# APPROVED MARCH 10, 2016

# MBCA BOARD MEETING *Thursday, February 11, 2016* 5:00 – 7:00 PM, Yucca Valley Community Center

## Regular Meeting Call to Order: 5:10pm

Ň	Steve Bardwell
_X_	David Fick
_X_	Pat Flanagan
_X_	Meg Foley (@5:55pm)
_X_	Sarah Kennington

\_X\_Ruth Rieman \_\_Claudia Sall \_X\_Seth Shteir \_X\_Laraine Turk \_X\_Marina West

# Introduction of Guests, Board Directors, and Advisory Members

Terry Weiner, Desert Protective Council (arrived 6:25pm)

# Agenda Input and Approval

SK adds Basin/Range Watch Symposium invitation SS adds EPA Centennial and Air Quality SK adds the "Business of Clean Energy Symposium", San Jose SK adds capacity building, Environmental Leadership Academy, Emeritus Award

# Approval of Minutes from Jan. 14, 2015 LT adds under WEMO letters. Clarify that LT provided letters to SK.

# MSC: LT/RR unanimous

# Treasurer's Report - Steve

SB reported on membership dues and donations received. SB reported on the recent expenses related to the January Annual Meeting and Symposium. The checking account balance on January 30, 2016 is 23,238.31 with an additional \$21,286.11 in the CD.

SB further reported that the Annual Meeting appears to have come in under budget. Regarding the Finance Committee update, SB reported that he has received an additional quote for D&O Insurance. SB recommends that the Finance Committee meet before bringing all their final recommendations to the full Board.

There was additional discussion about 2016 memberships in Chambers and Associations but this was to be part of the upcoming Budget discussions. However, it was agreed that MBCA should immediately join the Yucca Mesa Improvement Association and the Desert Protective Council.

# MSC RR\LT to become a member of the Yucca Mesa Improvement Association and the Desert Protective Society.

# **NEW Business/Issues/Possible Action**

<u>Capacity Building & Organizational Issues</u> 1) CDC participation in MBCA Board meetings

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# OLD Business/Issues/Possible Action

# Conservation Issues & Updates

1) JT Airport solar project: response to SB Co. LUS Initial Study & need for EIR - PF

PF reported on the release of the Initial Study in January 2016 and the various groups that have or will be submitting comment letters in opposition to the project. PF agreed to draft an MBCA comment letter. DF reported on the Move-On petition which has garnered over 700 signatures. He further commented about the request for water from the Joshua Basin Water District and the statements made to the Board of Supervisors on Tuesday February 9, 2016.

2) National Park Haze Ruling - SS

SS advised the group on the Clean Air Act and pollution levels in and around Joshua Tree National Park. He further stated that the goals established for JTNP are not achievable. EPA has now gone through a "scoping" as to how the Haze Rule will be implemented. SS already envisions the content of a comment letter on the Rule based on his research/knowledge of the subject.

3) WEMO: MBCA's comment letter, Jan. 22, 2016 – PF

SK briefed the Board on the letter drafted by PF regarding the WEMO EIS.

4) DRECP LUPA Programmatic Agreement, Phase 1 – Sec. 106 National Historic Preservation Act Programmatic Agreement (PA) & invitation to sign PA as a Concurring Party – SK

SK received the report from the BLM requesting MBCA to be a "concurring party". SK had responded as requested but will do additional research on exactly what "concurring" really means.

5) Cook's CA. Minerals, Off-Road Recreation and Conservation Act: endorsed by LVEDA & city Big Bear Lake – SK

SK reported on these endorsements.

6) "Business of Clean Energy Symposium", March 4, 2016, San Jose, CA

The Board was alerted to the scheduled symposium sponsored by the Center for Climate Protection. One of our speakers at the January 23<sup>rd</sup> event, Woody Hastings, is with the CCP.

# Capacity Building & Organizational Issues

1) Annual Meeting / Energy Symposium Program Committee report: recap; consider using video – CS, RR, MW, SK

SK asked if we should request Hilary Slone to produce a video from the footage she obtained during the symposium. Board was informed that there might be a fee for her time to prepare the video.

