

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

REPORTER'S TRANSCRIPT OF PROCEEDINGS
SATURDAY, MARCH 5, 2016

JOB NO. 72557

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

MEETING OF THE U.S. DEPARTMENT OF THE INTERIOR BUREAU OF
LAND MANAGEMENT CALIFORNIA DESERT DISTRICT ADVISORY
COUNCIL AT 38305 COOK STREET, PALM DESERT, CALIFORNIA,
COMMENCING AT 8:03 A.M. ON SATURDAY, MARCH 5, 2016
BEFORE DIANE CARVER MANN, CSR NO. 6008.

APPEARANCES

MEMBERS PRESENT:

REPRESENTING:

LESLIE BARRETT, CHAIR

RENEWABLE RESOURCES

RANDY BANIS

RECREATION

SETH SHTEIR

ENVIRONMENTAL PROTECTION

DON HOUSTON

NON-RENEWABLE RESOURCES

NATHAN FRANCIS

NON-RENEWABLE RESOURCES

MARK ALGAZY

PUBLIC AT LARGE

JAMES KENNEY

PUBLIC AT LARGE

JOHN BENOIT

ELECTED OFFICIAL

AL MUTH

WILDLIFE

ROBERT ROBINSON

TRIBAL INTERESTS

ROBERT BURKE

PUBLIC AT LARGE

WILLIAM "BILLY" MITCHELL

RENEWABLE RESOURCES

PAUL O'BOYLE

RIGHTS-OF-WAY

TERI RAML

DESERT DISTRICT MANAGER

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APPEARANCES (CONTINUED)

BLM STAFF PRESENT:

KATRINA SYMONS, BARSTOW FIELD MANAGER

MIKE AHRENS, NEEDLES FIELD MANAGER

CARL SYMONS, RIDGECREST FIELD MANAGER

TOM ZALE, EL CENTRO FIELD MANAGER

JILL WILLIAMS, PALM SPRINGS ASSISTANT FIELD MANAGER

JOHN KALISH, PALM SPRINGS FIELD MANAGER

JENNIFER WOHLGEMUTH, STAFF ASSISTANT TO THE DISTRICT
MANAGER

STEPHEN RAZO, EXTERNAL AFFAIRS, DESERT DISTRICT

SHAUN WHITECAVAGE, STUDENT INTERN, EXTERNAL AFFAIRS,
DESERT DISTRICT

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PALM DESERT, CALIFORNIA; SATURDAY, MARCH 5, 2016

8:03 A.M.

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CHAIR BARRETT: Good morning, all. Thank you so much for coming. This is the Desert Advisory Council meeting, and this morning perhaps we'll start with the Pledge of Allegiance, if that's okay.

(The Pledge of Allegiance was recited.)

CHAIR BARRETT: Thank you, all. And we obviously have a full agenda today, and I thank you all again for coming. Perhaps initially we'd like to start with some introductions, especially since we actually have some new members. So let's take a moment to introduce them all and, for those that are the newer members, perhaps a little bio or a little background.

Let's start with introductions for the full council members. Thank you. Can we start.

Seth, do you mind taking that. Thank you so much.

MEMBER SHTEIR: Good morning. My name is Seth Shteir, environmental protection for the DAC, and my day job is for the National Parks Conservation Association.

MEMBER HOUSTON: Good morning, everyone. My name is Don Houston. I'm a former DAC chair, and I want to thank the BLM for graciously inviting me to sit up front and to continue to attempt to make some intelligent contributions to the conversation here.

MEMBER FRANCIS: My name is Nathan Francis. I'm representing the nonrenewable resources, and in my daytime job I work for Rio Tinto Minerals.

MEMBER ALGAZY: Mark Algazy representing public at large, my second year.

MEMBER KENNEY: Jim Kenney, public at large.

MEMBER BANIS: Good morning. Randy Banis, representing recreation. And I'm the founder and owner of Sundance Media in Lancaster, California.

CHAIR BARRETT: Thank you, Randy. Leslie Barrett representing renewables, and this is also my second year on the council. Thank you.

DIRECTOR RAML: I'm Teri Raml. I'm the Desert District Manager, and I am the designated federal official for this advisory council.

MEMBER MUTH: Al Muth, representing wildlife. I'm not sure I have a daytime job. I work for the University of California.

MEMBER ROBINSON: Hi. I'm Bob Robinson. I'm representing tribal interests, and I work for and am

also the chairman and tribal preservation officer for the community in the Tehachapi and Mojave Desert area and also work for Desert Conservation Resource Conservation Development at Ridgecrest, and I'm a grant administrator.

MEMBER BURKE: Bob Burke, public at large, bighorn sheep.

MEMBER MITCHELL: Billy Mitchell representing the ranchers, fourth-generation rancher, Mojave Desert. Renewable resources.

CHAIR BARRETT: Thank you. The December minutes. And does anyone actually have any comments with respect to the December minutes? If not, we'd like to move forward with approval of the December minutes.

MEMBER BURKE: So moved.

CHAIR BARRETT: Second?

MEMBER BANIS: Second.

MEMBER BARRETT: Excellent. No comments? All approved?

(A vote was taken.)

CHAIR BARRETT: All approved as regards to the December minutes. Thank you. And perhaps also a quick review of the agenda for today. I'm not sure if everyone has copies, but does anybody have any specific comments with respect to the agenda today or anything

they'd like to add to the agenda?

Hearing none, we'll talk just briefly, then, about procedures, then, for public comments. So if any member of the public or anyone would like to ask questions or have any comments on any special issue, we give extensive opportunity for leaving open public comments generally after each and every presentation. And those public comment cards can be delivered over to Steve over to your left, and he would gladly pass them to the chair so that we can incorporate any comments you may have. Excellent.

And now I think we can move on to the District Manager's Report.

DIRECTOR RAML: Well, good morning, and welcome. I want to extend a special welcome to the newly seated members. I can speak for everyone that we are definitely glad to have you on board. I was afraid, if you hadn't been on board, I would have been entertaining motions and letters to get you on board. So welcome, welcome. We're very glad to have you.

I'd like to start by introducing the BLM team. I want to make a couple of special introductions. Priscilla, yes. Priscilla was with us yesterday. She's Priscilla Rayson. Her day job is, she's our Equal Employment Opportunity Program Manager out of the state

office in Sacramento. And Daryl was with us yesterday, too. He is the Acting Associate District Manager for my assistant. Kind of for those of you familiar with Tim Wakefield's position, his daytime job is, he's the Safety Program Manager for the BLM California, and he is with us just one more month, but it's been an absolute godsend for me to have him with us.

Also I think I'll make another announcement. One is John Kalish. This will be his last DAC meeting with us. John Kalish has accepted an assignment in Washington, D.C. He's going to take all of his desert experience and renewable energy experience and be the Chief of Renewable Energy in Washington, D.C. And congratulations to John. Yes, we'll look for another opportunity to say adios to John, so this isn't the final rodeo on that. But I want to make sure you knew so you could give him a bad time about it. Those of us who have worked in Washington know John will have a great time there, and we're happy to have a Desert District person there because he will remember us.

We'll go around the room, starting with Katrina, and have people introduce themselves.

MS. SYMONS: Good morning. Katrina Symons, the Barstow Field Manager.

MR. AHRENS: Mike Ahrens, Needles Field

Manager.

MR. SYMONS: Carl Symons, Ridgecrest Field

Manager.

MR. ZALE: Tom Zale, El Centro Field Manager.

MS. WILLIAMS: Jill Williams, Assistant Field
Manager for Palm Springs.

MR. KALISH: After that intro, I'm John Kalish,
Field Manager, Palm Springs.

MS. WOHLGEMUTH: I'm Jennifer Wohlgemuth. I'm
the Staff Assistant to the District Manager.

MR. RAZO: Steve Razo, External Affairs. And
I'd like to welcome Shaun Whitecavage. Here, I'll let
Shaun introduce himself. He is a student intern that
just started working with me assisting me in External
Affairs.

MR. WHITECAVAGE: I'm Shaun Whitecavage,
helping Steve out while I go to school, possibly trying
to see which career route I want to go.

MR. RAZO: So be kind.

DIRECTOR RAML: And then one other announcement
personnel-wise I wanted to make -- and we'll talk more
about that maybe later -- is that Jim Foote, the
Monument Manager for Santa Rosa San Jacinto is also
retiring, so there's going to be quite a turnover,
changes in BLM. So he will be retiring a couple of

weeks after John leaves, so we'll have quite a bit of turnover in the South Coast Palm Springs Field Office. But John has built himself a good team there, so the field office will be in good hands. And we all look out for each other.

I do have a little bit more to talk about. One is, I do want to give you an update on the DRECP, Desert Renewable Energy Conservation Plan. As you would expect, we're currently in the process of reviewing and developing responses to the protests. There were 43 protests received, and they were received from a variety of folks, local, state, other federal government, protection groups, conservationists, so any kind of constituency who took the time to read it, there's a possibility that they would have filed a protest.

We don't necessarily take protests entirely as a negative on the DRECP. Sometimes it's a point of clarification, and a lot of protests start with actual paragraphs of support for part of it. But nevertheless we are spending our time dealing with the protests.

I also want to bring to your attention that we are aware of the protests concerning the ACEC, and I think for certain -- where is Mark? I think Mark and Randy -- there were some even DAC members that brought

to our attention some of the procedural issues associated with the Areas of Environmental Concern, and we're working with our Washington office to try to figure out how to address that concern.

At this time we don't have a firm date for release of the DRECP, but we'll keep you in the loop. And the other thing I want to talk about with the DRECP is, at the Desert District level we're turning our attention to implementation. And I think I mentioned a couple to you informally. Stephanie Chapman, who is currently in the Washington office assisting with the sage-grouse effort, will be coming to join us in late March on a 120-day detail to start to build the implementation framework. We're really excited to have her come join us.

She's got a very strong planning background, and she's been assisting with sage-grouse in -- everywhere other than the Desert District, sage-grouse is a huge bureau issue. And one of the things that is going to be good for all of us -- you know, all of us who have been involved in the DRECP -- is, we're talking years and years and years. And there's a lot of history, and there's a lot of things are taken for granted in the language, in, well, this was meant to say that, or this was supposed to be that.

And Stephanie is going to come to this document with fresh, new eyes, and she's going to read what it says, and she's going to work with us to where those areas have lack of clarity or areas where things seem to be where there's different interpretations. I think she's going to be a tremendous asset to us.

And I will make sure that she is available to work with the DAC also. That was one of the things. So her work is going to be focused as kind of a liaison and implementation framework builder with the field offices, the state office and some of our constituencies, certainly the DAC and the counties.

Also, as you can expect with the DRECP Record of Decision being delayed past February 28th, we will be going back to the magistrate for a WEMO extension, an extension to the WEMO planning timeframe, and we will be reaching out to both the plaintiffs and the intervenors as time to assist us in developing a new -- I'd better reframe that. I don't think they'll be assisting us, but we'll be negotiating a new timeframe for the deadline for the WEMO project.

And how could I not say something about the new national monuments? We are produced to have two new national monuments designated that are in BLM's management responsibility, and then our partner, the

National Park Service, has got one with a still huge BLM chunk in the middle of it. So anyway, we're quite proud to have those designated.

As you know, the president signed the proclamations on February 16th. The proclamations are in your packet. I think there's posters developed already. I had a couple of maps made, and let me kind of clarify. Those maps were for me, and so they may not have everything on them that would be helpful to others. I was most curious with the new monument, kind of the field office -- because, you know, the monument's boundaries are not our field office boundaries.

So if you look at that map for me, it was designated for me so I could say, "Needles has got a piece, and Barstow has got a piece, and there's a little piece for Mojave Trails and Sand to Snow." We'll be managing Sand to Snow with the Department of Forest Service. So anyway, there will be more about the national monument.

Also I want to bring to your attention, when it comes to the proclamations, Sand to Snow is silent on the planning timeframe for a new plan, so we don't have within the proclamation a timeframe to develop a new plan. That's not the case for the Mojave Trails. There's a three-year time period identified in the

proclamation that we need to develop.

So in that light I also brought, too, with me -- and I'll pass this out. I have a couple of extra copies for people in the audience -- a Planning 2.0. So the BLM has recently released new planning guidance. It's called Planning 2.0, and it's a different approach to our planning process. So this is the highlight version, the high version, you know, that kind of tells you the overall broad objectives of it.

I think hopefully we'll have at one point, like, a full presentation on it. It's definitely a front-loaded planning process, and I think it will be an interesting process for us to use as we move forward on Mojave Trails.

Right now the Federal Register Notice is out, and we're accepting comments until April 25th, and it's easy to find. I made sure. So I just spoke to my little Google, and I said, "BLM Planning 2.0," and it takes you right to it. Of course, I know that my Google will probably go to BLM things faster probably than maybe your Google will, but you'll still get there.

The other thing I wanted to bring to your attention is that I know some of you know that our Washington office is conducting an independent, as in independent from the California Desert District, review

of our Special Recreation Permits. There's a four- or five-person team. They'll be with us here the end of March, and they're going to be looking at all Special Recreation Permit activities, not just the motorized uses, which are kind of the attention-getters to all of us, but they'll also be looking in vending permits and guides, and they're just going to do a comprehensive review and be working with field offices and field office staff.

And pretty much every employee in the California Desert District has been made aware of this review because, when we have events, often the fire employees, employees that do firefighting, help with monitoring -- law enforcement helps with monitoring. The permits or application for permits are reviewed by an interdisciplinary team. So pretty much the process touches every BLM employee, so they'll be involved.

At the same time we are receiving continued interest from Congressman Cook and McCarthy. They have some active constituents that are very interested in our permitting process and the potential ways the permitting process can be streamlined or handled, really, from the perspective of the promoters and the applicants.

So let's see. So Congressman Cook and McCarthy's office have been in touch with constituents,

and a handful of names have been forwarded to us to include in this independent review team. So in addition to looking to BLM people to comment on our permit process, we'll be reaching out to kind of a sample or a group of individuals that work with us on Special Recreation Permits, and they'll be included in the review.

And later today, when we talk about our work plan, I will be asking the DAC's assistance again to re-stand up the Special Recreation Permit Subgroup that we had and let expire. It's timely under the circumstances to take another look at it with your help. And I think that's it for me.

MEMBER HOUSTON: Teri, I have a question for you. Returning to the DRECP, I understand why you can't give us a firm date for the Record of Decision for the Land Use Plan Amendment, but is there a regulatory date certain responsibility for the bureau's response to protests?

DIRECTOR RAML: I don't think so. We can ask that question. I don't think so. I'm looking at my team out there.

MR. ZALE: No.

DIRECTOR RAML: No. But if we're wrong, we'll let you know.

CHAIR BARRETT: Any other questions for Teri with respect to District Manager's Report?

If not, actually, I'd like to take the opportunity to introduce a new member of the advisory council, Supervisor John Benoit. Would you like to just say a few quick words.

MEMBER BENOIT: Howdy.

DIRECTOR RAML: Thank you. There's a spot here where we ask for more from you.

MEMBER BENOIT: Okay.

CHAIR BARRETT: And, Paul, I would like to note your presence.

MEMBER O'BOYLE: I'm Paul O'Boyle representing right-of-way.

CHAIR BARRETT: Thank you. Ed, do you mind if I hold on just a few more minutes before response to your request for a few words? Thank you.

And we have some period of public comments in about ten minutes or so, so if there's anybody else who would like to have questions or comments with respect to what's already been presented, it's in about ten minutes.

And now we're going to move on to the advisory council member reports and specifically any reports from any of our subcommittees or any comments that our

advisory council members may have.

Randy?

MEMBER BANIS: Thank you. First of all, I want to congratulate, actually, Teri. Congratulations for having a full board again. It must be a relief.

DIRECTOR RAML: Yes.

MEMBER BANIS: And more than that, it must also be somewhat of a recharge, because you know that you've got a team of DAC members behind you that we can now move forward and again tackle the big things together. So I'm really happy about that. So congratulations.

Also congratulations to the new appointees. It's going to be wonderful working with you all, and I'm pleased to know you for some time prior to your appointment, so it's nice it's not a bunch of strangers.

This is the "I wish" part. I wish that we had had a more full group so that we could have had some input potentially on the national monument designation. We as a DAC did not really have input on that, and I think we probably would have had some words to say. And we may have had a little bigger bang at the end of the DRECP final, had we had a big, full group here. But nonetheless, we still have a lot of work ahead, so it's nice to see a full group.

With respect to the national monument

designations, recreation community has questions with respect to the allowable recreational activities in the monument. Is there something that you can offer us in terms of your thinking or decisions behind the future of activities such as rockhounding, hunting and OHV Green Sticker vehicles, non-street legal vehicles? Any news on that?

