

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS

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Barstow, CA 92311

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8:08 a.m. to 4:26 p.m.

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

JOB NO. : 70355JG

A-P-P-E-A-R-A-N-C-E-S

MEMBERS PRESENT:

REPRESENTING:

RANDY BANIS, CHAIRMAN	Public-at-Large
APRIL SALL, VICE CHAIR	Public-at-Large
THOMAS P. HALLENBECK (Absent)	Transportation/ Rights-of-Way
MEMBER THOMAS ACUNA	Renewable Energy
MEG GROSSGLASS	Public-at-Large
PATRICK LLOYD GUNN	Wildlife (Absent)
RON JOHNSTON	Public-at-Large
BRAD MITZELFELT	Elected Official
ALEXANDER SCHRIENER, JR.	Renewable Resources
RICHARD RUDNICK (Absent)	Renewable Resources
MONICA ARGANDONA (Absent)	Environmental Protection
DINA SHUMWAY (Absent)	Nonrenewable Energy

BLM STAFF PRESENT:

TERI RAML, District Manager, California Desert
District (CDD)
STEVE RAZO, External Affairs Officer, CDD
DAVID BRIERY, External Affairs Specialist, CDD
JENNIFER WOLGEMUTH, Administrative Assistant, CDD
MARGARET GOODRO, El Centro Field Office Manager
ROXIE TROST, Barstow Field Office Manager
JACK HAMBY, Acting Field Manager, Ridgecrest
RUSTY LEE, Field Manager, Needles
MICKEY QUILLMAN, Associate Field Manager, Barstow
BEKKI LASELL, Deputy District Manager, Resources, CDD
NEIL HAMADA, Dunes Mgr, ISDRA, El Centro
MICHELLE PUCKETT, Park Ranger, ISDRA, El Centro
LARRY BLAINE, Recreation Branch Chief, Barstow

I-N-D-E-X

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

DIRECTOR RAML: Good morning, and welcome to the Desert Advisory Council meeting. I hereby open this meeting.

CHAIRMAN BANIS: Hi. Good morning. My name is Randy Banis, chairman of the DAC. Thank you all for coming here today. Appreciate it very much. I would like to go around the table for the DAC first, make introductions. And we would like to start, please, start on my left, which is unusual.

MEMBER ACUNA: Good morning, everyone, I'm Tom Acuna, and I represent renewable energy industry.

MEMBER GROSSGLASS: Meg Grossglass. I represent public-at-large.

MEMBER SCHRIENER: Alex Schriener, and I represent renewable resources, geothermal.

DIRECTOR RAML: I'm the Desert District manager.

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

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

MEMBER GUNN: Patrick Lloyd Gunn,
representing wildlife.

MEMBER HOLLIDAY: Dick Holliday, representing
recreation.

CHAIRMAN BANIS: Thank you. Mr. Holliday,
would you be so kind as to lead us in a recital of the
pledge of allegiance.

(Pledge of allegiance.)

CHAIRMAN BANIS: Thank you, Dick.

Teri, would you be so kind as to introduce
members of staff. Ask them a quick question.

DIRECTOR RAML: I would like the staff to
introduce themselves, and I will start with Roxie and
head around the room.

MS. TROST: Roxie Trost. I'm field manager
from Barstow.

MR. QUILLMAN: Mickey Quillman, chief of
resources, Barstow.

MR. LEE: Rusty Lee, Needles field office.

MARGARET GOODRO: Field office manager, El
Centro field office.

MR. KALISH: Jon Kalish, field manager out of
Palm Springs.

MR. HAMBY: Jack Hamby, acting field manager
for the Ridgecrest field office.

MS. WOLGEMUTH: I'm the staff assistant from the CDD.

MR. BRIERY: David Briery, external affairs, CDD.

MR. RAZO: Steve Razo, external affairs, BLM.

MICHELLE PUCKETT: Park Ranger, ISDRA, El Centro.

CHAIRMAN BANIS: I have an announcement also to make for one of our good friends and fellow DAC members, Richard Rudnick, who is unable to make the meeting today. But I'm happy to say that Richard successfully underwent surgery this week, and he is recovering and recovering nicely. And I would like to pass a card around on behalf of all of us and perhaps during the course of the day if you could write a quick note to him, it might brighten his day. So I thank you for your concerns, and we are happy to know Richard is doing fine.

Hopefully you have had the opportunity to download from the DAC's Web page the transcripts from the last meeting. They have been there for some time. And are there any questions or comments or revisions to those transcripts?

Hearing and seeing none, do I have a motion to approve the transcripts of the last meeting?

MEMBER JOHNSTON: Moved.

MEMBER SALL: Second.

CHAIRMAN BANIS: Seconded by April Sall.

Those in favor, say aye. Opposed? Transcripts are approved.

The agenda was constructed in conjunction with input of DAC members and staff. And any questions, comments or revisions to the agenda that's before us? Hearing and seeing none, a motion to approve?

MEMBER SALL: So moved.

CHAIRMAN BANIS: Moved by April Sall.

MEMBER ACUNA: Second.

CHAIRMAN BANIS: Seconded by Tom Acuna.

This is our agenda for the day, thank you.

Public comment will be taken throughout the day as listed on the agenda. The first public comment period coming shortly will be the appropriate place for comments relative to items that are not on this agenda. So please, take a moment if you would, review this agenda to see if your issue of concern is on the agenda. If it is, we would be most grateful if you made your comment during that comment period.

There are speaker cards available at the side desk manned by external affairs. If you wish to speak

on an issue, please get a card and bring that to the external affairs desk, and they will hand that to me during the course of the day. If you wish to speak on multiple items, I am able to handle one speaker card for that whole day. Please indicate on the card the multiple items you wish to speak on. I'm keeping two piles in front of me.

There are no other comments before we move on. We would like to have a brief summary of the terrific field trip we had yesterday. Roxie Trost, field manager of the Barstow field office, would you be so kind as a review our day yesterday?

MS. TROST: Roxie Trost. Field manager, Barstow field office. Thank you, and good morning, Council members.

Our theme for this Council meeting was user fees. But it seems like we can't talk about one without showcasing partnerships, as well, because they are involved in everything that we do. You probably noticed that yesterday. A substantial amount of our time was spent talking about partnerships.

Our first stop yesterday was Sawtooth Campgrounds, and that's a project that we have been working on for a couple of years and have officially completed it this past year. One of the things

that -- about Sawtooth is that off-highway vehicles are not allowed to ride within the boundaries of the Sawtooth Campground. And part of it is when the biological opinion was written for Stoddard Valley, a condition was that we were not to allow off-road vehicles. So in implementing that and the West Mojave Plan, those postings were initiated and put up in the area.

You also had an opportunity to meet our campground hosts there, Jim and Jeanette Berley (phonetic). In previous reports I referred to them as volunteers extraordinaire, and you probably have a feeling why. Jim and Janet have not only become our camp ground hosts, but they have become an arm of our staff as well. When the going became tough this past year, Jim and Jeanette stepped up to the plate and they said we want to do more. We were getting a lot of calls in regard to maintenance issues, and Jim and Jeanette said we can help. We will go out and we would like to do additional things outside of Sawtooth Campgrounds. So what you saw at Sawtooth is the labor of their love. But if you look beyond Sawtooth, you will see the labor of their love throughout.

The reason that I took you to Sawtooth was in keeping with our theme of user fees, and I told you

that currently BLM does not charge a fee for that campground, but we would certainly like to send a proposal forward before the next fiscal year in doing so. And before we do that, we will complete a business plan that will outline why we would feel that a fee is necessary.

From there, we moved on to El Mirage. There has been a user fee in place in El Mirage since 2008, and it's helped with many things. We have a very diverse partnership at El Mirage both with the Friends group and many of the other partners who are also members of the Friends group: San Bernardino and L.A. Counties, Southern California Timing Association -- the list goes on and on. The list is quite large.

At El Mirage we have both a motorized component and nonmotorized component from our partners. And the nonmotorized component is helping us with education. We were able to see Southern California Timing Association's operation. They have been in operation, like they said, since 1933. And they operate in Bonneville, as well. So this is a very small part of what they do. They are incredible stewards, and they have helped BLM many, many times.

I have the opportunity and the pleasure of working with a number of great partners and BLM staff,

and they were very enthusiastic and anxious to share all of that with you yesterday. My favorite part of yesterday's tour was when Rose said that I was also a marriage counselor. And at times I need my own marriage counseling. And it's a marriage of partnerships. So it was our pleasure, and I would be happy to answer any questions.

MEMBER GROSSGLASS: How much do you charge per hour?

CHAIRMAN BANIS: Any questions from the DAC, please? Thank you, please, Dick.

MEMBER HOLLIDAY: I want to thank you very much for that tour yesterday. It was very enlightening and really showed how partnerships can work within the organization. It was very enlightening as far as to how much of the Friends of El Mirage have provided for that location. It was very enlightening, and I want to thank you.

MEMBER GUNN: Roxie, I just wanted to also thank you for the tour yesterday. And to everyone here, if they have never seen Sawtooth Canyon off of Road 247, it's really worth seeing. And I'm sure you will be impressed. Thank you.

CHAIRMAN BANIS: Thank you, Lloyd. I need to second that comment for sure. It's one of those

campgrounds that's around the corner between a divide in the rock outcropping. It's one of those natural places that you come across in the desert. But it's one of those remarkable places that you just don't expect. And as you come around the corner, it's just this beautiful surrounding basin of pinnacle peaks and rocks and with a beautiful nearly flat camping area right in the middle. So, again, I was quite impressed and the dinosaurs there -- watch out. And there are eggs that looks like they are hatching.

MEMBER GUNN: Dinosaur eggs.

CHAIRMAN BANIS: Thank you, Roxie, appreciate that very much.

Before I move to public comment, just two more introductions, please. One, Neil Hamada, the Dunes manager for the Imperial Sand Dunes Recreation Area in the back.

And I would also, if I may, I would like to introduce the chair of the new SRP subgroup. Could you just wave your hand, Gerry Grabow. Gerry, if you have any questions, that's the Special Recreation Permit subgroup that's reviewing the policies and procedures for groups and activities in the desert.

For public comment today, for items not on the agenda, may I start with Gerry Hillier. Gerry.

MR. HILLIER: Good morning, Randy. Thank you and good morning to the board members.

CHAIRMAN BANIS: Pardon me. There will be -- I forgot to tell the public. We will have a three-minute comment period for each speaker. And we have a new gadget that the BLM is introducing. It's going to work a little better.

MR. HILLIER: Does a hammer come out and conk me on the head?

DIRECTOR RAML: Trap door.

MR. HILLIER: Jennifer, you wouldn't do that to me, would you?

MS. WOLGEMUTH: It took me 19 years to do that.

MR. HILLIER: And the clock is probably already moving. Thank you very much, Mr. Chairman and good morning to the Council.

This isn't relative to an item on the agenda, it's relative to the field trip. There wasn't a good opportunity to touch on this yesterday. My first visit to El Mirage -- I'm probably one of the really old guys. My first visit was July 1976 when I first became district manager here. And I was familiar with California Timing Association because I had the responsibility for the Bonneville Salt Flats before I

came here.

But I can assure you the changes that have occurred over the last 25 years -- and I compliment the staff -- it was anarchy back then. Nobody -- I mean, the gyrocopters were landing in the middle of the race course all over. And the organization and professional operation today is really noteworthy, and it's a tremendous operation.

The second thing I wanted to mention and the more important and current item is the partnership with San Bernardino County. And I have my San Bernardino consultant hat on. It was mentioned that San Bernardino County is one of the partners on there. And its role has been to act as the real estate agent and do the acquisition of the private lands within the area. And most of those private lands are the residuals of the old two-and-a-half-acre homesteads. And there have been 1,000 or 1,200 acquisitions that have gone on over the last 10 or 15 years. And to date 11,000 plus acres has been acquired and is being held by the county.

The problem is that the county can't get them transferred to BLM. And the county is getting very disturbed about its liability issues because many of them have mine shafts or other kinds of impediments on

them. And the BLM wants to have clearance that there are no hazards or hazardous waste dumped on them. And it's going to require a very concerted effort to go out there and take photographs of each and every tract.

I talked to the real estate people as recently as yesterday, and they said that communication has disappeared over the last year. We had a flurry of activity and with the new Brown administration, there is an abyss relative to the state OHV funds. And there have been arguments relative to whether the appraisals met current standards, a number of bureaucratic red tape issues that can't be described in any other context. But I wanted to put this on the record: The county stands ready to make this thing right, and they want to get it to the bureau --

(Three-minute ringer.)

CHAIRMAN BANIS: Please. Very funny.

MR. HILLIER: They want to get these lands transferred because the county has a liability. If somebody gets hurt or killed, the county is going to get sued, not the BLM. And it was the BLM's commitment to take these lands from the county. And I know the lawyers make our lives miserable sometimes,

but we have to get something moving on this. Thank you.

CHAIRMAN BANIS: Thank you for that.

Next on the comment will be Ron Schiller, followed by John Stewart, please.

MR. SCHILLER: Thank you. I would like to express my concern and disappointment in some of the situations currently around Ridgecrest, and particularly with the West Mojave Plan.

Every time I go out in the El Paso Mountains near Ridgecrest, I see more and more and more of the roads closed and signs put up with no NEPA, no public involvement. You know, the BLM and the West Mojave Plan agreed to have a collaborative access planning -- I can't remember whether CAPO was the acronym. We are way overdue on that. We were supposed to have the local community involved in that, and you have completely blown that off. You are way overdue on that exercise in the Ridgecrest area.

And it's very disappointing to me that you have blown off the agreements you have made with the community in several public meetings and allowed the local public to be involved in that. And I think it's time that we do something about it and at least follow the NEPA process and allow people to participate

instead of just going out and have wholesale closure of the road without any notice. It's not fair to the public. And that's my comment for today. Thank you.

CHAIRMAN BANIS: Thank you, Ron.

John Stewart, good morning.

MR. STEWART: Good morning, Council members. John Stewart, California Association of Four-Wheel Drive Clubs.

For the past couple of years Johnson Valley and the Marine Corps has been a major issue on the topic. And now it comes to my attention that there were more military projects in the desert region, both at China Lake and Chocolate Mountains. While these are basically renewals of withdrawals that have been in place for 20 years, now when you start reading the documentation, the language is eerily similar as far as increased need for training, increasing the need for -- increasing the capacity of where the military is training.

Also, they are looking to expand energy projects. So what is interesting about this is where the Marines in the Johnson Valley received a lot of public information and reports to the DAC, the overall impact of the tempo of operation and what is going on within China Lake and within Chocolate Mountains and

their impact on recreation is not being done. While these may be lands off-limit to the public, there are still surrounding impacts that should be considered.

And with the increase of the energy potential on the military lands, what kind of infrastructure is going to be needed to move that power out that will have impact on the public lands itself? I think it's something that should come to the DAC's attention, and they should be looking at as the entire scope of what is happening within the desert in the fact that military partners are not at the table discussing what they are doing and what is the impact of what they are doing going to have on the public.

Now, there is also the long-delayed or ignored issue of the Superstition Mountains energy project. While a couple years ago they received a lot of attention, now the thing is languishing with no information. It will actually take out public lands that are open for recreation at this point in time. So it's time that some of this information start being looked at in more depth. Thank you.

CHAIRMAN BANIS: Meg, comment or question?

MEMBER GROSSGLASS: I have been talking with military at China Lake about the Superstition, and they just went through scoping. And I don't know if

you could categorize them as cutting the public out of the process. But as soon as the draft comes out, to my knowledge -- and they even came down to San Diego, and didn't they have scoping meetings?

MR. STEWART: No, they did not come down to San Diego and have scoping meetings. It has been limited distribution through the Web site and other ways. There has been very limited involvement in what goes on in both Chocolate Mountains and anywhere else. My intent is to bring it to the attention of the DAC because it has not been the DAC's topic of conversation.

MEMBER GROSSGLASS: If you see a NEPA violation, I'd like to know, because my experience at China Lake is if I have a question, I call the gentleman and he is great. As a matter of fact, a couple times he called me to tell me it's been delayed.

MEMBER SCHRIENER: With both Chocolate Mountain and with Superstition, the Navy has been -- the GPO office has been quite open in publishing their information. The work they have done, the amount of work they've done, where they've done work, wells they have drilled, geophysical --

MR. STEWART: My point is to make sure it

gets on the DAC agenda.

CHAIRMAN BANIS: Thank you, John. Thank you Meg, and Alex. Lloyd, comment?

MEMBER GUNN: I think John had a good point there that if we could get a spokesman from the military at a future DAC meeting, it would be helpful for the public information.

CHAIRMAN BANIS: Thank you, Lloyd. I have another speaker card. I'm not sure if this is for the first -- Ms. Barber. Is this for the first item today or for an item on the agenda?

MS. BARBER: A little of both. But I have to go to a meeting this afternoon.

CHAIRMAN BANIS: The floor is yours.

MS. BARBER: Pamalla Barber.

I have helped -- well, since they have been requiring -- the horse ride that has gone on for 25 years, I have been doing the permitting since they were first required to file a permit. This combines the permit process and the fee structure. We are being considered a commercial organization because we try to make a little money. We don't have any vendors. There are no spectators. We simply ride from outside of Baker to the Avi Casino in Laughlin. We have crew rigs that go along, carry hay, feed, you

know, all the necessary -- and the riders' gear.

And I know that one of the reasons why they have started requiring more information is because of the Johnson Valley accident. However -- and I will do my little quick speech here -- that was not the BLM's fault. That was not the four-wheelers' fault. That was the audience, and it irritates me. They just go after deep pockets.

But anyway, I just completed the one for April of 2012. It's 19 pages long. The Mojave National Preserve permit is four pages long. We were on the Mojave National Preserve for five days. They charged us \$325. We were on the BLM for one day. And we not only pay the permit fee, we have to pay 3 percent of the gross, all the money other than a start-up fee for the next year, and there are no paid crew at all. It's all volunteers. All the money goes to charities.

We were in the process of filing -- we've got the nonprofit incorporation papers already submitted. We are trying to get the other nonprofit. We paid \$575 total to the BLM for one day. We paid \$325 to the Mojave National Preserve for five days. I have a little bit of a problem with this. I realize this is the requirement. There is not a box to check for a

nonprofit organization equestrian group.

I think the permit process needs to be changed. I don't mind submitting a safety plan. I have done that; I do it every year. I don't mind some of this stuff, the maps, et cetera. But I know I have a problem -- it has just gotten to the point where I no longer want to be part of the process. I am trying to change -- I mean to educate somebody to take over. I probably have done it for 15 years. This is asinine for one day.

CHAIRMAN BANIS: I would like to simply bring up that we have -- I know you have to leave and you can't spend the whole day with us. We will be having a report shortly from a subgroup that the DAC has set up that's comprised of event planners that is helping the DAC understand these exact issues and other issues relative to the permit.

MS. BARBER: Is there any way I could get on that committee?

CHAIRMAN BANIS: They are open to the public, and they are regularly occurring. And they are posted on the DAC's Web site. May I refer you to two people as resources today to speak with? One would be to the external affairs desk. They will be able to help you on the Web page, but the gentleman with his hand

raised is the chairman of the SRP subgroup, and some of these issues have been discussed. They are still studying it for us.

MS. BARBER: I understand the need for paperwork and everything else, but this has gone just a wee bit too far.

CHAIRMAN BANIS: Thank you. I'm going to turn the discussion now. I have Meg.

MEMBER GROSSGLASS: Mrs. Barber, I'm not sure if you are aware, but after the California 200 accident, the BLM was forced to strictly adhere to their regulations. All the things that you identified are in the code of regulations, and it's not something they are doing to penalize you. Everybody that gets a permit has to do all those things.

MS. BARBER: But it's not being enforced at every BLM office all over.

MEMBER GROSSGLASS: All over the California Desert District.

MS. BARBER: I have called around five offices in California. I am familiar with Utah.

MEMBER GROSSGLASS: I am on this SRP subgroup, and I would encourage you to try to work with the local office that you get the permit with because they might be able to find ways to work around

this. But I would encourage you -- Larry is the recreation chief there.

MS. BARBER: I have met with Needles. It's a combination of the fee and the paperwork. I have had two strokes. I'm not willing to have another one, and this frustrates me half to death.

CHAIRMAN BANIS: Other comments or questions? Thank you, Ms. Barber, I appreciate you coming here today. Dick?

MEMBER HOLLIDAY: What is the difference between -- maybe BLM can answer this. What is the difference between what is required for the Mojave National Preserve and what's required on BLM land and why is there such a discrepancy in requirements?

CHAIRMAN BANIS: If I may, I like that question. I would like to hear that question during the report of the SRP.

MEMBER HOLLIDAY: Okay.

CHAIRMAN BANIS: I'm terribly sorry. We have a break coming up very shortly, and I would be happy to work with you shortly. But I do have an aggressive schedule here today I'm in charge of keeping on. Thank you.

The next item on our agenda are the Advisory Council member reports. Are there any reports that

you would like to offer? Dick?

MEMBER HOLLIDAY: Yeah. I'm chairman for the Imperial Sand Dunes recreation group. We had a DSG and DAC subgroup meeting. And what I would like to do is we have had some contentious issues with that group. And what I would like to do is have one of the representatives from that group give his outlook on how that meeting went. This particular gentleman has been a member of the Off-Road Vehicle Commission, been a Commissioner and has been a member of the subgroups.

CHAIRMAN BANIS: I'm sorry to interrupt again. That would be under your ISDRA subgroup reports. These are just individual reports from DAC members who may have been working on other issues. I'm sorry, I apologize. Thank you. Are there other? Lloyd, please.

MEMBER GUNN: This summer I had an opportunity to tour a new wilderness area, which is on the California/Nevada border. It's near the White Mountain Wilderness off the Highway 168. And it's a riparian area. It was abandoned many years ago by miners, and since then all the -- everything has grown back. And it's a beautiful area with cottonwood trees and many bird species. And I advise -- I would recommend anyone that is sensitive in hiking to visit

this new wilderness area.

CHAIRMAN BANIS: Thank you, Lloyd.

Ron Johnston.

MEMBER JOHNSTON: Thank you. Just as a point of interest, I don't know if other members of the DAC or members of the audience from the field offices have seen this or not. But I saw an interview last week with the commandant of the Marine Corps, and this impacts some of the things brought up about military usage of public lands going back to the Twentynine Palms issue, which has been the topic of conversation at the last three meetings. But he said as of last week, that the theory of the expeditionary force, which was a justification for expansion, has become an obsolete form of military endeavor that is being scrapped. I'm interested to hear how that will impact some of the requests by the military.

CHAIRMAN BANIS: Interesting. Thank you, Ron. Question or a response?

MEMBER GROSSGLASS: I will make that in my 30 seconds.

CHAIRMAN BANIS: April.

MEMBER SALL: Yeah, I guess it's more of a question for Roxie in the Barstow field office in regards to one of the comments brought up earlier

about WEMO signing. I understand there is going to be some public meetings if those dates have been set. Could you share those?

MS. TROST: Happy to. For the West Mojave, the redo of the plan, two meetings are currently set up. One is in Ridgecrest on September 27 and at the Barstow -- in this very building right here on September 29th.

MEMBER SALL: Thank you.

MR. RAZO: There will be a release on that next week.

MEMBER SALL: Thank you.

MEMBER SCHRIENER: Nothing.

CHAIRMAN BANIS: Meg, the floor is yours.

MEMBER GROSSGLASS: I wanted to note that several comments have been made by leaders in the Department of Defense and in Ecologic, the attorney for Southern California OHV community. We did note many comments like that in our scoping comments, and I can give you a copy of that, if you like.

CHAIRMAN BANIS: Tom.

MEMBER ACUNA: Tom Acuna, renewable resources. We had an interesting day Thursday in San Diego. Roughly two million people lost power for roughly 12 hours, and there were interesting results

of that: No ATM's, candles within their homes, biggest traffic jam you ever saw. And it all was a result of a utility worker in Arizona. And so, now what is the good side about this?

The good side is the BLM. The BLM with the 12 million acres they have, have hundreds of miles of transmission lines and gas lines. And utilities and energy folks work with the BLM to do maintenance activities so these kinds of things don't happen. And I just would like to compliment Teri and her field office managers for that wonderful work that they do to make sure that those emergencies don't happen. So that's my only comment. You guys are doing a good job helping utilities. Thanks.

CHAIRMAN BANIS: Thank you, Tom. I would like to close out the Council members' reports. I would like to let the DAC know what I have been up to on behalf of the DAC.

I was fortunate to be able to attend a memorial in Ridgecrest for Linn Gum, who we know passed away recently.

I was able to attend a DRECP field trip. That's the Desert Renewable Energy Conservation Plan field trip.

I attended a California Desert District OHV

leadership meeting.

I attended the four subgroup meetings for the Special Recreation Permit group.

I have attended a Dumont Dunes Saturday subgroup meeting.

I have attended two stakeholder meetings of the Desert Renewable Energy Conservation Plan.

I attended Ridgecrest steering committee meetings.

I have been to the Desert Renewable Energy Conservation Plan scoping meeting. I have attended IS -- Imperial Sand Dunes Recreation Area subgroup meeting in El Centro.

I was fortunate to deliver a speech to the Southern California Landrovers Association, and I conducted a radio interview with the radio station in the high desert.

So in my spare time, we will see if I can maybe step this up a bit. Thank you. And thank you, Teri, for keeping my schedule quite busy.

DIRECTOR RAML: I guess I better say on behalf of the BLM, we thank you.

CHAIRMAN BANIS: Thanks for those reports. We are back on schedule. And I would like to now hear from Mr. Holliday regarding a report from the Imperial

Sand Dunes Recreation Area subgroup, and you have ten minutes allotted for your presentation. Thank you. Presentation and a few questions.

MEMBER HOLLIDAY: These subgroups are set up by the DAC. They are DAC-approved groups for recreation areas. There were two of them primarily for recreation areas, ISDRA and Dumont. So many of the newer DAC members may not really understand why these groups were formed. So I would like Jim Bramham, who was a member of the California Off Highway Vehicle Commission, he was a member of the commission when these groups were formed and has some little background of why they were formed and how they were formed and what their designated purpose was.

Jim, can you give us an update, please?

MR. BRAMHAM: Thank you, Dick. I appreciate the has-been introduction. I has been most all of those things.

Yesterday we went on a tour that really focused on the idea of engaging and informing the public and keeping them involved in the public process. And that is exactly what these subgroups that were previously TRT's and those of us around for a while keep using the TRT acronym, but we recognize they were subgroups.

And the history is in a letter that I have sent to the DAC. I believe Randy passed that around with some background history. I want to say that this started from the initiation of fees in El Centro and the contention by the public if we were going to put fees in, that the Off Highway Motor Vehicle Commission should stop funding grants to not only ISDRA, but all of the BLM.