LT reviewed the comments and suggestions received from attendees of the symposium. She further reported that approximately 100 or more people attended the general session.

2) DWL Landscape Tour Committee report: dates set & other plans - CS, RR

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# Community Reports

*Meeting adjourned at 7:15pm. MWest announced she will be absent in March, Seth agreed to record the March Meeting* Minutes.

Next Regular Meeting: Thursday, March 10, 5:00 PM / YV Community Center



February 11, 2016

Assets – Total	Checking CD	\$23,238.31 <u>\$21,286.11</u> \$44,524.42
Deposits:	memberships Donations (Darwin\$75,Zarakov\$75,Morgan\$175!)	\$705.00 <u>\$445.00</u>
Total		\$1150.00
Expenditures	Quickbooks Nationbuilder Google UC Riverside- 3 tickets to Solar conference Staples – office supplies and paper Terri Quinn- catering annual meeting Bill Powers speaker honorarium Pappy and Harriets-post meeting meal Woody Hastings speaker honorarium Steve Bardwell reimburse for pre-meeting quiche Claudia Sall reimburse for ann mtg printing Pay Pal fees	\$12.95 \$49.00 \$5.00 \$150.00 \$94.90 \$500.00 \$200.00 \$100.00 \$200.00 \$89.64 \$127.28 <u>\$16.07</u> \$400

Total

\$1944.84

POST OFFICE BOX 24, JOSHUA TREE, CALIFORNIA 92252 email: <u>INFO@MBCONSERVATION.ORG</u> WWW.MBCONSERVATION.ORG MBCA is a 501(c)3 non-profit, community based, all volunteer organization **MBCA Annual Meeting Plus Local Energy Symposium** 

	n Evaluation Results nuary 23, 2016	
	Program	
Should the Morongo Basin pursue the develo	opment of a CCA?	17 YES, 0 NO
Would you be likely to attend a follow-up mee Morongo Basin in Fall 2016?	eting on CCAs for the	<b>15 YES</b> , 0 NO, 2 BLANK
Do you have solar panels on your property (e	either owned or rented)?	2 YES, <b>15 NO</b>
ME	BCA Website	
Would you sign up to receive a brief email 3- information is available on MBCA's website?		<b>13 - YES</b> 1 - NO 1 - only mtgs. on CCAs
	f greatest concern*	
#1 5 related to industrial renewable energy 3 related to commercial & residential development 3 water-related 2 viewshed issues 1 bad effects of cell phone towers 1 access to public land 1 native plants 1 illegal dumping 1 WEMO	#2 4 inappropriate growth and la 2 related to energy 2 effects on plants and anima 2 water issues 1 dark skies 1 "mistletoe invasion of cat's destroying these trees"	als
If you have other ideas about how to improve		
<ul> <li>improve it, please make notes on the back of</li> <li>Great annual meeting and program as</li> <li>Add list of other conservation/education</li> <li>Name tags for annual meeting attended</li> </ul>	s always! on non-profit organizations and cor	

# \*Actual conservation issues comments, transcribed:

1. industrial solar & wind; destruction of land for solar power; inappropriate renewable energy development; Negative impacts of large-scale energy projects on desert ecosystems, on ???, and on climate change; big development, residential and commercial changing landscape of the Morongo Basin; biological and neurological affects of cell phone towers; Access to public lands for hiking and cycling; water distribution/usage; WEMO; Native plant protection; protecting viewsheds, JT stop airport solar; view shed; overdevelopment & depletion of water & solar farms, illegal dumping

2. water conservation; growth; land development that doesn't account for local plants and wildlife; preservation of biodiversity through desert education; mistletoe invasion of cat's claw acacia destroying these trees; energy uses (GO CCAs!); renewable energy; sustainable development; water harvesting & stormwater collection; dark skies; overdevelopment and the negative impact on animals; large development