DIRECTOR RAML: No, we don't have any news for the national monuments. I think probably what I could advise people is to -- you know, there are several national monuments managed by the bureau across the west. I'm familiar with two of them from my past in Arizona. The proclamation standard is really high. So when you go through and you read the proclamation and you read about protection of objects, that sets a very high bar for BLM's management, and we've got planning to do for both national monuments.

But I would encourage you, if you want to kind of take a look at it, to take a look at the proclamation and also take a look at how other national monuments are managing. I think hunting is -- I don't know if any national monument has done anything in regards to hunting. Hunting remains a valid existing use and is usually permitted. Target shooting can be tricky. If a national monument has been designated for the protection

of rock art, target shooting, because we sometimes have such a hard time with enforcing it and making sure that it's done appropriately, that can be a little tricky. Certainly collection of fossils, when you look at the proclamation for the Mojave Trails, could be a little tricky. So just take a -- you know, it is a big deal when the president proclaims that we're going to manage an area for protection of certain named resources for now and for future generations. And so kind of think about, if you call out fossils, that fossils are going home in people's pockets, that's not the highest form of protection.

But we recognize and we know that it's really important to people who have played, cared about, studied and been on these Public Lands, you know, forever when something changes, change has a lot of positives. But it's probably that there's always a little something that will make people take a second look at it. But we're going to do a planning process certainly for Mojave Trails and Sand to Snow, and we'll be looking to public to assist us.

Like I said, if you want to start before we start, get on the website and look up our national monuments and look at how you're doing business, and you'll start to get insight. Also typically for BLM --

this is new for us, too, here in the Desert District -- our approach to visitor centers with our national monuments are usually associated with gateways. As you know because you support us, we are an agency without all the resources we would love to have to do all the good things we could do, and we usually don't invest in more facilities.

So what we usually count on is our partners and others, and particularly in the case like Sand to Snow, we have a very active, engaged community already. So rather than building new federal facility or think about a federal facility, what we usually try to do is work with our communities and our partners that support our facilities and look to support the monument outside of the monument boundary.

And I'm saying this -- you know, I can reserve the right to be wrong, but I'm trying to tip my cards a little bit and tell you where to look and what we know from how other national monuments are managed.

MEMBER BANIS: Thank you. Thank you, Teri. The genesis of the monument, of course, comes from a legislation sponsored by Senator Feinstein, and we are fortunate in the legislation to have specific allowances for hunting, for rockhounding and for OHV use, which we had negotiated would include non-street legal. And we

appreciated those details, those -- the devil in the details actually being in that legislation. And being that Senator Feinstein was the requestor of that national monument to the president, we hope that the agency and the president will give deference to the vision that Senator Feinstein had for the national monument over the vision that other leaders may have had for other national monuments in other parts of the country. So I do hope we get that local consideration and especially consideration of the senator's vision.

Let me just ask one more. And I'm sorry to keep hounding on it, Teri, but for folks who might be in the Cady Mountains today collecting rocks and on their Green Sticker vehicle today, is there any interaction that might occur out in the field that might cause confusion with the users with respect to allowable activities today?

DIRECTOR RAML: No.

MEMBER BANIS: Thank you.

DIRECTOR RAML: Yeah, and part of it, certainly BLM's approach to law enforcement and certainly our field managers' and our approach to law enforcement is always first with education. And I think you've been around enough of our rangers to know that. And certainly, when a monument is proclaimed February 16th,

we know that it's going to take users out there quite some time to understand the rules and regulations, particularly since right now there are no rules and regulations. But it's a concern. You know, I think it's a concern, but, no, I don't think any users in the field need to be alarmed or worried. If a ranger approaches them, they don't have anything in their toolbox that would make them do anything but talk to people.

MEMBER BANIS: Wonderful.

DIRECTOR RAML: I don't think -- we've not even instructed rangers to talk to people in the national monument yet. But that's coming. We're going to be working towards that. But I think right now everybody can continue to enjoy those Public Lands the way they always have, and we'll work with people to get to the point where we respect the terms of the proclamation.

MEMBER BANIS: A special thanks for that. One other issue I'd like to touch on is a lesson-learned issue. As part of the DRECP planning process, when the Draft DRECP was released, the Spangler OHV Recreation Area outside of Ridgecrest, the shapefile that showed the boundaries of the Spangler OHV Area was not the same that we had known working closely with the Ridgecrest Field Office over the years. There had been

an assumption at levels higher than the field level, or even higher than the district level, perhaps, there had been an assumption that a planning process had occurred in the past that had removed about 3,000 acres from that OHV open area in a place that's called Christmas Canyon. It's an ACEC, and it is wholly -- it is within the OHV open area. And that's not unusual with -- Jawbone OHV Area is in an ACEC. Dove Springs is in an ACEC, so we have those overlaps. It happens, but it is a culturally significant area, and events are not allowed to happen in that ACEC. But otherwise, casual-use open riding is allowed to occur in that area.

Well, that public process that had been assumed to have happened did not happen at any point, and that Christmas Canyon region does remain wholly within that OHV open area, and that was corrected in the DRECP final and, you know, was one of the things I screamed about. And everything was -- they looked up the details, and it was correct in the final, and I was happy about that.

So this is seemingly a story about no harm, no foul. But unfortunately at the time that the misinformation existed within the higher levels of the bureau, during that time that there was an assumption that that area was not part of the OHV area, Congressman McCarthy and China Lake Naval Weapons Center

went back to the drawing board to add additional lands to the China Lake Naval Weapons Center, and they consulted the BLM office in Washington and was told that no OHV activity happens there because it was outside the shape that they had.

And so in the National Defense Authorization Act that was passed in November, we didn't know. We just found out last month that that approximately 3,000 acres of the Spangler OHV Open Area has now been folded into the China Lake Naval Weapons Center. So the decay of OHV, of our numbers of OHV acreage, continues. Albeit it's just 3,000 acres, but -- so the point of this story is that there really are consequences to inaccurate data.

And I think we're entering a day and a time in which data is driving not only decisions from a standpoint of biological and that kind of data, but it's also driving decisions with respect to the shapes and the things that we see on the maps.

And so the president a few years ago issued an executive order that I strongly support and welcomed. It was an executive order to encourage the agencies to release their data to the public that they have so that it can foster new businesses, newer opportunities, new studies and put that data to use in the private sector.

And it's because of that that we were able to do our OwlsheadGPS project that allowed us to aggregate all of the OHV route data across the state of California and put it online. And that executive order was important for me there because the agencies were happy to give us that data at that point.

So this goes along the line of GIS and GIS library management and shape management, and I hope we look at that, too, and be able to have a better central repository of GIS shapes that are available to the agency.

Thank you very much for that time. I appreciate it, Mr. Chair.

CHAIR BARRETT: Thank you.

Other comments?

MEMBER HOUSTON: Yeah. Just two items, and I'll be relatively brief. First of all, I want to thank John Kalish and the rest of the BLM staff for a very informative field trip yesterday. I really enjoyed it, especially Al Muth and Cam Barrows' presentation on sand transport systems in the Coachella Valley and the implications to the sand-dune-dependent species in the Coachella Valley, many of which are endangered and occur only in the Coachella Valley. So thank you for that, Al and John. And, John, we'll miss you.

Secondly, Al and I attended the Desert Tortoise Symposium in February, and the keynote speaker at that presentation was Kim Stringfellow, who happens to be on the Connecting People to the Desert Subgroup. And I encourage you all to get on your computers and type in "Mojaveprotect.org" and look at the 20-minute-or-so video that is very inspiring and very informative. That is "Mojaveproject.org." Thanks for the time.

CHAIR BARRETT: Thank you.

Thank you, Al.

MEMBER MUTH: Just wanted to follow up with Teri with regard to the new national monument management plans. I guess you can call me a survivor of the process for the Santa Rosa San Jacinto National Monument. It's a fairly long, drawn-out affair. And it does have an awful -- the old process, not Planning 2.0, did have an awful lot of public input, and that's where the do's and don'ts, permitted, not-permitted activities within the Santa Rosa San Jacinto National Monument are formalized and come down.

So we already have the DAC committee. Is there a role on the steering committees for the new monument plans that the DAC can play? Could they get a subcommittee of some sort, or how can we get involved in that process?

DIRECTOR RAML: Yes, I think there could be a role, and, well, I think just by virtue of your advisory role to Secretary of Interior through me, you have a role, and if you want to have a different role or a more formalized role, I think you can certainly do that.

This would be one of those cases -- you know, we talked about the Special Recreation Permit Subgroup -- where I'm going to ask for your assistance. In this case, if you would like to express your desire, whether it's a subgroup or -- yeah. I mean, the answer is yes. You just formulate how you want to participate, yeah, so, you know, and for either monument or both, so, yeah.

MEMBER MUTH: Okay. On a future meeting can we put that on the agenda, updates on the monument and steering committee --

DIRECTOR RAML: Yes.

MEMBER MUTH: -- and decide how we would go about formalizing our participation. Thank you.

CHAIR BARRETT: Any other comments?

Yes. Thank you, Mark.

MEMBER ALGAZY: I would like to give a brief report on the update of the Section 106 process. I know a few of you realize during both the forwarding of the WEMO Plan and the DRECP that during the public comment

phases of both of those plans, that neither of them had the mechanisms for the 106 cultural evaluations to go forward, and those were developed independently. And while the public was invited to attend, the public did not have the same amount of scrutiny for the development of those processes.

And I chose to become involved in the 106 process for the WEMO and subsequently became a consulting party, along with several other members of the council, including our new member Bob Robinson. And we are now consulting parties as the 106 process moves forward.

And as the WEMO part of that turned out, I'm very comfortable with the process that the BLM developed for moving it forward. They had some very competent, robust leadership from Ashley Blythe, the archaeologist, in developing what I think is a model plan for identifying and protecting our cultural resources in the desert, and we are going to have a first working group meeting coming up in April on actually putting the stuff to the ground and getting moving forward with the project.

I'm also excited to have heard from Carl Symons that, at the same time the grant money that was put out for evaluating a number of our historic cabins out in

the desert has been utilized, and several very important historical second-nation cultural resources have been identified and have been evaluated, and we will be getting some information on that. And perhaps we'll be able to use the analysis that was done on those cabins to help us model identifying and protecting other second-nation cultural resources in our desert.

CHAIR BARRETT: Thank you, Mark. Any other comments?

And I would just like to echo Don's point with respect to yesterday's field trip. And thank you, John, and Al for putting that together. It was most informative. But what it also showed was the delicate balance between development in the area and the protection of our species. And the sand transportation presentation, I think, really highlighted the very delicate balance, and we truly appreciated that.

This meeting today is the second of two meetings, really, and the last one being down in El Centro, that has dealt with the balance between development and the protection of our environment in this area. And I think we're very pleased to have two services on our council which are going to help us guide responses to maintaining that delicate balance.

Last time we talked extensively about the

impacts to the Salton Sea, and today we'll be talking about impacts, additional impacts to the area. And so I anticipate that we're going to continually come back to this area over the next year or more as we seek to maintain and protect our environmental resources, our recreation access and yet permit the limited development that this community obviously needs.

And so thank you for being here today, and we look forward to having these new members on board. And thank you again, John. We are going to miss you.

So with that, I think we've concluded the member comments, and I think now we can move on to some public comments with respect to questions, comments you may already have had or items that you might like to add to future agendas for our Desert Advisory Council.

Ed, you had a question. Thank you.

MR. WALDHEIM: Thank you very much.

Ed Waldheim, president of Friends of Jawbone and Friends of El Mirage. During the subgroup meeting of Dumont Dunes, the issue of utilizing the DAC as a means of working on the monuments came up, and we were fully embracing that. And I think it would be kind of cool if somehow, Al, you come up with including that the review be done through the DAC so that we -- we have a good public process already in place, so that makes it easy.

Grass Valley. We have a trail corridor going through there. We're very upset. Not only did we lose lands to open area. We lost 58 miles of trail, trails that had the connector through the Grass Valley that we worked very hard with Feinstein to get that trail in. Gone. Poof. I'm tired of losing trails. We do everything in our power to maintain our designated trails. We do everything in our power to make sure we work and we stay on the trails.

In front of you, you have 12 maps that we put together. And Sundance Media is the key person who puts all these maps together. They're online. You can see the purpose of the maps is, if it's green, you can use Green Sticker. If there's no green lines on that, keep going. Don't even bother stopping here because there's nothing for you to do here. That's the whole purpose of this map, to get the public to realize we are on designated trails only.

I also gave you a map in there of the OHV program, where the money from the OHV program goes. March 7th, Monday, we put in for our grants. Everybody is putting in grants, including all the field managers, all the field offices of the California desert. Please, it's your responsibility to go online on the OHV program after March the 8th and review the grants and make your

comments. Only the public can make any suggestions and recommendations for the agencies to change. What's in there is in there, unless you, the public, come up with an idea to make a change.

I also put a note about the in-lieu funds. It tells you what each county -- Riverside County, you can see what kind of monies are coming to you from the in-lieu fees that are to be used for off-highway vehicle opportunities. It's a heavy sheet to look through, but you can look to see what happens.

And the last thing, Teri, is, last time you chastised me that we were not at the magistrate. The COBRA wasn't there, and neither -- San Bernardino County wasn't represented there. This is something that we need to be there, now that you told us about it. And, if so, would you please send an email so I don't screw up again. If it's not me, I'll get somebody to represent you and help you on that issue.

DIRECTOR RAML: Yeah, we will make sure that we -- and it's early in the process, so I'm not sure how it's going to be formulated. We have a couple of months for the BLM to kind of get a schedule together, but we know we need to involve the plaintiffs, and we certainly want intervenors' participation. So, yes.

CHAIR BARRETT: Thank you, Ed.

And next up, we have Sam, Sam Merk.

MS. MERK: Good morning. That's loud. Well, first of all, I would like to say thank you very, very much. It's good to have a committee, a real DAC committee sitting here that's going to be able to put us into the future of the California Desert Conservation Area.

I would like to recommend that the new people and maybe the old people look again at Section 601 of FLPMA, 43 USC 1781 and the CDC -- and the California Desert Conservation Plan of 1980. Public participation is really needed, but it doesn't happen unless the public is aware of meetings. For instance, websites should have information. The public shouldn't find out about a meeting three days before it.

I mean, there is certain routes that you're supposed to take under participation, and I've talked to Teri about this in the past, and it still needs to be done. The public needs to be involved because that's the way good decisions are made.

I would also like to encourage the BLM on their new hirees on their rangers. I know that one percent of the rangers -- I mean, the public, when they're out using the desert, maybe one percent of the public is doing bad things, but 99 percent of the time people are

doing the right things. And sometimes the rangers, when they're new, they need to go through an orientation process and to learn about how to say things to the public in a nice way, not with guns drawn, you know. You know, with 82- and 84-year-old people out in the desert that might have got on the wrong side of the road, it's not appropriate.

So I really think the rangers need to go through a process because that's the first people that the public sees. They see the rangers. And then they find out, oh, there is a field office. Okay. I'll go to the field office, and then I'll voice my opinion, and then maybe I'll go to the district office, and if that doesn't resolve it, then I'll go to the state office.

And then one last thing. I would like to encourage the BLM to have a robust program to look at the groundwater in the desert, because that's what supports our ecosystems. Thank you.

CHAIR BARRETT: Thank you, Sam.

Before we call up the next speaker -- and there's only one more card up here -- is there anybody else in the public? And, please, do sign a card. We're looking forward to future agenda items or areas of interest to you, so feel free to come up in the next few minutes and so forth and give us some feedback with

regards to items that are important to you.

With that, I ask for Ruth, Ruth Hidalgo.

Thank you.

MS. HIDALGO: Hi. I'm Ruth Hidalgo. I'm a rockhound. You have just acquired some of the best rockhounding Southern California has to offer in the Mojave Trails National Monument. Rockhounds are very concerned about the current status of collecting, as well as future status of collecting. I appreciate Mr. Muth -- is that correct?

MEMBER MUTH: Close enough.

MS. HIDALGO: That was one of the questions I have is, how do we navigate this? Rockhounds are a very loosely intertwined group. We don't have big organizations representing us. We don't have expensive equipment where we can get corporate sponsors to help us navigate these processes. So it would be very helpful if the DAC committee could consider this on future agendas, how do we protect rockhounding sites as well as how to navigate how we might include rockhounding in the new national monument?

Indicating to check other monuments and how they do it doesn't really help us much, because, you look at Arizona. We've tried. The Wilderness Society has people that are also in our rockhound club. Look at

Basin Range National Monument. It has rockhounding on their website, yet it's a national monument by proclamation. You look at Arizona. It says you can't collect in a single national monument. That's confusing.

We need some clear guidelines, and we need some help. And rocks are where they are. You can't say, "Okay. Well, we're going to take this area, so you guys can go collect rocks over here," because it just doesn't work that way. They're geologically where they are.

