

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

LOCATION: Handlery Hotel & Resort
950 Hotel Circle North
San Diego, California

DATE AND TIME: Saturday, June 4, 2011
8:10 a.m. - 4:28 p.m.

REPORTED BY: Vesna Walter, CSR
CSR No. 11989

JOB No.: 70028

A P P E A R A N C E S

MEMBERS PRESENT:

REPRESENTING:

CHAIR RANDY BANIS

Public-at-Large

THOMAS ACUNA

Renewable Energy

RONALD V. JOHNSTON

Public-at-Large

BRAD MITZELFELT

Elected Official

APRIL SALL

Public-at-Large

DINAH O. SHUMWAY

Nonrenewable Resources

RICHARD HOLLIDAY

Recreation

BLM STAFF PRESENT:

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

BEKKI LASELL, CDD Deputy District Manager, Resources

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

NEIL HAMADA, El Centro Field Office

ERIN CURTIS, California State Office, Acting Deputy State Director, External Affairs

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1 San Diego, California Friday, June 3, 2011

2

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

4

5 CHAIRMAN BANIS: Good morning, ladies and
6 gentlemen. If you could start by taking your seats.

7 Thank you all for coming. Welcome to the DAC
8 meeting today on Saturday, June 4th, 2011. I call the
9 meeting to order.

10 I'd like to begin, please, with recital of the
11 pledge of allegiance. Ron Johnston, would you care to
12 lead us in the Pledge of Allegiance?

13 (Pledge of allegiance.)

14 CHAIRMAN BANIS: Thank you, Ron.

15 May we introduce ourselves. I'll start at the
16 left side -- my left, please, Tom.

17 MR. HALLENBECK: Good morning. My name is Tom
18 Hallenbeck. I'm the district director for CalTrans in
19 District 9 region. I represent transportation and
20 rights-of-way on the DAC.

21 MEMBER ACUNA: Good morning. I'm Tom Acuna, and
22 I represent the Renewable energy industry.

23 DIRECTOR RAML: I'm Teri Raml. I'm district
24 manager for the California Desert District, and I'm the
25 designated federal official for this DAC.

1 CHAIRMAN BANIS: Randy Banis, representative of
2 the public-at-large. I reside in Leona Valley,
3 California, just outside Palmdale.

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

5 MEMBER SHUMWAY: Diana Shumway, geologist,
6 nonrenewable resources.

7 MEMBER JOHNSTON: Ron Johnston, public-at-large.

8 MEMBER HOLLIDAY: Dick Holliday, recreation.

9 CHAIRMAN BANIS: Teri, would you be so kind as to
10 introduce members of your staff that are here today.

11 DIRECTOR RAML: I will let them do that for
12 themselves, starting in the back with Jack Hamby.

13 MR. HAMBY: I'm Jack Hamby. I'm an associate
14 district manager with the CDD out of the Moreno Valley
15 office.

16 MS. GOODRO: Good morning. I'm Margaret Goodro,
17 field office manager for the El Centro field office.

18 MR. KALISH: And I'm John Kalish, field manager
19 out of Palm Springs, south coast office located in Palm
20 Springs.

21 MR. LEE: Rusty Lee, field manager out of
22 Needles.

23 MR. VILLALOBOS: And I'm Hector Villalobos. I'm
24 the field manager in the Ridgecrest field office.

25 MS. TROST: Good morning. I'm Roxie Trost, and

1 I'm the field manager from Barstow.

2 MS. LASELL: Bekki Lasell, deputy district
3 manager of resources, the Moreno Valley office.

4 MS. WOHLGEMUTH: I'm Jennifer Wohlgemuth. I'm on
5 the district manager staff.

6 MR. BRIERY: David Briery, CDD External Affairs.

7 MR. RAZO: Steve Razo, CDD Moreno Valley,
8 External Affairs Director.

9 And if I may, I'd like to introduce a special
10 guest from the Sacramento office, Erin Curtis in the
11 External Affairs office. As you know, Jan Bedrosian
12 retired recently. Erin has been in that office for awhile
13 with Martha Maciel. They're kind of playing tag right now
14 as we work towards replacing or -- I don't know if it's
15 possible to replace Jan. But Erin is here to give the
16 state director's report. And of course any questions you
17 might have on the state level, Erin is here to try to
18 answer those.

19 So thank you, Erin, for coming down.

20 CHAIRMAN BANIS: Thank you, Steve.

21 Thank you, Teri.

22 We have a few DAC members that expressed their
23 regrets that they were not able to attend today. We'll
24 miss them. And we always appreciate their involvement and
25 we'll see them next meeting. That would be Monica

1 Argadona, Meg Grossglass, Alex Schreiner, and Richard
2 Rudnick.

3 MS. WOHLGEMUTH: And Lloyd Gunn.

4 CHAIRMAN BANIS: Thank you. I'm sorry. Lloyd
5 Gunn.

6 I'd also like to introduce our new stenographer
7 for today. Vesna is helping the DAC today for her first
8 time. So I would appreciate everybody speaking clearly
9 and into the microphones.

10 And, Vesna, anytime you need any help, need us to
11 repeat or stop, please let us know, and we're more than
12 happy to help make sure we get great transcripts.

13 Also, I'd like to announce that to help us save
14 time with lunch, the facility is making available preorder
15 lunch forms. And they're going to be coming by to collect
16 them at our 10:00 o'clock morning break. As I understand
17 it, if you fill out the form and submit it, lunch will be
18 ready for you, all hot and ready to go.

19 Another housekeeping item, please, is the
20 availability of discount parking stickers. I believe
21 they're on the back table. And it provides a significant
22 discount in the parking cost here. But it does take the
23 place of your in-and-out privileges. But you can check
24 that out on the stickers in the back.

25 And are there any other quick housecleaning items

1 or housekeeping items?

2 No. Good. Housecleaning is over.

3 I'd like to move on, please, to review the
4 agenda. The DAC members have had a week or so to review
5 this. Are there any changes? Additions? Deletions?

6 Hearing and seeing none, are there any objections
7 to consent?

8 The agenda has been passed.

9 You also have had an opportunity to review the
10 transcripts from the last DAC meeting. Are there any
11 questions, comments, corrections, additions in the
12 transcripts?

13 Hearing, seeing none, no objections, the
14 transcripts are approved.

15 Next item on the agenda is a summary of
16 yesterday's field trip. My apologies. I regret I wasn't
17 able to join you all on this field trip. We usually
18 have -- I have a really good time with all of you on these
19 Friday field trips and I learn a tremendous amount every
20 time.

21 John Kalish, the field office manager of Palm
22 Springs, would you fill us in on what occurred yesterday
23 and what I missed.

24 MR. KALISH: I certainly will, Randy.

25 Well, starting off, we had a very beautiful

1 morning, a nice cloudless sky here in San Diego County.
2 We did get an early start, headed out the I-10 and down to
3 94 and made it to the base of Otay Mountain. We had
4 originally planned to go up to the top of Otay Mountain
5 via the Minnewawa Truck Trail. But in the reconnoissance
6 the evening before, we discovered a number of washouts
7 that really required us to take another alternate route.

8 We headed over to the east side of Otay Mountain,
9 drove up the Marron Valley Road, headed up the Otay Truck
10 Trail to the top of the mountain. And from there we
11 proceeded on over the top, heading south right to the
12 border. And at that border location, we had our first
13 stop. And it really gave us a very good opportunity to
14 discuss the challenges and opportunities that we have in
15 managing public lands in very close proximity to very
16 large metropolitan areas. In fact, all of our
17 60,000 acres of BLM lands now on the border or the area we
18 call our border mountains region is in close proximity to
19 over 5 million residents if you include the three and a
20 half million from the San Diego metro area and over two
21 million from down south of the border including Tecate and
22 then all of the dispersed rural residents in the area, it
23 presents numerous challenges.

24 And we really -- in order to further talk about
25 that, we focus then on managing Otay Mountain itself.

1 Otay, back in 1991, was designated as a wilderness area.
2 It is about 18,500 acres of wilderness on the top of the
3 mountain. And in managing the Otay Mountain, we have a
4 number of challenges and a number of facets that we really
5 focus in on, one of which is managing for the number of
6 listed species that are actually found on the mountain.
7 And I can just go through a list of the threatened or
8 endangered species; the southwest willow flycatcher,
9 coastal California gnatcatcher, Otay tarplant, Mexican
10 flannel bush, arroyo toad, and Quino checkerspot habitats.

11 So probably from an overall BLM standpoint, it's
12 one area where we probably have more species concentrated
13 in a smaller area creating some real challenges,
14 especially given the history of the more catastrophic
15 fires on Otay Mountain, our effort is to try and protect
16 the mountain from this continued and fairly frequent fire
17 history on the mountain.

18 In addition, being right on the border, we put a
19 lot of effort into facilitating the border patrol
20 interdiction efforts. We feel very strongly that the
21 efforts that the border patrol does really protects both
22 the resources on Otay Mountain and also protects public
23 safety in that area.

24 The overall border effects on that resource are
25 pretty tremendous, and it does require us to concentrate a

1 lot of our overall management efforts in that direction.

2 And in addition to that, we do try to facilitate

3 to the degree possible recreation use of the mountain.

4 It's really an unmet need, just basically because of the

5 potential threats to public safety given the border

6 interdiction efforts that are going on and the frequency

7 of border crossings and potential threats to public safety

8 that are associated with those.

9 From that stop, we moved back across Otay

10 Mountain, headed down to Sycamore Canyon which is located

11 on the northeast corner of Otay Mountain. It is not

12 designated as wilderness, but it is directly adjacent to

13 the wilderness area.

14 A little history. Back in between 1998 and 2001,

15 we as an agency acquired about 2,418 acres of lands within

16 the Sycamore Canyon area using Land and Water Conservation

17 funds. And it's really part of an overall combined effort

18 with the city, county, state, and federal agencies in the

19 area to -- as part of an overall conservation -- habitat

20 conservation planning effort.

21 The real challenges that we have in managing

22 Sycamore Canyon are efforts to really meet the purposes

23 for which we acquired the parcel under the Land and Water

24 Conservation Fund. And those purposes were for habitat

25 conservation purposes. And it's an area that's very rich

1 in cultural resources, archeological sites, creating
2 additional challenges.

3 We also are managing the lands consistent with
4 the adjacent non-BLM reserve lands that are managed by
5 other agencies such as Fish and Game, Fish and Wildlife
6 Service.

7 But in that context, we are going through a
8 process to really meet public access needs for gaining
9 access into that area. Presently, all the gates into
10 Sycamore Canyon are closed. We are developing a plan in
11 which we can really open the area up, provide access to
12 those activities that are compatible with management of
13 Sycamore Canyon as a reserve and manage it consistent with
14 all the adjacent reserve lands managed by other agencies.

15 From Sycamore Canyon, we went to Potrero, to the
16 county picnic area, had a great lunch. But among lunch,
17 we were able to squeeze in discussion about management of
18 the adjacent Hauser Mountain Wilderness Study Area which
19 is located on the east side of the Potrero Valley and some
20 of the challenges presented there. It's been a wilderness
21 study area ever since the late '70s. It's never been
22 added to a wilderness bill that's really moved very far in
23 the whole congressional process. But we still do manage
24 it to protect wilderness values.

25 In addition, we talked about the Harris fire and

1 some of the other fire history in the area as well as the
2 Sunrise Powerlink project that will soon be constructed
3 right on the north side of the Potrero area, right in the
4 interface between the BLM and Forest Service lands.

5 And our last stop was over right south of Campo
6 at the Pacific Crest trailhead, which is the origin of the
7 Pacific Crest Trail. And we discussed management
8 challenges, trail maintenance, ongoing efforts to
9 facilitate -- at least our efforts to facilitate use of
10 the Pacific Crest Trail. And we also from that spot
11 talked about the La Posta withdrawal process that we're
12 going through with the U.S. Navy.

13 The Navy, on the top of La Posta Mountain, which
14 is located about three miles north and east of Campo, the
15 Navy has had about a 1,079-acre withdrawal that they've
16 been using for training purposes since the 1980s. About
17 2001, they came in with a proposal to expand their
18 training facility onto the adjacent BLM lands to include
19 an additional about 3600 acres. We had gone through an
20 environmental assessment process, fully analyzed that
21 project. And right now the status is that we as an agency
22 are moving a package forward to our Washington office for
23 ultimate signature of the Secretary of Interior that
24 provided the Secretary approves, the lands would be
25 approved for an expansion of a Navy withdrawal for

1 training purposes within that area.

2 Just one unique feature -- and I talked about it
3 at the last DAC meeting -- is there is a mixture of both
4 exclusive use of withdrawn lands as part of this expansion
5 proposal as well as a right-of-way grant on additional and
6 adjacent lands to that central core of withdrawn lands.
7 The withdrawn lands would be exclusive use, not open to
8 the public. However, the right-of-way areas, the Navy
9 would be able to utilize those lands for training
10 purposes. However, the parcels would remain open to
11 public use. So there's a good compromise in that area to
12 allow for continued use of those public lands.

13 And that concluded our trip. With that, we
14 headed back to the hotel.

15 So any questions?

16 CHAIRMAN BANIS: Thank you, John.

17 Are there any questions? Any comments from the
18 DAC members?

19 Well, that will teach me to miss a field trip. I
20 won't be doing that again.

21 MR. KALISH: It was a good one.

22 MEMBER JOHNSTON: Randy, one thing. In case a
23 lot of folks here or some folks may not know what the
24 Pacific Crest Trail is, would you just explain what it is?
25 I thought it was really neat, and I wasn't aware of it.

1 MR. KALISH: Well, the Pacific Crest Trail, it
2 starts down on the Mexican border. In fact, quite a few
3 people try, and a few people actually succeed, in hiking
4 clear up the designated trail, the maintained trail that
5 runs clear up through California, Oregon, Washington, all
6 the way to the Canadian border. So it's quite a trial.

7 In fact, most of the -- what are called through
8 hikers, those that are attempting to hike the entire
9 trail, they usually start toward the end of March. And in
10 the last couple of weeks, we've been seeing quite a few
11 through hikers that have been coming through to our area
12 up in Coachella Valley. The trail starts down in Campo
13 and makes its way up to just a little bit east of Palm
14 Springs, heads up into the White Water area, and back up
15 on the Forest Service and continues on its way up toward
16 the Canadian border.

17 And so we've been seeing all the through hikers.
18 And it's always very interesting to talk to them about
19 their experiences that they've encountered just in that
20 short segment and what they're anticipating in the rest of
21 the trail.

22 MEMBER JOHNSTON: Thanks, John.

23 CHAIRMAN BANIS: Thank you, John.

24 The next item on the agenda are public comments
25 for items that are not on the agenda.

1 First, Steve, are we -- do we have speaker cards
2 today.

3 MR. RAZO: Not for this particular item.

4 CHAIRMAN BANIS: Quite all right.

5 Ladies and gentlemen, I forgot to alert you that
6 it's helpful if you complete speaker cards for us. It
7 helps me organize and make sure I don't miss anybody,
8 particularly for the items that are on the agenda.

9 But for now, let's move -- before we move into
10 those -- into the public comments, just briefly, just a
11 reminder about cell phones. If you haven't, I just turned
12 mine off.

13 I also want to allow an introduction to a member
14 of the DAC who's joined us this morning, please.

15 MR. MITZELFELT: Brad Mitzelfelt. And I am still
16 county supervisor of San Bernardino and elected official
17 member.

18 CHAIRMAN BANIS: Thank you.

19 The public comments are for three minutes,
20 please. And the first public comment for items not in the
21 agenda. Gerry Hillier, please. Gerry? There we are.

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

23 Good morning, members of the DAC. I have one
24 comment that I wanted to make. And I'm representing an
25 organization called Quadstate Local Governments Authority

1 here this morning. And I probably should have arranged
2 and deferred to the local government representative on the
3 council. But it skipped my mind until I saw the agenda
4 this morning and saw that at least the state director's
5 comments were going to be -- include some comment on the
6 America's Great Outdoors program. And what I'm going to
7 share with you is probably in many respects politically
8 incorrect. But bear with me.

9 In February, the White House released a
10 comprehensive report that had been initiated a year
11 earlier in which they launched a basic study by the
12 Secretaries of Agriculture, Interior, and the
13 Environmental Protection Agency -- and there was one other
14 that escapes me right now -- looking at America's Great
15 Outdoors and activities and trying to increase federal or
16 participation on federal lands. And much of it in terms
17 of the report was oriented toward expanding urban
18 awareness of outdoors and providing urban outdoors
19 experiences. And for those, my organization endorsed them
20 solidly.

21 But built into the proposal were two things that
22 my organization, Quadstate Local Governments Authority,
23 made up of nine counties in the southwest including
24 San Bernardino, Kern, and Imperial here in California, we
25 took exception to two primary parts. The first was a

1 renewed strong emphasis on acquisition of private lands
2 and conversion to or addition to the federal estate. Now,
3 many cases those are well-meaning and well thought out and
4 get some general public support. But what it does, it
5 erodes the county tax basis. And most of our counties are
6 desperate for having private land opportunity
7 developments. And this was basically a recommendation --
8 a strong recommendation to increase land and water
9 conservation funding and accelerate that.

10 There is a federal program that pays in lieu of
11 taxes. Unfortunately, most of our counties in the
12 southwest are too big and therefore maxed out and do not
13 receive additional tax revenue to offset the acquisition.
14 So there's concern there. And the other is of course the
15 production of revenue that benefits local government and
16 local communities. The other is that many of the
17 proposals, when they get down to the nitty-gritty, are for
18 further withdrawals and expansion of protection areas such
19 as national monuments and even expansion of the national
20 park system. And we took exception to that.

21 In most cases, these are unnecessary and we feel
22 that they do not help local communities. And so we took
23 exception to that. We've sent letters to the White House
24 to the secretaries. And I wanted to share that position
25 with the council. And if there's any further questions or

1 discussions, I'd be happy to add to them. But I wanted to
2 just go on record that we have taken exception as local
3 governments -- as a group of local governments to that
4 report.

5 Thank you.

6 CHAIRMAN BANIS: Are there any comments or
7 questions from the DAC on this or anything to add?

8 Thank you, Gerry. Thank you. No questions.

9 Next on the public comment agenda for items not
10 on the agenda, Ed Waldheim.

11 Thank you, Ed. Go right ahead. You can get
12 started.

13 MR. WALDHEIM: Ed Waldheim, Friends of Jawbone,
14 Friends of El Mirage, and CTUC.

15 Items requested to be put on the agenda; I would
16 like to see us, in the next agenda, have the field
17 managers for the district offices provide us with a list
18 of those groups that you have as a partner in helping to
19 manage the public lands. And break it down in two
20 different distinct things. I know we're very well-covered
21 in the non-motorized side of it. But I think we're very,
22 very weak in the motorized side of it. So if we could
23 break it down and see who do we really have out there in
24 the California desert that helps us manage these public
25 lands, 'cause later on we'll be talking about that.

1 Number two, we had a report that we did that was
2 something I guess that came from the DAC questionnaires of
3 the field offices. We completed, participated one at the
4 Barstow office and we completed none from the Friends of
5 Jawbone for the BLM office in Ridgecrest. I'd like to
6 know, what are we going to do with these reports?
7 What's -- what's your plan? And so that probably would be
8 an item for the agenda.

9 And the last thing on the PCT, Mr. Johnson, I'd
10 also want to brag that the PCT comes through the Angeles
11 National Forest. The CTUC manages the North Fork station.
12 And every single PCT person that comes through the trail
13 North Fork comes through our station. And we're glad we
14 finally got three 3N17 opened up so the PCT folks can
15 actually now be on the trail because of the hillslides.
16 And then also we catch them again coming through the
17 Jawbone/Dove Springs area where they come in and they go
18 through 16 different crossings -- no. 22 different
19 crossings that we have through the BLM area. So it is --
20 it's a challenging trail. And, yes, the BLM bureau is a
21 very big part of that PCT.

22 CHAIRMAN BANIS: Thank you, Ed.

23 The issue regarding the questionnaires and the
24 partnerships, I'll be touching on that during my report.
25 We'll fill you in on that, what we're going to do.

1 I have another speaker from the public, please,
2 Tom Tammone. Hi, Tom. Good morning.

3 MR. TAMMONE: Yeah. How you doing? Good
4 morning. Tom Tammone.

5 I just wanted to speak about comments I heard
6 regarding the field trip yesterday. I could not attend
7 that one. But I attended the one on the 23rd last -- or
8 the 24th last month in Johnson Valley that was put on by
9 the OHMVR commission and division. And I heard a comment
10 earlier this morning that a compromise has been reached
11 that was workable for the Johnson Valley expansion
12 proposed by the Marine Corps. From someone that attended
13 that field trip and someone that attended the commission
14 meeting the day after that, I have to argue that that is
15 not the case. And quoting one of my comments that was
16 quoted in the High Desert Star, "I work in Carlsbad. I
17 know lots of people that" -- "lots of Marines at Camp
18 Pendleton. I have a lot of friends that are Marines.
19 They're all very skeptical that dust-producing,
20 high-explosive grounds are going to be kept out of
21 limited-use areas. They say maybe it will work for a year
22 or so. There will be some change in command. Somehow
23 something will get lost. Rounds will wind up in a
24 limited-use area. The first time someone finds a
25 high-explosive round, it's going to be gone."

1 So I don't know where that came from, that a
2 compromise has been reached. But as a recreationalist
3 from all ends of the spectrum, I can tell you a compromise
4 has not been reached.

5 And it was also brought up at the last meeting
6 the Marines aren't even using 50 percent of the land that
7 they already have. So I really can't understand why they
8 need this land, why they can't just work within their own
9 boundaries. And as sure as Pirate Four-By-Four turned
10 into 20,000 comments, and I understand all speaking
11 negatively to this, there is no compromise. And there's
12 no need.

13 Thank you.

14 CHAIRMAN BANIS: Thank you, Tom.

15 That's all the speaker cards that I have for
16 comments on items not on the agenda. A last call for
17 speakers.

18 Hearing and seeing none, I'd like to move into
19 the next item in front of us. That would be the advisory
20 council member reports. I may take a few minutes on my
21 report. So I'll go last.

22 Why don't we go around the room and start with
23 the right side this time. Anything to report, Dick,
24 that's not on the agenda?

25 MEMBER HOLLIDAY: I don't have anything that's

1 not on the agenda.

2 CHAIRMAN BANIS: Thank you.

3 Ron?

4 MEMBER JOHNSTON: No. I don't have anything,
5 Randy, that I don't think is being addressed on the
6 agenda. The one item was the California State Off-Road
7 Vehicle Commission Report. And I see that calendared for
8 later on this morning anyway.

9 CHAIRMAN BANIS: Thank you.

10 Dinah?

11 MEMBER SHUMWAY: Randy, I don't have anything as
12 well. But I'd like to take a minute or two to comment at
13 our renewable energy agenda item.

14 CHAIRMAN BANIS: Terrific. Thank you.

15 April?

16 MEMBER SALL: I don't have anything at this time
17 as well. I'll save mine until later in the agenda.

18 CHAIRMAN BANIS: Tom Acuna?

19 MEMBER ACUNA: I won't disappoint you. I have
20 two items, and I'll go over it really quickly.

21 Okay. The first item. Yesterday's field trip,
22 really enjoyed the trip. And it was important for us to
23 see Sycamore Canyon. For those in the audience, that's a
24 last parcel of land that BLM holds and is about to develop
25 a land use plan. What's unique about this property is

1 that it is located very close to Jamul, which is an urban
2 area, and it provides or it could provide recreational
3 opportunities for OHV users. The uniqueness about this is
4 that most of these type of facilities are located two,
5 three hours away from San Diego.

6 So we have Daphne Greene here today. And what
7 I'd like to suggest is that the state work closely with
8 the federal government to see if they can develop some
9 sort of unique plan for intensified use of that
10 recreational opportunity. That's my first comment.

11 The second comment is with wind generation. And
12 I just want to share with folks that there's a unique U.S.
13 Fish and Wildlife proposal called Guidelines to direct
14 renewable developers with wind generation, on how to do it
15 ethically and to protect natural resources.

16 Let me draw a parallel for you. If you were to
17 build a home in let's say a location and it was a
18 two-story home and the county said you're good to go, but
19 later a bird hit the side of your house on the second
20 story and the county came back and told you you had to
21 take the top story off, how would you feel? Not too good,
22 I think. Well, that's what Guidelines are basically
23 saying. What Guidelines are saying is U.S. Fish and
24 Wildlife will approve wind turbine locations. But during
25 the course of five years, if there's take of golden or

1 bald eagles, we may come back and have you remove some of
2 the wind generation or shut down your project.

3 So the point being here is what I'd like to see
4 BLM do -- this is a looming issue. And I'd like to see
5 BLM staff work closely with Fish and Wildlife to develop
6 guidelines that don't remove approvals after you've
7 received them. Albeit we need to protect resources.
8 That's fine. But we need to collectively think of ways
9 that are effective that encourages wind development
10 without pulling the rug out from them at a later time.

11 That's my report. Thank you.

12 CHAIRMAN BANIS: Any questions for Tom? Thank
13 you.

14 Tom Hallenbeck.

15 MR. HALLENBECK: Thank you, Chairman.

16 Since Tom broached the subject of talking about
17 the renewable plan, I just wanted to point out that in my
18 day job with the Department of Transportation, we're
19 seeing -- I've got a couple of initiatives I'm working
20 with the Bureau of Land Management on that are getting --
21 starting to slow down, actually stopped in their tracks.
22 And the word I'm getting back from your headquarters is
23 that they're all consumed with the renewable energy
24 reviews, the legal reviews. Some of the documents that
25 we're trying to review by their legal staff are put aside

1 because of the big push for getting through the slug of
2 renewable energy environmental documents that are facing
3 us. And this is something we've talked about in the past,
4 the incredible workload that they're faced with. Well,
5 it's impacting more than renewable energy. And some of
6 the topics we talk about, it's their day-to-day business
7 is getting impacted sometimes. So just an observation.

8 Thank you.

9 CHAIRMAN BANIS: Thank you, Tom.

10 Good morning, Brad.

11 MR. MITZELFELT: Good morning. Just thought I
12 would bring up and introduce the concept to the district
13 regarding a project my office has taken on. It's relative
14 to National Trails Highway, and better known as Route 66
15 and -- which runs from, you know, beyond the Colorado
16 River, basically, to Upland in San Bernardino County. And
17 the program is a route marker signage program.

18 San Bernardino County has not participated in this type of
19 signage before. But some counties have. I believe San
20 Diego, I believe Imperial, I believe Los Angeles County
21 has. It's basically county highway markers that help
22 people to stay on a certain route. Even as they change
23 from jurisdictions and the names of the roads might
24 change, it allows people to stay on the route.

25 So in this case, we are looking to start the

1 program with National Trails Highway, actually with
2 Route 66, what's better known as Route 66, to help people
3 stay on it, help people know where it is. It should be
4 very good for the visibility, for the tourism. And the
5 initial phase will probably be from Colorado over to
6 Barstow.

7 This -- the number that we're kind of playing
8 with right now is 66. So, basically, the sign -- it's a
9 county highway sign. It's San Bernardino County. It's
10 blue and it has yellow letters, and it says "66." So far
11 pretty good input from groups interested in promoting that
12 resource, pretty supportive. But it's part of a larger
13 effort, and that is the recruitment is -- there's an
14 effort going on to try to designate the route as a
15 national scenic byway. There's a state grant that's being
16 used for that effort. There's some coordination, but not
17 much, with the county on that effort. And that could
18 affect, you know, use adjacent or uses or uses on and
19 along the route, which is fine, if it's done right and --
20 in my opinion. But I think that the county also needs to
21 look, and probably BLM needs to look at scenic highway
22 designations in areas where they're appropriate, what
23 exists now, what doesn't exist.

24 Department of Energy has a big, you know,
25 transmission corridor that's supposed to go right down it.

1 And so there's a potential for a lot of renewable energy
2 projects along that area. In fact, Senator Feinstein's
3 bill, one of the early -- per the Desert Protection Act,
4 the new one, one of the early selling points that they
5 were using was, hey, this will help to preserve this --
6 you know, the National Trails Highway area from impacts
7 from the large renewable energy developments.

8 Now, whether that is appropriate or going to
9 happen or not is unknown. And we have to assume that it's
10 not going to happen.

11 And so I know that BLM has a corridor study. And
12 there's a lot of interest, not only tourism but also
13 filming. There's a lot at stake. So the resources need
14 to be protected and promoted. And so I wanted to suggest
15 that we try to coordinate some effort to -- coordinate
16 efforts like we do with the MOUs for the desert trail
17 maintenance ordinance. We can have an agreement to --
18 perhaps while the byways designation effort is going on
19 might be a good time for us to check in on those issues.

20 But I want to take the opportunity with -- I
21 think the signage might be -- I thought it might be of
22 interest to you. I think it will be helpful for the
23 tourists and so forth.

24 Thanks.

25 CHAIRMAN BANIS: Thank you, Brad.

1 For my report, I'd like to describe and remind
2 the council members and describe for the members of the
3 audience our process that we've settled in on regarding
4 themes for our DAC meetings and how we will go forward and
5 address issues relative to those themes.

6 At the last DAC meeting, we set forth a schedule
7 of four meetings that each of those meetings had a
8 specific theme; the theme for today, recreation, the theme
9 for the last DAC meeting was renewable energy. As I
10 envision the way we would adapt this new strategy, council
11 members, would be that the morning sessions are
12 essentially our reports and old business, cleaning up the
13 things from the previous meeting. That's why you see SRP,
14 renewable energy, and so forth. And then when we move --
15 and then when we move into the afternoon session is when
16 we will essentially be kicking off today's theme of
17 recreation, the intense focus on recreation. There will
18 be a lot of issues that come up that we'll be discussing.
19 I'm not looking necessarily that we're going to issue
20 recommendations today on these recreation issues but
21 rather that we hear from the BLM, we hear from the public,
22 and we hear from each other. And over the coming months
23 to the next meeting, we will have an opportunity to
24 develop a solution and recommendations. And the first
25 half of the next meeting, we will discuss what we come up

1 with.

2 So I hope the council members see that in the
3 same flow. This is what we -- as I take it, what we
4 decided our previous meetings. And, therefore, that
5 answers Ed's question that at the last meeting we asked
6 for the -- we asked for partners and subgroups to assist
7 the DAC with the questionnaire to help us collect some
8 information. And we'll be discussing that in the
9 afternoon session relative to partnerships and how the BLM
10 can create more and more effective partnerships.

11 So that's where we're going today, the strategy
12 I'd like for us to employ.

13 The first item or the only other item in my
14 report, Steve, I'd like to touch on the bylaws. I'd like
15 to report, first of all, to the members of the DAC and to
16 the members of the audience that the bylaw revisions that
17 the council considered at the last meeting were posted for
18 public comment, were reviewed. We received one public
19 comment, me. And then the rest of the council weighed in
20 through e-mail.

21 We were able to -- we did receive the requisite
22 seven votes to enact the bylaws that were proposed and
23 posted. However, during the course of that review, some
24 of our council members came up with some real good spots
25 of places in the bylaws that needed just one more round of

1 our attention.

2 And to set this up, the guiding document for the
3 DAC -- the overarching guiding document is the charter.
4 And the charter is revised by the Interior Department in
5 Washington, DC approximately every two years. And from
6 time to time, the charter is -- has changes. Things are
7 different. And our bylaws are a second guiding document
8 of the DAC. But the bylaws are subservient to the
9 charter. And what we find from time to time is the bylaws
10 may not be in sync with changes from the charter. And
11 that was the reason for the last bylaw exercises, were to
12 bring the bylaws into conformity with the changes of the
13 charter.

14 But we noticed that the charter has actually
15 gotten shorter in recent years. And some things have
16 gotten dropped from the charter that are not in the
17 charter or the bylaws. And these are some things that
18 were brought up by council members. And what I wanted to
19 do today, if it was okay, is not so much take votes or
20 actions here unless it's, you know, something the DAC
21 really wants to do today, of course, but more to go over a
22 couple of these issues for the BLM's information.

23 Steve Razo is the one who really works closely in
24 assisting the DAC with the bylaws and going through the
25 bylaws. And, you know, bylaws are boring and all that.

1 But they're important. And what we'd like to do is just
2 bring these points up, give Steve some feedback. And
3 perhaps over the course of the next few months, he can
4 help us -- some of these points, he may have other
5 documents of authority to help further guide us. And the
6 suggestions that I threw on these PowerPoint slides, of
7 course, I'm looking for better language, for the best
8 language. Mine is just something really to just be a
9 placeholder for discussion purposes.

10 So if that's all right, the first point that we
11 noticed on -- Steve, you want to go right ahead to the
12 next -- there we go. Sorry. It's a PDF.

13 The DAC members pointed out that, just to
14 maintain the proper form of a guiding document, usually
15 you define what a term is. Our current bylaws say council
16 members are appointed by and serve at the pleasure of the
17 secretary. We never really defined who. This is just a
18 quick little housekeeping suggestion. No one's jumping
19 back. Okay.

20 Next one, another would be term limits. For as
21 long as I can remember, the charter had limited DAC
22 members to two consecutive terms. Recently, that was
23 removed from the charter, I believe because it was in the
24 same sentence and paragraph with the elected official
25 requirement, which was the real thing that they wanted to

1 pull out. But unfortunately now we don't have any
2 guidance on term limits. And my suggestion is to go back
3 to the way it was. So you can see that the blue text is
4 actually -- I just pulled that from the original charters,
5 just as a suggestion.

6 Steve?

7 MR. RAZO: There is discussion currently
8 regarding that particular topic --

9 CHAIRMAN BANIS: Good.

10 MR. RAZO: -- as I understand it at the
11 Washington level. There's a possibility that that might
12 come back.

13 As far as the DAC, we have, as you know,
14 traditionally held to that, two terms and that's it.
15 Believe it or not, I think we're the only RAC in the state
16 that actually does that. I think there are some people in
17 other RACs that have been there for quite a while. But
18 then again, locally, that might be the need.

19 Certainly, as you people serve your terms, you
20 probably learn more your second time around than the first
21 time around. And we like the continuity also. But again,
22 yes, it was the -- not in the charter, being discussed.
23 So for my own opinion, I think having this in the bylaws,
24 which is our local document, is probably a good idea.

25 CHAIRMAN BANIS: Next point -- oh, questions.

1 I'm sorry. I'm sorry.

2 Steve?

3 I have a question from Tom.

4 MR. HALLENBECK: Since we aren't restricted by
5 the charter, why would we place it as a restriction upon
6 us? Has there -- is there any history to multiple terms?

7 MEMBER SHUMWAY: You mean more than two terms?

8 MR. HALLENBECK: Yes.

9 CHAIRMAN BANIS: Council members, anybody want to
10 weigh in? Steve, would you like to take a shot at that?

11 MR. RAZO: We've actually never had anyone crazy
12 enough to want a third term.

13 MR. HALLENBECK: So it's not an issue.

14 MEMBER SHUMWAY: But it doesn't preclude -- I
15 mean, I kind of agree with Tom. Why limit it unless it's
16 an issue that we have to limit?

17 MR. RAZO: 'Cause ultimately the decision -- you
18 know, each nomination process is the same. You know, you
19 all have to renominate yourselves if you want a second
20 term. You still go through the process of being screened.
21 You still go through the process of looking it over. And
22 it's submitting the package up and on. And then of course
23 the secretary makes the final decision.

24 But we have found that two terms has -- no one
25 has really requested a third. But I guess if you want to

1 consider that, that's up to the discretion of the DAC and
2 the designated field.

3 CHAIRMAN BANIS: I would think this would be a
4 call for, you know, Steve perhaps to consult and see if
5 there are others in the state office or other that have
6 some reasons that we don't know of. That's why I bring
7 this up. We have a question mark, do we need it, do we
8 not. And perhaps at the next meeting we can have -- or
9 before then, we can have some feedback on that question.