News · Sports · Loc	Local Shopping · Arts & Entertainment
Basin Widh	Hi-Dasart
-Menton	
www.hidesertstar.com Yucca	Yucca Valley, California • (760) 365-3315 Saturday, February 13, 2016
Obama creates	ites monuments
New Sand to Snow starts in Morongo Valley	
the Covers a nent from Jos pron- to San Co ongo includes includes Mo- and Whi nent, to more nent, and 12 t	
south of the Mojave National Pre- serve, and the Castle Mountains National Monument, an inlet of Amboy Crater, the Pisgah Volcano land in the Mojave Preserve. The Black Lava Butte in the along with World War II-era	
Mesa-Pioneertown area is training camps and the longest ad in the Sand to Snow remaining undeveloped stretch of nation. Route 66.	Thanks to the Morongo fault. Big Morongo Canyon Preserve is home to a creek and a greener habitat
In total, Obama's action, using CASILE MOONTAINS	

Volume 58, Number 93 16 pages Copies are complimentary All contents © Hi-Desert Star 2016 Classified ads B3 Neighborhood News A9-10 Obituaries A6 Opinion A7 Sheriff's Calls A7 Sports B1 Data of the star Sports	Obama also designated the Mo- jave Trails National Monument, located roughly north of the Twen- tynine Palms Marine base and south of the Mojave National Pre- serve, and the Castle Mountains National Monument, an inlet of land in the Mojave Preserve The Black Lava Butte in the Yucca Mesa-Pioneertown area is protected in the Sand to Snow proclamation. In total, Obama's action, using his authority under the Antiqui- ties Act, sets aside nearly 1.8 mil- lion acres as national monuments. Obama directed the secretaries of Agriculture and the Interior to develop management plans for the new monuments. His proclamations were greeted with enthusiasm by Senator Di- anne Feinstein, who first proposed the monuments in legislation, but with disapproval by Congressman Paul Cook, who tried to get a des- ert preservation bill through Con- gress for more six years. Fearing her latest bill would die in Con- gress, she asked Obama in August to use his Antiquities Act powers to create the new monuments.
<b>Man di</b> <b>Prash o</b> <b>Prash o</b> <b>Prash o</b> <b>JOSHUA TREE</b> – A hua Tree man died from aries he suffered when Pontiac Sunfire rolled r on Yucca Trail at 7:27 I. Thursday. The county Sheriff's De- tment reported 24-year- Eric Julian Lee, of Josh- Tree was driving his 2005 Sunfire east on	and Whitewater Canyon. Home to more than 240 species of birds and 12 threatened and endan- gered wildlife species. <b>MOJAVE TRAILS</b> Spans 1.6 million acres, including Amboy Crater, the Pisgah Volcano lava tubes and the Cadiz Dunes, along with World War II-era training camps and the Codiz Dunes, along with World War II-era training undeveloped stretch of Route 66. <b>CASTLE MOUNTAINS</b> Fills 20,920 acres in the Mojave National Preserve between inter- states 15 and 40. Source: White House able to explore these nations will be able to explore these national monuments and that the land will remain as pristine as it is today," Feinstein said in a prepared state- ment from her office. "This kind of landscape is so much a part of what the West once was, and these monuments are icons of our cultural heritage. Simply put, the California desert is a national treasure. This des- ignation only reaffirms that fact."
and his pass old Andrea Joshua Tree, inside. Mani ejected fror the scene, vice pronounce ics pronounce	
as flown to Des Infe-thre Infe-thre Infe-thre anyone v	Thanks to the Morongo fault, Big Morong than the surrounding desert. The preserved that her bill that to bama's presidential proclamations do not address. Cook warned Obama's action the president should have given the legislative process an opportunity to work. Instead, we're given a cheap solution that won't accomplish its goals as intended," the Yucca Valley congressman said in a statement from his office. "The not opposed to national design
The sher- n Station St	Big Morongo Canyon Preserve is hon The preserve will be part of the new Sa monuments. I'm opposed to the president creat- ing national mon- uments through unilateral execu- tive process," he added. Nout fook conservation Act, through the Legislature. In a statement released from his Washington office later Friday, Cook said if his bill is made law, it will take the place of Obama's designations.



Canyon Preserve is home to a creek and a greener habitat

"Today's

tainly not the fi-nal word," Cook and their many our public lands ting meaningful tion was a setuses, but it's cerprotections back toward getfor

ac-Feinstein

stated.