So how in the future -- we've lost a lot of sites. Rockhounds have lost -- if you pick up one of the old guidebooks, you can probably find five out of the book you can still collect in. So we need to figure out how to protect some of these sites, as we have in the Hauser Bed area by Blythe that was indicated a recreational area for rockhounding, and we need some of that in this district as well.

And lastly, I want to thank you and Mr. Banis for acknowledging that recreational rockhounding is a hobby. Thank you.

CHAIR BARRETT: Thank you, Ruth.

DIRECTOR RAML: Yeah. Thank you for those comments. And I don't want to alarm people about what the future of the activities are on our new national

monuments in California. Certainly the field managers have already talked to me about the concerns of rockhounds, that it started to emerge, you know, shortly --

MS. HIDALGO: Phone calls.

DIRECTOR RAML: Yeah, phone calls right after the proclamation. So in addition to kind of saying, "Well, look at other national monuments and think about it," I think we also have potential models in site stewardships for cultural resources. So there's monitoring strategies. There's us defining things, like the limits of acceptable change. There are lots of ways that we can manage sites for future protection that don't necessarily mean disallowing all uses.

So what I think, we will do our best to keep the rock -- you know, to figure out how to engage people who rock hunt and get you involved in the discussion. I think that we're all looking forward to -- and "protection" can be a tricky word. We want to protect your right to have that activity, protect the sites, protect the national monument. But I think we definitely want to work with you, and we understand your concern.

MS. HIDALGO: Thank you.

MS. SYMONS: So I have been taking names and

numbers of everyone calling me that's expressed an interest in rock hunting, so that I'm developing a contact list so that, as new information becomes available, it will be on an email string. So I've got my business card, so if I get your name and number, I'll get you on that list.

MS. HIDALGO: Thank you.

CHAIR BARRETT: Excellent. Thank you. That's all the cards I have up here. I'll ask once again, does anybody have any public comment for items on the future agenda? Feel free.

Ed?

MR. WALDHEIM: Ed Waldheim, Friends of Jawbone. I forgot to give compliments to the Ridgecrest BLM office. Finally caught a guy going inside closed areas, took our barriers out, took the fences out. It was with an Explorer. Went through the desert, trampled over 600 plants. And Jason Wood, thanks to him for being at the right spot at the right time. Three tickets. The guy had to tow his vehicle out.

So I want the public to be put on notice: You go through an area that has a sign closed or barricaded or a barrier, don't try it, because eventually we'll catch you.

DIRECTOR RAML: Good job, Jason.

(Applause.)

CHAIR BARRETT: Well done, Carl. Thank you.

Okay. Hearing no further public comments, we'll close this current period of public comments and we'll move on to the next item. I think we're slightly ahead on timing-wise, but now we'll make some new-member introductions.

And, Teri, perhaps you'd like to introduce our newer members.

DIRECTOR RAML: Yeah. And as I said at my opening remarks, I'm very happy to welcome the new members. And my name is by that, but we're going to give the new members an opportunity to introduce themselves.

Steve and I have the privilege of receiving and review applications, you know, along with people's letters of endorsement and support. So we already know the caliber, the experience and dedication of the new members. But, however, I want the existing members and those of you here in attendance to have an opportunity to hear from them.

I'll be redundant. In addition to stuttering, I'll be redundant. We are very happy to have the membership fuller. We have work to do -- and Steve maybe can talk about that a little later -- where terms

expire, and we're going to have to go out and continue to seek full membership and a full council.

But with that, what I would like to do is have the new members just give a brief summary about yourself. You know, you kind of gave us your day job and name, but kind of with a BLM focus, you know, what's your experience with the BLM? And why did you want to join this august group? And is there anything specific you would like to kind of put on the radar for your time with us, your three-year term? So we'll start there.

MEMBER FRANCIS: All right. My name is Nathan Francis. I'm going to start out with my formal education is in urban planning and natural resource management, so a lot of BLM U.S. Forest Service internships in that realm for graduating with my graduate degree. I'm also a certified planner with American Planning Association and served my stint as a city planner before I found my way into the realm of mining.

I've been with Rio Tinto, who is the second largest mining company in the world. And I've been with that company for 11 years, seven of it with a sister company of Kennecott Copper out of Salt Lake City and the last four and a half years have been with U.S. Borax, who's been operating in the Mojave Desert

since 1880, so 130 years and 90 years in its current location in Boron.

So my experience right now is mainly with mining in this area with the company serving its interests in those areas with its legacy sites. A lot of people are familiar with its heritage, 20-mule team, the Death Valley National Park and the Death Valley Days Rodeo Show and Ronald Reagan. So it's a fun company to work with, a lot of heritage in this area, and that's my experience with this area. And it's kind of new, relocating from another region. So hope that gives you enough background.

DIRECTOR RAML: Yeah.

MEMBER BENOIT: Well, thank you. I'm privileged to be here, and I appreciate the opportunity. Can you hear me? My name is John Benoit, and I am the Riverside County Supervisor for the Fourth Supervisorial District that is from basically the I-10 windmills to the Colorado River and from San Bernardino to the Imperial County lines, 458 square miles, ten cities.

I have come to the desert in 1988 as part of a 31-year law enforcement career. I was a highway patrolman and was assigned here as commander of the highway patrol office in the Indio area and served for the last 13 years of that career. Shortly thereafter I

was elected to the legislature, and I served six years in the Assembly and one year in the Senate. I was appointed by Governor Schwarzenegger to the board of supervisors after the loss of my predecessor, Roy Wilson, and I was appointed there in 2009, elected in 2010 and '14, serving in my second full term.

I'm sorry I missed the tour yesterday. I would love to have been able to join you, but I have a few other assignments. As a matter of fact, I think this board made me 41 boards and commissions. Yesterday I spent all day in a much larger room and much bigger dais in Diamond Bar representing your interests at the South Coast Air Quality Management District.

But I serve also as the chairman of the Salton Sea Authority. I'm chairman of the board of Riverside County Board of Supervisors right now and whole myriad of others, so I won't be able to be here every time all the time. I will do my best to try to be an active partner and listener. There will be times when, as we've discussed, issues will be coming in front of me where I have at multiple boards that relate to the same issue, and so for that reason I will sometimes have to defer making an opinion or taking a vote or an advisory issue here because I will then be predisposing my position someplace else that -- I really can't do

that until we've got to the process at that level.

So -- but with that, thank you for allowing me to join you. I look forward to hearing more. It looks like a very interesting process.

DIRECTOR RAML: Bob?

MEMBER ROBINSON: My name is Bob Robinson. I'm from the Kern River Valley area. I was born and raised there. I'm presently the chairman the Kern Valley Indian community. Our chairman passed away in the last month, and so I was the co-chair, and now I'm the chairman and Tribal Historic Preservation Officer. I work with the Desert Mountain Resource Conservation Council and worked for them for three grants. I was Upper River Water Coordinator through the Department of Conservation and presently working with Sierra Nevada Conservancy grants for invasive weeds, a five-year grant to deal within invasive weeds in Walker Basin, Kern Valley area and also on the revitalization board member for the Kern River Valley and also tribe representative for the Indian Manpower Consortium. And it helps get members' training for entrepreneur training also employment training.

And we are working with the county and the BLM and the Navy protecting cultural resources in our area. We have a cadre of tribal monitors to work out on

projects, and we have, I think, eight out right now working on everything from high-speed rail to solar projects.

And I don't really know what to expect exactly from the DAC, but I look at it as an opportunity maybe to bring the voice to tribes and the policy that protects cultural resources. It seems cultural resources don't have quite the enforcement hammer that biological and some of the other factors in protecting through 106, and so, through some of the laws that kind of headed in that direction of having more enforcement powers. So I look at this as maybe an opportunity to help to get that kind of importance to cultural resources that are applied to biological. So I'm just really here right now to find out what exactly this is all about.

MEMBER MITCHELL: Billy Mitchell, fourth-generation rancher in Mojave Desert -- fourth generation cow rancher in Mojave Desert. I also chair the County Ranch Improvement Board for the last ten years. Been involved since 1986, basically just to give the ranching community a voice.

I don't know if people realize that over the last 20 years there was 16 families, and now we're down to six from Ridgecrest all the way to Stateline. So

basically just to learn what's going on here and keep the ranchers abreast to the things that are happening. Most of them that live out in the East Mojave don't get this way, so I keep all those people in tune with what's happening.

I had 40 years in the Operating Engineers. Half of it I was union steward. I set the 223rd mirror in Daggett, which made it the biggest solar plant in the world. So I've been involved in different things during my ranching career.

CHAIR BARRETT: Thank you, Billy. And I think you'll understand what a diverse group and what great additions we've got to the council. And this is truly wonderful, and not only the diversity but some of the areas now being represented is the first time we've had those areas represented in a long time, and so we're really happy to see all our new members.

We've actually also had some returning members and some members who probably are old faces to you. But actually we were going through the process by which we could essentially extend their term and gave them a new term. So perhaps just real quickly without some of the detail, we'll acknowledge some of the returning members.

Randy, perhaps yourself.

MEMBER BANIS: It's a real privilege to be

asked back to the council. Some of the most rewarding times over the past few years have come from activities that are originated out of the DAC. So thanks for giving me a chance back.

Recreation is different than public at large, and I want to assure you that those who recreate by foot are as important to me as those who recreate by wheels. And I'll do my best to serve both of those constituencies as a recreation representative.

And for those who do use their wheels, it's not just -- I also want to make sure that those who use their wheels to launch model rockets, to do landscape photography, for people who like to watch wildlife and like to look at the beautiful flowers that are out in the desert there today, people who like to do hunting and people who like to pick up rocks or, as Katrina calls it, "rock hunting," but I don't think that's very sporting. They really don't put up much of a fight.

So I'll do my best both with the motorized activities, the motor-dependent activities and those that don't use motors because, as we saw yesterday in the Mecca Hills, the need for solitude and the need for recreation that puts us out with ourselves, and nothing else brings great, great rewards spiritually and physically. And we all need that. Thank you.

CHAIR BARRETT: And perhaps, Al, given that he spent so much time with us yesterday explaining unique characteristics of the desert, it's just as well we brought him back forward for a second term.

Al, perhaps, briefly.

MEMBER MUTH: Thank you, Mr. Chairman. I think in the future you should say "familiar faces" rather than "old."

DIRECTOR RAML: Let's take a motion.

MEMBER MUTH: Anyway, so I represent wildlife. And what is wildlife? You know, it's everything from desert crusts, the bacteria and fungus that form a desert crust, through all the birds that we watch, tortoises, the whole shooting match. And I guess I'm kind of summarizing my attitude when one of the Supreme Court justices made the comment or asked the question, "Should trees have standing?" I think the answer is, "Yes." So that's why I'm here. Thank you.

CHAIR BARRETT: Thank you, Al.

And, Bob, perhaps a few comments? Thank you.

MEMBER BURKE: Hi. I was appointed for a month, and then I've been here a year, and now I'm back. I'm a retired cop out of the state of Georgia but born and raised in Barstow, family friends with this guy (pointing). My passion now is bighorn sheep and

wildlife. And I agree, familiar, not old.

CHAIR BARRETT: Okay. I may live to regret that. For the rest of our familiar faces, we still have some time left on our term, although in my case, it might be sooner. But thank you, all.

I hope, as I say, you've got an opportunity to review the diversity that's up here. But we're here to serve you. And essentially as comments, as ideas, as concerns, as basically proposals that come from you, please direct it to us so that we can help you and not only better understand many of the planning activities that are going on within BLM but also seek to influence some of the work that's being done within BLM. So feel free to use us as a resource, because we really only are effective when the public is letting us know. So thank you for that.

DIRECTOR RAML: So let me make -- oh, I'm sorry, Mark.

MEMBER ALGAZY: I just wanted to make a comment, having been here a year and a half. It really looks a lot different from this side of the table than for all of the years that I was out there in the audience watching this stuff go on from the outside. And it's been a marvelous experience being on this council.

And where you see such a wide diversity of interests on their nametags, it really doesn't behind the scenes lead to the kind of acrimony that you might think. We have very collegial discussions behind the scenes. And where I was really looking with some trepidation having to deal with certain people that represented certain kinds of interests when I was an outsider, it truly has not been the case once I was on the council and found that everybody is capable of very intelligent discussions in bringing their points to the table in very reasonable ways so that we can agree to disagree.

And it was brought home to me in a finer point last September when Randy Banis, who invited me to the council, and I had a very long and heated discussion, and we just ended up agreeing to disagree. And so it really is a wonderful experience, and for as wide as the interests are, we are capable of doing some amazing things together.

CHAIR BARRETT: And on that, thank you for those comments. And even though we've actually brought on quite a number of new members to the council, my understanding is -- and Teri will go into this -- is that we'll actually be seeking to fill some more positions. And so perhaps Teri can comment on that as

well. Thank you.

DIRECTOR RAML: You read my mind. Yeah, so one is, I wanted to close kind of this welcome to the new members by drawing your attention -- at 3:00 there's a section called "Review of the DAC Program of Work." And at that point what I'll do is kind of in that PowerPoint that those of you have been on the DAC for a while will see that kind of talks about the role of the DAC, and then it will be a review of kind of our approach to work and what we tackled. And we'll go down memory lane, '11, '12, '13, '14, '15, give the new members a chance to see our brainstorming lists that we put together for 2016 and just have a little quick discussion about what's on the agenda for the rest of this calendar year.

And then with that I am going to turn it over to Steve, Mr. Razo, to talk about the vacancies on the DAC and then maybe also mention that we're going to do elections. So if you wouldn't mind tackling just the election part, too. Thanks.

MR. RAZO: Right. During the process of getting the current seven back or renominated and appointed, four people actually termed out during that timeframe, so it's a never-ending process.

Seth Shteir, his environmental protection position termed out actually February 6th of this year,

so it just recently happened. April Sall with public at large; Paul O'Boyle, transportation/right-of-way; and Don Houston. Don's renewable term ended November 21st, 2015, so we will soon go out for nominations for those positions. We do understand that Seth and Paul are wanting to renominate, which certainly you can do. April and Don are, "Bye."

MEMBER HOUSTON: Just on the other side of the table.

MR. RAZO: Right, exactly. So what we do is, when someone terms out and they aren't planning to renominate, it is allowable for them to continue serving. They just do not have a vote. If a vote comes up, they're not eligible to vote on a process. Or when a vote does come up other than that, they're certainly welcome to continue as the renomination process occurs.

Once we get these four positions taken care of, we'll definitely be at a full DAC and we won't have to worry for another election until May of 2017, when Mr. Kenney, Supervisor Castillo, Mr. Barrett and Mr. Algazy's terms will term out at that point. But that's a while. So good luck to you all.

As has been tradition, this one actually works out time-wise. We've always in the past had elections at the beginning of the year, the first meeting of the

year because, when things were going smoothly, we would always have a new group of appointees at the beginning of the year. This hasn't happened in the last probably three or four years where we actually are at the first meeting of the year and we have new appointees.

So as you'll recall, I think you all decided that you wanted to have elections to be at the first meeting of the new year anyway, despite where you were in the nomination process. So here you are. You're at that point. And normally what happens is, the chairman requests from the DAC members, you know, who's interested. What you're voting on is a chairman and a co-chair.

And so, Leslie, I turn it to you to begin the process. If the new chair is elected, we literally pass the gavel at that moment and they take the rest of the meeting. If it's you, you just continue with your fine job that you're doing.

CHAIR BARRETT: Well, thank you for that, Steve.

And with that, do we have any comments from any of the council members with respect to the process? Hearing none on that, and I think we can probably move forward, then, with respect to the chair. Do I hear any nominations with respect to the chair?

Al?

MEMBER MUTH: I would like to nominate my old friend Leslie Barrett for another term as the chairperson.

MEMBER BURKE: I would like to second that old nomination.

MEMBER BANIS: He's got the least gray hair.

CHAIR BARRETT: You can see the difficulty in being chairman and why there are so few other candidates.

Are there any other nominations with respect to the chair?

MEMBER MUTH: Move nominations be closed.

MEMBER BURKE: Second.

CHAIR BARRETT: Hearing no objection, the nomination process is closed. Do we have a vote? And Al and Bob? No objections? Nobody else?

(Vote was taken.)

CHAIR BARRETT: I think it's a done deal. Thank you.

(Applause.)

CHAIR BARRETT: Thank you, all. All right. Well, perhaps more entertaining will be the co-chairman. And do we have any nominations with respect to the co-chairman?

Bob.

MEMBER BURKE: I would like to nominate Al as the co-chair.

MEMBER MITCHELL: I'll second it.

CHAIR BARRETT: Billy seconds it.

Any comments or other nominations with respect --

MEMBER BURKE: That was my familiar friend.

CHAIR BARRETT: Thank you.

