

5.0 Access Operations and Management

This chapter describes strategies for maintaining public access at Ma-le'l Dunes CMA, discussed under the following components:

- 5.1 Agency Coordination and Cooperative Agreements
- 5.2 Visitor Management
- 5.3 Enforcement and Security
- 5.4 Adaptive Management

5.1 Agency Coordination and Cooperative Agreements

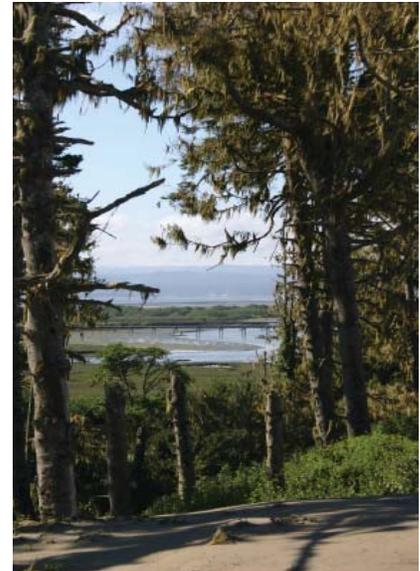
The success of maintaining public access to the area relies on the cooperation of several partners. To this end, BLM and USFWS will cooperatively manage the properties contained within the Ma-le'l Dunes CMA for public access consistent with stated agency objectives, not precluding changes in management pursuant to policy mandates. BLM and USFWS will also work with FOD, the Wiyot Tribe, RGC, HBMWD, and SPI to conduct operations and maintenance of the area and its infrastructure.

In order to facilitate cooperation and coordinated management for public access, cooperative agreements between the two agencies and between the agencies and the large landholding entities adjacent to the CMA will be prepared and executed. Separate cooperative agreements may be necessary to delineate cost-sharing of labor, services and/or equipment. These agreements will facilitate interim public use on USFWS and BLM lands prior to the USFWS completion of a Comprehensive Conservation Plan (CCP) scheduled for 2008, and the BLM Resource Management Plan Amendment scheduled for 2007. Below is a list of recommended agreements and recommended stipulations for each.

1) Agreement between BLM and USFWS for the management of the Ma-le'l Dunes CMA

Within this document BLM and USFWS should agree to:

- Meet quarterly or more as needed to discuss public use concerns.
- Collect and share information on visitor use and biological data, including monitoring data on the western snowy plover and endangered plant species, which will aid in the public use and natural resource management of the Cooperative Management Area.



Emily Walter

The view of the Mad River Slough and Humboldt Bay from Ma-le'l North.

- Collaborate as appropriate on funding opportunities consistent with the goals of this Plan.
- Maintain a consistency in appearance of CMA (North and South) that conveys to the visitor the cooperative nature of the landholding agencies within the area.
- Develop of appropriate tools including cooperating agreements between USFWS, BLM and other parties such as FOD that will allow for interagency exchange of goods and services.
- Outline the responsibilities of both BLM and USFWS with regards to the caretaker's duties, supervision, and facility development and maintenance.
- Develop protocol regarding law enforcement.
- Work with the office of Emergency Services to develop a tsunami response plan, which would address the style and location of tsunami signing and postings which would specify evacuation protocol, and integrate the caretaker in evacuation activities.

The *existing* Supplemental Agreement between BLM and USFWS regarding law enforcement may be used to

provide enhanced protection for persons, property and resources at the Ma-le'l Dunes CMA.

2) Agreement between BLM, USFWS and RGC

This agreement should address the following:

- Maintenance of boundary fencing.
- Use of the access road and cost-sharing of roadway maintenance based on the average monthly (or yearly) use of the roadway by RGC members.
- The closing and opening of gates.
- Provisions for security of the RGC's property boundaries by the CMA caretaker.
- Provisions that BLM and USFWS work with the RGC to develop signing and brochure language that informs the public that they should not be alarmed by shooting noises, that the gun club is a controlled environment but that for safety, the public should stay out of the gun club's property (RGC, et al, 1990).
- Provisions that BLM and USFWS work with the RGC to address invasive species and animal-friendly fencing.