Tuesday. and unveiling a new welcome sign Sand to Snow National Monument ceremony celebrating the new Valley Chamber of Commerce an-nounced it will host a dedication Several conservation and tourism business groups hailed Ohama's action. The Morongo Several conservation



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Feb. 2016

# NPS Centennial Briefing Sheet

**Background:** This year is the 100th anniversary of the National Park System. But as the Park System has grown and aged, federal funding has not kept pace. National parks recently received significant funding increases in the 2016 Omnibus Appropriations bill and the renewed federal transportation law. These investments are solid steps forward for parks, but more must be done to ensure the long-term health of our national parks. NPCA and our coalition urge passage of bipartisan legislation that dedicates federal funding for the Centennial Challenge program, establishes and invests in an endowment for future park investments, and supports our nation's youth and volunteers. The bill will build on these recent funding increases and ensure our parks are even more prepared to serve visitors for another 100 years and beyond.

- Our national parks received more than 305 million visits to our national parks in 2015 breaking the previous year's record of 292.8 million visits (4% increase).
- A holistic funding model including annual appropriations, fees, leveraged philanthropic dollars as well as other sources is vital to ensure a first time visit becomes a lifelong love and not a one-time trip.

# Key Components of the National Park Service Centennial Act Supported by the Coalition:

- Centennial Challenge
  - The Centennial Challenge is a proven, viable, bipartisan-supported method--initially started by the George W. Bush Administration and renewed by the current Administration-- that leverages dedicated federal monies with private dollars to address maintenance needs and engage youth in our national parks.
  - In 2015, Congress reestablished the Centennial Challenge with a one-year federal investment of \$10 million that leveraged \$16 million in donations to fund over 100 projects throughout the country in just five months. Congress increased the federal investment to \$15 million in 2016 and park partners more than doubled the federal investment with a match of nearly \$33 million.
  - Dedicated federal dollars with increased lead time provides certainty for the private sector and allows for a multi-year fundraising effort that could leverage millions of additional dollars for the Park System for the Centennial and for several years after.
- Endowment
  - The establishment of and investment in an endowment provides additional revenue from donations and bequests to the National Park Foundation to be used in the future to further the mission and purposes of the National Park Service.
- Other Policy Provisions
  - A variety of other policy provisions that would provide clear authority for interpretation and education, offer additional opportunities for youth and veterans, and allow for extra funding support directly for volunteer programs.

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Name	Where?	What?	MBCA comments:
Transition JT	local	conservation lifestyle	
California Desert Coalition	local	energy issues	Project partner
Sky's the Limit	local	astronomy, dark skies	
Joshua Tree National Park	local	preservation, education	
Joshua Tree National Park Association	local	in support of the National Park	
Joshua Tree Astronomy Arts Theater	local	astronomy, dark skies	
Andromeda Society	local	astronomy, dark skies	
Southern California Desert Video Astronomers	local	astronomy, dark skies	
Bighorn Desert View Water Agency	local	water agency	Project partner, Landscape Tour
Joshua Basin Water District	local	water agency	Project Partner, Landscape Tour
Hi Desert Water District	local	water agency	Project partner, Landscape Tour
Mojave Desert Land Trust	local/regional	Land trust, education, stewardship	project partner, Interactive map and invasive plants events
Basin and Range Watch	regional	Issue information	
Desert Protective Council	regional	desert conservation	
Community ORV Watch (COW)	regional	workshops, OHV education, petitions,	Project partner
The Wildlands Conservancy	regional	land conservation, education	
Mojave Water Agency	regional	water agency	Project partner, Landscape Tour
Center for Biological Diversity	national	broad range of conservation issues	petitions and legal action
Defenders of Wildlife	national	petitions, information	
National Parks Conservation Association + Desert Institute	national; regional office in JT	supporting desert Parks and Monuments	

Feb 2016



# morongo basin conservation association

P.O. Box 24 Joshua Tree, CA 92252

http://www.mbconservation.org

January 22, 2016

Bureau of Land Management California Desert District WMRNP Plan Amendment 22835 Calle San Juan de Los Lagos Moreno Valley, CA 92253 Sent br

Sent by surface mail and email: <a href="mailto:cawemopa@blm.gov">cawemopa@blm.gov</a>

Subject: Conflict between the WMRNP and the road network established from Small Tracts Act ROWs in the Morongo Basin and other areas in San Bernardino County..