MEMBER MITCHELL: I have one question. Is there a process if the -- is there an impeachment process if the old -- for if using the terminology of "old" doesn't stop? I might fit that in a couple of years.

CHAIR BARRETT: So Billy seconded the motion. Do we have any other proposed nominations? Can we have a vote on that?

(A vote was taken.)

CHAIR BARRETT: All say "aye." No "nay." Al, excellent. Congratulations, and thank you so much.

(Applause.)

CHAIR BARRETT: With that, we're actually a little ahead of the agenda, and so we'll just take a -- we won't wait all the way until 10:00, which is when the next presentation is. Shall we take a break, then, just

until 9:40, and we look forward to continuing the agenda. Thank you so much.

(A morning break was taken.)

CHAIR BARRETT: Thank you all for coming back. We've come to an interesting part of this morning's meeting and actually an item left for many years which has been left unsaid, which is the appreciation of thanks to our next presenters, which is the Ancient and Honorable Order of E Clampus Vitus. And essentially this group has worked extensively for many, many years promoting education and awareness, recognition in the desert, specifically focusing on historical and cultural resources in the desert and have done so largely unheard of within BLM.

And we're here today to recognize them. So it's the Billy Holcomb Chapter. We're going to be presented today by Karl White, the Grand Humbug. And I understand there's many former humbugs in the audience as well, and we'd like to hear a little more about the good work you're doing. And then I think BLM is going to recognize you as well towards the end.

Thank you so much. Karl?

MR. WHITE: Thank you. Billy Holcomb Chapter 1069 Fine Ancient and Honorable Order of E Clampus Vitus. Thank you so much for having us here

today. We very much appreciate it. A couple of you guys have seen this presentation before. I haven't had time for new materials, so you're going to hear the same jokes.

(A PowerPoint presentation entitled "Billy Holcomb Chapter 1069 - Who We Are and What We Do" was given by Karl White.)

MEMBER SHTEIR: I was just going to say, really neat presentation. I was going to say, what a great way to celebrate the new monuments by putting out some new signs there.

MR. WHITE: Some new what?

MEMBER SHTEIR: New signs and displays. What a great way to celebrate the monuments.

MR. WHITE: Yeah, it is. We think so.

SCOOTER TRASH: We need your help sharing information because, if you guys need help picking up trash somewhere or making something happen, our group will make it happen for you. I'll take you back 17 or 18 years working with the Ridgecrest BLM picking up trash in the El Paso Mountains. I had a personalized plate on my truck that said "64 Clamper." Some guys came up. They were from Northern California, and, God, there's a clamper.

We got to be friends, and they said, "Is there

something we can do to help?" And I said "Yeah," because Mr. Waldheim has an old burned-out motorhome. Mr. Waldheim put me in contact with Last Chance Ran, who put me in contact with Mad-Dog Maddox, and that motorhome got cut up and removed under the cloud of darkness, and we made that happen. And now all those guys come back to the Jawbone trash pickup every year with family, friends, et cetera, and we all helped Jawbone expand trash pickup. That happened from a trash pickup in the middle of nowhere.

If you guys have something that needs care or concern, get ahold of us. We will make that happen. We will make that happen. That's what we do.

THE REPORTER: Can you state your name, please.

SCOOTER TRASH: My name is Scooter Trash.

MR. WALDHEIM: This man brought to light the issues with the paintball folks, the dangers.

SCOOTER TRASH: A lot of folks don't realize that paintball, even though it's watercolor paint, the carrier is plastic, 100 percent fatal to birds and snakes. And a few years ago we pulled up Canyon 17, because we get there on Wednesday, and we start picking up the glass and taking care of the graffiti. Under the cloak of darkness, we sandblast the graffiti off, and we make the graffiti go away. All that Mr. Waldheim knows

is that graffiti is gone.

There were folks shooting. They had a big paintball turnout. It was a complete disaster. My son and daughter both found a dead snake that had ingested a plastic paintball thinking it was an egg. We spent two days. There were six of us who picked up a little over 12,000 paintballs, two five-gallon buckets of paintballs. I brought that to Mr. Waldheim's attention. We got the word out, there's no more paintballs in Jawbone.

As a group we work together to educate the public and let them know these things need to be on a paintball farm and not on BLM's area because it is 100 percent fatal to birds and snakes. And a lot of people don't realize that because it's watercolor paint. No. It's a death sentence for nature. That's what E Clampus Vitus does, and we're glad to be out here with you guys.

CHAIR BARRETT: And, Karl, thank you so much for the presentation.

(Applause.)

CHAIR BARRETT: Karl, I did have just one question. What types of communication are available for us to follow up to learn more about the organization to chapters? What events you're going to have? Are you on

the internet, websites?

MR. WHITE: Yeah. Billy Holcomb Chapter has a website. It's BillyHolcomb.com, and it has a full schedule of our events. It has fliers for upcoming events already in the planning stages. It has some photographs and some videos and such is on there. And then if you were to click on E-c-v-i-n-c, I-n-c., that is the grand council website. Then from there you can go to all the other chapters. Of the 43 chapters, probably 30-some-odd of them have usable websites.

And, you know, be aware. Some of those things are adults-only, you know, kind of thing. You might want to look around a little bit and make sure no one is looking over your shoulder at the office kind of thing.

CHAIR BARRETT: We've got some more questions up here as well.

MEMBER BANIS: As just a comment, I think Connecting People to the Desert Subgroup is a perfect match for participation with the clampers. Well, maybe an imperfect match, but I think there's something that could be done there. I wanted to bring that up there's one of our subgroups that we have called Connecting People to the Desert Subgroup.

MR. WHITE: We're very familiar with subgroups. We know all about that.

CHAIR BARRETT: Thank you.

MR. WHITE: You're welcome.

MEMBER ALGAZY: I have two comments on -- I'll make the first one on a lighter note and the second on a more serious note. I first became aware of E Clampus Vitus in 1984, when Marie Brashear formed the California Desert Coalition. And one of the founding members of that group is Ron Fite.

MR. WHITE: Okay.

MEMBER ALGAZY: I had Ron explain the purpose and mission of the subgroup back then and told me that my beard wasn't gray enough to join the group. So 32 years have passed since then, and I think I've passed the grayness test.

What does it take to become a member?

MR. WHITE: To become a member of E Clampus Vitus, all you need is to be over 21 years of age and have a sponsor. You have to have someone willing to stand up in front of the group and say, "This guy's okay. He'd make a good member."

MEMBER ALGAZY: Is Ron still alive?

MR. WHITE: Yeah. And then we have -- every chapter is a little bit different. We have an indoctrination. For those of you that are Freemasons, you can tell whoever came up with this thing, there's a

lot of similar terminology. And with our chapter, our guys come out. We have some fun at their expense. And they spend a lot of time cleaning dishes and running errands and, you know, grabbing a beer for us and that kind of thing there.

And one of the good things that we do in our chapter -- and every one is little bit different -- is, our candidates actually do the grunt work on the monument. They're the ones that actually grease up the forms and put out sandbags and so on, so forth, and everyone has a little hand in it.

So at the end of the weekend, when you're all done, you can drive by that site the rest of your life, and you can tell your wife, your kids, whoever you want, "That particular marker right there, I helped build that one," you know. So you're all done, and then once you're in, you're in for life. There's no dues to pay, nothing like that.

You pay for each event as you go. If you want to go ten years and never go to an event, fine, no sweat, have it a it. If you decide to pick up the ball and go back, get ahold of a flier and send in your money and you're welcome back with open arms. And then there are some guys that just live for this stuff, some guys that don't miss a bit.

MEMBER ALGAZY: The second point I want to make is a much more serious tone and has a direct bearing on the connection with the BLM. And some of you may have noticed there's a poster sitting in front of my chair here at the table from the Friends of Public Lands Cabins, which is one of the groups that I am fully associated with, and it helps to illustrate some of the dynamic tension in trying to fit a square peg into a round hole. There are a lot of volunteers out there that want to help the BLM with different things, and the BLM has very limited means for being able to accept that volunteer participation.

We had in the past a group that was formed in the early 1990s in the Adopt-a-Cabin program that was a bunch of very well-meaning volunteers that went out to help the BLM stabilize cultural resources, mostly cabins out in the desert, and problems arose with those volunteers not using period-correct materials in the process of stabilizing those structures in which they lost some of their cultural value. And the BLM's response to that program was just to dismantle it.

In place of that program, the BLM has strengthened its support of the California Archaeological Site Stewardship Program, which is a very well-meaning organization but is a very difficult one

for volunteers to participate in. And I've talked to a number of people that were involved in the former program who are still very anxious to support the BLM, provide the same kinds of support that E Clampus Vitus wants to provide for the BLM but don't find the structure of the archaeological site steward program, which is called CASSP in this acronym, to be appropriate. So we are at a very awkward juncture.

And one of the things that I continue to bring to the table in our Section 106 discussion is how we can find a way to get volunteers into programs in ways that the BLM will recognize and authorize. And it's a very, very difficult discussion, but it is a discussion I have been working -- the managers will attest to the fact that I have been working relentlessly on this since I've become involved as a volunteer myself.

I am trying to figure out how to either make that round hole a little squarer or help you guys figure out how to make the BLM think you're a little rounder, one way or another, so we can get you into the organization in a way that the BLM understands and can accept and get behind. So I want you guys to know, regardless of whether you take me as a member, I'm already working for you.

MR. WHITE: I appreciate that. Thank you.

SCOOTER TRASH: You're in, Mark.

CHAIR BARRETT: Any other comments or questions for members of the public?

Steve, perhaps, from the BLM perspective, I think it's important to recognize the good work that's been done and perhaps a few comments from BLM, yourself or Teri.

MR. RAZO: Right. Teri has a presentation to make to the Billy Holcomb Chapter at this time. If you could come up to Teri first, and she'll make a presentation. Then we'll take a group picture in the back.

DIRECTOR RAML: We'll take pictures in the back. But what I wanted to start with, too, is, I think the analogy of the Freds and the Bobs of the BLM, I would have been one of the Freds. If you would have called me I would have been, like, "Who?"

But it has come to my attention that BLM, they are exactly as you described. You've got a long working relationship with BLM managers. And I'm happy that we're going to be able to recognize all the good work that you did and set a foundation for all of us becoming Bobs; right? No managers will be Freds. We'll all be Bobs. You call us, and we'll be happy to work with you.

We've got a nice plaque for you. It's

beautiful, and it's heavy, and it has the right words on it: "To the E Clampus Vitus for your continued commitment to the preservation and documentation of the history of the west." And specifically it calls out that you have dedicated, built or installed 156 historical markers along the Mojave Road, the Patton Desert Training Center, Route 66 and dozens of other plaques.

And I personally appreciate your irreverence, your sense of humor and calling to attention those things we wouldn't know if it weren't for you. So thank you so much, and we look forward to your continued partnership.

(Applause.)

CHAIR BARRETT: Ladies and gentlemen, humbugs, thank you so much, once again. Thanks, Karl and the humbugs, for the presentation.

But moving on to the next presentation item, this morning, Seth Shteir is going to present a little bit on Paradise Valley, which obviously is something very important to this local area with respect to what's being proposed. And yesterday we had the opportunity to travel through that area and then through Box Canyon, which gave us a little bit of an understanding as to what the impacts may be from what is proposed at

Paradise Valley.

But Seth can give much more detail and perhaps a couple of comments, and you can go into a presentation.

MEMBER SHTEIR: Sure. Can people hear me back there? Is that okay without the mic?

MS. SYMONS: No.

MEMBER SHTEIR: Okay. If the members of the DAC want to move, they can see the slides better.

My name is Seth Shteir. I'm a program manager for National Parks Conservation Association. We're a non-profit. And up until February I also represented the DAC on environmental issues. My term ended, but I've really enjoyed my time on the DAC and hope to re-apply.

So part of my job on the DAC was to, you know, raise and bring certain environmental issues that have sort of a nexus to Bureau of Land Management lands. And there exists many of these in the California desert today, but the one I'm going to talk about today is the Paradise Valley development. And I'm going to talk about the Paradise Valley development, its impact specifically on federal BLM lands and the National Park, Joshua Tree National Park. And I'm also going to talk about its impact to the Coachella Valley Multiple

Species Habitat Plan.

(A PowerPoint presentation entitled "Paradise Valley Development -- its Impact on Federal Lands and the Coachella Valley Multiple Species Habitat Conservation Plan" was given by Seth Shteir.)

MEMBER ALGAZY: I'm trying to remember my question now. Since the time that the Multiple Species Habitat Conservation Plan was implemented -- I think you said 2008?

MEMBER SHTEIR: Yeah, that's when it was done.

MEMBER ALGAZY: -- how many acres of development have actually been permitted, to give an idea and perspective of how effective this has been in balancing development and conservation?

MEMBER SHTEIR: That's a great question. I don't know the exact overall amount of development for conservation, but what I would say off the cuff is that it's not only the amount of acres but where and what species it's conserving. And so, you know, in this specific case you've got about 5,000 acres that's square in the middle of a Designated Conservation Area.

On the other hand the effectiveness of the Coachella Valley Multiple Species Habitat Plan has the 87,000 acres in the Coachella Valley that have been added as Conservation Lands; right? And the other proof

that it's kind of working is, there have been a number of upgrades of freeway interchanges that wouldn't have been possible without that set of incidental take permits.

MEMBER ALGAZY: But we don't have any direct evidence of any projects having been approved for development in terms of more residences or commercial development?

MEMBER SHTEIR: Clarify the question.

MEMBER ALGAZY: I'm trying to understand if any commercial or residential developments have been allowed since the --

MEMBER SHTEIR: Oh, yeah, I'm sure there have been. I can't cite you specifics, but yes, absolutely.

MR. DALU: Chris Dalu. I work for BLM. I'm just curious to know, has the land always been in private ownership? And prior to it being purchased by this one company that appears to want to develop it, was it multiple owners? Do you know the kind of history on that?

MEMBER SHTEIR: That's a great and detailed question. I would have to look that specific question up. Prior to the glorious land company buying it in the 1990s for this purchase, I'm not sure of the history of ownership prior to that time.

MR. DALU: The connection to that question obviously is the Conservation Plan and how does -- are there are cases when there's been private land involved that have been designated as Conservation Areas in that development, or was it private land?

MEMBER SHTEIR: Yes, absolutely, yes. In fact the Conservation Areas are, yes, yes, for sure.

MR. RAZO: Seth, hang on. Let's do this properly. The next step is, you come back to the table. Let's have the DAC ask questions on your presentation, and then we'll have the public ask questions. That way it will be organized here. Thank you.

MEMBER SHTEIR: Sounds good. Thank you. So, DAC members, did you have any further questions related to this particular issue?

Yes, Mark?

MEMBER ALGAZY: We've been looking at this give-and-take between developers and permitting agencies for a while now, and I have sent out an email earlier in the week questioning what I refer to as the dance in terms of how much information and how specific the developer needs to be when they're putting their first foot -- or they're making their first move. And we understand that we were looking at this in a parallel situation when we were reviewing the DRECP, and we

understood that the balance was being shifted by designations of DFAs that the developers were going to have some of their homework done for them ahead of them.

So it's not like we're unfamiliar with this dance back and forth between developers and permitting agencies, but in this particular case do you think there's a specific level of information? If the developer were to put all their phases of development on the table in their initial application, that would be a fairly substantial economic burden. But, of course, it would satisfy the question of what all the cumulative effects would be. But does it strike an appropriate balance?

MEMBER SHTEIR: That's a great question. So I'd say there's two issues here related to the project. There's problems of the substance of the development and the impacts of the development, and then there's problems with process. The problems with substance have been highlighted by the entire independent science panel and entire scientific advisory program of the Coachella Valley Multiple Habitat Species Plan, who says this development is going to fundamentally undermine the work we did for a long time to get here.

So, if those six scientists who were drafters and reviewers of this plan have said fundamental harm is

going to come from the way this project is laid out, regardless of the specific configuration because of the area it's in, because of impact to species, because of impact to Federal Lands, huge problem.

Process things -- it's a great question. What is the appropriate level of disclosure? And I think that there's no easy answer for that. There's no bullet answer that I would give the committee. I think I would be wrong to say that, especially given the experience of people here at the table, but what I would say is that those processes, CEQA and NEPA, are designed to disclose information to decision makers to help them make the best decision possible related to projects and know the true impacts of the projects. We don't have that here.

MEMBER MITCHELL: I have a question. You've got to forgive me. I'm just a cowboy here. Private land issues, very much private lands, but wouldn't a developer have to initiate all these studies on how they're going to manage the wildlife, what they're going to do to be able to get around and what? Wouldn't he have to be responsible for all this prior to a decision whether the BLM is going to let the power line go through?