3) Agreement between BLM, USFWS and the Wiyot Tribe

BLM and USFWS should enter into an agreement with the Wiyot Tribe in order to provide increased cooperation between parties to develop opportunities for subsistence activities and to further management goals on the Ma-le'l Dunes CMA relating to traditional cultural Wiyot practices.

The agreement will facilitate the issuance of special use permits to tribal members for the gathering of plant material or other materials for personal use within the Ma-le'l Dunes CMA. The terms of the use will be stipulated in the agreement or individual permit. BLM and USFWS will work to develop a special permit process for this use and a monitoring program to measure effects on biological resources.

4) Agreement between USFWS and SPI

USFWS should consider entering into an agreement with SPI to address the maintenance of boundary fencing, maintenance of the drainage ditch that runs along the east side of the access road, and provisions for security of SPI's property boundaries.

5) Agreement between FOD and BLM

The FOD has a current memorandum of understanding with the Humboldt Bay NWRC regarding their role as a refuge support group. FOD should develop an assistance agreement with the BLM to identify common goals and projects so that they can work with BLM's interpretive staff to develop collaborative programs and avoid duplication.

5.2 Visitor Management

Planning for the management of public areas can be difficult because of the lack of reliable data about visitor use and relevant information about the status of natural and physical resources. The availability of reliable data can increase the ability of area managers to anticipate and control use to suit the management objectives of the area. Visitor use information can also be helpful in the pursuit of grant funding because it establishes the number of beneficiaries of a proposed project. In order to effectively manage Ma-le'l Dunes CMA visitors, this Plan recommends that:

- A caretaker will be contracted to reside within the project area and assist with visitor management throughout the area.
- Visitor records and census data will be collected by the caretaker and given to respective agencies.
- Site-specific visitor management strategies will be developed and employed. Some strategies regarding traffic parking are discussed further below.

5.2.1 Visitor Records

Visitors to the Ma-le'l Dunes CMA will be requested to sign their names and place of residence on sign-in sheets located at the kiosks at both the south and north entrances to the area. In addition, FOD will maintain

attendance and participant records for all field trips, tours and volunteer restoration workdays and these records will be made available to the respective agency. Sign-in sheet and FOD information should be compared to the results of a visitor census described below.

5.2.2 Visitor Census

A census to establish baseline visitor information should be conducted within the first few months that the area is formally open to the public.

FOD and/or Humboldt State University can be contacted to coordinate the survey and the work should be considered as part of a future grant-funded project possibly in conjunction with an environmental education and outreach grant program.

5.2.3 Caretaker

A caretaker will be contracted to provide services throughout Ma-le'í Dunes CMA and is critical to the management of visitors in the area. The caretaker will reside in a small clearing located along the west side of the road on BLM's Ma-le'í South property and south of the RGC's property (See Figure 4-1). Compensation for caretaker services will consist of free utilities and a stipend to be provided by USFWS. Utilities provided by USFWS will include electricity, sewer, water, and telephone installation. An analysis of these cost share expenses appears in Appendix C.

The caretaker position will require knowledge, skill and experience to repair and maintain the CMA facilities and amenities such as picnic tables, wooden steps, decking, information boards/kiosks and fencing. Interpretive skill and knowledge of the area's resource values will be preferred so that the caretaker can be effective in communicating information to the thousands of diverse visitors expected to visit the area. It is further recommended that the specific duties and responsibilities of the caretaker should include:

- Keeping caretaker residence in a clean and orderly appearance.
- Opening and closing the entrance gate at the daily prescribed times.
- Patrolling CMA on a regular basis deemed reasonable by USFWS and BLM. Check trails, fences, signs, gates, parking areas, interpretive structures, and research areas. Replace or repair existing signs or other facilities when needed. Notify agency staff if signing or facilities are broken or damaged and cannot be repaired by caretaker. Notify agency staff if casual trails develop throughout forest and dune mat areas, and work with agency to block trail with natural barriers as necessary. Notify staff if HBMWD pipeline becomes exposed along any trail or at any location.
- Check parking area for vehicles at closing time. Follow appropriate protocol when vehicles remain.