10 Anything else on this? April?

11 You know, Gerry -- I'm sorry. I'm going to break
12 precedent for a minute. Gerry, I think you might have
13 some history on this that might be helpful. Gerry, do you
14 have a moment for that?

15 MR. HILLIER: Thank you, Mr. Chairman. I guess I
16 can -- I guess I have my alumni hat on now.

17 CHAIRMAN BANIS: Exactly.

18 MR. HILLIER: I've seen it both ways. The term
19 limits came back in the mid '80s when the RACs and DACs
20 were rechartered. And there was a decision -- and it was
21 a very conscious one, I think, by the Washington office,
22 and it was supposed to apply nationally -- that council
23 members would be limited to two appointments of three
24 years each. Something was lost there, though. Prior to
25 that, I think there was probably too much moss backing

1 there. And many members of DACs and probably more
2 specifically to the Grazing Advisory Boards which existed
3 at that time literally became members for life. And that,
4 I have to admit, created some stagnancy.

5 However, the two terms, as you already pointed
6 out, you know, people learn a lot. And they finally,
7 after six years, get around -- pretty much around the
8 desert conservation area. And it's a big area. It's a
9 huge geographic area to know a lot of nooks and
10 crannies -- and appreciate the history and appreciate the
11 users. And what happens -- and the really sad thing is
12 that most members who get term-limited out never again
13 appear and -- in front of the council either as alumni or
14 just to check in once in a while. I saw Ron Schiller just
15 walk in the door. And that's really a pretty rare
16 occurrence for an ex -- for an ex-member to come back.

17 I think that in order to keep interest, public
18 interest, a certain amount turnover is good with groups
19 like this. It keeps funneling new blood, new ideas, and
20 provides, certainly, for the infusion of youth and new
21 users there and the adaptability of say bringing in
22 renewable energy, which probably wouldn't have been on the
23 horizon 15 years ago.

24 What really, I think, needs to be done is to
25 provide some focus to keep term-limited council members

1 engaged so that you can profit from their experience,
2 maybe not as sitting members of the council, but keep them
3 engaged either as presenters or as special committees or
4 subgroups and capitalize on that expertise. BLM has
5 invested a lot in those people over six years of dragging
6 them around all over the desert. And, darn it, they ought
7 to be able to continue to capitalize and you ought to be
8 able to capitalize on the history.

9 So I guess I would speak in terms of retaining
10 term limits. But I would encourage you to find a creative
11 way to keep former members engaged and active and
12 continuing to interface with the council once they're off.

13 CHAIRMAN BANIS: Appreciate that advice. Thanks,
14 Gerry, for sharing that with us.

15 I guess what we -- I guess the opinion we'll be
16 most anxious to hear will be Teri's once she has a chance
17 to look at this and formulate an opinion on it.

18 April and then Tom.

19 MEMBER SALL: Yeah. I guess two other thoughts.
20 One, I agree that a certain, you know, level of turnover
21 is appropriate. But we do want to take the advantage of
22 really getting the experience that DAC members gain over
23 their two terms or more. We want to be able to capture
24 that. I think the change that has already been made where
25 you actually get to serve your entire term will help a

1 lot. Like for me personally, my term is up here in a few
2 months. But I had already sat out an entire year by the
3 time I was actually able to come to a meeting. So I think
4 that's really going to help us capture an entire six years
5 instead of four or four and a half or whatever it's been
6 in the past. So I think, you know, that's one thing to
7 consider in this discussion as well.

8 CHAIRMAN BANIS: Good point. Thank you, April.
9 Tom?

10 MR. HALLENBECK: I agree with April
11 wholeheartedly. Good point.

12 And just to reiterate my point is I don't know
13 why we have to self-regulate this when the nomination
14 process goes through the director and through Washington.
15 If they think that our usefulness has come to an end, then
16 they don't move our nomination forward. That's where the
17 regulation should occur. I think they -- if they see
18 somebody who's third, fourth, fifth term, they may decide
19 they're not going to move them forward.

20 CHAIRMAN BANIS: Should we continue? Tom,
21 please.

22 MEMBER ACUNA: Okay. So we're not going to make
23 a decision on that today?

24 CHAIRMAN BANIS: Not necessarily. I just want to
25 bring up what the other council members brought up during

1 their review of the bylaws.

2 MEMBER ACUNA: Very good.

3 I thought what Gerry Hillier said was just a
4 great idea. And when -- Teri, I just urge you that when
5 you look at this again, maybe there is a way we can
6 utilize people to serve the DAC in some fashion.

7 Great idea. That's it.

8 CHAIRMAN BANIS: Thank you.

9 Next point. This is a true housekeeping issue.
10 Steve, you could probably look into this a little more.
11 But it refers to a section of the charter that has been
12 entirely removed and is obsolete. So this was -- this is
13 probably a minor housekeeping item that should have been
14 included in the last set of changes that we underwent.
15 But we can catch up on this --

16 MR. RAZO: Erin can address that.

17 CHAIRMAN BANIS: Oh, Erin. So this is something
18 more than I thought.

19 MS. CURTIS: Actually, maybe less. It was
20 actually an error on the part of our charter makers to
21 take out the elected official. And they're working on
22 putting it back in. So you can choose to put this in your
23 bylaws or not. But it should appear back in your charter
24 very shortly.

25 CHAIRMAN BANIS: All right. Thank you, Erin.

1 So you heard that news, folks.

2 What did you do, Brad?

3 MR. MITZELFELT: I don't know.

4 CHAIRMAN BANIS: I guess my point then would
5 simply be that Section 16 wasn't even in the charter at
6 that point. But we'll make that -- we'll be going through
7 this exercise regarding elected officials again. We'll
8 get good at it.

9 MR. HALLENBECK: What version of the charter are
10 we working with today?

11 CHAIRMAN BANIS: 2010.

12 MR. HALLENBECK: Is it June of 2010?

13 CHAIRMAN BANIS: That is correct. That is
14 correct.

15 Next item. This was an idea from Tom Hallenbeck.
16 I put his name on it specifically. I thought he'd
17 appreciate that. In our bylaws, there's a section about
18 TRTs. TRTs, just quickly, are made up of staff, federal
19 employees. It's a task force of employees to tackle a
20 specific issue. And, therefore, in the bylaws, the TRT
21 is -- would be set to terminate on completion of the
22 assigned task. Tom suggests that we also add that to the
23 subgroups's language. Something for us to consider.

24 Comment on it or are we all set?

25 MR. HALLENBECK: Self-explanatory. I think it's

1 self-explanatory. But I'm a big fan of putting things to
2 rest, you know. In my business, we get involved in a lot
3 of task forces and committees. And I take great pleasure
4 in submitting the final report and sunseting that group.
5 Because if you don't, you just keep generating stuff
6 that's no longer pertinent.

7 So I really think this is a good idea. We focus
8 on an issue, we ask a subgroup to meet to address it. And
9 once they have done that, then they go away until we need
10 to form another subgroup on another issue.

11 Thank you.

12 CHAIRMAN BANIS: Next point?

13 MR. RAZO: We've got to take out that apostrophe.

14 CHAIRMAN BANIS: You think I give you a document
15 and allow you to change it? Not without the password,
16 Mr. Steve.

17 This change simply brings into sync the bylaws
18 and the charter. This blue text comes directly from the
19 charter. That's all. I can't really debate it.

20 Next point, this one is just a discussion item.
21 I don't have a real recommendation. I didn't have an idea
22 on this. This was a discussion about transcripts versus
23 minutes. It was brought up, a discussion to have.

24 Any comments?

25 MR. HALLENBECK: This was my suggestion. For

1 this meeting, there were over 500 pages of transcripts to
2 go through, if you were going to do due diligence and be
3 prepared to, you know, make comments on it. And that's
4 just overly cumbersome to me. And what gets lost is, you
5 know, the true feeling of what's going on in the meeting.
6 There's no summary. There's no review of action items
7 unless you get to that point and you as a chairman have
8 covered that in the transcript.

9 So there may be -- I think there's a better way
10 of capturing what's going on in this meeting rather than
11 having -- no offense -- transcripts of every word that
12 transpired. And I think that would make our job easier to
13 review and approve. And it might make it easier for the
14 public to access, you know, what happened in that last DAC
15 meeting. If I didn't attend a meeting and I wanted to
16 find out what happened in the meeting, lordy, 500 pages.

17 Thank you.

18 CHAIRMAN BANIS: Any other comments?

19 April?

20 MEMBER SALL: I agree with that.

21 CHAIRMAN BANIS: Tom?

22 MEMBER ACUNA: I don't necessarily take the same
23 position. I think that the minutes are important.

24 There's a lot of folks that -- who are interested and want
25 to know who says what. That's what the minutes tell.

1 Now, I realize, yeah, nobody reads it. But if they want
2 to have it, it's there. So it's the record. That's
3 important.

4 The second part is that I think the new way we've
5 organized ourselves with focus and setting out -- okay, if
6 we give an idea to the BLM, how are we doing on those
7 ideas later in the next meeting? That's been illustrated
8 in the new web page. So we are working towards a summary,
9 I think, which kind of brings on how our meeting went. So
10 we have established that communication tool.

11 CHAIRMAN BANIS: My only point on this -- and I'm
12 undecided at this point. But to be a further devil's
13 advocate, I do know from time to time I've done a good
14 number of searching through the PDFs, particularly old
15 items. When I need to refer to the exact words that
16 somebody said and I can't remember, I really enjoy the
17 searchability of the PDFs to pull the data out. And I
18 remember one time somewhat recently where I actually had
19 to go to the transcripts and read Tom Hallenbeck's
20 comments very carefully and very specifically because they
21 provided some very detailed guidance to one of our
22 missions. As important as I'm making that seem, I can't
23 remember what issue it was. But I did find that that
24 review is what made it clear for me.

25 So that's another discussion we might just want

1 to continue having on and offline.

2 Dick?

3 MEMBER HOLLIDAY: Yes. It's kind of hard going
4 through all that pages. I don't know how many pages it
5 was. But as you said, it does provide a record of the
6 meeting for people that want to find out who said what.

7 One of the issues that I had many, many years ago
8 when I first started here was having a section at the end
9 of these things, at the end of the transcript, if you
10 will -- we call it the minutes. But the transcript --
11 that had a list of any motions or any action items that
12 were referenced within the meeting, and so we could keep
13 track of those. You know, we haven't done that. We
14 really haven't had any motions, per se, lately. But in
15 the old DAC years ago, we used to have motions, it seems
16 like. And we'd want to see what the status of those were
17 and how the BLM was operating on them, were they
18 completed, rather than trying to go through the whole
19 transcript looking for one motion or something.

20 So I still think we should go back to the idea
21 that at the end of the transcript, if there's any action
22 items or motions that were made, that those are in one
23 consistent location that we can access and see what the
24 status of those are and the BLM would keep those statuses
25 up to date.

1 CHAIRMAN BANIS: Thank you, Dick.

2 April? April and then Dinah.

3 MEMBER SALL: I guess I have kind of a clarifying
4 question slash comment. I mean, if the meeting is already
5 being recorded, then we still will have a transcript
6 available, correct, if we wanted to go back and look at
7 actual detailed who said what. But what we're talking
8 about is sort of an additional layer of being able to have
9 minutes and sort of more of a summary. Is that --

10 CHAIRMAN BANIS: Maybe. It's one of the ideas.
11 This is why I brought this out. Let's -- these are some
12 ideas that we'll talk about.

13 Dinah.

14 MEMBER SHUMWAY: Well, to follow up with what
15 April was saying -- Diana Shumway -- we actually -- this
16 might depend on the chairman and his wrap-up comments.
17 But you're pretty good, Randy, at summarizing -- and, Tom,
18 you are too -- what happened in the meeting. And one of
19 the nice things about technology is you can have one
20 document, and if you know you're looking for summary of
21 the meeting and that's going to be in the transcript, then
22 someone could easily search "meeting summary" or something
23 like that and find that document and that section in the
24 transcript. So it kind of precludes having to prepare two
25 documents or having somebody go through and prepare a

1 summary.

2 So I think a lot of this might just arise from
3 the way we handle the meetings with the agenda and the
4 summary at the end.

5 CHAIRMAN BANIS: Any other comments? Please.

6 MEMBER JOHNSTON: Ron Johnston.

7 I think Dick's suggestion, Randy, absolutely
8 makes a lot of sense, to have -- whether it's within the
9 meeting minutes as part of your summary of the meeting or
10 whether it is an addendum item that is put at the subject
11 of these minutes, but have a summary of what action items
12 were voted upon, moved upon, and taken at the meeting.
13 And I think a brief summary of that -- of just those items
14 would make a lot of sense.

15 CHAIRMAN BANIS: Very good. I will keep these
16 issues alive. Okay?

17 Next point, discussion No. 2. Alex brought up
18 that the -- there's been a change in the termination-of-
19 service clause. I don't know that I want to get too deep
20 into it here. But just that Alex's point was that this
21 may or may not be too restrictive or too loose or too
22 easy. This is page 1.

23 Keep going, if you could, Steve. And there's a
24 second page.

25 Essentially, the question is the

1 termination-of-service clause seems stronger than before.
2 Did I miss something? My answer is simply that the
3 provisions of the proposed bylaws were unchanged from the
4 previous version. The 2005 charter contained the
5 termination provision of having missed three consecutive
6 meetings. But that was removed in the 2008 version, and
7 it's not in the 2010.

8 So if there's any concerns or comments or
9 questions, maybe you could take a good look at that and
10 we'll continue this discussion.

11 Last point. And this one, I also -- this is a
12 stick of dynamite I'm just going to light and walk away
13 from. The bylaws on subgroups and subcommittees say that
14 subject to the DFO's approval, subgroups may be formed for
15 the purpose of providing counsel and advice to the council
16 and that the groups can gather information, conduct
17 research, analyze, and then draft proposed recommendations
18 for the full council. And the groups are established by
19 the chair and the concurrence -- we went over this last
20 time when we set up the subgroup. But there was a point
21 being brought up that felt that -- there's another guiding
22 document, let me just quickly say, for the Dumont and the
23 ISDRA subgroup. There is a guidelines document. And it
24 was pointed out that there are -- I'm sorry. Not a
25 guideline. A mission statement.

1 It was pointed out that there's inconsistency
2 between the bylaws and the mission statements. And I
3 think that's something that we want to address. And we
4 will be talking about partnerships and subgroups in depth
5 this afternoon. And I think I'd like to return to this
6 stick of dynamite later this afternoon.

7 And that's all we found. These are all the
8 results of my fellow DAC members' review of the bylaws and
9 our ongoing attempts to clean them up.

10 And to the public, I apologize for the bait and
11 switch. You came here for recreation and you got bylaws.

12 That concludes my report.

13 Are there any questions or comments?

14 Moving on. Thank you for waiting. I appreciate
15 it.

16 Erin, would you care to give -- is Erin giving
17 this -- yes. Erin, would you care to give the state
18 director's report now, please.

19 MS. CURTIS: Good morning. And just really
20 quickly to the point of the error of leaving out the
21 elected official in your charter, it's in all of the other
22 advisory council charters. But, you know, the Desert
23 Advisory Council is special and it has a slightly
24 different charter. So someone made a clerical error,
25 essentially, and we caught it. So we will definitely make

1 that change. And having an elected official as a member
2 of the DAC is very important to all of us. So I just
3 wanted to make that clarification.

4 Thanks for letting me come here today. It's
5 exciting to meet everyone. As you know, I think I'll
6 start out with some changes that are going on in the
7 California state office. One that affects me especially
8 is the retirement of Jan Bedrosian after 38 years with the
9 Bureau of Land Management, 21 or so, I believe, as the
10 external affairs -- as an external affairs staffer in the
11 state office, and most recently as our chief external
12 affairs. So we are working on filling that position. I'm
13 very interested in making sure that happens.

14 Another thing that has happened -- and I
15 apologize that this is not even on your report that is
16 written because it happened so recently, just a couple of
17 days ago -- we have some changes going on related to our
18 state director position. As you know, Jim Abbott, who was
19 our associate state director for many years, has been for
20 more than about two years serving as the acting state
21 director. He will be returning as of Monday to the
22 associate state director chair. And we will be having the
23 associate state director from Idaho coming as our acting
24 state director. That was a lot of "acting" and
25 "associates." So I apologize for that.

1 But Peter Denton is his name. And he'll be
2 acting as our state director for about 30 days. And we've
3 been told that Carl Rountree, who some of you may know,
4 who is up in our Washington office as our resources and
5 national landscape conservation system director, will be
6 coming probably after that. So some shifting going on at
7 the state director's chair. And all of that taking place
8 as of Monday.

9 Any questions about that before I move on?

10 Okay. Let's see. As you know, we are operating
11 under a continuing resolution for the rest of 2011 fiscal
12 year. And one provision in the continuing resolution is
13 that no funds will be expended on the wildlands policy
14 that Secretary Salazar issued very late in December of
15 2010. Secretary Salazar did, just this last week, issue
16 some more guidance as far as how we will handle wilderness
17 proposals for the remainder of the 2011 fiscal year, most
18 of the emphasis being working with members of congress,
19 states, tribal leaders, and members of local communities
20 on proposals for wilderness designations by congress. So
21 that will be the focus during the rest of at least the
22 2011 year.

23 I've listed on your report just a few of the
24 public lands bills that we have been following that are
25 relevant to you folks here down in the desert district,

1 the California Desert Protection Act of 2011 as well as
2 several other bills. None of these bills have been heard
3 yet other than the Orange County Rocks and Islands Bill
4 which was proposed by Orange County legislator
5 representative Campbell. And the rest of them have been
6 introduced but not heard yet, referred to committee only.
7 If you have any questions about any of that, let me know.

8 I'll give you an update on some of the things
9 that are going on related to our wild horse and burro
10 program within California. Many of you have probably
11 heard news reports about the equine herpes virus that has
12 broken out actually throughout the West. We do have a
13 number of cases here in California. And our focus related
14 to that has been to make sure that it doesn't get into any
15 of our corrals where we have a number of wild horses who
16 are in close proximity to one another. It is a very
17 highly contagious disease. Most horses recover from it.
18 But it can cause neurological damage. And if it does go
19 into the brain, it is usually a fatality. And so it's
20 something that we have been working very hard to make sure
21 it does not come anywhere near any of the places where we
22 have our horses.

23 So we've cancelled a couple of adoption events
24 and we have asked the public not to bring any horses to
25 our corrals. And we're just monitoring the situation at

1 this point.

2 Another focus for the program, we have a gather
3 that is currently being studied that is likely to go
4 forward at the beginning of the next fiscal year. So late
5 this fall up in our Surprise field office, Northern
6 California, right -- actually, it's -- most of that office
7 is in Nevada. And we do have plans to go forward with the
8 gather there. So we'll be keeping you apprised of that
9 and of our efforts there.

10 Let's see. I've just put some information in the
11 state director's report related to the president's
12 America's Great Outdoors initiative just to give you an
13 idea of BLM's participation in that initiative. And I
14 know Mr. Hillier also mentioned that initiative.

15 And then finally, I wanted to bring you up to
16 speed on a couple of things related to renewable energy
17 projects. Most of you are probably very up to speed
18 anyway. We do -- we have been apprised that there's going
19 to be a groundbreaking event for the Blythe solar power
20 project, which was one of the priority projects approved
21 last year. And they're planning an event on June 17th out
22 at the project site.

23 You may have seen a number of news reports
24 related to the Ivanpah project which has currently been
25 under temporary suspension of activities notice related to

1 the number of desert tortoises they were finding out on
2 that project site. And the suspension of activities
3 related to two stages of the project but not the first
4 stage which -- so construction continues on the first
5 stage of the project. And we're just waiting right now
6 for a new biological opinion to be issued by the U.S. Fish
7 and Wildlife Service. And we will take a look at that and
8 see what our next steps are related to phases 2 and 3.

9 So that's just an update.

10 I think that's all I have other than what's
11 written here unless you guys have some questions for me.

12 CHAIRMAN BANIS: Let me start on this side.

13 Dick?

14 MEMBER HOLLIDAY: Yeah. I'm kind of interested
15 in the -- what's your time schedule, do you think, the
16 Fish and Wildlife Service is going to get a biological
17 opinion out on the stage 2 and 3?

18 MS. CURTIS: It's going to happen very shortly.
19 We had originally been -- they only have 130 days
20 statutorily to issue that. And we reinitiated that
21 consultation on March 28th. But it's very likely it will
22 happen next week or the week after.

23 MEMBER HOLLIDAY: Okay. Thank you.

24 CHAIRMAN BANIS: Going down the line. Ron?
25 Dinah? April? Tom?

1 MEMBER ACUNA: Erin, I just have one quick
2 question for you. You mentioned in the beginning the
3 2011 -- I think was it Desert Protection Act.

4 MS. CURTIS: Yes.

5 MEMBER ACUNA: It hasn't even gone to reading
6 yet?

7 MS. CURTIS: Correct.

8 MEMBER ACUNA: So that means officially there's
9 nothing out there to give us a sense of what it's
10 encouraging, or do you have some sense of that?

11 MS. CURTIS: I do have some sense of that,
12 because it has been introduced. So there is language.
13 And it is related to adding some additional wilderness
14 areas both related to the Bureau of Land Management lands
15 and U.S. Forest Service lands. So it's a far-reaching
16 piece of legislation. It also designates certain areas
17 available and not available for solar and other renewable
18 energy development.

19 So the easiest way to explain that bill, I think,
20 would be with a map.

21 MEMBER ACUNA: Right.

22 And do you have an acreage amount anywhere?

23 MS. CURTIS: Not at the tip of my tongue. But
24 let me see if I have anything here. I do have a quick
25 summary which I can give to you. I don't know that it's

1 real specific.

2 I do not have an acreage. But it does establish
3 special management areas, off-highway vehicle recreation
4 areas, wilderness areas, monuments. It also releases some
5 specified wilderness study areas and adjusts some park
6 boundaries.

7 So I don't have specific acreage for you. I can
8 look that up for you and get back to you, Tom.

9 MEMBER ACUNA: Okay. Thank you, Erin.

10 MR. HALLENBECK: Erin, in the final paragraph,
11 the director is talking about royalties received, 600,000,
12 12 million, potential 37 million for the solar. Does any
13 of that money stay in California or go to California in
14 any way?

15 MS. CURTIS: Yeah. Actually, a lot of it does.
16 Particularly the -- the lease money associated with
17 renewable energy projects and other rights-of-way, it does
18 stay within California so that we can manage those
19 rights-of-way appropriately. So royalties related to oil
20 and gas, those do not. But rights-of-way leases do.

21 MR. HALLENBECK: So it stays in BLM?

22 MS. CURTIS: Correct. Yes.

23 MR. HALLENBECK: Opposed to the state of
24 California or the county?

25 MS. CURTIS: That, I don't know. Possibly. I'll

1 find out for you, Tom. I don't know the answer to that.

2 MR. HALLENBECK: Okay. Thanks.

3 CHAIRMAN BANIS: Any last questions for Erin?

4 Thank you, Erin. I appreciate your coming down
5 today --

6 MS. CURTIS: My pleasure. Thank you.

7 CHAIRMAN BANIS: -- and making the presentation.

8 Now, the time you've been waiting for. To my
9 left, Teri Raml will deliver the district manager's
10 report.

11 DIRECTOR RAML: Well, good morning. And I
12 welcome the DAC members and certainly welcome all of you
13 out there. This is a nice attendance for us. And I
14 appreciate you coming out on this Saturday. And I'll be
15 interested as you participate in our meeting what brought
16 you here.

17 I want to start with a thank you to the DAC and
18 particularly for -- to Randy. This has been a
19 particularly busy session in between meetings. And Randy
20 and all of you have, between subgroup meetings,
21 subcommittees, reviewing bylaws have been exceptionally
22 busy. And I really appreciate the effort.

23 I think -- I was thinking this morning I was
24 trying to find out a new word for change. When change
25 becomes so much a part of the way you do business, it

1 seems like it's a funny word, you know. So change,
2 change.

3 But anyway. So kind of in light of that, I did
4 want to highlight some reorganization in our district
5 office. Bekki Lasell back there, stand up just so I can
6 see you again.

7 She has assumed the responsibility. She's now
8 our deputy district manager for resources. And so that's
9 a new change for us.

10 We have a new deputy district manager now for
11 support services which will be Vicky Wood who many of you
12 might have known was the El Centro field manager. So
13 she's now part of the district manager's team.

14 Al Stein who has a wealth and tremendous amount
15 of experience is now going to become a senior technical
16 advisor also on our staff. So for the field managers,
17 this is kind of a formal announcement. We have a lot of
18 communication to do about these new roles and
19 responsibilities. But change is ever with us.

20 Thirdly, I wanted to call your attention to the
21 field manager reports. I looked at them. I have -- of
22 course, I'm very aware of how busy we are. But these
23 reports are especially enlightening about how much work is
24 going on in the field. If you take a look at them, you'll
25 see what our priorities are, kind of echoing what the

1 state director reported; renewable energy including
2 geothermal, OHV grants, a lot of energy. Thanks that
3 Daphne is here. But our staff has put a lot of time and
4 attention into preparing for grants, applying for grants.
5 We've been working on abandoned mine lands, special
6 recreation permits which we'll be talking about later.
7 And then also scattered among the reports from the field
8 offices are just some other wonderful things like cultural
9 resource work, riparian restoration.

10 And so really, I encourage everyone to take a
11 look at those reports because they really do support the
12 topics of our agenda and they are just a -- really just a
13 highlight of the tremendous amount of work that is taking
14 place in the field offices.

15 A couple things that were left out of the field
16 manager's reports -- I'm going to pick on them a little
17 bit. We also have -- in light of our theme on
18 partnerships, we were very fortunate this year to have two
19 special awards given, one to Craig Beck who is in the
20 Ridgecrest field office. He's the agency partner of the
21 year for the Pacific Crest Trail which we talked about
22 earlier. So that's a recognition for a BLM employee and
23 the amount of energy and attention that he spent on
24 partnerships. And then in the Palm Springs office, we
25 also had our volunteers recognized, Betty and Dee Zeller,

1 who are at the Big Morongo Preserve. And they received
2 the National Making-a-Difference Award. And I think they
3 got a lifetime achievement award associated with that. So
4 that's -- we're very proud of those folks and the
5 recognition they received. And, again, it indicates how
6 much energy and effort we spend on volunteers and
7 partnerships.

8 Let me think. I also -- the materials that were
9 provided -- well, okay. Back to -- let's talk a little
10 bit about this meeting structure. So this is the --
11 really the first meeting where we're going to try to
12 implement our work plan. I mean, the last meeting we had,
13 we were kind of introducing our work plan or our business
14 plan. And we kind of tried to tackle renewable energy
15 which we'll discuss again. But this is the first meeting
16 where we're really going to try to focus on a theme. And
17 I'm enthused about it. I think -- I'm enthused about the
18 agenda. And we'll kind of see how it works. It's still a
19 work in progress.

20 We have put some significant staff time and the
21 subgroups have put some time into it. I know there's a
22 lot more to do and to talk about in recreation. So I look
23 forward to working with this.

24 And I wanted to call your attention to the
25 materials in the book. This is also just a snapshot of

1 the stuff -- the materials that we produced to highlight
2 recreation and our outdoors. So for the DAC members, we
3 certainly hope that you took a look, and that will kind of
4 support this theme of recreation.

5 And I think with that, I will tell the DAC I am
6 really committed to trying to follow through on the
7 recommendations made. I brought them with me. You know,
8 I've got these just to show you. I've got my little
9 handouts in front of me about what our themes are, what
10 we're going to approach, and what I'm going to be held
11 accountable for. So I'm committed to trying to make this
12 work and following through on our work plan. And I think
13 with that, I'm done.

14 CHAIRMAN BANIS: Wow. You covered a lot of
15 miles. Thank you, Teri. That was wonderful.

16 We'll move into the next section, agenda. I
17 don't know how we did it. But we almost caught up.

18 And we now have council member questions for the
19 field office, district manager, or state director reports.
20 Actually, we already heard from -- had a chance to query
21 the state director report.

22 Dick?

23 MEMBER HOLLIDAY: Let me start. I have -- I've
24 read through all these reports. I have a couple questions
25 about the El Centro and the Barstow field offices.

1 One for the El Centro field office. On page 2,
2 there's a document about an Ocotillo Express, and it
3 doesn't really say what that is. It just tells us what --
4 they're seeing contractors. They're working to prepare an
5 EIS. But what is that? Is it a solar plan? Is it a wind
6 farm? Where is it?

7 CHAIRMAN BANIS: We've got an answer coming. The
8 answer is in the form of Margaret Goodro, the field
9 manager for El Centro.

10 MS. GOODRO: So, Dick, for Ocotillo Express, it's
11 a wind project. And the size of the turbines is being
12 adjusted right now with their POD. And so we've had
13 several meetings recently to look at some of those
14 revisions. And so I'll give you the specifics of the
15 original application. But they're looking at 14,691 acres
16 to produce 550 megawatts.

17 MEMBER HOLLIDAY: Where is this located?

18 THE WITNESS: It's right by the town of Ocotillo,
19 on -- kind of wrapping around the backside and then to the
20 right of it.

21 MEMBER SHUMWAY: I'm sorry, Margaret. How many
22 acres was that?

23 THE WITNESS: That's 14,691 acres. And that's
24 turbine, wind turbine. And proposing to -- up to
25 550 megawatts.

1 MEMBER SHUMWAY: That's installed capacity?

2 THE WITNESS: Yes. Yeah. And that's with

3 Pattern -- Pattern Energy is the applicant.

4 MEMBER HOLLIDAY: While Margaret is up there, I
5 have a couple other questions. On the -- their report for
6 the dunes area, Imperial Sand Dunes, they give an outline
7 of their visitation and the amount of dunes permits that
8 were sold, don't give any dollar amount. But one of the
9 things that's going to happen is the reduction in -- looks
10 like there might be a reduction in grant money, obviously.
11 We're going to hear more about that later. But the
12 \$5 million is coming out of the grant which would affect
13 the BLM probably greatly. And I'd kind of like to know
14 what the planning is for that reduction. And let me
15 finish -- go ahead and do that, and then I have another
16 question.

17 MS. GOODRO: Okay. With the visitation, the
18 visitation is down slightly. And it's kind of been on a
19 little bit of a downward trend connected with the economy.
20 And so there's two things going on with the fee dollars.
21 One, there's less passes being sold. And also, there's
22 more passes being sold offsite, which is less revenue
23 generated. And so the fees are sliding downward for the
24 amount of dollars that are available to manage Imperial
25 Sand Dunes. And so that is something that we'll continue

1 to look at.

2 MEMBER HOLLIDAY: Also as part of the Barstow
3 report, there was a mention in there about the Barstow BLM
4 law enforcement working on an MOU with the county sheriffs
5 in order to be able to have -- tow and responsibility
6 through the county. And I believe -- doesn't the BLM
7 El Centro have an agreement with the -- an MOU with the
8 Imperial County Sheriff that they can tow and impound
9 vehicles?

10 MS. GOODRO: Our officers are cross-deputized.
11 And so they serve as Imperial officers for the county
12 also. That isn't taking place, I don't believe, with
13 Barstow. And we do have -- beyond that, we also have an
14 agreement with all the law enforcement agencies in the
15 valley.

16 MEMBER HOLLIDAY: It seems like we went through
17 an issue here a few years ago about trying to get
18 consistent rules for the area. It would almost seem like
19 that there would be consistent rules across the CDD for
20 the law enforcement officers also so that a law
21 enforcement officer that comes from one area to another
22 area could have the same rules.

23 MS. GOODRO: The authority for the
24 cross-deputization lies with the county. And so that's
25 where it -- it depends on which county you're working

1 with.

2 MEMBER HOLLIDAY: I would also like to bring out,
3 in the report for El Centro, is Margaret talked about the
4 Dune Guard program and some other programs that are
5 associated with trying to improve public participation by
6 the BLM officers. These programs were funded not
7 necessarily through BLM but through recreation dollars
8 from either different sources in the United Desert
9 Gateway, which is one of the organizations within the
10 Imperial Valley there, provided funding and support for
11 the Dune Guard and --

12 MS. GOODRO: Yeah. Neil Hamada actually had a
13 safety grant that was utilized through United Desert
14 Gateway which helped with the Dune Guard program and also
15 the Frisbee program which has been highly successful in
16 the Imperial Sand Dunes and getting the public engaged and
17 protecting the resources and being safe.

18 MEMBER HOLLIDAY: And we also -- when we go
19 through these reports, we had some reports from Friends of
20 Jawbone and the Friends of El Mirage. We also had some
21 issues that I'd like -- not issues. But I'd like to bring
22 up that we have a group that's from the dune area that's
23 the American Desert Foundation. And they've gotten grants
24 from state parks for defibrillators. They've gotten --
25 provided grant funding for training for off-road vehicle

1 users. This year, they had like 484 kids that they
2 trained. I don't know if they were all children. But
3 anyway, they trained and they expanded the program to
4 Superstition Mountain from the dunes. So they're kind of
5 spreading that out. And we also are planning -- they're
6 planning on doing that again next year.

7 So the UDG also has provided support for cleanups
8 out there as well as working with the BLM on the ranger
9 station at Buttercup to support that generation near --
10 let me see if I've got anything else here.

11 Oh, yeah. As far as your LEO report -- one more
12 thing. Could you please tell us how many positions -- LEO
13 positions you have budgeted and how many are currently in
14 place?

15 MS. GOODRO: For the law enforcement positions
16 for the El Centro field office, there's 15 positions. And
17 so right now we have some vacancies that we're filling.
18 So we'll be filling six vacancies. And we're in the
19 process of doing that.

20 MEMBER HOLLIDAY: So the BLM in El Centro
21 essentially has nine officers right now. They're trying
22 to fill that for a huge area. I don't know -- I don't
23 think it explained how many are in the BLM or the other
24 areas. That might be a good thing to remember to put to
25 the other field office managers' reports just so we know

1 where the status of the law enforcement is for the BLM.
2 It's a real issue for them to keep people on staff. And
3 they have a huge area to monitor.

4 CHAIRMAN BANIS: Are there other questions for
5 Margaret while Margaret is here?

6 Tom Hallenbeck.

7 MR. HALLENBECK: Good morning. I just want to
8 point out in your report you have some very impressive and
9 very promising statistics about the reduction in
10 accidents. Just over the last five years, it looks like
11 you may have cut them in half -- well, you have --

12 MS. GOODRO: Over the past ten years, there's
13 been about a 50-percent reduction.

14 MR. HALLENBECK: That's to be applauded. And in
15 the title of the chart, it's attributing it to education
16 and enforcement of safety rule. Were there any other
17 things happening? Has there been changes in equipment
18 that people use?

19 MS. GOODRO: It's pretty much taking all those
20 efforts together. So that's having folks to be enforcing
21 the regulations, working with the partners for consistent
22 messaging on safety themes, and then trying new
23 educational tactics to get the word out to the public to
24 promote safe recreation.

25 So it's incorporating all these things and the

1 amazing work of the staff. So Neil Hamada is a big part
2 of that. And so I think Imperial Sand Dunes and what
3 they've accomplished over the past ten years has been
4 phenomenal in providing for safe recreation.

5 MR. HALLENBECK: Well, I congratulate you and
6 your staff because that's an impressive decline in the
7 number of accidents. However, to get a full picture --

8 MS. GOODRO: However.

9 MR. HALLENBECK: Just a detail in my mind is I
10 also read in your report that visitation is declining.
11 And I don't know if that's been going on over the same
12 period of time. So to get a true picture from a
13 statistical standpoint, a ratio would be more appropriate.

14 MS. GOODRO: Yeah. We can overlay -- one of the
15 issues with overlaying the visitation numbers is that
16 they're so high, it throws that schematic off. But --

17 MR. HALLENBECK: Yeah. It's .08 percent five or
18 four years ago.

19 MS. GOODRO: There is a certain amount with the
20 visitation that can definitely play a part in that. But
21 our visitation is not down 50 percent.