MEMBER SHTEIR: That's great question. So, yes, private land -- and I'm fully with you. We need to

have respect for private land ownership, for sure. But the problem we've got here is that an agreement was crafted between developers, cities, scientists in 2008. Based on those agreements that chartered the course for sustainable development, if we don't hold to that in some manner, why are we doing these plans using state and federal money? Why are we doing all this stuff?

The issue with the project area and the project specifically, I think, in the case of, for example, desert dry wash woodland, the scientists have said, those six scientists, the destruction of this habitat isn't mitigable; in other words, there's no more left within the plan area; okay? So this is kind of our last stand here in this sense. And if we continue to develop in this way, we will have certainly undermined the intent of the work of many people who came before us.

Yes, sir.

CHAIR BARRETT: Actually, just because it may generate some more comments and so forth, just thank you again, obviously, for the presentation.

But purely on the procedural matter, we rarely take resolutions at first notice. And specifically the reason is that the opportunity to provide notice and to provide for other points of view makes the ultimate resolution that our council members would take so much

more powerful and so much more important.

And so, you know, I understand that there was a proposal there that we take forward a resolution, but generally they're more effective when we give adequate notice and we allow for more input. That's not to say that you wouldn't find that most all of our members here have serious reservations. I know me, personally, for somebody who's worked on the Coachella Valley Multispecies Habitat Conservation Plan all those years ago, I have a number of questions and reservations as well. But as I say, I'd like to open it up for council members' questions.

MEMBER SHTEIR: Mr. Chair, may I address your comments. I have tremendous respect for those comments and agree that the informed position is best. We have an issue here because of the timeline of the project, and I am very concerned, Chair Barrett, that, if we do not take some sort of action, there's a number of things that's going to happen.

One, we're going to get a Programmatic EIR procedurally that is not going to reveal the true nature of the project instead of an EIR/EIS, which this should be. So next time we meet, it's going to be several months away.

And the second thing here is that I think in

this particular case, due to the science letter, which is in your packet, and the response of those six esteemed scientists who have reviewed the Coachella Valley Multiple Species Habitat Plan, we have a little bit of a different level of understanding here than we would in normal terms. I agree. If I was here coming and presenting to you myself, that might not be as compelling. But we've got six -- the entire independent science advisory panel, the entire scientific advisory committee giving the thumbs down to this.

CHAIR BARRETT: Sorry, Mark. You had some comments.

MEMBER ALGAZY: To address both your points, I think the appropriate balance is to do as Leslie said and take this under deliberation. Our first responsibility is to advise the BLM. While it would be very nice to be able to provide some timely input to a county process, that's not what we're here for in our primary function. And while the effect of that decision on the EIR obviously is something that it's too bad we can't necessarily be involved in in a timely manner, I think we will still have plenty of opportunity to provide advice to the BLM.

MEMBER SHTEIR: Mark, just let me -- so I'm

understanding what you're saying, one thing I wanted to clarify is that there would be adequate time probably for the DAC to weigh in if there was a committee formed, like you're suggesting, to track this or something like that and to craft a response as information that can be available. I think there would be time to comment on the EIR. What we'd miss, though -- I think what we'd miss is the opportunity to weigh in to the county that, due to the impact on Federal Lands here or due to the nexus of BLM decision-making, we don't think this should alone be a Programmatic EIR but an EIR/EIS at this point.

CHAIR BARRETT: Thank you, Al, for your comments.

MEMBER MUTH: Thanks for the presentation, Seth. And I think everybody is sort of aware of what I think about all of this. But I think the greatest service of your presentation is that you've certainly put it on everybody's radar. We're on public record with your presentation.

But I'm concerned again from this process standpoint that, if we were to entertain a resolution of opposition today, I think that would sort of put the BLM in a predecisional state. An EIS has not been initiated that I'm aware of. And so I don't think it would be

appropriate to undertake that motion to that resolution today.

The other thing is, with the county -- these are discretionary, not ministerial permits. We as individuals will be able to approach the county. The draft isn't even out yet, and there's a comment period. Is it 90 days? 120 days?

MEMBER SHTEIR: I believe it's going to be 45.

MEMBER MUTH: Forty-five?

MEMBER SHTEIR: So the last I heard, the plan is to put out the Draft EIR, Programmatic EIR in, I think, May and June. I think it's a 45-day.

MEMBER MUTH: Okay. Whatever it is, there will be a chance for us as individuals to make comments on that draft. Some things with regard to the private property issues, there are caps on disturbance within the Conservation Areas. That's part of the plan. And this particular project, if approved by the county, would essentially render any further development impossible within the Conservation Areas. I mean, it would foreclose options of, you know, future supervisorial boards. So those are the kinds of things that the county supervisors can consider when they vote on this when that time comes.

So those are sort of rambling thoughts about

process and such, but thank you for putting it on the radar.

MEMBER SHTEIR: Randy, you had a comment?

CHAIR BARRETT: Please. Thank you, Randy.

MEMBER BANIS: Question for the BLM. John, has there been any paperwork filed, public paperwork filed with the BLM on this project by the project proponent?

MR. KALISH: I'll come on up. John Kalish, field manager. Our office has been in communication with the project proponent for quite a few years. Most recently we've been in discussions with a proponent dealing with the power line that would feed the proposal. And those are very preliminary. And that's as far as we've gotten with the proposed Paradise Valley project. But as far as any discussions about launching into a NEPA document, no.

MEMBER BANIS: And may I ask supervisor, has the county received packages or information of a public nature that might help us understand from the proponent's perspective what their objective is?

MEMBER BENOIT: I'm not sure how much longer the presentation is going to go on, but I'd like to make a closing comment. If this is about that point, I would do that.

MEMBER BANIS: I may have other questions.

MEMBER BENOIT: Why don't you finish up, and I'll try to answer all the questions at the end.

MEMBER BANIS: The point being is that what I saw yesterday was certainly a group of people who were very concerned, if not even indignant, about the proposal. But I also saw a lot of shrugging of shoulders of, like, what are they thinking? Why? What is their plan? What? There just was a lot of -- I saw a lot of shoulders and hands going up, like what?

And I'd just like to see if there's an opportunity to -- if there's anything like that that the county has received, or is there anything that the BLM has received that is a public document that might help us just see what they're thinking? Or are they just holding their cards? And so that was a question there.

I would think that, if we were going to act on this, I'd like to see a written resolution. I loathe crafting language in a group like this. I really do. I think it's better to have a template down and then hand out whether it's singular, plural or an "and" or an "or." That would be helpful going forward if somebody wanted to move this to try to have a written thing in front of us so we wouldn't craft it. And those are my comments. Thank you.

CHAIR BARRETT: Thank you. And before we get

to respond on that, my involvement originally with Coachella Valley Multiple Species Habitat Conservation Plan was primarily from the hydrology perspective. And what I saw yesterday gave me a number of concerns, especially as we were in Box Canyon.

Can you give us a little bit of background as you understand it with respect to how the hydrology of significant water -- well, a significant basin there, and there's many, many streams and run-offs that go into Box Canyon. What are your thoughts?

MEMBER SHTEIR: Thank you for raising that. I think I left that out. So, you know, as I mentioned, the project area is 5,000 acres. The first phase of that is the development of the townsite, which is about 1800 acres. And included in these developments are concrete culverts and drainages and a lot of earth disturbance. And so there's the fundamental fear that this much earth disturbance, concrete channels, even with the best intentions, will change the drainage patterns and the flow of water across the surface and some of the hydrology related to the wilderness areas to the south.

CHAIR BARRETT: Thanks, Seth. Thank you. And I'd like to ask John to hold off responding to any comments that Randy had just perhaps until the end of

the presentation. It's very important that we maintain a degree of independence and so forth to be able to comment on things. And, of course, with John's involvement with the various groups, and I caution him on that.

Let's see if there's some more comments from our council members.

MEMBER FRANCIS: I just had a quick question. If we can go back to the map where you showed the development in the Conservation Area.

MEMBER SHTEIR: Sure. I think I can go back to that.

MR. RAZO: I'll do it.

MEMBER SHTEIR: We should be getting this up momentarily. So there we go. So that's the desert tortoise and linkage Conservation Area outline. Is that the one?

MEMBER FRANCIS: Yes. What I had heard from you -- I'm trying to figure out, where this does sit within the center of this whole Conservation Area? And it's roughly a three- to four-mile stretch along there.

MEMBER SHTEIR: This area north of the freeway.

MEMBER FRANCIS: You need a statement that this is the critical part, that this is the only area within that whole long stretch of Conservation Area that is the

core habitat area. I'm assuming I'm jumping to a conclusion that this is the only thing left, because that was the statement I had heard.

MEMBER SHTEIR: Let me rephrase that. Again it's not what I think. It's in the science letter in your packet, but this area of the Cottonwood Mountains, Box Canyon and Paradise Valley is probably the most significant area in terms of wildlife corridors due to the culverts and due to the ways the tortoises cross. That's in your packet.

MEMBER FRANCIS: I was getting some clarification as we're going through. If this is the only area you considered the highest potential area to achieve the objectives of the Conservation Area, what kind of activities have we made into acquiring land to protect these corridors that run north and south through the Conservation Area?

MEMBER SHTEIR: Well, I suspect -- I mean, I don't know specific parcels, but I think, you know, 87,000 acres -- maybe Al can answer that better than me. Do you want to?

MEMBER MUTH: The Coachella Valley Mountains Conservancy is a state conservancy, and we're in the business of purchasing Conservation Lands. And one of our priorities is blocking out -- purchasing private

inholdings within the Conservation Areas. The project proponent has been approached a couple of times by the conservancy to buy the land at fair market value. At least that's what I've been told by the executive director. And each time it's been rebuffed unceremoniously. So efforts have been made to acquire that land. So again we only do things through willing sellers.

MEMBER FRANCIS: Then just the mechanisms of the Conservation Plan, I would assume that it was a vision at the beginning that some development would occur and that there were conditions placed in the Conservation Plan that the developer would have to protect a certain corridor within its development. What sort of protections are in place when he does get permission? Should he get permission to develop? What kind of corridors would he have to put in within that development?

MEMBER SHTEIR: I think that's a great point. I think this raises a more fundamental question. Yes, the proposer has stated they will keep the preponderance of the development out of the wash, which is for them a major wildlife corridor. But I think we run into a scientific management problem here, where we get to thinking that, because we built a new city within a

quarter mile of a major wildlife corridor and we don't build in that corridor, that wildlife is going to be fine with that. And I think that's a fallacy.

MEMBER FRANCIS: I agree. You know, animals don't, you know, understand fencing and what areas they should and shouldn't be. But I'm just trying to figure out what kind of mechanisms were in place with the whole --

MEMBER SHTEIR: Well, for example, there's a certain amount of allowable take for certain types of habitat and things like that within the plan. And, you know, one of the key concerns in here that's highlighted in the letter, particularly in relation to desert dry wash woodland habitat, which is that key habitat that is good for birds and bats and ironwood and palo verdes trees, is that this project allows for two times the take that's allowable in there. And the difficulty here is that theoretically one is allowed to mitigate it, as with many projects.

But the problem inherent in this is that it involves what's called a like exchange. And that like exchange does not only mean you look at GIS and say, "Hey, I've got an equal parcel over here," theoretically. It's qualitatively the same as well as quantitatively. And that has to be registered by the

state agencies. That has not been done.

MEMBER FRANCIS: Just one more real quick.

MEMBER MUTH: I wanted to help answer your question.

MEMBER FRANCIS: Okay. Sure.

MEMBER MUTH: In place there were caps on disturbance within each Conservation Area. I think it's, in the county, ten percent for the Conservation Area that can be disturbed. Another overlaying administrative layer is the Northern Eastern Colorado Desert Management Plan. The area under discussion is a wildlife, Desert Wildlife Management Area, and there's a one-percent cap on that, disturbance cap, as I recall.

The other point of clarification is, within the Habitat Conservation Plan, the plan explicitly lists the bridges and culverts that run through the area that connect both sides of the interstate. It names them, and it specifies that those corridors need to be maintained hydrologically and biologically as connections and linkages between the two areas.

MEMBER FRANCIS: Yeah. That's what I assumed and hoped that those were in there. But just a part of -- I think we've already kind of expressed our concerns, and I have equal concerns as far as procedural, as before we would go as a body to make a

resolution, because that's kind of finite and a big stand, that we would have an opportunity to hear the other side of the developer or the county to say this is the plan and these are the actions that they're proposing to mitigate and address those environmental concerns that we would have as an advisory group to a federal agency.

CHAIR BARRETT: Thank you.

And, Don, I think you were next. Thank you, Don.

MEMBER HOUSTON: Thank you. This is an important subject. It's hard to be patient.

MEMBER ALGAZY: You've done a great job.

MEMBER HOUSTON: Okay. A couple of comments and then a question. And perhaps the supervisor can answer my question at his closing comments.

The potential for this project to cause significant and irreversible environmental impacts, I think, is not in dispute. However, Seth, I may disagree with your characterization of the Programmatic EIR approach as piecemealing. In fact the Programmatic EIR might be the appropriate tool -- environmental analytical tool for the specific plan. However, I think, most importantly, I do agree that a joint NEPA-CEQA document would provide a superior cumulative

analysis of impacts.

So my question is, why aren't we doing it? And my question is to the BLM and to the supervisor. Why somewhere along the road of this project approval process wasn't a joint NEPA-CEQA document approach adopted?

CHAIR BARRETT: Hearing no response on the BLM answer to that question, let's move on.

And perhaps, Mark, you had a couple of comments as well.

MEMBER ALGAZY: I'm just a guy that likes to look a little bit further down the road, as it seems necessarily everybody else does on a regular basis. And I'm not saying I have a crystal ball here, but it's also important to try to say to yourself, "What happens next? What happens next? What happens next?" and try to look at the long-term effects of a proposal like this.

And I'm thinking to myself, so, okay. Let's say in the right time and the right places, the right buttons are pushed and the project is shut down. When private property owners are deprived of all reasonable use of their property, it's basically left to be in a wilderness state, and they're going to sue somebody and say, "You've effectively taken my property," Fifth Amendment taking. "Somebody has got to pay for

this. I've now been deprived of the economic value of my property."

And it's very interesting. I'm not saying it informs a legal basis for what's being proposed here, but we happen to know that there's a willing buyer willing to put up the money for this developer if he gets shut down from development. And I'm not saying that's something that should necessarily form our decision-making process, but it shouldn't be left without being said.

CHAIR BARRETT: Thank you, Mark.

And, Don, I didn't want to kind of cut off a response there. I mean, I think we're all looking forward to BLM to respond to your question, whether it's today or at a subsequent meeting. And I think they should respond.

Randy, you had a couple of comments.

MEMBER BANIS: Just one thing. For recreation interests and access interests, there are two designated routes that run north of the 10 Freeway that would be bisected by the project. So what that would do would either, "A," completely cut off connectivity from Coachella Valley to the Colorado River; or, "B," it would dump OHV traffic into the project.

And there's no other way around. Because it's

not north of the freeway, legal OHV can't cross. So that would eliminate the OHV connectivity north of the freeway. South there are two other routes that would be affected, including Pinto Road. But there would be access around on the Red Canyon Road, so there are five recreation roads that could be potentially affected. Thanks. I'm done.

CHAIR BARRETT: Thank you. And hearing no further comments from council members, I'd like to open it up for public comments. And we've got two cards up here. But please feel free to, you know, add some more comment cards to Steve over here, and he'll forward them on.

MEMBER SHTEIR: I just wanted to thank the board for listening. I really appreciate it and really appreciate the BLM. Thanks.

CHAIR BARRETT: Well, please stay, Seth, because I expect there will be some responses that you may be able to inform us more from comments we receive from the public. So thank you again, of course, for the presentation.

But, Sam Merk, your comments, please. Thank you.

MS. MERK: I would like to thank Seth for bringing this to my attention and to everybody else

here. But if you remember correctly, when I first started talking at the general comments, I made the point that we need analysis -- groundwater analysis by the BLM.

Now, the state has come out in Bulletin 118 describing different basins and if they're in a critical overdraft or if they're in moderate overdraft or if everything is hunky-dory. I don't know the answer to that one right now, if it is in critical overdraft. If it is, it's going to be subject to the Groundwater Sustainability Act, which is a state act. And we need to look out for this.

A lot of my concern is for the water systems in the desert because it does supply the soils and the ecosystems that we know of today. And if we start mining our groundwater, it's really going to affect everything we know of. And so we have to look at that.

So, Seth, my question to you: Is this an overdraft situation? Is it named as critical overdraft?

MEMBER SHTEIR: Not to my knowledge. I really am not sure what the answer to that is. You know, I do know that, you know, the area in question has a lot of new projects that are going to pull groundwater from it, and so that's very interesting. We've tried to make some meetings with the Coachella Valley Water District

to talk about this very issue, and we want to talk about this.