Other Park Management tasks that will be needed:

- Clean and stock restrooms as necessary.
- Pick up minor trash as needed, and empty all litter cans as necessary.
- Provide brochures to visitors, keep the kiosks stocked and clean, and post information and maps as necessary. Obtain additional brochures as necessary.
- Remove and replace visitor register pages and transfer to each BLM, USFWS and Friends of the Dunes.
- Carry radio during patrols and contact law enforcement rangers according to established protocol.
- Maintain a written log of violations, incidents and unusual events, and notify agency ranger if illegal activities are observed or suspected.

5.2.4 Traffic and Parking

A number of strategies or protocols are required to control vehicle use by visitors for a variety of situations, such as:

- Vehicles parked in parking areas after gate closing time: Caretaker will allow one-half hour grace period. If vehicles remain caretaker will call towing company and allow tow truck through the gates. After vehicle has been towed caretaker will notify agency rangers.
- Vehicles parked along the access roadway: Signs indicating that parking is not allowed and that "vehicles parked along the road will be towed" will be displayed along roadway and at locations where parking is likely to occur. The caretaker will call a towing company to have vehicle removed, and notify agency ranger afterwards, or according to protocol.
- Ma-le'l North parking area has reached vehicle capacity: During times when heavy visitation is anticipated (for example, on warm weekend days) and when the caretaker has observed that the Ma-le'l North parking area is full the caretaker will place a temporary sign at the south gate indicating the area is full and directing visitors to park at the Ma-le'l south entrance of the CMA.

5.3 Enforcement and Security

Law enforcement and security is an important management tool that will assist the agencies in meeting their goal to accommodate:

- Safe and orderly open public access.
- A range of recreational opportunities without adversely impacting the natural and cultural resources of the area.

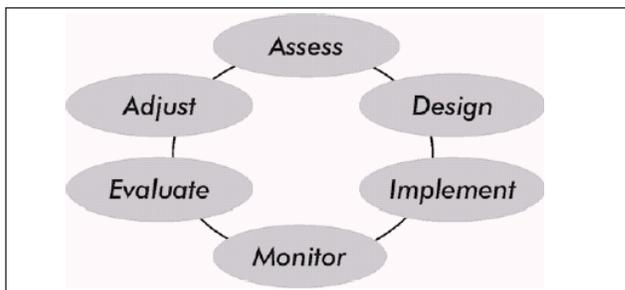
To this end, BLM and USFWS will work internally and with the sheriff's department to create a coordinated approach to law enforcement that will ensure the public a safe visit to the area as well as ensure that the area's natural resources are protected. The protocol will direct residents to contact the sheriff's department or call 911 in case of emergency.

Access to the area will be controlled via the Ma-le'l South and Ma-le'l North entrance gates. The gates will have a padlock and key similar to the existing mechanism for locking the entrance gates to the area. The caretaker will be responsible for opening and closing the gates at the proper time, and a defined set of protocols will be followed when addressing vehicles or law enforcement needs. Security throughout the area will be addressed via patrols by the caretaker and by law enforcement protocols. The protocol will address how fire and law enforcement staff will gain emergency access to the CMA.

5.4 Adaptive Management

Through an adaptive management approach, the cooperating agencies should aim to thoughtfully select and implement management practices and adapt them as necessary to achieve management goals. As time progresses agencies may consider changing roles regarding: trail maintenance and security, additional parking, or the issuance of special use permits.

Adaptive management has been used as a resource management technique since the early 1970s and can be defined as a systematic process for continually improving management policies and practices by learning from the outcomes of operational programs. It involves synthesizing existing knowledge, exploring alternative actions, making explicit predictions of their outcomes, selecting one or more actions to implement, monitoring to see if the actual outcomes match those predicted, and then using these results to learn and adjust future management plans and policy. Adaptive



Source: 2002 ESSA Technologies Ltd..

management follows a cycle of six key stages, which begins with the assessment of a problem or goal.