22 MR. HALLENBECK: Well, that's really what I
23 wanted to hear. It's down, but not -- that doesn't make
24 it account for it.

25 MS. GOODRO: Right.

1 MR. HALLENBECK: So congratulations and
2 congratulations to your staff. 50-percent decrease,
3 that's great. Keep going.

4 MS. GOODRO: Yes.

5 CHAIRMAN BANIS: Before I turn to Dick, I notice
6 the spike in the middle of the time. It's a personal
7 observation. That's about the time the economy was really
8 heating pretty heavy. And we had a lot of newcomers come
9 into motorized sports at that time. And we also saw a
10 number of people upgrade their equipment to bigger,
11 faster, and better. And it's purely only an observation
12 that's shared among some that I talked with that that did
13 result in a spike. The economy really pushed at that
14 time.

15 And I think now to some extent with the fewer
16 visitors and with the economy starting to shake out, I
17 think we're starting to see more realistic levels going
18 forward in these stats.

19 Dick?

20 MEMBER HOLLIDAY: What we'd like to say is that
21 now we have people with a little more talent. And like
22 Randy says there, some of the newer people -- it seems
23 like the people that get hurt or get killed typically it's
24 one of their first times out to the dunes because they're
25 just not aware of the facilities, what's on the other

1 side. And they end up getting hurt or killed. And so as
2 people gain a little talent, then the number of injuries
3 goes down.

4 CHAIRMAN BANIS: Any other questions for
5 Margaret?

6 Thank you, Margaret.

7 Any questions for field office managers? Dick,
8 did you have one for Barstow or are we okay on that? Do
9 you want to follow up?

10 MEMBER HOLLIDAY: Yeah. I notice that in the
11 Barstow office -- you know, in the El Centro field office
12 we got a report on visitation and fee and number of
13 permits sold. I didn't see that anyplace else. And,
14 again, I would like to see -- I'll end my spiel right now
15 on the fee thing. We'll talk about that more later.

16 But the BLM is responsible for providing a yearly
17 report of the fees collected, expenditures, and what
18 they're going to do the next year. And somehow we need to
19 get that provided to the DAC members and to the public.
20 Now, we can do that once a year. We can do that -- have a
21 fee theme and have that done at that time. That's one
22 option. But there is a requirement from the BLM
23 Washington office that a report is generated each year
24 that shows the amount of money that was collected and
25 where that money went and how it was going to be used and

1 what they're going to use it for the following year.

2 I would just like to see -- I would like to see
3 us have some way of getting that visibility out to the
4 public. I don't think I've ever seen one of those reports
5 from Barstow. I don't think I've ever seen a complete
6 report from El Centro on the fees where how much was
7 collected and where it went and what you're going to do
8 with it the next year. And that's a requirement of the
9 law.

10 CHAIRMAN BANIS: Any other comments for -- or
11 questions for field office managers?

12 MEMBER SHUMWAY: I have a question for Barstow,
13 Roxie -- remember the part about learning curves. So this
14 is going to be part of my learning curve.

15 Roxie, the Lucerne Valley Chevron Solar Project,
16 you said that you're working on reassignment of ownership.
17 Could you elaborate on that?

18 MS. TROST: Yes. It was originally a Chevron
19 project. And just after the record of decision was
20 signed, Chevron has sold the project to another company.
21 So they're going through the reassignment process.

22 MEMBER SHUMWAY: Okay. So it's the project, not
23 necessarily land ownership transfers or anything.

24 MS. TROST: Yes.

25 MEMBER SHUMWAY: Thank you very much.

1 And I also have a question for Hector.

2 CHAIRMAN BANIS: Any other questions for Roxie?

3 Thank you, Roxie.

4 Hector, Dinah had a question, please.

5 Dinah, why don't you go right ahead.

6 MEMBER SHUMWAY: Maybe a quick question, Hector,

7 while you're walking up here, I'll ask my question.

8 The Reoforce people, that's probably some kind of
9 a clay or silica commodity?

10 MR. VILLALOBOS: It's pumice.

11 MEMBER SHUMWAY: What was the reason that they
12 didn't start their mining activities? Do you know?

13 MR. VILLALOBOS: Well, the definition of mining
14 is really what is being debated between the BLM and the
15 Reoforce company. They did some work. They improved a
16 road to the location within the state park and they
17 sampled some of the material in the old mine. And so the
18 question is whether that fits the definition of mining
19 according to our plan.

20 MEMBER SHUMWAY: Under their plan of operation?

21 MR. VILLALOBOS: Yeah.

22 MEMBER SHUMWAY: So it's more like prospecting
23 activities?

24 MR. VILLALOBOS: That's what might be debated
25 between us and the company.

1 MEMBER SHUMWAY: Okay.

2 MR. VILLALOBOS: And so that question is
3 really -- we're trying to sort that out between the
4 companies. We ask them questions exactly what was their
5 idea of what mining was. And they provided us some
6 feedback. And we're going to review that with our
7 solicitor and see if that constitutes mining --

8 MEMBER SHUMWAY: Okay.

9 MR. VILLALOBOS: -- under the plan of operations.

10 MS. SHUMWAY: All right. So --

11 MR. VILLALOBOS: And you kind of understand the
12 importance of their mining claim that was grandfathered
13 inside the state park at Red Rock State Park when this
14 land was turned over to the state park I think back in
15 1990 -- I forgot the exact date -- 1994 or something like
16 that. However, the mining claims remained the
17 jurisdiction of the BLM, those that remained within the
18 state park.

19 And so we're carefully evaluating these mining
20 claims as they want to go into development of their mining
21 claim. And then what we need to decide is, is it a
22 valuable and a prudent mining operation, kind of like is
23 it really mining. And so if not, then the mining claim
24 might be basically put to rest. And then the state park
25 has the jurisdiction.

1 MEMBER SHUMWAY: So essentially they haven't gone
2 through the proper due diligence to --

3 MR. VILLALOBOS: That's correct.

4 MEMBER SHUMWAY: Now, had their plan of
5 operations been updated prior to the activities?

6 MR. VILLALOBOS: Yes. It was updated.

7 MEMBER SHUMWAY: And that included
8 recommendations, requirements, and things like that?

9 MR. VILLALOBOS: Yes. And that happened about a
10 couple of years ago. And so now it's time for them to
11 demonstrate their due diligence on that mining claim. And
12 so there's that discussion between us and the mining
13 claimant as to what constitutes mining between the BLM and
14 the mining claimant.

15 MEMBER SHUMWAY: Okay.

16 MR. VILLALOBOS: Does that make sense to you?

17 MEMBER SHUMWAY: Yes. I'm just trying to rectify
18 the situation or the situation you're trying to show.
19 You're trying to get this applicant -- or applicant is not
20 the right word.

21 MR. VILLALOBOS: Mining claimant.

22 MEMBER SHUMWAY: Mining claimant to demonstrate
23 that they have a viable project, essentially?

24 MR. VILLALOBOS: That is correct.

25 MEMBER SHUMWAY: Which is where we all are?

1 MR. VILLALOBOS: That it's economic --

2 MEMBER SHUMWAY: I'm just comparing that with the
3 attitude that we all have toward renewable activities as
4 well. So thank you. I appreciate that.

5 MR. VILLALOBOS: You're welcome.

6 CHAIRMAN BANIS: Any other questions for Hector?

7 Thank you, Hector. I appreciate that.

8 Last call for questions for other field office
9 managers.

10 Ron and then April.

11 MEMBER JOHNSTON: Just quickly, for Needles, as I
12 recall at the last meeting three months ago, the
13 Horsethief Springs riparian damages issue was brought up
14 and the damage that has been caused by U.S. Iron. And it
15 seems like this is still ongoing with no resolution in
16 sight. And they've apparently been guilty of some pretty
17 severe damage to that area.

18 You know, what seems to be the problem? What's
19 the progress? What's the dollar amount we're trying to
20 recover to repair that area?

21 MR. LEE: The problem right now, as I mentioned
22 last time, they appealed to the Interior Board. BLM
23 basically was sustained in our decision. 65,000 was the
24 ballpark number we were talking about for recovery. The
25 company has since retained an attorney and they are in

1 negotiation with our solicitors as to exactly how to go
2 about that.

3 MEMBER JOHNSTON: Over \$65,000?

4 MR. LEE: Yes. They actually -- their latest
5 counter, I think, was \$15,000. And it's not going well.

6 And a side issue, they are not fully bonded with
7 the state of California to operate on the private land.
8 So our guess is they're dealing with some financial
9 problems at this point. So we're trying to basically come
10 up with whatever we can get to fix the problem and
11 hopefully get them operational, 'cause they're not going
12 to fix their money flow problems until they are
13 operational, so...

14 CHAIRMAN BANIS: Dick -- I'm sorry, Dick. April.
15 April first.

16 MEMBER HOLLIDAY: I'm sorry.

17 MEMBER SALL: Do you have a specific thing?

18 MEMBER HOLLIDAY: I was just going to say if
19 they're not bonded, are you still allowing them to operate
20 on public land?

21 MR. LEE: Oh, no. This is purely state bonding
22 on private land.

23 MEMBER SHUMWAY: The state is the lead agency in
24 this case?

25 MR. LEE: It's messy. The mine is actually on

1 private land. So as far as BLM's concerned, we don't even
2 consider it a mine. It's just a commercial activity on
3 private land. Our concern with -- on that aspect is are
4 they permitted by the state -- are they allowed to operate
5 by the state of California. And it just so happens that
6 since it is a mine they have to go ahead and bond for
7 reclamation under state law. And we're still waiting for
8 that. That's not with BLM. That's not ours.

9 MEMBER HOLLIDAY: You just -- they had to access
10 it through BLM's property?

11 MR. LEE: Yes. And that was where our distress
12 came in. All they needed to cross with us was to go up
13 the road and back down. So why they did the disturbance
14 on BLM, we're not really sure at this point. And that was
15 basically what the Interior Board found. They couldn't
16 understand it either.

17 CHAIRMAN BANIS: April?

18 MEMBER SALL: This is just a general comment. So
19 it's not -- I just wanted to express some appreciation for
20 all the field office managers in mentioning volunteer work
21 and updates on restoration in volunteerism throughout the
22 California desert. I think it's really important to
23 acknowledge the work that our volunteers and students do
24 whether it's trail work through the SCA, Student
25 Conservation Association, or volunteer cleanups with

1 different friends groups, et cetera, et cetera.

2 So I would just like to see those updates
3 continue to come so that we can recognize all the work
4 that happens throughout the desert.

5 CHAIRMAN BANIS: Comments or questions, field
6 office managers?

7 Once, twice.

8 Thank you, council members. Thank you, field
9 office managers for your reports.

10 Vesna, still okay?

11 THE REPORTER: Yes.

12 CHAIRMAN BANIS: I'd like to go through the
13 public comments, and then we'll take our break. Any
14 objections?

15 I have public comments on the field office
16 manager, district manager, and state office reports. And
17 Ed Waldheim.

18 MR. WALDHEIM: Thank you, Mr. Chairman. Ed
19 Waldheim.

20 Nails. I've come across the issue that the local
21 law enforcement folks cannot enforce the nail special
22 regulation that the BLM has instituted. And so we need
23 help on figuring out how we can get that resolved. Even
24 though we have a Memorandum of Understanding of Ridgecrest
25 with Kern County sheriffs, they say they cannot implement

1 it. Barstow, Mr. Hillier was going to help us -- I don't
2 know -- with Brad to try to get the sheriffs involved or
3 get the memorandum going again with the BLM.

4 And, Gerry, you said you were going to work on
5 that.

6 MR. HILLIER: It's gone south.

7 MR. WALDHEIM: It's gone south. So much for that
8 one.

9 Anyway, I think we need help. We need to make
10 sure that any special regulation that we set up with the
11 Bureau of Land Management, that at least with those
12 agencies we do have an MOU, that we can get them to
13 enforce it. And right now, they say if you come in with a
14 whole bunch of pallets and a sheriff sees it, there's not
15 a darn thing he can do about it. And that has me really
16 bummed because we're starting to see those again.

17 Your men, what you're talking about, I agree with
18 both of you. Keep the stenographer going. That is
19 excellent. However, Mr. Tom Acuna, you did a great job
20 last year, and Randy will do the same thing, is you do a
21 synopsis on record which will show up on the minutes. And
22 I would suggest you come up with action logs. I'm a big
23 fan of action logs. Most of the agents, you understand
24 what action logs are now about, like it because it
25 institutionalizes things that we want to take care of.

1 You may take care of it today, but you may take care of it
2 five years from now. At least you don't have to rethink
3 and go back and back and back again.

4 So I would say come up with an action log for the
5 DAC so you have it. And put who is it assigned to, what's
6 the due date, so you can keep a record so we can take
7 better time of our time.

8 On the wall up there, I put the West Mojave plan
9 up there. And I put it -- the reason I talk about it now,
10 because there's nothing in here that anybody talked about
11 on the West Mojave except the two field offices who put it
12 in their reports. I want to make sure that the DAC
13 understands the enormity of what we are being asked to do.
14 We have 13,000 miles of trail. The big map over there,
15 that's West Mojave. Those were all the trails we had.
16 After all the years of planning -- and if you look -- pick
17 you up Richard Crow's analogy or history -- I have it out
18 there. I'll pass it to you. We lost 8,000 miles of
19 trails which are the red ones. They took -- everything
20 red is taken away from us. We have 5,000 miles left over.
21 Those 5,000 miles of trails are the ones that now are
22 being attacked as being excessive and you haven't done
23 your job in designating them right.

24 I would like to submit to you, how often are you
25 going to keep on milking the same thing until we are out

1 of the desert and you shut us down, which is the ultimate
2 goal, unfortunately, for those folks who continue to don't
3 understand.

4 I bring this up to you because we are desperately
5 trying to manage our public lands in the right way, keep
6 the people on designated trails. And it's high time that
7 all of us in this room work together to help us manage our
8 public lands in a responsible way. Continually taking
9 away our trails when we have them fenced and there's no
10 off-road travel and not letting us go on those trails,
11 it's unconceivable. I don't understand what's going on
12 with that. So this is something that we need to really
13 think.

14 And Tom is gone now. The issue on the money. I
15 think the DAC needs to take up that \$12 million, the
16 \$600,000 of royalties, somehow we have to figure out how
17 do we get to keep it in here. Because right now we see
18 very little of that to help us manage the public lands.

19 CHAIRMAN BANIS: Thank you, Ed.

20 I'm going to continue for a few more minutes. I
21 have a speaker card from Ed Stovin. Ed, would you like to
22 make a presentation for us?

23 MR. STOVIN: I'd just like to make a quick law
24 enforcement comment about a friend of mine last winter who
25 was camping in the Superstition open area. And he had a

1 law enforcement come into his camp -- he had a number of
2 people there -- and demand to see registrations. To my
3 understanding, there was no probable cause for their
4 coming in. They came in and demanded registration papers.
5 And they found a couple that he didn't have them for, and
6 they were cited. I think it was on a big weekend.

7 So I don't know if it was the BLM's law
8 enforcement or -- I think sometimes you bring in, you
9 know, help law enforcement. But I've heard of this
10 happening to other people. And I don't really understand
11 why and how this happens. And I hope it could be stopped.

12 CHAIRMAN BANIS: Any questions or comments from
13 the council?

14 Thank you, Ed. Thank you.

15 I'm going to continue. Kim Campbell had a
16 comment.

17 MS. CAMPBELL: Hello. I just have a brief
18 comment about the bylaw changes. And that is that I think
19 transcripts are very important. Summaries, action items
20 are great. But occasionally it's important to see exactly
21 what was said. And the only way you can see that is with
22 a transcript. So that's all. Thank you.

23 CHAIRMAN BANIS: Thank you, Kim.

24 The last comment we have for this period before
25 we take a break, Ron Schiller, nice to see you, Ron. For

1 those of you who don't know, Ron is a former DAC member.
2 And some of you actually served with Ron. Our terms
3 overlapped. And nice to see you back.

4 MR. SCHILLER: Nice to see you.

5 I just wanted to comment on the transcripts as
6 well. Although it was before many of you were involved
7 with the DAC, the reason that I recall that the
8 transcripts were so important was wherein Roy Dinner and
9 later Ron Kemp were chairmen of this advisory council,
10 there was a lot of turmoil and a lot of discussion on the
11 accuracy and the -- maybe some considered sanitizing of
12 the minutes that came out of these meetings. As far as it
13 goes this particular meeting, they were very important for
14 me this week because an issue came up that I wasn't aware
15 of. I was able to go online and see all the discussion
16 back to last summer at every DAC meeting -- who said what,
17 why it was important, and why I'm here today.

18 Also, it's very, very helpful for the public to
19 have those reports, the field managers', the state
20 director's, and the district directors' reports online. I
21 can remember before I was on the Desert Advisory Council
22 running in here, grabbing them off the table, trying to
23 listen to the meeting, trying to go through the reports so
24 I could have my questions beforehand. It was very nice to
25 be able this week and last night to sit down and know

1 exactly what my concerns were and being able to
2 intelligently discuss and express my concerns with a
3 little bit of thought beforehand.

4 So I'd like to thank you for your time.

5 CHAIRMAN BANIS: Thank you, Ron.

6 Dick?

7 MEMBER HOLLIDAY: Yeah. I'd like to ask BLM too,
8 if this issue -- we spend a lot of time with this issue on
9 pallets and nails and these supplemental rules. It was a
10 crusade of mine for years, and it took years to get it
11 through the process into Washington. And it seems that if
12 now we've spent the time to get that through and we can't
13 enforce it, it seems like we have a huge hole there. And
14 that was -- so it seems like there should be some way,
15 either with an MOU with the sheriffs or maybe instructions
16 to the sheriff, if they can't do anything, at least notify
17 the BLM ranger that this guy is coming in with a truckload
18 of pallets. And the BLM ranger can take care of the
19 problem.

20 But it's really a huge problem. And we need to
21 get that solved. I mean, we're trying to keep our areas
22 clean and protect the environment as much as we can. We
23 want to use the area, but we want to protect it. And so
24 we spend lots of time with getting these supplemental
25 rules in place.

1 CHAIRMAN BANIS: I'll bet Erin has a helpful
2 comment on this.

3 MS. CURTIS: Not just a helpful comment but some
4 good news. It looks like those supplemental rules are
5 going to be published in the Federal Register Notice in
6 about a week.

7 CHAIRMAN BANIS: Well, thank you, Erin.

8 MS. CURTIS: So then you'll have teeth.

9 CHAIRMAN BANIS: Thank you.

10 I'm sorry. I do have another speaker card from
11 Susan and Carolyn. But I'm sorry. I'm going to have to
12 start your -- start the next session after the break with
13 your comment. We promised a break for some folks, and I'd
14 like to stick with that. So when we return after our
15 break, we'll have a last public comment and we'll move on
16 to the agenda from there.

17 So we have a 15-minute break scheduled. I will
18 see you all back at 10:25.

19 (Recess taken.)

20 CHAIRMAN BANIS: Thank you, everybody. If we
21 could take our seats, we're going to reconvene.

22 I'd like to begin the session with a final public
23 comment on this -- on the reports. And I have a comment
24 from Susan -- well, actually it's one card with two
25 people. However you want to do this, Susan and Carolyn.

1 MS. BROADWAY: We'll come together.

2 CHAIRMAN BANIS: Susan Broadway and Carolyn
3 Jungwirth. Thank you. Please.

4 MS. JUNGWIRTH: Thank you, Chairman.

5 We're new at this. We belong to three gem and
6 mineral clubs which we enjoy. And we just, you know, have
7 a question on how this is going to affect our collecting
8 areas and taking people out to enjoy Mother Nature and the
9 beautiful rocks and everything.

10 MS BROADWAY: On the public lands.

11 CHAIRMAN BANIS: So essentially it's a
12 question --

13 MS. BROADWAY: Well, it's more than one question.
14 That's the first question.

15 CHAIRMAN BANIS: Okay. I've noted it. We'll
16 reply. Keep going.

17 MS. BROADWAY: Second thing is we have a lot
18 of -- I started some rocks going around, some tumbled
19 rocks that have -- most of them have been collected in the
20 areas that are cited for some of these projects such as
21 the wind farms and things like that. And that's what
22 we're worried about is going to shut down these lands.
23 All of these stones that are in this box have been set
24 aside for the children in the community which inspires
25 them, hopefully, to join the club and get involved and do

1 things like lapidary or jewelry or something of that
2 nature, wire wrapping, whatever inspires them, whatever
3 they want to do with them, or just become geologists or
4 whatever their heart desires. They can join the club and
5 do just about anything, whatever their mind can come up
6 with. But we'd rather them do that or, you know, enjoy
7 the land. They get out there and they dig things up.
8 It's a treasure hunt, really. And then they can see what
9 the end result is before they ever begin. And it's just
10 an inspiring thing to see the children get involved. So
11 rather than seeing them with their fingers on some sort of
12 a video game, we'd love to see them get out and enjoy the
13 public resources. And this seems to help them get excited
14 to get involved.

15 And I have to mention that we gave my nephew who
16 recently got adopted from Russia a mineral collection and
17 he just went nuts. So this is a real interesting thing
18 for the kids to get them involved in something other than
19 video games. And I think it's really important to
20 preserve the natural resources for our children, our
21 grandchildren, and the people to come.

22 And I just want to know what's going to happen if
23 you guys put up all these wind farms and all these things
24 to enclose off the trails.

25 And the third question we have is how do you know

1 that we're out there collecting? I notice you guys
2 mentioned something about a time we don't know people are
3 on the trails. We don't tell you guys, call you up and
4 say, "Hey, we're on the trail this weekend." But we go
5 out almost every weekend. So how do you know we're on the
6 trails?

7 Those are our questions.

8 CHAIRMAN BANIS: Very good.

9 I'm not sure if we have direct answers. But
10 we're definitely happy to open for comments.

11 MS. JUNGWIRTH: Can I just say one thing? When
12 you look at those rocks, each one is a little picture.

13 CHAIRMAN BANIS: Oh, yes.

14 MS. JUNGWIRTH: And you can take a picture of
15 that and blow it up on a canvas, and you see some in
16 doctor's offices and everything. They're beautiful. It's
17 Mother Nature.

18 CHAIRMAN BANIS: They sure are.

19 Dick, you had a comment or question?

20 MEMBER HOLLIDAY: Yeah. Think it's real
21 important -- and I was talking to these people at the
22 break here. And that too many people think, you know,
23 just off-road vehicles are using these trails and roads.
24 And they're really not. I just want to make sure we
25 understand -- I'm sure the BLM does -- that these routes

1 are used for not only just trail riding, but they're used
2 by people of disabilities or people that want to get
3 someplace to do something else. And whether it's rock
4 climbing, rock collecting, mining, you know, just bird
5 watching, visiting the desert.

6 So it's very important that we look at each one
7 of these projects and see what kind of impact is it going
8 to have on the ability of people to get to where they want
9 to go. And that's what's really damaging about all these
10 losses of routes. Whether it's from the Johnson Valley
11 expansion of the military base or whether it's a renewable
12 energy project, we're stopping people from getting where
13 they want to go. And that's just been happening too much.
14 And we've got to really look at that. I for one just
15 think that the BLM needs to look more closely at these
16 projects and whether they're really viable. And I
17 understand they're getting a lot of pressure from up above
18 just to get them through no matter what. But a lot of
19 these projects are probably really not a viable entity.
20 And maybe they're not the people to stop them. Maybe it's
21 the congress that needs to stop them. But it's something
22 that needs to be looked at.

23 And I think we just -- as far as knowing where
24 these people are, you know, I talk a lot about visitation
25 at these recreation areas, whether it's a dune area or

1 some other area. And that's one of the things that we
2 probably don't really have a very good handle on, is how
3 much other uses is there going on in the desert by other
4 people, whether it's, you know, I'm going on this trail
5 ride, and how many people go down the Mojave Trail.
6 Probably nobody keeps track of that. But, you know, a lot
7 of people go down and use that area too.

8 So that's my comment.

9 CHAIRMAN BANIS: I agree.

10 Comment, Dinah?

11 MEMBER SHUMWAY: Ladies, you're talking my
12 language. One of the things that I think we forget is
13 that -- and I constantly -- I think I do this every
14 meeting now -- is point out that we are -- as a society
15 are allowing our federal government to shut off public
16 access to public lands via wilderness designation, via
17 closed roads, via these what I consider boondoggle
18 renewable projects that would not be a viable business
19 enterprise, in my world certainly. And we have that
20 evidence right here from Hector's recent testimony.

21 So the mining industry gets no subsidies. And
22 the mining industry has to post bonds. And the mining
23 industry has to prove that they have a viable mining
24 project. That means a profitable project that does not
25 rely on any taxpayer subsidies.

1 So I think these ladies have pointed out that
2 it's not only the off-road community that is suffering
3 here but those of us who work in the desert, have clients
4 in the desert, maintain claims, try to permit mining
5 operations on public lands. And besides, these ladies are
6 representing a viable gem and mineral community, which the
7 association that I'm associated with, the Victor Valley
8 Gem and Mineral Club has a young prospect -- it's called
9 the Petrified Pups, which is like a Boy and Girl Scouts
10 program for rock hounds. They study geology, they study
11 minerals. I run them on field trips. And I'm going to be
12 giving lectures to this group of about 16 kids, ages 18
13 through like eight.

14 So you know what? These are viable operations,
15 and these people are going to be hurt too by losing access
16 to our public lands.

17 Thank you.

18 CHAIRMAN BANIS: Further comments?

19 Tom.

20 MR. HALLENBECK: Well, just so they're aware, as
21 any project, it has to have an environmental document.
22 And if you have concerns about a project, access being one
23 of your concerns, you need to stay engaged. You need to
24 access the document and make your comments so that they're
25 heard and officially responded to by the BLM. A lot of

1 times a project is proposed and there's uses out there
2 that the proponents aren't aware of. And by your
3 comments, they all become aware that that's an access
4 issue that they need to address and mitigate for if it is
5 an impact to the project.

6 So stay engaged. Make your comments online, if
7 you wish, to that environmental document. That's where
8 you will be heard. It's great you're here today and
9 informing us and giving us your viewpoint, and it's shared
10 by many of us here. But what we do is we advise the BLM.
11 And you have a more direct impact to individual projects
12 by making your comments on those environmental documents.

13 CHAIRMAN BANIS: Any further comments?

14 Hearing and seeing none, I'm going to close the
15 public comment period for this moment.

16 We have a presentation I've been alerted to that
17 would like to take place for the DAC by Ed Waldheim.

18 Please, Ed, from California Off-Road Vehicle
19 Association.

20 ED WALDHEIM: Put my right jacket on. Thank you
21 Mr. Chairman.

22 Ladies and gentlemen, it's a great privilege as
23 CORVA, California Off-Road Vehicle Association, we've been
24 in business almost 50 years. We're the ones who started
25 creating the OHV forum in 1972 when we brought it to the

1 legislators. And every year we have awards that we put
2 out.

3 Well, I'm privileged to be able to give the past
4 president's award. Having been a president -- there's
5 only four of us left over, unfortunately. But at least
6 we're here. And it is to the person who has done the
7 most, who is working the most to work and keep our access
8 of our public lands open. And I'm absolutely delighted to
9 present it today to somebody who is on the DAC.

10 So I'm going to go right up and get it. Come on,
11 Steve. Get over here. This person works tirelessly,
12 never stops. And it's none other than Mr. Randy Banis
13 that gets the award.

14 (Applause from the audience.)

15 CHAIRMAN BANIS: Holy moly. I am shocked.

16 MR. WALDHEIM: I finally got one on him.

17 CHAIRMAN BANIS: I am so shocked.

18 MR. WALDHEIM: So you deserve this.

19 CHAIRMAN BANIS: Oh, my goodness, Ed. Thank you.
20 Gentlemen, thank you so very, very much. Wow.

21 MR. WALDHEIM: I'd like to introduce Jim Collins.
22 He's a VP from administration. He's got another award to
23 do.

24 MR. COLLINS: Good morning. I'm here on behalf
25 of CORVA. Randy wasn't able to make our annual meeting a

1 couple weekends ago in Visalia. So we would have loved to
2 have done it there.

3 CHAIRMAN BANIS: Me too.

4 MR. COLLINS: But congratulations.

5 We have one more, though, to honor on the DAC
6 today. And that would be for our George Thomas Memorial
7 Trophy of off-roader of the year. Now, this trophy has
8 been with CORVA and was first initiated to Mr. George
9 Thomas in 1972. Each year, this award has gone to the
10 off-roader of the year, presented to the individual whose
11 contributions to the betterment of off-roading during the
12 preceding year are worthy of this very special
13 recognition. This recipient may be any individual who has
14 provided special help to off-roading. This person doesn't
15 have to be a member of CORVA or affiliated organizations.

16 The winner for 2010 is Mr. Dick Holliday.

17 MR. WALDHEIM: Last year's winner was Daphne
18 Greene. So she's here to present and pass it on to him.

19 DIRECTOR RAML: Get your cart. You need a cart.

20 MR. COLLINS: Now, Dick was nominated for the
21 off-roader of the year award for his 40 years of desert
22 recreation activity as a user and an advocate. Dick
23 has -- is a lifetime member of CORVA since 1991 and is a
24 member of the American Sand Association where he served on
25 the board of directors for the previous five years, also

1 holding the position of treasurer for the past four. And
2 he recently stepped down.

3 But Dick is still involved, as you see here today
4 in the DAC, the TRT for the El Centro. I met Dick before
5 he was involved in any of this stuff. And I don't know if
6 I helped do this or not. But I'm sure glad that he's won
7 this award. Thank you.

8 (Applause from the audience.)

9 MR. COLLINS: All right. You get to take it
10 home.

11 CHAIRMAN BANIS: Thank you, CORVA, for taking the
12 time to make the presentations on behalf of Dick and I.
13 We're quite honored. Thank you. Thank you very much. I
14 appreciate the audience for indulging us here today as
15 well. I'd like to move on, if I may, to the next agenda
16 item. I think we're going to get caught up. I think it
17 will be fairly quick.

18 Steve, I need help with a PowerPoint. And I'll
19 set this up. This is the report -- this is the renewable
20 energy update, a report from the renewable energy
21 subcommittee. The renewable energy subcommittee is a
22 small group of DAC members, includes April, Lloyd, Meg,
23 myself, Tom, and Dinah. And we may see Brad joining us at
24 some time soon as well.

25 And we met, more than half of us -- about half of

1 us met in May to have an update on renewable energy
2 projects. And we discussed some issues. And I came up
3 with a few recommendations that I shared with my fellow
4 subcommittee members and received their okay to present
5 these recommendations today. They're just recommendations
6 to the BLM. And we're starting out, I'd say, small and
7 simple here at this first step.

8 The first recommendation we have is we would
9 recommend that the BLM regularly update the DAC on the
10 DRECP process. That stands for Desert Renewable Energy
11 Conservation Plan. That is an overarching 20-plus-million
12 acre conservation plan that has a goal of deciding where
13 would be the best places to locate renewable energy and
14 where are the best places to enact conservation programs
15 to mitigate for the effects of renewable energy
16 development. So the DRECP is a gigantic plan that is on
17 its way down the track, I'd say getting close to halfway
18 down the track in producing this desert-wide plan.

19 We advised -- we asked the BLM should move its
20 fellow REAT agencies -- sorry for the acronym. But REAT
21 is the Renewable Energy Action Team. That is the four
22 agencies that are moving this DRECP through. The four
23 agencies are BLM, United States Fish and Wildlife,
24 California Energy Commission, and California Fish and
25 Game. Those are the -- they make up the -- I'd say the

1 steering committee, essentially, for this DRECP. And we
2 would ask the BLM to convince the other REAT agencies to
3 urgently seek the participation of counties if the DRECP
4 is going to be anything more than a BLM plan.

5 And the reason behind -- the point behind this is
6 that this plan can only designate renewable energy and
7 mitigation among the plan's participants. And right now,
8 the only participants are those four agencies. In order
9 for this to really be a desert-wide plan, the counties, we
10 believe, must come on board. And it's our opinion that
11 the counties share that opinion as well. We've been
12 hearing that quite vocally at the DRECP meetings.

13 Next slide. And it's only three slides long.

14 Second is we ask that the BLM regularly update
15 the DAC on other renewable energy programmatic planning.
16 And that would include the solar programmatic EIS that is
17 under way as well as the Coso and Truckhaven geothermal
18 programmatic EIS. We've been hearing little bits of that
19 in the past. That's going to be coming front and forward
20 in the next couple of months. And because of the unique
21 circumstances -- this is something we learned at the last
22 renewable energy subgroup meeting. We were fortunate to
23 receive a presentation from a representative of the state
24 office. And based on that presentation, we would urge
25 that because of the unique circumstances in the California

1 desert with regard to the advanced solar energy research
2 and planning that has occurred and is under way, the BLM
3 should consider a California-specific decision on the
4 solar PEIS. And what we mean by that is the solar PEIS is
5 an eight-state plan. And the states are in various stages
6 of considering renewable energy development and mitigation
7 on the public lands. Some states are more ahead of
8 others. And as you may know if you've read the solar PEIS
9 draft document, there are different alternatives being
10 proposed. We would like to suggest the possibility that
11 not all states have to have the same alternative, that
12 some states could have a different alternative.

13 And the third slide, please.

14 Our third recommendation at this point is to
15 continue to update the DAC with key project status
16 overviews such as -- pardon me. I didn't have time to
17 really run through my packet today. But I know that at
18 our last meeting we received a handful of printouts, one
19 for each pending project that had a kind of thermometer
20 that showed the status and so forth. And they're in these
21 packets as well. We'd like to see that continue. That's
22 helpful. And we won't need to have in-person
23 presentations on a project-by-project basis that way.

24 So our advice, for example, is that recent
25 tortoise surveys at the Ivanpah site have called into

1 question industry-provided resource survey data for the
2 other desert solar energy projects. And we would like the
3 BLM to seek a similar validation of resource data at other
4 recently-approved proffered solar project sites.

5 And that's all we've got so far. We
6 considered -- we considered terminating the life of that
7 subgroup as it perhaps had -- we thought it may have
8 reached an end. But at the last subgroup meeting, in
9 discussing with the BLM, the BLM would like us to keep the
10 subgroup or the subcommittee active for the time being and
11 continue to meet and help them in developing their
12 progress going forward.

13 So that's it for me. I have a comment from April
14 and I have Dick. And then I'll take any other comments
15 after that.

16 April, please.

17 MEMBER SALL: Yeah. Just one quick thing I
18 wanted to add to your list, Randy, on that second slide.
19 I think we discussed also getting an update on the --
20 Chocolate Mountain's geothermal EIS. I don't know if I
21 have the term right. But anyway that's something where it
22 was announced that was going to be studied. And then I
23 understand an EIS could be released possibly this month.
24 But I'd like to know the status of that and a little bit
25 more kind of comprehensive check-in on where geothermal is

1 in general because that was something we did a DAC field
2 trip on and we looked at a specific project. But I don't
3 feel like we have much context on how geothermal as a
4 renewable energy form, I guess, is really moving forward
5 and what the big picture and how that plugs into DRECP and
6 all the other things we're juggling.

7 CHAIRMAN BANIS: The DAC is blessed to have a
8 member who's one of the state's renowned authorities on
9 geothermal energy, Alex Schreiner. And unfortunately he
10 couldn't be here today. But I hope that he can help take
11 the lead with his expertise and bring us all up to speed
12 on developments there with the BLM.

13 Dick?

14 MEMBER HOLLIDAY: In light of the tortoise
15 surveys that were done at Ivanpah and found out that --
16 apparently that the original studies were flawed in some
17 way. Who does -- who does these studies? Does the BLM do
18 these studies? Are they independent? Are they
19 independent people that go out and do those studies and
20 are paid for by the applicant?

21 Okay. I was just wondering about that. It just
22 seems that maybe that particular study consultant didn't
23 do a very good job or maybe there was some other
24 mitigating -- maybe things wandered into their area when
25 they weren't looking.