But, you know, the concern, of course, is just that, you know, what appears on paper as a result of a contractor estimating groundwater, the reality could be very different.

CHAIR BARRETT: And, Sam, sorry. Just real quick on that. Yesterday that same question came up in our field trip, and not just so much from, you know, pulling groundwater. But this area offers some excellent resources for recharging the ground water. And when new development comes in, it changes the ability to effectuate recharge because essentially the water is channeled through the area and kind of rushes through.

And so I fully expect that we'll hear an awful lot more about not only the impact on pulling groundwater from the area but the opportunities that are lost to recharging. So thank you for those comments.

MS. MERK: Okay.

CHAIR BARRETT: We have one more public comment card. And, even at this late stage, feel free to talk to Steve about any other comments you may have.

Joan Taylor from Sierra Club. Thank you so much.

MS. TAYLOR: Good morning, committee. Happy to be here. My name is Joan Taylor. I live in Palm Springs. I represent Sierra Club. I must say I'm extremely impressed by the level of the discussion I've heard here today. It's been very courteous but also knowledgeable, and Sierra Club fully supports the committee recommending BLM to deny this project at such time as you're comfortable. The Sierra Club shares all the concerns you've heard. I will try not to be redundant but just amplify on a couple of them.

In the last, say, 25 years, I'm a veteran of probably two dozen Sierra Club lawsuits, many of them in the Coachella Valley. They may have contributed to the impetus for the Coachella Valley MSHCP. We worked on that for 12 years. It was very collaborative. It was touted by the DRECP as one of the best multiple species plans in the state, if not the nation.

This project does have the potential to unravel the DRECP. It would be precedent setting in that CVCC, the commission that administers this plan, did a partial joint project review. They looked at only one phase of a project then wrote a letter saying it's fine. It's not even clear if the wildlife agencies signed off on this joint project review, and they're supposed to.

So I have some BLM-specific requests that I

think your committee ought to consider. One is that the BLM give this back to CVCC and say we need a complete joint project review of the entire project, not just Phase 1, and the notion that somehow we're going to solve it in the future.

The other is, as you heard, that it be a joint EIR/EIS. That's pretty clear. And if for some reason -- or in any event that BLM examine the whole of the action. We've seen BLM documents where they may provide infrastructure -- say, road access that in one case a wind project was dependent on -- and they kind of tried to slide by and say, well, they could get their access from another place, so we're just going to look at what happens on the road and not at what happens as an impact of the entire project. So the BLM should do a full EIS in this case on the entire project.

One aspect of the connectivity, there was some good questions on that and why is this area so important? Well, one of the reasons it is, is because of the giant solar area that BLM has established in east Riverside County. If you look at the biological opinions for these solar projects, I recommend you look at Desert Sunlight, for instance. It specifically names Paradise Valley as one of the desert tortoise remaining opportunities because so many have been foreclosed by

these giant solar projects. It says Paradise Valley, people are going to try and buy that. The name is -- Cottonwood Canyon is another connectivity area. So indeed the options for desert tortoise connectivity in addition to the dry wash woodland and all the other creatures that depend on the park and the wilderness will be affected by this because of cumulative impacts.

So anyway, we do recommend that -- did you say CVCC, it was improper them doing a joint project review on a partial project? Its precedent setting could unravel the MSHCP. The BLM is a cooperator in the MSHCP, and it's a reasonable request for them to make -- or demand, I should say. And we'll be making comments separately to the county. Thank you very much.

CHAIR BARRETT: Thank you.

MS. TAYLOR: Oh, one other thing. You said we could mention -- I hope that the EDF Palen Project would come up on a future agenda. Thank you.

CHAIR BARRETT: Thank you, Joan.

Any other public comments?

MR. WALDHEIM: You have my card.

MR. RAZO: His says, "All."

CHAIR BARRETT: My apologies.

MR. WALDHEIM: Ed Waldheim, Friends of Jawbone. Mr. Banis, I think it would be very well if you could

take a minute to ask them to open the map in front of them.

MEMBER BANIS: Yeah. It is right here.

MR. WALDHEIM: And show them very carefully what it is so you guys can really understand what area it is that's affected. What's the map?

MEMBER BANIS: Palm Springs map, and right in the center of the fold.

MR. WALDHEIM: It shows you the connectivity. And I am very, very worried about connectivity of routes.

MEMBER BANIS: Green line going east and west, and white spot is the private properties. So you've got the map. This is the Palm Springs map. Thank you.

MR. WALDHEIM: We saw already we lost 58 miles of trails, a hundred thousand acres of trails in Johnson Valley. And I am tired of losing. And just as the animals need connectivity, so do we, the recreationists that stay on the designated trails. So please look at the map carefully so you can take that into consideration.

CHAIR BARRETT: Thank you, Mr. Waldheim.

And with no further public comments, and before closing, supervisor, do you have any comment to make?

MEMBER BENOIT: Thank you for allowing me to

defer until now. I would like to say that I am very anxious to get out to the Wildflower Festival. Clearly I am in a position where I will not comment on the specifics of the project. I serve on the board of supervisors. I also now get to serve on this committee. I'm also on the conservation committee that was mentioned and probably a few others that might be impacted. So I won't comment on the project, but I will comment on the process.

And I asked the question at the back of the room, is there an opportunity for the proponents to be here before a decision is taken? And I'm pleased to hear several of my colleagues on this board have basically asked the same question.

You know, it really would not be good process to take action without giving that process a chance to at least be heard. And there's no question in my mind the people in this room would probably still be very concerned -- and I am, too -- about the environmental sides of every aspect of this. But still, before you take action, I would recommend that, and I was pleased to hear others mention that too.

The only other thing I will say is that I am familiar with the project. I'm not as familiar with it as many of you are, apparently. I mean, you've really

delved into it. I have a lot of projects on my plate, and from time to time I hear from people involved in a lot of them. This one is going to take a lot of time, a lot of energy. A lot of money has been spent already. More will be spent, a lot of study.

I asked our TLMA folks yesterday about the idea of doing a Programmatic EIR, and I'm told that this is going to be the first step of many steps and many opportunities for both sides to engage and decide whether or not there are impacts, whether they are mitigable, and so all that happens through this process.

And I can just assure you that we are very concerned about protecting MSHCP. We're also concerned about private property rights. So there's a long ways before you're going to see anything happen here and many, many more opportunities to have these kinds of very fruitful, deep, even deeper discussions about all the impacts that were cited here today.

So, without passing any judgment, I just wanted to share that. I appreciate having heard the discussion, and there will be many, many opportunities for and further studies done before any possibility of approval of this project. But it is still out there. So thank you very much.

CHAIR BARRETT: Thank you. And, once again, I

think we're about to break up for lunch, but the whole process of advising the Federal Government is what we're here to do. And so projects like what is proposed and the comments and concerns the public have thereof is exactly what we're here to listen to and ultimately to advise on. And so please continue. We'll have this on future agendas, and we look forward to dealing with these actions in due time. Thank you.

Thank you, Seth.

MEMBER SHTEIR: Thank you.

CHAIR BARRETT: Now we're out for lunch, I believe. And perhaps you can explain a little bit.

DIRECTOR RAML: John, help us with the logistics.

MR. KALISH: For the DAC members, we will have the two vans out front and another vehicle or two in order to -- and actually, because the time is short, to get down there, spend an hour and get back in time for your meeting to resume, I would suggest that you kind of wrap this up and we'll get in the vehicles. Parking is a real problem, so we'll be able to drop the DAC members off right at the Wildflower Festival and then take those vehicles outside and park them somewhere else. But we will very quickly get the vans out front. And for the DAC members, get ready, come on in.

There is food down there available for lunch, and you'll have about an hour or maybe a little more at the actual Wildflower Festival located at the Visitor Center for the Santa Rosa San Jacinto Mountains National Monument.

CHAIR BARRETT: Excellent. For those who can't join us at the Wildflower Festival, we'll be back here at 2:00 to continue the discussion. Thank you.

(A lunch recess was taken.)

(Member Shteir was not present for the remainder of the meeting.)

CHAIR BARRETT: Good afternoon, all. And thank you, all, for coming back to the Desert Advisory Council meeting. Just before we start this afternoon, Mark has asked to explain a little bit.

MEMBER ALGAZY: Help yourselves to the bag of oranges over there next to the water. They're from my tree. The tree has 250 more oranges. They're coming in all the time. Great, juicy oranges. Be prepared to get wet.

CHAIR BARRETT: Excellent. Thank you, John and his team. We just had an excellent lunch down at Santa Rosa San Jacinto Mountains looking at wildflowers. And it was most interesting and a nice break in the middle of today and this meeting.

But now we're moving on, and this afternoon we're going to be presented by Mark Massar on the Desert Tortoise Recovery Plan. I know this is very important and dear to us all. We look forward to hearing the current status.

Mark? Thank you.

MR. MASSAR: The title of my talk is "BLM's Role in the Conservation of the Desert Tortoise." I'm going to touch on aspects of the recovery plan and Recovery Implementation Teams, but the overall topic is kind of a bigger picture of BLM's role.

(A PowerPoint presentation entitled "BLM's Role in the Conservation of the Desert Tortoise" was given by Mark Massar.)

(Applause.)

DIRECTOR RAML: I just wanted to mention the poor irony of it is that Gerry Hillier is not here, and he's the one that's been requesting the presentation month after month.

MEMBER ALGAZY: Year after year.

DIRECTOR RAML: Mark has it prepared now. And one of these times we'll get Gerry by the office and give him a personal showing.

CHAIR BARRETT: Excellent. Thank you, Mark. And just for the purposes of disclosure, Mark was first

to introduce me to the issues with respect to the desert tortoise many years ago at Chuckwalla Bench. And thank you for your continued work on that. I know there will be a number of questions. Perhaps I'll just start off.

And climate change was indicated as a serious concern to the survivability of desert tortoise in our last presentation on the matter, and would you explain a little bit on that and how it further complicated your efforts.

MR. MASSAR: Yeah. I don't know if it was Cam Barrows who gave the talk.

MEMBER ALGAZY: Barry Sinervo.

MR. MASSAR: It's particularly a problem out in the Colorado Desert and the Chuckwalla DWMA, the Chemehuevi DWMA, those lower elevations. And the Chuckwalla right now really is on an island of higher elevated habitat, and it's surrounded by low elevation. So with climate change it could potentially be even more isolated than it is now and might be wiped out entirely. But that's also part of the reasons why we want to provide connectivity between existing DWMAs to higher elevated habitat and including those areas as either ACECs or a part of the National Landscape Conservation System.

CHAIR BARRETT: I think we have a few

questions, Mark, perhaps.

MEMBER ALGAZY: Yes. Several of us are familiar with a DTNA outside of California City, and we were actually out there on a DAC tour last year. And one of the gentlemen that's involved with the DTNA out there was saying one of their authorizations was due to expire. And I'm not entirely clear about how that could be with an ACEC.

MR. MASSAR: I'm not quite sure. Was this a BLM person?

MEMBER ALGAZY: One of the DTNA people.

MR. SYMONS: What he's probably referring to is the withdrawal protects that land outside of an ACEC has expired.

MR. MASSAR: Oh, so maybe the minerals withdrawn. I know that we can recommend a withdrawal of 20 or 25 years. I can't remember exactly what it is, but maybe that's what they're referring to. So that would be something that would need to be renewed, if that is what he's referring to.

CHAIR BARRETT: Other questions?

MEMBER MITCHELL: Yes. Any actual numbers, you know, in these areas that you have that you've been studying for this long?

MR. MASSAR: Tortoise numbers?

MEMBER MITCHELL: Yeah, exactly.

MR. MASSAR: Yeah. You can go to the Desert Tortoise Recovery Office website, and within that website there will be a link to the actual line distance sampling reports for each year, and in that report will be actual numbers for each of the critical habitat areas.

MEMBER MITCHELL: Okay.

MR. MASSAR: My memory off the bat right now is, you know, they're very low numbers for all critical habitat areas, averaging less than ten animals per square kilometer. And that's just an average over the entire survey area. So you'll have areas of higher population density and then other areas of really low density.

MEMBER MITCHELL: Do they have numbers on that, the special place on there, the DT -- or that special place there?

MR. MASSAR: The DTNA?

MEMBER MITCHELL: Yeah.

MR. MASSAR: Like I said, back in the '70s, the DTNA had hundreds of animals per square mile, and the numbers now are dramatically less. And I would guess probably ten animals, 20 animals per square mile at most.

But there's a couple of long-term study plots within the DTNA that the USGS monitors every ten years or so. So I don't know when the last time those plots were monitored, but that would give you some indication also. That area is within the line distance sampling too.

MEMBER MITCHELL: One other question. Has there ever been any studies done at Blackwater Well in that critical habitat?

MR. MASSAR: That's part of the Fremont-Kramer, so that's annually. Well, it was annually monitored from about 2001 up until maybe a few years ago. But again those numbers are for the entire Fremont-Kramer, not just for the Blackwater area.

MEMBER MITCHELL: Yeah. Okay. Thank you.

CHAIR BARRETT: Thank you, Billy.

Al?

MEMBER MUTH: Yeah. Mark, your slide that showed proportion of the diet, was that y-axis proportion or percentage?

MR. MASSAR: I don't recall now.

MEMBER MUTH: If it was proportion, it makes sense with the numbers. But percentage it wouldn't because you'd have .008 percent of the diet. Anyway, you might look at that slide.

MR. MASSAR: Yeah. I took that out directly from one of the reports from last year.

MEMBER MUTH: You might look at that slide again.

CHAIR BARRETT: Thanks, Al.

Don?

MEMBER HOUSTON: Thank you for that presentation, Mark. My question is, going back to the four top priority recovery actions -- the road fencing, the predator control, et cetera -- what do you have in place to make a determination of whether or not these actions are -- you spent a lot of money, and so what metrics do you have that show these actions are successful or not successful?

MR. MASSAR: We already know. With years and years of studies on the impacts of roads, we already know what the impacts are in fencing off roads. There have been studies that Bill Boarman and others have done along Highway 58 that showed, once you fence a road, the recovery of tortoises in that area really does come back. So I don't think byway fencing is even debatable at this point.

Removing ravens -- there's been years and years of studies on ravens too. Whether or not we can effectively remove enough ravens to really make a

difference is an issue.

And then the habitat restoration was another priority. Again there's been years and years of studies on reclaiming burned areas, for example, or removing weeds from areas. All of that has a positive impact on tortoises. So the public education, that's probably the biggest debate, whether or not that really adds -- for the amount of money we spend on public education, if that really has a positive effect. I don't know of any studies that really show the effects of education.

MEMBER HOUSTON: Thank you for that. I would just propose that -- and I know there's a lot of historical data, but it doesn't always predict the future.

MR. MASSAR: Yeah. And I don't know, Mark. So I've found the decision support system model is pretty interesting, and I know probably a lot of you have seen it. I don't know what you think of it. I think a lot of what we're doing is a little bit based on factors that go into that model and what percent the model is.

But I think one of the reasons we're trying to focus on line distance sampling is, without that kind of data, we're really lost in terms of -- so as all of us know it's kind of hard to cause and effect. But if we don't have the data for what the tortoise population is

doing, then we're just shooting in the dark. So that's why that big dollar sign. But we're going to make a commitment to at least do our part.

MEMBER FRANCIS: I have a question. With Highway 58 going through some significant improvements with Caltrans, what kind of -- I guess, what are we doing with Caltrans with that expansion project?

MR. MASSAR: Well, I'm not sure exactly because, you know, up until this point I was focused on the Palm Springs area. But I would hope -- I thought most of Highway 58 was already fenced, but I'll have to look into that, because are you talking about --

MEMBER FRANCIS: They're right now expanding just west of Barstow then working on the 395 and 58 junction, and so that area is going to have significant bypass and impact. So if there's fences already there, chances are that fence is outside of the new right-of-way alignment.

MR. MASSAR: I'll need to coordinate with Caltrans, because it's projects like that we need to look at to fence off more highways.

CHAIR BARRETT: Thank you. And we have a couple of questions on this end.

MEMBER ROBINSON: I was curious, do you have any data on how successful relocation of tortoises is?

I know it's used more and more by the renewable energy and military base. On different projects they're relocating tortoises, and some of the people that are doing tortoise biology are kind of skeptical about its success.

MR. MASSAR: There's a lot of data collected over the last couple of years from the Ft. Irwin translocation. So Todd Esque from USGS in Henderson, Nevada and his group and Kristin Berry, too. My recollection is that it's low success rates, and a lot of the tortoise mortality has been attributed to coyote predation. I don't know the actual percentage of animals that survive in terms of long-term, too, because these translocations happen or just started, you know, within the past five years. There was a big die-off with the coyotes.