Dear Ms. Seehafer:

The Morongo Basin Conservation Association, its board and members, have been diligent in researching, educating community members, and responding to what we consider the failings of the West Mojave Plan (WEMO). The Plan Amendment, particularly Alternative 3, threatens our quality-of-life, property values, tourism economics, and public land conservation values by legalizing OHV riding on thousands of miles of dirt roads throughout our Morongo Basin and other area communities in the West Mojave.

The astonishment of residents at seeing small green routes flecked throughout their communities has led to questions about how the BLM could do this. *What gives BLM the authority to invade our communities and use our roads to do it?* The green flecks, of course, are the BLM rights-of-ways (ROWs) on small public land parcels within rural residential areas (See BLM map layers for TMA3). How did this checkerboard pattern of land ownership come about to allow this configuration of routes? It is worthwhile to refresh our memories.

# **The Small Tracts Act**

The checkerboard pattern of land ownership results from the popularity of the Small Tracts Act (STA) which was in effect from 1938 until the passage of Federal Land Policy and Management Act (FLPMA) in 1976. The STA authorized the sale or lease for fair market value to any person or organization a tract not exceeding 5 acres of any vacant, unreserved public lands for residence, recreation, or community site purposes. After 1943 rights-of-way (ROW) easements of 33 feet (later amended to 50 feet) were added to provide a corridor for access and utilities to small tracts. Before purchase or lease the land had to be surveyed and classified.

The history of the STA is told in the 30 page pamphlet *Five Acres of Heaven* by Ed Ainsworth. The pamphlet was commissioned and published by Col. E.B. Moore, a land 'locator' and advocate for providing individuals, especially veterans with lung problems, the possibility of living amid great beauty with clear clean air to breath. The impetus for the STA came from Paul Witmer, head of the Office of Land Management in Los Angeles in the 1930s. Confused why so many veterans were homesteading 160 acres of land in the desert, land obviously unsuitable for agriculture, he investigated. Traveling to Twentynine Palms he heard their need

was to live affordably where they could breathe. Witmer conceived the STA, which would allow the purchase of 5 acres without the requirement to 'prove up' the land with water loving crops and scarce human energy. It took Congress three sessions but they finally passed the bill in 1938.

## Ainsworth describes the STA's popularity

By the start of 1955, the Five Acre Tract movement was established so firmly that about 25,000 permits had been issued, 1,200 others were being processed by Mr. Witmer's Bureau of Land Management in Los Angeles, and some 12,000 others were starting along the procedural route to Federal Offices.

Many thousands of homes had been built, much more than \$1,000,000 of assessed valuation added to the tax rolls of San Bernardino and Riverside counties, and many more homes were being started all the time. (Page 29)

Col. Moore assisted over 10,000 individual families in locating and filing on five acre tracts. To accomplish this he also made the first publically available detailed maps (with regular updates) of the desert showing the 5 acre tracts with clarity. His original need for maps grew until his series contained tract maps of many areas as well as maps showing regions of industrial expansion, oil and gas possibilities, and geological sketches dealing particularly with water supplies – all this before government maps of the area were available to the public. See Figure 1. Col. Moore also engaged in land planning, including overcoming the real estate dealers who wanted to develop subdivisions in the choice areas. We, and the species using the Joshua Tree-to-29 Palms Wildlife Linkage, can thank Col. Moore for today's open spaces.

This background on the STA explains the checkerboard pattern we live with now. As communities developed roads were built, electricity generated, water provided, all while maintaining the *wilderness appeal of the primeval desert*.



**Figure 1:** 1955 Edition of Col. Moore's map of the High Joshua Desert showing private lands and land available for small tracts

# Small Tracts Act Rights-of-Way

It was generally accepted that small tract ROWs were common law dedications to the public to provide ingress and egress to the leased or patented land and as access for utility service. The dedication was completed (accepted) with the use of the easement for a road or a public utility to serve a small tract.

After the termination of the Small Tracts Act classification in 1976 additional ROWs could be added within the borders of the existing ROWs that serve the small tract patents without additional authorization from the United States.