And that contention grew to a point that there had to be something done about the public's involvement in these because at least appropriated dollars went through a funnel of going through Congress. The OHV grants went through the funnel of going through the public process at the OHV Commission. And the thought of having the Bureau having a room full of fee money to roll around in with no public oversight was not acceptable to the recreation public, and specifically those who were paying the fee.

So there was an agreement from the then-state director Ed Hasty that these fees would not be installed for a year, and we would have a committee that would work through that process. It turned out, unfortunately, that the agreement that had been signed with the concessionaires required those fees start

immediately. So out of that evolved a desire to come up with some agreements that could be done with the OHV Commission and the BLM to move forward.

The Commission wanted to create a technical review team or a public oversight committee. They would agree to continue level funding for three years of the OHV grants at that time, and the Bureau agreed to participate in this process that would bring the public engaged in conversations about not only the fee money, but appropriated dollars and grant dollars to get a representative cost of all of the management of the Dunes. And therefore, we could give not only input back to the public about what their fee dollars were doing, but how those corresponded to the overall management perspective of the dunes.

So we wanted to make sure that that happened. Again, this MOU was created which gave the viability of this group through State Parks. When that MOU ran out three years later, there was discussion about where to go with the group. And at that time Greg Thomsen was the area manager and we, through a long series of discussions, decided that it had to come back under the auspices of the DAC.

So it was formulated under that process. We always recognized that we had a responsibility to the

DAC to report to the DAC and to work in the best interest of that. In the last couple of years there has been question about whether the TRT is legally formed and whether it has a proper name and how this was to move forward.

And so the Bureau brought in Don Maruska to address the two subgroups to get their information under historical perspective and to try to set forward a path that was legally more codifiable under the auspices of the DAC. And that presentation was given after his work with both the DAC subgroups and apparently to the DAC. I wasn't present for that particular portion.

But through that, there were at least, I believe, what the subgroup members felt was an agreement that we would continue to have the same type of information and involvement in understanding the processes that went on at Imperial, management-wise, financially, to be able to give the best recommendations to the area managers.

We have not gotten -- this was presented to the DAC. We felt we had that agreement. We have not seen in the last three meetings that type of cooperation that had been historically present. So the concern has been rising outside of the subgroup --

this subgroup meeting had three DAC members at it. We have never had that occur before. We had several members of the outside public at it, because once again, the perception is that we are moving toward a situation where once again the Bureau wants to come to a place where they have a roomful of fee money and no public oversight.

So Don Maruska was asked to come back to that meeting, and we felt that with the facilitation of Maruska in the room, that there would be some conclusion to how, moving forward, the DAC subgroups would operate. And one of the messages that we have been trying to move forward is that the Dumont subgroup, which I also serve on, has been so highly successful and has that type of relationship and moved right forward from the Don Maruska presentation without a hitch.

And I think what happened in that conversation is that the Bureau took it that we wanted some form of cookie-cutter to have the exact same situation. And that's not at all what the message was supposed to be. The message was that is was the level of cooperation and understanding and the ability to go out to the public with accurate information in a timely manner that kept the confidence of public in

the process. That's what we request at the subgroup at ISDRA is that we have that information in a timely manner that we can keep the DAC from having to become involved with OHV issues.

The TRT and subgroup was created so that at the lowest level with the people that understand the issues the greatest and who are affected most by that management strategy have input on a public basis to the input on how that area is managed and to keep those from having to be constantly escalated back to the DAC. We don't want to come here.

We want reports; certainly understand that report have to be given. But to ask for the management to come back through here is a waste of time for both the people who work in a subgroup environment and for the DAC.

So I guess what I got out of that meeting and what is in my letter is that the idea that we need to move forward to try to get some form of relationship decided that we can either agree on or disagree on. And if we disagree on it, then people are going to have to make a decision as to whether they can continue to serve, and the Bureau is going to have to find people who will fit that mold. Or we are going to find a way to work together, which is my hope.

Because for me, this makes the sixth El Centro field manager I've worked with, the sixth state director coming up, the fifth Desert District manager. I know there is a way to make this work, and I want to do that.

There is a whole other element about fees that's also covered in my letter. But what I want to leave the subgroup report with is that the subgroup -- and my bullet point at the last -- subgroups are the best and closest place to do the management oversight and thereby minimize the demands on the DAC to constantly be entwined in these issues.

Subgroups need to have ongoing in their information stream and oversight, not limited to project-specific input. And this is one of the other things that we are working with Margaret to try to come to some agreement of where we are going to be in that stream of information, whether we are solely going to work on specialized projects that come from the DAC, or whether we are going to continue to have involvement in -- and I don't want to say day-to-day because that's absolutely not what we're looking for -- but the trends and oversights of the direction of management in El Centro.

And the meeting was, I would say,

disappointing to some of the people who attended it. There was an agreement at the end that the BLM staff would return. Teri -- we appreciate Teri attending that meeting, as well -- would get back to the subgroup with how we are going to move forward, and we are looking forward to that at the next meeting. But I really hope that the DAC is going to help with some direction to Teri and to Margaret about how moving forward you want that relationship to continue. With that, I'm open to questions.

CHAIRMAN BANIS: Actually, technically, Dick has the floor here. Dick, you have two more minutes to summarize. And I would remind the DAC members that our questions, summaries and recommendations come immediately after the morning break, and we have a little more time to discuss.

MEMBER HOLLIDAY: Thank you, Jim. As Jim explained, we had what we call a mission statement or a work group structure for these groups that was designed by Mr. Maruska and was approved by the DAC in 2009. This particular structure of the subgroups was a DAC-approved structure of how they were going to operate. So we want to just -- I don't want to make another motion to reapprove something that was already approved, but the document is approved by the DAC and

the group does understand that we work under the auspices of the DAC and that any recommendations to the Bureau comes back through the DAC as a formal recommendation through the DAC.

What we are really looking for here is public participation in the recreation area so that the public has -- can be the conduit for information from the public to the Bureau, and as Jim said, it seems to make sense that the people that are closest to the particular recreation area participate in that. As we saw yesterday at El Mirage, the Friends of El Mirage have a very good working relationship with the BLM and participate greatly in all their projects. They have a meeting every month, review what the projects are going to be and what the priorities are, and adjust those as necessary.

That's kind of the focus we would like. We would like these groups to have that same relationship with the Bureau as far as looking at projects and giving official advice through the DAC if there is something that needs changing. So that's about all I have to say for that.

We will have another meeting on November 3, and then at that meeting, we will discuss in detail the requirements, the fee structure, questions that

are in our strategic plan for the year. We had a list of three items that we wanted to discuss, and we will do that in detail at the November 3 meeting.

MR. BRAMHAM: I just wanted to add one thing. Randy talked about how this group was going to work moving forward, and this meeting was going to be about recreation. And we were opening the fee discussion at this point to be closed at the next meeting and requested that there be input to the DAC at that point. There are several letters circulating, mine, one from the American Sand Association and one from American Sand Association president, Rusty Massie, and a couple of e-mails from the public. These are not directed to the subgroup but to the DAC as you move forward with fees.

And so there was some confusion, I think, in that we had opened up some conduit of conversation that we should not have opened up, and we just want to make sure that the DAC understands that these are input to the DAC as you move forward and address fees in general.

CHAIRMAN BANIS: Thank you very much, Jim. Thank you, Dick. And again, if there are questions, we will take those after the break.

I would like to move on to the next agenda

item, please, which would be the report of the Dumont Dunes subgroup. The Dumont Dunes subgroup continues to meet regularly, approximately quarterly at the Barstow field office. The Dumont Dunes subgroup -- the Dumont Dunes Recreation Area has many similarities to the Imperial Sand Dunes Recreation Area in that it is a pretty big sandbox, and there are an awful lot of people that use it. And the people that use that area are passionate about their activities and make this a part of their family structure as to what they do for family together time and for family recreation.

Both of those places have that in common. Both places also collect user fees. Both places face some of the similar challenges, such as declining use levels due to economic conditions are resulting in fewer fee dollars coming through the gates. And as a result, that makes it difficult to meet some of the bottom-line necessities of managing these recreation areas.

But some of the differences between the two areas is that the Dumont Dunes area is smaller. It has a smaller visitation, and the fees collected are significantly lower. In fact, I have recently learned that there is a hospital CEO in Antelope Valley who has an annual salary more than the Dumont Dunes each

year. So it's a smaller amount of cash. But in mission, it's quite similar. So the Dumont Dunes subgroup at this time has been focusing on assisting the BLM with providing advice on some resource protection issues.

The Dumont Dunes area, as I have stated before, has at its perimeter a number of protected areas, Death Valley National Park and wilderness areas, and as a result, users who go outside that boundary of that relatively smaller area are encroaching upon places that are not designated for OHV use. And as a result, we have been helping the BLM identify the most appropriate places to install post and cable fencing to protect those resources.

For example, one is along one side of the Salt Hills ACEC, that Area of Critical Environmental Concern, and another is along the eastern boundary with the wilderness areas. So that's been a good working project for us. And I appreciate the BLM having sought the advice of that group.

The subgroup, the Dumont Dunes subgroup held its annual Saturday meeting to help increase the public participation. And we did see a higher level of participation at that meeting. It was a really good meeting, and I expect that it will cause us to

hold another Saturday meeting at the times coming.

Aside from that, I can say that we have no other hot-button items that I have to report. So I would like to yield the balance of the five minutes of my report to the questions, summary and recommendations from the DAC later on. Thank you.

I would like to move to the next agenda item. And this would go to Meg to report on the SRP subgroup. Meg, we have 15 minutes allotted to the report of this subgroup, and it's important because that group has met several times.

MEMBER GROSSGLASS: I don't really need a mike, but I will.

I am going to give a basic wrap-up of the purpose of the subgroup, why they came about. And then I'm going to let Jerry come up. He is the chairman, and he can do all the heavy lifting.

As most of you know, there was an accident out at Johnson Valley and there were some deaths. And the BLM did a report and kind of had come to the conclusion that they weren't strictly adhering to their regulations. And as a result, they were now strictly adhering to the regulations as you heard testimony earlier. So one of the hiccups in that process is that all of the user groups didn't

necessarily know how to adhere to those regulations either. So this group was formed so we could facilitate getting that process smoothly in place.

So there is a great, huge number and type of events that happen in the California Desert District, so it's quite an undertaking. And as we all know, we have very passionate users here, so it has been quite a challenging task for us.

The first thing that -- the whole purpose of our subgroup was to kind of help with motorized events. So the field offices were using kind of a template for motorized events, and our task was to kind of look at that event template and amend it in a way so that all groups could use it. So we have been doing that, and we have been having meetings. And I want to give Jerry the floor. Mr. Grabow.

MR. GRABOW: Hi. Yes, so far we have met probably six or seven times. We have had two public meetings. We have also had some workshop meetings where it's just been the subgroup meeting.

What we have done is gone through the 52 stipulations. We figured out what in those stipulations are already included in the law, and those we feel don't need to be a part of the template. But what is not in those 52 stipulations, we need to

make sure that they are included in that template.

What we have gone through, we gave back to the BLM, and their task force group has reviewed that and given us comment back on that. We are, like Meg said, we are working on the motorized side for a template right now. But that will be laying the groundwork for a lot of the SRP's.

So, anyway, that's it.

MEMBER GROSSGLASS: I just want to finish up. Thank you, Jerry, I appreciate it.

I just want to say that I think this has been a little bit challenging for our group. It's a very controversial issue, and a lot of us have a lot of passion behind it. And we got kind of a slow start, so I want to make sure that we stay with the task at hand and get the motorized template completed and hopefully to you guys to review and recommend to the BLM that they use it.

And then after that, I'm not quite sure I know of another task for us to do. I would like my other DAC members and the BLM to kind of think of what our next specific -- this subgroup's next specific task would be. I know it is important that we get our direction from the DAC, so it's important that the DAC and the BLM think about -- I think kind of task

specific things for this group so we can be productive and give you things that will help you with the special recreation permit process.

That's about it for me.

CHAIRMAN BANIS: Teri would like to add to the conversation, please.

DIRECTOR RAML: First off, I would like to thank the DAC for supporting the formation of this group which has been, as Meg says -- we have had quite a task ahead of us with implementation of all the rules and regulations and procedures in special recreation permitting. And I want to compliment every one of the subgroup members. You feel like you got a slow start. I don't believe that. BLM -- and we have lots of humorous acronyms at the BLM. There are lots of meetings, and lengthy meetings. We are meeting specialists, and we are used to getting together and getting moving. You came from -- you knew each other. You came from different parts of the Desert District. You had different interests and reasons to get together. You got together.

We handed you a task that was a very complicated task. It was a task that would have challenged BLM people to get on top of. And I think on very short order, you had have done a tremendous

job. And we haven't looked at your work, but I think you have done a tremendous job because you volunteered to come together and assist us.

I think one of the -- the reason some of these people apply to these subgroups is they have ideas and interests and suggestions that we have not even begun to tap into. I hope we can continue to keep these groups meeting and maybe along the lines of the collaborative spirit, that we can not just task the group, but let the group task itself to do some things we haven't thought of and to make suggestions that would take a little effort on our part to evaluate and see if we can implement.

I commend the group and Jerry. This is a -- a group working together is darn hard work, and I think you had have done a tremendous job. And I thank you for your commitment and the amount of time and energy, and I thank the DAC for support of this group.

CHAIRMAN BANIS: Thank you, Teri. Meg, any other comment?

MEMBER GROSSGLASS: No, Teri's boss.

MEMBER HOLLIDAY: I think that this group started off obviously based on the accident in Johnson Valley and kind of kicked this whole effort off. And I understand the people that are in the nonmotorized

thing, we had quite a few of the rock hounds at the last meeting to explain their concerns with this process. Same thing with the equestrians.

One of the people that's on this group, her background is something of the equestrian events. So I think that from the DAC's perspective, from my perspective that once this template for the motorized is done, that we need to task this group with looking at these nonmotorized events, a template for those because it's quite a different operation for a motorized event, whether it's competition or noncompetition, versus regular other type of events.

And I think that possibly once everybody is satisfied with the motorized template that's generated, that possibly the members of this group should change a little bit and that would be to get some more of the rock hound people, the equestrian people into this group because the original structure of this group is primarily off-road racing or recreation-type things. Not to say that there shouldn't be some of those still because they will have a great deal of history of how this process worked. But I think that at that point in time, once that template is done, the DAC members should continue the group, but ask that there are additional or some

of the people cycled through to more represent the nonmotorized recreation people.

CHAIRMAN BANIS: Meg.

MEMBER GROSSGLASS: Thank you, Dick, because the -- I definitely agree with you. Obviously, we had nonmotorized issues affected by this, but I believe the majority of people on this subgroup are focused on motorized. So it would be prudent and smart of us to maybe change this group out and have people that have expertise on getting nonmotorized permits.

CHAIRMAN BANIS: Thank you. What I would like to do, if I may, is to yield the balance, the four or five minutes of that time to the questions, summary and recommendations. And I would like to move next to the renewable energy update and report from the renewable energy subcommittee.

I would like to call to the DAC's attention a summary report in your packet. And is that also on the table? And it's for the members of the public. You will find that on the document table as well. I want to pull that out here so we have this in front of us. It's right after the agenda. It says Renewable Energy Report from the DAC. Take your time, please, and review this item. It will give you a good update.

You will also notice in your packet our

regular field office manager reports. Each of those also touches greatly on the renewable energy issues within those field offices, projects, transmission, et cetera. So please, look through this packet completely. And you will get a really good picture of where we stand today.

The renewable energy subcommittee has not met as a subcommittee since the last DAC meeting in June. At that time we made some recommendations relative to renewable energy. We had asked that the DAC regularly update us on the DRECP process. We had asked that the BLM regularly update the BLM (sic) on other renewable energy programatic planning, including geothermal projects as well as the solar PEIS. And we had asked to continue to update the DAC with key project status reviews, meaning what I termed the "thermometer graph" that we were familiar seeing on the Web site. And that continues to be a strategy for public information by the BLM on their Web site. You can also find project-by-project updates on the BLM's California Desert District Web site. I really encourage you to go to the CDD Web page, click the link for renewable energy, and you will find all the projects there, as well.

Although the subgroup -- the subcommittee has

not met since that time, if I may briefly, in lieu of an official update on the DRECP, Desert Renewable Energy Conservation Plan -- in lieu of an official update, my assessment of the current DRECP process is that, first of all, the DRECP has entered the scoping phase of the conservation plan development. That scoping phase concludes tomorrow -- I'm sorry. Monday. Sorry, tomorrow is a holiday for me. On Monday.

So if you had wanted to provide a scoping comment for this process, time is running out, and we do need everybody to put on the table what it is they would like to see this conservation plan address.

Another important development relative to the DRECP is that the DRECP leadership, which is called the Renewable Energy Action Team, which is comprised of the four lead agencies, BLM, US Fish and Wildlife Service, California Energy Commission, and California Department of Fish and Game, is -- they are currently in the process of creating what we will call decision space.

What that means is that if you look at a map of the 20 million plus acres of this planning area, there are many colors on the map, many geographical information systems, GIS color patterns. There are

color patterns for where the best solar potential is from the sun. Where the best wind energy potential is. Where the most critical of biological species concerns are. Where the migration corridors are. All of that kind of scientific data is being -- those shapes are being analyzed vis-a-vis management area shapes and for the purpose of identifying which lands are essentially going to be taken off the table for renewable energy development and specific conservation actions. And areas that are targeted for being taken off the table are areas that are legislatively protected. Legislatively protected. On the federal level that would include, for example, National Parks. It would include wilderness areas. The military lands are also taken off this table.

Areas that are not being taken off the table are management level designations such as ACEC's, Areas of Critical Environmental Concern; DWMAs, that's Desert Wildlife Management Areas; OHV recreation areas; Special Recreation Management Areas, and so forth, because those are not federally- or state-protected through legislation. Those are protections or areas that are specifically managed based on a management plan level or a management designation. So the point of this is that after you

take away these areas that are off the table, what is left is your decision space.

That's where the DRECP leadership, the REAT, the Renewable Energy Action Team -- that's where they will be focusing their decisions as to where are the most appropriate places to site renewable energy projects and transmission projects. And where are the best and most effective places to focus conservation activities.

And I urge you to visit the DRECP Web site at DRECP.org, and I will say it really -- it's got everything up there. It's all in chronological order and if you really -- if you have the time and the inclination to want to get yourself caught up, that Web site will allow you to do so, meeting by meeting, step by step. And you will be right up to the same level of understanding that I and April and some of the others and Tom, who sits on the DRECP stakeholder group, have. So I want to keep you up to date on that important process and hope that we can continue to receive updates on this and keep us engaged.

I have Dick, and then I have Lloyd, please.

MEMBER HOLLIDAY: I would like to just make a comment on this report here. It's kind of gratifying to see that the second sentence there, that the BLM is

increasing their due diligence on these projects from a recreation standpoint or public land standpoint, the BLM should be looking out for what is the best interest of the general public.

And if these projects are not viable, then they shouldn't be approved. And if you will notice, the first thing there, there was three projects that changed from one technology to another technology and possibly that first technology wasn't viable or for some reason they changed that to another technology, whoever owned that project. But I think the BLM has a responsibility if they are going to use public land -- take land away from the public, for these things that the projects are viable.

One of the issues I have is they are funded by the government. We are putting billions of dollars into these companies in order for them to build the projects on public lands. That's just my personal take on that.

CHAIRMAN BANIS: Thank you. Lloyd.

MEMBER GUNN: I have a two-part question. You said the scoping period ends on Monday?

CHAIRMAN BANIS: Scoping period ends on Monday.

MEMBER GUNN: Okay. I have a news release

that says it ends the 15th.

CHAIRMAN BANIS: Am I wrong? Clay?

UNIDENTIFIED SPEAKER: On the trip they said the 12th.

CHAIRMAN BANIS: The 12th is in the heads. I am wondering if someone will check.

MEMBER GUNN: Public scoping period of 30 days ending September 15, 2011, and this is from the BLM from Steven Razo.

MR. RAZO: That's a joint release.

MEMBER GUNN: Actually, I was at the scoping meeting at State Line at the golf course there at Primm for the State Line project. And I just -- I think one important suggestion anyway is that if you are advertising it or informing the public that it's a public meeting, that they be allowed to publicly ask questions and to publicly hear other experts give their information or to ask questions as far as there were several biologists there. They weren't allowed to ask any questions or give any information.

There are some experts on solar, and what they did was it was basically -- this is just my opinion, but it was basically a PR meeting for solar. And in other words, they would tell what they knew. And one of my questions was, what about the carbon

that is released into the atmosphere from bulldozing the land? They said, well, that's all been figured out. So there wasn't -- it didn't seem like a really informational meeting.

CHAIRMAN BANIS: Was that a DRECP scoping meeting? The DRECP scoping meetings were at Ontario and Sacramento.

MEMBER GUNN: It was a State Line project.

MEMBER SALL: BLM processes.

CHAIRMAN BANIS: I need to echo that. There were three things I saw that came out of that scoping meeting. First of all, public comment, verbal public comment was not allowed. And this is a concern of community members. And little written comment cards sometimes just don't capture the passion that people have for these issues. And it could have been taken because these meetings are recorded, not by a stenographer or reporter, but they are recorded by the WebEx recording process, so the comment could have been taken. And second, it was disappointing not to see a scoping meeting in the planning area. Twenty-plus million acres of planning area, and the only meetings were outside of that.

So that was a concern of folks that I spoke to from Barstow, from Ridgecrest, from Baker and so

forth.

And the third item, you know, as an unusual player at this table, and it's oddly recreation. Recreation has kind of crashed the party a little bit. The Renewable Energy Conservation Plan is primarily geared to find the best places to build and the best places to mitigate for the effects of the building of this renewable energy. Recreation feels that it may be a victim of collateral damage. As projects are built, access may be lost. And as conservation measures are implemented, further access may be lost. And that's a great concern of recreation.

And the majority of the attendees or the largest single group represented at that scoping meeting were recreation. And I have also heard from members of the REAT and the agencies that the recreation people were among the best informed of the participants there. And the biggest concern that recreation has at this point -- and I spoke to you just a moment ago about this data and these colors on the map -- we have colors on the map for everything, biology, for vegetation, for designations, but there is no color on the map representing where people recreate. The only colors on the map that have an association with recreation might be the designated

roads. Those are the arteries and capillaries and veins. They don't actually show where people go hiking, hunting, rock hounding and star gazing and on and on, dog mushing. It doesn't show their area. So in short -- yes, dog mushing in the desert. See me about that at the break.

So those are the three things I took away from that scoping meeting. And thanks for the opportunity to share that.

MR. RAZO: Clarification. The September 12th date is for the DRECP comment period. The September 15 date is for the State Line project.

CHAIRMAN BANIS: April.

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

I just want to echo this concern because this is now the third public meeting I know of that BLM either hosted or was a part of where public comment was not taken. The first one was a PEIS meeting where they started, and then due to technical issues were not able to finish doing that.

And then the DRECP meeting, and I heard about the State Line project meeting, and I understand there were carpools of public users from as far as Long Beach and throughout the desert that were not able to

give public comment. Renewable energy is an issue moving through the desert very rapidly; the impacts are huge; the majority of the public is still unaware as its basically being approved. And I think BLM and the DAC and all of the entities possible need to really do all we can to increase public participation and knowledge.

And I understand the frustration from desert residents and stakeholders that drive to these meetings expecting to engage and then cannot. And I think not only written comments on comment cards are not the same, but there is also not necessarily dialogue to ask questions, and people leave very frustrated and often do not continue to engage in the process. And I don't want to see that happen, and I want to echo those concerns.

CHAIRMAN BANIS: I'm think that used up some of the minutes I saved for Meg. Are there any other comments before we move on to public comments and then do a break? Hearing and seeing none -- I have public comments. Please. I'm going to shake it up.

MEMBER GROSSGLASS: Ms. Brashear has her hand up.

CHAIRMAN BANIS: Marie, why don't you start us off, please. Young lady, good to see you here

again.

MS. BRASHEAR: Basically I'm going to comment on the renewable energy stuff. I had some others on some of the others, but I think that's right now the most important thing that we can deal with.

And I also attended the meeting in Ontario and I watched that not only were the public not allowed to comment, when the public went around to the various stations, not one person who was there representing whatever interest it was -- and I don't mean our interested citizens -- representing the project proposal folk, not one person took one note. Two people commented in written comment cards behind me. But not one person.

The majority of people who were there felt disenfranchised. And this has been a technique that not only the DRECP, but BLM, the military, a number of others. I do have to compliment Twentynine Palms. They did hold some public meetings where the public was allowed and where they actually took input.

But I have been to others, and there was no public input. This technique is called the Delphi technique. You can look it up on the Internet. And it's basically to discourage public participation. Not encourage it. That's my first point.

My second point is it -- has to do with cumulative impacts. The Ivanpah project was just approved. Totally, they are getting ready to build and all that kind of stuff. And I think well over 1,000 Desert Tortoises have been approved for incidental take.

Now, if they do over 1,000 tortoises for that one project, what in the hell are they going to do for the other projects, and who is going to have to make up that difference? Are those people who have tortoises in their backyard going to have to be the people that provide the habitat from now on? Because what I see happening is we are going to be, if we are approving those kinds of numbers, then what we are going to have to do is restrict actions and activities in all these other spots.

CHAIRMAN BANIS: Thank you, Mary.

John Stewart, please, followed by Ron Schiller.

MR. STEWART: John Stewart, California Association of Four-Wheel Drive Clubs.

I appreciate the fact that BLM is looking at due diligence for the renewable energy projects. It's too bad their due diligence cannot include the financial health of the solar companies, which seem to

be failing. The energy issues are going to be big and expensive as we move through the future on the great cost to both the public in terms of lost access for recreation and great loss in the pocketbooks also.

I would like to go back to three of the main topics earlier that we talked about, the fees and permits. Fees and permits are still on the agenda for future, so I would like to ensure that everybody keeps in mind the purpose for the fee areas when Dumont Dunes and El Mirage were set up as fee areas. And like Jim pointed out, the history from the fee demo into the Federal Lands Recreation Enhancement Act allowed for fees for areas and to enhance the use of the areas.

Throughout the desert, throughout all the land management options nationwide, there are many types of fees that are applied. And when this discussion of fees comes up, I would hope that clarity of definition would be incorporated so that the different types of fees are not all mixed into one lump sum bag. They all have different purposes. They all have overlapping terms. So a clear definition of recreation fees, special fees, user fees, all these to be clearly allocated to what they stand for and how the money is accounted for.

This also brings up the fact that when you start looking at all the different stipulations for the recreation competition events, one size does not fit all. You still have not really accounted for -- and I hope it will come out in the future -- that there is a great distinction between spectator events and nonspectator events, and that is something that's very key.