MEMBER ROBINSON: I know where I live I see tortoises fairly regularly, at least two or three a year heading back. People pick them up for pets, and they get away from the people, and they're heading back towards the desert. And I'm 15, 18 miles from town. And they got another 15 or 20 miles to get out to the desert. And they seem like they're -- you know, they're moving right out. They're ready go right back home again. And that distance is -- you know, they're still

going back home, you know. And I don't know why any other tortoises would act any different.

MR. MASSAR: Well, that's generally why, with the Ft. Irwin project, they had to have certain areas fenced off to prevent animals from doing that. And I know when you look at -- all the animals are transported also, but if an animal starts wandering like that, they can find it and bring it back.

MEMBER ROBINSON: I just wondered about the viability. Is it really a reasonable mitigation?

MR. MASSAR: That's what they're debating, whether it really can be used as a mitigation. But it's either that or the animals are taken to a compound or killed. But in terms of it actually being a viable mitigation, it's more of a last-resort option, really.

MEMBER ROBINSON: "I really want my project." That's what I'm kind of getting out of it.

MEMBER O'BOYLE: I just have a couple of questions. The fence is being put up by Caltrans?

MR. MASSAR: Uh-huh.

MEMBER O'BOYLE: And the reason for putting up is just to demarcate the point?

MR. MASSAR: Talking about the byway?

MEMBER O'BOYLE: The fencing you have a problem with.

MR. MASSAR: The tortoise fencing goes at the base at the existing Caltrans fence zone, and it's being put up either through Caltrans projects or from mitigation from the solar projects.

MEMBER O'BOYLE: So the fencing is putting up by Caltrans for mitigation for the roads?

MR. MASSAR: It can be, but the Highway 40 fencing is specifically mitigation from the Zzyzx Project, the Ivanpah Project.

MEMBER O'BOYLE: Is it the type of fencing that's stopping -- if it's tortoise fencing, the tortoise can get across it?

MR. MASSAR: It has to be fenced with a particular mesh size -- I think it's a half-inch mesh -- to keep the adults and the babies from getting through it, and it has to be this tall (indicating) to keep the adults from climbing over it, and it has to be buried in the ground that much to keep animals from digging underneath it. It's a specific type of fence.

MEMBER O'BOYLE: I was just wondering if Caltrans is using the type of fence you would like them to use.

MR. MASSAR: Well, they are, yeah, and it's specifically done as mitigation for the expansion of the highways.

MEMBER O'BOYLE: Do you know how much more expensive that type of fencing is as opposed to the traditional fencing they use?

MR. MASSAR: It's a lot more expensive. But I can't remember if the figure is, like, \$20 per linear feet, yeah.

CHAIR BARRETT: Thanks, Paul.

Billy?

MEMBER MITCHELL: No.

CHAIR BARRETT: Bob? Any other further questions? Just one, perhaps, before we open it up for public comment, and I'm not seeing too many cards. So feel free to touch base with Stephen.

MEMBER FRANCIS: I have one more. In our industry we tend to have a problem with the federal agencies and the state agencies not being on the same page. So with these efforts, what work is being done in the coordinating with California's Fish and Wildlife agency?

MR. MASSAR: Well, from my experience we always coordinate. I don't know if you're aware of others.

MEMBER FRANCIS: Sometimes we've seen California being more strict, and so it's something that may be more accepting of federal that we find ourselves in conflict with the state agency.

MR. MASSAR: In terms of compensatory mitigation the department has stricter guidelines than BLM may have, where we have to replace at least a one-one ratio for mitigation lands. You know, the department has guidelines. You can't use the mitigation money for anything other than purchasing land. BLM has policies where we can use mitigation money to do habitat improvement in addition to purchasing lands. So, you know, there's a little bit of a difference there from the department's policy and BLM service policy.

CHAIR BARRETT: Thanks. And perhaps related to that, you had mentioned earlier that the military lands were some of the premier lands for desert tortoise. How is coordination? Are they better, perhaps, now at protecting this unique resource and coordination is better?

MR. MASSAR: I don't remember saying that, because there are some military bases -- well, funding is provided for sampling, but some of the military, like 29 Palms, Ft. Irwin, the habitat isn't mandatory desert tortoise because there's a lot of on-the-ground training. Other areas, like China Lake and Edwards, where you have mostly specific targets or air training, that's considered good habitat. That's maintained.

But in terms of coordination with the military,

with the raven project, we're coordinating to control ravens not only on BLM lands but also on military lands. And then, like I mentioned, the lines in the sampling mostly funded right now by Ft. Irwin is used for monitoring mostly BLM land, not so much the military lands because the critical habitat units are generally on BLM land.

There's a little bit that extends into Edwards Air Force Base and a little bit that goes into China Lake, but it's mostly on BLM land. So that's where most of the monitoring would be.

CHAIR BARRETT: I remember you mentioning Chuckwalla Mountains is well --

MR. MASSAR: Chuckwalla Mountains is really great, yeah. They reliably are funding line distance sampling every year.

CHAIR BARRETT: Thanks. If you wouldn't mind hanging on, Mark, just a little bit longer, we've got at least one -- and, please, if there are any others -- with some comments.

And, Sam, we have some public comments, perhaps, Mark, you can address. Sam Merk, thank you.

MS. MERK: Sam Merk. I was wondering if they had planned to do any aversion therapy in the DTNA, the Chuckwalla or the military bases instead of killing off

the ravens. Is there any talk of doing aversion therapy, like, you know, the eggs?

MR. MASSAR: Yeah. There hasn't been a lot of talk about that, other than using lasers to discourage ravens from certain areas. I guess ravens don't like green lasers, so that's being looked at. Also preventing areas from becoming nesting substrates, so putting bird spikes and other things to prevent ravens from nesting in the first place, those are the main things and reducing human subsidies and really reducing the amount of trash that's out there and food sources. But I haven't heard of any other aversion techniques other than lasers.

MS. MERK: There's the egg one.

MR. MASSAR: Yeah. There's the Fish and Wildlife Service EA for raven control, and you know, I need to look at that again. There must be information in there on other techniques for reducing ravens, but at this point the focus is on monitoring and seeing where the problem areas are and then removing immediately the ones that are offending ravens. So that's the focus right now.

MS. MERK: Thank you.

CHAIR BARRETT: Excellent. Sorry, Randy. Did I miss you earlier?

MEMBER BANIS: No. Billy, you asked about Blackwater Well?

MEMBER MITCHELL: Yeah.

MEMBER BANIS: You know that's the Navy's land now?

MEMBER MITCHELL: Yeah. They have that.

MEMBER BANIS: Okay.

MEMBER MITCHELL: How did that go through?

MEMBER BANIS: Very well, for them.

MEMBER MITCHELL: Yeah.

CHAIR BARRETT: Well, thank you, Mark. That was an excellent presentation, a lot of detail, which is wonderful but also shows perhaps the enormity of your task with respect to working hard with others to protect desert tortoises. And thank you for that and all those who assist you.

I think we're somewhat on schedule. But, with that, Teri, perhaps you could help us out a little bit with respect to the Program of Work for 2016.

DIRECTOR RAML: We need to set up a PowerPoint real quick for me. So want to take five?

MR. RAZO: Yes.

CHAIR BARRETT: Take five. Thank you.

(A brief recess was taken.)

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(A PowerPoint presentation entitled "DAC 2016 Strategic Work Plan" was given by Teri Raml.)

DIRECTOR RAML: I made a few extra copies so all DAC members have these two copies on their places. There are extras on the table for public, for field managers, too, if you'd like one. And I made sure I handed this to John and talked to him before he left.

So what you have -- let's go with the one that doesn't have the colors. So we've got the meeting schedule and the locations. So that's May 20, 21st in Barstow, September 9th and 10th in Ridgecrest, December 2nd and 3rd in Needles. We know already that Supervisor Benoit has a conflict on December 2nd and 3rd, so I'll take that under advisement. We can kind of look at our calendar again.

The second block shows -- actually down at the bottom it talks about the Desert District's priority workload. DRECP, WEMO, wilderness management, our monuments, our National Conservation Lands, recreation, Connecting People to the Desert, management of our fee areas, management of Special Recreation Permits, energy lands and minerals projects. So, you know, and that's not all that we worked on, but that's kind of stuff that rises at least with the district-wide sort of direction.

Then we have the brainstorming list, and

there's two places for that. But the brainstorming list we came up with at our work plan was to continue to work on DRECP, to continue our work on WEMO, national monument proposals, continue to talk about climate change and water, focus on wilderness management and Mecacopia, recreational shooting, which was something that came up when John was here before. And this is something again that Gerry Hillier continues to bring up, which is the landscape cooperative.

All right. And this one kind of does the same thing, but also for DAC members it shows you where our meetings have been and just a real short synopsis of what the topic was at our meetings. As you know, when we do our work planning, we try to make sure we share the wealth with the field managers because they put a lot of effort, as you know, into the field trips. It's an impact on them and their staff to do these.

So in addition to it being about all about the BLM, it's also about you and our desire and our dedication to making sure that at the end of your term, you've seen the Desert District. So we want to make sure that I kind of am thinking in terms of the three years that people have to make sure that they have the diversity of experience and that, when their term is done, they know all about the Desert District as best

they can. So that's the other part of why we keep track of all this.

Now, what is it that I want? Well, so part of it is, I think -- well, and I'm going to turn it over to Leslie in a minute here so he can entertain any kind of discussion on if we need to revisit pieces of this and certainly with an eye towards the new members to see if they see things of interest in this upcoming year if they want to provide input either now or directly to Leslie or to me.

You don't have to think on your feet and on the spot if there's some things you want to have addressed here in the future that's -- the other part is to take a look at this list, re-confirm it, have any kind of discussion that you want. And then the other part I would like, as I mentioned it earlier -- and I'd like you to entertain my request for Special Recreation Permit Subgroup.

CHAIR BARRETT: Excellent. Thank you, Teri. And I'd like to open it up, following up on that, to council members and their quick review of what's being presented. Are there other aspects or areas of interest you would like to see added to it?

We've got a couple of -- Mark, perhaps.

MEMBER ALGAZY: The thing that I brought up

during our brainstorming telephone conference is not really a meeting-specific idea as much as the field trip idea. It's something that I think should be implemented on each and every field trip from now until the foreseeable future because, as Teri mentioned in her presentation, one of our responsibilities is to interface with our constituencies. And one of the things that I think we could all benefit from and any member of the public that takes the time to attend one of our field trips could also benefit from is, when we go out into the field and we're standing out in the middle of someplace, it would be really nice to understand why the top of one dune is in an ACEC and the top of the dune in the next is in an NCL and the top of the dune in the next thing belongs to yet another designation, because we know the animals can't tell the difference, and a lot of the people who are going out using our desert can't tell the difference.

And I think it would be really nice for the field managers in each of those areas where we go out into their area to be able to take us to a spot that's a fork in the road and explain to us why one side of the road is called one thing and the other side of the road is called something else.

CHAIR BARRETT: Thank you, Mark.

DIRECTOR RAML: That's hard to write in a few words, isn't it? I know what you're saying.

CHAIR BARRETT: Randy.

MEMBER BANIS: For the meeting in Barstow, I would like to suggest, if it can be pulled together in time, more discussion on the national monument, particularly the Mojave Trails. Most of that is in the Barstow Field Office. I also think it might be a good opportunity to seek action from the DAC on the Special Recreation Permit issue, since Barstow Field Office does as I understand, the majority of the event permitting. And that's only 75 days away. It's the middle of May. I don't know if that's enough time to pull together a discussion on the national monument or not.

And one other idea, if it relates to that, might be a field trip into the Cady Mountains. The Cadys is part of the monument. It's close by to Barstow, and Bob doesn't want us to see his favorite secret spots.

MEMBER BURKE: I'm not opening the gate.

MEMBER BANIS: The Cadys is the big rockhound place, huge rockhound place.

MS. SYMONS: Also the Lavic site we could go to.

MEMBER BANIS: The Lavic site. I love that.

CHAIR BARRETT: Any other questions or comments? In the discussion perhaps in the end of the year to include in the Needles trip, maybe a field visit or site visit to Copper Basin, to the aqueduct, to the intake of the Colorado River and some of the pump stations along throughout the desert, look to see if we can pull that together. That sounds quite interesting also.

Randy?

MEMBER BANIS: For September in Ridgecrest, will WEMO be a little riper for discussion at that point? Will there be a final September-ish or at that point? I understand there's still a desire for a Record of Decision on DRECP first or at least closer to that Record of Decision to help provide clearer guidance to WEMO. Maybe that's too soon, but I think WEMO will have to be on our calendar at the appropriate time. I just don't know what that appropriate time is going to be on this chronic issue.

MEMBER FRANCIS: I would add, too, if we're throwing it out there, even at Ridgecrest, if we want to do working landscape around that time, too, there's a lot of solar out there. Lorelei from Kern County will be probably willing to talk about initiatives and renewable resources there, as well as we'll be happy to

host any tours or things you want from the mine there, you know, borax.

CHAIR BARRETT: Thank you. From the public I know we don't have any speaker cards, but if there's anything.

Ed, excellent.

MR. WALDHEIM: Ed Waldheim, Friends of Jawbone, Friends of El Mirage. One of the things that kind of bothers me now is, because your budget keeps going down and you take no time, whatsoever, to give us information on the off-highway vehicle program, which is an integral part of what you're doing, if that disappears, we are in big, big trouble. 2018 we have to renew the program, and we don't know what the program is even going to look like at this point because the governor has gone and changed the reorganization or readjustment. He already took away the Boats and Waterway Commission, folded that into the Department of Parks and Recreation.

We don't know what's going to happen with us, but I think we should really look carefully, get a report the impact of what the off-highway vehicle program has done. I mean, more than a hundred million dollars has been spent in the California desert just alone from the off-highway vehicle program. So I don't see you really talking about that, and I think that

deserves some attention.

And also the next thing that deserves attention -- I brought it up earlier -- is the need for you to reach out to the public. Make sure it gets on the website, Steve, to call the OHV Division March the 8th and come up with your public comments on all the grants that the California desert and all the BLM, for that matter, is going to have and what effects that will have.

And the last thing. The DAC -- so you folks know that I lead regular OHV leadership meetings with the BLM in the office in Moreno Valley. We talk with the managers. I do it with five national forests. And it gives the leaders of the OHV leadership folks an opportunity to come and dialogue with the agencies and get a good feel how we work together. So that's where we're going to.

CHAIR BARRETT: Excellent. Thank you. No further comments? No further comments here.

MEMBER FRANCIS: Just one other. One thought is, maybe it would be interesting to have a DOD discussion on to see what kind of relationship, since we do interact a lot with them. I know we won't get on a base, but maybe they'll be happy to speak before us.

CHAIR BARRETT: Excellent. No discussion

should end without Sam. Thank you.

MS. MERK: One of the things I would like to see is, I know I keep harping on the same thing, but California Desert Conservation Area Plan of 1980, but Element 3 had a lot to do with tribal matters. And I would like the BLM to show us a comparison between Element 3 of the original CDCA and the differences between Section 106 and Section 110, because I don't feel like the CDCA is really being followed. So if you could point that out to me how it's different or how we can make it better, that would be appropriate.

CHAIR BARRETT: Thank you, Sam.

MEMBER ALGAZY: Leslie?

CHAIR BARRETT: Yes.

MEMBER ALGAZY: One more possible place to adventure on a field trip, Copper Canyon. And Coolgardie Mesa, I know, is mentioned in the Barstow Field Office report. There's a withdrawal from mining, but I don't think very many people appreciate what a spectacular landscape that canyon is.

CHAIR BARRETT: Very good. And hearing no more, especially with respect to the new members of the council, feel free to contact myself or Teri, Al or others. And if you think of some new ideas for us, we'll certainly try to incorporate them as much as

possible.

Sorry, Randy.

MEMBER BANIS: I'm sorry. For the new members farther on the blank page at the bottom where it says the district workload priority, those are like official workload priorities from the national and state BLM infrastructure assigned to the Desert District for implementation, so those are the issues that the bureau is spending most of their resources working on. So those are the ones that I tend to look at and see how can we fit those into a place and time and so forth. Thanks.

CHAIR BARRETT: Do you have something?

DIRECTOR RAML: Yeah, I do. Okay. In an effort to be clear, DAC members, I would like a subgroup for Special Recreation Permits, please. Let me read the last mission statement for the subgroup from before.

"The California Desert District advisory council has established an ongoing Special Recreation Permit Subgroup. This is the role. The subgroup will identify operational issues in the application of required SRP procedures, provide comments about current or proposed actions by the BLM and aid in accurately communicating SRP procedures to interested parties. The subgroup will report its findings to the full DAC, which

ultimately will advise the BLM California Desert District manager."

CHAIR BARRETT: Marvelous.

DIRECTOR RAML: I would like a subgroup.

MEMBER BANIS: I volunteer.

DIRECTOR RAML: Hallelujah.

