

PUBLIC LANDS ROUNDTABLE MINUTES

Meeting Location: BLM Ridgecrest Office **Minutes of:** April 25, 2024
Called to order at: 6:03pm by Executive Committee Member Sophia "Sam" Merk

Pledge of allegiance was led by Ray Kelso.

A MOTION was made by Will Liebscher, 2nd by Ray Kelso to approve the March 28, 2024 minutes. They were approved as corrected.

PLRT MEMBERS IN ATTENDANCE: John Auburn, Kayla Brown, Mary Grimsley, Raymond Kelso, Will Liebscher, Mark Mason, Sam Merk, and Craig Beck BLM.

Guests: George & Susan Croll, Tim Mahoney, and 4 Kern County Sheriffs: Plugge, Morales, Hollingsworth & Throne.

BLM UPDATES: by Craig Beck, Ridgecrest Supervisor for Outdoor Recreation & Wilderness Program

BURROS: There are plenty to adopt, so go up, feed them, and adopt.

MINING: We do not have a geologist on staff at the moment. Progressing with the Conglomerate Mesa EIS and the Persistence Mine outside Atolia have their own contractor working on plans.

SOLAR: Nothing going on.

POWER LINES: We have someone working on it. SCE will be upgrading to new standards for height of wires from the ground.

DUMPING ON PUBLIC LANDS: Our BLM staff found trash dumped just west of the dump, which we picked it all up and it filled 3 truckloads. Also, we've had reports of an oil dump and a fridge was dumped up by the corrals which will both be passed on to Sterling for hazmat clean-up, and trash was dumped across 178 from Fish Head Rocks, possibly the remain of cleaning out rental property.

ROAD CONDITIONS: BLM is working in the El Paso's the last 2 weeks repairing cross ditches & other damage.

RADAMACHER EVENTS: There are no motorized events in the Radamacher's. Non-motorized events, i.e., Over the Hill Track Club runs their Ultra Marathon & monthly runs that are open to the public; equestrian endurance events 3 times a year; mountain bikes. Sam asked if there is a plan of any kind for the Radamacher's; Shooter's Canyon in particular? Craig replied that their plan is to finish the trail numbering system for the designated route system for vehicle travel, which includes any vehicle with a combustion engine or is electric, i.e., E-bikes. Shooters Canyon is the last canyon just before you reach 395 while traveling south on China Lake Blvd. Sheriff Plugge stated that now that he knows where it is, they can occasionally drive through. Craig stated that shooting is a legal shooting area, that on public lands you can legally shoot. Mary asked if there are any hiking trails close to Shooters Canyon, and the reply was no. However, Sam replied that there are hikers and bird watchers, also kids up there. Shooting is legal as long as you are 150 yards from an occupied residence. A shooting closure is a long process that eventually ends up in Washington D.C.; it is not something that we can do here locally. It goes thru a review board. Mary suggested that it seems there should maybe be signs up there that states there is shooting in the area, then stated that they probably know there is shooting so why are they up there. Sam replied that they hike down the ridgeline. Mary: they aren't real smart then are they? Someone stated that there is a lot of shooting in the area outside of Shooters Canyon. Will stated that there are all kinds of activity up there, like the Marine's fly up there with helicopters and practice "_____ " roping 2 or 3 times a year. Mary suggested that the area around be signed, that she doesn't like the mess up there and doesn't want to see anyone get shot, but you have to use a little common sense and if you know that people are shooting up there and they have the whole huge desert out there and Radamacher's to hike in, why would you concentrate around Shooters Canyon? Will said that kids go there (Radamacher's) and shoot fireworks off and a huge amount of activity up there. Sam agreed that it really needs to be posted. Boundary Road is the divider between Spangler Open Area and the Radamacher multiple use area. Not only do hikers need to be aware of the shooting area, but the shooters need to be aware of other users in the area, it is a multiple use area. The shooters that are shooting against a backdrop are fine but there are a lot of irresponsible people out there (like those who dump all the garbage). Craig stated that our Code of Regulations tells us how to manage off-highway vehicles, but on the standpoint of hiking, mountain biking, equestrian use, you are not restricted to a designated route system or designated trail, you can go cross country on all those modes of transportation.

WEMO: After being sued over the 2006 West Mojave Plan we are still in litigation. The Record of Decision was signed in 2019, as part of that we started to develop a concept of recognizing some routes non-motorized activities.

GRAZING: Permits are for 10 years. Sheep grazing happens from March 1 to May 31. The forage is clipped, weighed, and evaluated each year to determine the amount of forage that is available. Cattle grazing basically year round, which is adjusted by grazing locations, by AUM's, as well as forage for wildlife.

LADWP WATER RELEASE IMPACTS: No impacts or damage were reported this year. DWP had their own biologist out there reporting.