There are different issues involved. Different management of the public for watching spectator events are necessary. But those same stipulations should be not applied even as a checkup box for a nonspectator type event. Overall, as the discussion of fees moves forward, there must be a clarity so we are all on the same page and realizing that the Forest Service is also part of this land management and everything should be in sync.

CHAIRMAN BANIS: Ron Schiller, followed by Gerry Hillier, please.

MR. SCHILLER: Yeah, I would like to thank you, Dick, for your comments regarding the SRP regarding the nonmotorized user impact. I appreciate that.

Also, I'm very impressed. Randy captured a lot of the comments from the Ontario meeting. I'm

very impressed -- at least I know he is listening because he stole some of my thunder this morning. Him and Marie both. I attended the scoping meeting. I was extremely offended. Six people from Ridgecrest drove 300 miles, some of them took off work, for a scoping meeting where we weren't allowed to comment.

I had to insist on simply asking a question on the formats of the meeting. The meeting, like Marie had mentioned, was a Delphi technique, a process developed by the Rand Corporation for the Army to appear to take public comment when they really don't. And the way the issue works is you run around to little stations. You don't have the benefit of other people's comments or discussions. So the agencies get to tell you what the public comment was and nobody knows the difference.

These lands that are going to be used are going to come out of the recreation base. They are not going to come out of wilderness or ACEC's or other critical kinds of land management issues. We have to mitigate that loss. And you say, Well how do you mitigate that? You get it by re-evaluating some of the areas that are currently multiple use areas. Areas, for example, in the Ridgecrest area, the WEMO and the NEMO. There was never any public involvement

done on those.

That's a bogus excuse to use '85, '87, inventory that was never looked at by the public. It was never even grounds proved. It was a quick and dirty WEMO answer, and the public deserves better. There are areas in there that those shouldn't be closed. There should be access for hunting and gem and mineral collecting, and that needs to be readdressed. And that could be some of the mitigation for the loss of the areas we are going to lose for sure under this renewable energy.

Let's go back and do the job right and let the public be involved. I'm tired of seeing this quick and dirty skipping over of NEPA and running over the local public who has a basic knowledge of what's going on on the ground. And thank you for your time.

CHAIRMAN BANIS: Thank you, Ron. Gerry Hillier.

MEMBER GROSSGLASS: I have a question for Ron, actually.

CHAIRMAN BANIS: I'm sorry.

MEMBER GROSSGLASS: How were you guys not allowed to give comment? You wrote down a comment and they told you you couldn't do that?

MR. SCHILLER: You go to a public meeting, to

a scoping meeting, and you expect to be able to make some comments. There were a lot of folks who will go to a scoping meeting to make comments, especially with the elderly. They were not going to sit down and write something out and mail it in. So when you are not allowed to comment at all --

MEMBER GROSSGLASS: So you are saying they didn't write down verbal comments?

MR. SCHILLER: They passed out a little card, but you weren't allowed to say anything. It was very obvious.

MEMBER GROSSGLASS: I wasn't aware of that.

CHAIRMAN BANIS: Thank you, Meg and Ron.

MR. HILLIER: Good morning again. I want to put a couple things on the record on behalf of Brad Mitzelfelt, the local government representative who had planned to be here and may yet arrive today. He has been on the East Coast and had trouble, I think, making connections and all and isn't with you this morning. He does hope to be here.

However, because of the timeliness of it, I thought I better interject on his behalf.

First -- and Ron Schiller touched on it -- the mitigation for the loss of recreation areas. Brad has been instrumental in carrying resolutions on

behalf of the San Bernardino County specifically requesting that these projects as part of the environmental review, assess and mitigate for the loss of recreation opportunities and access to the areas.

This became very apparent, frankly, on a DAC field trip in El Centro when we were out there. They were talking about the solar project down in the Yuha area. They were going to block off the access to this area. And we asked, how are people going to get into the area now? And they basically said we don't know and don't care.

So we carried a resolution to the National Association of Counties, which they have continued to renew, specifically directing that in the environmental assessments, that they provide mitigation for things like recreation access.

The second thing -- and you haven't touched on it this morning -- and that's the relationship of the DRECP and the solar PEIS process. We have two specific concerns relative to San Bernardino County in that. First is that the solar PEIS has a proposed solar energy zone, SEZ, for Pisgah Crater and is proposing that that be withdrawn from mineral entry.

That is one of the high mineral areas in the county, and we have raised specific objection to that

being withdrawn and designated -- they can designate it to the point that solar can be done compatible with mineral development. That's fine, but we do not want that withdrawn from mineral entry.

The second is out in the Cadiz area by the Iron Mountain Public Plant, and that is an area that the PEIS, solar PEIS, designates as a SEZ. And the Energy Commission. For whatever reason and they won't tell me, doesn't want it be to be so designated. And they say, well, there are biological resources out there. And I said, What biological resources? And they said, Well, the gentleman from the CEC that I talked to said, I'm not sure. And that was where it ended our conversation. And I wanted to go on the record on behalf of Brad on those points.

CHAIRMAN BANIS: Thank you, Jerry. I'm sure Brad will appreciate that. That concludes the public comment cards.

Well, Nicole, yours was for the fee program overview.

MS. GILLES: There is another one on there.

CHAIRMAN BANIS: Thank you. Nicole Gilles from the American Sand Association, please. Thank you. Appreciate your clarifying that.

MS. GILLES: And it's Nicole Gilles, from the

American Sand Association. Thank you very much for having this meeting today. And thanks for allowing me the opportunity to speak.

I just wanted to talk a little bit about partnerships and the importance of partnerships. I am obviously with the American Sand Association. We have been around for about ten years, basically a volunteer-driven, nonprofit organization. We represent 35,000 members and 225 business sponsors.

And we are dedicated to preserving public lands for sand sport use, improving OHV safety and responsible land use, and our motto is to unite, inform and mobilize. And "inform" is the optimum word today in reference to the DSG's. And I want to speak on how vitally important the DSG's are to the process of the communication lines between the users and the BLM. And I just want to bring to your attention the partnership report.

In my private life I was the CEO of the Brawley Chamber of Commerce, and in doing so, the ASA helped form the United Desert Gateway. And that has been a huge and tremendous outreach tool and also been great as far as allowing the BLM to do a lot of projects that they wouldn't have been able to accomplish. So I wanted to refer to this.

And I wanted to submit this to Chairman Banis to talk about the partnerships and to give you a little bit of information about everything that's been done to date. And the total contribution from the United Desert Gateway to date has been about 1.6 million dollars, and that's funds that wouldn't have been accomplished and projects that wouldn't have been able to be accomplished without this, so I wanted to give this to you.

CHAIRMAN BANIS: Thank you, Nicole.

MS. GILLES: And I also wanted to say that the ASA has been an enthusiastic partner with the BLM and our volunteers have contributed many hours in support of BLM outreach programs and in cooperation with the United Desert Gateway and American Desert Foundation, the ASA has funded or coordinated in-kind contributions that have reduced operating costs at ISDRA.

I'm presenting you with a copy of the partnership report. And I also wanted to say that again, the DSG is vitally important as a conduit of information between the BLM, DAC and public-at-large, especially for the most visited OHV area in the nation. Thank you.

CHAIRMAN BANIS: Thank you, Nicole, and my

apologies on your last name. I panicked.

And I also wish to thank Nicole and the ASA for the thorough letter that was distributed to each of the DAC members this morning. Please spend some time looking into that as they gave a lot of time to that also.

One last comment is from Tom Tammone, please. Hi, Tom, welcome. You have three minutes.

MR. TAMMONE: Tom Tammone, for the record.

I just want to make a comment once again on these energy projects, renewable and solar energy, solar projects particularly. Like I mentioned at the last meeting, one of the other people I don't normally agree with pointed out the need for point of each generation.

I was part of the a nice power failure the other day in San Diego County, and it was a mess. And they blamed it on a benign equipment change-out by one poor guy that was set to work on the grid. Something burst on the 5,000 volt grid, and basically all of San Diego County and parts of Orange County and parts of Imperial County shut down.

Building these projects out here on public lands, face it, the power grid can't handle it. And as far as the whole thought, an electric car takes

about as much power to run as your house. Every time someone buys a new electric car, it's like somebody just built a new house on the neighborhood and stuck it on the power grid.

The only way you are going to be able to do this is if there is more generation at the point of use, period. The power grid is too vulnerable to terrorist attack, and we need to reduce our dependency on the grid. The grid cannot handle all these projects on public lands. And the sun shines just as brightly in the city out here as it does on the desert. The few cloudy days we have out there will be overcome by the cost of transmission and the loss of transmission, moving it from the desert to wherever you want to use it.

So the only way you are going to have electric cars to any real extent, the only way you are ever going to reduce dependency on foreign oil to any real extent is to have point-of-use generation utilizing solar power. There is no need to put solar panels out here in the desert. Thank you.

CHAIRMAN BANIS: Thank you, Tom. That concludes our public comment period, if I may. It is 10 o'clock, and I would like us to be back here at -- in 15 minutes. That's 10:15, please.

(Brief recess was taken from 10 a.m. to 10:23 a.m.)

(Brad Mitzelfelt enters.)

CHAIRMAN BANIS: I'm going to call the meeting back to order. This next item on the agenda, the questions, summaries and recommendations from the DAC. And what I would like to do, if the DAC members agree, is to roll through the report items and see if there are any recommendations or comments on those.

First, before we get started, I would like to allow one of our DAC members who has joined us to introduce himself, please.

MEMBER MITZELFELT: Brad Mitzelfelt, San Bernardino County Supervisor, representing elected officials for local government.

CHAIRMAN BANIS: Very good. I'm going to go right through, and let's start with the Imperial Sand Dunes recreation area group. I placed in front of everyone a copy of the ISDRA subgroup structure that was approved by the DAC about three years ago.

MEMBER HOLLIDAY: 2009.

CHAIRMAN BANIS: And I would like the DAC to look at this document in hopes that this document is a guiding document and see that this mission is still appropriate and if it will still create an effective working relationship among the DAC, the subgroup, and

the BLM. And I think some of the questions that we've heard may find answers within this. We see the mission that has been -- by the way, this document is available on the ISDRA subgroup Web page for the public.

It has the mission regarding providing advice on long-range planning and resource management. The mission is to discuss and make recommendations relative to infrastructure, to review the season's activities and identify key issues. Discussion about specific issues you will see listed and communication of accurate and useful information.

You can also see that the meeting schedule is a projected three meetings per year. And that it will permit electronic sessions. And we have encouraged the BLM to provide materials, if available, and notice to public in advance.

And lastly, the process for reporting to the DAC. That the subgroup will prepare summary of meetings and that the subgroup chair will report to the DAC chair actions and recommendations. The DAC chair is to forward those to the rest of the DAC for what's termed a 14-day comment period. That does not preclude the BLM from taking action if it's necessary to do so, but provides us a 14-day window of

opportunity to express concerns, comments, or suggestions.

And so I believe that the mission is deep here. I think it's solidly written. I believe that the ability to provide materials, if available, is clearly stated here. And I also believe that the reporting process is delineated quite well here.

The DAC members have any comments or questions on this one.

Alex, the floor is yours.

MEMBER SCHRIENER: To show my lack of expertise in this particular issue, we have heard today about a Friends group that seems to operate kind of in concert with a local District Manager and functions. And then we see this subgroup that seems to have similar, somewhat overlapping functions except from just the little bit I've heard, it sounds like the Friends group is more efficient in getting things done.

Why is this process more efficient in getting the function done? I guess what is the bottom line? Is the bottom line to get effective interaction between the users and the BLM? Or is the effective interaction to have the DAC be intimately involved? Slightly different function. Maybe not as efficient,

from my perspective.

So I would like to open a discussion, perhaps not now, perhaps at some time for further discussion as to what is the difference between those two groups? How are they related or different, and which is more efficient? Maybe we should be looking at more Friends groups and less DAC groups or subgroups if one is more efficient than the other.

CHAIRMAN BANIS: At the time this was written, the El Mirage area was the one of the three that did not charge fees. And the DAC was focusing on -- the DAC was focusing on a way to provide advice to the BLM relative to these areas that were collecting fees. And the DAC's ability to get into the weeds on these was refocused instead to a subgroup that would be more nimble and adept and educated on the issues, and they could provide the DAC advice.

As to your question, that's a good question. And also that the Friends groups are certainly not under any direct reporting relationships with the DAC. Subgroups do have a direct reporting relationship to the DAC, and subgroups receive their connection and authority through FACA, the Federal Advisory Committee Act, from the DAC. The Friends groups are not a FACA body.

MEMBER SCHRIENER: I guess my comment is less to be concerned about which regulatory agency is controlling which group, but which is more efficient in actually getting the job done that the public and the BLM both want to see done, which are our final objective. It's not bureaucracy; it's effectiveness.

MEMBER HOLLIDAY: I would like to -- that's a very good point, Alex.

Currently, as Jim Bramham stated, these official groups were generated more from recommendation from the OHMVR Commission to oversee the fee structure when it originally went in back in 2000, but you were absolutely correct. The Friends groups tend to be more focused on the particular area. And the problem that we've got, at least at the Imperial Sand Dunes, is there isn't a Friends group. There is not one there. There is not the same dedication and everything as there is in some of these locations to really step forward and be a Friends group, if you will.

So we don't really have that. We don't have that same structure, at least at Glamis and the Imperial Sand Dunes. If we do have a Friends group at Dumont Dunes, they are not very effective either at this point in time. And one of the issues is -- I

will be kind of frank here -- the people that recreate in the sand dunes don't have the same mentality -- maybe that mentality is not the right word -- but the same focus as some of the other Friends groups like El Mirage or Friends of Jawbone. For some reason the sand sport people just don't get involved that much. So these other groups are kind of being the public comment on the fee structure and the operations of the recreation area.

CHAIRMAN BANIS: Tom, and may I add that one of the softening blows to our not creating an El Mirage subgroup is the fact that the El Mirage Friends group was helping to provide that connection to the public. And it was already -- it's already established as such a group. So that's a good point, Dick, that there doesn't seem to be a similar model there. Tom.

MEMBER ACUNA: I'm just trying to understand what it is that we at the DAC are considering, if we are considering anything at all.

And Dick, help me here, but I'm going to try to play something back what I think I saw going on in Jim's presentation. It sounded like the Imperial Sand Dunes subgroup has been working fine for many years, and the suggestion here is less from the DAC

currently, is less autonomy to the group, the subgroup. I think -- was that what I was hearing is they wanted to be left alone? Or did I get that wrong?

MEMBER HOLLIDAY: No, not at all. I think the focus is we have had some new managers and some new management people within the CDD. I'm just trying to reiterate here that these are the defining factors that were put together by a contractor, approved by the group and approved by the DAC at some point in time, in order to have the public comment and public conduit between the DAC and the users and the public in that area. And there has been some concern about what the role was of the group. And we don't ask to change at all. We just want it exactly the way it was specified in this particular document here. And if we can continue on the way we have been working, we are real fine with that.

MEMBER ACUNA: So Randy, does this document support what the existing subgroup wants?

CHAIRMAN BANIS: At the last subgroup meeting, there was discussions. And suggestions had come out to modify this subgroup mission in two ways: One was, if you notice bullet point 4, it goes into a great deal of specificity regarding the topics that

they will be looking at.

But if you also notice the bullet point directly above says the same thing, just less specifically. And there is a suggestion -- there has been a suggestion that the DAC consider removing that fourth bullet point. And one of the other comments in support of that is that there is a companion document for the Dumont Dunes subgroup that is the same format, and the Dumont Dunes group does not have this fourth bullet point. So the suggestion was that by removing bullet point 4, it would be more in line with the mission of the Dumont Dunes group, as well.

There was another suggestion relative to the composition of the group. It had been expressed that the Dumont Dunes subgroup had benefited greatly by having a representative of biology, wildlife science or conservation. The chairman of the subgroup, Dr. Bill Presch, has been invaluable and remarkably helpful, his research and studies, in helping us adapt the Dumont Dunes area to be able to support the Mojave fringe-toed lizard and the recreating sand duners. And his research has been instrumental in keeping those from affecting each other negatively.

And so it was suggested again that the fourth bullet point be dropped or that a conservation group

or a science person be added for expertise. So those were two suggestions discussed. There was not unanimity in support of those suggestions, but those were suggested. And the DAC would have to act to revise this if the DAC would so chose to do so.

MEMBER GROSSGLASS: Do I have to talk about that issue?

CHAIRMAN BANIS: We are on the ISDRA subgroup issue.

MEMBER GROSSGLASS: Okay. Nobody talked to me outside about this issue. I don't understand why we are not talking about the real issue. The real issue is that we used to get a certain amount of information about the fees. And we are not getting that amount of information now. So that's what this whole thing is about, and it has to be about fees.

This group was formed about getting information about fees. Now, I think that there probably can be a middle ground found between what the BLM wants to give us and what the subgroup wants to get. There has got to be a middle ground somewhere, and let's get that issue out on the table, deal with it, and move forward. And then this group has the possibility to run like a Friends group and to be effective. But this one issue has totally stopped it.

Let's talk about the issue.

CHAIRMAN BANIS: The point on our mission that touches on Meg's comment is the first bullet point. The only place in this whole document that mentions anything to do with something that could be interpreted as fees is that first bullet point, and it says advice regarding long-range planning and resource planning authorities (which may include the review of broad categories of allocation or expenditures and fines). So that's the place that it's stated.

MEMBER GROSSGLASS: So I would like to now, since I wasn't included in anything, I would actually like to know what Dick is suggesting as that -- did you have a suggestion for a resolution?

MEMBER HOLLIDAY: My suggestion was just to keep this particular document the way it is. Like Randy says, it's pretty general, pretty general in its recommendations for advice and where the advice, and what it's going to do is pretty general. And as Tom said, that's really all we were looking for.

Just to reiterate, we wanted the DAC members that may not have been around in 2009 to see what we have been talking about because there has been a lot of discussion about these groups, and these are the formats. There are two groups, one for Dumont Dunes

and the other for Imperial Sand Dunes. And these were the documents generated by the consultants with the concurrence of the existing members on the group and a vote on the DAC.

CHAIRMAN BANIS: Teri.

DIRECTOR RAML: Let me say a few words. Let me think. I have been told to slow down so I'm going to take a breath here.

I think there are two things I would like to address. One is that all is not well, as you can tell, so the idea that this subgroup has worked effectively over the years with the various field managers -- and Margaret and I are brand-new and the history of the group wasn't known to us until this last meeting where I was brought up to speed on the history of the group and how it started and its relationship with OHV Commission.

That particular and specific mission of the group changed when the MOU expired. It got changed when the BLM needed to address the issue of the TRT into a subgroup function, and I think there are a lot of good things that can happen with the subgroup, but it's not that everything has been fine. The people are not happy. The BLM feels we were not getting the recommendations and focus. And they feel BLM is not

giving them what they need.

When we first started looking at the group, Don came to the meeting so I thought, well, let's bring Don back and talk about it some more. That's why Don was invited. This may be a focus for a future discussion. There is a world of difference between a subgroup and its level of involvement and a Friends group. And part of it, yes, and I appreciate Alex's comments about efficiency, but for us it is a little bit more about bureaucracy and regulations on how the group is approached.

Subgroups meet three or four times a year and report to the DAC. Friends groups meet frequently as needed and work closely with the BLM. There is a difference in mission and focus, and there's a difference in what the groups bring to the table. So I think that topic can be explored or not, but I don't think that -- I would think the DAC would think closely about wanting a subgroup to function like a Friends group.

CHAIRMAN BANIS: I just would also like to say from a half-glass-full perspective that these people are continuing to plod along and work together to find something that will work. Some people have said that it's darkest before the storm is over.

Others will say it's darkest before the lights go out for good. As long as the participants remain engaging each other and trying to find a solution, this is simply the darkness before the end of the storm. When everybody walks away, then that's a different story, and I don't see that yet.

We met even this morning around the table at 7 o'clock with the subgroup, and poor Lloyd said, Holy Cow, what did I step into? But we are continuing to do this. And that is a positive side of this. It's not over. Ron.

MEMBER JOHNSTON: Well, Randy, naiveté is what prompts me to ask, but very specifically, which things are broken with the subgroup that need to be fixed? And maybe that's something Teri needs to address. What specific issues item by item need to be addressed and resolved?

DIRECTOR RAML: I am putting Margaret a little bit on the spot because she is the field manager that works most closely with the subgroup. And I don't know if I would expect her to go item by item, but what I would expect her to do is talk a little bit about her perspective and areas where she would see improvement and where the DAC could help.

MS. GOODRO: Thank you, Teri. I am going to

turn this way.

So we had a meeting last night with the subgroup, and we have had probably about five or six meetings over the past four months in pre-meetings, subgroup meetings, post-subgroup meetings. And so part of this, what Teri mentioned is the transition. The transition is still kind of going on and making sure that we were aware of and fulfilling what the DAC expects of the subgroup. So from my viewpoint is that the DAC has its requirements and its request of the subgroup, and we need to fulfill those.

And then as for the subgroup as a field manager, I would like that we start prioritizing and looking to the future and be getting as much input as possible from the different user groups and look at our priority areas for ongoing safe recreation in the Imperial Sand Dunes. So we were a little frustrated because we are not there. And we would like to be getting that information.

It seems like from the subgroup's standpoint, the subgroup feels like we are going backwards and reviewing things already reviewed and agreed upon. I think clarifying the mission and clarifying what is expected and making sure we are fulfilling what the DAC has requested, fulfilling the needs of the BLM and

fulfilling the needs of the partners and making sure that all works together.

CHAIRMAN BANIS: Well said.

Tom is next. But a specific, if I may -- several years ago we were in a period in which there were far greater resources available within the agency to address issues and work with the subgroup. And now things are much, much different. Resources are much more scarce and there has been -- the agency is concerned that the level of reporting that was provided in the past was unsustainable, given the resources available today, and that we are trying to find a middle ground where sufficient information and reports can be provided. But in a way in which it doesn't -- in a way that's sustainable and ongoing. That's a specific.

Thank you, Tom, for waiting. I appreciate your patience.

MEMBER ACUNA: Thank you.

To be truthful, I don't think this item is cured enough that the DAC can do anything about it right now. Initially I thought all things were well. And then I hear, no, things aren't all well. And there is a lot of different ways to look at this. A lot of things to consider. But I need a choice.

Choice A or choice B. And I hate to drag this out until the next meeting, but I think we ought to just move on and allow -- Randy, how are we going to schedule this? How do we format it so we can provide some meaningful feedback on the topic later?

MEMBER MITZELFELT: I agree.

CHAIRMAN BANIS: I will admit I think that the subgroup was looking for me to do that today, and I don't think I have that for you. Any further comments or questions from the DAC on this issue? Can we ask that this be an agenda item that we table for further discussion and resolution in our December meeting? Is there any objection to that? Hearing and seeing none, so be it. And we will continue to work with the subgroup and let's come up with an either/or for the DAC to consider. Thank you. I'm sorry. We couldn't resolve this today, but you can see that there is interest among the DAC to do so.

The next item that we heard reports from was relative to the Dumont Dunes subgroup. Comments, questions, recommendations?

SRP subgroup, comments, questions, recommendations? April.

MEMBER SALL: Yeah. I guess I would just like a little more of a response, and I don't know if

this would be from the chair or from someone from BLM. When we were setting up the subgroup, I remember some presentations, and I think Roxie had the matrix that talked about all these different possibilities and factors that one might check off or that might be applicable to a particular event.

So I guess my concern is that the groups that may be holding nonmotorized events or events without spectators -- this was brought up by one of our members of the public -- are really not only frustrated, but basically waiting to be next in line to be addressed for a template, I guess, of nonmotorized SRP's. So I guess I would like an update on where that's at. Maybe it's a next-to-do item, but I thought the whole point of having other recreation members on that subgroup was to address it at the same time and in a timely manner. And I hear some frustration that that's not been the case. So I guess I would like an answer on that from someone.

CHAIRMAN BANIS: Meg.

MEMBER GROSSGLASS: That, I think, was initially, I think, the BLM's thought.

MR. STEWART: Would you please use the microphone? We can't hear you back here.

MEMBER GROSSGLASS: I think that was

initially the thought for the BLM -- I think that initially was a thought by the BLM and by probably this group when we formed it. But we didn't get anybody from outside the motorized; correct? We got Holly. BLM.

DIRECTOR RAML: No, I think from my perspective, and there are several perspectives that can be offered on this topic in the room. The intent that BLM requested was specifically motorized events. That's what we were focused on. The happy surprise or the surprise was when we tackled the topic of special recreation permits, a whole group of people came forward that we were unaware of how much they were affected by this and how concerned, how very concerned they were on how what we were doing or how we were proceeding with it was going to affect them.

So the original intent was always motorized. And I tried to be fairly specific that that was what was the issue at hand and that was concerning me. So during the time we were soliciting for membership and the initial meetings, this other group of folks came forward. So now how quickly do we adjust to this express need? I think that is certainly something that the DAC has to consider, but the intent was to start out with the motorized.

MEMBER SALL: So just to clarify, then, the intent for the SRP was for only motorized events; however, nonmotorized events are being held to the same --

MEMBER GROSSGLASS: Where they have to get a permit.

MEMBER SALL: They are now being held to this more intensive process, and this has not been addressed?

MEMBER GROSSGLASS: No. Everybody is being held to the same standard.

MEMBER SALL: But more intense.

MEMBER GROSSGLASS: Right.

MEMBER SALL: So it's time to address if this is still appropriate for nonmotorized or nonspectator events.

MEMBER SCHRIENER: So I'm clear, what it sounds like is that the nonmotorized were in the past given a pass on regulations that they should have been following all along. Now they are being obligated to follow the same rules and regulations that they should have been following all along. Those may need to be changed because they may be inappropriate for those functions, but given the way the regulations are written, they should have been; they weren't, and now

they have to be, given the regulations. I want to be sure I am correct.

MEMBER GROSSGLASS: I think you are perfectly correct.

CHAIRMAN BANIS: But I think there is a third item in the wing, and that is how things are implemented does have some degree of discretion that might help provide an easier path for the nonmotorized.

MEMBER SCHRIENER: But that's the point of modifying the existing rules to accommodate that. That modification has not been implemented?

CHAIRMAN BANIS: That's correct.

MEMBER SALL: Yes.

MEMBER GROSSGLASS: But to be clear, we were not modifying rules or regulations.

CHAIRMAN BANIS: Tom.

MEMBER ACUNA: When I listened to Meg present earlier, I was unclear as to when the recommendations from that group would be set forth and when they would be implemented, if you will. That's my first question.

The second question that you asked was feedback from the DAC. Once that mission is accomplished, any suggestion going forward and my

suggestion on that would be people do the very best to create the best idea. Sometimes it doesn't work; you need to keep the group alive for at least a year to see if that is really working.

MEMBER GROSSGLASS: When our task will be completed, that is definitely up to Jerry Grabow, our chairman. I know he is here to participate in that discussion. Do you want to address his question? I don't run the meetings or write the agenda, so if Jerry wants to tell us. He is asking when the template will be completed.