1 DIRECTOR RAML: That's Rusty. Rusty, would you
2 shed some light on that, please.

3 MR. LEE: The studies are done by third-party
4 contractors. Actually BrightSource contracted to CH2M
5 HILL and I believe Kiva Biologicals who did the actual
6 subcontractor work for the surveys. The folks that are
7 doing it are specialists in the field. They do tortoise
8 surveys for a living. So it's not just a matter of some
9 third-party contractor who was hired, you know, go forth
10 and do this. You have to be certified, you have to know
11 protocols for dealing with them, protocols for documenting
12 their presence.

13 The problem with tortoise is they literally come
14 out when they feel like it. And if they don't feel like
15 it, they don't come out. You know, they aestivate during
16 the summertime. They hibernate during the winter. But
17 springtime, it's got to be between 70 and 95 degrees.
18 There's got to be enough moisture. So it's sort of a
19 hit-and-miss process even in the best of years. And the
20 surveys, because of the timing of the project, were done
21 in a spring that was very dry, windy, and on the warm
22 side. So bottom line is there were a lot of tortoises
23 that were underground and were missed from what we can
24 tell.

25 To make things complex, tortoises are not

1 uniformly distributed across the landscape. So one of the
2 things we're looking at right now is there were a high
3 number of tortoises in unit 1. Unit 2 and 3, I think the
4 biologists concur the numbers aren't going to be that
5 high. But we went ahead and estimated based on what we
6 know in 1, the same thing was going to carry through to
7 the entire project. So you may have seen some very large
8 numbers in the biological opinion when it comes out. And
9 if you look at our biological assessment, it shows some
10 very high numbers.

11 When I talked to the biologists one on one, their
12 answer is they don't think the numbers are going to be
13 that high. But they're scared now. We've gotten the
14 numbers wrong once before. So -- is that --

15 CHAIRMAN BANIS: Oh, April?

16 MEMBER SALL: I understand the same consultant is
17 being selected for the Cadiz studies. Is that in your
18 district or which -- the Cadiz water project EIS that I
19 think is going out for public comment now -- someone else
20 may know this.

21 MR. LEE: I officially know absolutely nothing
22 about that.

23 MEMBER SALL: Okay. All right.

24 MR. LEE: I am not allowed to expend federal --
25 that actually is a privately funded project. And it's

1 going through CEQA at this point for an EIR.

2 MEMBER SALL: And that doesn't touch any BLM
3 lands?

4 MR. LEE: We're not sure. We're studying. They
5 are stating it does not involve BLM. And to the best of
6 my knowledge right now, it does not.

7 CHAIRMAN BANIS: I'm sorry. Tom? Dinah?

8 MEMBER SHUMWAY: Not to you specifically.

9 Rather than commenting on any specific renewable
10 energy projects, I will comment as I always do about
11 reminding everybody of the underlying reason why we are
12 being forced to consider public lands for renewable
13 energy -- utility-scale renewable energy projects.

14 Solar projects are best used at point of use.
15 They are inefficient, 20 percent for wind and maybe 20 to
16 30 percent solar. So I don't think that the return that
17 we are getting is worthwhile to the taxpayers. But
18 ultimately too, the science does not support this. These
19 projects were undertaken to address human-generated CO2
20 issues. CO2 has never been shown to be the primary driver
21 in climate change. Therefore, the citizens are being
22 asked to give up access to their public lands based on
23 what I consider and many other scientists consider faulty
24 so-called science.

25 CHAIRMAN BANIS: Any further comments?

1 Dick, you okay?

2 MEMBER HOLLIDAY: Yeah. I'll kind of beat on
3 Dinah's drum here a little bit.

4 We keep hearing the resources -- we need these
5 renewable energy facilities to reduce our dependence on
6 foreign oil. So I kind of went through and did some
7 research. And there's actually a federal research
8 document that shows that less than one percent of the
9 country's electrical generation is generated by petroleum.
10 Most generation in this country is either by water, hydro,
11 nuclear, natural gas, or coal. So less than one percent
12 is actually used by -- is using petroleum. So any of
13 these resources are not going to make one iota bit of
14 difference in our reliance on foreign sources of energy.

15 CHAIRMAN BANIS: Are there any further comments
16 regarding the recommendations, direct recommendations? Is
17 there any motion to accept or are we just going to lay it
18 on the table and move on? I thought that would be nice to
19 acknowledge.

20 I have a motion to accept the report of the
21 subcommittee.

22 MEMBER SHUMWAY: I'll second that.

23 CHAIRMAN BANIS: Second.

24 Discussion on the report?

25 MEMBER HOLLIDAY: My only discussion would be

1 that this is exactly what I think needs to be put into our
2 record as action items and in some kind of an action item
3 report so that we can see how the BLM is responding to
4 these requests or thoughts.

5 CHAIRMAN BANIS: There's no further comments?

6 The motion is to accept the report of the
7 subgroup -- subcommittee. All those in favor, aye.

8 MEMBER HOLLIDAY: Aye.

9 MEMBER SHUMWAY: Aye.

10 CHAIRMAN BANIS: Opposed?

11 Hearing none, the report is accepted. Thank you.

12 Public comment on the renewable energy issue that
13 we would like to hear. I have -- wrong pile. I'm going
14 to read them in order so that you can get ready. I have
15 three perennial's comments today. We have Ed, Marie
16 Brashear, Ron Schiller, Gerry Hillier, and Terry Weiner.

17 And I'll start with Ed on renewable energy.

18 MR. WALDHEIM: Thank you, Mr. Chairman. I spent
19 two days in Sacramento attending the California Chamber
20 conference, 1200 people up there. Unbelievable.

21 The issues that are taking place in the state
22 when Jerry Brown talked to us is \$1.3 trillion in debt
23 that we are in in the state of California. Things don't
24 look good.

25 And with the comments that you're making about

1 it's one percent, I don't understand why we are losing all
2 our public land for something that has absolutely no
3 return or benefit to the public. I also found out there's
4 a new bill now in Sacramento that is asking that the state
5 lands start working to acquire more land so they can have
6 connectivity to work on renewable energy projects. And it
7 was SB -- I forgot what it was. SB -- AB 982 is now up
8 there. So now the state is getting involved.

9 Because of all these issues, we are embarking on
10 trying to resolve the issue of who really is in the
11 desert. And so we formed a little group, loosely-held
12 group, Recreation Access Council of California. And this
13 group is soliciting anybody in this audience who wants to
14 help us.

15 Is Kim here? She was here earlier. There she
16 is. Kim is our lead person that's keeping track of all
17 the comments from people. If there's a destination point
18 that you have in the California desert, we want to know
19 about it. Let Kim know about it. Because on the 26th,
20 we're going to get into my office at 3550 Foothill
21 Boulevard in Glendale, 8:30 in the morning to
22 4:00 o'clock, and we're going to go over all the input of
23 everybody who has an interest in the California desert
24 that likes to use the desert. And we hope to come up with
25 a map that will be an overlay of showing all the different

1 interests that people have in the California desert so
2 that we can go to DRECP who thinks all of a sudden it's
3 blue, these are land of opportunity for mitigation.

4 Excuse me. We've been there first. I'm going to take the
5 American Indian stance. I've been here way before you
6 ever got here.

7 And so we want to see if we can work on that.

8 But we need everybody's help on that. It's very loosely
9 held. Anybody can join us. Anybody can participate.

10 Terry Weiner, you can participate too and help us identify
11 those areas -- I don't care how you get there, what it is.

12 We need to identify what are the areas of interest that
13 you want to protect, and so we can put it on a map and
14 figure out what we come up with. We'll have a map guy
15 coming to the meeting and so we can present it to the
16 DRECP.

17 So this is one way for us to try to reclaim what
18 they keep taking away from us, and that's our liberty and
19 our American freedom, which we seem to be losing so easily
20 with a stroke of a pen, either be it the military or the
21 BLM or renewable resources. We've got to stop this
22 nonsense.

23 Thank you.

24 CHAIRMAN BANIS: Thank you, Ed.

25 Marie. You sat on the DAC once; right, Marie?

1 MS. BRASHEAR: Yeah, for eight years. And TRTs
2 then were made up of staff, DAC members, and sometimes the
3 general public, not just staff.

4 On your little three-slide show, you talked about
5 requesting maybe separate rules and regulations for
6 separate states. California Desert Conservation Area
7 designated by congress as part of the Federal Land
8 Management Act is a special area. It doesn't fall under
9 the requirements of the rest of the state of California.
10 It is a special area. That's one of the problems with the
11 PEIS on solar, is because it doesn't treat it as a special
12 area. It treats it as another piece of the California
13 state. And so maybe you want to look at that issue when
14 you go back.

15 Another -- you keep talking about utility-size
16 projects. They have now got the level down to where a few
17 hundred megawatts is a -- considered a utility-size
18 project. It keeps decreasing as rulings come out of
19 Washington. And somebody in the audience said, how come?
20 How come we're doing all of this is because the president
21 of the United States said in his misinformation, I think,
22 that there have to be 30,000, I think, megawatts generated
23 on public land. He didn't say public and private. So the
24 government employees, the folks we're working with, have
25 no option but to try to find a spot where they can

1 generate that kind of numbers. And unfortunately, the
2 California desert, which is why it needs to be treated
3 specially, unhappily happens to be in the top five
4 locations in the world for solar generation. It's a
5 really, really ugly situation. And that's why I think all
6 of us need to keep talking about the California desert and
7 its special status as opposed to the state of California.

8 CHAIRMAN BANIS: Thank you, Marie.

9 Ron. Ron Schiller.

10 MR. SCHILLER: Thank you again, Randy.

11 I'm here today as a representative of our local
12 gem and mineral society, the Indian Wells Gem and Mineral
13 Society, based in Ridgecrest, California. And what our
14 concern is with all of these energy projects has to do
15 with the amount of land and the competition for what land
16 is left available. If you stop and think, these are not
17 going to go on wilderness areas. They're not going to go
18 on ACECs. These are not going to go anywhere but areas
19 that is currently now used for recreation. And as you
20 take that out of the recreation base, you're going to
21 start putting pressure -- more and more pressure in all
22 these other areas.

23 So what I would recommend is to consider
24 mitigation. You mitigate for tortoise, you mitigate for
25 this, you mitigate for that.

1 And you say, well, where are we going to get more
2 land? Well, we don't have to get more land. You look at
3 the West Mojave and the northeast -- the NEMo and WeMo and
4 all of these, and there's tremendous amount of roads that
5 were closed for reasons that weren't really significant,
6 mostly because they were, you know, lack of inventory or
7 whatever. These are existing roads. They're not new
8 roads. They're just closed roads. Many of these roads
9 were opportunities to gem and mineral collecting and other
10 types of recreation. As we close these lands, we need to
11 mitigate recreation now. And we can do that by going back
12 and revisiting some of these areas where these roads were
13 closed for, quote, density or manageability or this or
14 that and the other.

15 That's all I have to say. Thank you.

16 CHAIRMAN BANIS: Thank you, Ron.

17 Gerry Hillier, comment on renewable energy.

18 MR. HILLIER: Good morning once again,
19 Mr. Chairman and members of the council.

20 I had a couple of thoughts as you were running
21 through the recommendations on your subcommittee. And
22 you've already adopted the report. So they probably are
23 not timely. But I did want to express a couple of
24 thoughts.

25 First, with all three recommendations, to what

1 end do you see them being presented? You've asked the BLM
2 to present the council with certain information relative
3 to the PEIS on solar and the update on the DRECP. Is the
4 council then just going to absorb them like a load of hay
5 or are they going to then take the next step and wrestle
6 with it and function in an advisory capacity so as to
7 provide the BLM with input on those documents? And I
8 think your recommendation probably ought to express from
9 the council's standpoint some anticipated use of that
10 other than just simply being a forum to receive the
11 information. You know, my feeling is that the council
12 really, on some of these projects, ought to take a
13 position if they indeed are going to function as advisors.
14 And I know there's probably some disagreement in terms of,
15 you know, the level of information that individual council
16 members may have on any particular project. But it just
17 seems to me in terms of overview or principles or
18 something, the council ought to speak.

19 The second relates -- and specifically to
20 recommendation No. 2 in terms of the solar PEIS and PEIS
21 and the California-only position, I think that's a really
22 good thing to do. I think the recommendation stops short,
23 again, of saying, okay, what's going to happen to that
24 recommendation, is the council recommending that the
25 district manager write a memo to the state director

1 saying, "My council has recommended that we have a
2 California-only and I concur" or "not concur," as the case
3 may be? But I think the council stops short of directing
4 a specific action. And I would hate to have -- you know,
5 come back in September to the next meeting of the council
6 there and, well, the recommendation was in the minutes but
7 nothing has happened. So I think the council probably
8 should take one more step and say, and we request the
9 district manager to initiate some correspondence. And if
10 she opts not to, then fine. Then she can take that up
11 with the council and say why she didn't. But at any rate,
12 I think you stop short of -- your recommendations were
13 sound. I think you stopped short of recommending the next
14 step.

15 CHAIRMAN BANIS: Thank you. Thank you, Gerry.

16 MR. HILLIER: While I've got 22 seconds there.

17 CHAIRMAN BANIS: Take it.

18 MR. HILLIER: I might say, Rusty commented on
19 keeping the consultants there in the tortoise inventory.
20 Kiva and Peter Woodman has done tortoise surveys in the
21 desert for at least 25 years, both in California and
22 Arizona. And I know them to be really a highly-respected
23 firm in terms of doing tortoise inventories. And so they
24 may have -- they may have miscounted. But given all the
25 problems of counting tortoises, I can tell you that there

1 is certainly nothing wrong with the contractor's
2 qualifications. They're a sound outfit.

3 CHAIRMAN BANIS: Thank you, Gerry. I appreciate
4 your bringing up those points.

5 Number one, I -- to the council members, I did
6 err in calling for that motion prior to our accepting some
7 comment. I should do so. And following this comment, I
8 do want to revisit and see if we have any changes to our
9 motion. It was my fault. We were supposed to take our
10 action after we hear all the advice.

11 Number two, relative to the DRECP and what advice
12 we would provide, Gerry is right. It is our intent to
13 advise the BLM, through Teri, in their role in the DRECP.
14 And it wasn't clearly stated. This is an evolution,
15 essentially. We -- you may recall that last year and
16 recent months we've been looking at things project
17 specific. And we want to look now at a different level.
18 And we have found perhaps that the most effective place
19 for us to provide our advice is on that level of planning
20 documents, the overarching programmatic documents as
21 opposed to getting into the individual projects because of
22 the difficulty in timing of our meetings and the approval
23 processes that the projects face. And therefore, it took
24 us a little time. But we did, I think, come around to
25 identifying the DRECP as a process that needs to be a key

1 focus. And we do want to effect the BLM's role in the
2 DRECP and will do so through our advice to the desert
3 district manager.

4 And the point very-well taken on the steps for --
5 that the BLM might take to convince its REAT -- its fellow
6 REAT agency participants to consider a California-only
7 option, we can provide a more specific direction if we
8 like or we can leave the BLM up to all of its devices that
9 it has available to it for moving these agencies in that
10 direction. So I wouldn't want to just limit it to a phone
11 call or a letter. But I would like to see boots on the
12 ground for trying to convince their comrades of that.

13 Thank you.

14 Sorry. Continuing with the public comment, if
15 there's no other comments on that.

16 Thank you, Terry Weiner. Thank you.

17 MS. WEINER: Hi. Terry Weiner. I'm representing
18 a couple of different groups today; Desert Protective
19 Council, I'm the Imperial County projects coordinator for
20 the Desert Protective Council. And last April, I helped
21 co-found another group which we call Solar Done Right.

22 And first of all, I'd like to comment on the term
23 the DRECP has a \$21-million acre conservation plan. It
24 could also be thought of as a 21-million-acre decimation
25 plan.

1 And to address the translocation of tortoise
2 problem, I have a number of wildlife biologist friends who
3 have -- we've been just so, so sad over what's happening
4 at Ivanpah. It is known that they probably are going to
5 find more tortoises in the other two sections they want to
6 develop. Two problems that probably most of you know
7 about translocation of tortoises is that there's a huge
8 mortality rate associated with translocation. And there
9 is not a lot of viable habitat that these tortoises can be
10 translocated to. And some of the areas where they could
11 be are also land for big solar projects. So it's just --
12 I'm really glad that you're addressing this.

13 My Solar Done Right group submitted comments to
14 the Department of the Interior on the PEIS for solar. And
15 I thought I had a copy with me in the car that I'd like to
16 submit to the record. We've got like a 28-page comment
17 letter which we turned into a report that -- if I don't
18 have it, I'm going to go up on the mesa and get it during
19 lunch so it can be in the record for you all. Maybe some
20 BLM have already read it. But our main point in our
21 comments on the PEIS is that the BLM, the Department of
22 the Interior did not follow NEPA in that you did not
23 really address all the viable alternatives. And I know
24 that some would say, well, we can only address
25 alternatives within our jurisdiction. But that's not what

1 NEPA says; that you need to look at alternatives that may
2 be able to be viable outside of BLM lands.

3 Namely, as Dinah pointed out, point-of-use
4 generation is the big elephant in the room that nobody
5 wants to look at.

6 The other mythology going on here is that
7 congress dictated to the BLM that they would do X amount
8 of multiple thousands of megawatts of solar development on
9 public lands. It was not a mandate. It's actually -- if
10 you read the language -- and this is in our report -- it
11 was a sense of the congress. And so, arguably, you don't
12 have to do this at all.

13 And we -- what we're doing is as we're doing
14 this, we rush to the big corporations, and the thing that
15 looks easiest, before we do the sensible alternative,
16 which is to develop rooftop and parking lot and solar
17 locally. And you may know that the ARR, the stimulus
18 funds were given by the multiple millions to the
19 corporations gratis for them to adopt these projects.
20 Also, there's these huge federal loan guarantees.

21 What Solar Done Right is doing, we've already
22 been to congress last fall to talk to key congressional
23 members and their staff about looking at the alternatives,
24 many of which said they had -- you know, they hadn't
25 really thought about that. But now they are. And we're

1 going to work with Governor Brown to develop his fee and
2 tariff system and have rooftop and solar -- but what we
3 need to do is slow down the process long enough to be able
4 to start getting some of these megawatts up to --
5 happening like in Germany. I wish I could remember how
6 many megawatts they've put online since the beginning of
7 the year. They now get 20 percent of their energy from
8 local renewable rooftop development. Germany, if they can
9 do it at that latitude, there's no reason why we can't do
10 it in California.

11 The other thing --

12 CHAIRMAN BANIS: Terry, I'm so sorry. Your time
13 has expired. And I even gave you an extra minute by
14 mistake.

15 MS. WEINER: I'm sorry. I just enjoyed this so
16 much.

17 CHAIRMAN BANIS: You may have additional public
18 comment. There might be additional public comment periods
19 that --

20 MS. WEINER: All right. Thank you very much.

21 CHAIRMAN BANIS: Thank you, Terry. My apologies
22 for that.

23 MS. WEINER: My apologies for going over.

24 CHAIRMAN BANIS: Not at all.

25 The last comment that we have on renewable

1 energy, Tom Tammone, please.

2 MR. TAMMONE: Good morning. Tom Tammone.

3 Well, our record shows I haven't really agreed
4 much with the previous speaker. But when it comes to
5 solar energy and point-of-use generation, I have to say,
6 yeah. I'm a mechanic. You put a generator on an engine.
7 You put a wind machine where there's wind. I don't think
8 the sun is any brighter out in the desert than it is, you
9 know, in the urban areas where they need the power. And
10 if it is, what you're going to lose in transmitting it all
11 that distance is going to overrun that. So from a
12 technical standpoint, it makes no sense to have solar
13 projects all the way out in the desert. You're better off
14 going to the public, a lot of small projects. Come up
15 with low-cost government loans, kind of like we have
16 student loans to have people put these units in their
17 houses that will reduce power at the point of use as
18 opposed to swallowing up our public lands.

19 I agree there needs to be more look at solar
20 energy. 'Cause of the disaster in Japan, I know nuclear
21 power isn't very well-received right now. I mean, the
22 thought of a disaster at San Onofre requiring a 50-mile
23 evacuation zone, well, that's from about where we're
24 standing right now to where I used to work off by the 605
25 Freeway two years ago. So there is a need for it. But it

1 needs to be done closer to home.

2 Point of use, when it comes to solar energy is
3 the way to go. And at the same time, we need to face the
4 reality we need power. We need to drill the natural gas
5 and we need to go after that. And we have to do that 'til
6 we get it right.

7 Thank you.

8 CHAIRMAN BANIS: Thank you, Tom.

9 That concludes the comments on renewable energy.
10 We're now going to move into the issue of the special
11 recreation.

12 MEMBER SHUMWAY: Mr. Chairman?

13 CHAIRMAN BANIS: Oh, I'm sorry. First of all, do
14 we have any -- based on the public comment, do we want to
15 revise our vote before? Just want to bring that out.

16 No motion. Thank you.

17 Dinah?

18 MEMBER SHUMWAY: I have a quick question. I must
19 have missed the last -- the final e-mail about our revised
20 letter, did that go out to Teri?

21 CHAIRMAN BANIS: That is actually the last point
22 on this item. Thanks for bringing that up.

23 I also wanted to report to the public and the
24 members of the DAC that the DAC did revise its statement
25 on renewable energy. Its original statement was a

1 unanimous statement from 2008 -- yeah, 2008. And this
2 letter was revised. Thank you to Dinah for taking the
3 first shot at it and to several other members who had
4 their pen on it as well. The DAC -- I'm pleased to say
5 that the DAC, again, was able to generate a unanimous
6 statement relative to renewable energy. And that letter
7 was sent to Teri. And we are hoping that at some point
8 we'll be able to make that available as we had the
9 previous one.

10 Yes, Dick.

11 MEMBER HOLLIDAY: Perhaps that could be put on
12 the website for public.

13 CHAIRMAN BANIS: Thank you. I'll remember that.

14 MEMBER SHUMWAY: Mr. Chairman, I might follow up
15 that I agree to put it on the website. But it also
16 addressed Gerry Hillier's comment to us that it is more or
17 less a position that the DAC as a group is taking with
18 their recommendations. And most of the recommendations
19 that the DAC might make in the future would probably be in
20 line with our stated position.

21 CHAIRMAN BANIS: Agreed. Thank you.

22 Okay. We'll move on now, please, to special
23 recreation permits. Thank you.

24 Pardon me. Just a moment. Just a one-minute
25 recess for the chair. Please don't leave, anybody.

1 Okay. I appreciate your indulgence. The council
2 will recall at the last meeting we acted to create a
3 subgroup for special recreation permits. At that last
4 meeting, we opened nominations. Nominations were
5 announced through a BLM news release and through the BLM
6 news bytes. The 30-day application period concluded with
7 11 applications submitted by the deadline. On May 17th,
8 Steve handed me the packets of applications. I reviewed
9 the applications, consulted with other DAC members. And
10 my goal for making nominations from those 11 applications
11 was, first of all, I wanted to seek at least one candidate
12 that could provide some perspective of those who are
13 involved with non-motorized events. One applicant
14 expressed familiarity with the equestrian events, and that
15 garnered my nomination. I also sought to achieve a
16 balance in residency among the northern part of the
17 desert, the southern part of the desert, and the cities.
18 I also sought to seek specific expertise among people who
19 are personally involved in permitting events, who have
20 experience with actual permits. And I also sought to
21 balance among the different OHV groups that had
22 representatives apply. And lastly, I also consulted with
23 Teri Raml and we discussed the nominations.

24 And following Teri's concurrence with my
25 nominations, I informed my fellow DAC members of the seven

1 nominations. And on Thursday, we received the seven
2 requisite approvals on Thursday. And I am pleased to
3 announce the results of the application process for the
4 special recreation permit subgroup.

5 In alphabetical order, they are Holly Beckard,
6 Meg Grossglass, Jerry Grabow, Jeff Knoll, Clayton Miller,
7 Rob Niemela, and Wayne Nosala.

8 There were applicants who were qualified for
9 these seats. But we had more applications from qualified
10 people than we were able to seat. I hope there will be
11 other opportunities for them to participate. Thank you,
12 Teri, for your advice. And I'd like to -- and so I'm
13 announcing that we did receive the seven requisite votes
14 from the council. Those are the nominations. They have
15 been approved, I'm pleased to announce.

16 And before I move on, I want to state that I'm
17 going to delay the naming of a chairperson to that group
18 until the group has a chance to meet. And I don't know
19 that we have a first meeting scheduled yet. But I think
20 we'll be looking at the calendar soon on that. And we can
21 also hear a bit from Roxie on what she envisions this SRP
22 group to work on.

23 Before I take comment and questions from the DAC,
24 I'd like to hear from Roxie and from Teri and hear how
25 they would like to utilize the SRP. Remember -- this

1 subgroup. Remember, the SRP subgroup is being formed at
2 the request of the BLM to assist them in working out the
3 difficult issues that have arisen in the last several
4 months with regard to permitting events, primarily OHV
5 events.

6 Roxie?

7 MS. TROST: Thank you, council. Roxie Trost, BLM
8 field manager.

9 First, I want to say that all of us are extremely
10 anxious and appreciate your speedy response in setting up
11 this subgroup. I thought that it might help by letting
12 you know and giving you an update on some of the things
13 that we have wrapped up.

14 One of the things that -- we have the BLM task
15 group, and now we'll have the BLM -- the SRP subgroup. So
16 the BLM task group has adopted the monitoring assessment
17 matrix. All of the offices have been using that tool.
18 And we have found it to be very useful.

19 Another update from my last presentation was
20 regarding the insurance requirements. And new direction
21 has come down that the medical expenses are covered under
22 the aggregate. On the insurance policy rider, that area
23 has to be either left blank or it has to have a dollar
24 amount in it. But it can't say "Excluded" or "Nil" or
25 anything like that. So this is a substantial change from

1 when I was here in March. And I see some --

2 CHAIRMAN BANIS: I don't understand that. And
3 that's why -- sorry. Not to interrupt. But this is
4 essentially why we need this subgroup, to help us
5 understand these things.

6 MS. TROST: And I'll be happy to try to explain
7 that a little bit more clearly, if I need to.

8 Another milestone that has been hit is that all
9 CDD offices have hit the 180-day mark. So that means that
10 permit applications are required to be in our possession
11 180 days prior. Now, we realize that there are
12 extenuating circumstances, and that can be looked at on a
13 case-by-case basis. But right now, for any big planned
14 events, we do have them in our possession 180 days in
15 advance.

16 Some of the things that we identified that we
17 could really use some assistance with is the booklet. And
18 some substantial changes need to be made to that booklet.
19 And specifically to that booklet, we feel that we need to
20 look at the standard stipulations and work on the
21 operating plans. And those are going to be big
22 assignments. And we would like to recommend that the SRP
23 subgroup meet sometime the last week in June to help us
24 get through that. We have a one-year report that we're
25 working on. And we'd like to be able to address some of

1 these things specifically in that one-year report that
2 we're submitting for Teri.

3 Another item that we identified is the Frequently
4 Asked Questions website. And, you know, there's a lot of
5 rumors. And we thought that the subgroup could help us
6 and spearhead getting the Frequently Asked Questions
7 website up and running.

8 We also thought that they could help us with
9 checklists that we send out to the applicants. And it
10 would -- they could help us with clarity on that
11 checklist.

12 Bekki Lasell and her staff are putting together
13 binders that have all the operating plans, has
14 stipulations. It has the booklet so that our new subgroup
15 has a way to move forward with historic information and
16 where we need to go next.

17 Something that I wanted to share that is somewhat
18 related to the special recreation permit program is that
19 there is a five-year cycled from the general accounting
20 office where they come in and they do audits of the
21 program. California was scheduled for that audit last
22 year. And because of funding issues, that audit did not
23 occur. It is going to occur this year. It's going to be
24 both an internal audit of BLM files as well as some of our
25 external event organizers being audited. So this has

1 nothing to do with the process that we are currently
2 involved with. It has to do with the normal five-year
3 cycle. And it just happens to be happening this year.

4 That's really all I have for an update, unless
5 you have any questions.

6 CHAIRMAN BANIS: Do we? Opening the floor for
7 questions.

8 Ron?

9 MEMBER JOHNSTON: Just a question on some of the
10 issues that the special recreation subgroup might want to
11 consider that have been brought up prior to the meeting
12 and during the meeting today are concerns by some groups
13 other than off-road recreational vehicle groups, which are
14 small groups but use the public lands for gemology,
15 et cetera, and that there's no provision in this current
16 proposal for a small-group exemption, that is groups under
17 ten, groups under 25. There's no exemption apparently at
18 this time. And before a brochure and things that go out
19 to the public are printed, I suggest that it might be
20 something that we would want to consider as an exemption
21 for small groups.

22 MS. TROST: Let me address that a little bit.

23 There's no magic number of 25, 50, what
24 constitutes a small group. I commend the people that are
25 going out with the gem and mineral organizations and doing

1 education on public land. That is considered casual use.
2 That has not changed. It will not change. We're not
3 looking at changing regulations. If a person chooses to
4 go out and have a picnic, they -- again, that is casual
5 use. They do not need to notify BLM.

6 Some of our rules of thumb which have not changed
7 is that an event charges a fee or that the event is
8 publicly advertised. Now, even with charging a fee, if
9 the fee only covers the costs of the event, for instance,
10 if fuel is used or lunch is provided and it only covers
11 those costs, then that event does not require a special
12 recreation permit. If \$1, however, is left over at the
13 end of the day, whether it goes into the club coffers or
14 to a charitable organization, then it does require a
15 permit.

16 So I think that there is a lot of
17 misunderstanding at the types of things that we're looking
18 at. We're not looking at asking people to come in and
19 require them to have a permit for the casual use
20 activities that they've always done.

21 MEMBER JOHNSTON: Is there some clarity that is
22 going to be put out that further details this so it gets
23 rid of some of the questions like an FAQ or something?

24 MS. TROST: Absolutely. And that is where we
25 thought that the Frequently Asked Questions could help

1 address some of these specific items.

2 MEMBER JOHNSTON: Thank you.

3 CHAIRMAN BANIS: Before I turn over to Dick, I
4 just want to echo Ron's comments. Those are my number-one
5 comments I would like to see the subgroup, before getting
6 too deep in the weeds, which we do want it to do, to maybe
7 look at; when is a permit required, when is it not, so
8 that we can focus on the things that do require a permit.
9 Because that's essentially what this subgroup is for. So
10 it will help us narrow that down. And there is a good
11 deal of misinformation that is going out now regarding the
12 need for a permit. So casual use is not dead. Thank you.

13 Dick?

14 MEMBER HOLLIDAY: Yeah. I think in the operation
15 of the subgroup -- and you're just going to schedule a
16 meeting here hopefully soon at the end of June -- it needs
17 to be well-publicized. We need to figure out a way to
18 publicize this in areas that is not off-road community.
19 If we can figure out a way to get the other users of the
20 dunes -- the other users of the desert aware of this group
21 so that they can provide input. I mean, it's a public
22 meeting and the subgroup will be a public meeting. And so
23 we should allow the other participants that are not
24 represented on the group, some of the other areas, to know
25 about the meeting so that they can be there. I think that

1 will help -- that may take care of a lot of the questions
2 too and bring up questions where you can add to your FAQ
3 that are asked at this meeting.

4 And I would also like -- you know, as Tom said,
5 we need to be able to look at this group -- I look at this
6 group as having a sunset at some point in time where once
7 it's kind of got this FAQ, got some of these issues
8 resolved and there is more knowledge of the operations of
9 these special recreation permits, that this group can kind
10 of go away.

11 CHAIRMAN BANIS: Thank you.

12 April?

13 MEMBER SALL: Roxie, I have another hypothetical
14 question for you. Since we just addressed ones for rock
15 and gem collecting, if you had an equestrian group that
16 was advertising on their website an event ride and it went
17 out to several equestrian group LISTSERVs and they were
18 charging a fee to cover costs, would that count as public
19 advertisement and require an SRP or not?

20 MS. TROST: From the advertising standpoint, it
21 would not. However, we also have to look at whether or
22 not there's going to be any significant resource concerns.
23 So in that case, we'd need to look at where are they going
24 and what are they doing.

25 MEMBER SALL: Okay. Thanks.

1 CHAIRMAN BANIS: What I'd like to do, if it's all
2 right, today's lunch time certain, 12:15. That leaves us
3 about 30 minutes. Would it be all right if we move right
4 into public comments at this time, and then we can turn
5 the floor black to the DAC members if there's more that's
6 needed to be said?

7 Then I'm going to call the first three speakers,
8 please. And I'm also closing -- I'm closing the public
9 cards, public comment for this. I'm going to start first
10 with Sophia Merk, Robert Neth, followed by Mark Budke.

11 Sam Merk. Hi, Sam.

12 MS. MERK: Hi.

13 CHAIRMAN BANIS: You have three minutes. Thank
14 you, Sam.

15 MS. MERK: My name is Sophia Merk or Sam Merk,
16 NPL News. I have concerns about whether the public's
17 going to be actively participating in some of these
18 meetings that are being held by the subgroups and if all
19 aspects of the public land users are going to be able to
20 have viable comments with these subgroups and so on and so
21 forth.

22 I also did not get a clear naming of all the
23 people and what they represent as far as the committee.
24 So if you could elaborate on that, that would be greatly
25 appreciated.

1 And that's all I have at this time.

2 CHAIRMAN BANIS: Will do. Thank you. Let me do
3 that again, please.

4 Okay. Let me run the list again. Thank you,
5 everybody. Sam isn't the only one to bring it up. Let me
6 go through them again.

7 The first nominee -- the first appointed was
8 Holly Beckard. That's B-e-c-k-a-r-d. I am looking to
9 Holly to provide help with non-OHV-related interests. Her
10 application stated that she's familiar with equestrian
11 events.

12 Jerry Grabow is the president of AMA District 37.
13 Jerry, you're here; right? There he is.

14 Meg Grossglass is the DAC member who was
15 appointed to this committee. Meg is a representative of
16 the public-at-large to the DAC.

17 Jeff Knoll, that's K-n-o-l-l. Jeff Knoll is
18 probably best known as the former operator of King of the
19 Hammers and other professional competitive off-road
20 events.

21 Clayton Miller. Clayton is here too, right, in
22 the very back. Clayton represents CORVA who also does a
23 number of permitted events.

24 Also, Rob Niemela. Rob's here too, right? That
25 would be N-i-e-m-e-l-a. In the very back, Rob Niemela

1 represents American Motorcyclist's Association
2 District 38. So both District 37 and District 38 are
3 represented. We have found that the over -- I don't know
4 if it's really -- I should be careful of my adjectives.
5 But a substantial, if not majority, of the permitted
6 events in the desert are from those two organizations.

7 And lastly, Wayne Nosala is a participant in
8 off-road racing events and a spokesperson -- often a
9 spokesperson for that segment.

10 And those were the seven.

11 Thanks, Sam, for encouraging me to repeat those.
12 Thank you.

13 The next speaker, Robert Neth.

14 MR. NETH: Good morning. I'd just like to thank
15 you for putting together this SRP and for taking so much
16 consideration into the sport of desert racing and making
17 sure that our interests, among others, are represented
18 within that group. And I'd like to at this time just
19 elaborate a little further on another aspect of our sport
20 which may not be considered as often as it probably
21 should. And that's the off-road racing industry as a
22 business side.

23 Off-road racing is my livelihood. I took up an
24 apprenticeship position with a master fabricator within
25 our industry six years ago. And since taking up that

1 apprenticeship, I've done jobs for somewhere between 150
2 and 200 different customers, all of whom are directly
3 associated with the sport of off-road racing. And our
4 sport contributes at least 95 percent of our total
5 business clientele. And furthermore, within our own
6 business park, we have half a dozen world-famous off-road
7 shops and businesses including Fox Racing Shocks,
8 MasterCraft Safety, Jimco Racing, Alumacraft, Stewart's
9 Raceworks, and Mirage.