<u>Rights-of-Way Management</u> (Penfold. DOI Instruction Memorandum No. 90-196 appended to letter)

- 1. The only intended governmental purpose of the ROW is to provide for utilization of the public land. <u>The government has no intent to reserve rights to collect revenue, therefore, the ROW authorized under the STA are rental free.</u>
- 2. Utilities that cross public land outside the small tract borders (regardless if they serve the small tract) or that do not serve the small tract, require separate authorization.
- 3. When a patent is issued the fee title lies with the owner of the land subject to the easement for use by the public. <u>The Secretary no longer has rights to the land except those specifically reserved</u> <u>to the United States</u> (i.e. oil, gas, minerals or prospecting for same, or interfere with water for grazing, or impair protection of watersheds). <u>This restriction can only be eliminated through the process of eminent domain proceedings for some governmental purpose.</u>
- 4. Rights-of- way connected to classified but not patented small tracts can be used for the construction of roads to serve owned small tracts without the necessity of a formal grant from the United States.
- 5. Once ROWs become dedicated public easements through use by the public, the dedication may be abandoned only by proper authority pursuant to due course of law. <u>In most cases the proper</u> <u>authority is the county or city</u>. (Underlines added for emphasis)

# The ROWs were clearly meant to become community roads and utility corridors. The Secretary's reserved rights do not include OHV Transportation Management Corridors.

San Bernardino County and Rights-Of-Way in U.S. Land Patents Memo: March 13, 1991 From: Charles S. Scolastico Deputy County Council To: Larry Cotton, San Bernardino County Surveyor

The analysis was in response to a request for an opinion on whether the County can accept rights-of-way reserved in U.S. land patents for public use or legal access.

Based upon our research, it is our opinion that rights-of-way for public road and utility purposes reserved in land patents authorized under the Small Tract Act <u>constitute local rights-of-way for those entitled to use</u> <u>them, i.e., the public and utility companies.</u> Moreover, since they are reservations rather than offers of

*dedications or something similar, <u>there is no requirement of acceptance by the public or by a government</u> <u>agency</u>. (Underlines added for emphasis.)* 

# Federal Land Policy and Management Act (FLPMA) 1976 and the Repeal of the Small Tracts Act

Contained in the passage of FLPMA in 1976 was the repeal of the Small Tracts Act. However, under Title VII Effect on Existing Rights, Sec. 701. [43 U.S.C. 1701 note] (a) *Nothing in this Act, or in any amendment made by this Act, shall be construed as terminating any valid lease, permit, patent, right-of-way, or other land use right or authorization existing on the date of approval of this Act*. (Underlines added for emphasis.)

The government relinquished the right for BLM to use public ROWs to construct federal Transportation Management Corridors through rural communities. We find no indication that the Secretary intends to take back the relinquished rights on ROWs. The proper authority is now the county.

# San Bernardino County Ordinance 4103 -- Off-Highway Motor Vehicle Use

The County has jurisdiction over, but not necessarily responsibility for, the STA public road and utility easements based on their use by the public. Therefore, the County OHV Motor Vehicle Ordinance 4103 applies to not only the roads in County Service Areas but all county roads used by the public and utilities to access private property.

### County Code §28.0406

...no person shall operate any motor vehicle (including any off-highway motor vehicle), or the motor thereof, nor shall any person organize conduct, or participate in staging (as defined herein), in a manner that disturbs the peace or quiet of any neighborhood or person by noise, dust, smoke, or fumes caused by such motor vehicles or staging activity.

# **County General Plan**

The ordinance complies with the Vision of the County General Plan and the Goals and Policies for the following elements: Land Use, Circulation and Infrastructure, Conservation, Air Quality, Open Space, Noise, Safety, and Economic Development.

# VISION

\* Continued "rural" character in many areas of the County, with buffering as needed adjacent to more urban areas (see Goal LU-2).

A sense of "place" and community identity in distinct communities where residents may choose to remain in unincorporated neighborhoods (see Goal LU-10).

- & Clean air and a reliable clean water supply (see Goal CI-12).
- *A* Growth and development consistent with the maintenance of environmental quality (see Goal LU-7)

A Conservation/preservation of the natural environment, which defines and enhances our quality of life (see Goal CO-1).