DIRECTOR RAML: Roxie can help too.

MS. TROST: Roxie Trost, field manager from Barstow.

Maybe one thing that I can help clear up is the intent was never that nonmotorized wouldn't be addressed. We came to the meeting, and there was a miscommunication, and the group started with nonmotorized. And I think that by starting with nonmotorized, they felt they could get a product and present it to the DAC faster.

Although that could have been possible, I think that BLM's immediate need and specifically for the Barstow field office, we were looking for a motorized operating plan template to help the event

organizers move forward. And because of that, there was some redirection and we asked the group to try to focus on motorized, even though it may be a little bit harder task than we anticipated.

With that, the group went back, they refocused. They had made great strides in moving forward with going through the stipulations, developing a new template, and I would anticipate that you will be very surprised at how rapidly they are going to be able to bring a product forward. They are extremely committed. They met numerous times since the last DAC meeting.

So I don't have a date for you when that's going to happen, but they were a very enthusiastic group. And I guess I want to reiterate we asked them to go back to the motorized because it was critical for BLM to move forward in that regard. But nonmotorized was never totally off the table.

MEMBER ACUNA: Nice layout. But you don't have a date, but you have got to have a range of time. Is it going to be this year, or the first quarter of next year, or where do you think that would be?

MS. TROST: Given the rapid pace of this group, it's rare to have a subgroup to meet as often as this group does, so I wouldn't be at all surprised

if they had something to present by the December meeting. I really am reluctant to put that type of deadline on them, but they are moving very fast. So if it's not the next meeting, I would suspect it would be the meeting after.

CHAIRMAN BANIS: Thank you, Roxie. Might I also, just for a moment I would like to introduce for the DAC member's benefit, I see at least two additional members of the SR group besides chairman, Jerry. Wayne Nosala is one of our appointees and Clayton Miller. Is there anyone else that I'm missing? So not only are they meeting every two weeks, they are coming to our DAC meeting as well. This is commitment. Thank you.

Any further comments or questions? Next issue will be renewable energy. April.

MEMBER SALL: Yeah. I would like to, I guess, clarify maybe out on a little bit to a comment I made earlier.

Regarding public comment and the way BLM handles public comment for meetings, I guess first of all, I would like to say I'm having a little bit of insight on one of the meetings in question we have already talked about. I feel like this is not necessarily just a comment that's directed at the CDD

or the field offices, so I don't want this to sound like we have been picking on local BLM by any means. I feel everyone has done a real good job.

But the concern still lies that we are not necessarily providing an appropriate venue for the public at some of these meetings. So I would like the DAC and certainly members of the public to be able to help you, BLM, in providing the appropriate venue for the public to engage in these meetings. So if that pressure is coming from DC or project proponents to have speedy public meeting, we need to help you address that because this is a process incredibly important and the public is missing their opportunity.

So we've got a few motions that I think a few of us would like to make regarding this issue. And I know Tom has one, so we will get to that.

But one of the things that I would like to request and maybe make a motion on is that in the public scoping meeting notice that goes out on these meetings, that it is clearly specified if there is going to be public comment or not. And this is something that I'm sure BLM has to address their policy on. But I feel like there has been a couple of notices that misrepresented how a meeting was going to be run. So I would just like to have a consistent

public meeting structure and have it spelled out in the announcement as to if there will be public comment and if so, as to what format.

CHAIRMAN BANIS: Let's stop there with that one item.

MEMBER SCHRIENER: That was my comment is that it's good to have in the notice that there will be public comment. But public comment can be effectively, as far as the government is concerned, a written comment and may not always please everyone that has to sit down and write in 100 words or less what the thoughts are. But that is considered effective public comment.

Now, oral comments are equally as effective but may not be transmitted in the same manner that you expect. They may be therapeutic for you to stand up in front and give us your thoughts, but unless someone is there writing down those word for word, they may be only for someone to hear and not necessarily be transmitted. But if they were going to have written comments or oral comments, it ought to be stated in the notice which it's going to be because someone may want to give oral comments. They won't travel 200 miles just to give a written comment. Often the written is more effective because it can be part of

the public record, it can be attached to a document. It may not be as therapeutic.

CHAIRMAN BANIS: Tom.

MEMBER ACUNA: Yes. I'm going back to how the public has an opportunity to participate. And what I heard from folks in the audience was great frustration going to these meetings and being ignored. People not even taking notes at the DRECP of their comments. Now, we, the DAC, are not going to write a letter, I don't think, to the DRECP. Our role is to advise the BLM. The BLM is one of the four stakeholders to the DRECP. And I think our recommendation to Teri and our motion, if we were to make one, would be, Teri, what can we do to help the stakeholders provide comment and to be heard?

And so that would be a message that I think you would be able to carry on our behalf. And it would benefit those who need to make that comment in some fashion. No matter what side of the table on the issues, whether it's renewable, industrial or environmental stewardship, public comment is essential to whatever plan we develop as a team.

CHAIRMAN BANIS: A point of order, please. I believe I have on the floor a motion that says in public scoping meetings, specify if there will be

public comment and in which forms. Is that acceptable or you wish to --

MEMBER SALL: Yeah, if it's appropriate to make that motion.

CHAIRMAN BANIS: I would really like to get a second before I make a ruling on that.

MEMBER SCHRIENER: I'll second.

MEMBER ACUNA: How about with an additional offer, and I will ask if it's a friendly.

Alex, you mentioned -- you did a good discussion that written comment is adequate. But I sense that the way things are, the times, that in the DRECP, verbal comment at these stakeholder meetings should not be precluded.

MEMBER SCHRIENER: Absolutely. But I think that if they are going to preclude it, which may not be inappropriate, i.e., if there is nothing illegal, it ought to be clearly stated in the meeting notice that it will not be taken. That way, people won't waste their time going there if they want to give oral comments. They know they have to give written comments. That's where they need to be more clear about it so people can make more effective use of their time and effective use of their communication.

MEMBER ACUNA: That makes perfect sense, but

if people show up to a meeting, they still should be heard. And that goes kind of against where you were explaining -- for example, let's suppose I'm on the DRECP and I say written comments only. I get that.

But what I am suggesting is that there still may be an opportunity for folks to provide verbal comment. Maybe that's not appropriate, but let's have that out for discussion. If that was an idea that the group here, that the DAC supported, we could add that on. If not, we can stick with what April just identified.

CHAIRMAN BANIS: I would say that I don't necessarily view that as a friendly. I think the seconder of the motion may not consider that as a friendly amendment.

MEMBER SCHRIENER: I think it needs to be -- if your comment is that it's as a -- we can clarify in the meeting notice. Because then what you are saying is that if they are going -- then the people who are making the meetings must make room on the agenda for an undetermined amount of time, if one person shows up versus 100 people show up, how much time do we need to allocate? Are they just going to let people vent their spleen for whatever period of time and then at the end of the day, you say thank you? Are you

expected to tape it? Are they expected to write notes about it? What are they expected to do if it's not part of the agenda and not planned? And that's where I'm confused. If you are holding a meeting, you have to have somehow what's going to be there so you can focus how best to transmit the information.

CHAIRMAN BANIS: Is that amendment withdrawn?

MEMBER ACUNA: Can we have more discussion first?

MEMBER GUNN: When people make public comment, some of those people are experts and other people go to those meetings to learn from them. There might be biologists there. There might be off-road interests, hunters there, there might be people that think that's a valued landscape. There are many interests. And one way to get educated so you can make a written public comment is to hear from these people and not just a therapeutic interest of your point.

MEMBER HOLLIDAY: Taking everybody's ideas into account, I think we should change this motion to make sure that either oral and/or written comments are noticed in the notice, if you will. Because there are obviously, as Alex said, there are legal requirements that maybe they don't have to take oral comments. But

if they are going to take oral comments, at least put that into this motion so that the BLM does make that notice. So if somebody -- even though we know oral comments are helpful, there may be times when they can't be, so at least people notice that they are not going to the meeting and expecting to make comments.

CHAIRMAN BANIS: I'm hearing two items, and I'm going to split the question. We have an item relative to specifying what kinds of comments will be accepted in the notices, period.

A second subject is our recommendation that oral comments be required or whatever we are going to do there. I see those as two things, and I would like to touch them separately. If it's okay and there is no further objection, to consider the motion that was made and seconded, stating that, again, in public scoping meetings, BLM should specify if there will be public comment and clearly indicate in which forms.

MEMBER GROSSGLASS: I have a question of the person who --

CHAIRMAN BANIS: Meg.

MEMBER GROSSGLASS: Did you want that just to the -- I never need a microphone.

Do you want that to be in just scoping meetings or all of their NEPA meetings? Is it going

to be at draft EIS meetings? So I don't know if that's a friendly amendment might be in all their NEPA --

MS. SALL: Yes, any public scoping or NEPA meeting for there to be a description of what type of public comment will be in the format of the meeting.

CHAIRMAN BANIS: Alex, friendly?

MEMBER SCHRIENER: Absolutely.

CHAIRMAN BANIS: The motion on the table is in NEPA public meetings, the BLM should specify if there will be public comment and clearly indicate in which form. Okay.

That's the motion that's on the floor. All those in favor -- unless there is further discussion. Any further discussion? Hearing, seeing, none, all those in favor say aye. Opposed? Motion passes. We can continue the discussion. Or actually, April still has the floor.

MEMBER SALL: So now on the second point, I would agree that I would like to see verbal public comment available as often as possible. I understand legally that is not a requirement, which is why we didn't, I think, add the first seconded amendment.

But I think that there are many members of the public that do drive long distances to attend

these meetings. And as Alex pointed out, would likely stay home and mail in their comments if that was going to be the format. So although we can't, I don't think, require BLM to have verbal comment at meetings, I would like to stress that I feel that that is really important and appropriate.

CHAIRMAN BANIS: May I restate a possible motion that's being offered as to encourage the BLM to accept verbal public comment whenever practicable?

MEMBER SALL: Sure.

MEMBER SCHRIENER: I second that.

CHAIRMAN BANIS: I have a motion from April, second from Alex. Further discussion? Hearing, seeing none, those in favor say aye. Opposed. Thank you. Motion carries. April, you still have the floor.

MEMBER SALL: I'm done.

CHAIRMAN BANIS: Further discussions on renewable energy? I have Brad and Meg.

MEMBER MITZELFELT: I normally would have done this under Council member reports. I have three substantive issues with renewable energy. They are policy. And I can make them fairly brief. Would that be an OK time?

CHAIRMAN BANIS: Sure. You have the floor.

MEMBER MITZELFELT: I want to refer to three documents. And I just want to make the BLM, the manager of the DAC, and the public aware of. One is relative to the PEIS for renewable energy, the Programmatic EIS.

County of San Bernardino this week sent a letter to the Interior Department secretary relative to the PEIS, and this will not be -- there will more comments and other issues. But the one that is acute in my mind is relative to the proposed SEZ for Pisgah in that it would withdraw what the county considers and the state considers a very important mineral resource because doing that designation would withdraw it from mineral entry, at least to some extent. The mineral values are very critical in this area. And we do have an MOU between, I believe, the BLM, if not the Interior Department, the State and the County of San Bernardino relative to the surface mining and reclamation law, the state money law. And the County General Plan requires the county to protect mineral resources.

Therefore, we feel it's incumbent upon us to invoke this requirement we have. We believe under FLPMA that consistency with local government plan such as this general plan and our MOU, we think, reasonably

requires BLM to take seriously our concerns about this area. And there is a letter that's been sent. The BLM is in receipt of it, I believe. And I just wanted to mention that one document.

And there are two others. One is actually two resolutions that I mentioned last year that the National Association of Counties adopted relative to mitigation for renewable energy. Those were adopted as policy for the National Association of Counties, which represents all counties in the United States.

Those resolutions were renewed in July. In Portland I presented them to be renewed; they have to be renewed every year. The committee discussed it and made one minor change, but did renew the resolution. The policy of the Counties of the United States is to request that mitigation for lost tax base be urged, as well as discouraging solely private land acquisition for mitigation as a conservation strategy or mitigation strategy. It's a very strong policy statement, I believe, by the counties.

And also there is a resolution relative to mitigating for lost historic uses, lost access, again, a multiple use concern. If an activity like OHV is impacted, we ask that it be mitigated if it is impacted by a renewable energy project.

A few numbers that I just wanted to mention, just with three projects, if you look at the Calico solar project, 4613 acres footprint; 10,302 acres mitigation. Ivanpah, 3582 acres footprint; 7164 acres mitigation. State Line Solar, proposed 3 to 1. I don't think this has been finalized, but 2114 acre footprint, 4220 acres mitigation. That totals 32,003 acres, of which 21,694 acres would be private land. Basically proposing private land to be taken out of production, taken out of private ownership. We feel strongly that, again, reiterating we don't feel that's a sustainable strategy.

And that leads me to a third and final document I wanted to mention. And that is a letter from the County of San Bernardino Board of Supervisors to the United States Congress. And I believe the department relative to a proposal by several of our ranchers in the desert that have sizable allotments and ownership in allotments for cattle grazing. And that they are proposing that they be allowed to retire and/or sell those activities, those ranching operations and retire the allotment as a mitigation for, perhaps -- I think it's a great opportunity for DRECP or some other global mitigation effort. I think it's a great opportunity to do that.

But we strongly support that, and we are working with our congressional representatives to advocate that. We believe it's a way to use public lands for mitigation rather than just relying solely on private lands. While we don't want to see these activities end, I think that we have some major ranching operations that see that it may be time to move on, and they are actually willing to. And I believe that there has been some considerable interest over time by conservation to acquire these properties and these allotments.

So I think we have an opportunity. I don't know for how long it's going to be available. So I want to urge that the federal government pursue this and with us. And as a mitigation strategy and a conservation strategy, that would be beneficial to all. And I would welcome any comments or I can leave it there on the record, having said it. Thank you very much.

CHAIRMAN BANIS: Our pleasure. Thank you. Comments, questions? I saw a lot of heads nod, though. I saw a lot of head nods.

MEMBER GROSSGLASS: Thank you very much. Brad.

CHAIRMAN BANIS: Any further comments on

renewable energy? Hearing and seeing none, I would like to move on -- yes, Meg? Renewable energy?

MEMBER GROSSGLASS: Much conversation was made about the meeting format and how they are not friendly and that kind of thing. And that has been always a pet peeve of mine, especially the new meeting format especially since they don't sit down and explain the project.

I don't know about anybody else. I would like to make a motion that the DAC recommend to the BLM that they go back to those types of meetings and that they include, 5, 10, minutes of an explanation of how to make a proper comment, depending upon what part of the NEPA process they are in. Even I could spend five minutes at the beginning of a meeting about a solar plant to say, "Okay, we are taking scoping comments today. A proper scoping comment goes along this line," because that goes a long way to educating the public on how to make a proper comment.

You and I all know that if you say, "This project sucks, I don't like it," that doesn't help anybody. It doesn't help Ron Schiller, Rusty, anybody. But some people don't know any different. I think it takes a small bit of time to educate the public, five or ten minutes. And having a meeting,

ten minutes that says, this is our project. And you can still have the little stations that have -- that give the specific information.

But I don't think it's too much to ask of the public to ask the BLM -- and I'm not picking on you guys, the CDD; this is a global thing -- here is a presentation of the different areas when we were done and get specific information. Actually, I think Roxie did this exact same thing at our very first meeting of the Twentynine Palms expansion. It was perfect.

Anyway, that is my motion. Does anybody gets that or do I need to restate it?

CHAIRMAN BANIS: Just one moment. I'm getting that. If I may restate.

MEMBER GROSSGLASS: Please.

CHAIRMAN BANIS: I have a motion, if I may restate, that the DAC discourages the BLM in relying solely on the break-out session format; and that we encourage introducing -- I just can't remember -- we encourage introducing public meetings with guidance on effectively providing public comment.

MEMBER SCHRIENER: I disagree with that, the first part. Because different formats of how you are going to present information to the public can be effective, given different types of information you

are trying to present. Having multiple small kiosks with individual detailed information, even if they were not taking your comment, may be a useful way of transmitting specific detailed information to the public at one specific time. They can spend as much time as they want at that kiosk, versus sitting at a meeting listening to one person after another yack and yack and yack.

However, there should be -- I think the thing that was important was educating the people on what is effective communication, what is an effective comment, and as summary oversight before they go around to all these different kiosks. That sets the stage, gets people on the same page, and let's them know how to communicate and what is an effective way to communicate. Even if one handed out a sample template: Here is a sample of effective communication on a project. It can be from a public domain document, so they can see specifics about a specific concern, give their recommendation of how to mitigate it, if needed. Talk about what their interests are. Very specific and direct so somebody can get their arms around it and can say yes, I agree or no, I can't, or whatever.

CHAIRMAN BANIS: May I rely on the eloquence

of our vice chair to offer a motion.

MEMBER SALL: So to offer a potential restate, I think the issue we were addressing is educating the public on public comment. So the motion being for BLM in the introduction of a public meeting to cover a sort of NEPA 101 process for giving substantive comments.

MEMBER GROSSGLASS: I think it's nice --

CHAIRMAN BANIS: Yes, it's your motion, go ahead.

MEMBER GROSSGLASS: Being the less eloquent person around, I would like the motion to say -- I think the DAC would like to encourage the BLM to give a basic overview of whatever the project is, couple minutes, and then a basic overview of how to make substantive comments wherever this meeting is held in the NEPA process. And if they so choose to have break-out sessions and talk about the things, like Alex says, which I do think it has a place because not everyone is interested in the same thing. But I think it's important to have a basic overview of the comment and telling people how for make a substantive comment. Does that make sense, April?

CHAIRMAN BANIS: Let me try this, please, if I may. I think this may capture that. Recommendation

to provide an overview of effective public comment techniques vis-à-vis the stage of the NEPA process for that project.

MEMBER SCHRIENER: I second that.

CHAIRMAN BANIS: Meg, is that all right? To provide an overview of the effective public comment techniques vis-à-vis the stage of the NEPA process for that project.

MEMBER JOHNSTON: You didn't cover the overview of what the process is.

MEMBER GROSSGLASS: Right. We need the initial overview of the project. And then a primer on how to make substantive comments on the project, depending on where it is within the NEPA process.

CHAIRMAN BANIS: One more time: To provide an overview of the project and guidance on effective public comment techniques vis-à-vis the stage of the NEPA process that the project is in.

MEMBER GROSSGLASS: Perfect.

CHAIRMAN BANIS: Sorry I ended in a propositional phrase. I don't normally do that. But forgive me today.

MEMBER SCHRIENER: Get out that ruler.

CHAIRMAN BANIS: The motion is for Meg, seconded by Alex. Any further comment? All those in

favor, please say aye. Opposed. Thank you, passed.
Teri, do you have a comment, please?

DIRECTOR RAML: Yes, I would like to comment
on this.

First of all, this is a very, very helpful
conversation for me. And the timing is wonderful. I
was aware of the two BLM meetings that were hosted by
CDD where people were very dissatisfied with their
participation. I wasn't aware that that frustration
extended to the PEIS and the DRECP. Monday we are
going to have a conference call with our new state
director and discuss the public meeting process. So
your motions are helpful, the discussion is helpful,
and timing is everything. So thank you very much.

CHAIRMAN BANIS: Thank you. I know we are
behind schedule, but we still have more, I'm afraid.

Steve, would it be okay to start the
recreation motions? Fortunately, I have prewritten
these motions. So this might go okay. I'm going to
take the podium, however.

At podium. At the March -- at the June
meeting when we opened up the topic of recreation, you
may recall that we put up -- I displayed some possible
recommendations relative to recreation. They have had
an opportunity to float around a bit, and I have heard

back somewhat on these.

I have had a chance to refine them. And I would like to at this time offer a couple of motions for your consideration, please.

May we have the lights on? Just the front lights should probably do the trick. Thank you.

The first item I would like to offer is a commendation to the BLM regarding the West Mojave Plan signing and the maps. And the reason I offered this is because we heard from numerous recreation representatives back in March a frustration that the timeline that had been set to meet the Court-ordered implementation of the West Mojave signing and mapping enforcement, monitoring and other strategies, that this time line was so very aggressive that there was significant doubt that the BLM could accomplish that by the deadline. And it was further -- we were further warned and cautioned that in the event these deadlines were not made, that it might result in road closures and loss of access to a number of areas because the deadlines were not complied with.

And I have seen this firsthand, and I would like to offer a commendation -- is there one screen before this, Steve? Thank you.

Whereas the Court-ordered WEMO motorized

route implementation plans were assigned very difficult deadlines;.

Whereas failing to meet the deadlines could have resulted in a significant and lengthy disruption to motor dependent recreation and other motorized uses by the public;.

And whereas the BLM's renewable energy and related workload has greatly stressed the agency's resources:

Therefore, the DAC applauds and thanks the BLM for successfully completing the required route signing, map updates, and monitoring, maintenance and law enforcement plans. Further, the DAC recommends that the designations within the El Paso Collaborative Access Planning Area be performed and incorporated within the Court-ordered WEMO route redesignation process.

Comments or questions from the DAC? I'm offering this as a motion. April, I'm going to need your help running this one. And by the way, in your packet -- all of these are in your packet. You can read them. It's the same thing that will be on the screen. So I move this commendation.

MEMBER SALL: Do we have a second? Do we have a quorum? We seem to have had an evacuation

plan.

CHAIRMAN BANIS: We are here.

MEMBER Schriener: I have a second.

MEMBER SALL: Second. All in favor?

Opposed? Motion carries.

CHAIRMAN BANIS: Thank you. Next. I'm going to slightly amend this. Because of our wonderful presentation we had yesterday, I did not expect and rather than wait three months to do another motion commending Friends of El Mirage, I would like to amend this motion to include both groups.

We received a presentation from the Friends of Jawbone at our June meeting and I think it impressed every one of the DAC members regarding the relationship that group has with the BLM. And I think we have seen a similar thing from the field trip yesterday.

Based on the presentation at your June meeting and our field trip of yesterday, the DAC commends and thanks the BLM's Ridgecrest field office and Barstow field office for creating and maintaining an effective partnership with the Friend of Jawbone and the Friend of El Mirage. The DAC further encourages other BLM field offices to consider this model as it develops relationships with other friend's

groups. I move.

MEMBER SCHRIENER: Second.

MEMBER SALL: Seconded by Alex or Brad. All in favor? Opposed? Motion carries.

CHAIRMAN BANIS: Thank you. Next.

I have four quick recommendations, hopefully.

No. 1, I move all routes within the motorized and nonmotorized networks should be signed so as to identify them as important public resources and to encourage the use of designated routes.

MEMBER SALL: Seconded. All in favor? Opposed? Motion carries.

CHAIRMAN BANIS: I don't mind asking for discussion if there is some.

MEMBER SCHRIENER: I did have a question. Each sign has to have -- this is sort of just my ignorance. Identifying them as important public resources, so we are saying now the sign is getting bigger and bigger in actual scope to put in words there "an important public resource"? That's what I am not clear as to what are we talking about. A poster out there?

CHAIRMAN BANIS: No. Thank you very much. Please let me clarify that.

No, that's certainly not my intent. That is

going to be the result of simply implementing route signs. By putting the sign in the ground with a number on it, that identifies that route as an important public resource. It's not clear about that. Could I have the DAC's forgiveness and trust to revise this post-motion to clarify this?

MEMBER SCHRIENER: We will think about that.

CHAIRMAN BANIS: Appreciate that. Point well taken.

MEMBER SALL: We have a point.

MEMBER GUNN: I just had a point or question too. I note friends of Jawbone does a great job in putting out these maps with route designations and so forth. And I hope they will continue with it because I was trying to find a spring that I worked on with the Mojave Preserve a couple years ago, and it's in the Ivanpah Valley. But I stopped in the Barstow office and I guess it's not published, the route designations aren't published, BLM route designations. But Jawbone does do some of that, and I hope they will -- have a more widespread map.

CHAIRMAN BANIS: Yes, a sister organization of the Friends of Jawbone is the California Trail Users Trail Coalition. They publish a series of maps with the goal of showing the major routes from the

Pacific Ocean to the Colorado River through a series of maps. And the Barstow area map, the first edition contained a number of errors. And we agreed it should be pulled. The good news is the new edition is virtually at the printers and it contains all the corrections. And those corrections also include corrections provided by the WEMO signing and WEMO supplementary maps recently released. So they will be continued and republished.

Third item. I move that all OHV fencing projects should provide adequate equestrian stepovers and pedestrian breaks unless such access is prohibited.

MEMBER SCHRIENER: I second.

MEMBER SALL: We were on motion No. 3. Seconded by Alex. All in favor, aye. Opposed? Motion carries.

CHAIRMAN BANIS: I'm afraid -- I'm pulling No. 4. I'm not going to offer No. 4. Some points have come up that were serious contentions I wish to consider, so I'm not going to offer point No. 4.

MEMBER SALL: Can I ask a clarifying question? On your No. 2, we didn't vote on it and I have a question. So current route naps should be available for on-line purchase or free download.

Current maps made by --

CHAIRMAN BANIS: BLM.

MEMBER SALL: Would they also be available for purchase at field offices? Could we add that.

CHAIRMAN BANIS: I consider that a friendly amendment. Routes for online purpose or free download or at field offices. Part of my intent here, the West Mojave Plan released the supplemental maps, and I was very thankful to see that these maps were available for download that didn't require somebody to go into an office to get them. If it's a digital map, we should be able to get them online. If it's a paper map, we should be able to order it on-line or buy it at the field office.

MEMBER HOLLIDAY: Could you read back, please?

CHAIRMAN BANIS: Current route maps should be available for on-line purchase or free download, and available for purchase at field offices.

MEMBER SALL: Could we add BLM.

CHAIRMAN BANIS: Current BLM route maps.

MEMBER SALL: Second. All in favor.
Opposed? Motion carries.

CHAIRMAN BANIS: Thank you, I appreciate that. Last item. I think this is important. This is

one of the more important items, in my opinion.

Appreciate the DAC's support on this. I think there is something we can do.

Whereas the National Trail System Act of 1968 created a system for designating trails, including the National Recreation Trails Program;.

And whereas the program includes more than 1100 motorized and nonmotorized trails, totaling more than 13,000 miles;.

And whereas route designations and signing in the CDD has been recently completed under WEMO, NEMO, NECO and WECO;.

Whereas the program provides many benefits to the trail and its managing agency in the form of partnerships, technical assistance and special events;.

Whereas inclusion in the National Recreation Trails Program would give BLM's desert trails special attention and possible protection with regard to renewable energy projects in the Desert District;.

And whereas National Recreational Trails "provide opportunities for communities to connect with nature and enjoy the great outdoors as part of a healthier lifestyle," the core principles behind President Obama's America's Great Outdoors and First

Lady Michelle Obama's Let's Move Outside

initiatives -- this was taken from the Department of Interior news release.