10 The sport in general supports fabricators,
11 welders, designers, shop managers, race drivers, crew
12 members, retailers, material suppliers, media personnel,
13 and photographers, among many others. And in today's
14 difficult economic times where so many people find
15 themselves out of work, despite land closures, we still
16 find ourselves employed and with the ability to put food
17 on our table and a roof over our heads.

18 In the denial of permits for special events, it
19 takes away that opportunity for us to have an income. And
20 that was recently the case for the Southern Nevada
21 off-road enthusiasts whose permit for the midnight special
22 event was denied in the Ridgecrest area. I only found out
23 about that recently and do not know the reason why that
24 permit was denied.

25 But, again, when permits like that are denied, it

1 takes away our opportunity to have our business, to speak
2 nothing of taking away a sport that draws people together
3 from all walks of life to come out and enjoy the desert.

4 The California BLM's own website states that,
5 "Public lands are to be enjoyed. So let's go play." And
6 I think that's an attitude that is really well-represented
7 here today. And I just ask that you consider continuing
8 to support our sport and open public access for all lands.

9 Thank you.

10 CHAIRMAN BANIS: Thank you, Robert.

11 (Applause from the audience.)

12 CHAIRMAN BANIS: Mark Budke. Mark.

13 MR. BUDKE: Hello. I'd also like to thank you
14 for allowing us to say our piece here.

15 My name is Mark Budke, and I am a chaplain for
16 Racers for Christ, and I am the district chaplain for
17 District 38. And I've got a few comments.

18 You know, I do chapel services out in the desert
19 for these desert racers. And I started doing this about
20 four years ago and, you know, God led me out there to do
21 this. But I didn't know what the desert racers were all
22 about. I hadn't been out in the desert for probably about
23 15 years. But I quickly found that the District 38
24 motorcycle and quad racers are a special group of family
25 racers. The families are out there. The kids are racing.

1 Even the wives are racing. And it's a great desert
2 family.

3 And like I say, I do chapel services, and also
4 I'm there if anybody does get injured or hurt, any of the
5 racers. And we have rescue staff onsite. And just
6 personally, my four years of being out there, there's
7 never been a spectator injured since I've been out there.
8 And I've talked to many, many other racers. And that's
9 something you're probably going to hear time and time
10 again, that the motorcycle and the quad racers -- I can't
11 speak for the truck racers or any other groups. But just
12 for the motorcycle and quad racers, you know, there's --
13 you know, over 40 years, there's never been a spectator
14 injured out there.

15 So when we're overstaffed out there with BLM
16 people, rangers and stuff like that, it just seems like
17 it's -- you know, to have eight, ten to twelve rangers out
18 there for a sport that -- you know, as far as the
19 motorcycles and quads goes, there's never been an injury.
20 So it seems like a gross overexpenditure of money. And to
21 have us shell out more money to pay for those extra costs
22 is really choking this desert racing family to death. And
23 the whole cost recovery thing is -- it's ridiculous. I
24 mean, like I say, you know, they're overexpending having
25 us pay for the money.

1 So in closing, I just wanted to say that, you
2 know, the desert racing family, we love that desert out
3 there. And there's many other groups out there that love
4 the desert. And we just want to be able -- we police
5 ourselves, basically. District 38, they have a big --
6 they have a big old rules book too to make sure that we,
7 you know, control ourselves and that we're all safe. You
8 know, there's pit road speed limits. And we're a safe,
9 good desert racing family. And I don't want to see that
10 go away.

11 And once again, I just thank you for allowing me
12 to say my piece. And I'm sure you'll hear that again.
13 Thank you very much.

14 (Appause from the audience.)

15 CHAIRMAN BANIS: Thank you, Mark.

16 Before I continue, just a quick reminder, last
17 meeting in March, we were fortunate to hear from well over
18 30 representatives of the OHV permit and racing family.
19 And we received some very compelling testimony to the
20 benefits and the need for these events to continue. I'd
21 be grateful today to hear more from the public as to what
22 this SRP subgroup could do, what it could tackle and how
23 it could operate. I just want to remind you, we have
24 heard a good deal on the virtues and benefits of the
25 events. And it's none of our intention to, you know,

1 speak against events or that events should not occur. We
2 agree with you on that point.

3 So, again, I'm going to call Mark Baker followed
4 by Ed Waldheim and Marie Brashear.

5 Mark Baker?

6 MR. BAKER: Thank you. It is my first time to
7 ever come into one of these kind of meetings regarding
8 anything. I'm actually a little nervous. But I'm -- I'm
9 just -- I go to District 38, and I've been associated --
10 I've lived out in this area, the East County for my whole
11 life.

12 I'm in my 40s. I have a family. We all
13 participate out here in District 38. And over the last
14 couple years, we've just been seeing a big change, which,
15 you know, safety is a big thing. And we all want everyone
16 to be safe. And we definitely explain -- show that out at
17 our events.

18 And the reason I'm here is because the cost of
19 everything. I mean, everything in life -- everything is
20 going up, and we've gotta help put food on your guys'
21 plate too. So I'm coming to the council and I'm saying,
22 you know, this SRP group, I hope they -- the work that
23 they do is -- represents the motorcycle -- that's what it
24 mainly is here, the motorcycle events and the truck and
25 buggies. And we want to bring down the costs. And

1 there's a reasonable way to do it. And right now, I just
2 see our desert racing disappearing because people can't
3 afford -- or the few clubs that we do have out in
4 District 38, I belong to one of them. And I'm fortunate
5 to have a decent job. And we're putting our own money
6 into this thing, for this to happen now. And I would
7 imagine most of the clubs aren't going to be able to do
8 that.

9 So I'm asking you guys, be reasonable with your
10 decisions because you guys are the ones making the
11 decisions here. And there's a lot of us out there that
12 want to continue doing what we do.

13 So thank you.

14 (Applause from the audience.)

15 CHAIRMAN BANIS: Thank you, Mark.

16 Mark, I'm sorry. We have a question from Dinah.
17 Do you have a moment?

18 MEMBER SHUMWAY: You've never come to a meeting
19 here before. Where do you live?

20 MR. BAKER: Right now, I live in Pine Valley.
21 But I grew up in the East County here in Santee.

22 MEMBER SHUMWAY: So you're here kind of because
23 of the location as well?

24 MR. BAKER: Well --

25 MEMBER SHUMWAY: We're in San Diego.

1 MR. BAKER: Yes. The location, definitely,
2 and --

3 MEMBER SHUMWAY: So part of it is location?

4 MR. BAKER: And it's mainly the El Centro BLM
5 office, that area, that district is where we spend a lot
6 of our recreation time as a family. It's a family thing.

7 MEMBER SHUMWAY: Could I just ask a quick
8 question of the audience, Mr. Chairman?

9 CHAIRMAN BANIS: Please.

10 MS. SHUMWAY: Could everybody raise their hand
11 who is here at this meeting primarily because it's in San
12 Diego?

13 Thank you.

14 CHAIRMAN BANIS: Thank you. Best question of the
15 day. We've been talking about this.

16 Mr. Waldheim, please.

17 MR. WALDHEIM: So you justified me having to
18 travel 235 miles to get here and Ron Schiller had
19 275 miles.

20 Okay. The political football -- no -- the soccer
21 ball -- Ms. Raml has passed the soccer ball off to the
22 subgroup. When this first thing happened before, I begged
23 her to have the group together, let's have a meeting of
24 all the minds. We had semi kind of a going there, but we
25 never got there. I talked to Jan Bedrosian. We didn't

1 really quite get here.

2 So now that you have a subgroup, we've lost an
3 awful lot of time. We've had businesses go out of
4 business. We've lost an economic downturn which is
5 killing us. It's just killing the economic growth or the
6 economic basis of all these little mom-and-pop shops who
7 live on a shoestring. We all are living on a shoestring.
8 Miss a paycheck and you're in big trouble. You're in big
9 trouble.

10 So I certainly hope that the subgroup will get
11 together very quickly. And the first thing that they need
12 to do, they need to establish, okay, who are the people
13 that we really need to regulate? That is the No. 1 item
14 that you have to do. I don't need an SRP on a stupid
15 poker run after a cleanup. I don't need it for a cleanup
16 in the Barstow office unless we have a million people.
17 There's got to be some threshold. I don't need it with an
18 equestrian trail in a national horseback ride from
19 Ridgecrest to Death Valley with police people sitting on
20 the top of hills and looking at us with binoculars.
21 That's insane. A horse can go anyplace they want to. A
22 hiker can do anything he wants to. Yet we're up there
23 with binoculars, spending precious money and time when law
24 enforcement people should be doing other things. Reason
25 has to be brought into this thing. The economic reason

1 has to be a real liability.

2 The chairman of the commission -- last chairman
3 of the OHV commission said, "I hope the BLM" -- he said it
4 to Jim Keeler, "I hope" -- and, Erin, I hope you come to
5 the commission meetings. Jim Keeler was told, "I hope the
6 BLM doesn't go overboard." Boy, was that a statement.
7 BLM didn't only go overboard, they went off the board and
8 down in the ocean with this whole reaction they did on
9 this whole thing. It makes no sense. You're trying to
10 kill the goose with an atomic bottom. It doesn't make any
11 sense whatsoever.

12 So I hope that this SRP gets some sense into what
13 the reality is, what is the real issue that we want to
14 accomplish. And so the people can get back to racing and
15 enjoy their sport. 'Cause God only knows we're being
16 squeezed everywhere. And this is the last thing that we
17 want to lose as we don't want to lose any more lands for
18 recreational opportunities.

19 (Applause from the audience.)

20 CHAIRMAN BANIS: Thank you, Ed.

21 Marie Brashear followed by Ron Schiller.

22 MS. BRASHEAR: I think we have, of your seven
23 members, six of them are event people, guys who are
24 involved in the commercial end of what goes on. My
25 concern is that while that has to be addressed, they will

1 sign off on stuff that the rest of us won't sign off on
2 because they're making money. They'll say, well, we'll
3 just charge our event people who are in our events, we'll
4 charge them more money so they can meet the requirements.
5 Basically, all that does is force the smaller guys out of
6 business, out of racing, out of whatever. So that's one
7 of my concerns.

8 Another one of my concerns is last meeting
9 documents were passed out that had three categories of
10 risk. In the low category of risk, the lowest, there was
11 the names of three types of users, desert users, one of
12 which was spelled out very specifically which said rock
13 hounds. And the insurance was like \$100,000. And then it
14 said the next category, and one of those was equestrian.
15 And it said a half-million dollars based on the risk. And
16 then the third category were the commercial events,
17 basically. And that was, you know, a million dollars up.
18 I have a concern about that. How much of this stuff, when
19 you get done, is going to be put in writing? How much of
20 this stuff -- you know, it was nice for Roxie to come up
21 here and say, oh, well, you rock hounds aren't going to --
22 you know, with just a little casual event, you're taking
23 some kids out, it's not going to matter. I want it in
24 writing, in your regs, in your whatever it is you're going
25 to be using. We need it to be in writing.

1 I'm concerned that it's not just going to be us.
2 It's going to be everybody. And by the way, the 50
3 vehicles as an event is still in the law.

4 CHAIRMAN BANIS: Thank you, Marie.

5 Ron Schiller is going to be our final speaker
6 before we break for lunch. The rest of the public
7 comment, I'm afraid, will have to come after lunch. As I
8 said, lunch is time-certain today. So I don't have the
9 liberty to keep us here a little bit longer on that.

10 Do it in order of height, is that how we're going
11 to do it now?

12 Okay. Thank you, Ron. You'll have the last
13 words for this morning before lunch.

14 MR. SCHILLER: Okay. I'll try to go through this
15 quick. I have quite a bit I'd like to say. But I'm a
16 little worried about where this is going, what the intent
17 is, and what the flexibility is.

18 When I look at your document, special recreation
19 permit information booklet, it's very rigid, and it seems
20 to me written backwards. It's written for reasons you
21 can't and not how you can. It looks like the BLM is using
22 a shotgun for a flyswatter. The collateral damage is
23 tremendous.

24 When you look at some of the publicized events
25 that's going on around Ridgecrest, we've got the track

1 club, the astronomy club, the garden club. These are not
2 high-dollar folks. They charge a \$5 token fee. Yeah, it
3 goes into the club coffers. It pays for track equipment,
4 it pays for telescope and lenses. Some of the gem and
5 mineral clubs have filed mining claims on site deposits to
6 protect them from the commercial interests, to protect
7 them for the public. We have to pay for that. And while
8 it may go in their coffer, there needs to be some
9 flexibility and some token fee that can be considered.

10 Every one of these -- this document is written to
11 the extreme so that any one of these checklists is going
12 to force you to question whether you need a permit. It
13 doesn't say when you don't need a permit. It needs to
14 give you guidelines as when a permit is not needed as well
15 as when it's needed.

16 We were told the other night at the Ridgecrest
17 BLM meeting that if you allow the public to participate,
18 you automatically have to have a fee whether it was
19 publicized or not. Well, that's how we get new members
20 and get new people interested in some of these issues. If
21 you just go three or four club members and you don't allow
22 no guests or public, then all of a sudden your clubs are
23 dying. And in a lot of cases, they're dying right now.

24 It was said earlier that primarily the OHV groups
25 are here. And that's true. However, by no means are they

1 the majority of users when you count everybody out there.
2 Granted, they get the most focus and they're the most
3 demonized. But they're by no means a majority of folks
4 out there. There are a lot -- there's a lot of casual use
5 that goes on every day that the BLM is not totally aware
6 of.

7 So another problem is we don't go 180 days in
8 advance. We don't know where we're going. The weather
9 might have a washout over here and a good deposit where
10 you can see what you're looking for. We want to go over
11 there. Well, we didn't know that six months ago. So
12 there needs to be some flexibility, some group numbers,
13 some allowable monetary benefit if it's only \$5 a person
14 that helps sustain what we're doing. Although you can't
15 really say, well, it provided your lunch and this and that
16 and the other, and even if \$1 goes back into the club
17 coffers, then it's not acceptable.

18 So I'm a little disappointed in the makeup of the
19 group. I think there should have been more non-motorized
20 focus, maybe motorized based. But I'm really
21 disappointed. But I want to say for the record I want to
22 be on the mailing list and I'll be at every one of the
23 meetings. And sometimes it's an advantage not to be on
24 the committee.

25 Thank you.

1 (Applause from the audience.)

2 CHAIRMAN BANIS: Thank you, Ron.

3 That's the first time I found myself on the other
4 side of the microphone from Ron.

5 Before we break for lunch, Teri had a couple
6 closing comments, please.

7 DIRECTOR RAML: Yeah. I wanted to say a few
8 words before the lunch break to -- maybe to recap on the
9 SRP subgroup. And then maybe that will influence folks
10 whether they come back from after lunch or not.

11 But after the tragedy at Johnson Valley, then BLM
12 took great pains to look at our rules and regulations and
13 to start focusing on procedures and, you know, focusing on
14 the regulations that would ensure the safety of our
15 events. And we formed an internal task group that Roxie
16 Trost led very early -- I think, gosh, within a couple
17 weeks we formed that internal BLM group. But it also
18 became quickly apparent to us that the event organizers
19 were also -- you know, in addition to being impacted by
20 the way BLM did business, they were also ready, willing,
21 and able to come forth to assist us.

22 You've heard today, and Randy referred back to
23 the earlier meeting, this is an engaged and invested group
24 in desert racing. And they -- people indicated not
25 just -- not just willingness to comment, but a willingness

1 to get in and dig to help us. And it also became apparent
2 very early on that this stuff is complicated. And people
3 have brought up the rules and regulations, easily
4 misunderstood, and that when you're reading this stuff
5 it's easy to misunderstand it. And then when you're
6 translating information verbally and without the stuff in
7 front of you, we were seeing that there was a lot of
8 miscommunication that we needed to address.

9 So I thought that I should make -- take advantage
10 of the advisory council and also the willingness of this
11 community of users to participate. And I asked the DAC to
12 provide us assistance. So this is a little process part
13 of it. So as the designated federal official, I said I
14 would really like the DAC to help on this. And the DAC
15 early on determined that they required -- that they would
16 be willing to provide recommendations and assist on this
17 task but that the people that would be most helpful are
18 those with the expertise for the task at hand. And that
19 is why we formed the subgroup.

20 Now, the subgroup is starting out, obviously,
21 more narrowly focused than I think some of you that have
22 come forward would like to see. But it was in a specific
23 response to my request for assistance on these events.

24 But how things work is -- you know, and this
25 is -- this is kind of civics. How things work is we've

1 started out with a subgroup. We've started out -- Roxie
2 laid out some very specific items that we would like some
3 help with. But it's a process. And so for those of you
4 that I encourage -- I am pleased to hear you say you're
5 going to watch, you want to participate, you will be
6 there, you want to comment. That's what this is about.
7 You've started the process today by addressing the council
8 and saying, "I really want the subgroup to look at this,"
9 to start that process. But you will have an opportunity
10 to influence this group's work by being present and asking
11 questions and providing input. And I encourage you to do
12 so.

13 How this will work, though, is that the subgroup
14 is making their recommendations to the DAC who will make
15 them to me. So it's kind of -- but it's always -- I'm the
16 person that -- I'm fine with chaos. I love chaos. Chaos
17 is my friend. So I'm comfortable with the ambiguity of
18 how this works out. But we've got a subgroup. Randy
19 announced the names of them. We're going to have a
20 meeting fairly quickly. We're going to do our darndest in
21 terms of our website and our mailings to make sure you're
22 all informed and can participate. And then we will do
23 tasks that we've outlined for you and we will consider
24 additional tasks that come forth from the group.

25 And, also, what -- I can't overestimate -- you

1 know, this communication stuff is so important. And one
2 of the values of having you folks here in the room and
3 also this subgroup is to translate. We get so immersed in
4 our own bureaucratic language that sometimes -- you know,
5 in this particular case, it's not clear to us always. But
6 in some cases things seem very clear to us, you know, what
7 requires a permit and what doesn't. But if it's not clear
8 to the people we're serving, the public, then we need
9 help.

10 And so this communication and making -- and
11 frequently asked questions and continuing to ask us
12 questions so we can be clear is going to be a critical
13 function of all of you that participate.

14 Second of all is my thanks. I am extremely
15 grateful. People are so busy. And there are so many
16 things that can -- that people have to pay attention to --
17 their jobs, their family, all sorts of stuff. And when
18 anytime someone takes the time and will come and
19 participate in public meetings and will participate in the
20 management of their public lands, I am extremely grateful.
21 We never -- I don't think we can ever get enough
22 participation. The California Desert District is a very
23 special place. CDCA is very special. And the more people
24 that participate in how we manage, the better. So thank
25 you all, and particularly thank you for the subgroup

1 members. They are volunteers. They are volunteering to
2 do this hard work. And believe me, when they get to about
3 page 15 of that booklet, they are going to say, "Are you
4 sure you can't pay us?"

5 And, no -- and our answer will be, "No, we can't
6 pay you. We'll bring cookies."

7 And so anyway, that's kind of closing words, and
8 be sure to thank you all for coming. I'm not dismissing
9 you. But I'm just saying I really appreciate the effort
10 that has gone into this so far.

11 CHAIRMAN BANIS: Thank you, Teri. We'll resume
12 comments after lunch. And we're adjourned for lunch. We
13 will adjourn for lunch and we will be back at 1:30 p.m.,
14 please.

15 (Lunch recess.)

16 CHAIRMAN BANIS: I call this afternoon session to
17 order, please. I hope lunch was okay. Thank you for
18 hanging around for the afternoon session. We still have a
19 lot to talk about. I still have public comment on the
20 special recreation permit subgroup.

21 And, again, I'd like to remind our speakers, the
22 most helpful thing you can do is to provide us with advice
23 and examples of how to make this SRP subgroup do its job
24 as well as it can.

25 The first speaker this afternoon is Kurt

1 Jungwirth. Kurt, hi. Welcome.

2 MR. JUNGWIRTH: Hi. Hello.

3 CHAIRMAN BANIS: Hi, Kurt. You've got three
4 minutes. So the floor is all yours.

5 MR. JUNGWIRTH: All right. Thank you very much.

6 I use the desert mostly because I'm a railfan.

7 If any one of you know what a railfan is, it's a person
8 that videotapes and photographs railroads. I've been in
9 the hobby for something like at least 20 years. I've gone
10 to various places like Cajon, Needles in particular, a lot
11 of different areas along with rock counting. And I've
12 kind of been getting a little bit worried about seeing
13 that a lot of the land closures because of the
14 conservation act and energy, you know, taking away, you
15 know, being able to railfan out in some of these locales.

16 Can you let me know what's -- like, for instance,
17 going on Route 66, would I be okay to park on the side of
18 Route 66 at least 50 feet minimum from the, you know,
19 right-of-way of BNSF, of course? But I'd like to be able
20 to just park there and be able to film and not have to
21 have a problem. Can you tell --

22 CHAIRMAN BANIS: You know -- do you have another
23 comment? 'Cause these three minutes are yours. If
24 there's any other comment --

25 MR. JUNGWIRTH: And another thing too, the

1 Adventure Passes too, various areas like Cajon Pass --
2 now, I'm not sure if BLM is tied in with San Bernardino
3 National Forest. Are they or not? I'm not -- they're
4 not?

5 CHAIRMAN BANIS: No.

6 MR. JUNGWIRTH: Okay. All right. So I guess
7 I'll use this for the Needles stuff then as far as
8 Route 66 is concerned in that case.

9 So is there any like special permission to go
10 into these places with the energy conservation and all
11 that being tied up or -- I mean, what's going to happen
12 with a lot of this land, and in particularly the major --
13 one of the major roads that's adjacent to Highway 40?

14 CHAIRMAN BANIS: That's a good point. That's a
15 good point. Thank you, Kurt. I've got to say I think
16 this is the first time DAC's heard from a railfan. And I
17 have a personal connection to that, Kurt. When I was a
18 kid, I rode on many GP7s, GP9s. We had the last of the
19 BL2s on our line where I was born and raised and the old
20 F3 is still running. So I know exactly where you're
21 coming from.

22 And just to express, some of the conflicts that
23 exist might -- an example might be Afton Canyon, for
24 example. In Afton Canyon, the throughway for vehicles as
25 well as for the trains is all on the same right-of-way.

1 And it's a narrow, narrow, skinny canyon. And there's
2 places where you have no choice but to ride on the
3 right-of-way -- not on the rails. God, no. Not on the
4 rails, but on the right-of-way. There's places where that
5 is -- that is the road. And as a result of that
6 allowance, Afton Canyon remains a really wonderful place
7 to go railfanning. It really is. And I'd like to see
8 those kinds of accommodations continue.

9 MR. JUNGWIRTH: I really would too.

10 CHAIRMAN BANIS: Let me say this: That the
11 designated motor routes, dirt roads that you're allowed to
12 travel, many of us that fight to keep these roads open
13 often express it under terms of riding our motorcycles or
14 four-wheel-drives or something on it. But those same
15 roads are used to access the rail points of interest.

16 MR. JUNGWIRTH: Right.

17 CHAIRMAN BANIS: And these roads need to have
18 that -- you know, we need to keep that into consideration
19 as well.

20 Now, as for the answer to your real question, I
21 think that we're going to have to find someone to help you
22 with those questions. The rights-of-way of public -- of
23 the public and the railroad and how those conflict -- let
24 me take some time during the course of the day. We'll
25 make sure we connect somehow through the bureau. We'll

1 find someone to have you speak with that is most familiar
2 with that. Because what you're talking about touches on a
3 little bit of everything. And I think a few people in the
4 room would have part of the answer. But I'd like to find
5 someone who has all the answer for you.

6 MR. JUNGWIRTH: Okay. Thank you very much.

7 CHAIRMAN BANIS: Thanks for your comment.

8 MR. JUNGWIRTH: Okay. Thanks.

9 CHAIRMAN BANIS: The next speaker, please, is
10 Susan Broadway. Susan?

11 MS. BROADWAY: I just had a question again about
12 the permit information that we had earlier. I've never
13 heard of that permit thing before. Sorry for my technical
14 terms. I know they're astounding.

15 The rock hounding community actually goes out on
16 these field trips quite frequently, as I mentioned before.
17 And we carry our own insurance through the CFMS group. So
18 there was a mention about a tragedy that happened with the
19 off-roaders. And I don't know how that really affects the
20 rock hounding groups since we all carry our insurance. We
21 sign off when we get to the field trips and then we get in
22 the carpools and we go together in our vehicles and go on
23 the paths provided.

24 So making us get a permit months in advance to go
25 on these trips would be very detrimental. We don't really

1 know often where we're going. Or if the weather permits
2 or whatnot, we'll meet in one place and we'll all decide
3 where we want to go. So that would be very difficult for
4 us to actually continue using the land properly the way we
5 want to use it. And it would hurt our field trips.

6 Also, as Ray mentioned -- not Ray. I'm sorry --
7 Ron Schiller mentioned earlier, this is one of the ways
8 that we do get people to join our clubs, are these field
9 trips. They're very exciting. People get into it. And
10 that's how we get people to join the clubs. And we have
11 geologists and everything that go on these field trips
12 with us, and it's really quite exciting. Without being
13 able to publicize them properly, put them on the Internet
14 and, you know, we have to get a permit if we publicize, if
15 we put it on the Internet, we send out e-mail blasts, we
16 put it on the Yahoo groups, L.A. Rocks and stuff like
17 that, that gets more people to come to these things. And
18 if we publicize it that way we're going to have to get a
19 permit, that seems pretty excessive for a very small club
20 that has a tiny bit of money in our coffers.

21 So we would not be able to go on field trips
22 anymore or publicize them. And like Ron said, the clubs
23 will pretty much choke off and die because it really
24 requires new members continuously. As the other members
25 get older and pass on, sorry to say, we need new members.

1 So that's all I have to say.

2 CHAIRMAN BANIS: Thank you. I think we are
3 definitely hearing the message to make sure that other
4 activities don't become collateral damage and suffer
5 unintentional consequences of the administration of the
6 SRP permits.

7 I hope that some of our non-motorized groups that
8 have this interest will come to these meetings. They are
9 public. They'll be published in advance. And it's a way
10 for all of you to learn about this. And better than that,
11 as you learn about it, you'll come up with ways to give us
12 some advice.

13 But your point is absolutely taken. I don't have
14 a real answer for you. But I do appreciate that.

15 Now, any other comments?

16 Thank you, Susan.

17 Next, Terry Weiner. You have the floor on
18 special recreation permits.

19 MS. WEINER: Hi. Terry Weiner. Good afternoon.
20 Good to see you all again.

21 I'm representing a different group this time,
22 Alliance for Responsible Recreation, which is a coalition
23 of some conservation groups but most property owner,
24 community groups, and a land trust.

25 We are not -- we like your criteria as far as

1 they went. But as far as having balance with other types
2 of people who might be interested in cost recovery and
3 special recreation permits, you didn't cut it. I'm sorry.
4 And I don't -- you know, since the subgroup is what I
5 would call stacked, I wonder how we're going to get a fair
6 hearing out of the subgroup meetings in terms of whether
7 or not our input might be accepted. Just a little
8 question I have.

9 Also, we did -- one of our members did apply to
10 be on the subgroup. And she was a representative of
11 non-motorized. She happened to be an equestrian too. And
12 I'm disappointed that you didn't choose her because she's
13 very active with the BLM Bakersfield out of Kern County.
14 And she would have been a very fair-minded and thoughtful
15 person to add. I'm sorry you didn't choose her. And that
16 was the only person we could find because everybody else
17 said they couldn't go to the meetings.

18 But I do want to emphasize that, you know, from
19 our point of view, the impacts from the special recreation
20 permits are -- that involve the huge desert races,
21 especially the ones called closed canopy, are very
22 impactful on the desert and that we are glad you're
23 pursuing cost recovery. Because there are impacts that
24 the rest of the public is concerned about, not just on the
25 desert ecosystem but on air quality. We had -- there was

1 a race in Plaster City on May 14th that created a dust
2 cloud that went for about 15 miles in either direction.
3 The wind was blowing. And so we really are interested in
4 participating and learning what you intend to do.

5 So, you know, the other taxpayers, when the BLM
6 has to put all their law enforcement in one place at a
7 special race, then it impacts what goes on in the rest of
8 the desert too.

9 So thank you.

10 CHAIRMAN BANIS: Thank you, Terry. Did you --
11 you mentioned that you knew of an applicant. Did you say
12 a lady?

13 MS. WEINER: Uh-huh.

14 CHAIRMAN BANIS: Could we speak after? I don't
15 know about that one. Thank you.

16 Next, Kim Campbell. Hi, Kim. Do you have a
17 second? Thank you, Kim.

18 MS. CAMPBELL: You're welcome. I was going to
19 wait 'til later. But I'm going to go forward with this
20 now anyway.

21 I was reading over the booklet that has the
22 requirements for the special recreation permit
23 applications. And it is so broad. It is so wide open.
24 It could be anybody for anything. And so I'm going to
25 read it, because everybody's here and I have this. And

1 this is 43 CFR 2932.11.

2 "Except as provided in 2932.12, you must obtain a
3 special recreation permit for, one, commercial use
4 including vending associated with recreational use or,
5 two, competitive use.

6 "B. If BLM determines that it is necessary based
7 on planning decisions, resource concerns, potential user
8 conflicts, or public health and safety, we may require you
9 to obtain a special recreation permit for, one, recreation
10 use of special areas, two, noncommercial, noncompetitive
11 organized group activities or events, or, three, academic,
12 educational, scientific, or research uses involving means
13 of access or activities normally associated with
14 recreation, use of areas where recreation use is
15 allocated, or special-use areas.

16 Further up in the booklet, it talks again about
17 when they're required, how to determine if you need one.

18 "In general, an SRP may be needed from the BLM if any one
19 of the following items is true: A fee is going to be
20 charged, the permittee will make money on the event, there
21 will be competition, there will be advertising, there will
22 be a marked course, there will be vehicles at the event,
23 the event will involve public lands."

24 Everything we're talking about is public lands.
25 So that's everything. This is why everybody is so

1 concerned. The regulations or rules -- I'm not sure which
2 they are -- need to be very specific. What is
3 advertising? When my gem and mineral club posts on their
4 website that they're going to have a field trip, is that
5 advertising? If they put it on L.A. Rocks, which is a
6 user group that a lot of rock hounds use, is that going to
7 be advertising? This is just too wide open. It needs to
8 be more well-defined. It needs to be well-defined. And
9 it will put all the gem and mineral clubs -- they'll be
10 gone if they can't do this. This is one of their key
11 functions and really important to all of us who love
12 rocks. And we love the California desert. And I need to
13 say it's a really special place, and a lot of us have
14 really come to love it and enjoy seeing the wildlife and
15 respect it more because we go rock hounding.

16 And we have to have vehicles to get there. One
17 more really important point. A lot of rock hounds are
18 elderly, retired people. They can't walk very far. They
19 have to be able to get in with their vehicles. So if they
20 can't get in with vehicles, they can't go. So that's also
21 very important.

22 Thank you.

23 CHAIRMAN BANIS: Kim, thanks for those very
24 specific, very specific comments. Very helpful. Thank
25 you.

1 Tom Tammone, followed by Ed and Marie.

2 MR. TAMMONE: Tom Tammone. Good afternoon.

3 In 1994, a group of us started a small
4 four-by-four club called Dirt Devils of Southern
5 California. And we actually were able to host triathlons
6 that started in the San Bernardino National Forest and
7 ended in Johnson Valley. It included some timed events,
8 some point-to-point like geocaching-type events. You
9 know, they're still timed events. But it wasn't racing.
10 And we even got a permit to fire shotguns in the OHV area.

11 This was a small group. And we were able to do
12 it back then. And we have grown into a very large club
13 over the years that's well-respected in the community.
14 And it's done an awful lot to help the environment at the
15 same time.

16 Now, posting an event -- even back then, I don't
17 think that anybody would have wanted to do it again. It
18 was a lot of work. But I can't even -- the point we're at
19 now, I can't even fathom going through the permit process
20 to try and even consider doing this again. But hosting
21 that event did a lot to build our club. And we wouldn't
22 be where we were today -- or where we are today if we
23 didn't host that event.

24 So that was -- that wasn't a cookie-cutter event
25 or a re-occurring event either. So it would be rather

1 difficult, if not impossible, under the standards today to
2 put this on.

3 But a lot of these races are re-occurring events.
4 They occur at the same routes. And it really shouldn't be
5 much of an effort at all to grant a permit for an event
6 that's been occurring regularly for over a decade. So I
7 hope that this new subcommittee can put together some sort
8 of a mapping so they can basically just keep reusing
9 information from past events that are basically just being
10 duplicated so we don't have to start all over from the
11 beginning every time they do something.

12 Thank you.

13 CHAIRMAN BANIS: Thank you, Tom. Appreciate that
14 suggestion.

15 Ed?

16 MR. WALDHEIM: I already had my turn.

17 CHAIRMAN BANIS: Exactly. Thank you.

18 Marie?

19 MS. BRASHEAR: I'll take a second turn. I don't
20 mind. I have a couple of questions.

21 When I heard the committee, that's okay 'cause I
22 know several of the people on the committee. I think we
23 can go to them and they're going to react reasonably.

24 But I was concerned when -- and maybe I didn't
25 hear it correctly. But this is what I heard. Roxie and

1 her task group are going to come up with the rules and
2 regulations and the group get to do the website, get to do
3 the booklet, get to do the Q and I. But I didn't hear
4 anything else that they get to do. Maybe that's just the
5 starting point. But that doesn't sound like -- you know,
6 they'd be wasting their time giving it to you. That's
7 number one.

8 Number two, Afton Canyon, you mentioned. It's a
9 rock hounding site as well.

10 CHAIRMAN BANIS: It's the best.

11 MS. BRASHEAR: It's also under attack. CDD
12 doesn't think we should be doing anything in Afton Canyon.
13 It's also a place where we go -- the Society for the
14 Protection and Care of Wildlife goes to do wildlife
15 counts, bighorn sheep counts in July. It is truly one of
16 our gems in our desert. It is a multiple-use area. It's
17 got lots of history as well.

18 And I think when we're doing these rules and
19 regulations, we ought to be a little more honest with the
20 public and we ought to say, this is what you can change,
21 this is what you cannot change. And there's a whole bunch
22 of what you cannot change on this issue. And I think
23 maybe that's where this whole process has gone wrong.

24 CHAIRMAN BANIS: Thank you, Marie. Thank you.

25 That concludes the public comments.

1 Any last comments from the council members
2 regarding direction to the SRP?

3 Hi, Tom.

4 MEMBER ACUNA: Thank you, Randy. Okay.
5 Listening to everyone -- and I have a question. This is
6 for Roxie and Teri. With regard to the current
7 regulations, before the disaster at Johnson Valley,
8 everything seemed to be going well 'cause there was no
9 problem. The existing rules were working for everyone,
10 rockers and everyone else. Then we had the accident. And
11 now we're reacting to the accident by rewriting all of the
12 rules. But would it not be better just to focus on
13 motorized competition, just that subgroup, and leave
14 everything else as it was? And then we would really be
15 focusing on the area that needed to be addressed. Or am I
16 misunderstanding something? Because if that's -- if we
17 could just focus on that, that would be my suggestion for
18 the subgroup, to only talk about motorized competition.

19 MS. TROST: And I'm sorry if I didn't make it
20 very clear. But we aren't making new rules. We're not
21 making new regulations. The Johnson Valley report was
22 very clear in that the BLM has a process in place and that
23 the process is not flawed. However, the report also found
24 that the CDD as a whole was not in compliance with that
25 process.

1 So that is one of the things that, as Teri moved
2 forward and put our task group together, she asked us to
3 do, to take the Johnson Valley report which has some very
4 specific district manager action items and state director
5 action items, and to ensure that we are moving forward and
6 in compliance with those action items. We have no
7 intention of putting out new regulations. We have
8 existing regulations. And that isn't something that our
9 task group has looked at or that I would suspect that the
10 subgroup would be looking at either.