MEMBER BANIS: And I move.

MEMBER KENNEY: Second.

CHAIR BARRETT: We've got a move and a second.

Any further discussion with respect to the subgroup?

MEMBER BANIS: This subgroup existed and worked hard a couple of years ago. Kim Campbell-Erb, who was the recreation representative prior to me, the rockhound, worked very hard. They identified some issues. They started working on things, and then a confluence of attrition left that group with its work undone. And the issues remain, and I'm happy to help work with that group to finish the job.

DIRECTOR RAML: Thank you.

CHAIR BARRETT: Excellent. Randy, should I leave it to yourself to work to pull some subgroup members and so forth? If there are no further discussions or any objections to starting the subgroup -- hearing none, do I take it we're all -- subgroup started. Thank you.

MEMBER BANIS: What usually happens is, Teri will find either herself -- either she'll take this directly or she'll find a staff member to kind of be point. They'll put out a call for nominations or call for applications. The applications come in. The chairman reviews, makes some recommendations. The full group makes the appointments, and then we run with it.

CHAIR BARRETT: Sorry, Mark.

MEMBER ALGAZY: Is this also going to be the occasion where people that are not necessarily on the DAC can also be part of this group?

DIRECTOR RAML: Yes. Let's make the distinction that the subgroup is non-DAC. So Randy was doing a good job of explaining it. We advertise for members of the subgroup. The DAC approves the membership based on the criteria that we set. The subgroup meets. Their meetings are public and noticed. And then the subgroup brings back information to the DAC, which you review, you know, think about and then forward on to us after -- forward on to the BLM.

So, yeah, in case that's what you're wondering, it's like, did we just get all volunteered to participate in an SRP Subgroup? No, you did not. What you volunteered to do is help us to establish this SRP Subgroup, review its work, refine its work and move

information from the subgroup through you to me.

MR. RAZO: And there is a DAC member on it.

DIRECTOR RAML: And that's what Randy did,
yeah.

CHAIR BARRETT: To highlight how exciting the
subgroups can be, we're now in the DAC subgroup reports
section.

MEMBER MUTH: Mr. Chairman, before you move on,
just so that we can sort this out in our heads, a
subcommittee is what?

DIRECTOR RAML: Yeah, that's right. A
subcommittee is just DAC members.

MEMBER BANIS: But a subgroup is outside
members.

MEMBER BURKE: Right, right.

MEMBER ALGAZY: Only qualification for being on
the subgroup is, you're living, breathing and don't know
better than to say "no."

DIRECTOR RAML: When you're thinking,
particularly when it came up, and maybe that's something
not timely or right for this particular meeting, but
subgroups and subcommittees, when it comes to helping us
with the new national monuments, would be something to
think about.

MEMBER ALGAZY: That's a hint.

CHAIR BARRETT: Excellent. Do we have any subgroup presentations?

MEMBER BANIS: Just one that I know of. The Dumont Dunes Subgroup met last week. We have a habit of trying to meet a week or two before the DAC meeting. And it was a good meeting, a very good meeting.

There were two motions that I'd like to relate to the DAC. And the first is, the subgroup again requests the BLM to prioritize a project to simplify the fee structure at Dumont Dunes and to consider adding a daily pass to the weekly and annual pass options and potentially a provision for second vehicle. I think we've had that recommendation before, but we don't want it to fall off the list.

A second motion -- and this, too, is a reaffirm of a previous motion. And we still have concerns that there's no MOU, law enforcement MOU, between the BLM and San Bernardino County. Just to expand on that, we recognize and we heard discussion from BLM staff that we all believe this isn't due to the lack of outreach by the BLM. The BLM has reached out to the San Bernardino County Sheriff's office in recent periods. The issue is that things, such as a person-on-person crime, the rangers can't apply law enforcement there. That's a local thing for that MOU, is what I understand.

There are some other limitations. So I think we've decided that the BLM can only do so much. You can ask, go to meetings and request. But if San Bernardino sheriff says no, that's that. But I think what we've done also is, we have agreed as individuals, as constituents of some of these -- of San Bernardino County, that we'll try to work with the supervisors and directly as constituents and as stakeholders and see if there's something that we can do to have that MOU discussion taking place.

MEMBER MITCHELL: Mr. Chairman, would you like to elaborate on that a little bit. That's probably not going to happen because of the fact that, when they tried to pull over -- cattle battle -- I can't speak for the rancher, but until all the ranchers agree that will happen, it's not going to happen because of what they tried to pull -- not these people here, but what happened back in near tortoise wars, or you can call it the cattle battle. That's what the environmentalists called it, I guess, but that's wasting your time because I know the ranchers are not going to go for it.

So I'm sorry, but you'd have to be one of us to understand where we're at and moving your cattle out and at the discretion of the person that's involved right then or the area managers. And it wasn't Katrina, but

that's why this is not going to happen.

So it's not really the sheriff's problem. It's probably Billy Mitchell and five other people. Thank you.

CHAIR BARRETT: Thank you for that. Are there other comments, questions from the council members with respect to the report or any other on our subgroups?

MEMBER BANIS: The only other subgroup is Imperial Sand Dunes. Any news? Has Ray been attending?

MR. ZALE: I can report that we met in December, agreed to a focus of work that involves actually -- and we've talked about it before, but preparing a new proposal for replacing the Cahuilla Ranger Station as the primary focus of the subgroup.

We had a meeting courtesy of Tom Acuna and Don Houston over at San Diego Gas and Electric. They provided some assistance in terms of developing a timeline for preparing a proposal, and so we're working forward with that.

I can also report that over Presidents' Day weekend our new State Director, Gerry Perez, and Associate State Director Joe Stout came to Imperial Sand Dunes and had an opportunity to meet the group at dinner on Friday night of that weekend so that there's good meet and greet, you know, social event there.

MEMBER BANIS: Thank you.

MR. ZALE: Thank you.

CHAIR BARRETT: Excellent. And having no public comments, I think the subgroups portion of the agenda will close.

I think the next item is with respect to field office reports. And are there any questions, comments and so forth with respect to the various field office reports from the council members?

I just have one -- I hope you don't mind -- just to show I read them. Katrina, because you're closest to me and we haven't heard too much from you today, so, sorry. And let's talk Silurian. I saw obviously that you withdrew on the wind application. What's the status on the solar?

MS. SYMONS: The case is in the hands of the Interior Board of Land Appeals and has been now for half a year or so. Typically, when it goes in front of the board, we will not get a response for a couple of years. So it's outside our hands and being handled by Interior Board of Land Appeals.

CHAIR BARRETT: Excellent. And perhaps a separate question. I read quite with interest the work you're doing with LADWP with respect to transmission lines and the sagging as such, the sagging issue. Can

you talk a little bit about that and explain what the issue is and whether it will impact not only DWP but also MWD or SCE or others.

MS. SYMONS: Thanks, Leslie. So it is a technical issue right now. It's just that there has to be a certain height from the ground up to the transmission lines themselves, and we have sections of not only the LADWP, but it will likely transmit to all the other transmission lines as well. It just so happens LADWP is first on the hook right now.

It's a large issue, and if it is something that you want to hear more about, I can make sure that I've got the appropriate staff that's knowledgeable about this to be able to give you a brief.

CHAIR BARRETT: Excellent. No. I appreciate it. It will be a tough issue, and obviously trying to remove the sag on transmission lines across the desert, I can see that as a real project.

MEMBER BANIS: Can I just ask a follow-up? You said that it has to be so high above the ground.

MS. SYMONS: Correct.

MEMBER BANIS: Is that because of technical limitations with respect to the transmission of energy, or is that with respect to a management safety protocol or something of that nature?

MS. SYMONS: It's a safety issue. And in particular, whenever we have a route that goes up underneath it, it has to be a certain height.

MEMBER BANIS: Okay. Thanks.

CHAIR BARRETT: Excellent. And I understand we have a resident expert here, as well.

So thank you, Kathy.

MS. IP: Hi. Kathy Ip, Southern California Edison. So the transmission line remediation effort is actually a result of direction from both FERC and NERC. And it requires, as Katrina said, maintaining a clearance between the lines and any vehicle that could park under those lines. Obviously in high temperatures or high load conditions, you get additional sag, and so throughout the country, in fact, utilities are having to go out and assess all of their transmission lines and make changes appropriately.

CHAIR BARRETT: Thank you, Kathy. And thank you so much for staying so late so you could entertain me with that question. Thank you.

And I won't risk upsetting the whole family by asking Carl to come up. But if there's anybody else who has any other questions -- oh, we have a few. Thank you.

MEMBER ALGAZY: I had a question for Katrina

about the Iron Age proposal to reprocess ore. And I noticed in the report that the processing of that ore is going to require nine million gallons of water a year. And anytime I see information that involves water, it makes red lights go off in my head because water is something we're running out of very quickly.

So it occurred to me to ask, does anybody have any idea of how many years that nine million gallons a year is going to take for them to go through their proposal?

MS. SYMONS: I'm looking at my report right now in order to wind up, refreshing my memory about it. So right now we are in the environmental review phase about that, and I do not have the answer to your question, but I can certainly get that for you, Mark.

MEMBER ALGAZY: I think it would be important to know how many years they expect to need that nine million gallons a year.

CHAIR BARRETT: Thank you, Mark.

Jim.

MEMBER KENNEY: My question is for Carl. This was brought up at the Ridgecrest Roundtable meeting, but I still want an answer. What have we discovered about Keystone? They seem to be doing a lot more than you indicated or notice might be doable.

MR. SYMONS: The Keystone Mine, it is an exploratory mining operation in disturbed areas. They are in compliance with their notice for everything with one exception, and that is that under their notice that the tanks that were shown in the picture at the roundtable, they were going to fill those up, and, in fact, they did. They were filling those up via truck, hauling in trucks of water. But then they switched over to have a pipeline going in, filling them from a spring. And so that's the only part that's not in compliance with their notice, and we're contacting the company now.

There has to be some adjustments. We're also trying to figure out when that pipeline was put in. We're fairly sure that's a pretty new pipeline, so it doesn't -- for those that don't know, the boundary of the wilderness follows an existing road, and the wilderness is offset 30 feet from that road.

And what this pipeline does -- I had a GPS -- is, it follows the old washes and bits of road more in a straight line. So instead of following the road, it comes kind of straight out and across. And so that will need to be removed. And if the pipeline does stay, it will need to be -- it has to be out of the wilderness, but we have to go through the process to even allow that to see if we'll have it part of their notice or whatever

their activity.

The spring that they are getting the water from is within the park. It's 700 meters within the park. What I did is bring some maps with the GPS on it and the boundaries of the park for anybody that would like to see it. And I also have the parts of the notice that demonstrate that the tanks and the pumping were part of the notice, and they had planned to pump from where those tanks are, those 5,000-gallon tanks up to the site.

MEMBER KENNEY: Has the park responded if they can actually use the water out of that spring?

MR. SYMONS: They have not. I shouldn't say that. We did try to contact them before we even got up there to do the GPS because we don't have a lot of cadastral survey in that area. They did indicate to us that they would provide the information. Even though the spring is on the park, that's going to have to be with the park and Cal Fish and Wildlife.

But they said that they offered to provide us information that they had because the last time that they had a water permit was before this company. But the claim they had with it before had been terminated in -- I believe it was 2004.

MEMBER KENNEY: Wow.

MR. SYMONS: But they did say they have contacted them, and we told them we were going to investigate and we didn't have a record of any authorization for a spring. But when they did respond by email, they said they had it and their hydrologist and hydrologic engineer would be getting that documentation to us.

MEMBER KENNEY: Thank you.

MR. SYMONS: And just in that meeting also they asked several questions in regard to mining, just in answer to your question, those that came up, it came up about the Briggs Mine to check into that. And that also the bond was reviewed in 2014 and was increased. The bond for the mine itself, which is shared between several agencies, is just short of three and a half million, and then there's another just over a million dollars for the water with the water board. So that one is there.

And then also I have pictures from February 1st of this year showing both pits, and the water level is below the bottom of the pit on both pits. But I will share those pictures. I just didn't have time to print off color pictures to hand out, but I think those were the main questions at the roundtable you had.

MEMBER KENNEY: There was no record of water

ever coming out of the pit, was there?

MR. SYMONS: When they wanted to go back in, the water came up and basically stabilized. Then they wanted to go back into the mine, so for a while they were taking and pumping the water. And out on the flats there was a discharge area where they put it out onto the lake bed, which was part of their area for their mine. But they haven't done it for quite a while, and now the water is below the pit.

I know that they've put some back in there and kind of leveling off the bottom, but I don't know whether or not it went down naturally or whether or not they raised the bottom of the pit.

MEMBER KENNEY: But there is no water escaping now?

MR. SYMONS: No.

MEMBER KENNEY: Okay.

CHAIR BARRETT: Excellent. Thank you, Jim.

MEMBER ALGAZY: I have a follow-up for Carl.

CHAIR BARRETT: Yes.

MEMBER ALGAZY: Any new words on how the evaluation of the cabins is going?

MR. SYMONS: Yeah. The cabins, they did the preliminary assessments on seven cabins. As it looks now, one probably is not eligible. It looks like the

others are potentially eligible for the register. However, if you're familiar with cultural resources, that a lot of times it's not just the item that you're looking at but what is the context and what is the area around it?

And when we put the original contract out, we had it for the cabins. And when they did the cabins, they did the research and everything and then looked around the area, what they came back and said is that they would like to do a wider area around a few of the cabins because of the setting it's in. One those is examples is Bickel Camp or Burro Schmidt, where you've got not just the tunnel but the inventions and neighboring areas in the district.

So right now we're looking at trying to get a little money to have them expand that a little around the cabin so we can get an actual context not only of the cabin but the context of what it sits in to have that. And that's when the final report will be written up, once we get that context.

MEMBER ALGAZY: Does that require an additional grant?

MR. SYMONS: No. This wasn't grant. This was money that we got out of the NOC, the National Operations Center, specifically to start analyzing the

cabins so that we could then go forward and start making decisions on what we're going to do with the cabins as part of a safety, slash, cultural thing.

MEMBER ALGAZY: Now, my last question on the subject. Do you think there is any possibility that we'll be able to use the evaluation criteria and maybe move that into our HPMPs for 106 in general?

MR. SYMONS: I don't see any reason why not. You know, we can consult Ashley, my archaeologist who's working on the protect. But certainly any information we would get I would hope would be like any other survey within the WEMO, because all the cabins are going in the WEMO.

MEMBER ALGAZY: My thinking is more along the lines of the process they're using on their evaluations because we want to develop a consistent process for the HPMPs, as well, again going back to the idea of pulling volunteers for the program. If volunteers are going to go out and collect information, it would be good for them to know how that information plugs into the system. You have some consistency in process, so maybe we can garner some ideas about process from what they're doing to evaluate the cabins and use that in HPMP.

MR. SYMONS: Yeah. I would hope, if that's the case, that -- we're going to evaluate cabins, of course.

We know the P.A. is only dealing with the transportation system. But the cabins pertain to the transportation system, because a lot of the roads go right to the cabins. So I'm assuming that those will be analyzed because of the proximity to the routes. Or in some cases routes go right up to the front door, that that's some of the properties that they'll have. And Ashley is the one that's been involved with the contract to have it, so she'll be the most intimately familiar with the processes.

MEMBER ALGAZY: Thank you.

CHAIR BARRETT: Thank you, Carl.

Hearing no further questions -- not sure -- is there any public comments? Apparently not. And once again, just as kind of a wrap-up, I would like to obviously welcome the new members. And again also, finally, given the timing of yesterday and today where we were, I want to congratulate John again for his success in his new position in Washington, D.C. I want to reassure all the other field managers that just because we're heading to your areas next does not mean that you're moving on. But with that, I think I'll just close with that. I think we're adjourned. Thank you.

(The meeting was concluded at 4:07 p.m.)

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MOTIONS

- A. Motion: Approval of the December minutes
 Mover: Burke
 Seconded: Banis
 Result: Carried
- B. Motion: For Leslie Barrett to continue as
 Chair of the DAC
 Maker: Muth
 Seconded: Burke
 Result: Carried
- C. Motion: To nominate Al Muth to be Co-chair
 of DAC
 Maker: Burke
 Seconded: Mitchell
 Result: Carried
- D. Motion: To establish a Special
 Recreation Permit Subgroup
 Maker: Banis
 Seconded: Kenney
 Result: Carried

R E P O R T E R ' S C E R T I F I C A T E

I, DIANE CARVER MANN, a certified shorthand reporter, do hereby certify that the foregoing pages comprise a full, true and correct transcription of the proceedings had and the testimony taken at the meeting of the Desert Advisory Council for the Bureau of Land Management.

Dated this 31st day of March, 2016, at Chino, California.

DIANE CARVER MANN, CSR NO. 6008