Therefore, No. 1, the DAC recommends that the BLM will work with user groups and the public to identify appropriate motorized and nonmotorized routes for possible inclusion in the National Recreational Trails Program;

No. 2, the BLM will submit applications to the Secretary of the Interior for qualifying trails by November 1, 2012, the annual deadline under the program;.

No. 3, and the BLM will review with the DAC the potential for additional nominations for subsequent NRT applications.

May I explain? And I knew there is one member of the audience who would encourage me to specifically say how many trails or how many miles of the trails. But the criteria for inclusion in this program requires the permission of all landowners. So 134 of these trails may be entirely located on public land. Some of them may cross private property. We may be fortunate in finding the private property owner who wishes to agree with this. In some cases, we may find that we can really only focus at this time on

trails that are entirely within the BLM's management. So I'm sorry, I just couldn't come up with a real item or real good quantity or quantifying method and that's why No. 3 is in there that this should be something ongoing as we continue to work and identify these trails. And I move this.

MEMBER GROSSGLASS: Second.

MEMBER SALL: Discussion?

MEMBER SCHRIENER: I have a discussion point. This seems to be one of the more complex ones because you are talking about public and private land and multiple points together. Personally -- and a bunch of issues which are not easily quantifiable and in the scope of what you are trying to present has ramifications.

I would find it difficult to agree to this in its format unless there was a further in-depth discussion of what you are actually -- what are the ramifications of what we are doing. And this is one that I would suggest that you could say we need to have another further fleshing out of this particular issue before we agree to it as a recommendation or amendment. That's my opinion.

MEMBER ACUNA: I would like to add that in my review of the National Trails Program, I love the

idea, but the applicability of the number of trails that actually get adopted are not that many. And if you have got a date here, we are going to go out and identify a bunch of trails. I think we need to work on this particular one a little bit more because it takes man-hours, and it will take a lot of BLM time to push this. And obviously, I want to be considerate of their time. And maybe we could talk about this a little more often outside of this moment. That's my suggestion.

MS. SALL: Meg.

MEMBER GROSSGLASS: I want a clarification on your comment. Did you mean that you don't want to vote on this now because you want us to talk about it more in the future because it's complicated and might take a lot of time? Wouldn't that stretch out the time it would take? So we take another three months to vote it further on down the road. I just want clarification.

MEMBER ACUNA: This was a new idea I didn't know we were going to talk about. It's always nice to know the details, your vision, show me a map, show me a little more rather than put forth and say make a decision.

Now, if you want to move forward -- and I

hear what you are saying. We don't have lot of time. We have a year to get it done, so that's true. So I'm open to the idea that we have a little more discussion right now and say what is going to happen if we approve this idea. Randy, do you have a vision?

CHAIRMAN BANIS: I have a vision. First of all, this comes from my review of renewable energy applications and review of DRECP guiding documents.

When a project is being considered and evaluated and when the DRECP is creating its best practices, you find repetitive mention that special consideration must be given to trails within the National Recreation Trail System. And in our struggle to find ways to mitigate the effects of renewable energy development on recreation, specifically on roads and trails, this is a mechanism that's already built into the process that trails that qualify for this kind of designation need to be specifically considered in projects because as it stands now, if this trail or road does not have such a designation, it receives no mitigation and it receives no special consideration with regard to that project.

And I'm trying to find ways to better stake recreation's needs with regard to going forward with renewable energy development in the desert. My vision

on this is a field office meeting with invited parties, recreation groups, sitting at a table that has maps of the routes with the ownership overlays and have these groups look at the routes and see if we can find some routes that are either, A, entirely within the BLM's management lands or, perhaps, areas that are minimally crossing public lands and which we know who those public lands owners are that might be willing to agree.

An example might be, let's say, a trail within the Jawbone area. The Friends of Jawbone already has permission from the land owners. By the way, the Jawbone area is a patchwork of public and private lands, even within the open area. But there are agreements with those private property owners to allow those routes to cross the private lands. And the Friends of Jawbone has been agreement to maintain and sign those roads for the private property owners.

In those situations we might find the property owner cooperative and willing to do so. In another situation we may find there is a terrific, important recreation route that has a parcel of private property in the middle of it. Nobody knows who owns it. It takes a tremendous amount of research to find out who it is and to find that person and get

him to buy off. That may be one that may need to go off to the side. But we may find a route entirely on the BLM land that has great recreation potential that we can say this thing needs to be protected. If there is a wind farm or solar project or transmission line, we would like special consideration given to the route because we know the rest of the routes will not have a special consideration.

MEMBER ACUNA: Great explanation. That's just what I needed, Randy. You have my support on this now.

MEMBER GROSSGLASS: That's a great explanation; you have my support. I want to make sure that we do not leave out nonmotorized trails because there are a lot of nonmotorized routes that are as important to off-roaders as they are to hikers. So I hope there is an inclusive look at all the trails in the CDD. And thank you for the explanation. It's great.

CHAIRMAN BANIS: You will see, too -- do you know how many national recreation trails that are in the California desert? Zero. Zero. Yeah. And if we could get one -- there were 41 national recreation trails designated last year, 41 across the whole country. That's not a lot. If we could get one, you

would see one side of my mouth turn up in a smile. And as that number increases, my smile would get bigger and bigger. But nonetheless, one trail would be putting us on the map.

MEMBER Schriener: I still have some concerns. And having in my professional group working with land issues, unless you can clearly identify the amount of resources, whether they are BLM resources, land people resources, how many acres are you talking about looking at, the amount of work that you may be obligating the BLM to do with diminishing resources may be setting yourself up for program failure.

And what you are in effect saying is that if a trail is easy to do, even if it's insignificant, even if you've got 50 trails, there are 49 of them you really want to do, but this one is really easy, I'm going to accept it and half a half smile, I reject that. You are picking something that may be useless or less than perfect versus saying give me a definition of -- it's going to take 500 man-hours or 500,000 dollars worth of legal time or land person's time to be able to determine out the usage. I'm going to take X number of people walking trails to determine that.

Give a budget or scope of what you are trying

to do or at least a ballpark versus giving, I'm going to make world peace and that's my obligation. It's not going to happen. I see that the scope as being untenable from my perspective. So I will have to respectfully not support this particular one.

CHAIRMAN BANIS: The only point I would add on that is that, sadly, I did not include the full criteria for what it takes to be included, and it is a relatively high bar. There needs to be demonstrated -- we need to demonstrate that a trail is worthy of being included. So I am not -- I am not, unfortunately, addressing your concern relative to a projection of work load, and I accept that point and appreciate that point.

But I would contend that no, quote-unquote, insignificant trail would make it to that level of protection. Thank you, though. I appreciate it.

MEMBER SALL: Thank you, Randy, for bringing this to our attention, and I support the concept of wanting to see some trails in the CDD get this designation. I guess I share some of Alex's concerns in it being so broad. And I'm not concerned with trails that are not worthy of receiving that designation. I'm concerned with BLM being inundated with a list of 5,000 roads and trails that every

stakeholder or member submits as, from their perspective, meeting that criteria. And BLM having to sift through, or some other entity, whether it would be the DAC or a subgroup, spend a lot of time sifting through that.

So I'm also a little bit concerned about the process and the workload and how the criteria would be used in first cuts to not waste man resources. So maybe there is a way that field office managers or recreation chiefs or someone could have like a top five routes that may qualify. But I'm certainly not ready to vote on this today. I think we need to explore this further.

CHAIRMAN BANIS: And I'm absolutely amenable for a way to quantify this. It's just not coming off my head at this moment. I just beg your consideration of a way to quantify this.

MEMBER SALL: Dick and then Meg.

MEMBER HOLLIDAY: Randy, in support of this issue, that you would come back to the DAC --

CHAIRMAN BANIS: Oh, I'll be back.

MEMBER HOLLIDAY: -- come back and do the legwork to suggest in a motion certain trails that would be presented to the BLM for inclusion. That would maybe take some of the load off them. They

still have to present those, right, the BLM to do that. And maybe rather than, like you say, sitting down with the BLM and all these different groups, maybe these groups could come back to do the prework to find out the trails that were most important to them.

CHAIRMAN BANIS: I like that idea. I would not want to be the one to solely come up with a list. I would like this list to be collaborative. And I'm just not sure how to engage in a collaborative process without some kind of support from the DAC and a process to move forward. So if this could be done in a way in which we know that in the event we go through this step of making suggestions, that my concern is that I'm not going to waste a lot of people's time in coming up with some great routes that need protection.

DIRECTOR RAML: Randy, thank you for bringing this to our attention, and we will do some staff work on it. I certainly again appreciate the DAC's discussion both on the positive of supporting BLM or CDD having a National Trail Program and also concerns about our workload and prioritization, and I think all of it is valid. So, Randy, we will work with you outside of this motion and kind of staff out what kind of time it would take to proceed down this process.

CHAIRMAN BANIS: I much appreciate. May I, however, just push one a little further -- the DAC and you. But no, the DAC. Might I simply -- might I drop No. 3 and might I drop No. 2 and amend No. 1 to say the BLM will work with user groups and the public to identify appropriate motorized and nonmotorized routes for possible inclusion in the National Recreation Trails Program with a possible goal of a November 1, 2012 submission.

MEMBER SALL: If you drop the date, I will go along with it.

CHAIRMAN BANIS: Some day, some time.

MEMBER JOHNSTON: What you are asking about is a sense of agreement. You are asking for a resolution or sense of agreement, and I think that might be more acceptable to all of us.

CHAIRMAN BANIS: Just to know that you all are behind me in doing this and that when we get everybody together and produce this product, that I still have your support.

MEMBER GROSSGLASS: I kind of wanted to -- as the motion is written up there, Teri, do you think that what Randy has written will take up too much of your resources, because that seems to be a sticking point that we are all worried about here. And I

wanted to get your opinion, although that's really putting you on the spot.

DIRECTOR RAML: I don't know. That's why I offered, and I'm looking at Becky and the field managers. I think we certainly need to look into it. It's got a deadline, irregardless, so I appreciate wherever the DAC ends with the motion, we will do some staff work to scope out what this would take.

MEMBER GROSSGLASS: Is this something that the Washington or California office has directed you to do anyway?

DIRECTOR RAML: Probably.

MEMBER GROSSGLASS: Just a question.

CHAIRMAN BANIS: I would be amenable to dropping two and three because I think that just emphasizes the assignment of the group.

MEMBER SCHRIENER: If you drop 2 and 3 and leave the date off at this point, as just a concern or direction, I can agree to that.

MEMBER SALL: Okay. So we have a motion that Alex has revised, and I think we are all in agreement. So all in favor, aye? Opposed? All right. Motion carries.

CHAIRMAN BANIS: Thank you very, very kindly. It's been about six months running through these and

with all of your support, I'm looking forward to more time and having a good product for everybody. Thank you, everybody.

MEMBER SALL: We are a little bit behind schedule, but we are going to go ahead and do our lunch break and then come back to resume presentations. So an hour and 15 minutes for lunch and back by 1:15. Thank you.

(Lunch recess taken from 12:04 p.m. to 1:08 p.m.)

CHAIRMAN BANIS: Thank you, everybody. I would like to call this session of the DAC meeting back into order. I apologize for having lost the time that we had saved this morning, and we are behind schedule, but I think we are still going to do okay.

First of all, let me say that with April having banged the gavel for lunch, that essentially closes for now the DAC's discussion on the larger strategic plan topic of recreation. We opened that topic at the last meeting. We closed the recreation topic with this morning's session.

Now, this afternoon we are going to turn our attention to the new focus topic, which is regarding user fees. And to start this afternoon's presentation off, we will be hearing from the El Centro and the Barstow field office regarding a fee program overview

with ISDRA and Dumont Dunes. Who is going to be taking that microphone first? Neil Hamada, the Dunes manager for the ISDRA.

MR. HAMADA: I have two presentations today, the first one, a brief overview of what our BLM fee authority and guidances are, and the second one will be a brief overview of what we do in the Imperial Sand Dunes. Today I'm going to cover the authorities, guidance, and clarify some key points I think there has been some misconceptions on and try and clarify some of the terminology used throughout the day.

So first of all, this is kind of the way that the authorities work for us. We have the law, which is passed by Congress, of course. In this case it's the Federal Lands and Recreation Enhancement Act commonly referred to as FLREA or REA. We have regulations, and the regulations that apply to this topic are 43 Code of Federal Regulations 2930.

Subsequent to the regulations, we have manuals and handbooks. Those are guidance that the agency develops internally, and we also -- not on the screen, we also have instruction memorandum and instruction bulletins, as well.

So under the Federal Lands and Recreation Enhancement Act, the bureau has only three types of

fees it can charge, and they are listed, the first one being a standard amenity recreation fee. And normally you would pay one of those fees at an iron ranger at a standard campsite. You drop your envelope into a box. That's just one example.

Another one is the expanded amenity recreation fee, which can be charged in addition to a standard fee or individually. So that might be a boat launch in addition to using the campsite. Or a water and dump station in addition to the campsite.

And the third one we were are going to talk more about is the special recreation permit fee. And there are many different types of special recreation permit fees, but mainly they are for specialized uses and group activities and events and motorized recreational vehicle use. These are the only three types we can charge.

We don't have the authority to charge an entrance fee. Only the National Park Service and Fish and Wildlife Service do. We are going to go over what is a use fee. But in the Federal Lands and Recreation Enhancement Act, the fees encompass all these types of fees.

So I'm going to talk a little bit about the regulations. And in the 43 CFR 2930, it basically

states when you need to get a permit, how to get it, what you are going to pay, and it establishes the framework for the agency to administer the program.

And so subsequent to the regulations, again, we have manuals and handbooks. These are guides, not laws; they are not passed by Congress. It's guidance for the agency to try and work through all of the intricacies that each different field office experiences in all of their individual programs.

Again, they provide policy, direction and guidance for us. Some of the points that I want to clarify are these following questions that I have been asked a couple -- several times. What are RUP's or recreation use permits and SRP's, special recreation permits? What type of fee is collected in the ISDRA? And this will apply to the Dumont Dunes as well. What are the reporting requirements for the recreation fees? How can the revenues be spent? What is the difference between indirect and direct costs? That's specifically spelled out in the legislation. And then when is Recreation Resource Advisory Council consultation needed for individual SRP's, and that's a specific type of SRP.

So what are recreation use permits? You commonly hear them referred to as use fees. These are

the only three types, so RUP is a term that was carried over from previous guidance legislation and policy. Currently when that term is used within BLM documentation manuals and guides, it's referring to the standard amenity recreation fees and expanded amenity recreation fees.

A special recreation permit is a different type of fee and applies to different types of uses. And those uses are covered on the next slide. We have five different types that we utilize: A special area use permit and also an individual special use permit for areas designated as special. ISDRA, Dumont Dunes, long-term visitor areas are designated special areas, and some of those are required to have individual permits.

Commercial special recreation permits, we get quite a bit of these customer appreciation days. Off-highway vehicle companies organize an event to show appreciation to their customers. They come out and have a barbecue or a gathering in our areas, and they require commercial special recreation permits.

Competitive SRP's, we have a subgroup that looks at those, the off-highway vehicle races.

We have vending SRP's. In Imperial Canyon we have over 100 vendors in ISDRA who have commercial

operations on our public lands.

And then organized group activity and event SRP's. And pretty frequently we get requested to permit weddings. And then another example is dual sport races.

So what type of fee is collected in the dunes? I get asked that, and I'm asked, well, where does it say that? In the Federal Register notice in '04 it states that we are collecting special recreation permit fees immediately upon arrival at the Dunes, and previous to that in an earlier publication, we defined what a primary vehicle was and that's the primary transportation vehicle that enters the Dune area.

What are the reporting requirements for recreation fees? The Federal Lands and Recreation Enhancement Act states that every three years the secretary shall submit to Congress a report, so that's a national report that the field office does not prepare. It comes out of our Washington office. We do put information into our data collection systems, which are then queried at the national level and all go into a national report, and that goes to Congress every three years.

Our manual states that in addition to that

three-year report, that we would also provide annual feedback. And that feedback will consist of those items, revenue, expenditures, projects completed, priorities for the next year, and then that it would be posted in the recreation site. It also says that we can include other ways of getting that information out to the public, like brochures and newspaper articles, radio spots and oral presentations. So for ISDRA, we do all of those.

This is a slide of our current -- actually, it's been updated just yesterday -- fee report. The annual report for 2010 is now posted for ISDRA. And you can see it's a pie chart and breaks it out of the five categories of where we spent these. How much money we collected, and then it's kind of hard to see it to scale, but the text says where we spent it. And then it also highlights a couple projects at the bottom, large projects that our visitors were really interested in. And then in text it also states what we are going to be doing the following year.

The Federal Lands and Recreation Enhancement Act also tells us how we can spend money. We can spend it in these five categories. These categories should be familiar to both the Dumont Dunes and Imperial Sand Dunes. We categorize and then report

them in these categories so that we make sure we are following what the intent of the act was. The yellow is the highlighted sections where we usually spend funding. In Item C, we don't normally spend funding in that category, but mainly repair, maintenance, facility enhancement, interpretation, visitor information, law enforcement and direct operating or capital costs. Law enforcement also includes some emergency medical services as well.

FLREA also says you may not use fees for certain things. I have highlighted those here. One of those is for biological monitoring. The second one is -- actually, I'm going to read this one: "The secretary may not use more than an average of 15 percent of the total revenues collected under this act for admin, overhead and indirect costs." So that was taken right out of FLREA, and it's for the entire nation and for the entire length of the term of FLREA, which expires in 2014. We may not also use fees for employee bonuses.

So what is indirect versus direct costs where that 15 percent applies? Our guidance says that admin, overhead, includes costs that are necessary for the administration of the recreation fee program. And it includes things like budget development, program

planning, administrative support and public notification. So these are the specific types of things that would be held within that 15 percent average limit for the nation.

Direct costs include all activities associated with both authorizing and issuing of noncommercial permits in special area. That's the individual special permits that we sell for ISDRA and Dumont Dunes. It says generally these permits are for individual use of special areas. And this is where our fee contract falls.

The reason I bring that up is there is a lot of discussion on the amount of our contract. And that it's over 15 percent. And it is, I think, in the last letter that ASA sent, they quoted 38 percent when you add the admin fees and the contract together. So it's a substantial amount. But it is not part of that 15 percent category.

So when do we need to consult the R-RAC? FLREA requires that public participation is required for recreation fees, but R-RAC advice is only for standard and expanded fees, not for individual SRP's, which is what we sell. The law says we don't need to go to the R-RAC. Subsequent to that, our own guidance says that we will go to the R-RAC for the standard and

expanded amenity fees and the individual SRP's. So our guidance says for that type of permit, we will go and get the guidance from the R-RAC.

That's a really, really short, quick, as simplified as I could, synopsis of the authorities and guidance we have in our fee program. And I can take questions if there are any or move onto the ISDRA briefing.

MEMBER GROSSGLASS: Great job.

CHAIRMAN BANIS: Questions, Dick?

MEMBER HOLLIDAY: I would just like to make a statement. Maybe Neil can respond. In my discussions with people in Washington, Anthony Bobo and he is the national recreation fee manager, I guess. We have talked many times about the term "RUP," and Neil said that recreation use permit goes back to the previous types of places that you could charge or things you could charge. And one of these issues is in the 2930s, in these documents they reference RUP's. And from my understanding, they will be changing those documents on the next revision of that to get rid of that term as far as -- it's not really a valid term as far as the Federal Lands Recreation Enhancement Act. It's a throwback to previous laws.

CHAIRMAN BANIS: Alex, please.

MEMBER SCHRIENER: You mentioned 15 percent for indirect, annually or nationwide. What I read into that was an individual district could have 50 percent if they needed it, so long as the total nationwide was 15 percent or lower in an aggregate; is that correct?

MR. HAMADA: Correct.

MEMBER SCHRIENER: Okay, thank you.

CHAIRMAN BANIS: Further questions? Well, why don't we go on to a new show. Thank you.

MR. HAMADA: This next presentation is going to be on the ISDRA specifically. I want to talk about the -- for those of you that aren't familiar, it's going to be about the location, opportunities provided, demographics, fee program overview, and some of the challenges that we face today, what services we provide, and a brief overview of our revenue and expenditures.

My objective today is to give you this overview of both the Dunes and the fee program and how the fee dollars have been utilized and just what our current challenges are. That's strictly what I would like to relate to you today.

We are located in the southeastern portion of Imperial County, a three-hour drive from Los Angeles,

San Bernardino, Orange County, San Diego and Phoenix, so that's where most of our visitors come from. And we have three main gateway communities: Brawley, El Centro and Yuma.

This is a map. Go to the next one and zoom in a little. We have two main highways that cross through the Imperial Sand Dunes. Highway 78, which runs through this section, and Interstate 8, which runs through this section here. This is the Gecko area, Glamis, Dune Buggy Flats or Gordon's Well, and then Gray's Well or Buttercup area. This is the national Mexican border, and Yuma is off the edge of the map here and Brawley. It's approximately 40 miles in length and averages about five miles wide. The large purple polygon you see here is the administrative closure due to litigation.

There are several polygons here and here and one farther north. And the light green area, if you can tell, is the North Algodones Dunes Wilderness Area. The total recreation area is 138,000 acres and about 88,804 acres are open. 75,405 acres are closed.

So we provide a wide range of opportunity for recreation. And on the top left here you see a photo of Oldsmobile Hill at night. We manage one of the most intensively used off-highway vehicle recreation

areas in the country.

On the other side of the spectrum down here on the right, this is the photo of Algodones Dunes sunflower in the Algodones Dunes Wilderness Area. And we provide 26,000 acres of wilderness, very remote, very challenging, and not very many visitors to that area because it's so difficult to traverse, but we do have visitors out there. So we provide a wide range of opportunities.

Most of you know us for the off-highway vehicle opportunities that we provide, and that is by far the most popular. Things have changed over time. This photo up here was high-tech back in 1970, 1960. Kind of dune buggy you might see out there once in a while today. But more than likely you are going to see a sand rail more like this. High horsepower. Long travel suspension. And within the last five to eight years we have had the UTV's come on the scene. Those were never even around back in the '60s and '70s. Kind of a new thing that came out of the golf cart-type experience.

So the second most popular reason why people come to the dunes according to our surveys is for social interaction. These folks here you see in the pictures and the kids are making family memories,

basically. You hear a lot of -- when we have public meetings, you hear a lot about two and three generation camps, traditional camping in the same spot for 30 or 40 years. And that's why folks come to the dunes. They like that campfire experience and the opportunity to interact with their friends and family.

We provide a significant business opportunity for private businesses. And they provide services to our visitors that are requested quite frequently. In 2006 we did a survey with our partners, United Desert Gateway, and at that time visitors had spent 1.66 billion dollars on their trips to the Dunes, just in 2006. And it's estimated that annually visitors spend between 577 million and 1.28 billion dollars in the local gateway communities. So it's a huge economic resource for our local area.

Yesterday we talked about filming in El Mirage, and we also provide a backdrop and scenery for a lot of films. You might recognize some of these. Top left is "Return of the Jedi" done in Buttercup, in those dunes. This one on the bottom "Lawrence of Arabia," 1962, I believe. "Three Kings," George Clooney right there in the middle and the top one is "Scorpion King." That's the Rock, Dwayne Johnson, riding his horse and the dust storm coming behind him.

So we also work with our Filming Commission very closely.

Educational opportunities in the Dunes: This photo is of a brand-new kiosk. And here we give guided hikes. That was a Girl Scout group, I believe, that came out this year, and we gave an interpretive hike. We teach them about the wilderness area, habitat, plants and animals. We often get requests to provide those, and we used to provide regular guided hikes out in the dunes, mostly during the fall and spring.

Earlier we had mentioned today about the economy, and this is a pretty graphic visual of what is happening in many of our recreation areas today that we manage. But in Imperial Canyons, we have seen a 10 percent drop over the last five or six years. The last column on the right is year to date, and we won't get much more visitation. So you can see it's dropping quite a bit. 1.1 million visitors is nothing to sneeze at. And when you have an area with 1.1 million people in it, you get all the issues that you have in a small city, basically.

These statistics are taken from three different reports, actually, that we have worked on with several organizations, including United Desert

Gateway, University of Colorado and University of Idaho. So our visitor we know is 69 percent male. We know that the average age is about 40, 83 percent white, and Hispanic percentages -- it's interesting, that is the largest increase of any visitation pattern for race that we see. So we have started already talking about, do we need to start printing stuff bilingually?

The next line there is pretty interesting. It's a third, third, and third for the number of adults per camp. And 35 percent of the groups have kids less than 12 and 22 have kids that are teenagers, 80 percent of our visitors are adults. They come just under six times a year and stay for about three days. The average visitor has about 14 years of experience. 75 percent of them come in RV's and toy haulers, and 84 percent participate in ATV recreation, that's about the highest percentage.

Here's 67 percent, that's another. That's an interesting one. About a decade ago it was about the same percentage of people that wanted information from kiosks and road signs. And now almost 70 percent want it from the Web site. Our Web site is usually updated weekly. And the next one, 35 percent have college education. That's also gone up significantly. We

have more educated visitors compared to a decade ago.

On the dunes we have on- and off-site fee programs. At the Dunes it's \$40 per week and \$90 for a season. If you buy it before you come, it's cheaper and it's \$25 or \$90. Our goal is to get 80 percent of our sales off-site. That reduces lines and improves customer service and gets our visitors to the local economy, buying fuel and other items when they stop to buy their permits.

We also have the vendor program I mentioned. In the Dunes they pay \$25, \$30 or \$60 dollars a day. If it's in the middle of the week and it's slow, it's \$25. If it's a regular weekend, \$30. And if it's a holiday, \$60.

We have a few races and a few group events that I mentioned earlier. The \$25 and the \$90 rate have been available since 2004.

MEMBER HOLLIDAY: The numbers are wrong. The off-site should be \$120.

MR. HAMADA: I'm sorry. You're right. That's an error on my part.

So what challenges are we facing today? And as always, the BLM is planning to provide a quality OHV recreation experience while conserving natural cultural resources. Of course, we have Pierson's

milkvetch, Black-tailed horned lizard. To the east of us we have Desert Tortoises. Human resources, finding qualified staff willing to stick around in the environment we live in is very challenging for us. We have a high turnover rate. And then funding. As with all other sites, funding is always an issue.

We provide emergency medical services with fee dollars. You can see a photo of our first dune buggy, 1960 something. That transitioned into this sand rail here, which is a rescue buggy. That's me driving about 15 years ago. And then this is our current rescue buggy. We have two of these, much smoother for the patient, smoother, better ride. That was to an actual rescue on Thanksgiving weekend.

A medic report. We have a paramedic that works in our office full time and will be providing advanced life support services to our visitors. Funding for staff is the challenge. It's very, very expensive to provide the level of medical expertise. It takes a lot of people to extricate patients to get them to a safe location, stabilize them, get them transported by ground, ambulance, and helicopter and a combination thereof. So it's very difficult.