11 MEMBER ACUNA: So -- but it appears from the
12 public input they're very concerned that they'll be
13 negatively affected in some fashion. Is that a
14 communication problem, miscommunication, they don't
15 understand that they won't be affected, or will they be
16 affected? If you're trying to fix competition so people
17 don't get harmed from off-road vehicles, why are the folks
18 that like to do rock hounding here?

19 MS. TROST: Well, I think there is some
20 miscommunication. But I think as we look at implementing
21 the regulations, that we're going to look at implementing
22 the regulations collectively, not targeting specific
23 areas, that we implement them across the board. And
24 that's what our charge has been, is to follow existing
25 regulations and processes.

1 CHAIRMAN BANIS: You all set?

2 MEMBER ACUNA: Yes. Thank you.

3 CHAIRMAN BANIS: Dick, you have the floor, and
4 then followed by Ron.

5 MEMBER HOLLIDAY: Yeah. I think that one of the
6 issues that this group is going to look at, as Marie
7 pointed out, there's some regulations that are -- that are
8 regulations and really can't be changed on a local level.
9 And there's some of these regulations -- or I won't say
10 regulations, but some of these stipulations are local
11 stipulations.

12 So I think this group wants to look at, first of
13 all, what can they change and what can't they change. And
14 once they know exactly what can't be changed, what are
15 national regulations that are -- would take congress or a
16 higher level to change. Then they can look at what they
17 have the ability to implement. And once they go forward
18 with that, they can generate consistent rules. Again,
19 what we're looking for, I think, is consistent rules for
20 everybody, not one group is penalized or not penalized for
21 their activities. And we want consistent rules. And we
22 want those consistent rules to be very public so that
23 everybody understands exactly what they are.

24 CHAIRMAN BANIS: Ron, please.

25 MEMBER JOHNSTON: Well, what Dick just pointed

1 out was pretty much what I was going to point out too;
2 that I don't think just from the comments that I've
3 heard -- first, I think everyone is looking at a document
4 that was written in 2006 and using that as a basis for
5 concern. That document is five years old. And so the
6 rules have been in existence. It's just that the
7 implementation of some of those rules and the enforcement
8 of some of those rules may have been lax or not clarified
9 to the point where people understood what it took to
10 comply with all of those rules.

11 So I don't think this committee is by any means,
12 nor have I ever had the impression they were going to
13 draft a set of new rules. They were just going to make
14 sure that there was a clear understanding of the rules
15 that did exist and that they would, in fact, be
16 implemented and enforced possibly more rigorously than
17 they had been in the past.

18 It's almost like concerns about illegal
19 immigration. You know, back in the Governor Pat Brown
20 years, illegal immigration was enforced because there was
21 an alternative that was clear in the way of the Bracero
22 Program. In the last 20 years, that hasn't been the case
23 because there's been a lack of enforcement and clarity.
24 And so it's become a whole new issue again. In fact, the
25 rules were already on the books for that too. And I think

1 there's a simile between that and what we're talking about
2 today.

3 These aren't new rules. It's just a clear
4 understanding of what those rules are.

5 Is that correct?

6 MS. TROST: That's correct.

7 CHAIRMAN BANIS: Any other questions from the
8 DAC?

9 Thank you, Roxie.

10 All right. Seeing no further comments and
11 questions from the DAC, we'll move on to the next agenda
12 item, please. This would be a report, a much delayed
13 report by someone who truly understands the public and the
14 need for public participation and public input. May I
15 introduce Ms. Daphne Greene from the Department of State
16 Parks, Off-Highway Motor Vehicle Recreation Division.

17 Daphne, the floor is yours. Welcome.

18 MS. GREENE: Thank you. Appreciate the
19 opportunity to speak to you today.

20 I would just like to take a moment to thank the
21 public for being here today. They certainly have other
22 alternatives to spend their Saturdays. And to all of you,
23 thank you for identifying Saturday as a meeting day,
24 because I think it's extremely important that we hear from
25 the public. As agencies, we don't always do a good job of

1 it. It is difficult. But I think it's very worthwhile.
2 So thank you. And thank you members of the public. I
3 very much appreciate hearing what you've had to say today.

4 I have a number of items to share with you. I
5 think what's on everybody's mind, as was mentioned
6 earlier, Monday is the final awarding of the grants
7 program. As many of you know, California State Parks, the
8 OHV division, not only do we operate the eight state
9 vehicular recreation areas statewide, but we also have a
10 grants program that's extremely important with our
11 partners, the federal agencies, cities, and counties.
12 That is truly where as we balance OHV recreation and where
13 recreation occurs.

14 When we talk about OHV recreation, I think it's
15 important to note today, just listening to everybody,
16 there's a bit of a distinction. For the state, it really
17 is about when you're off pavement, when you're on dirt.
18 And we always say that some points in life you should --
19 you know, you should spend some time on dirt. The statute
20 says that off-highway vehicle recreation, for the purposes
21 of off-highway vehicle recreation. And then off-highway
22 motorized access to non-motorized recreation. So we
23 provide funding as well for the maintenance of those roads
24 and trails to be able to get you to those places. So I
25 think that's an important distinction.

1 The grants program, it's a \$27 million program.
2 And we award once a year to all of the different entities.
3 So those awards go out on Monday. BLM, I think last year
4 was approximately \$10 million that was awarded to the
5 Bureau of Land Management. We've been partners since the
6 start of this program back in 1971. So good luck. I have
7 no idea. I don't participate in the scoring. So you have
8 to take that up with the grants team. But there is a
9 month period of time where you can appeal the awarding of
10 those grants. So just FYI.

11 So that's really important. And those grants are
12 broken down to operations and maintenance, restoration,
13 law enforcement, and safety and education.

14 What is important, I think, to note this year is,
15 as we all know, within California we are in a deep budget
16 crisis. And so what occurred in March as we were trying
17 to grapple with a \$26 billion deficit was the first stages
18 of trying to get a budget moving through the process. As
19 part of that budget, the legislature decided two things,
20 one of which was to borrow \$21 million from the OHV Trust
21 Fund. That goes on top of the 160 million that's already
22 been borrowed from the OHV Trust Fund. So that's
23 difficult because that really impacts our program. But I
24 would say, if it's a loan, then the intention is that that
25 will be repaid.

1 What was problematic this time period was that
2 there was a take of 10 million. And that take,
3 essentially for the first time in the history of the
4 program, broke the firewall that exists between the
5 borrowing and the taking, which means that what happens
6 now is before the money ever comes into the OHV Trust
7 Fund, it's being diverted and goes into the general fund.

8 The impact of that take is a \$10 million take,
9 \$833,000 a month. A direct impact for the grants program
10 is a reduction of \$5 million for next-year's grants and a
11 reduction of \$5 million for our operations of our state
12 vehicle recreation areas as well as the -- essentially
13 what we look at in terms of our environmental overview of
14 the grants program, the operational overview of the grants
15 program. So it really will have a significant impact.

16 Directly for the BLM, whether or not it be BLM
17 itself or whether or not the nonprofits and California
18 Desert District, whether or not it be the cities and
19 counties, law enforcement, sheriffs, it will have that
20 impact. In particular -- and I just have the numbers --
21 currently in the operations and maintenance, it's 13
22 million that goes to operations and maintenance. And
23 these are -- these numbers are indicated in statute. So
24 whatever the amount of the grants program is, it's then
25 divided into those four categories. So just an FYI, 13

1 million will be reduced to 10 million, 6.5 in terms of
2 restoration goes to 5.2. The 5.2 million in law
3 enforcement will be reduced to 4.2. And the safety and
4 education from 1.3 to just under a million.

5 Where that's so significant, I think, is when we
6 look at the number of requests that we have currently for
7 the grants program. We have 27 million to allocate right
8 now. But we have \$34 million in requests. Law
9 enforcement alone, we have approximately 5 million to
10 allocate -- to award. Excuse me. And we have over
11 \$8 million in requests. So it really is something that
12 we're going to have to grapple with. But as you well
13 know, we're still going to grapple with it 'cause we don't
14 have a budget yet.

15 So as we go into this next phase of budget
16 negotiations -- and what will be interesting for the first
17 time -- and as voters we all passed Proposition 25, which
18 stated that the legislature has to get a budget in to the
19 governor. That will occur by June 15th. Otherwise, they
20 don't get paid. And so that will just be interesting to
21 see what happens.

22 But I think what it really is of concern,
23 everybody's getting cut. As you well know, we've got 70
24 state parks on the non-OHV state parks that are proposed
25 to be closed. And so there is that discussion about

1 whether or not OHV Trust funds should go to the state,
2 should they go to the federal agencies and the cities and
3 counties. That's going to be up to the legislature and
4 the governor. But I did want to make sure that you guys
5 are aware of it, because I think it has some very
6 significant implications to our partners and how that may
7 work in the future. So something I wanted to make you
8 aware of.

9 So now that I just got the fun-sucker award for
10 the day, we'll go on a little bit brighter note, which was
11 the commission meeting just recently. We were -- just two
12 weeks ago, I believe. So I would like to take a moment
13 and to thank Roxie Trost and all the BLM office who were
14 there in the Barstow field office for their help.

15 The commission wanted to go to Johnson Valley.
16 Obviously, with the Marine Corps' proposed takeover, it
17 was a little bit -- a little bit of a scheduling
18 challenge. The commission meeting was the 24th and
19 26th -- I mean 25th. As you well know, public comments
20 were due on the 26th. So as staff we were thinking, oh,
21 my goodness. This is a little bit tight. But we'll try
22 and make it work.

23 So we ventured out to Johnson Valley, had a
24 delightful tour. And I think everything went really well.
25 The commission was able to experience both four-wheel

1 drives. They also got into the rock buggies. So just
2 that opportunity to get the commission out there -- the
3 commission is a nine-member politically-appointed
4 commission. They're five from the governor, four from the
5 legislature. Right now, we have one vacancy. But it
6 still was really a unique opportunity for them to get out
7 there.

8 On the following day, we were -- had a meeting in
9 Ontario and elected a new chair. So Eric Lueder is now
10 the chair of the commission, Brad Franklin the vice chair.
11 But what was significant at that meeting -- there was lots
12 of discussion, obviously, about Johnson Valley. The SRP
13 process was also on the agenda. So I have to say today
14 it's been nice to sit in the audience and not right up
15 front. But the final discussions that occurred with the
16 commission, there were a number of points that were
17 raised, certainly the economic impacts that occur for that
18 expansion, certainly the recreation impacts for -- not
19 only, again, it's the motorized access throughout Johnson
20 Valley to any of the interest groups out there. The other
21 issue that was raised was the issue of safety. And that
22 was what happens when you displace hundreds of thousands
23 of people to other areas throughout California.

24 As we have seen up close and personal up north at
25 Clear Creek, an area that BLM manages that's on a

1 temporary closure, when they had to close that, it had a
2 significant impact on our state park. We find ourselves
3 now often closing at 9:00 or 10:00 in the morning because
4 we've reached carrying capacity. So the commission was
5 very concerned about the safety issues that were going to
6 occur on other public lands and whether or not the Marine
7 Corps had considered that.

8 At the end of the day, the commission felt that
9 there was a lot of discussion about the need. One of the
10 commissioners was talking about 58 percent of
11 discretionary spending going to the military and was that
12 appropriate or not. All of you have heard all of those
13 different discussions.

14 At the end of the day, the commission voted that
15 they could not support any of the alternatives and ended
16 up -- we submitted a letter to the Marine Corps saying as
17 much, that they didn't feel that really the Marine Corps
18 had done an adequate job of explaining why the need was
19 there and addressing all of the impacts that it would
20 have. So that was certainly a significant item that
21 occurred.

22 And then finally, I just wanted to take a moment,
23 if I may, share with you two documents. And I have more.
24 But they're awfully big, so I'll just give them to you to
25 pass around.

1 This is the 2011 report. This is a commission
2 report that was submitted to the legislature and the
3 governor in January. It is a required report that
4 addresses both the -- specifically to look at the natural
5 and cultural resources and programs that we have with our
6 partners. So if you look on page -- I think it's 111,
7 there's a specific section regarding BLM. Again, on
8 110 -- somewhere in the 148, some of the cultural, some of
9 how do we address trespass issues, impacts to private
10 property owners, the habitat monitoring that occurs with
11 BLM. So there's a significant section throughout the
12 document on BLM which may be of interest certainly to this
13 group. So just wanted to let you know and make you aware
14 of that. It's on our website. If anybody has any
15 specific questions, I'd be happy to address that.

16 So with that, I don't know if you have any
17 particular items. I appreciate you enduring me after
18 lunch. I know it's about head-bob time. So I don't know
19 if there's any questions that anybody has.

20 CHAIRMAN BANIS: Thank you for coming. Your
21 appearance here came as a direct suggestion from a member
22 of the public.

23 MS. GREENE: Good.

24 CHAIRMAN BANIS: And pleased to see that that's
25 how things can flow.

1 Dick, the floor is yours.

2 MEMBER HOLLIDAY: The \$5 million that is coming
3 out of the trust fund, that is for the upcoming grants;
4 right?

5 MS. GREENE: Yeah. It's not for the grants that
6 occur on Monday. So what we did actually when we made
7 significant changes back in 2008, the program -- there
8 were a number of significant legislative changes that took
9 place. But one of the things that we really wanted to do
10 was ensure through the grants program that we had the
11 money before we awarded the money. And so we're safe this
12 year. The money is going out on Monday is the full
13 amount. It will be the following year is where we'll feel
14 the impacts.

15 MEMBER HOLLIDAY: So the numbers you gave are for
16 the following year?

17 MS. GREENE: Correct. Exactly.

18 MEMBER HOLLIDAY: And what is the -- on the 181
19 million that has been taken out of the trust fund that was
20 I guess designated for land purchases or other types of
21 things, is there a requirement by the -- a requirement
22 when they have to repay that?

23 MS. GREENE: You know, that's a very good
24 question. And sometimes there is some specific
25 legislative language that would either say that there has

1 to be interest repaid with it or not, or in some cases --
2 for instance, 90 million was borrowed some years ago. And
3 it has specific language that says if there's borrowing
4 that occurs to the account that adversely impacts the
5 trust fund, then the 90 million would have to be paid
6 back.

7 The governor just recently, in the May revise,
8 has talked about the wall of shame which is really that
9 wall of debt that has been borrowed from many of these
10 accounts. The proposal is to repay those accounts. I
11 think the concern is certainly one hand repays it, the
12 other hand takes it. I think we need to do a better job
13 all the way around of letting the legislature know the
14 importance of this program. This is a 40-year-old program
15 that was established by a member of the environmental
16 community and a member of the off-highway vehicle
17 community because they recognized that people are going to
18 go out to our public lands. We want them to go out onto
19 our public lands. But we have to do it responsibly. And
20 so the program was created -- I would say you can get into
21 lawsuits and, you know, everybody can do all that. But at
22 the end of the day, this is really more of a public policy
23 perspective of how do you want to try and make sure that
24 people are out on public lands and how do you manage that
25 when they do.

1 And so I would just urge all of you to try and
2 speak to not only obviously congressional members, but in
3 this particular case with the budget coming up, speaking
4 to the legislative members in Sacramento because they need
5 to hear about the importance of the program.

6 I understand that BLM isn't in a position where
7 they can lobby. Certainly, they have been a great partner
8 for us and certain they've received the funding. But you
9 can imagine right now in state government the idea of
10 giving federal agencies money is something that is just
11 not familiar, nor is it very much supported.

12 So if that's something that we want to continue,
13 really all the members of the public are going to need to
14 make sure they talk to their members.

15 MEMBER HOLLIDAY: Thank you.

16 MEMBER ACUNA: I mentioned earlier in today's
17 meeting Sycamore Canyon. And when I hear this dire
18 situation that you mentioned, it sounds like the
19 commission is a little bit on, you know, life support in
20 being able just to make contributions or -- to other
21 agencies through funding. Has your acquisition program
22 for new lands and new recreational opportunities come to a
23 halt?

24 MS. GREENE: Thank you for putting me on the hot
25 seat there.

1 It's certainly -- it is one of those things where
2 we as a division can identify lands that we feel are
3 important and that should be purchased. How that process
4 then goes is internally we move up the chain to say that
5 this is important. And so ultimately you hope that the
6 governor's going to propose that in the January budget and
7 that ultimately that will be approved by the legislature.

8 When we're dealing with a \$26 billion deficit,
9 you're going to find people oftentimes who will say we
10 actually don't think that that acquisition is as
11 important. And so that is where it becomes problematic.

12 I can't say to all of you before the governor's
13 budget comes out, "Oh, yes. We'd like to do this." You
14 know, some people know that there's certain acquisitions
15 out there, lands that are available. Certainly, we want
16 to look at them. Again, that comes back to the importance
17 of letting the members know, the legislature, why it is
18 that this program exists. As we certainly see lands
19 beginning to be impacted -- Johnson Valley, renewable
20 development, DRECP mitigation, et cetera, et cetera, I
21 think it's more important than ever managed recreation out
22 there is, as it should be, a high priority. And the
23 legislature needs to know that.

24 MEMBER ACUNA: Thank you.

25 MS. GREENE: Sure.

1 CHAIRMAN BANIS: The rest of the council, any
2 questions or comments?

3 MEMBER HOLLIDAY: Thank, Daphne, for showing up.

4 MS. GREENE: Absolutely. Thank you. I
5 appreciate it. It's nice to see everybody again.

6 CHAIRMAN BANIS: Thank you, Daphne. Thank you.

7 We do have a public comment on the department
8 director's report, a public comment from Tom Tammone.

9 Tom?

10 MR. TAMMONE: Hi. Good afternoon. First of all,
11 I also attended the Clear Creek meeting which kind of goes
12 into this because we have a lot of our money invested in
13 Johnson Valley. And I'm a little upset because I'm under
14 the impression that the Secretary of the Interior is just
15 itching to get a document on his desk that he can sign and
16 send on off to congress so we can get Johnson Valley out
17 of his life for whatever reason, because there was a
18 disaster that happened at the rock pile. I don't know the
19 reason.

20 But as far as our state funds going to federal
21 agencies, after what happened in Clear Creek, we have
22 campgrounds that were funded with our state Green Sticker
23 dollars that were ripped out before the process was even
24 finished. That's unacceptable.

25 And I flat-out said at the last meeting that if

1 agencies are just going to be this way with things that we
2 funded with our Green Sticker money, at some point we're
3 going to say, you know, you don't need to apply. And I'm
4 already asking people to write that into the organization.
5 You're treating our money this way. We'll need to see it.
6 It's our money.

7 And as far as the land acquisition, it's funny
8 that was mentioned as far as division. I personally have
9 been beating on division pretty hard about it. And
10 frankly, as Daphne Greene pointed out, there is no real
11 motivation on the legislators to do anything about the
12 problem to eliminate the blocks so we can utilize our
13 funds. They like borrowing from the fund. And, well, now
14 they got around to not putting the money in altogether.

15 So it's our responsibility -- and I'm talking to
16 the guys from CORVA, from ORVA, from all the orgs that are
17 supposed to represent us to get after these people to
18 eliminate the blockades, and to get after people at
19 division to tell us what we need to write into the
20 regulations and into the legislators to eliminate the
21 blocks so we can utilize those funds. Because the people
22 that work for them aren't going to do it, will you tell me
23 why. So it's up to us to do it.

24 And as far as the meeting that took place two
25 weeks ago, Ellen Baker is not here today. But I wanted to

1 play something that she said.

2 (Audio recording played as follows:

3 "(Unintelligible) came up with a great idea to do
4 a letter generator to create letters for the Marines to
5 give the people that wanted to write letters substantive
6 comments and opportunity to do it and a method. So they
7 came up with a (unintelligible) letter generator. They
8 put out a challenge. They wanted to have 20,000 letters
9 written. By the time the challenge ended, we had actually
10 written 20,800 letters.

11 "The letters are going to be delivered to the
12 Marines in San Diego today by Steve Gardener, little
13 buddy, who is our master printer who did all the printing
14 and all the folding. All the letters are tri-folded so
15 that when they go to the Marines, the Marines literally
16 have to open every piece of paper. (Unintelligible)"

17 CHAIRMAN BANIS: I'm sorry. Tom, that's becoming
18 illegible, I can see, to the court reporter.

19 MR. TAMMONE: All right. It's over. But you get
20 the intent. If the Marine Corps worked with anyone to
21 reach a settlement on this issue, an alternative fix or
22 any alternatives, it didn't happen.

23 Thank you.

24 CHAIRMAN BANIS: Thank you, Tom.

25 Ed, Marie. This is on the -- on Daphne's report.

1 MR. WALDHEIM: Everybody -- everybody -- Ed
2 Waldheim. Everybody owes Daphne Greene a great deep
3 gratitude for hanging in there and working and keeping our
4 project going, Daphne. You have done an incredible job.

5 She's gone through three administrations and
6 she's still there. So she gets to join those who don't
7 give up. And it's incredible. Gerry Hillier and I
8 probably -- we're probably the seniors around this whole
9 place. But Daphne's getting pretty close to that.

10 Terry -- no. Marie is the senior, and so is Ron Schiller.

11 Anyway, she's done an absolutely incredible job,
12 and we want to thank her. The one thing that she did tell
13 you -- and I don't think you heard it or listened -- is
14 that when you leave here today, it is incumbent on every
15 single one of you -- government, not government -- I don't
16 care who you are -- to find out who your legislator is in
17 California, your assembly and assemblymen and senators --
18 there's only 120 of them. That's all there is -- and
19 educate them on how important it is to you to not steal
20 from our off-highway vehicle funds. It is those funds
21 that make it possible for you to go take your vehicle to
22 go rock hound, to go do the guzzlers. Anytime you take
23 your vehicle -- I don't care if it's a Suburban and you go
24 off the pavement. You have now become an off-roader. I
25 love riding my motorcycle. But you like using your Jeep

1 to go do the rock hound or do a guzzler or go hunting or
2 even Terry over there to go hiking. You're going to use
3 your four-wheel drive or a vehicle.

4 So everybody has a stake in this. And those 120
5 legislators up there, they're immune. They don't think we
6 exist, that we don't care. And they just feel they can
7 steal from us and take the money without any
8 repercussions. And that's wrong. That's totally wrong.
9 So I beg you guys, all of you -- and you too, Brad. You
10 can send it from the County. Send it from the County.
11 You cannot afford them to steal the money from our program
12 'cause you, the County, depends on us getting the money.
13 All your sheriffs are getting funded from that. We can't
14 afford to do that. Everybody is in.

15 And the second note is everybody needs to get to
16 their congressmen, especially the few congressmen we have
17 down here, and to stop this insanity of taking Twentynine
18 Palms. There is no reason for them to take 180,000 acres.
19 They can go to Fort Irwin. Yes, the Marines don't like
20 the Army and the Army doesn't like the Marines. I don't
21 really care. This is a national issue that we're going
22 broke as a country. We do not need to take the recreation
23 away. We fight wars to keep liberty for people. And
24 right here underneath my nose, they're taking my liberty
25 as an American citizen, my soil away without firing a

1 single shot. It makes no sense.

2 So all of you need to fight that one too. We
3 can't do it by ourselves. But collectively, if we let the
4 legislators know, we should be able to win this battle.

5 CHAIRMAN BANIS: Thank you, Ed.

6 Marie?

7 MS. BRASHEAR: No. You can go on.

8 CHAIRMAN BANIS: Thank you, Marie.

9 Okay. Thank you again, Daphne. We really
10 appreciate that very much.

11 The next item on the agenda, we'll be moving on
12 to subgroup reports versus a report from -- am I right or
13 am I wrong? Did I have a -- I'm sorry, Ron. No. You're
14 right. I filed your card away. My mistake. Ron, please
15 take the mike. I filed his card away already. It's my
16 fault.

17 MR. SCHILLER: I know you get tired of hearing
18 me. I've been giving you a break for a while.

19 Anyway, I would like to comment on what Daphne
20 had brought up earlier. And I'd like to state that I have
21 received a lot of e-mails from Daphne, and I appreciate
22 what I received. And you've asked me why I don't
23 participate so much. And let me explain from the user's
24 point of view.

25 As Ed pointed out and you pointed out, we're all

1 stakeholders in this and this provides access to our other
2 activities. In theory, that's right. But you cry it at
3 the BLM meetings. You go to the meeting and you say,
4 "Hey, we need this road fixed to this great rock hound
5 site," "this great hunting site." The problem is here's
6 what you always hear. Oh, no. Because we have to do it
7 EAA. We can only do any kind of maintenance in an OHV
8 area, and that's all we're allowed. I've been hearing
9 that for years and years and years.

10 When I go to OHV commission meetings as an
11 interested stakeholder, it's very obvious I'm not
12 appreciated there. And you can see by talking to the
13 commission that it's of immaterial importance to them.

14 And so while I appreciate what you're saying, in
15 reality, from our point of view as a user who's not an OHV
16 user, that's what we constantly get. And that's why we're
17 so frustrated with that system.

18 Thank you for the time.

19 CHAIRMAN BANIS: Hey, thanks, Ron. Thank you.

20 Okay. Thanks. If there are no objections, we'll
21 move on to the item of the report from ISDRA subgroup.

22 Dick.

23 MEMBER HOLLIDAY: That's me.

24 We had a DAC subgroup meeting for the Imperial
25 Sand Dunes Recreation Area on May 25th. We had an update

1 on the -- there's a landfill going out there that the city
2 of L.A. is going to move trash out to the desert there.
3 So that's been going on for years. And we had an update
4 on where they're at with the rail spur on that. We had a
5 short update on activities at the dunes, pretty much
6 parroting what's in the document here from the -- for this
7 meeting. We also went through this exercise for the
8 recreation activities that was requested by Teri for
9 the -- for this meeting here. And, you know, we just had
10 some general meeting of the DAC subgroup.

11 We scheduled another meeting for August the 16th
12 which will be reviewing fees in preparation for the next
13 DAC meeting which is in September.

14 CHAIRMAN BANIS: Okay. Well, my challenge here
15 is that we have some documents in front of us that the
16 rest of the people don't have. That is essentially the
17 results of the exercises that our groups had. I have it
18 on the system. I just don't have a way to share them with
19 everybody other than reading them. Is that how you want
20 to proceed? Is that what -- pardon me. We're doing just
21 a minute of housecleaning here.

22 What we're talking about, Dick, is you remember
23 at the last DAC meeting, the DAC had asked subgroups and
24 friends groups if they would conduct an exercise of how to
25 assist the BLM in developing and maintaining effective

1 partnerships. Do you have the results of your item or do
2 you want to look on here? Do you want to go over that
3 matrix?

4 MEMBER HOLLIDAY: I have it.

5 CHAIRMAN BANIS: Do you have it? Do you want to
6 go over that matrix briefly, just run right down some of
7 the key points? I don't know if all of the items. But
8 there are probably some key points you might want to point
9 out.

10 MEMBER HOLLIDAY: Sure. I can go through them.

11 These were provided to the chairman here and to
12 the BLM. Actually, the BLM put these together. The BLM
13 generated this list from our meeting.

14 And, you know, we went through this thing and was
15 looking at some successes, challenges, and opportunities.
16 And we looked at some of the successes that we've had that
17 the subgroups see. One is our camp host program out at
18 the dunes, the youth safety classes, different
19 partnerships that we've had at the dunes with the Chili
20 Kris Dog Frick Safety Group, UDG, and the ADF, and Reach,
21 air people. We've had some good partnerships with them.

22 The EMS -- obviously, the reduction in accidents
23 at the dunes, EMS support has been a success. We produce
24 a recreation guide each year that UDG and the BLM work
25 together on that goes out. It's kind of like one of those

1 papers they hand when you go into a national park, like
2 this. And there's some of these that are on the back
3 table back there if you want to see them. This is
4 something that the UDG produces each year and gives out to
5 recreation people.

6 And the BLM, we have some really good ideas like
7 our Take It Outside cards. We have some cards that -- for
8 kids or for anybody, really, that have different things
9 about the desert, animals, plants, locations. We've had
10 some partnerships even with -- the California Native
11 Plants Society has generated these cards, the BLM
12 generated some of them. We have some in there from the
13 border patrol, different people in partnership for those.

14 We have, as a newer program -- one of the
15 successes, I think, is these consistent rules across the
16 CDD. We talked about earlier about having some consistent
17 rules that make it easier for recreationalists to use the
18 California desert. And the Dune Guard -- we have a new
19 program this year which is a Dune Guard and the Frisbee
20 program that was generated between the district manager --
21 or the field manager, Margaret, and the Unified Desert
22 Gateway.

23 Some of the challenges we're looking at, just
24 challenges finding volunteers. We have a challenge in
25 finding volunteers. Another challenge is with the

1 safety -- the ATV safety programs. Currently the safety
2 programs are free for kids. But many of the adults would
3 like to take them so that they can supervise their
4 children. And that costs like 120 bucks. And so that's
5 been kind of a problem for a lot of people, paying 120
6 bucks for this class out there. So that's a challenge.

7 And an opportunity would be to figure out if we
8 can figure out a way to grant money for adult training
9 also.

10 And, you know, another challenge is just limited
11 resources and funding. I mean, the BLM has limited
12 resources to provide to the area. They have limited
13 funding for the area. How do we solve that? It's hard.
14 We've tried to work with partners to figure out ways to
15 solve those things.

16 One of the challenges we have out there is
17 safety. And one of those is speed. I mean, we have
18 people that are exceeding the 15-mile or 25-mile-an-
19 hour -- 15-mile-an-hour within 50 feet of recreation
20 areas. And that becomes a safety issue. And we need to
21 see that that's enforced as much as possible.

22 Just challenges, again, one of the big challenges
23 all along here is funding. BLM funding, local funding.

24 Let me see here. One of the other challenges
25 that we have is in the law enforcement area. And that's

1 having everybody on the same page. And we have a lot of
2 visiting staff that come to the dunes or maybe for special
3 recreation issues at locations. And when they come into
4 an area, they may not be familiar with the operations of
5 that area. And so that's a challenge for us to have all
6 those visiting usually law enforcement officers or EMS
7 people understand the history of the area or how things
8 operate in that particular area.

9 Again, each one of our opportunities seems to be
10 keyed on funding; funding from the BLM, funding from our
11 fees -- and a lot of our fee money goes to collecting the
12 fees. And so, again, we need to figure out ways to
13 utilize the existing funds we have in a better way.

14 We have some identified -- the second part of
15 this exercise was to identify opportunities to increase
16 the use of volunteers in expanded partnerships. And that
17 was kind of a hard one to do. But we have different
18 opportunities that we have out there with some of our
19 partners over the past years. ASA, American Sand
20 Association, has put out some books, dune smart books. We
21 have a book that we published -- the ASA published years
22 ago. It's called "Dune Smart." They produced a safety
23 video called "Take it Outside." And we'd like to see
24 those renewed or some avenue of those renewed to increase
25 our safety aspects.

1 We're looking at maybe some opportunities of some
2 public service announcements on local TV stations. We
3 have some -- one of our members of our group works for the
4 local cable company and said that we could get some PSAs
5 on the local cable stations if we generated those. Again,
6 it's finding funding to generate those. It costs money to
7 make those videos.

8 That's probably -- without getting into a whole
9 lot of detail -- we'd like to see the camp host program
10 expanded. I know our dunes manager is working on that,
11 been doing some interviews with people that want to, you
12 know, increase the dune -- the host program. And maybe,
13 you know, one of the things that hasn't been received very
14 well, but we'd really like to see if it can work better,
15 would be to have some more tours maybe in the closed area,
16 in the wilderness area, BLM-supported tours. I know
17 they've tried that in the past and they haven't been very
18 well-received. But maybe if there was some way we could
19 publish that, some way to get more people involved, it
20 would just be -- even the wilderness areas that we have.

21 Anyway, this whole -- this whole document has
22 been prepared by the BLM and has been available to you.
23 It's kind of hit some of the highlights here. So I think
24 that's probably all I need to say.

25 CHAIRMAN BANIS: Is there any objection among the

1 DAC to combine public comment for the ISDRA report and the
2 Dumont Dunes subgroup report?

3 No objections. Thank you.

4 Then if there's no objections, I'll move right
5 into the Dumont Dunes report. We went through the same
6 exercise, the exercise of developing successes,
7 challenges, and opportunities. I had the opportunity to
8 express a lot of successes to my fellow DAC members at our
9 business session the last meeting. So I don't want to
10 necessarily repeat those. I think there's a good deal of
11 successes.

12 I want to, if I could, though, focus on some of
13 our challenges, because I think that's what we really want
14 to work on.

15 We believe there should be more involvement from
16 the law enforcement, particularly in the area of
17 wilderness enforcement. Dumont Dunes is surrounded by
18 wilderness. You leave the boundary, you may be where
19 you're not supposed to be. And we need help keeping
20 people inside the boundaries.

21 There's financial concerns, particularly with the
22 potential loss of OHV grant funds. There's also the
23 challenge of closures in other places, potentially at
24 Johnson Valley, which could result in increased uses and
25 growth at this area. And we want to ensure that the

1 facilities and the staff would be able to support that
2 increased use, if that came.

3 We always believe there's more education
4 opportunities, particularly in the avenue of safety and in
5 terms of etiquette. Even things such as proper disposal
6 of R.V. waste and things such as that. We think that
7 education campaigns can be helpful.

8 The other issue is public attendance at our
9 subgroup meetings. We like to encourage more users to
10 come to our meetings. We schedule Saturday meetings once
11 a year for that purpose. And sometimes it's successful
12 and sometimes it's not in terms of drawing numbers from
13 the public. So that's a challenge for us. And we're
14 going to continue to work on that to get more public
15 involved.

16 And the last challenge, big challenge, there
17 are -- the Dumont Dunes user fees have a structure that we
18 believe -- collectively with the BLM believe is
19 unnecessarily complicated. It sounded like a good idea at
20 the time. And now we would like to simplify the fee
21 structure. But that requires us going through the fee
22 change process as required by FLREA, the Land -- Federal
23 Land --

24 MEMBER JOHNSTON: Recreation and Enhancement Act.

25 CHAIRMAN BANIS: Recreation and Enhancement Act.

1 There are specific requirements to go through in
2 order to implement or change fees. We attempted to do so
3 last year. And we were unsuccessful in generating the
4 notices and public support that would be necessary. So we
5 want to try that again.

6 So those are our real challenges. I think, if I
7 can editorialize for a minute, we have two different fee
8 areas that -- surprisingly, you look at the activities,
9 and the activity is very similar. You're driving dune
10 buggies and sand toys around sand dunes. But yet you
11 couldn't have two areas that are almost so very different,
12 not only in terms of the people that it draws, the kinds
13 of events that it draws, the kind of management strategies
14 that are in place. It just -- there are times -- I'm
15 going to echo something that Dick said. There are times
16 in which consistency is a paramount goal. And yet there
17 can also be times when consistency for consistency purpose
18 may overlook some of the wonderful uniqueness of certain
19 areas.

20 And so in our desire and work to have more common
21 rules and ways of doing things to standardize for not only
22 the education of the users, the efficiency of the agency,
23 but these are different places that may have some special
24 attributes that we can take advantage of for meeting
25 challenges and opportunities.

1 So as we move forward in this discussion that's
2 going to ensue between now and the next DAC meeting and we
3 discuss in detail through our subgroups and among
4 ourselves the challenges these two groups face and their
5 uniquenesses, how are we going to successfully add our
6 challenges, fix the things that are broken and not break
7 things that are fixed. And that's the challenge I see.

8 And my advice to the public in commenting to the
9 DAC would be in helping us figure out ways to develop
10 better partnerships at Dumont and Glamis without breaking
11 things. And that's what would be helpful for -- I think
12 for the council to hear.

13 Are there any other comments of the council
14 before I take the public comment?

15 MEMBER ACUNA: So are you suggesting that maybe
16 at the next meeting there be more focus on how these
17 groups work, subgroups?

18 CHAIRMAN BANIS: What I'm trying to put in place
19 is the vision of the mechanism that we put in place in the
20 last DAC meeting whereby this afternoon's session is for
21 us to gather information from the public, gather
22 information from the BLM, have some discussion among
23 ourselves to gather information from ourselves, and that
24 at the next meeting we'll come back with a list of solid
25 recommendations for the BLM relative to effective

1 partnerships.