# California Desert Conservation Act (CDCA) of 1980 and Private Land

The CDCA Final EIS and Proposed Plan had this <u>Finding</u> as the introduction to <u>Chapter L. Land Tenure</u> <u>Adjustment Element</u>. *Intermingled land ownership patterns in much of the CDCA make management difficult for BLM, other Federal, State and local agencies, Indian reservations, and private land owners.* History has demonstrated this to be true. And Goal D: <u>Cooperate with other public agencies at all levels of government in</u> <u>the management of adjacent and interspersed public and private lands.</u>

The <u>Management</u> of unclassified lands (shown in white on Figure 2 below) contains the following guideline: Parcels which are found not to contain sensitive resources and would be better used for development purposes will be considered for disposal after appropriate inventories and consultation with local government are completed. The most common form of disposal is competitive bid (sale) for fair market value...<u>Public roads</u> will be used to gain access to these isolated parcels. Otherwise, access to these tracts would require traversing (and thereby trespassing) or obtaining a road easement over private property. (P-93)

Under <u>Implementation</u> the following prophetic observation is made: It is important to recognize that a land exchange program which specifically deals with sensitive resource protection and enhancement of recreation opportunities is an essential action program for Desert Resource Management. Without such a program the BLM will continue to be at a disadvantage concerning the management of recreation and sensitive resources adjacent to adjacent to private or State-owned property; access and trespass may be difficult or nearly impossible to control or protect BLM resources, private or State-owned property. And that is where we are today. (Underlines added for emphasis.)



Figure 2 Section from CDCA (1980) Proposed Plan Map 2 White is Unclassified Public lands Gray, not otherwise State or Federal, is Private Lands. The checkerboard arrangement is patented land, mainly the result of private purchases of 5 acres under the Small Tracts Act. Some white (160 or 320 acres) would be homesteaded land.

Contains examples of checkerboarded public/private land

Alternative 3 is not an implementation solution. It is an OHV transportation network that trespasses on private lands and county roads endangering the communities as well as natural resources on public lands.

BLM Desert Access Guide (DAG) Maps: 1991 and 1998 Editions

Maps tell stories and it is clear that the jurisdictional story shown in the 1991 map (Figure 3) is not reflected in the 1998 map (Figure 4). We see a shift from respect for private property to recreation without consideration of private land.

The 1991 edition has 9 '**Private Land NO OHV USE!'** warnings within community areas on the map.

The 1998 edition neglects to mention private land except in the Land Status Index where private lands are called Patented Lands. The average rider is not apt to understand that nomenclature unless they have purchased one of the small tracts. Further, the recreational rider would not be expected to read the fine print on the back of the

**Figure 3** Section from BLM Yucca Valley #14 DAG map. Reprinted1991. Red circles added around Private Land OHV USE for emphasis.



Figure 4 Section from BLM Big Bear DAG Map 1998 Edition

map in their quest for adventure in the desert.

The 2006 Final WEMO reflects a catering to the OHV

riders and industry that worked to land the BLM in court. Sent back to the drawing board BLM was required to reduce the number of routes that could result in damage to invaluable natural and cultural resources and encourage trespass on private lands. Instead of complying with the court order the route mileage has doubled to over 10,428 miles.





corridor from Lucerne Valley through Wonder Valley, as Rural Residential - Street Legal Vehicles ("SLO"). This reclassification would:

- Harmonize the BLM regulations with the County OHV Ordinance 4103
- Conform to the County General Plan and Vision for Rural Communities
- Improve Air Quality and public health by diminishing dust and PM10 pollution
  - Reduce conflicts with private property owners
- Preserve the rural character and 'sense of place' that Col. Moore fought for
- Protect sensitive habitat for desert tortoise and other species
  - Protect cultural resources
  - Protect the quality of the wildlife linkages.
- (WEMO was negligent in not considering the Joshua

Tree – to Twentynine Palms Linkage Design (SC Wildlands 2008). This oversight must be remedied.

• Protect property values

• Protect the tourism economy.

