION: To approve the transcript of the
December 11, 2010 meeting of the DAC
RESULT: Motion passes

B. MOVE: Grossglass
SECOND: Acuna
MOTION: To approve the agenda for the DAC
March 26, 2011 meeting
RESULT: Motion passes

C. MOVE: Acuna
SECOND: Johnston
MOTION: To adopt the framework of the actions
proposed during the March 25, 2011
business meeting
RESULT: Motion passes

D. MOVE: Shumway
SECOND: Sall
MOTION: To adopt the draft bylaws for the
Desert Advisory Council as discussed
March 25, 2011
RESULT: Motion passes

E. MOVE: Sall
SECOND: Shumway
MOTION: To recirculate an updated version of
the April 4, 2007 letter submitted to
the BLM from the DAC regarding
alternative energy
RESULT: Motion passes

F. MOVE: Banis
DECLARATION: To formally establish the
SRP subgroup, with a 45-day
application period for the seven-
member subgroup, with the DAC being
represented by Meg Grossglass

1 G. MOVE: Shumway
SECOND: Acuna
2 MOTION: To table the Abandoned Mines
presentation to a future meeting
3 RESULT: Motion passes

4 H. MOVE: Rudnick
SECOND: Acuna
5 MOTION: To adjourn this session of the DAC
in memory of Bill Betterley, former
6 DAC member
7 RESULT: Motion passes

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A P P E N D I X B
P U B L I C W R I T T E N C O M M E N T S
R E S R P A N D T W E N T Y N I N E P A L M S M A R I N E C O R P S
A I R - T O - G R O U N D C O M B A T C E N T E R P R O P O S E D E X P A N S I O N