2 And that would follow the strategy we did for
3 renewable energy, for example. Last meeting we did
4 renewable. We had some recommendations today. And that's
5 the context in which I'd like to proceed, if that's okay.

6 MEMBER ACUNA: Okay. So the focus would be
7 subgroups and how they are managed and how they report to
8 the DAC. And so I perceive that there -- you know, I
9 haven't been following this as closely as I should have.
10 But it seems to be they work differently yet they work
11 under the same rules so that it would seem to indicate
12 some inconsistency. So would we be getting some
13 information between now and the next meeting so that we
14 could be fully updated, and then we could have that
15 discussion? Is that what you'd like?

16 CHAIRMAN BANIS: Yes. That's my intent. I don't
17 expect us coming up with recommendations here today. This
18 afternoon, I envision as a factfinding, an opportunity for
19 us at the DAC to become educated on these issues. And I
20 had hoped at the next meeting we'd come back better
21 informed and have informed recommendations.

22 MEMBER ACUNA: So to move swiftly on this, would
23 it be appropriate at this time after we have public
24 comment potentially to make a motion that this might be
25 focused -- a focused topic for the next meeting after we

1 have public comment?

2 CHAIRMAN BANIS: I don't know that that's
3 necessary. I think that that's going to come in our
4 reports that come in the morning session for our next DAC
5 meeting. And, again, I kind of envision going forward --
6 the morning session is the old business and the reports.
7 The afternoon is our new business. And I would think that
8 we would not take action on new business until we've heard
9 from everybody.

10 MEMBER SHUMWAY: So just to follow up and not to
11 beat a dead horse --

12 CHAIRMAN BANIS: No. This is new for all of us.

13 MEMBER SHUMWAY: So our recommendations will be
14 hashed out essentially the way we did the last three
15 months, by e-mail, getting it on -- I don't know if we're
16 going to have a meeting. But arriving at some conclusions
17 and recommendations based on what we find -- what we hear
18 here today so that we will have recommendations ready for
19 the next meeting.

20 CHAIRMAN BANIS: I think you will also have the
21 added benefit of an additional subgroup meeting from both
22 of those subgroups that will specifically address this and
23 try to make some recommendations to the DAC.

24 MEMBER SHUMWAY: So that will be sort of the
25 followup and the conclusions, and then go on with the next

1 themed meeting?

2 CHAIRMAN BANIS: That's how I see it.

3 DIRECTOR RAML: And let me add something too.

4 So I think -- so this is our first meeting with
5 this approach of theme. And I think one of the things
6 that we ought to do maybe also is think about the pacing
7 of this meeting.

8 So for me, one of the things is -- so the theme
9 of this meeting was recreation. And what time is it, and
10 where is your energy. And where would -- and when we take
11 on a topic, when we want the most energy focussed on the
12 new topic.

13 So it's where -- we've had -- so this meeting has
14 had some incredible successes. We've gotten public
15 attendance, which is wonderful. We've got different
16 people here than we normally have. So our public comment
17 period was rich and it was full. We had Daphne here,
18 which was a wonderful benefit. And yet we are now at
19 3:00 o'clock on a Saturday afternoon tackling our theme
20 topic.

21 And so I think one of the things we need to talk
22 about this next meeting in the structure, let's visit
23 that. Because I'm wearing down. I bet you guys are
24 wearing down. Our public is wearing down. And we're
25 tackling the -- tackling what theoretically was the meat

1 of the meeting. And so it would be unreasonable for me to
2 expect between now and 4:30 when it comes to the
3 recommendations on this topic that you would have, you
4 know -- and part of it is to understand everybody's
5 thinking. But at the end of a long day, that's probably
6 not when you're thinking outside the box, most creative,
7 being able to synthesize the commonalities that you hear
8 from these different reports, all that sort of stuff.

9 So I think we got the overall structure and theme
10 part. But I think then we got the real mechanics of our
11 energy level and how the meeting flows. So let's kind of
12 keep that -- we'll kind of put that aside a little bit and
13 then proceed.

14 CHAIRMAN BANIS: Dick?

15 MEMBER HOLLIDAY: I want to move on. But I just
16 want to make one quick point.

17 And, again, I won't say we're struggling. But
18 we're trying to learn here the process. And I don't think
19 that the process for this particular exercise was executed
20 correctly from the standpoint that we really didn't
21 generate a recommendation. Again, all we did was
22 generate -- fill out a form from a user's group and
23 provide that to the BLM. Now, how they use that, how they
24 want to do it, we didn't give a recommendation. We just
25 gave -- I mean, we didn't really have a recommendation,

1 per se. So -- and I don't know that we were asked for a
2 recommendation. We were just sent these forms, you know,
3 by e-mail.

4 I think that for the next one, when we discuss
5 later this afternoon what we're going to do for the next
6 meeting, I think we need more detailed instructions, or
7 maybe later on sent to us more detailed instructions about
8 what our action items should be.

9 DIRECTOR RAML: I'll respond to that real quick.

10 So one of the things I also have in front of me
11 is this key factors for DAC/BLM success, shared
12 understanding and direction clear request from the DFO to
13 the DAC. So if -- and if that comes out, we'll just
14 continue to improve. If it wasn't clear, I will -- we
15 will continue to work on clarity.

16 CHAIRMAN BANIS: I think we have lots of
17 information.

18 DIRECTOR RAML: I do too.

19 CHAIRMAN BANIS: It's a matter of how we as the
20 DAC are going to take it and make use of it.

21 And given that, one thing I do want to accomplish
22 today is to ensure that the presentations that have been
23 prepared for us today are delivered. And that's important
24 to me.

25 And another important thing to me is that we

1 ensure that members of the public who have sage advice
2 specific to these topics, we give them a chance to speak
3 on it. And if that's what we do for the rest of the day,
4 I think we will be good.

5 And, therefore, moving on, if any other comments
6 relative to these two presentations -- do we have any
7 advice from the public? I have four cards on how these
8 subgroups can specifically work. The first would be Terry
9 Weiner.

10 Do you have a specific comment on the subgroups?
11 Please.

12 MS. WEINER: Terry Weiner, the Desert Protective
13 Council. I just want to say that I would like to
14 participate in the subgroup related to the Imperial Sand
15 Dunes and work with you to promote other types of
16 activities there. I'm a botany buff and I spend a lot of
17 time looking at plants. And I know there's other people
18 out there like me. So I just want to thank you for that.

19 CHAIRMAN BANIS: Thank you, Terry.

20 Marie, followed by Ron and Ed.

21 MS. BRASHEAR: Many years ago, there was a
22 partnership that did not succeed, because Bureau of Land
23 Management did not want it to succeed, to develop a
24 management plan for Dumont Dunes. I, Jim Dodson from the
25 Sierra Club, Chuck Bell from the Desert Protective

1 Council, got together and came up with some ideas. And
2 one of the things we discovered -- and I haven't heard it
3 mentioned here, and it may have changed over the years.
4 But the biggest users of Dumont Dunes are not
5 Californians. They're Nevadans, primarily from Las Vegas.
6 They use it in -- to a great deal in the off times. And I
7 didn't hear -- we're out reaching to those folks to get
8 their input in what should happen at those dunes. So
9 maybe that's something you want to consider.

10 CHAIRMAN BANIS: Perfect, Marie. Yes. Thank
11 you. We do have one representative from the --
12 specifically for Nevada OHV. And we have two
13 representatives for Dumont Dunes users group, one of which
14 is in Nevada. So we do have some representation. And
15 that is a good point. It is a 50/50 use between Nevada
16 and California there.

17 Ron, you have a comment on this?

18 MR. SCHILLER: No. I think I'll just wait. I've
19 said enough so far.

20 CHAIRMAN BANIS: Ed, do you want to say it?
21 We've got a presentation from you coming up shortly too.

22 MR. WALDHEIM: The documents that you went
23 through as a subgroup, I need to figure out exactly -- I
24 can't figure out, where did that start? Who generated
25 that?

1 Okay. So was it your intention only to send it
2 to subgroups? Why did we deal with it in Ridgecrest?

3 CHAIRMAN BANIS: The Friends of Jawbone, you
4 mean?

5 MR. WALDHEIM: Well, it was for Hector. We did
6 it for him, so he would have his space. So this is only
7 an exercise for subgroups. So every field office got
8 this? Why did Ridgecrest get it and not the other field
9 offices?

10 DIRECTOR RAML: When we started, we were trying
11 to reach out to obviously our subgroups and then also very
12 active friends groups. So that's why the Ridgecrest
13 office got it, because there is no way to overlook the
14 importance of the Friends of Jawbone and all the good work
15 that you do. So we were also kind of trying to reach out
16 to each of the --

17 MR. WALDHEIM: Okay. I appreciate that and I can
18 understand where it came from.

19 So with that in mind, I am not too comfortable
20 for the DAC group to try to come and try to micromanage
21 what we do in the field offices. I would much rather you
22 say, "Thank you for your report," and put the burden back
23 on the field manager's office to work these issues out
24 with the subgroups and come up with an action plan on the
25 pros and the cons. 'Cause there's a lot of stuff that we

1 need to do within the BLM. There's things we need to do
2 with the subgroups or the friends group. I don't think we
3 want to burden the whole DAC with localized things.

4 Now, if we get to a point where we are at an
5 impasse and neither one of the parties is happy with what
6 the other party is doing, then at that point, okay, let's
7 bring it up to the -- to Teri Raml in our OHV leadership
8 meeting or something like that.

9 But I think you have done your job as airing this
10 out. And I don't really expect much more from you except,
11 "Thank you for going through the process. I want you to
12 continue doing your work and work with your field
13 manager." I think that would be the most appropriate way
14 to do it.

15 CHAIRMAN BANIS: I think we have a lot to learn
16 from these -- from these items. It's more than a thank
17 you. I believe that we're going to learn things that work
18 in partnerships and perhaps we will hear things that are
19 not working and give us a chance to spread this magic
20 perhaps in other places throughout the desert district. I
21 think the partnership that works -- for example, in the
22 Jawbone area, as folks see the presentation, I think the
23 light bulbs are going to go off in their head and they're
24 going to say, "Hey, maybe we could do this too. Maybe we
25 could do that," or, "Gee, if we ever tried to do that,

1 they'd skin us." So we're going to get some ideas from
2 all of this. And I think it's going to be valuable.

3 The intent to micromanage, no. I don't think
4 there's any intent on our part there. I think we want to
5 see what works and encourage the BLM and other people to
6 put those practices into play.

7 Dick?

8 MEMBER HOLLIDAY: I'd like to make a comment on
9 Terry's request there to participate. One of the issues I
10 have here with the subgroup that there is a requirement
11 for 15-day notice for these meetings. These meetings
12 are -- will be noticed on the website, especially for the
13 ISDRA and the Dumont. They have subgroup websites.
14 They're linked off the DAC website on there. If you go to
15 the DAC website, you can link to the individual subgroup
16 websites. And we are -- we will have at least a 15-day
17 notice on the meetings, where they are and the agenda
18 items.

19 Like I say, the ISDRA subgroup will be meeting on
20 August -- what did I say? August the 16th, I believe, in
21 El Centro. And you're more than welcome to attend that
22 meeting. And we try to get those -- we like to have as
23 much public participation as we can.

24 CHAIRMAN BANIS: Thank you.

25 Maybe this is a good time then, please, to

1 segment into the Friends of Jawbone report. So I'm going
2 to push Vesna and see if she can keep with us for a few
3 more minutes. Ed has a PowerPoint and a script to show
4 us, some things Friends of Jawbone does.

5 MR. WALDHEIM: Thank you, Randy. Thank you, DAC
6 members. My name is Ed Waldheim. I'm president of
7 Friends of Jawbone, also of El Mirage and California
8 Trailer Users Coalition.

9 What I'm going to talk about here is ditto pretty
10 much for all three nonprofits that we do. We are a very,
11 very active nonprofit. We have been meeting for 15 years
12 every month, the third Wednesday of every month in
13 Jawbone, the second Wednesday of every month in El Mirage
14 as a steering committee, as a friends group, and then as
15 an incorporation group. We understand what it's all
16 about, partnership.

17 This one was -- David took this picture. And
18 when did our inauguration of our open groundbreaking
19 ceremony, I asked everybody who was part of Friends to
20 please come up and get in the picture. The only thing
21 that was left over in the public was David's camera. And
22 we had to scramble to get somebody to take the picture
23 'cause everybody was a partner.

24 Let's go to the next one.

25 Who are we? Our group started -- we incorporated

1 in 1998. And so we are totally devoted to keeping our
2 access to our public lands and protecting those accesses.

3 Next one. Next one.

4 To improve and maximize the trails. Trails is
5 the key. If you do not mark the trails, if you do not
6 maintain the trails, that's when chaos happens.

7 The education of the public is paramount. I keep
8 talking about -- well, we are -- we have to work with the
9 uninformed, willfully ignorant. The willfully ignorant is
10 what is making it really hard for us.

11 We are improving on the trails, the work on these
12 trails, the signage. There's some people who say a great
13 thing -- I heard the other day, "Wow, you've got way too
14 many trails." Well, let me tell you -- I mean too many
15 signs. People need to get reassurance. You need to have
16 the trail signs. If you don't have reassurance, then all
17 of a sudden your brain starts doing funny things for you.
18 And you see something that smells and looks like a trail,
19 and off they go. So that's why we put trails everywhere.

20 The trail maintenance is a key. Some say, "Well,
21 why are you putting that big blade on there?" Well, if I
22 put the blade sideways, it's only eight feet. By the time
23 the bushes come in, I've only got six feet, and sometimes
24 I end up with only five feet. Next thing you know, you
25 feel like a narrow trail. And those people who don't want

1 to have their paint disturbed by bushes, all of a sudden
2 they can't even get on it because the trails get really
3 narrow.

4 And what happens is if you don't maintain the
5 trails, the trail gets wider. Then we almost start
6 doing -- going after the vegetation and next thing you
7 know, we've got a big freeway instead of a little narrow
8 trail.

9 Fencing, the fencing -- if we didn't have the
10 willfully ignorant, we wouldn't have to put one single
11 fence up, period. But we're living in a society that
12 don't know how to read. They don't know how to understand
13 what they've read. And furthermore, "Yes, Mr. Officer,"
14 as a highway patrolman yesterday in Mojave told me, he
15 says, "I asked the guys why did they go on that road? And
16 they said, 'Well, I thought I wouldn't get caught.'"

17 Now, this is the type of mentality of the people
18 that we're dealing with. So unfortunately we have to put
19 up the fences, which is -- it just drives me absolutely
20 crazy. We're spending \$50,000 a month -- \$50,000 a month
21 on payroll between Jawbone and El Mirage to help maintain
22 the public lands.

23 Next, illegal trails. They call it illegal. But
24 it wasn't illegal before. And Jawbone Dove Springs, since
25 1986, you only had the designated trails. Before then,

1 you didn't have it. But you can see the bottom picture is
2 the before. And we have a very good computer program. We
3 do the first picture, the before. Then we do the Peeler
4 post as the second picture. And the after picture is
5 after restoration. Now, look at the difference. You
6 can't even see it.

7 Now we're in a quandary, what are we going to do
8 with that Peeler post because now it looks like we
9 shouldn't even have that Peeler post there. But for the
10 purpose of the OHV grants, we have to monitor that. And
11 if I can't even find where the trail is how to monitor,
12 what am I going to monitor? And each one of those Peeler
13 posts has a tag in the back. So it has a direct
14 relationship. There's 2200 of these all over the Jawbone
15 Dove Springs.

16 Okay. Next, education. Education is something
17 that we're getting into a brand new era. And that is
18 thanks to Sundance Media. They've taken us to a complete
19 new level. And this is thanks to the grants program also,
20 and also Kern County. Kern County, we get a lot of grants
21 from them to do the stuff.

22 Stocking, the BLM has us stock all the kiosks.
23 We probably have close to 80 kiosks we have around the
24 area.

25 Private education campaigns, new communication

1 tools. You see that screen over there? Here, you guys
2 who are -- well, you're in San Diego. But if you're in
3 the San Bernardino -- the Inland Empire, you will see
4 these coming up in the movie studios, in the movie
5 theaters where they have these advertising companies on
6 how to behave on the trails.

7 Next one. Education, that's our visitor's center
8 in Jawbone. We have likewise a visitor's center in
9 El Mirage. We sell books of things of the local area. It
10 helps us create a little bit of funds to do it. Are we
11 self-supporting? No. But one of these days, I wish we
12 could. But it's pretty hard. In Jawbone, you have to
13 willingly want to come into the visitor's center. In
14 El Mirage, you have to come through the visitor's center
15 because you have to pay your \$15. So we have a better
16 participation in El Mirage than we do there.

17 Next one, educational campaigns. We're going out
18 to -- we reach out. We go to different areas. This was
19 the wildlife -- Wildflower Festival in Ridgecrest. It was
20 their first year. And so we go out to all these different
21 areas in the local communities.

22 Next, communication tools. This one is a -- any
23 one of you can go join Friends of Jawbone Enews. Just go
24 in there, sign up. Two times a month for the most part,
25 we send you Enews. It's just a one-pager, two-pager. And

1 it tells what's going. I mean, it's incredible. And I
2 think we've got close to 8,000 subscribers in that media
3 of getting out. And El Mirage, we're close to 680
4 e-mails. And these are e-mails that we have voluntarily
5 received from the customers who come and visit us. In
6 El Mirage, we have Danni goes around. And she's
7 incredible how she goes and gets these e-mails for these
8 people. And they're happy to receive this news. So
9 anything we have new, we go and put it on there.

10 Okay. Next, maps. We're doing so many maps in
11 here. We've done our eighth map for Jawbone. That was
12 maybe the first one. The next one was Los Padres, the
13 Angeles, and then the San Bernardino Forest and the
14 Barstow. Now I'm working on four new ones. We already
15 finished one up in Indio. We're doing the second one,
16 Palm Springs. We'll have a three series in Needles we're
17 working on and the West Coast Padres. So we're heavy in
18 doing these maps. But they go like hot potatoes. Every
19 year, we print 20,000 of the Jawbone maps and they
20 disappear. Now, we charge \$3 if you get it. But we give
21 away an awful lot the because OHV grant staff. Sixto
22 Fernandez, he wants us to get the education out there. So
23 we give away most of them. But the money we collect is
24 what we use for our match to get the printing going. So
25 that's what the maps are.

1 Next, just keep going -- oh, go back. Sorry.
2 Right there on the left side, that's one of our prides, is
3 the augur trucks. We have four of those augur trucks.
4 One is in El Mirage and three of them are in Jawbone. We
5 have Shelly can go out and she can put 80 posts up in a
6 day by herself and signing the trails. She comes home and
7 she doesn't feel beat because the augur truck does all the
8 work. And it's incredible how that works.

9 And okay next one. Keep going. That's the augur
10 truck. It sits on a metal pallet. You can just pick it
11 up and you can put it on any truck you want to. Put it on
12 a trailer anywhere you want to go.

13 We also have the Jawbone store there where people
14 go and have food in the Jawbone areas.

15 Go to the next one. This one is my favorite one
16 over here from Washington, D.C. to Teri Raml and to the
17 people out there doing the shovel. You have six still in
18 there, you have Teri, you have the board of supervisors
19 going out, Zach, the new board of supervisors coming in,
20 myself, and Ben McFarland from Congressman Kevin
21 McCarthy's office. Up on the top there, you have the city
22 council of California City. We constantly go and educate
23 and interact with those folks because they're partners
24 with us. And of course you have our Washington trip there
25 with the Congressman Kevin McCarthy. It's key for keeping

1 those people all informed and working with them together.

2 Now, of course in the middle we forget our boss
3 on the far right and Daphne in the middle and -- the three
4 on my right are -- that's Bob Abbott. And this was thanks
5 to the ASA that they had this at the sand show. I've got
6 to give them credit for hosting that. And it was an
7 incredible event that you had in that area.

8 Okay. Next. Oh, we still need -- we still need
9 those drones. Bob Abbott, he promised us some drones.
10 I'm still looking for the drones. He came up to my table
11 and he said, "Ed, BLM has drones." We need to follow up
12 on that.

13 Okay. This is the Jawbone Visitor's Center.
14 BLM -- that was -- what's his name? -- Jim Keeler and I,
15 we got the permission while we were going to the
16 commission. And everybody fought us from Sacramento and
17 all the way down. But we prevailed. And now we're doing
18 a million-dollar expansion on there.

19 The collaboration and groundwork, this is one
20 that Karen Sanders, we hired as a project director
21 coordinator. And we're getting all the law enforcement
22 people together. Yesterday I talked again with a CHP guy.
23 He said, "Yes, I'd love to come DUI-test on Jawbone Canyon
24 Road." Now when we go out there, they're all
25 coordinating. They're all working together from all the

1 different agencies around there.

2 Moose Anderson, this is the one that we do our
3 annual cleanup. We had a heck of a time trying to find
4 trash up there because we keep it clean throughout the
5 year.

6 Next one.

7 This was one of our Moose Anderson days -- no, it
8 was not. This was a holiday. BLM loves to have a safety
9 day on Halloween. And this is Eddie Duque, the one who
10 puts it up from the Ridgecrest BLM office. And this BLM
11 officer is from Lake Isabella. He comes up and
12 participates with us.

13 And this one was the last one. This is our boss
14 up there in the middle. He's having a good time. The
15 wind was blowing so hard. But the guy next to me in the
16 middle, that's Eric Anderson. He was a brother of Mark
17 Anderson, to which we honored the visitor's center on his
18 behalf. He was a former OHV commissioner. And then we
19 have Paul Gooley (phonetic) from Kawasaki. These are all
20 guys that are very, very active. On so this was our last
21 cleanup.

22 Okay. That's what the expansion is going to look
23 like. Not quite totally like that. The two buildings --
24 they're building a 6,000-square-foot shop on the left
25 side. It is not detached. That's just a breezeway. And

1 we have an 1800-square-foot building that we're doing for
2 more education.

3 Next, that's what the shop building is going to
4 look like, little pictures of how it's going up.

5 Keep going.

6 This is a PCT. We were really proud to hear that
7 Greg Beck got an award from PCT. We put 22 of the gates
8 for the PCT. I go to those meetings with Ben Hoyt from
9 the U.S. Forest Service who runs that in Tehachapi. We
10 have regular meetings. So we participate.

11 So in the Jawbone Dove Springs, we, Friends of
12 Jawbone, did all of that work to keep these folks off of
13 the trail. And we patrol this whole thing, monitor it all
14 the time. That decal one is there that we want to do.
15 And I just went and had 150 of them made. So those are on
16 all the entry points going through the Jawbone Dove
17 Springs area. We patrol very closely with a sheriff's
18 department and the Sequoia National Forest law enforcement
19 folks.

20 Red rock, this is Mr. Banis going through Red
21 Rock. We are working very closely with Red Rock 'cause
22 those folks are so understaffed they have let us do
23 signing. We went and fixed an undercrossing of the
24 Highway 14.

25 Tom, you may want to know that we did not touch

1 any of the bridge. We didn't touch anything. But I gotta
2 make sure I bring that up, that the road was almost gone
3 underneath there. So Mark -- no. Matt let us go and fix
4 that. And so we work with the Red Rock state folks pretty
5 good.

6 And next one is CalTrans. I have to give Tom and
7 his staff credit up there in Bishop. Every time I go up
8 there, they're working on the expansion that he's doing on
9 Highway 14. All the entryways into the Jawbone Dove
10 Springs, we provided them with all the number counts of
11 the BLM does to make sure we have room. The undercrossing
12 that we did on 203 up there in Mammoth, I was the one on
13 the commission got that going. And CalTrans is an
14 incredible partner to work with. You sit down with them
15 and they do a fantastic job. And I give credit to Tom.
16 And I appreciate, Tom, your staff really working with us
17 on that. Even out of Inyokern, those guys are incredible
18 out there.

19 Next one. And then with all the different
20 cities -- I mean, the one that's missing up here, city of
21 Ridgecrest, I have them there. And there was another one
22 that I forgot to put in there. But we work with all the
23 different areas. And they come to our meetings. When you
24 come to our third meeting every Wednesday, we'll have 30
25 to 40 people at the meeting. And they're from all walks

1 of life. There's only two off-roaders, myself and one
2 other guy. Everybody else has nothing to do with
3 off-roading in a sense, like I like to ride my motorcycle.
4 They have all different interests.

5 Okay. Next. And so here, you see the law
6 enforcement. These are the teams that we have all these
7 people work together. The one we have to add on there is
8 CHP. They want to be partners. They talked to me
9 yesterday about that they want to be partners. That's
10 pretty cool. So we'll have pretty much everybody in
11 there. And it's the synergy between all these folks is
12 absolutely fantastic.

13 The prior property, I'm really proud of this one.
14 This is Tip. He manages the ranch for the Rudnick, which
15 is now renewable resource. And he represents them. Go
16 down to renewable resource, and they're the ones who
17 bought the 64,000 acres at Rudnick Ranch. 20,000 of that
18 is Jawbone/Dove Springs. So we manage that very closely.
19 I, Ed Waldheim, have a written agreement from renewable
20 resources attorneys to manage the land so that we stay on
21 the trails and we keep the people off of their private
22 property.

23 So the rancher works with us very closely. And
24 especially with ranching, he's got 600 heads of cattle in
25 there. They're my biggest enemy right now 'cause they

1 knock down the signs, they knock down the Peeler posts. I
2 mean, it's unbelievable what those cattle will do.

3 But anyway, that's a sad story about doing business.

4 Next one, renewable energy. We work with DWP.
5 They constantly call me up. When fences start going down,
6 we go fix it. The wind farm calls me on that. And so we
7 work closely with those folks.

8 Next one, Bickel Camp. This is one of the jewels
9 up there. It's a destination point. We have a caretaker.
10 We pay out of Friends of Jawbone to make sure it doesn't
11 get ransacked, 'cause we missed that out in Burro Schmidt
12 Mine and they destroyed it. So this one is still like it
13 was in the early days. And it's an unbelievable place to
14 go visit and enjoy.

15 The next one, Ransburg, Rand Mountain, the board
16 of supervisors. This is a bad picture 'cause we don't let
17 people park in front of this anymore because we bought
18 three lots where the people park. But the Kern County
19 Parks and Recreation through the boards of supervisors
20 gave me \$20,000 to fix the areas between the three cities,
21 Joburg, Rand Mountain, and Ransburg. And now we have
22 reduced the calls of complaints to zero because we managed
23 the sport in that town. We put out staff during the
24 holidays to control the traffic and we have a good
25 relationship between the sheriffs and us. We do the town,

1 they do the outlining areas.

2 And then LAWP, next one there, when there's
3 issues on the pipeline road and so forth, we help them and
4 fix that or put up some signs or so forth.

5 Next, these are the different groups that
6 participate. We have the Autobahn Society that's a Santa
7 Monica Autobahn Society. We need to fix that sign. It's
8 kind of gotten old. That's a good sign but I got another
9 sign that I have to do. DT & A, folks they show up at our
10 meetings.

11 Next one. PCT they show up.

12 Next one. And these folks also. There's an
13 incredible bunch of guys and girls from all over the
14 United States that come and do the work out there in the
15 fields. So they're working out there while we're also
16 working. There's sections that they do and there's
17 sections that we do. So we compliment each other very
18 well.

19 Next, on the SCTA when they get in trouble in the
20 sense that these guys are not listening to me, they won't
21 stay away from the restored trail, we'll go and do our
22 thing. We'll go up and put up a Peeler post or put up a
23 wing fence so at least they can get their job because I've
24 had them cry like crazy. They work their heart out and
25 the next morning it's all destroyed because some idiot

1 went and destroyed it for them. So that's why we work
2 with them very closely

3 The future funding is a critical element. We've
4 gotten so well right now that our places are managed to
5 the tee. It's signed. The trails are done. There is no
6 washouts. There's no whoop-de-doos. You still have to
7 watch out where you go because it's still off-roading.
8 But the funds is one that really has us concerned. It's
9 an essential element of us being successful. The guidance
10 that we get -- Daphne's staff up there. They're the best
11 team I've ever seen under Sixto Fernandez. They do an
12 incredible job. And then they have other staff that helps
13 us when we need some help like Jeff. Nobody introduced
14 Jeff back there. He's sitting way back there. That guy
15 is an incredible guy. He runs Hungry Valley and Hollister
16 Hill and he still has time to come and say, "Hey, I'm
17 going to come and help you." At least that's what he
18 promised Carry Sanders. Now it's on public, Jeff.

19 Okay. Next one. Okay. To our partners, all the
20 strong relationships. This is one that I cannot
21 overemphasize on the partnership. And this is where I
22 want to leave it. The most important issue is that there
23 has to be a commitment from the BLM that you do want a
24 partner. I personally am not interested in picking up
25 trash. Anybody can do that. I'm not interested in having

1 a bunch of volunteers 'cause I burn them out. The
2 volunteers will not last with me because I expect a lot of
3 work out of them. And nobody wants to work that hard, not
4 every day. So I depend on paid staff. Now, when I do
5 paid staff, that's a whole new element that brings into
6 the partnership within the Bureau of Land Management.
7 There's things that I can do that you can't do. There's
8 things that I can do -- there's things that you can do
9 that I cannot do. Environmental documentation -- and even
10 that, I can do. In the Ridgecrest office, Hector had
11 allowed me to go and get NEPA work. We got NEPA work
12 done.

13 There's things that we can do because we're
14 underhanded. You don't have the staff to manage the
15 public lands the way we want to see it managed. We can
16 help you. But it starts with a field manager. The field
17 manager has to have trust. I will never remember while I
18 was in the commission that I kept complaining that the
19 Jawbone Visitor's Center was never open. Every time you
20 came, it was closed. My crew got so sick and tired of
21 listening to me. They said, you know, Waldheim, you can
22 have a visitor's center. Hector didn't even have a choice
23 in the matter, nor did the field manager. He just gave me
24 the visitor's center. And the rest is history. That's
25 how we started.

1 We know how to manage things and make you look
2 good. That's our purpose. I don't want the glory. I
3 want to maintain our public lands open for all of us to
4 use and help you to manage the land. So if you can do
5 that, if the BLM can really say, okay, let's work with
6 these people and really be a true partner, then it's a
7 win-win for all of us.

8 And I think that's the end of it. Is that the
9 end of it? Is that the -- I thought there was another
10 picture. Anyway, that's our story. And we duplicated all
11 the little places we worked very, very hard to make sure
12 the BLM looks good. But most importantly, public out
13 there, to keep the trails open for you. And even for you,
14 Ron Schiller.

15 (Applause from the audience.)

16 CHAIRMAN BANIS: Thank you very much, Ed. I hope
17 we all learned a lot from that.

18 Guess what? We are only seven minutes over.
19 Let's take our afternoon break right now. And we'll come
20 back and we'll wrap up for the day. So we are going to
21 have -- I'm going to make it a ten-minute break, please.
22 Please come back at 3:35.

23 (Recess taken.)

24 CHAIRMAN BANIS: Thank you, ladies and gentlemen.
25 We're going to move on to the last items on the agenda.

1 Now that we've heard from a number of OHV-related
2 recreation topics and we've heard from some non-OHV
3 topics, but we want to hear more about particularly
4 non-OHV topics. So if there are any questions from the
5 DAC members at this time relative to what we've been
6 hearing and about recreation, non-OHV recreation or
7 anything else, I'd like to ask the DAC's input.
8 Otherwise, we're going to take our final public comment on
9 this theme.

10 Any comments from the DAC? I have Tom, April,
11 and Dinah. Thank you.

12 MEMBER ACUNA: Okay. Real quick. One of the
13 themes, you know, we spoke during break with a number of
14 people. And it seems like the holdup is the money.
15 That's what it's all about. The money is available but
16 it's being utilized to feed state budget. I understand
17 that. We all understand that.

18 But what happens is that nobody's going to turn a
19 spigot back on unless the legislatures know about the
20 importance of turning the spigot back on. So what I heard
21 was that more outreach, more direct contact from the users
22 themselves to those who vote or make the decisions to turn
23 the spigot back on is most important. It's that simple.
24 And if that were to happen, I think that would help the
25 Green Sticker Commission, that's Daphne's group over

1 there -- might help them achieve their goals with more
2 funding to BLM and other organizations that support this
3 type of thing.

4 So, you know, I learned something today. And I
5 just thank you all for sharing those ideas.

6 CHAIRMAN BANIS: April?

7 MEMBER SALL: Yeah. I had a couple of quick
8 comments.

9 First of all, I guess I'd like to point out and
10 thank Ed for some of his comments earlier that were very
11 targeted at some action items for concerns related to
12 Johnson Valley and the Marine base expansion. And so
13 thank you for those comments. I think those were some
14 very helpful objectives. And I hope that our recreation
15 users take you up on those suggestions.

16 I think it's a really important issue and we do
17 have to hold someone accountable. Starting with our
18 elected officials is a good place to begin.

19 Another non-motorized recreation comment that I
20 had is I just -- you know, in general, we've talked about
21 the fact that it's very hard to get a lot of public
22 attendance at these meetings. And so any suggestions you
23 all have in getting the word out and getting
24 representation for your user groups here to talk about all
25 the types of recreation and all the issues on the desert,

1 I think we're all interested in hearing those, and as well
2 as how the meeting locations affect you all. And we got a
3 clear demonstration today with Dinah's question on how
4 that was applicable for the meeting today.

5 And, yeah. I think -- last comment I guess is
6 just that, you know, many of us are concerned about
7 renewable energy and renewable energy on our public lands.
8 I personally feel like this is an issue that affects every
9 single user group. And the current approach and the size
10 of these projects is very inappropriate. And so anytime
11 we can discuss alternatives and other ways to forward
12 renewable energy without taking our public lands, I think
13 is one of the hottest topics.

14 CHAIRMAN BANIS: Thank you, April.

15 Dinah?

16 MEMBER SHUMWAY: Following up with April's, but
17 I'd like to also comment on the comments made by Dick and
18 Ron. But I'd like to emphasize to our new SRP that if the
19 regulations as stated really do indicate -- I'd like to
20 echo the comments of Dick and Ron, that if the regulations
21 as stated really do imply that casual users like gem and
22 mineral groups, professional society field trips, academic
23 field trips, and the like must secure permits, then I
24 think those particular regulations need to be clarified
25 and/or changed if necessary. Because I had never read

1 those regulations before. And frankly, I do a lot of
2 professional and educational field trips in the desert.
3 And I just don't think getting a permit is appropriate for
4 those trips. So those need to be changed.

5 And, Randy, you had mentioned that that would be
6 one of the first things they would do, is to identify who
7 will need a permit.

8 CHAIRMAN BANIS: I would like that.

9 Steve, I would impose upon you one last time. I
10 have a couple of comments of my own that I put on a slide
11 so I could share with you.

12 And after I review a few of my slides, we'll give
13 a last drink at the well for public comment.

14 These are some of my thoughts, some of my
15 personal possible recommendations that I'd like to just
16 throw out on the table for consideration. And perhaps
17 some of these may come back as formal recommendations.

18 First thing I'd like to just say is that I
19 believe in signing and marking the motorized and
20 non-motorized routes because it's essentially putting an
21 ID tag or a property-of sticker, a property of the general
22 public. And that way we don't lose track of how many
23 routes and which routes are out there. And we know where
24 they are and we know what they are and they become more
25 valuable for us to protect.

1 And this sometimes goes contrary to other people
2 of the public who believe that they don't like to see
3 signs, that they like an unguided, uninterpreted
4 experience. And I can appreciate that. This observation
5 comes from proposals to extend designations to certain
6 areas that contain motorized routes on the claims that
7 they could not find those routes or that they didn't think
8 those routes existed, yet others know those routes were
9 there and that they do exist. By having them signed, it's
10 a way of tagging it.

11 I'll move on. I believe that the updated maps
12 that are going to -- that are being produced and will
13 continue to be produced should be able to be purchased or
14 downloaded online.