+ George Croll asked if DWP continues to do releases, what is the process for clearing an area for a water catch basin (or recharge basin)? The Water Dept. B of D wants to be ready for next year. George told them that the environmental process takes way longer than that to get through. The county has a couple of places that are already in use, but the Water Dist. wants to have legal catch basins and do it right. It would take a year plus to complete an EIS and go through the NEPA/CEQUA process, to plan, buy land, process application, etc. It would be a multi-year process considering our back log.

STAFFING: We have no biologist & no geologists on staff at this time, & we have one reality specialist now.

ELECTRONIC PAYMENT: BLM was going to go the direction that the Forest Service and National Parks are going, paying by credit card? Answer was no, that the BLM intends for now to accept cash, checks, or credit cards for payment for camp sites, recreation sites, etc.

NUCLEAR STORAGE DUMP/ GOVERNMENT PEAK ROAD: Will asked about the road going up Government Peak ... the guy bought some property up there and wants to block trails? Craig asked you're talking about the proposed nuclear storage site ... you get an article in the paper and circulate out a flier? The BLM does not have any applications for a right of way to get to his property. From a reliable source, this is not going to happen. He's not going to get any support locally, or from the state. Politically, it is a non-starter and never going anywhere. Sam's opinion is that the gentleman is trying to get everyone so worked up that they're going to give him some more money for his real-estate ... he just wants money.

GUEST SPEAKER, MARK MASON from QUAIL FOREVER:

I've been promising forever to talk about the guzzler repairs that Quail Forever does. **Quail Forever** is largely, but not entirely, an organization made up of hunters who are trying to improve the habitat for the things we hunt, and the hope is for the things we don't hunt as well. This is a true statement ... "Where there is water there is life!" One thing about this area that shocked me is the amount of springs that USED to be here. Springs are now dry, and they're dry because people have pumped the water table lower; they're dry because we're getting a lot less rain, so because of human activity there's a lot less water. So, we're trying to put the water back, but unfortunately there's a lot of well-meaning, very liberal people, who want to re-wild the west and remove all traces of human beings from the west ... there are people who want to rip the guzzlers out. They don't understand, or I hope they don't understand, a lot of creature will die if you do that.

So, what is a guzzler? A guzzler is some kind of catchment pad, in this case a large cement pad that leans down-hill into a tank that is slightly underground. It's buried in only an inch or two of sand, so in this area we put these covers over them for two reasons. The first is to discourage off-roaders from driving their motorcycles over the tank that will destroy the tank, and, is a problem for the motorcyclist, too. They love driving on the pads, so we try to put in a fence to discourage that, but people are creative, so the cover is truly intended to discourage them from either driving or stepping on the tank. The cover also provides shelter from raptors. Either a quail or a rat or a baby tortoise, gives them a place to hide from the hawks and ravens when they're going to water, because they have to go to the water and they're very vulnerable when going to the water. Looking at a slide on the screen, this one is in the El Paso wilderness, I'm not sure if this is wilderness, so in the El Paso Mountains. There are a lot of guzzlers in the area, they were put in by the State of California, when it was the Department of Fish & Game, I believe in the 1960's and 70's, some in the 1950's. California wanted, at that time, to increase revenue's because, even to this day, when hunting is a taboo subject the state makes hundreds of millions of dollars off of fees that hunters pay, off of the taxes on ammunition, the taxes on firearms. That money goes into protecting endangered species, that money goes into protecting the wilderness too. So California invested a quite a lot ... we think there's probably 120 guzzlers within a 35-40 mile radius of Ridgecrest. They're in the Rand Mountains, Spangler, El Paso's, the foothills of the Sierra's. This map shows the Rand system; obviously some are in closed areas. There are a lot of out there that are older than me, which is frightening.

So, they need maintenance! The cement pads, as you know cement cracks, as it cracks it's less efficient in catching water. It's not hard to show that we're getting less rain now, on average, than we were in the 1960's, so we need the pad to catch as much as we can. So Quail Forever has an annual banquet where we try to raise \$20 or \$30,000, then volunteers use that money to buy supplies and equipment to go out, fill the cracks,

prime & seal the pads. It was decided a long time ago that small critters, including baby tortoises, could crawl in and drown, so all of our guzzlers are supposed to have a steel grate, the one that looks like a steel net, so small critters have a ramp to walk out, so they don't fall in and drown, and there's supposed to be bars set in the front of the tank so larger tortoises can't get in and have a problem. So we make sure that those are there ... I don't understand human beings ... people that steal that material, it's bizarre. I don't have a picture, but one of our guzzlers in the El Paso's, some brilliant genius set a cover on fire, burned the cover on the guzzler. There was enough sand over the tank, that it doesn't appear that the cover was damaged, but we had to go out replace that cover since someone decided to burn it up. We like to repair the fence; wear & tear, and we're trying to repair the shades. We're changing the design of our shades so that they won't need to be repaired as often. And some of the older guzzlers don't have a gate, so had to have a field gate that you peel back the barbed wire or climb over it, which is inconvenient. As the guys that are doing this are getting older and older and don't want to do that, want to install a gate. It takes, probably, 8 to 16 hours to do a typical guzzler, so what we're hoping it will be good for 20 or 30 years and we'll be dead before we have to go back.