Our number one priority is safety, and it's becoming more and more challenging. In 2006 -- I'm

going to give you an example. In 2006 we had 57 EMS staff, emergency medical staff working on Thanksgiving weekend. In 2010 we cut that down to 36 EMT's working on Thanksgiving weekend. I'm projecting that in 2011 we are going to have about 17 people working on Thanksgiving weekends.

We also normally hire 10 seasonal EMTs, and this year it's two. We are trying to mitigate those reductions by making our staff work longer hours per shift. So instead of working 12 hours, now they will be working 16 hours. So by cutting this number in half, we are providing a little bit of a decrease in the amount of medical services, but we are saving about 23 percent in funding, as well, because we are not paying per diem, travel, vehicle costs for all those other staff. So we are really tightening the screws and becoming more and more efficient to provide this continued high level medical services. I don't think there is anywhere else in the country that provides these type of rescue services in a sand dune environment.

In law enforcement, some of you have been around to remember this 2002 "New York Times" article that labeled the ISDRA "Holiday of Mayhem, Most Illegal Place in the World." We had some bigger

challenges then than we even have now. With partnerships, a lot of funding, we have turned things around. I think if you talk to most of our visitors today, they say the dunes is a family environment now. We really changed things for the better. It takes a lot of staff to do that. It's very expensive to provide law enforcement. I'm not going to give you specific numbers on the amount of law enforcement officers that we have.

However, we have cut back, and we have cut back to a point where we feel it's safe for providing that level of law enforcement needed for our visitation levels, but it's -- we would like to have more, basically to make sure if there was a major incident, we could handle it.

This is a photo of a typical night at Oldsmobile Hill. You can see a ranger off to the right, right here, looking from the dune down into the bowl. We can get upwards of 5 to 15,000 people gathering down at this location. We try to do proactive, strategic maneuvers in this area to handle these types of crowds, but sometimes we do have to shut it down.

We work with the Imperial County Sheriff's Department, and we will declare the area closed on an

emergency basis if we start to see a lot of illegal activity, and we will shut it down. Fortunately, through proactive measures, we didn't have to do that this last season. We get groups of officers on foot patrolling through these rows, breaking up any activity that might lead to more problems.

So trash collection is a big issue in the ISDRA. It wasn't too long ago when this trash pile was a normal thing to see on the ground that me and about four or five people would have to pick up every Monday morning. That is one of five sites we would have to go do that at. Hours and hours and hours of trash pickup. This is with law enforcement guarding the dumpsters. You can't see a row of dumpsters on the other side of this, but there is.

We have transitioned a long way from there. This is now what you see on a normal weekend where we have a really clean site. Our partners, ASA, GSA, local community, Imperial County really helped to get to this level. But we are still seeing problems. We have had to cut back trash services. We went from a \$400,000 contract to \$200,000. We no longer have trash collection services in the summer.

Unbelievably, we are still seeing a rise in the number of visitors that we have. When it's 110 to

115 degrees, they are still coming out to the dunes with 120 degrees. Monday mornings we have to go out and pick up trash. And this photo right here was taken just, I believe, last month at a site where Michelle, sitting back there, and I were out picking up trash Monday morning because of the visitors that were there the previous week.

Sanitationwise, we used to not have toilets in a lot of areas. And it was a pretty bad mess. I won't go into the details, but it was not a pretty sight. So on a short-term basis, we provided these portable toilets. We also had some pretty old run-down vault toilets. But through a combination of fees, we have now installed all new toilets, about 62 units just within the sand dunes. That costs us about \$200,000 a year to maintain, pumping and cleaning.

But what we are starting to see now, unfortunately, is a lot of vandalism. We are not patrolling out as much as I would like to see, and we are starting to see significant amounts of vandalism. It used to be we would never see a sign out like that vandalized. That was taken on August 30th. That sign there is a safety sign that's sponsored by a private company and has their logo on it to prevent vandalism, and it still happened. This is a close-up right here,

but this bulletin board also has the ASA logo on the side of it down to the right. But we put those on there because these were done through partnerships and it helps with preventing vandalism, but we are seeing it on the rise.

Fees dollars also helped us out when the Wash Road was closed. You may not have heard about it. But Union Pacific decided to fence off their right-of-way. These campers were actually camping there and fenced in while they were visiting during the weekend. But BLM was able to build a new road in record time. We were able to accommodate over 200,000 visitors the following year. That site gets on average 200 to 225,000 visitors. So that road is now in place and being used.

However, maintenance is still an issue. We used to spend on an average of 100 to 125,000 a year just in road maintenance and sand removal, but we are not able to do that anymore. We don't have the funding to do it. We are doing patchwork here and there, and these are the types of concerns we have about losing access to many of the sites in Imperial Sand Dunes. If we don't provide some significant levels of maintenance to these roads, we could end up losing them. And we are starting to see them in a few

spots. One of Dick's favorites campgrounds is getting pretty bad.

This is a graph of permit sales. We peaked in 2007 in permit sales and as you can see in YTD 2011, we were quite a bit lower. We were selling 92,000 permits in 2007, and this year we will probably sell about 55,000, 54,000 permits. Our compliance is high. But people's visitation patterns have changed, our sales patterns have changed, so we are seeing that drop.

And subsequent to permit sales going down, we are also seeing revenues. A little over 3 and a half million in '07, and year to date now, a little over 2 million. With September we were probably going to get around 2.3 million, I hope, to help carry us over through this next year.

As you can see on this chart here, I put revenues and expenditures together. So revenues are in blue and the expenditures are in red. And it shows you where we have carried over funds or overspent our particular -- in that particular year. Just because we show we spent more doesn't necessarily mean we put that account in red because we had carryover. But as you can see here in 2010 and 2011, the big difference.

What this doesn't show is the true cost of

running the recreation area. And Dick and I and Jim Bramham have had many conversations about this. The true cost of running the recreation area is more up in the 6 million dollar range. However, these funds are all supplemented with grants and federal dollars and huge amounts of partnerships and volunteers.

So what I think that is showing there in '93, and '06 and 2011, we did visitor surveys with those same colleges I mentioned before, Idaho and Colorado. In '93 we showed 82 percent and 2006, one of the years we spent almost the highest amount of fee dollars, we had a 90 percent. And in 2011, unfortunately, we have seen that rate drop back down to 82 percent.

And that pretty wraps up unless there are any questions.

MEMBER SALL: How many -- when you show the permit sales and how many permits you have sold, do you have that broken down into one-day permits versus season permits?

MR. HAMADA: Approximately 20 percent of our permits are season and 80 percent are weekly permits. And approximately 76 percent of the permits are sold off-site at this time.

MEMBER SALL: Has that changed much over the five years?

MR. HAMADA: The season permit has not changed since we started the program. It's always been within one or two percent. However the off-site sales permits have significantly changed. Once we went to the two-tiered system where a visitor could save some money, we really started to see a shift.

MEMBER GUNN: That emergency helicopter, is that privately funded or is it like a cooperation between private and public funds?

MR. HAMADA: Actually, both. It's a private company, and in that particular scene there, they were responding via the county dispatch. We worked so closely with them we have an MOU with our partners, but this particular company provides two paramedics on the ground on the holidays free of charge to work with us and ride in our trucks to provide medical services to our visitors.

CHAIRMAN BANIS: Questions? Wow. Well, that's everything you wanted to know about it, isn't it? Very thorough. Thank you. Thanks very much, Neil, for putting that together for us and my apologies for having pushed you past lunch. It was kind of you to wait.

Do we have further presentations? The Barstow field office will be making a presentation on

the Dumont Dunes area. And Larry Blaine, the recreation lead for Barstow, will be taking this one over. Thanks.

MR. BLAINE: Good afternoon, everyone. I'm representing the Dumont Dunes, and the Dumont Dunes is the responsibility of the Barstow field office and is one of the five off-highway vehicle areas within the 3.2 million acres of public lands administered by our field office.

I will talk a little bit about where Dumont Dunes might be, some of the opportunities that you can avail yourself of, should you choose to visit our recreation site, some of the enhancements that we have attempted to complete at Dumont Dunes, and our fee schedule and our fee revenues.

Population centers around Dumont Dunes, we have Los Angeles, which is about three hours away, as it would be to the Imperial Sand Dunes. Population about 14 million. Victor and Antelope Valley populations of around 300,000 and Las Vegas and Pahrump Nevada, about 600,000 people.

Now, Dumont Dunes is located very, very, close to nowhere. And it's not quite at nowhere, but you can see it from there. It's 37 miles north of Baker, California, and adjacent to the eastern

boundary of Death Valley. From State Route 127 if you would look east, you could enjoy the wonderful scenery at Dumont Dunes, and if you look west you can see the lovely scenery of Death Valley National Park.

It's south and west of the Kingston Wilderness and north of the Salt Creek Hills ACEC, which I will get to a little bit later on with our challenges.

Dumont Dunes is -- don't laugh, Neil -- is about 10,500 acres of sand, and it's very, very steep, very sharp, treacherous terrain that lends itself to the expert and intermediate rider. We have 130 to 150,000 visitors a year. It's been declining in the last few years. And holiday visits to 30,000 on each of the five holidays that we charge extra for.

Visitor behavior and our medical aid challenges -- visitor behavior usually on the dunes has been exemplary in the last few years. But when they choose to leave the dunes and enjoy the scenery in the Kingston Wilderness or the Salt Creek Hills ACEC, we end up with encroachment and problems in the area of critical environmental concern and in the Kingston Wilderness. So we have taken steps both with education and law enforcement to preclude this from happening and have been quite successful in the last

year or so.

However, that leads us to the problem of how do we take care of all of this encroachment into wilderness? And that's through the help of the partners like the Student Conservation Association and the CCC, and those people who come in and assist us in vertically mulching sites through lime site and the construction of structures and so forth that will assist us in creating a better atmosphere for the folks to enjoy, and they won't get off into the wilderness inadvertently.

Dumont Dunes has one way in and one way out. And if you notice the road, you will see that the only thing worse than looking at it was being in it or around it. Well, through our partners, in particular the Friends of El Mirage, who have really nothing to do with Dumont Dunes except that they saw a need throughout the field office area and wrote a grant and provided us with two 2,500 gallon water trucks, which we now maintain that road with on busy holiday weekends and have brought the dust abatement problem into at least a reasonable arena.

And we conduct this dust abatement for a couple of reasons: One, for health; two, for the safety of our visitors because when you got into the

mess, on occasion it was so difficult to see that you could rip a mirror off the side of your RV or worse because of the difficulty to see. And the water trucks have basically annulled that problem.

We also put a hardened surface on the dunes road and keep it fairly highly graded so that it facilitates folks not having to slam on their brakes and do the type of thing that creates dust. And the hardened surface works fine as long as you water it down at the first of the morning because you have to get rid of the fines that have blown on there overnight. But basically we have solved that problem and it's working out very well.

Dunes enhancements. This year, we will open our visitors center, which is up on the plateau. And I was in it last week and they have completed all of the sheetrock and they are getting the shelving installed. And it's going to be a really nice little facility. And by having a visitors center there, we hope to increase our outreach to the public and have brochures and maps and that sort of thing. It has a lovely kiosk right next to the visitor center and next to the helipad so we can influence folks by saying don't go there and the little things that will help our users to understand and comply with the rules and

regulations of Dumont Dunes. And the visitors center will be a big part of that.

Our medical aid facility is a new medical aid trailer that we built to OSHA standards. It's got diamond plate walls and a special neoprene floor that will not soak up biohazard and that type of thing. And it was a partnership with the builder, which was Forest River and Affordable RV, and our partner, our State of California off-highway vehicle grants folks kicked in a little bit, and we did a challenge at the same time to facilitate getting a really good, state-of-the-art trailer with separate crew quarters.

Our old medical trailer which, be still my heart, was a pretty bad eyesore, also had crew quarters and the medical facility in the same portion of the trailer. And you know, if you've got a horrible problem and there was blood squirting around, it would get all over the donuts. And the law enforcement would come in and they would say, who sprinkled our donuts? So our new trailer compared to the old trailer is state of the art, and we are so appreciative to have that.

We have also completely rebuilt and expanded our command post right up on top of our hill. And we have got the U.S. colors flying and the wind sock.

And we put a helispot here so that Mercy Air and those coming in to help our customers get medical attention can land without browning out their entire landing zone. And it's just made an amazing difference in working at the dunes. And it's appreciated by all, so far that I can tell, especially the paramedics and the flight crews that come in on Mercy Air.

We have also got a new rescue sand rail. And I will talk about that later. Those of you who have been on the dunes know that our previous sand rail was a 1300 cc, 900-year-old little Volkswagen rail that was built. And it would get almost 100 feet up Top Hill, and then you would have to stop and run up to wherever the patient happened to be. And it was, to say the least, not a lovely experience there.

However, we took that rail and recycled it, and now it has become our maintenance vehicle to go out and sign our boundaries and take care of our fencing projects and do those things that we would have ordinarily not been able to do. So the old rail is still kicking.

We also installed 14 CXT-vault toilets. And when we first began to do this, our constituents, our customers, the users of Dumont Dunes were going, We don't need vault toilets. I don't need that. You

guys are just wasting our money. But, you know, I pump 50,000 gallons of something out of those toilets three times a year. So I'm assuming they use them for something. And we try to keep them daily cleaned, and folks are appreciative. And they come by and they tell us that they appreciate what we do. One of them claims to be "the" CXT expert.

We have two informational kiosks, one at the bottom and one at the top. And we had put some really, really well-made mapping at each of these kiosks and all of our information and rules there. And this winter as they open our new visitors center, they will be able to step from the kiosk to the visitors center to get maps.

We consider Dumont Dunes to be a family designation. And if you take a look at this particular photo from a distance, you take a look at that photo from a distance you will note that the Competition Hill was in the middle of the photo. And Competition Hill from base to summit is 472 feet at a 70 degree incline, and it is a true experience for the intermediate and expert rider. And believe it or not, the folks on the quads have the most fun on that hill, and they soup them up and they get all the way to the top or almost to the top. Duners never go over the

top. Wannabe duners sometimes go over the top.

What you see here are some of the improvements that we have undertaken at Dumont Dunes, this being one of the major projects that we did. And this is the water crossing that you have to go through before you get to the dunes. And on occasion, it can be extremely perilous and at least will raise the hackles on the back of your neck because during the stormy season, it can run pretty fast and pretty strong, and it was one vehicle wide at one time. And to get across that when the river was running took intestinal fortitude and a little bit of nerve.

So we thought, you know, what a better way to enhance the area than to make people feel safe getting in and out of Dumont Dunes. So with the way that the photo you see now, the actual portion that the water runs through is three vehicles wide, and I'm talking eight-foot-wide vehicles. And then the rest of it is a little more than two vehicles wide, so you can pass each other even when the water is running pretty strong. So that's been a real enhancement and it's really helped the flow of traffic getting in and out. As you recall back when I showed the picture of the one way in and one way out, and it's still one way in and one way out unless you have vehicles other than

RV's pulling trailers.

MEMBER MITZELFELT: What are we looking at? It looks like cement. Could you describe what we are looking at in the picture?

MR. BLAINE: The water crossing that crosses Armagosa River at Dumont Road. There is no water. We did this in August when we do most projects at Dumont Dunes, and the water ceases to flow about June, sometimes a little earlier.

MEMBER MITZELFELT: This is just a strip of it?

MR. BLAINE: We did that when the water ceased to flow.

MEMBER MITZELFELT: But it's much wider with the new cement?

MR. BLAINE: If you look to the left of the new concrete is the old concrete, and it's as wide as the new concrete. Where the water crosses a substantial amount, we added an additional piece onto it.

MEMBER Schriener: So what you did is what would have been an unpaved bed where the bottom of a stream or dry wash was, you paved it so it would be smooth for people to drive across. You simply paved the bottom of it so they would have a flat surface to

drive on.

MR. BLAINE: This is just a low water crossing, and the first portion of it was paved some years ago, way before my time.

MEMBER MITZELFELT: Is there any significant danger of that washing out?

MR. BLAINE: Well, we have had a major couple of storms last year. In fact, in order to save the road, I had to pull a D-12 in there and push the dirt back in one place. But it didn't wash out our water crossing. This water crossing on both sides has aprons that go down four and a half feet, solid concrete, and there's 11,000 tons of steel like this so it's built like a tank crossing. And we had water coming across so hard -- and some of the duners that were there can tell you that the water was coming across so hard that when we pulled that D-12 to divert the water, it backed the D-12 up.

And it came across this road, and it did not even phase the road. It washed the road out on the other side. So we pulled equipment in, and in order for our customers to be in and out, we had to repair that road in the middle of the storm. And I had a couple of good maintenance workers that got in there and fixed that thing, even though the water was still

running hard. They managed to get the flow of the water back into the streambed and repaired the road so our folks could get in and out. They did a great job.

This is our fee station, and I put this in because I wanted to show you the hardening that we did on the surface of the road, and we did this all the way out. And we did this a couple years ago and it really firmed the road up. The road is rock solid now.

Unfortunately, it eats a blade all the way to the -- this was actually reconstituted asphalt that came off of I-15 during the project, and we hauled this in and they were very kind to us. They only charged us to deliver it, and all of the material was free. So we put it in, and it was excellent and we are now looking for more. And for those in the dunes, on top of this this year, our OHV grant has provided us with enough type 2 and top coat to recoat this road from SR 127 up to the top of the hill. So it's going to be completely recoated this year, hopefully before our first big holiday.

This is my wonderful medical trailer, and it's got a slide-out on one side. It's got cabinets that were custom built in the trailer. It's got O2 and pulsars and all the equipment that you need to

take care of a patient right there. And it's all -- then if you would lift, if you lift the patient bed up, you can pull a gurney out from underneath it and swing it around and hook it to the wall and you have two beds.

And it's separated so the crew quarters are away from the blood-borne pathogens, so to speak, and it's just a really nice facility. And when you bring your patient in, if it's a walk-in or we have to bring them in, when you bring your patient in, they are in an environment that's clean and sanitary and looks like a medical facility. And it eases the patient's mind when they are in a situation like this. And it's just been an asset to us.

When we rebuilt the command center, we put concrete pads down so that every one of my vehicles that we haul in, our trailers, the law enforcement and medical trailer and the San Bernardino County Sheriff brings their facility in, they all have pads which are all set with electrical connectors and they don't have to run their generators. And it makes for a wonderful command center. And our force support crew did that entire operation, thanks a lot to the fee dollars and the capital improvement money that we got from the federal government. So there is a really nice

facility there where you now see dirt, and it's a wonderful experience.

Now, this is our new rescue rail. And it's since been outfitted with the facility to carry back boards and it also has O2 and pulsar and aid bags all inside of it. It's got talk-around radios. And the reason that we are so fortunate to have this is from one of our users. And a gentleman named Mario Givaldo (as pronounced) out of Las Vegas was watching us extricate a patient off of Comp Hill where we had to pick him up and carry him down the hill to get to the buggy. And my medics were running up the hill to get to the patient. And he said, We can make something better than that happen.

So he came to me and donated this vehicle to the Barstow field office for the purpose of rescuing patients. This, my friends, is probably a 125 to 130,000 dollar vehicle. And it's powered by a 5.7 liter Corvette engine. And we now have it fitted with lights and siren and a stokes that fits through the back so the paramedic or the medic can sit next to the patient and work on the patient even as we move, and it has taken us to a new level from our 1962 vintage rail.

Our fees have run 400,000 a year. And we

supplement those fees through the competitive challenge cost share program where we write to our own Department of the Interior to try to get additional funds for special projects. We also put in for capital improvement and deferred maintenance projects, which are more or less competitive. If you can prove you need them badly enough, you can get them. And part of the entire new CP with the helispot and the lighting and everything that goes on was provided by a capital improvement project.

We have a myriad of wonderful volunteers who work in and around Dumont Dunes, and they are all part of our user groups, and they are really truly friends of Dumont. And that would be the funds from Friends of Dumont and Dumont Dunes Riders and several others that volunteer their time on a daily basis, to include the gentleman the DAC met yesterday, Mr. Berley, is one of our campground hosts, and during the season he likes to jump in and use his expertise as a CXT specialist and take care of that, and he really enjoys it, so whatever turns you on.

We also have appropriated monies. Those monies are provided to us in our budget, and we apply for grants through the State of California and others. And with all of that being said, we manage to in some

cases have a little carryover. So in having that little carryover, it gives us the opportunity to keep our contracts running. I can pump a toilet if I need to (although they were never used) and I can start out with seed money for my next season. So it's worked out very well for us.

Our fee schedule at Dumont Dunes actually is a little higher than that of my friend's Neil, and part of that reason is that we are so remote that we have some obstacles that we tend to have to work through. Our annual recreation pass with all of our holidays included is \$120. Our annual recreation pass, holidays not included, is \$90. And part of the reason for that is the fact that we don't fully staff normal weekends. Our weekly recreation pass is \$30, and those that are issued for holidays are \$40.

We are currently working with our subgroup to simplify these fees, and they have come back with some excellent recommendations that we are trying to get before the R-RAC, and we hope that that will happen so we can simplify our fees before our next season.

This is even worse. The first one I had three years up, and you couldn't even read it, and this isn't much better. So what that is telling you is that our total amount spent for this year was

\$574,420. And those items that you see running down there are EMT salaries and park ranger salaries, law enforcement ranger salaries. Those that are accrued through overhead, are maintenance salaries, contract services, equipment, travel, supplies, our vehicle costs -- with the rate of our fixed operating cost on vehicles have gone up severely -- printing costs, and the fees that we pay our vendors. And anyone who really wants to take a look at this up close, I have a copy of it here in my briefing. And I apologize for that slide. That's ugly.

Revenues are used for maintenance, repair and replacement of toilets and toilet pumping and the transport of that to a disposal area. And some of the problems we have at Dumont Dunes with the pumping disposal is that it's -- we acquire it in the State of California and the closest place they can dump it is in the State of Nevada, and they think that they should get additional amenities for taking care of our refuse. And it's a little more expensive than you might believe.

Our vehicle services, emergency services -- might I say that one of our partners in the emergency services arena is Baker Ambulance. And they are out of the little town of Baker, which is a teeny, tiny

blink or you miss the town. They on major holidays will staff usually two paramedics and two ambulances at my command center. And we provide them a place to sleep, so that they are on staff for 24 hours a day unless they have to transport a patient.

And it is so nice to have a paramedic in your emergency vehicle as you move out to a trauma case out in the dunes. And we know that when we roll out to get a patient, by the time we get him back to the helipad, 20 to 30 minutes have expired. If we didn't have paramedics on scene, when we get them back we would have to meet paramedics from Baker, another 30 minutes, running code 3. And they would then make a determination and then we would call a helicopter.

Well, we have a very, very good rapport, and I can call the paramedics on my radio and say I believe there is a person needs a helicopter, and they will say okay and according to our protocol, go ahead and order a helicopter. So we have a good rapport with Baker Ambulance. They have been extremely supportive of our operation, and they work in conjunction with the County Fire Department. So we've got everything right there. They are very, very nice folks and they love to help us out. And they like to play in the dunes anyway.

We also have a large contingent -- if you look at Imperial Sand Dunes, we have a small contingent of people that work Dumont Dunes. And that includes law enforcement officers, emergency medical services personnel, to include those that come out and volunteer out of Baker Ambulance. We have visitor service people that effect sometimes education and sometimes information on folks at Dumont Dunes, fee collection officers, and maintenance and equipment operators. And we have found that maintenance and equipment operators, if they are doing their job and they keep the roads smooth and the rest rooms are clean, that we get a lot of the honking and waving when they leave the dunes, and thanks so much for a fun weekend. If the road is rough and they are shaking the cabinets on the RV, not so much. So we have learned that our maintenance that are working so hard all the time makes all the difference in the world, the perception of how we spend the fees.

We have always focused on our efforts in funding on healthy land and public safety at the site. And signing in the area are specifically designed for identification of regulations and safety to provide for a quality atmosphere at our family-oriented recreation site.

This is probably the thing that we do best. And our efforts to manage public lands and resources in the field office have included consistent contact with the general public and our user groups to ensure the public is provided with safe and enjoyable recreation experience.

The Desert Advisory Council established the Dumont Dunes subgroup, and I'm going to forget my notes and I'm going to say that I used to like my Dumont subgroup. And I now love my Dumont subgroup. Our subgroup, we meet and we have lively discussion. I've got some people who have excellent intellect, that are very, very well-versed in the off-road community. And I have people who are well-versed in the environmental community. I have a very diverse subgroup that always will take a problem, they will go from start to finish with that problem. They will explore every avenue, sometimes to my dismay, for hours, and they may argue among themselves. They may argue with me or they may argue with my boss or with everyone in the world. And when they leave, they have a consensus of opinion and some very, very good guidance so I can continue to do my job.

And I'm so appreciative of having the ability to bring an issue to the subgroup such as our fencing

projects to protect the wilderness and ACEC. We had done some planning. We took it to the subgroup. They tabled it three times and came back finally with an excellent resolve, and everybody was happy and we have begun to do the project at this time.

The other thing we brought to the subgroup was our fee problem that I was discussing with you. It's so intricate that people tend to hold their head when they look at it. And my vendors are going, oh, man. They came up with some excellent ideas of how to simplify that fee, and we are going to go forward with it.

So we have never given our subgroup something to help us with that they have not come back with something great. And I, for one, am appreciative of that, and I probably wouldn't bring that up in a public forum, but I believe that our accomplishments are a direct result of how our subgroup works with our staff, and I appreciate that.

We maintain a good working relationship with duneriders.com and with the Friends of Dumont, and they are good about getting information on their Web sites and blogs. And they help us disseminate information rapidly when in some cases we wouldn't be able to do that. So we maintain a pretty good working

relationship. The Friends of Dumont every year put on this little poker run thing that -- what they do is they put up stations all around the dunes. And at each of those stations there is a safety class. They draw their card, they get their safety class, they go on to the next event, and our rangers are all out there giving the safety lessons. So it's a collaborative effort, and they do it every year.

And they also do a cleanup every year. And they have -- their educational effort on their Web sites and in their own personal involvement is so good that we don't actually get the whole dumpster filled anymore. We used to get that and more filled, but the educational process of "pack it in and pack it out" and take care of business and if they see a dirty camp, the Friends of Dumont will walk in and say, When that touches the ground, that's litter, guys. If you don't get it up, we will get a law enforcement officer over here, so take care of it. So our partners really assist in working at the dunes, and we are pleased as punch.

We try to maintain that contact providing program update information and that type of thing. And it's just one thing after the other and one user group after the other and individuals who come in and

want to help. We had somebody graffiti a toilet. I mean, where there was not a square inch of it left to do anything on. And the gentleman came in and said, I would like to help. If you could give me the paint, I will go paint that latrine on my own time. And he went out at like 5 o'clock in the morning when it was a very calm, cool day, and when he finished (it was like noon at 120) and completed the painting on these rest rooms and then went around and looked and found a couple more and took care of them. And it was on his own time, so we've got a really, really, good family-oriented user group.