MBCA encourages the Bureau to reclassify checkerboarded public/private land areas as Rural Residential – Street Legal Only. There are many positive outcomes to reclassification and, based on history, it is the legal and right thing to do.

Thanks you for your time and careful reading of this comment letter.

Sincerely,

Sarah Kennington, Board President Steve Bardwell, Treasurer David Fick Pat Flanagan Meg Foley **Ruth Rieman Claudia Sall** Laraine Turk Marina West, Secretary Cc: Secretary of the Interior Sally Jewell Supervisor James Ramos, Chair and Third District Supervisor <u>James.Ramos@bos.sbcounty.gov</u> Supervisor Robert A. Lovingood, First District Supervisor Robert.Lovingood@bos.gov Joe Stout, BLM California Acting State Director j2stout@blm.gov Teri Raml, BLM Desert District Manager traml@blm.gov Katrina Symons, BLM Barstow Field Manager ksymons@blm.gov Edythe Seehafer, WEMO Manager eseehafer@blm.gov

Provided I can do it, I will append the referenced docs to this letter rather than attach pdfs. Update: I have learned that appending the docs may make it too large to reasonably send.

Sarah g. Keinminston

v t s P v i s P

Prominent women in the park's history: Frances Keys and Elizabeth Campbell.

y: prehistory of the area and dedicatedl. the rest of their lives to archeology,

by Historic Structures Specialist Allison Kennedy

# **Collections Corner**

This feature showcases different items from the park's museum collection. In honor of the National Park Service Centennial in 2016 and Women's History Month in March, in this issue we highlight an example of a woman's ranger uniform from the 1960s.

Today, all park rangers wear the same uniform: gray shirt, green pants, arrowhead emblem on the left sleeve. But for the first half-century of the National Park Service's existence, few women worked for the agency—and their "uniforms" weren't necessarily very uniform.



"Stewardess hat" (JOTR 16936), fitted jacket (JOTR 12928), and shawl collar shirt (JOTR 12139) from the park collection.

When the first female rangers started work in 1917 and 1918, there was little guidance about the uniform, for men *or* for women. The men's uniform, however, was quickly standardized. The women's was not. Women working for the parks adapted their own uniforms using the materials available to them. Some looked like a modified military uniform. Most of the uniforms were difficult to wear in the field. In the 1960s, increasing numbers of women in the NPS workforce led the agency to ask fashion designers to develop a standard uniform for women. The result was the "airline hostess" style uniform shown at left, a design based on a Delta/ United Airlines pattern that had a fitted jacket and shawl collar. Women could substitute culottes or slacks made out of the same material as the skirt. Later versions were accused of looking like fast food uniforms. It wasn't until the late 1970s that a more unisex uniform style was officially adopted. by Museum Specialist Melanie Spoo



Susan Luckie Reilly, seasonal ranger-naturalist at Joshua Tree in the late 1960s, led programs such as guided walks. She donated her uniform to the park museum collection (left).

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Morongo Basin Conservation Association

P. O. Box 24

Joshua Tree, CA 92252

January 25, 2016

To: The Board of Directors, Morongo Basin Conservation Assn.

Thank you so much for offering me the opportunity to take part in the Environmental Leadership Academy offered through CSUSM.

The breadth and scope of the learning experience was beyond my expectations. Some of the topics covered by biologist, scientist, environmentalist and environmental attorneys were environmental science, ecology, water conservation, land use planning, biodiversity, renewable energy, invasive species, environmental law, climate change to name just a few.

In addition, we were exposed to many of the environmental studies and conservation efforts currently going on in Southern CA and locally in the Coachella Valley such as: the Multiple Species Conservation Plan in San Diego County; the study of wildlife movement within the Santa Ana/Palomar Mountains linkage area; large scale Multi Species Conservation Planning in Western Riverside County; Coachella Valley Multi-Species Habitat Conservation Plan and a tour of the state-of-the-art energy project at Sentinel Energy Power Plant.

Attending this school has given me a greater overview and understanding of some of the environmental issues that we face in CA and on a local level. With this additional knowledge I know I will be a better informed citizen and a better and more effective member of MBCA.

Sincerely,

athy Zaraker

Cathy Zarakov

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