Will asked the size of the tanks? Mark wasn't sure, but said different areas have different sized tanks. Some of the tanks to the east, like in the Spangler's are 900 gallon tanks, a lot of the ones in the El Paso's are 600 gallon tanks, and there are a couple 300 gallon tanks. Both the pads and the tanks for sized for 1960's rain fall averages, so this is a concern for us that we would like to replace tanks and make them bigger and to somehow make the surface area to catch the water bigger. We are very much concerned that the BLM is not going to allow us to expand the concrete pads because they have a strong interest in rewilding the west. The new frame design we use for the covers are suspended by T-posts, so we can put 2 or 3 covers within the fence line and increase the area that way to get more water into the pad. Ideally we would like to work with the State of California to just make everything bigger. California now taxes game bird hunters an extra tag to hunt game birds and unfortunately, the state doesn't spend money, so their giving that to other things because they can't figure out how to spend it fast enough. It would be nice to be able to use it here, but we need the Department of Fish and Wildlife and BLM to communicate and play nice together.

This is one of the 900 gallon tanks (referring to slide photo), these are the Tortoise bars, followed by other slide photos.

This is one of our problems that I was going to harp on later ...this area is disturbed (referring to a slide), so a lot of my colleges of Quail Forever who don't work for the government and don't understand what the problem is, but I work for the federal government and I understand the problem. We're not allowed to take a shovel and touch the dirt unless an archeologist says it's safe and that we're not going to disturb any archeology. But we went back to them and said "but it's already been disturbed" and yet we can't find any records that there was ever a study done. Our interpretation of the modern law, you can't disturb the dirt unless an archeologist goes out there and inspects it, and they said something that cracks me up: "if you see old cans, don't move them, because if old cans are 50 years old or older, they count as an archeological relic and you'll get in trouble for picking up the garbage". So, some of my colleges of Quail Forever won't work for the federal government and are very upset and some of them have actually quit because the archeologist actually shut us down. When we had the biologist here, the biologist was a very strong proponent of guzzlers, she got the archeologist to go out and check the guzzlers for us and we got permission, as long as we were within the fence, we were ok, but you all know of the catastrophe of the State of California widening 395 thru Olancho? Once the archeologist was forced to basically live at that site, they couldn't do that for us anymore (check the guzzlers) and now I understand that we've lost that archeologist, or do we still have one? Craig: Our lead archeologist is on detail, but we still _____. Mark again: There are things that we can still do, but we just can't fix very much. Will asked if they were still hauling water? Yes! How? Water buffalo or ... No, we put 200 gallon tanks in the back of PU trucks. I think we have a 300 or 400 gallon tank on a trailer. The volunteers volunteer their trucks, their gas and their time. The club has an account with the Water District and the club pays for the water. We wanted to get an account with Randsburg because those guzzlers are so far from Ridgecrest, but I don't have to tell you that those people are not easy to deal with. The guzzlers are not cement, but asphalt, and asphalt really begins to decompose after 40 or 50 years. What the California Department of Fish & Wildlife is doing is driving their flatbed up with all their equipment on it, and they pour cement over the pad and some people say that is not a great solution, just pour cement over old asphalt, but the biologist said that by time that is a problem, I'll be dead and I don't care. We've been putting these very expensive pond liners on them; it's tedious and expensive and I'm not sure how many more we're going to do that way. There's a lot of work involved to keep these guzzlers functional. Will asked about "what about the President for the guzzlers for Big Horn Sheep? Are you working with those guys? Let me tell you where to reach out to them. One of the guys was working with the DAC ... he was one of the guys on the DAC ... and he took us on a tour (DAC) up by Barstow, and these guzzlers are bigger, but I can imagine their having the same problems that you are having and you guys could work together possibly. Their animal is an endangered species, that's very cute and very sexy, and everyone wants to protect it. Will: it's also a different

part of the desert. But they probably still have some of the problems that you have and their guzzlers are bigger. That guy came up with his own design for those guzzlers and we went out and looked at them. Mark went on, that not all our water sources we babysit are guzzlers. This is Sheep Springs in the El Paso's (referring to a slide, again). Following this trough maybe 200 yards, the spring, someone ages ago put in a spring box that feeds this trough and this waters an amazing amount of wildlife. Some of these guys, just this year checked to see how it was doing, and found that there were small animals that had drowned, so they went to the hardware store, and with their own money bought mesh and built a platform that any small creature that might fall in can now get out. This one is majorly labor intensive because the spring box keeps filling up with sand and has to be blown out from time to time. If you've been in the area (Sheep Springs) you know that it is a very life-rich area, so we really to keep Sheep Springs going.