You are at the top of the world at Dumont Dunes. As I said, we've got some serious dunes out there. Folks love them, and we love to have them there.

Questions? Sorry I took so long, guys.

MEMBER GUNN: I have a question.

CHAIRMAN BANIS: By the way, we love you too, Larry, the subgroup does. And may I say that what Dumont Dunes may lack in size, they sure make up in spirit, don't they? Thank you. Questions?

MEMBER GUNN: Just a short question. You briefly mentioned volunteer group called SCA or Student Conservation Association that does volunteer

work. Can you just tell us a little bit about that group?

MR. BLAINE: Well, we actually have four hitches signed up with Student Conservation Association starting the 27th of October. And these folks come in, and they want to learn about the BLM, and they want to know what do you do, where do you go, how can I be a part of it? What is it I can do to make life better for you guys? And they take on these astronomically difficult jobs. And the crew we have this year is a five-person crew. They are going to come in on the 27th of October. They are going to do four ten-day hitches with four days off in between.

They are going to help us construct a barrier on the western edge of the Kingston Wilderness which separates Dumont Dunes from the Kingston Wilderness and still allow, thanks to my subgroup, still allow access along the TNT, which is a major north/south route. And by their help, we moved that barrier to the west side of the TNT, still outside of the wilderness, along the boundary.

And it's going to protect more than just the wilderness because there are also several sizable populations of fringe-toed lizards on the eastern side of where this barrier will be. So by protecting the

fringe-toed lizard, which they may list any day now, we are getting a step ahead in order to protect that habitat.

So SCA crews are also going into Rattlesnake Canyon this year. And at Rattlesnake Canyon we have encroachment into the Bighorn Wilderness on both sides of the canyon, which is a corridor. And we have determined the areas in which we need to work. They are going to do vertically mulching and line of sight of the trails there and put barriers up so they can't continue to use that and still allow them the use of the corridor that goes through Rattlesnake Canyon. They do an amazing amount of work, and if you want a crew that will tend to business and get things done, Student Conservation Association is the way to go.

CHAIRMAN BANIS: Further questions, comments? Thank you very much, Larry. Very nice job. That's a good overview for us.

I would like to move on to the agenda item of public comment. We have 15 minutes allotted, and I have five speaker's cards. I had hoped to afford a bit more than three minutes, but I'm afraid we will be sticking with that. Let me start, please, with Rusty Massie. Welcome. Please introduce yourself.

MR. MASSIE: Rusty Massie. And although I'm

an active member in several OHV organizations, I'm here on behalf of my family, which represents four generations of dune users. My wife and I have been avid dune users for over 40 years, and I personally have lived at Glamis for the past three years, six months of the year serving as the campground host.

As a member of the DAC you have been informed about how the TRT was established several years ago, and it was a cooperative agreement between the BLM, OHV Commission and dune users. Of importance is that the OHV Commission was concerned about the BLM's use of those funds at a federal location. Dune users were interested in how the funds would be used as a result of the fee demo program. While not a perfect arrangement, the TRT served everybody well.

Several years ago, that change was made and the DAC subgroup became the DSG. The understanding that I remember was that the DSG would continue as the TRT had, with the exception that the DSG would go through the DAC for approval and forwarding to the BLM. It dilutes the actions of the DSG if the above process is correct. I'm asking why are we addressing the DAC and not the DSG? It seems that the members of the DSG are the dune users who we want and expect to have represent us on matters relating to the dunes.

While some of the DAC members are dune users, many may not be and may not even be familiar with the issues in the dunes. Some may not have ever been to the dunes. When the TRT was active, the BLM was active with the TRT and provided appropriate business and financial information necessary for the members to make informed recommendations. This sharing of information and plans for the future provided to the DSG seems to be significantly reduced at the present time.

At the last DSG meeting some of the financial information presented was not complete. The DSG and DAC need to be able to evaluate all sources of incomes for ISDRA, as well as plans for expenditures. The BLM or the DAC have requested dune user input apparently in anticipation in the increase in user fee. If this is the issue, why hasn't the BLM proposed an appropriate fee increase and what they propose to do with the additional funds collected?

I also wonder why the BLM only provided the dune users a very short time to submit requests and recommendations and why there was no advertising to the dune users. I believe it would have been appropriate and respectful to have advertised or requested the partner OHV organizations to submit

requests and recommendations and to inform their members of the opportunity to do so with plenty of time to learn about the BLM plans to submit.

As far as increasing permit fees is concerned, I believe that the fee collection program needs to be re-evaluated and a more cost-efficient program be developed. Paying vendors \$9 for a permit when there are virtually no costs associated with selling them is way too high. \$5 would be more appropriate considering there are no initial costs, no carrying costs and no shrinkage. Of course, this assumes good management practises.

The law enforcement program should be enhanced to include a warning that vehicles not displaying a pass while at the recreation area or upon exiting the dunes will be cited. And then law enforcement officers must follow through as appropriate. Additionally, weekly permits should be extended to 10-day permits, as many weekly member users to the dunes come for a week plus a weekend. I will end it there.

CHAIRMAN BANIS: Thank you. Would you like to leave that prepared statement?

MR. MASSIE: I can do so.

CHAIRMAN BANIS: Thank you, Rusty. And that

way we will enter it into the record.

I would like to advise the DAC I also have a written statement from Mark Bergquist. We have a statement that we will enter into the record that will be part of the transcript online, as it was last time from Scott Swenka. We have a written comment submitted today from Jim Bramham. And we have a written comment submitted by Nicole Gilles of American Sand Association.

Next speaker please, John Stewart, followed by Ron Schiller, please.

MR. STEWART: Good afternoon, Council. John Stewart, California Association of Four-Wheel Drive Clubs.

I appreciate the definitions or the explanation of the Imperial Sands Dunes and the Dumont Dunes recreation area, and Neil and Larry did a very fine job of explaining why these are actually fee areas where there is a significant federal dollar investment in the area, and as such, you really should look at your definitions of how you are applying fees. And these are not individual special recreation, but these are actually fee areas you are supporting and should be looked at and managed within that context.

I realize that you are stuck with a lot of

definitions that will be handed down to you from Washington. I know it's going to be a long time of getting those straightened out. Like I said earlier, these initial areas were set up as fee areas and to enhance the recreation opportunity in that area. And FLREA, the Federal Lands Recreation Enhancement Act is a vehicle used in order to provide that kind of an avenue for the agencies to put monies back into the recreation areas used by the public.

It's very appropriate that that program be used or that law be used appropriately. And it looks like it is being done and to the great benefit for the public. And to that extent the BLM has to be complimented for the amount of work they have put into it and how they are making that program work in spite of the handicaps for other budget constraints. And as the program moves forward and any discussions on the fees move forward, I would encourage the BLM to get with the user groups and with as much public outreach as possible.

Any time you start messing around and playing around with the different fees, people have come to expect them and now you change something and that change is something that will upset people because people don't like change. So that working with the

user groups and maintaining close coordination and good communications will help alleviate any of the hassles and arguments that will come out in the future. So keep up the good work you are doing with the program and hope it will continue and it gets on track and it does provide a good recreation enhancement opportunity. Thank you.

CHAIRMAN BANIS: Thank you, John. Ron Schiller, followed by Nicole Gilles.

MR. SCHILLER: I would like to respond to two comments made just before lunch.

First of all, it was interpreted that the problem with the special recreation use permit was that nonmotorized users were being held to rules that already were existing or in place. That's not the problem. The problem is the interpretation, which is quite different from when I was on the Desert Advisory Council and on the special recreation use permit TRT, as it was called then.

Secondly, I would also -- I also heard a comment made this morning that during the scoping meetings, the agencies need to get on with their presentation and not hear the public yack-yack-yack. I was a little disturbed by the comment. I understood scoping was when the public needs to provide

information to the BLM, not BLM necessarily totally providing the presentation. And the second thing is I think it's very important because as someone who provides comments regularly, I would like to hear what those issues are from the biological aspect, from the archaeological aspect, from the cultural aspect. And it definitely has an influence on my comments so that I can accommodate other issues and work things out in an appropriate manner. So I just wanted to add my two cents there. Thank you very much.

CHAIRMAN BANIS: Thank you, Ron. Nicole, followed by Jim Bramham.

MS. GILLES: Good afternoon. Again, my name is Nicole Gilles. I'm the executive director of the American Sand Association, and you should have a hard copy of my letter. I just had a couple of comments on some of points I wanted to make in reference to the letter.

The Imperial Sand Dunes Recreation Area receives approximately 50 percent of its operating budget from special recreation permit fees to provide visitor services, facility improvements, maintenance and recreation facility improvements.

The American Sand Association has an obligation to inform our membership regarding the

determination and justification for the ISDRA SRP fee. We rely on the DAC and ISDRA DAC Subgroup to provide the necessary information to properly analyze fee recommendations. It's imperative that the land manager provide open and transparent communications with the public.

When the public input process does not yield support for a BLM fee proposal due to the lack of sufficient data to evaluate the proposal, we all lose. That includes the BLM and the user.

Congress provided for the public to have a voice in the fees when they enacted the Federal Lands Recreation Enhancement Act. I have provided all DAC members with a hard copy of the letter previously sent to you by e-mail containing information regarding FLREA legislation stating how agencies must assure public participation in the development of or changing of a recreation fee. It further states details on what constitutes advanced notice and public involvement in this process.

The ASA fully realizes the need to properly fund ISDRA visitor services, facility maintenance and recreation facility improvements; however, without open and transparent communications, the ASA will be unable to make a comprehensive evaluation of any

proposed BLM SRP fee recommendations.

The ASA recommends that the BLM, in conjunction with the DSG, work to reduce the unreasonable costs of administering the ISDRA SRP fee program. The BLM currently is spending more than 38 percent of visitor fee dollars to collect and administer fee programs at the ISDRA. This includes the administrative costs as well as payments to the fee contractor and vendors of the ISDRA permits. This only leaves about 60 percent of the visitor fees to be used for FLREA funded expenditures.

I have copies of my comments. I would like to submit those as well.

CHAIRMAN BANIS: Thank you. I have really enjoyed working with you lately on the group.

MR. BRAMHAM: Thank you for another opportunity. A couple of things that I would like to suggest is that the DAC concentrate on separating their discussion of user fees between the actual use of those fee dollars and how they are used to provide services, leverage partnerships, and manage the recreation sites, separate that from the method of collection and the cost of those collections.

We have a method of collection that's changed several times with different vendors. We used to do

vendor operations at Dumont Dunes and now we do in-house. But there is also the method of collection based on how those fees are done. And one of the things I would like to say is that in sand dune recreation throughout the west, it's a uniform way of collecting fees. You have a primary tow vehicle and pretty much anything you bring in behind that is all one fee. And that has been accepted at state parks and forest service managed ones at Oregon, Dumont, Sand Mountain and so forth.

But it appears, with reading of FLREA, that there is a question about whether that way of collecting fees meets the law. And the concern we have is that the discussion keeps evolving back to whether or not these are legally collected fees.

So my suggestion is that you at least look at the idea of making a recommendation to the bureau that either new regulations be promulgated recognizing how they are done on the ground so that the regulations fit what is actually occurring. Or potentially, which I personally disagree with, that you change the method of collection.

So to me there has got to be a way to fix it. I would prefer to fix it with a regulation that on the ground fits the regulation rather than that the method

of collection changes. I think it would be very confusing considering it's done that same way everywhere else.

Also, the involvement of the public in this process, not only the fee collection process, the oversight of how those fees are used, plus of course the idea as we move forward with any fee increase, that any fee increase that the public is completely engaged in those. And I will give up with that.

CHAIRMAN BANIS: Thank you. Our last speaker on this subject, Tom Tammone, you have the floor.

MR. TAMMONE: Tom Tammone.

As far as the user fees, especially as it applies to existing special areas, I'm just going to say I support the American Sand Association's position on that. The only other concern I have other than that is that I don't want to see any special fee areas added, especially OHV areas at this time.

But as far as how the DAC operates, in regards to public comments, I'm not exactly sure whether it's the DAC's place to explain to the public how to comment. But education is always a good thing as long as it doesn't give the impression that you are pushing your own personal agenda or coaching us on what to say on these comments.

But what I wanted to say at the last meeting, everybody came out against the Johnson Valley expansion that spoke, regardless of whether they were environmentalists or recreationalists or whatever. The deputy director of the OHV commission came down and gave a report that the commission passed a resolution and drafted a letter formally against the expansion.

Well, as far as what to do with our comments, especially with regards to the discussion as far as the power projects, the renewable energy projects, our comments as far as saying it's a pie in the sky thing, you are building it and hoping that somebody comes with a power line. Maybe that doesn't really apply to the permit process. And maybe that doesn't really apply to the BLM.

But what you can do is follow the OHVR Commission's example and draft your own resolutions such as when the State of California decides in a vacuum that they want to add 20 or 30 percent or whatever renewable energy, not having any idea how it's going to happen technically. It would be a good idea for you as a body to draft a -- to pass a resolution and formally send the governor of the state and the legislators a formal letter stating we are

getting a lot of public comments that this is not technically possible. And they don't want to see tax dollars spent on it, and there is a better way to do it.

There is no reason that you as a body can't utilize our comments in that fashion and follow the OHVMR Commission example and draft resolutions and send letters to the governor, the state, legislature or even Congress and the White House who are basically advocating the same stuff. So thank you.

CHAIRMAN BANIS: Thank you, Tom. I appreciate those comments. I also appreciate your encouragement for us to continue to get involved and make statements. I see you are coming to the DAC meetings more regularly, and that's a very good thing.

Let me know if we can perhaps connect. The DAC is limited in its focus due to its charter to advising the Desert District manager. So for us to advise outside of that requires -- well, it either can't be done or would have to be done very creatively. But perhaps we can speak in the future. I will show you some of our guiding documents, and we can work together on things.

Thank you, Tom. Oh, yes, there is, by the way a statement by the Desert Advisory Council posted

on the Web site regarding our position on renewable energy development. Thank you for those comments. I appreciate that.

If I may, I think we should take a brief break. It's not that we don't want to be move forward, but some of us have things quickly to do, and we will be back in ten minutes. Thank you very much. We will be back at 3:18, please.

(Brief recess was taken from 3:08 to 3:21 p.m.)

CHAIRMAN BANIS: Thank you, ladies and gentlemen. I would like to reconvene the meeting to the home stretch.

For everyone's information, there is -- I'm getting just a tad ahead of myself, but just so you know where we are, the item under Council business, bylaw appointments, we have no Council business to conduct. So that agenda item will merely be an announcement. So that agenda item and the public comment associated with "pending business" that there is none, we'll be scratching that from the agenda. And that's a 45 minute item that was allocated. So I have here about -- I think I have here about an hour and 15 or an hour and 30 of allocated time really left in front of us for business today. So we are working it through.

I would like to move on, please, to the reports. And you will notice today we shifted things up a little bit. We moved the reports to the end of the day, we took care of business early while everybody was fresh and ready to roll.

So I apologize to the BLM staff members who may have not gotten word about this new way of doing things and waiting for their morning report. Well, it's time for your morning report. It's now an afternoon report. I will turn the microphone over to Teri.

DIRECTOR RAML: I will be fairly brief. What I will refer you to is the state director's report is in the back of the room and in the DAC's members' packets. And I will comment briefly on a few things.

One is the top of the item talks about the leadership team in Washington and California state office. Kind of in the middle of the paragraph there is an announcement about Jim Abbott's retirement, which I want to unbury for a little bit because, of course, it was very significant to a lot of us who worked for Jim for many years. He had a long, distinguished career in the bureau, and he was a mentor and wonderful leader. So we are happy to see him go to his next career stage, and we are sorry to

lose him at the same time.

For me, I have the opportunity to welcome Jim Kenna as our new state director. I worked for him in Arizona before I came here, one as the Phoenix District Manager, and also I worked for him as a project manager for a renewable energy design project, a project we were looking to locate on previously disturbed lands. And I worked with Jim Kenna directly on that project. I can tell you that he is going to be an excellent state director. He shares some of the characteristics of Jim Abbott, being very strategic and forward focused. He is interested in the past to the extent that it helps guide us to the future, and he is incredibly creative. Obviously working on that type of project that I worked for him on, I very much enjoyed working directly with him in terms of exploring new ideas and new ways of doing things. He is also very collaborative and worked very well at all levels in Arizona with many diverse groups. And he is a very, very smart man, so I know that the California BLM team looks forward to his arrival, which is Monday. So that's the big announcement.

And I want to draw your attention to, in the El Centro field office report, we also have what I consider an arrival of another wonderful employee,

which is Mark Purdy, and we are going to kind of welcome him to the CDD team. He is going to be in kind of an unusual spot. He is going to be a tribal liaison, working for the El Centro Field Office, working with the renewable energy coordination team. But I consider him part of the district team.

And we have been working very hard trying to improve our government coordination with the tribes particularly in the area of renewable energy. And Mark, who came out on a visit and he spent time in the El Centro field office and actually went out on a field visit with Margaret and her team, was very enthusiastic about joining CDD, very interested in helping us in the arena of tribal relations, and we look forward to his arrival. And I think that's within a couple of weeks.

MS. GOODRO: Monday.

DIRECTOR RAML: And also the other, in terms of personnel, when Jack announced himself as the acting Ridgecrest field office manager, Hector is still with the BLM. He is on a detail assignment in the California state office. Hector's background is in geology. He is assisting our deputy director for mineral and geology in the abandoned mines program. So he will be coming back in 120 days.

Steve, I don't know, maybe real briefly, Steve just came back from three or four days worth of training in FACA, and we have all sorts of horrible jokes that he just went to Federal Advisory Committee Act University. You will know why they were inappropriate jokes, so he went to the FACA U.

MR. RAZO: Every two or three years they have a FACA conference to see where things are, if things are changing, and this was a good time to have one because I learned a lot of things. And No. 1, learned that we really should be happy, really, on how we are doing in terms of our FACA committees. Because there were 400 people there in attendance representing probably the majority of the FACA entities out there, and some of the interesting facts is that the government knows that we spend over \$400 million a year on FACA committees, which is a lot of money. And the Congress wants to know what is going on with that, so much so that you should all write down HR 1144, Google it, and start to read it and get familiar because it's in committee right now. It's a transparency in government amendment to the FACA regulations, which it's kind of contradictory. They want more transparencies, but in order to get it, there has to be more government intervention in that.

Some things that could be a challenge is in the subgroup area. And subgroups are being paid attention to right now on the congressional level because of the participation in subgroups. There are a lot of subgroups out there. And probably for the same reason that we have subgroups more than we did before, because a lot of people were actually illegally having TRT's because they were a convenient way to get groups together.

But as you know, the definition of a TRT would not allow public participation because a TRT is strictly federal employees that would be part of that. But the only way to keep public participation able to happen would be to create the subgroup, which allows public participation. And that's the biggest reason why we went from the TRT's to the subgroups and found that to be common around the country with these groups.

But 1144 will get into some details with the subgroups that even suggests possibly that subgroups will become chartered. And that subgroups will go through a nomination process, which will create quite an administrative burden on us to have to run FACA groups in our area. It takes a lot of time, so we will have to monitor that and see how that goes.

Another interest at the conference, we looked at -- which I won't get into, but just so you know, I was on the DFO track. There was three tracks. There was an attorney track, a CMO track and a DFO track. My track discussed effective advisory committee Web sites. They did show some Web sites out there. I thought ours was doing very well in the California state office with all of our resource advisory committees.

Transparency tools for effective advisory committees, I will talk to you, Randy. Transparencies from the agency perspective and transparency and public participation from the external perspective, and improving committee operations and subgroups and transparency of subgroups. And transparency was a good session because there I learned that, actually, we are doing pretty good, actually. So there were a lot of issues out there in terms of how the public does participate in subgroups.

So I would not be dismayed at the discomfort that we are going through right now regarding certain parts of the district with relationship with subgroup, BLM field office. Everyone is going through that in some degree, much worse, and I think we are doing very well how we are handling it and getting through it.

A lot of talk about electronic communication, doing things electronically. That is a trend. There are, believe it or not, there were a lot of RACs out there that their parent agency has money where the committee actually comes to a meeting and there were i-Pads sitting at every station and everything you need is on that i-Pad and you just sit down, open up the i-Pad and you can go through your stuff and everything you got is electronic and there is no paper at all because of the cost of paper. Something to think about in terms of reducing paper. I thought that was kind of neat. People got excited when they heard that.

508 compliance, we talked about Web casting. Web casting costs about \$6,000 a day. And a large part of that has to do with 508 compliance. You have to capture it. You just can't throw that out there and have someone not be able to -- who can't hear be able to read what is going on. So we learned some things. We have discussed those things of going in those directions of Web casting as well as conference calls. Those who do conference calls have lines that accept up to 200 lines, and I don't think we have that at this point. So some of the highlights.

CHAIRMAN BANIS: I'm looking forward to a

conversation in the future about that. Meg, you have a question?

MEMBER GROSSGLASS: Is that Darrell Issa's committee that 1144 that has been referred to.

MR. RAZO: No.

MEMBER GUNN: What was the tribal representative's name?

DIRECTOR RAML: Mike Purdy, P-u-r-d-y.

MEMBER MITZELFELT: We are not on to questions yet?

CHAIRMAN BANIS: For questions regarding field office, field manager and state report, yes, please.

MEMBER MITZELFELT: Sort of a question, more of a comment regarding -- you mentioned the tribal effort there. I'm not sure if everyone is aware of the bill that was signed by the governor this past week that allows tribal governments to join the Joint Powers Authority with local governments. So as you can imagine, tribes, especially where those that have resources, that share common problems can now participate with us under this law, I believe. So it might be worth looking into for all concerned. That bill was introduced by Brian Nestande, assemblyman from Riverside County.

MEMBER HOLLIDAY: I have one comment and one question. Back there on the table back there are some of the options that are going on at the ISDRA as far as some of our outreach programs, frisbees there that are given out. You can help yourself there to one. There are also some maps out there, the new maps for the ISDRA. And also for the NECO area, which has been something that the DAC has been asking for for a long time. And they finally have got those out and they are public there. And for people that are not duners, there is a lot of pretty good off-road areas and trails that you can go on. And there are some maps back there in the corner.

My question I have is for the Needles office. And that's associated with the Ivanpah Solar Plant there. I know that there was a biological opinion that you shut down two of the portions of that thing to get an additional biological opinion. And I have heard a lot of comments about the new biological opinion allowing 1,000 takes. I wonder what -- was that the right number, that Fish and Wildlife number that allowed 1,000 tortoises to be taken?

MR. LEE: Yes, they went back and recalculated, based upon juvenile tortoises and hatchling tortoises, and they calculated in hatchling

tortoises with the revised biological opinion, which they hadn't covered. The actual number of adult tortoises that are going to be located is not that much larger than the previous biological opinion. But when you look at the number of eggs over the time taken to install the project and so on, you figure half of the tortoises are females, looking and expanding that over a five-year period before translocation process is finished, it gets up over 1,000. On the other side of that, 95 to 98 percent mortality in natural environment for hatchlings. So, yes, the number is very large but the number of survivors past that stage would have been a very small number, so it looked large. It depends on the viewpoint.

MEMBER HOLLIDAY: They are trying to actually relocate them. They are going to take them up and move them someplace else?

MR. LEE: Yes. A change between this biological opinion and the previous one is we actually have -- in fact, quite a few of the hatchlings and eggs are in incubators. The previous biological opinion hadn't addressed how to handle juveniles and hatchlings, and they have built an on-site facility for the females to lay the eggs. They have a crew on

board watching them, and they will be monitoring and handling those juveniles up to five years off.

MEMBER HOLLIDAY: That's an interesting concept. And I know that supposedly, if you touch one you are not supposed to put it back into the environment. So obviously, they are working in such a way they can put the juveniles back into the environment.

MR. LEE: Yes.

CHAIRMAN BANIS: I have Lloyd and then Meg.

MEMBER GUNN: My question is also about the tortoise. You didn't mention where they are going to relocate these tortoises to?

MR. LEE: Pretty much it's the same alluvial fan between the State Line all the way over to the freeway.

MEMBER GUNN: What about that new State Line project? Is that going to effect where they were going to be translocating.

MR. LEE: Because the expansion of the translocation for the Ivanpah ISEGS project, pretty much took all of the rest of the valley.

MEMBER GUNN: Your comment about the tortoises that they figured on finding out there, from what I understand -- correct me if I'm wrong -- they

found as many tortoises in the first section as they thought they were going to find in all three sections.

MR. LEE: That is correct.

CHAIRMAN BANIS: Thank you. Meg and then April.

MEMBER GROSSGLASS: I have a comment. I was looking for -- I was looking over the El Centro field office's report, and I noticed they gave us annual visitation, number of dune passes sold and then visitation versus medical trends. And that's a good amount of information, and I definitely do appreciate it. Especially 49 percent decrease in medicals, so it shows you guys are doing something right, and I appreciate it.

MEMBER SALL: Yeah. I have a question and I guess unfortunately, it's probably going to be Teri because I'm assuming RECO stands for Renewable Energy Coordinating Office; is that correct?

DIRECTOR RAML: That's correct.

MEMBER SALL: So in reading that update, I had a little bit of a panic attack. The sentence that says we are sending letters to applicants located within the proposed energy zones indicating that these applications will not be worked on until the Solar Programmatic EIS is completed and the ROD is signed.

So, is that correct that we are now encouraging all projects to go everywhere except the SEZ? I'm sorry, I have a lot of notes next to this.

DIRECTOR RAML: I don't think the intent is to send applicants outside the SEZ. I think the intent is to wait until the PEIS is completed with the best business practices and all the associated stuff that comes out with the PEIS before we pursue it. So it's not to say you have applied here, don't withdraw your application if you applied here, and we are undergoing an analysis here and encouraging them to wade through the analysis because the level of analysis, as the bureau -- that's been a source of discussion is that the SEZs were supposed to have a level of analysis when complete that would reduce the amount of environmental analysis required.

So the other thing is if you have an application within SEZ and the bureau is funding the environmental analysis, we wouldn't necessarily proceed forward on their application under cost recovery.

I would like to give you a better answer and more complete, but that's one factor involved. The other thing I wanted to point out in that, which causes me a little bit of embarrassment, too, is that

the following sentence that says, "even if a transmission line is proposed across BLM lands to private lands, BLM will not continue to process that" is not accurate. We are processing -- we will be processing transmission lines.

MEMBER SALL: Is there a way to influence or improve that standpoint for BLM in terms of -- I mean, maybe could these projects still be processed under the status quo of the way they are being processed in other areas? But I feel like we are really, the PEIS has now been delayed, correct, and we were waiting for a supplemental? So I'm really confused on this stance, and I understand this is not your decision.