Some basic assumptions and characteristics of adaptive management are:

- Acknowledging that resource management is not a static state, and that policies and practices must be responsive to change in order to be effective.
- Acknowledging that there is uncertainty about what is the “best” policy or practice for a particular management issue.
- Acknowledging that what is the “best” policy or practice can change.
- Using the assessment and design stages of the cycle to thoughtfully select the policies and/or practices to be implemented.
- Designing and implementing a plan of action to reveal the critical knowledge that is currently lacking.
- Selecting policies and/or practices based on the best knowledge currently available, and anticipating adapting them in response to knowledge gained in the future.

- Monitoring key response indicators.
- Evaluating the management outcomes in terms of the original objectives, and incorporating results into future decisions.

6.0 Public Access Plan Implementation

This chapter presents a phased approach towards implementing the actions for improved public access to the Ma-le'l Dunes CMA. Costs associated with implementation are discussed and a detailed estimate of costs provided. In addition, potential state, federal and local funding sources are listed and discussed.

6.1 Implementation Strategies

Recommendations for improvements that are critical to establishing basic park operations, usability, and public safety will be implemented first as "Phase One" improvements. Proposed improvements to enhance the experience of visitors to the area will be implemented in a later stage, and as funding allows, as "Phase Two" improvements. A detailed list of tasks for each phase is contained in Appendix D.

The recommended timeline for Phase One is 2005-2006. BLM, which acquired their (former) Buggy Club parcels in June of 2004 and conducted the necessary environmental review in October 2004, completed most access improvements in the spring of 2005 and opened the area to the public in July 2005. Phase One and Two improvements to Ma-le'l South that were not previously subject to environmental review will be evaluated under the CEQUA/NEPA process prior to implementation.

Phase one and two improvements will be accomplished by agency staff, general contractors, Youth Conservation Corps, and contracted work crews. Specifically, the CCC can construct trails, steps, bridges and view decks. Scheduling the CCC crews for work at the Ma-le'l Dunes CMA should occur in the fall, winter or spring as they are often scheduled for seasonal work in the summer.

6.1.1 Phase One

Ma-le'l South

Infrastructure, use and operational improvements to Ma-le'l South that were *not* previously considered for environmental review, but are recommended Phase One improvements include:

- Closure of casual parking area adjacent to power tower and installation of

- 1,000-foot pedestrian safety corridor along the Ma-le'l Road.
- Re-vegetation of casual trails throughout the Ma-le'l South forest.
- Extension of proposed Ladtkak Trail for hiking.
- Installation of orientation and temporary signing.
- Re-establishment of caretaker residence.
- Removal of boundary fence between BLM and USFWS.
- Development and execution of cooperative agreements and special permit process.

Ma-le'l North

All proposed improvements to Ma-le'l North will undergo environmental review prior to implementation. Upon approval from regulatory agencies USFWS should make Phase Once improvements generally in the following order:

- Recruit and hire caretaker.
- Upgrade Ma-le'l Road, including re-location of the gates and installation of entry and boundary signing and fencing along it.
- Improve Ma-le'l North parking area and install day use amenities including temporary toilet, trash receptacles, picnic tables, and entry and regulatory signing.
- Survey forest and dune trail routes for sensitive plant and insect populations.
- Conduct preliminary upgrade of Cukish Trail
- Upgrade of Hop'o'y Trail through forest, including installation of steps at trailhead, installation of step and rail near mid-point in trail, the re-vegetation of casual trails, and the removal of kiosks, entry sign, bike rack and iron ranger (at Ma-le'l North parking lot area) and buildings (at Iron Creek).
- Establish of new forest egress at the Kimak trailhead.
- Establish of Hudt and Ki'mak Trails across the dunes, including a survey and removal of unwanted fences, benches, and the installation of a puncheon bridge.
- Installation of directional, jurisdictional boundary and temporary signing
- Develop and execute cooperative agreements and special permit process, as necessary.
- Create Ma-le'l Dunes CMA trail map and brochure and update Humboldt Bay Beach and Dunes Map
- Organize and conduct Ma-le'l Dunes opening ceremony, wherein the appropriate entities, including the Humboldt Coastal Coalition, are recognized for their efforts in protecting the coastal resources of the area..
- Begin interpretive programs.