15 I believe that the OHV fencing projects that we
16 do across the district need to make sure that we have
17 equestrian step-overs and pedestrian breaks, unless of
18 course that kind of access is prohibited. I don't know
19 why or what, but we need to have ways for non-motorized to
20 get through the motorized barriers.

21 I also believe -- this is my opinion -- I believe
22 that OHV open areas should have a fenced perimeter but
23 that that perimeter fence be broken with a gate or an
24 entrance, a marked obvious entranceway wherever a
25 designated route enters or exits an OHV open area. That

1 way members of the public will know when they're entering
2 an open-use area where they can drive wherever they want
3 and when they're leaving an open-use area, going to a
4 limited-use area where it requires them to stay on the
5 designated trail. So this fence is not a fence to keep
6 people out. It's not a fence to keep people in. It is a
7 fence with ample opportunities to go through one side and
8 out the other but that provides you with information
9 that -- you know, when the rules have changed.

10 And a -- and this is a little controversy. There
11 are other people in the OHV community who don't
12 necessarily agree with that. And I'm happy to hear
13 opposing viewpoints on that.

14 And lastly, I would like to see the BLM nominate
15 routes for inclusion in the National Trail something --
16 sorry. I cut my slide off. It's the National
17 Recreational Trail System.

18 Steve, could you move to the next slide file,
19 that is for that National Recreation Trail System. I just
20 want to explain what this is.

21 MR. RAZO: Hold on a second.

22 CHAIRMAN BANIS: Sure thing.

23 Did it get merged? Steve, I'm really sorry.
24 Maybe it did get merged. If you open that up again, maybe
25 it did have subsequent pages. Oh, it is only two pages.

1 Then I'm going to have to -- if you can't find the slide,
2 I'm not going to wait. I'm going to keep moving.

3 MR. RAZO: What was it called?

4 CHAIRMAN BANIS: National Recreational Trails.

5 There you go. Very good. Okay. Well, it's not
6 quite the one. That's good. I guess I gave -- no.
7 That's all right. It's the notes page. But that's all
8 right.

9 Okay. I'll do the reading. The National
10 Recreational Trail Act of '68 called for the creation of a
11 system of trails to immortalize trails in the United
12 States. The Secretary of the Interior announces new
13 designations each year in June. And it provides benefits
14 in the form of access to technical assistance,
15 recognition, and special events highlighting the trail,
16 trail markers with the NRT logo, and letters of support
17 for fundraising and protection efforts. The program also
18 provides access to funding opportunities through NRT
19 partnerships, inclusion of a trail in the National
20 Recreational Trail system gives the trail a prestigious
21 title of National Recreational Trail.

22 By the way, this includes both motorized and
23 non-motorized. The system is open to both.

24 The key here, though, is that -- if we can go to
25 the next slide. These are the criteria for inclusion.

1 It's very specific. Number one, it must be open for
2 public use. Number two, it must be compliant with
3 environmental law. Number three, the landowners must
4 support the designation. So this is going to be tricky.
5 The trails that cross public and private property, they
6 would require cooperation among -- with the private
7 property owner. But there may be trails that are purely
8 on public land that have recreational value that could
9 earn this status.

10 The trail managing agency submits the application
11 by November 1. And I'd like us to work with the BLM to
12 evaluate some trails and apply for their inclusion. More
13 information at Americantrails.org. That's a nonprofit NGO
14 that is in partnership with the federal government for
15 administering this program.

16 One of the reasons I bring this up, my final
17 point, in reviewing renewable energy development
18 applications and programmatic environmental documents, I
19 am seeing a common thread that special attention needs to
20 be paid to trails that are within this system. Even the
21 DRECPs best management practices provides special
22 awareness and consideration of trails that are in this
23 system.

24 So my point is that if recreation is looking to
25 stake its claim on some of its key public access routes

1 that may be in the path of development by renewable
2 energy, this might be an opportunity for us to do so and
3 protect some of those routes for future generations.

4 And that's my recommendation. It's some sets of
5 recommendations. And perhaps when we come back for the
6 next meeting, the DAC may find that they want to agree
7 with some of these recommendations, and I'd be grateful to
8 have that support. Thank you for the chance to review
9 these.

10 Any other comments from the DAC, or we'll move
11 into public comment.

12 Hearing and seeing none, thanks for the chance to
13 make that presentation.

14 First up -- oh, I'm sorry. First public comment
15 is coming from e-mail. Teri's going to read, please.

16 DIRECTOR RAML: Yeah. I know this is a little
17 bit unusual. But I received an e-mail from someone
18 yesterday. And it was directed to the Desert Advisory
19 Council and it had to do with this meeting. So I'm going
20 to read it for this individual. And it was from Carol
21 Wiley. And she's the vice chair of the Mojave Group of
22 the Sierra Club. And it's relevant to this topic. So I
23 will do it.

24 "Dear Advisory" -- "Dear Desert Advisory
25 Council,"

1 "In planning land uses associated with
2 recreation, I urge you strongly to consider that there are
3 many uses of the public lands besides motorized off-road
4 vehicle use. Many people enjoy the desert for hiking,
5 camping, birding, photography, botanizing, desert studies,
6 rock hounding, or just enjoying the beauty and quiet of
7 the desert. It is also true that wildlife and plants
8 still have a right to survive in their natural habitat.
9 And it is a goal of the Bureau of Land Management to
10 protect the flora and fauna and their habitats in the
11 desert for their survival and the enjoyment of people now
12 and in the future.

13 "The desert also provides a classroom for many
14 students and high schools and the colleges and also for
15 other researchers. Our desert is fragile and under siege
16 for many uses. It is very important as much land is being
17 taken for other uses such as renewable energy and mining
18 and that recreation uses are very carefully considered and
19 planned for the long term.

20 "Please consider the many people that will be
21 benefitted if thoughtful planning provides for the various
22 uses of our beautiful desert.

23 "Sincerely, Carol A. Wiley, Vice Chair, Mojave
24 Group of the Sierra Club."

25 CHAIRMAN BANIS: Thank you. Carol Wiley, a

1 former DAC member.

2 I'm going to start the public comment now,
3 please. I'll start with Shirley Leeson. Shirley, Kim,
4 followed by Ed, if he has -- if he wants a last drink.

5 Shirley Leeson, please.

6 MS. LEESON: I thought maybe you'd like to know
7 about rock hounds --

8 CHAIRMAN BANIS: I am getting to like you.

9 MS. LEESON: -- in the desert.

10 You know, a lot of our brochures -- and they were
11 published back to 1950s. And we were collecting then.
12 Not me personally. I was small. But, you know, we want
13 to be involved. We were involved in the '70s, we were
14 involved in the '80s. All of our organizations are
15 nonprofit. They scared us off by saying that if you get
16 involved with the BLM or the forestry or whatever it is,
17 that we're going to lose our 501(c)(3), which is not true.
18 But it scared a lot of people.

19 We're back. Look out. We're back.

20 CHAIRMAN BANIS: You don't throw rocks, do you?

21 MS. LEESON: Not usually.

22 ALAA is the American Lands Access Association.
23 They're all rock hounds. We started a number of years
24 ago. But we've only been involved the last three years.
25 We have over 10,000 clubs and individuals in that

1 organization currently. Most of them are in California.

2 I am a past president of the California
3 Federation of Mineralogical Societies which has 12,000
4 members in California and Nevada. I'm also a past
5 president of the American, which is the regional -- over
6 seven regions, which California is part of, and we have
7 52,000 members. So there are rock hounds out there, and I
8 wanted you to know.

9 CHAIRMAN BANIS: I'm pleased. You had a very,
10 very good turnout today. Somebody -- somebody must have
11 gotten word from a little bird somewhere. And we really
12 appreciate it very much. It's nice to see you all here
13 very much. I really enjoy the fruits of your work.

14 Please.

15 MS. LEESON: Let me explain one more thing for
16 the off-road. Dee and I are members of Cal 4 for those of
17 you that don't know. And they keep the roads open to our
18 collecting sites, which are usually at the end of the
19 roads. So we're with them.

20 CHAIRMAN BANIS: That's right. Thank you,
21 Shirley.

22 Kim?

23 MS. CAMPBELL: Thank you. I represent rock
24 hounds too, as most of you already know. I mirror
25 Shirley's comments.

1 First, I want to say I need to maybe clarify a
2 little bit some of my previous comments about special
3 recreation permits. I think the problem is they're the
4 regulations themselves. I think the BLM so far has been
5 very fair in the way they have interpreted them as far as
6 rock hounds are concerned. I understand that they
7 consider rock hound field trips to be a casual use. The
8 problem is that that is an interpretation. It it isn't
9 the way the rule is written. It's their interpretation.
10 So the interpretation needs to be solidified, put in
11 writing, and published so that we can count on that
12 continuing. Otherwise, we can't count on it. We don't
13 know what's going to happen next month.

14 But I wanted to state that to be fair, because
15 they've been very kind and helpful to me and to our
16 organizations.

17 Next, another issue is wilderness areas sometimes
18 reach into the open areas that we're allowed to collect so
19 that the roads don't go through and we can't get to the
20 collecting areas anymore. We have -- as I mentioned
21 earlier, a lot of our -- my fellow rock hounds are elderly
22 people or handicapped people who can't get around very
23 much. If they have to hike in somewhere, they can't get
24 there. So a lot of them can't go to some of the best
25 locations anymore.

1 Next, the Wilderness Study Areas shouldn't be
2 Wilderness Study Areas forever. They should be studied,
3 and then they either become wilderness or they don't. But
4 not remain in that status for an indefinite period.

5 And then finally, I love the idea of marking the
6 motorized and non-motorized trails. I think that a lot of
7 the other recreational groups other than OHV people will
8 appreciate that. And you could even probably create a
9 program where you would allow private organizations to
10 sponsor that by maybe buying -- funding some of the signs,
11 maybe putting them out. They would love to do that. We
12 would love to do that for you. I think you'd find you'd
13 be surprised how many people would participate in that.

14 And finally, the OHV people are our friends. If
15 we can't get out there, as Shirley said, we can't collect
16 anything. So rah, rah, and thank you, all of you OHV
17 people who have been working so hard to keep access open
18 for everybody. Thank you.

19 CHAIRMAN BANIS: Thank you, Kim.

20 Ed, followed by Marie.

21 MR. WALDHEIM: Council members, thank you for
22 having us down here. It's refreshing to see that you're
23 willing to think outside of the box. And I look forward
24 to the BLM setting a new chapter in how they work with
25 partnerships where they really start trusting us that we

1 know what we're doing. We run -- somebody came up to me
2 and said -- oh, Gerry said, "The difference between you
3 and the BLM is that you're running it as a business and we
4 run it as government." That's a very true statement. So
5 when Mike Poole gave me the visitor's center up in El
6 Mirage -- in Jawbone, I just run it like a business. And
7 I'm thankful always to Hector and his predecessors who
8 have always had trust in me and trust in the Friends to
9 get the job done.

10 The fact that I had renewable resources give me
11 in writing to do what I do, that has never happened
12 before. Because when we worked Rudnick, it was just a
13 handshake. But I never got it through an attorney to do
14 it legally what I'm doing. I'm doing it legally.

15 So we work at a complete different level. It's
16 something that others can do for the BLM where you can
17 maximize your limited funds and your limited amount of
18 people that you have available. And there's things that I
19 do that frees you to do the other things so you don't have
20 to worry about it. You don't have to worry about a
21 station being open or a sign being -- or a toilet being
22 cleaned or the trail maintained. A storm comes down and
23 all the road gets washed out, you don't even have to leave
24 your office 'cause we just go take care of it. It's done.
25 It's over with in four hours. The safety issue is taken

1 care of.

2 So these are the things that we offer as
3 partners, true partners, not just volunteers; true
4 partners to do work on that.

5 The users again, thank you. Thank you, young
6 lady, for putting up with me. Sorry I kind of rambled on
7 too fast.

8 I want to thank Jeff over there, that guy over
9 there. He's the quiet guy. But he's an incredible asset
10 too.

11 Daphne who goes all over the state -- and this
12 guy goes everywhere. The dedication from the OHV staff is
13 absolutely incredible. I've been around for a while. And
14 since 1972 when I started when the bill started working on
15 this. And you've never had a better staff than the OHV
16 division as you have today. And I do not want to lose
17 that. That's why I implore again that, like April said,
18 let's get the letters out. Make it from the DAC, make
19 it -- you guys have a total stake in it. All you rock
20 hounds, you all have a stake in what goes in the OHV
21 division. Participate and send the letters to your
22 legislators to make sure that they don't take the money
23 away from us.

24 And the last thing, please, if there's a
25 destination point, get it to Kim. Let her have it so we

1 can come up with overlay. You're all welcome to come to
2 the meeting. She'll send a letter to you where it is in
3 Glendale. And participate in the map-making. And then
4 we'll see where we go from there. It's a loosely-held
5 organization. And so we can go --

6 Erin, thank you very much for coming from
7 Sacramento. I'm kind of sorry to see Jim go. But there's
8 going to be a turmoil in your office now, new people.
9 What do you call it? Revolving door. Anyway, that's
10 Daphne's problem. She can deal with it up in that area.

11 Again, thank you very much. And I appreciate you
12 coming all the way down here.

13 CHAIRMAN BANIS: Thank you, Ed.

14 Marie?

15 MS. BRASHEAR: I wanted to clarify a couple
16 points that I've made.

17 One, the BLM who didn't cooperate with us was not
18 Gerry Hillier. Gerry was always very cooperative. It was
19 someone else in the Barstow resource area or field office
20 as they call them now.

21 One thing I noticed going on this whole
22 weekend -- and I didn't mention it before -- but it seems
23 like the advisory council and BLM puts people in
24 pigeonholes. You're an off-roader, and you're not. We're
25 all off-rovers. We all have off-highway vehicles as soon

1 as that vehicle hits the dirt. So I don't know how you
2 unpigeonhole so that you can speak to people who race or
3 who ride motorcycles or who do dune buggies or who do
4 whatever as a different set than rock hounds or
5 photographers or painters or folks who look at flowers.
6 But it's something you need to do, because we're all
7 off-roaders.

8 And for new people who attend these meetings,
9 they don't understand that an off-road vehicle can be a
10 little kid's red wagon in a wilderness area just as much
11 as a motorcycle or a dune buggy or a four-wheel drive.

12 So I think that was one of the issues that I
13 wanted to bring up that bothers me a great deal, because
14 we are all under that same umbrella. And to make us all
15 different, we aren't.

16 CHAIRMAN BANIS: Thank you, Marie.

17 You reminded me, the most skilled off-roader I
18 ever met was Toni Seger who drove her Mercury Sable around
19 the El Paso Mountains for 30 years when she lived there.
20 She was the most skilled off-roader I ever met.

21 Ron, followed by the final speaker, Terry Weiner.

22 MR. SCHILLER: Well, I'd like to thank the
23 council and all the public here for being willing to
24 listen to us non-off-roaders, I guess you'd say, so to
25 speak. I really appreciate your willingness to listen and

1 being tentative to what's being said.

2 I would especially like to thank you, Randy,
3 'cause you've heard me say this a hundred times about your
4 last comments regarding the fences. The fences being put
5 up, I understand and I appreciate Ed's thought. But
6 they've been a bone of contention with the equestrian
7 groups and the rock hounds. I've lost some significant
8 collecting sites with that fence -- what do you call that,
9 Spangler Hills and some of the canyon foothills for
10 equestrian access for hunting. I do appreciate your
11 comments.

12 And one last thing I wanted to point out is that,
13 you know, we've talked a lot about rock hound groups going
14 out. And one thing that we really didn't mention is how
15 many there usually is. You know, nobody's really talked
16 about numbers. From my local club there in Ridgecrest,
17 when we have a big outing, it's probably about six people,
18 seven people. We're not talking about great numbers.
19 Even the bigger ones that I've attended with the
20 overnights with people bringing their campers and
21 camping there at the bottom of Afton Canyon, I think the
22 last time it was about -- there might have been six
23 campers and a total of five vehicles. And, you know --
24 and I hope the others can speak to how many their numbers
25 are when they go out. But we're not talking about vast

1 hordes of people descending on the land. And so I thought
2 that might be something that we should clarify before we
3 go.

4 And, again, thank you and thank the public. And
5 I appreciate your time.

6 CHAIRMAN BANIS: Thank you, Ron. Nice to have
7 you back.

8 MR. SCHILLER: I was trying to get away. I
9 really was. Marie did this.

10 CHAIRMAN BANIS: Yeah. It's Marie's fault.
11 The last speaker, please, Terry Weiner. Thank
12 you.

13 MS. WEINER: Terry Weiner, Desert Protective
14 Council. Teri Raml, thank you for the comments on where
15 this has ended up, this theme of meeting has ended up at
16 the bottom of the agenda. And what made me remember that
17 was when some of my constituents found out the DAC meeting
18 was going to be on the theme of recreation, they got all
19 excited and they wanted to come down and talk about their
20 kind of recreation which, you know, interestingly the
21 framing over the last whatever, 50 years has become
22 recreation is almost equivalent to OHV recreation. And
23 it's like non-OHV recreation is some sort of subcategory,
24 whereas for tens of thousands of years we walked around
25 this place. And now it's like if people walk around,

1 they're sort of subcategory of activity.

2 But anyway, when they saw that the recreation
3 topic was not going to happen 'til 3:30 and it was only as
4 a subset of DAC comments, they just got discouraged, the
5 few who were going to come. And I appreciate your reading
6 Carol Wiley's comment.

7 I see that OHV recreation, in the sense of
8 off-road vehicle driving as a recreation in itself has
9 taken a lot of resources. So the BLM has to manage the
10 impacts, you know. Nobody's going to deny that they're
11 high-impact recreation. And therefore, not enough
12 encouragement has been given from the public to the BLM to
13 promote other uses of the land. I was really impressed
14 with Ed's statistic. He has 80 kiosks, 80 kiosks around
15 the Jawbone/Dove Springs area, and we -- we're
16 hard-pressed to find kiosks that promote the natural
17 beauty of the area.

18 And I was thinking hiking trails. Let's see,
19 non-motorized trails. Well, my goodness. I can't -- you
20 know, there's very few places on the BLM lands that I can
21 think of that there's an actual designated hiking trail.
22 The National Scenic Trail that goes from Lone Pine up into
23 Whitney Portal is the one that came to mind. I know
24 there's some in the Ridgecrest area. But we don't even
25 have hiking trails that you could even publish a map that

1 would be worth the paper on. And please help me if I'm
2 wrong with that.

3 So the other clarification I'd like to make,
4 wilderness is an area that isn't closed to people. You
5 know, the framing on that is really off-kilter. People,
6 because they can't drive vehicles, doesn't mean they can't
7 go into wilderness. Have we become so depleted and, you
8 know, unhealthy a population that we can't consider that
9 we could get to an area if we could park our car on the
10 outside and go walking? People can hike and they can ride
11 horses in wilderness, not to mention hunting. So now I'm
12 out of time. But just consider that when you talk about
13 it being closed off.

14 I have a letter from another member of the
15 Reliance for Responsible Recreation who she did not e-mail
16 her comment, and it's under three minutes. Could I do
17 that for her? She'd be here if she could.

18 CHAIRMAN BANIS: Teri doesn't mind if you want to
19 read that into the record, please.

20 MS. WEINER: Thank you. I did actually give
21 it -- the hard copy. But since it really picks up where
22 you left off --

23 CHAIRMAN BANIS: You can give the hard copy to
24 the stenographer.

25 MS. WEINER: I already did. But you three people

1 mentioned fencing. So I said I'd read the letter from
2 Friend of Juniper Flats by Jennifer Wilder.

3 "Dear Council members,

4 "We request that the Council members give some
5 attention to hiking trails and equestrian trails on
6 BLM-managed lands. What will the hiking trail sign look
7 like? A brown carsonite marker with a hiker on it is much
8 too similar to an open route marker for vehicles. What
9 will the hiking trailhead look like? Will there be
10 parking, a kiosk, and maps of the footpaths? Will the
11 hiking trails be away from target shooting areas? Will
12 there be 'designated' target shooting areas instead of the
13 current system of shoot where you like? For Wilderness
14 areas, will there be some BLM security visits at access/
15 parking locations and a sign-in slip which is then
16 deposited in a box?

17 "The Friends of Juniper Flats have been
18 monitoring the lands managed by the Barstow field office
19 known as the Juniper Sub Region for nearly a decade.
20 During this time many improvements have been made to try
21 to control OHV recreation. This includes signs,
22 restoration, and some BLM presence as well as post and
23 cable fencing. Yet new motorcycle user-created trails
24 appear and almost all the old ones are still used by motor
25 vehicles."

1 Enough about the vehicles.

2 "While the BLM is focusing on OHV recreation,
3 there is a total lack of focus on other popular forms of
4 reaction in the Juniper Sub Region. There are no
5 designated hiking/equestrian trails; none of the many
6 riparian areas are designated or managed for wildlife
7 viewing; there are no signs about the natural resources
8 found in the area which makes it so special."

9 And some people think that they have to fence --
10 "Do we have to fence each route? It is our opinion the
11 most effective solution is more BLM presence in this area
12 which is so close to huge populations of Apple Valley,
13 Hesperia, Victorville, and Lucerne Valley. And more focus
14 on non-motorized recreation. The new fences block the
15 path of equestrian users, and while they may be successful
16 in helping to keep motor vehicles on the open routes, they
17 are unsightly. Many trails that were restored (because of
18 use by motorcycles) were previously equestrian trails.

19 "Thank you for your attention to non-motorized
20 reaction."

21 Thank you for letting me read that for Jennifer
22 Wilder.

23 CHAIRMAN BANIS: Thank you, Terry.

24 Last opportunity for the DAC members to speak on
25 the topic.

1 None? Thank you.

2 Today was a long day. Shall I do the wrapup and
3 move it to you?

4 DIRECTOR RAML: No. 'Cause I'd like to talk
5 about the recreation stuff.

6 CHAIRMAN BANIS: Teri Raml would like to close
7 for a bit.

8 DIRECTOR RAML: I'm going to talk about the
9 recreation theme a little bit.

10 So this is a sausage-making exercise for us, and
11 I'm pleased to say, as maybe a little bit unstructured and
12 end-of-the-day, I think we achieved at least some of the
13 questions that are -- started to answer some of the
14 questions that were asked of this theme.

15 So we talked about what are the successes,
16 challenges, and opportunities. I think we had a couple
17 really quick reports on that. I thought that was good.
18 It was sort of what I had in mind. I think that went very
19 well. And, Ed, your presentation was also very helpful.

20 We didn't get a chance really to touch on -- I
21 think what's clear -- the second question was what are
22 opportunities to increase use of volunteers and expand
23 partnerships. I don't think so much that we touched on
24 what are, except that there was certainly expression by
25 the people here that there are incredible opportunities if

1 BLM is open and creative. So I think that's part of it.

2 And I think what was a surprise to me -- and I
3 actually love these kind of surprises -- is the topic of
4 what other forms of recreation in the California desert
5 need attention. And much to my surprise and pleasure,
6 here come the rock hound group. And honestly, you know,
7 I've been here 15 months, and you have not been visible to
8 me. And so what other forms of recreation, here you are.
9 So thank you. That makes this item a little bit of a
10 success.

11 I also appreciate the continued expression of
12 support for hiking, equestrian. And I think that question
13 got answered, you know -- the expression of interest in
14 other forms of recreation in the California desert
15 district, I certainly appreciate.

16 I had some other ideas about this topic. And in
17 some ways, you know, we're still struggling with good
18 execution. I think, Ed, your topic kind of fit the bill.
19 I was looking forward to having other -- perhaps being
20 able to have other speakers come and talk to us to kind of
21 give us some more framing of the topic. And one group
22 that I was very interested in having come talk to us was
23 the San Bernardino National Forest Association, which in
24 my limited experience is probably one of the premier
25 large-scale associations out there. They're having a huge

1 event. We reached out to them to have them come. They're
2 having a huge event this weekend and weren't available.
3 But I thought it would be helpful. And I haven't lost
4 track of that kind of thread, to have them come talk to
5 the DAC about kind of the scope of their activities, which
6 is pretty unparalleled, I think, and would be something
7 that perhaps desert-wide we could think about.

8 For DAC members, let me think as far as -- I'm
9 always like Columbo when it comes to scraps of paper.

10 Okay. So I think something that came up -- I
11 still -- you know, I have to figure -- we designated this
12 meeting as the one that we were going to talk about
13 recreation and the theme of recreation. There's still
14 some things I would like to maybe bring before you and see
15 what we can do. Early on, there was a suggestion about
16 listing partnerships. I don't -- and this is me
17 personally, not the BLM or even the district office. I
18 personally don't have a list of all the partnerships we
19 have and all the Friends groups that are out there. As
20 people have pointed out, you know, we're a field-office-
21 based organization. And the field managers manage those
22 partnerships and relationships. But I think it would be
23 good to rack them up and take a look at them. And I think
24 that would be interesting to know all the smaller --
25 I shouldn't -- smaller is probably not the right word.

1 There may be a geographical scope to those partnerships
2 that makes them appropriate to be managed at that level,
3 and that's why the San Bernardino National Forest
4 intrigues me from this larger scale. And maybe there's an
5 opportunity to be looking creatively at -- maybe there's
6 some gap in the way we work with partnerships and
7 associations that could be filled by a different
8 structure, maybe not. But that's an area of inquiry for
9 me.

10 The other thing that I would like to throw on the
11 table for potential thought is one of the ways to increase
12 partnerships and volunteers is to continue to provide
13 opportunities to recognize people. So it was another
14 happy accident today that we were able to be a forum for
15 recognition of two people here that are on the DAC, quite
16 extraordinarily large recognition. But I also think
17 there's an opportunity for the DAC to participate in
18 providing recognition. And so we should -- we can think
19 about that. You know, field managers can give awards and
20 recognitions. District managers can. And I have
21 familiarity from being in Arizona where the Resource
22 Advisory Council actually would recognize. And so that
23 may be something that we want to consider down the road.
24 We can have nominations, we can continue to draw in
25 presentations like Ed's and actually encourage that by

1 appropriate recognition. So that would be something I'd
2 want to consider.

3 And I think that's kind of my closing comment.
4 So I consider this -- it's a very important topic for BLM,
5 important topic for me. I think we really did well with
6 it considering all of the other items on the agenda. And
7 I certainly appreciate everybody that turned out. And
8 also Terry recognizing that maybe people -- additional
9 people would have come if we had staged it better. So I'm
10 going to declare success and -- but more work to do.

11 CHAIRMAN BANIS: Thank you for that wrap-up.

12 It's going to be better than my wrap-up.

13 DIRECTOR RAML: I have another wrap-up. That's
14 the first wrap-up.

15 CHAIRMAN BANIS: All right. Well, do you want
16 to --

17 DIRECTOR RAML: Okay. Well, why don't I start,
18 and then -- I'll start, and then Randy can kind of do
19 another wrap-up.

20 So one of the things, you know, when we had our
21 meeting -- last meeting, it became abundantly clear that
22 one of the things that will make this DAC feel successful
23 and the public that participates in it feel successful is
24 this kind of an accountability issue. So we're going to
25 try to do a better job of capturing recommendations and

1 action items that come forward and displaying what we do
2 with them.

3 So just for today, I kind of looked back through
4 my little notes and my asterisks. And I'll tell you what
5 I captured. Some of it is a little bit of a summary.

6 I mentioned before the list of partners that Ed
7 mentioned. I think -- this is another happy accident, is
8 the involvement of former DAC members. I think Gerry said
9 the comment and then we were fortunate to have former DAC
10 members here to kind of show the value of keeping these
11 people engaged in what they bring to the table. And I
12 think we will -- maybe we'll even do a more concerted
13 effort to reach out to those folks and tell them we'd
14 certainly appreciate them coming back.

15 Quite a lengthy discussion -- not lengthy in
16 terms of time, but maybe in terms of giving me something
17 to chew on, the discussion of transcripts. That's an
18 operational aspect. I'm deliberating. I've got folks --
19 you know, I'm certainly open to the recommendations and
20 the feeling that have the word-for-word summary or
21 word-for-word transcript from the meeting is important.
22 But yet I think there are other forms of communicating
23 that might -- summaries -- there may be some other ways
24 that we can approach this. So that's -- I was happy to
25 hear. But it's an open topic for me.

1 I certainly recognize the interest in the yearly
2 fee report. I haven't seen one yet either, and I've been
3 a manager for quite some time. And it's something that's
4 always -- maybe we don't pay appropriate attention to it.
5 And I'm not just saying here in the California desert.
6 I'm saying in Oregon, I'm saying in Arizona, places I've
7 served. I haven't seen those produced and publicized.

8 I appreciate the interest in law enforcement
9 staffing. It is not lost on me. Pretty much anytime we
10 have a public forum, I continue to be impressed at how
11 important the BLM law enforcement arm is to folks. And
12 anything -- when anything goes wrong or anything is of
13 concern, the first thing the public asks for is more BLM
14 law enforcement presence. And even if they're unhappy
15 with a particular specific encounter with a specific
16 ranger, overall people's impression and their regard for
17 BLM law enforcement is very high and the interest in our
18 program is very high. And I'm always happy to hear that.

19 Renewable energy recommendations, I wouldn't say
20 a lot about that because in this case there's some very
21 specific things that came forward from the DAC. And we
22 will follow through with them. One is the letter that you
23 have recrafted and submitted to me. I haven't seen it
24 yet. But I will look for it and do the -- take the
25 appropriate action with it. And also the subgroup --

1 subcommittee made recommendations that we will also follow
2 up on.

3 Speaking of subcommittees, subgroups, we've got
4 work to do with the SRP subgroup. Pleased with the
5 interest in that group. Roxie will continue to stay
6 involved with that group. And we will hopefully have a
7 meeting before the end of June. And we will encourage all
8 of your participation.

9 Also, the other subgroups, the ISDRA subgroup --
10 sorry for the acronym. It's late. The Dumont Dunes
11 subgroup. I think what has come to our attention is --
12 and I think Randy really described it very eloquently --
13 is that, you know, there are very similar areas with some
14 similar recreation, but they're very different and how do
15 we manage through that. I think that that's an area that
16 will require some attention. We'll try to figure out how
17 to do that. I guess I will repeat Randy again. I don't
18 think we want to break what's fixed, but I think we want
19 to fix what's broke. And that's a challenge, isn't it?

20 And let's see. One more. There was -- I think
21 there were a couple questions that came up to Erin that we
22 will make sure we follow through on. I know one that I
23 should -- probably based on my position, I should have at
24 the tip of my fingers is the discussion of revenues
25 generated from renewable energy development on BLM-managed

1 lands. And I will make sure that I'm more well-versed in
2 that because that's something that I know everybody is
3 very interested in.

4 And then the last thing, and then I will turn it
5 back over to Randy. The good news for us is that at the
6 last meeting, you know, we -- the BLM, we knew that this
7 approach for the advisory council was going to require
8 more staff work. You know, and we made it -- really have
9 made a commitment to try to continue to improve our staff
10 work and our upfront preparation, our agendas, everything
11 that goes to make this committee -- council -- excuse
12 me -- run smoothly. And Steve and I have decided to
13 retain a student. We have a wonderful young woman, Stacey
14 Allan, who has worked at our -- as a public contact rep in
15 our front office. And she is interested in continuing to
16 stay working for BLM. And we're going to tap her to do a
17 lot of the support work for the DAC. So we will increase
18 the capacity of Dave, Steve, and Jennifer by one
19 additional person to try to kind of -- for the care and
20 the feeding of the advisory council. So hopefully that
21 will help in some of this prework.

22 And I think that's it.

23 CHAIRMAN BANIS: You know, I think it's -- I
24 think it's better having Teri do the summary. No. I mean
25 that. Because it tells us what she got from this meeting.

1 It gives us a chance to fill in if we got something that
2 she didn't. And I think that's better than my summarizing
3 or anyone else summarizing because it's Teri's task to
4 follow up from this point forward on 'til the next DAC
5 meeting. So I hope everybody caught that. And I think
6 that's a good precedent to start.

7 So I have nothing more to offer other than a last
8 chance at the microphone for our members of the DAC and to
9 offer our thanks to all of those who attended today from
10 the members of the public and for the BLM and for my
11 fellow DAC members.

12 At this time, it's the job of Teri to adjourn the
13 meeting. And I'd be -- oh, we have -- first we have to
14 confirm the meeting. Next meeting, that's an issue.

15 DIRECTOR RAML: What we'll do is I've been -- we
16 have a meeting date set, September what 9th and 10th in
17 Ridgecrest. Let's keep that on the table. I believe
18 that's set partly because of missing colleagues. I'm
19 going to go back very quickly and take a look at it.
20 Our -- the BLM's fiscal year starts October 1st. So I'm
21 thinking a little bit about that. But on the other hand,
22 I also want to follow through on my commitment to set
23 these meeting dates and keep them. So there's a little
24 bit of tension for me there.

25 Also, the location, Ridgecrest, oftentimes these

1 locations get suggested at the very end just like now and
2 we all say, "All right. Good. Barbecue, you bet." I
3 also would like to keep open the topic of -- or the
4 location of this particular meeting, particularly based on
5 what Dinah asked as the amount of turnout we had because
6 of San Diego. So I'm not so -- so we have to kind of
7 weigh that tension too, because you raised your hands and
8 you said you came because it was here. To move it north
9 then to a remoter area, we may have to think about a
10 little bit.

11 And then the last thing, I guess -- is that it?

12 CHAIRMAN BANIS: I was just going -- all I was
13 going to bring up was that the BLM family -- within the
14 BLM family was a well-known mineralogist that made several
15 presentations to the DAC over the years. And
16 unfortunately, we've lost Linn Gunn from the BLM
17 Ridgecrest office who passed away unexpectedly
18 approximately a month or so ago. There will be a Memorial
19 service for Linn on June 10th at the wild horse and burro
20 corral facility in Ridgecrest. Those of you that know him
21 and would like to pay your respects, you can do that.

22 MEMBER SHUMWAY: That would be the day of our
23 scheduled meeting?

24 CHAIRMAN BANIS: June 10th.

25 MEMBER SHUMWAY: Right. I'm sorry.

1 CHAIRMAN BANIS: So that's next weekend.

2 So, therefore, it's Teri's job to adjourn this
3 meeting. And I gratefully ask her to adjourn the meeting
4 in the memory of Linn Gunn.

5 DIRECTOR RAML: I'll say another word. You know,
6 when someone passes, it's always -- it's a tragedy, and we
7 all know that. And I think what made this one so
8 heartbreaking for all of us it was so unexpected. And so,
9 you know, one day your colleague -- and I'm speaking on
10 behalf of all of BLM, but particularly Ridgecrest. One
11 day your colleague is there. He leaves for a vacation and
12 doesn't come back to his office, you know. So it was
13 particularly heartbreaking and particularly hard on the
14 Ridgecrest staff and for all of us that knew him.

15 So I was going to mention it earlier and I
16 didn't. And I was so appreciative of Randy bringing it
17 up. And it's a good reminder to me that BLM employees
18 mean something to us and they mean something to all of you
19 who work with them and have grown to have affection for
20 them. And so I'm very happy to adjourn this meeting in
21 honor of Linn Gunn.

22 (Proceedings adjourned at 4:28 p.m.)

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1 R E P O R T E R ' S C E R T I F I C A T E

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3
4 I, Vesna Walter, a Certified Shorthand Reporter,
5 No. 11989, for the State of California, do hereby certify
6 that the foregoing pages comprise a full, true and correct
7 transcription of the proceedings and the testimony taken
8 at the hearing in the hereinbefore-entitled matter of
9 Saturday, June 4, 2011.

10 Dated this 12th day of June, 2011, at
11 Riverside, California.

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15 _____
16 VESNA WALTER, CSR, RPR, CLR
17 (CSR NO. 11989)

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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: Banis
SECOND: Shumway
MOTION: To accept report of subcommittee
RESULT: Motion passes