DIRECTOR RAML: Let me take it as a question, and I will get back to you.

CHAIRMAN BANIS: Thank you. Any other comments or questions from the DAC? At this time I have two public comment cards, three public comments for the field office reports. Marie, let's start with you, please. Thank you. And followed by Ron, followed by John Stewart. And that will close the public comment for that issue.

MS. BRASHEAR: It's a mixed bag of comments and questions. I was talking to some people that I work with on one of the wildlife projects the other

day, and it seems as if the Bureau of Land Management has not kept up with its obligation to remove burros from many of its management areas. The Whipple Mountains are one of my main concerns inasmuch as we and other groups transplanted 110 Bighorn Sheep in there a couple of years ago. And if there are 10 alive today, strictly and solely because of the actions of burros, we are lucky. So that's one of my concerns.

Another concern I have is in the Ridgecrest resource area, there is a lady who is their wilderness person. She came out of the Forest Service as a landscaper. And one of the sections in the California Desert Protection Act that we were successful in getting adopted said that in wilderness areas, you can take a vehicle in, make the repairs on guzzlers, and take your vehicle out. If you had to haul water in times of drought, you can haul water in.

This lady has now created, because she does not approve of guzzlers anywhere, but the only thing she can impact are the ones that are in wilderness, she has now said that the only way she will consider allowing people to go in and repair guzzlers is if the State of California Department of Fish and Game prepares a proposal for her and then justifies in that

proposal each and every guzzler to be repaired.

It's not her job. Somebody needs to talk to her.

And finally, I think you guys spent the whole day talking about -- well, spent a good chunk of the day talking about how you had to live by certain rules and regulations. I didn't hear one of you talk about how we change those rules and regulations so you don't have to live by them.

CHAIRMAN BANIS: Thank you, Marie. Thank you. Ron, followed by John, please.

MR. SCHILLER: My question and issue has to do with the Ridgecrest field office report. First, my question was on the -- in the report it mentioned the Inyo Brown Towhee surveys. And I was under the impression that I recently read that that was determined now that it was not actually a subspecies, as once believed.

The second issue that I wanted to comment on and I thought there might be something in the Ridgecrest field office report regarding that, about three months ago as a member of the Ridgecrest BLM steering committee, I started hearing some discussions about the bridge in the South Park Canyon of Panamint Mountains and with the potential of that bridge being

torn out by the BLM.

I would like to point out that that bridge is the result of the BLM not addressing the problem that existed at the time. That road was dynamited by marijuana farmers up in the canyon in 1994. And that bridge, when that was put in by that party, calculations were provided for that bridge by the parties who put that in. And as a result, there were meetings with Inyo County Road Department on-site. And that was all being reviewed when Lee Delaney was the resource area manager.

Now, I understand that the BLM is wanting to take that bridge out. And I want to know if there is going to be public comments involved in that and what process the BLM will follow. You have allowed the public to use that for 17 years now, and that's the only loop through the Panamints left as a result of the previous wilderness designations, and that corridor was allowed through there. So if you were going to tear the bridge out, I want to know what kind of public involvement is going to be included. Thank you very much.

CHAIRMAN BANIS: Thank you, Ron. I hate it when important things are brought up at the end of the day. Maybe we can put this on an agenda for December.

Do you mind addressing it?

MR. HAMBY: As the new temporary acting for 120 days manager, yes, the South Park Bridge is on our agenda to discuss in our office. Yes, I am visiting that South Park Bridge on October 5 for the purpose of reviewing it. Yes, there will be a process for reviewing what is going to happen with that bridge. No, that bridge does not meet federal specifications. Yes, there is concern about it. This is the first time I heard about marijuana growers in that area.

MR. SCHILLER: That was in '94. I think they are gone now.

MR. HAMBY: You never know.

CHAIRMAN BANIS: We have explored it thoroughly. It's gone.

MR. HAMBY: So, yes, we are taking a look at this situation, and I'm trying to put together as much information as possible. No, we are not going to make a decision until people are consulted with. So if you would like something after October 5, you bet I will bring something. Just ask.

MR. SCHILLER: What about the Brown Towee.

MR. HAMBY: Is that a bird or rodent?
According to the notes handed to me by the biologist as I was walking out the door on Wednesday, she told

me that the Inyo California Towhee, which is a bird, surveys had been performed and they are being analyzed in cooperation with Cal Fish and Game. And that's as much of the status as I know. I don't know whether it's a subspecies or primary species.

MR. SCHILLER: It was listed as a subspecies; it's been determined that it isn't. That's what I recently read, but I would like some clarification on the BLM's position. Is that a separate species or is it not? How is the BLM treating it?

MR. HAMBY: If it's on a federal list, then somebody will tell us. BLM does not make that determination. We don't determine whether a species is on the list or not. That's a special agency.

MR. SCHILLER: But you are doing some kind of a report on it, that's why I'm asking.

MR. HAMBY: Yes, we are doing a report on it.

CHAIRMAN BANIS: Thank you. Thanks, Jack. You know, one of the things that I'm concerned about relative to the bridge is that our transportation representative had a previous engagement and unfortunately couldn't make this meeting. And I think that's something I would sure like to hear from Tom Hallenbeck from our transportation man on this, as well. So I greatly appreciate an opportunity for the

DAC to be able to talk about this a little bit on the next meeting, so I think it's important enough for us to table for discussion.

I'm sorry, John, you have been patient. Last comment on this is John Stewart.

MR. STEWART: John Stewart. Several of the field managers' reports had excerpts or short blurbs about the abandoned mines program. And I think personally I would like to hear what the overall status is, the updated status for the abandon mines program throughout the desert district and request that be added as an agenda item for a future meeting for a more in-depth brief on the entire district status.

CHAIRMAN BANIS: Thanks, John, let me note that. That concludes the comment on the reports.

Ladies and gentlemen of this DAC, I erred earlier and I did not correctly conclude our discussion on user fees. Our DAC member Dick Holliday has put a lot of work in on a quick presentation that he would like to do to help us further digest the issue on user fees. Whenever we have a DAC member who is going through the amount of work and effort that he has done, I want to make sure that you have a chance to get it shown. And understand, without the Council

business, we are now back on schedule, very close.

So the only thing after Dick's presentation is the wrap-up and summary. So Dick's item and then just an announcement on Council business and wrap-up and summary. So we are getting very close, and I appreciate everybody's patience.

What Dick is going to provide is from a DAC member's perspective, his initial recommendations that he thinks we should study over the next three-month period, and we come back in our June meeting and we close the discussion on user fees. We may have some recommendations for this. For our December meeting -- I don't even want to know what I said.

MEMBER HOLLIDAY: When we started this process of having a focus group, if you will, or a focus for our meeting, and then we wanted to have public comment and then have the DAC review that public comment and then have at the next DAC meeting, have consolidation of that and possibly some recommendations for the BLM based on that public comment and the work of the DAC members.

So I just put together this really short little thing here. I will try to go through this. Go ahead with the next slide here.

There are just three issues that I really

want to address. One is for the DAC to be able to make a determination if the proposals that are put forth are viable is to have some information and background data for those presentations. So I'm -- I will go through this quickly.

But we would really like to see three things. One of them would be a user fee report to the DAC that's consistent from the field offices for the fees so that we can compare one thing to the other, one area to the other. And I understand that different areas have different responsibilities and different things, but to have maybe the amount of fees collected and amount of fees spent on basic maintenance type of things.

So we are looking for providing a place of interest, decisions about fee product design, how the money is going to be invested, and providing accountability for these things. And we are looking for a location where we can have public input and public comment.

CHAIRMAN BANIS: These are in your packet, by the way.

MEMBER HOLLIDAY: We want to have feedback, take a step toward achieving consistency, and a standard format for yearly reporting would allow the

DAC to compare revenues, expenses and projects across the different fee areas of the CDD and provide more constructive advice to the BLM CDD to have on the fee programs.

So this recommendation on this No. 1 thing would just recommend that the BLM provide these things, and at the end of each fiscal year would provide the DAC with a common format for recreation fees.

The next thing would be, right now that the BLM has to go to an R-RAC, which is a recreation resource area, whatever it is, Council, committee, for approval of fee changes, new fees or changes. And the problem is right now, that R-RAC is really nonfunctional. It hasn't had a meeting in a year and a half, almost. And I contacted the recreation member here a couple weeks ago, and he had no contact with anybody about when they were going to schedule another meeting. So that we want to see the BLM in the local areas be able to modify their fee structure if it's required, and by not having a mechanism to do that is kind of an impediment to getting these things done.

So our recommendation and I would like to have the DAC recommend that they pursue having the -- this group, this R-RAC be the approval for that. And

in the law it says if there is no R-RAC, that a local RAC, which we are, can be that vehicle. If you look at -- the CDD generates, like I did some information, the CDD generates more than 25 percent the BLM revenue from the entire country. So we are a pretty large component of the national BLM fee collection. So I think that we need to have that representation either here or a functioning R-RAC.

So our proposal would be just to the BLM should recognize the DAC as the appropriate R-RAC for review and authority over fee programs. I know that there has been discussion with that, and I know there has been -- the state office says, no, we are not going to do that. But I think that needs to be reevaluated and see if that can be done.

And lastly, here, I think we need to have this data available to the DAC members. So I'm moving here that we request that the BLM provide the DAC members and the members of the ISDRA and Dumont Subgroup and Friends of El Mirage with the last two years of financial history data on visitation, fee revenue received, a breakdown where the fee revenue was spent, this will -- should include all the fee areas that we should be concerned with, campgrounds and LTVA's and other areas for future charge.

Further, written comments received by the BLM regarding user fees should be made available to all the DAC members. And this information will be utilized by the subgroups and the Friends of El Mirage to prepare recommendations for the DAC's consideration at the December meeting. And the way this process was envisioned is we would take public comment at this meeting and go back to the DSG's and any Friends groups that wanted to participate, get their input, and come back with recommendations at the December meeting.

CHAIRMAN BANIS: Again, these documents are in your packet. Is there a motion you are offering at this time?

MEMBER HOLLIDAY: Yeah. I would just go with the last motion there that we would request that this information was provided. I don't know about the other ones at this point. I think we want to review some of the other ones. I think this last one.

CHAIRMAN BANIS: As I understand it, that was your intent.

MEMBER HOLLIDAY: I will pick out which one.

CHAIRMAN BANIS: Regarding the very last page, this will be providing information to the DAC. Could you take a moment, Teri, and look at that? The

field managers have probably had a minute to look at that. Do you feel this motion is in order?

MEMBER ACUNA: No.

CHAIRMAN BANIS: It's been moved. Do we have a second?

MEMBER SALL: I have a question.

MEMBER HOLLIDAY: Let me see. Last page.

CHAIRMAN BANIS: Last page, very, very back of the back.

MEMBER HOLLIDAY: So, yes, okay.

MEMBER ACUNA: Real quick, I thought this was going to be brought up earlier in the agenda.

CHAIRMAN BANIS: My fault.

MEMBER ACUNA: Earlier in the agenda we agreed that this was too much for us to handle today; that we wanted to become more familiar with it. Now we got the presentation as I think to be informative so we can think about it before the next meeting. So I see no point in making a motion. So that's what I see.

CHAIRMAN BANIS: April.

MEMBER SALL: Yeah. I guess I'm wondering if the first bullet point in particular is appropriate for something that the DAC needs to dive into. So I guess, yeah, I think we need a little more discussion

and time to think about this.

CHAIRMAN BANIS: The point behind this is simply in December we are going to be hopefully put on the spot to make a decision. And will we have enough information to make that decision? That's what we are really concerned about. Will we have that information to do so, and does the DAC feel that this information is something that they would want to have in order to make the decisions we will be asked to make in December. Thank you. Ron.

MEMBER JOHNSTON: My only thought in this regard is that, Dick, without intending to pick it apart, but I think setting up the Imperial Dunes group and Friends of El Mirage and Dumont as policing authorities for the finances on the fees and their allocation as to how it's been collected and dispersed is probably not appropriate. There are other groups that participate in paying fees besides these groups, and they are not necessarily represented by any of those three organizations, although the DAC, I think, should be made aware of what is going on and those groups are represented on the DAC. And I think that would be appropriate. But I think that's too far reaching to single out groups that are subgroups to be deciding factors in how those funds are allocated.

CHAIRMAN BANIS: Meg.

MEMBER GROSSGLASS: I hate this thing.

It seems to me -- and I could be wrong as I am often -- that this information is probably already gathered for the fee areas because you are asking for four things, Dick. Fee revenue spent, projects -- you are asking for four or five things. You are not asking for an overly detailed breakdown so that would be already for Glamis and Dumont; correct? But maybe we don't have that information for El Mirage. Because it would seem like if it really is only those things, but where it could get labor intensive for the BLM would be for the other areas, the campgrounds and the LTVA's. Am I wrong? That's correct; right? You have it for those fee areas, but you don't have it for the others because you guys already do it. That was a question to someone in the BLM.

MEMBER HOLLIDAY: Let me just say this. The only reason to ask for their data is to allow the members to have some point of reference for the next meeting. If you don't think you need that point of reference, than we don't need this. And that's just my point there.

To answer your question, Ron, the issue is -- why I singled out those particular three areas, they

are the major areas that collect fees. The other fees might come from the LTVA's and campgrounds. And I don't know if there is any one entity you could go to to get information about those particular campgrounds. Sawtooth doesn't have fees. But say there was Afton Canyon collecting fees. I don't know if the campground hosts would be the representative for that campground. An LTVA snow birds come to. So I'm not sure if there is a long-term visitor area group that would be cognizant of that, those issues. That's why I think that the DAC, some public entity should be looking over those things. If you don't -- again, if you don't feel that the information is required to make your decision, that's fine.

CHAIRMAN BANIS: Might we say that what information can be made available and is practical for us, I would think Teri would do the best that they could do. I'm trying not to put anybody on the spot here, but I know if there is something readily available for us, if there is something readily available for us, I think the DAC would like to have it without the need for a motion. Just to encourage what's readily available if we could have it before December for a chance to come up with an intelligent and helpful recommendation.

DIRECTOR RAML: I think on this one, so I kind of want the DAC to do the work on this. So why do you want this information? And we will do what the DAC requests in terms of a motion. And I certainly, because I want you to be well informed for the next meeting, we will put together what we need to, based on the materials, the comments that have been provided. If what you are going to do is you are going to transmit to me all the public comments you received and letters you received and everything that has come forward, and we will do what we can to make the DAC prepared for the next meeting.

But the other part is where are you headed and what role do you want to play in fees and what information do you need to do that? Like I said, we will do some staff work based on everything that you transmit to us. So right now, we don't have anything except copies of letters that have been sent to you. You see what I am saying?

MEMBER HOLLIDAY: Let me make one last comment on this issue. It's kind of a paradox here that this is the CDD manager set up these focus things for the recreation for fees and gave us a pretty three-pronged thing to look at as far as what there is and what she wanted back from that information. And

all I'm saying is that some of the recommendations that may come back may be contingent upon some of these issues. And that's why the more data we have about how fees are collected, how much is collected and where that money goes will allow us to make a better recommendation based on those requests for data. That's the end of my story on that.

CHAIRMAN BANIS: Thank you. Meg.

MEMBER GROSSGLASS: I don't want the BLM to have to go to extreme measures, but giving basic data I think is necessary. I know we have these for the fee areas. They do it every year. It's probably out there. But putting it on a piece of paper and giving to the other DAC members, so how are we supposed to make any knowledgeable recommendations to the DAC if we don't have the basis for that. It just seems like a basis "duh" to me, but maybe I'm wrong.

CHAIRMAN BANIS: First, thank you, Dick, for putting this all together. I'm sorry the motion died for lack of second.

MEMBER GROSSGLASS: I didn't realize I didn't second it.

CHAIRMAN BANIS: We have a second.

MEMBER GROSSGLASS: I thought I did.

CHAIRMAN BANIS: We have a second. Okay. We

have a second. Further discussion?

MEMBER GROSSGLASS: Did I do that in my head?

CHAIRMAN BANIS: Further discussion?

MEMBER MITZELFELT: Did I understand that the manager doesn't support this?

DIRECTOR RAML: I'm trying to remain neutral on it because part of it is I want you to determine the role you want to play and how much data you think you need. Now, what I will support, like I said, I want to make sure that you are fully prepared and that we were transmitted the information that was collected at this meeting, like I said. So you have gotten a lot of information at this meeting. You have gotten letters from people, you have private citizens' letters. So if what you hand to me is take this letter, take this motion and help us prepare to make a recommendation, I will do that irregardless of your motion.

Now, if you want to propose a motion that also says included in that we would like two years of this data and I'm not going to say how much work I think it will take, I don't want to put the field managers on the spot. Probably we have data, but if you want to pass that motion, we will comply.

MEMBER MITZELFELT: How about as much data as

can reasonably be put together, that it would be informative to us.

CHAIRMAN BANIS: I think that would be the way it would be passed. Would that be acceptable as a friendly amendment?

MEMBER GROSSGLASS: He is holding up the work plan.

CHAIRMAN BANIS: The motion -- the supervisor has suggested that the motion read as to what information is readily available for this two-year schedule.

MEMBER MITZELFELT: As to visitation fee revenue, projects complete, et cetera, as delineated but readily available data that can be assembled without undue --

MEMBER HOLLIDAY: Yes.

CHAIRMAN BANIS: The seconder of the motion?

MEMBER GROSSGLASS: That's acceptable.

CHAIRMAN BANIS: I think we have a compromise that we can agree on. Hearing and seeing no more discussion, those in favor of the motion that's been amended, say aye. Those opposed?

MEMBER ACUNA: No.

CHAIRMAN BANIS: We have a no vote. Thank you, and so recorded.

I want to thank you for working through this so late in the day, and my apologies for having misplaced this on the agenda.

The next item that was scheduled, Council business bylaws and appointments. As I understand there is no new news on appointments.

MR. RAZO: Yes, I asked the question because the department FACA committee head was there. And I pointed the question at her. And she said that your nomination package has cleared the department. It's currently at the White House.

CHAIRMAN BANIS: Then from there the U.N.?

MEMBER GROSSGLASS: We will never get anywhere if it goes to the U.N.

CHAIRMAN BANIS: Thank you. Very helpful. This item regarding bylaws, just to brief you on where we were. You recall that the last meeting in June we passed some bylaw amendments. And over the course of our DAC reviewing the bylaws, we also found three or four or five other things that we thought needed to be addressed.

We also may be seeing a new charter coming out in the near future, and we have also had the benefit of Steve attending the additional FACA training. So I suspect that we are going to have

additional focus on bylaws. And I would not like to see this group doing bylaws every single meeting from here on forward in time.

So what I would like to do if there is no objection from the DAC, those items that you raised relative to the bylaws at the last meeting, we have them, we noted them, they are in writing in a format that I provided the BLM. And Steve will continue to keep those in his folder as we move forward in talking about future bylaws items that we expect are going to come up within the next probably two to three meetings and that we tackle that all the one time. Is that okay with the DAC?

I see no objections, so that's the only announcement that we have is that those few other bylaw touch-ups that we talked about will be brought up in a grander context.

MEMBER ACUNA: Something that maybe we could add to the bylaw folder for future discussion is the absences of certain Council members.

CHAIRMAN BANIS: That was one of the items. It was about -- there was an item about terminating and how that is. That is one of the items we were supposed to discuss.

MEMBER ACUNA: Good, because I think three is

the maximum.

CHAIRMAN BANIS: Yes.

MEMBER ACUNA: I have seen that violated a number of times.

CHAIRMAN BANIS: And surprising you bring that up, but the context in which it was raised is, is that too harsh? So that whole item is on the table. Thanks, Tom, good point.

Any further discussion on this? Steve, please.

MR. RAZO: I think for the record it does need to be announced that Monica Argandona has issued a resignation from the DAC for personal reasons. I did discuss this matter in Washington, and they suggested that we don't necessarily have to fill that spot if we continue to have a quorum. And if her interest, which was environmental protection, if that can't be covered by someone else, then we would have to look at getting a replacement. Otherwise, there isn't an issue with higher-ups if we just leave it vacant until the next round and have a replacement.

CHAIRMAN BANIS: April.

MS. SALL: I personally feel that that seat should be refilled.

MEMBER MITZELFELT: No replacement.

MEMBER HOLLIDAY: There must be a letter about ready to go out for the next people, the ones that expire in 2011. So it seems like that could be added to that request.

MEMBER SALL: Right.

CHAIRMAN BANIS: Thank you. Okay. Ladies and gentleman, we have reached the last item on the agenda. Wrap-up and summary. I'm not going to wrap up and summarize. We have all lived through this day.

What I would like to remind the DAC members and the public of is that at our next meeting in December, we will be discussing, No. 1, we will be closing discussions on user fees, having reviewed all the materials and everything we have heard today. Then we will open discussions on Landscape Conservation issues, and I'm going to look to our friends from the environmental community to help guide us into discussion topics for that meeting.

At that time, the DAC will have concluded its one-year work plan, it's four-meeting work plan, and I liked it. And I would like for us to do it again. But for us to do that would require us to have a planning session between now and the end of the year, perhaps, to get together and set the next four topics as we move forward because I think this worked out

pretty darn good. It gave us a pigeonhole to put all of our issues and concerns into for an appropriate time when we can lay it all out on the table and discuss it.

MEMBER GUNN: On the next meeting, could we discuss what you just mentioned, possibly getting the Mojave Desert as part of the National Landscape system or designated as a --

CHAIRMAN BANIS: As I understand it, the Landscape Conservation issues is a wide open slate. It's for the DAC members to be able to fill that agenda. That is exactly what I will turn to you and others for help on as we prepare those questions. Just as Dick today opened up a door, just as I opened up a door at the previous meeting with the slides, I would like to see that continued. Meg.

MEMBER GROSSGLASS: I think that I would like to see us have another work group to set up our work plan for the year. I think it worked very well, and I really liked having our meetings all set. So in December when that meeting came, we could tell everybody what the meetings were for the next year. I think it helps greatly with public participation.

CHAIRMAN BANIS: Very good. I'm seeing nods. Any final comments for today's meeting?

I would like to then turn the microphone over to Teri, if she would like to have some closing comments?

DIRECTOR RAML: Yes. We will get our calendars out, and we will set a date for a work group meeting to talk about next year's strategic plan agenda and how we can effectively tie up and close on the stuff we tackled this year. I appreciate people coming to the meeting and the hard work that the DAC has done. We are dealing with -- obviously you can tell by the discussions that there are -- we are trying to work through some issues. The fee topic, we put it on the strategic plan because we knew it was a difficult topic, different expectations, perspectives and desires. But I look forward to continuing to work with you on it.

And I think we can get through this difficult topic and end up in a good spot with subgroups and also with the DAC being satisfied with their role on fees.

And I think that's -- I find these meetings -- this is the private personal part -- I find these meetings very invigorating, I find them civics in action, and I appreciate the comments for the public meeting process for BLM. I think we proved

by these meetings that we can have an open conversation on difficult topics and do it well. So I just continue to want to thank you, and thank you particularly to Randy who has continued to do such yeoman's work on our behalf.

CHAIRMAN BANIS: And before Teri adjourns the meeting, I would like to request that we adjourn in memory of that day ten years ago tomorrow and the memory of those who lost their families, friends and a country that somewhat lost its innocence. And please spend tomorrow with a day of reflection, and let's keep our country great. Thank you.

DIRECTOR RAML: I will add one sentence onto that. We will be bombarded by the media. And whether you're inspired or bombarded by the stories of the media, let's take a moment to reflect on where you were ten years ago when you heard this news and then maybe another 15 seconds, like Randy said, remembering the tragedy and all those affected by it. So we will have about 30 seconds of silence.

(Pause in proceeding for reflection.)

DIRECTOR RAML: Thank you much. Meeting adjourned.

(The proceedings were concluded at 4:26 p.m.)

R E P O R T E R ' S C E R T I F I C A T E

I, Judith W. Gillespie, a Certified Shorthand Reporter, No. 3710, for the State of California, do hereby certify that the foregoing pages comprise a full, true and correct transcription of the proceedings had and the testimony taken at the Desert Advisory Council meeting in the hereinbefore-entitled matter of Saturday, September 10, 2011.

Dated this 20th day of September, 2011, at Riverside, California.

Judith W. Gillespie, CSR, RPR, CLR

M-O-T-I-O-N-S

- A. Maker: Johnston
 Second: Sall
 Motion: To approve the last meeting transcript.
 Result: Motion carried

- B. Maker: Sall
 Second: Acuna
 Motion: To approve the agenda.
 Result: Motion carried

- C. Moved: Sall
 Second: Schriener
 Motion: To recommend that in NEPA public meetings, BLM should specify if there will be public comment and clearly indicate in which form.
 Result: Motion carried

- D. Moved: Sall
 Second: Schriener
 Motion: To encourage the BLM to accept verbal public comment whenever practicable.
 Result: Motion carried

- E. Moved: Grossglass
 Second: Schriener
 Motion: To provide an overview of the project and guidance on effective public comment vis-à-vis in what stage of the NEPA process the project is in.
 Result: Motion carried

- F. Moved: Banis
 Second: Schriener
 Motion: To applaud and thank the BLM for completing route signing, map updates, monetary maintenance and law enforcement plans.
 Result: Motion carried

- G. Moved: Banis
 Second: Schriener
 Motion: To recommend designations within the El Paso Collaborative Access planning area be performed and incorporated within the court-appointed WEMO route designations.
 Result: Motion carried

- H. Moved: Banis
Second: Mitzelfelt
Motion: To commend and thank BLM Ridgecrest and Barstow field offices for creating and maintaining effective partnership with Friends of Jawbone and Friends of El Mirage and encourage other BLM field offices to develop like relationships
Result: Motion carried
- J. Moved: Banis
Second: Sall
Motion: To recommend all routes within the motorized and nonmotorized networks be signed to identify them as important public resources and to encourage use of designated routes.
Result: Motion carried
- K. Moved: Banis
Second: Schriener
Motion: To recommend that all OHV fencing projects should provide adequate stepover and pedestrian breaks unless such access is prohibited.
Result: Motion carried
- L. Moved: Banis
Second: Sall
Motion: To make current route maps available for on-line purchase or free download and purchase at field offices.
Result: Motion carried
- M. Moved: Banis
Second: Grossglass
Motion: To ask the BLM to work with user groups and the public to identify appropriate motorized and nonmotorized routes for possible inclusion in the National Recreation Trails Program.
Result: Motion carried

N. Moved: Holliday
Secunder: Grossglass
Motion: To request that the BLM provide the DAC members and members of the ISDRA and Dumont Dunes subgroups and Friends of El Mirage as much financial history data for two years as to visitation, fee revenues, projects completed readily available on all fee areas, campgrounds, LTVA's and other areas for future charge that can be assembled without undue BLM work.
Result: Motion carried (one "no" vote)