6.1.2 Phase Two

Phase Two improvements will occur as funding becomes available and as the collaborative effort allows. Phase Two improvements should include the following:

Ma-le'l South

- Replace 100-foot section of step and rail along Wonowk Trail.
- Install 30-foot boardwalk in Wonowk Trail.
- Establish section of Wonowk Trail spur that will follow a forested ridge from the middle of the Wonowk Trail to the Ma-le'l South parking lot.

Ma-le'l North

- Upgrade Cukish to ADA.
- Repair wetland viewdeck.
- Install canoe and kayak landing and launching ramp.
- Install vault toilet.
- Install cable steps to Dune Overlook and at forest egress/Ki'mak trailhead.
- Install interpretive signing and benches along Cukish Trail.

6.2 Implementation Costs

The total estimated cost to fully implement the proposed improvements and programs to establish CMA operations are approximately \$473,495 (Phase One at \$131,120 and Phase Two at \$342,375). Line item cost estimates for Phase One and Two are outlined in Appendix E. Estimates were derived from industry standards, the experience of the Plan authors and BLM and USFWS staff, and conversations with stakeholders and contractors. A special effort was made to take into account for logistical challenges associated with the physical remoteness and environmental sensitivity of much of the plan area. Project management, environmental review, permitting and contingency costs were also added based on estimated base construction and development estimates.

The two largest costs for physical improvements are the bank stabilization or erosion control along the railroad berm (\$56,000) and the installation of an ADA trail along that same structure (\$120,000). These features are also associated with the largest potential variations in design and installation costs. More detailed analysis and design are required to accurately assess these costs. Both of these are Phase Two improvements and are not required to establish park operations. The third largest physical cost is for

the installation of the two prefabricated vault toilets (\$16,500 each). These structures have a relatively fixed cost.

The cost estimate assumes installation by private contractors or contract labor with project management by the participating agency staff. No donated labor or materials were assumed. At this time, local material and labor costs are fluctuating dramatically thus estimates should be updated as necessary during the implementation process.

6.3 Funding Strategies

Implementing the recommended access improvements hinges on securing funding. For this project, there is a wide variety of funding programs and possibilities available at the state level.

The Ma-le'l Dunes CMA will be cooperatively managed and maintained by BLM and USFWS. Their partners include a diverse stakeholder group consisting of FOD, the RGC, SPI, and the Wiyot Tribe. Federal agency partnerships with private and non-profit entities provide for cost share due to the leverage they offer. Funding agencies or organizations commonly require that all necessary environmental review and permitting be approved prior to disbursements. As the Ma-le'l CMA project has already completed or initiated these processes, funding opportunities are all the greater.

The following is a list of grant and program sources identified by the access planning team to be relevant to the various key elements of the access plan, including: public access, recreation, environmental education, and habitat restoration and protection. Initial contact with program representatives should occur when appropriate.

6.3.1 State Funding Sources

State Coastal Conservancy

The SCC manages several programs that provide grant funds for coastal trails, access, and habitat restoration projects. The funding cycle is open for these programs. The SCC has proven their strong interest in the coastal public access element of the Ma-le'l Dunes CMA, having provided funds for the development of this access plan, and would likely be interested in assisting with implementation of access improvements

California Department of Parks and Recreation, Recreational Trails Program

This program provides up to 80% of project funding for recreational trails and trails related projects; funding is available for both motorized and non-motorized trails. Eligible projects may include acquisition, development, or rehabilitation of recreational trails. Funding is available to entities that have management responsibilities over public lands. The annual application deadline is October 1st.

California Department of Parks and Recreation, Habitat Conservation Fund

Administered by the California Department of Parks and Recreation, this program provides matching funds to local governments for habitat restoration and for public access projects that help urban residents access wildlife areas. The program can provide up to 50% of the required funding for wildlife corridors and trails; riparian habitat; for rare and endangered, threatened, or fully protected species; or aquatic habitat for spawning and rearing of anadromous salmonids. Only local units of government are eligible. This program will allow up to 20% of awarded funds to cover planning and project administration. Funding requests are generally due on October 1st.

Land and Water Conservation Fund (LWCF)

The LWCF is a reimbursement program administered by the National Park Service and California Department of Parks and Recreation. Projects are limited to outdoor recreation purposes and indoor facilities that support outdoor recreation activities, and may include acquisition or development of neighborhood, community, and regional parks and recreation facilities, as well as the acquisition of wetland habitat. LWCF requires a 50% match. Eligible applicants include entities with authority to acquire, develop, operate, and maintain public park and recreation areas. The application deadline is May 1st annually.

California Department of Fish and Game, Public Access Program

This program provides state/local cooperative projects with funds (not grants) for acquisition or improvements that preserve wildlife habitat or provide recreational access for hunting, fishing, or other wildlife oriented recreation. Qualifying projects include development of fishing piers or floats, access trails or roads, boat launches, wildlife observation and interpretive trails, restrooms, and parking areas. Funding can be up to \$250,000, not including engineering and CEQA costs, and no matching

funds are required for non-pier projects.

California Department of Fish and Game, Wildlife Conservation Board (WCB)

The WCB provides funds for habitat restoration and wildlife access projects. The board meets ten times annually to select projects. The WCB has a similar process to that of the State Coastal Conservancy in which funds can be secured on a relatively short time line. Their staff are interested in receiving proposals that have the consent of the local DFG office.

California Conservation Corps (CCC)

The CCC has matching Proposition 12 and 40 funds. Their Fortuna Center may be interested in potentially supplying labor for trail construction and environmental restoration. It is a requirement that work is crafted to serve as education for the Corps members. For instance, the uniqueness of the Ma-le'l Dunes ecosystem and Wiyot cultural history could be taught by local experts. Once project specifics are known, Fortuna Center coordinator Mel Kreb, or his staff Tom Merrill or Bob Frechou, should be contacted to determine potential CCC availability for partnership.

California Department of Transportation, Environmental Enhancement and Mitigation (EEM) Program

This CalTrans program is designed to provide mitigation for Caltrans projects, and is available to local agencies and non-profits. A potentially relevant CalTrans project may be related to the nearby State Route 255. Of the three EEM categories, 'Roadside Recreational' is likely a good project fit. A first step is to discuss early project concepts with the local office.

California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002

Given California's current budget crisis, the funding for many of the programs authorized by Proposition 40, including the Per Capita Grant Program, will occur in a future state budget.

6.3.2 Federal Funding Sources

National Fish & Wildlife Foundation

This federal foundation provides federal matching funds for fish, wildlife, plant conservation and education projects as well as public access projects. There are numerous programs, however, one of most relevant to this project is the 'Pathways to Nature' program, which funds wildlife and bird viewing and education opportunities at significant nature tourism destinations in the U.S. and Canada. Funds must be matched equally with non-federal matches.

6.3.3 Local Funding Sources

Humboldt Area Foundation

The Foundation's mission is "to serve as an independent staging ground for residents, individually and in concert, to build social, economic and environmental prosperity to California's North Coast". The deadline for small grants (less than \$5,000) is the first day of each month; the deadlines for general grants (over \$5,000) are June 1, September 1, and December 1. The Humboldt Area Foundation is primarily focused on smaller projects that benefit youth and families, and economic development projects in the region. Projects typically funded by HAF do not appear to match rail-trail development. However, if there were individuals interested in acting as benefactors for trail development, the HAF would be an appropriate institution to work with to establish project-specific funding programs.

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