Then Cow Haven Canyon, which is on the west side of 395, south of 178 (Walker Pass), and again, this was done decades and decades ago, way up at the base of the Sierras on Forest Service lands, there's a spring, that similarly a spring box was tapped and someone put in a line, presumably to water cows 3 miles down the canyon. So the spring is on Forest Service land and the line goes down thru the wilderness area. The line is no more than 6 feet off the road and some places under the road and everything was drying up. So last year we went in, and this is the drinker at the bottom, filled with reeds, and we removed the reeds – a herculean task to clean this little thing out; we put some water in the tank half way up just to feed the one at the bottom, and discovered that water wasn't flowing. We went back & found areas that were really green, no more than 6 feet off the road, dug them up and found various critters had eaten through the old hose. So, it was perfect size to get PVC, cut the hose and stick the PVC in the middle, and then the water flowed all the way to the bottom. We only had to dig 3 or 4 holes. We were contacted by BLM and told that the next time we did that, we would be ticketed because we violated the Wilderness Act. We asked "How did we violate the Wilderness Act?" Answer: you left something manmade in the wilderness by fixing the hose with a piece of PVC in it. You will be ticketed the next time you go there. The BLM is now watching because they don't want us to trespass into the wilderness. So when the big storm washed out the road and exposed the hose, the BLM asked us to go up there and fix it, and all the guys said "NO"! You told us not to go back; we're not going to do it. I don't know what happened to it, but I do know that _____ has started to drip, to leak, so they asked us to go fix it and we were going to go fix it, but all of this tension has pissed off the retired guys who have the most time and many of them just won't go work in Cow Haven any more. So those of us with a job need to get out there, and last I heard that water has stopped again, as something has eaten through the hose, but we were again told, don't you dare go and do anything with that hose. So, for the time being until a biologist or archeologist, or we get something going, this whole system is basically defunct. The BLM said that there are leaks that need to be fixed, but the BLM went up and shut off the valve at the well box and it will be considered criminal if we go up and open it. It was pretty actively maintained up until about 15 years ago when they were still grazing out there.

So our critical issues are BLM is closing roads without consideration of guzzler access, particularly in the El Paso Range. They've designated roads they want to remove by vertical mulching and no one is checking to see if there is a guzzler at the end of the road. They've admitted this that they have closed 2 or 3 roads by accident, but they shouldn't have done it, but the process to put the road back is onerous and may never happen. We would like to know what roads are open, because off-roaders vandalize the red carsonite signs, so if they put a red stake in and we know there's a guzzler at the end, most of us won't drive up that road, most of us don't want a ticket. But what if there is not red stake in the road? We would like to know which roads are open and which roads are closed. As I said, we have to have an archeological survey before we are allowed a shovel to touch the ground. The Wilderness Law says access for guzzler repair may be allowed. It does not say it shall be allowed, and the current stance in the State of California, in this part of California anyway, a guzzler is not important enough to allow access. The tanks & pad sized for 1960's rainfall are getting old, we know they need to be expanded, we have the money, and while we have the energy to do it, we need the permission to do it. And then we have this issue with vandals who damage the guzzlers, which is very frustrating after you put all this effort, there's both physical as well as emotional/mental effort working with all the organizations, and then some jerk goes out and sets it on fire.

Question from Sheriff _____: Do you have a specific map or GPS list or the locations of the guzzlers, so when we go out to do our OHV patrols I can throw these things out. Mark asked for a business card. Will asked, East of Cuddeback all the way to the back fence of Fort Irwin, there's a guzzler back there that we go to; do you know about that? Mark: So, it may be ... Will again: there's other guzzlers there, and 2nd I want to tell you that we have a thing out there that we call the Fish Pond, or Donald's Well, it's been out there since 1942 and it's kind of set up like you said, except it's a short distance. Way back when, there's a concrete cistern about the size of this table, that's probably 4, 5 feet deep and it's got fish in it, and people put fish in it, and everybody goes out there in their side-by-sides stop there and they feed the fish, and we leave things with the food in there, and this happens in the summertime, and I don't know what happens to the fish in the winter time, they probably get eaten by the coyotes and everything else. And since 1942 there was a line out

there, and there was a pipe and a water supply, and somebody connected that to the cistern and it drips in there and it stays full and you can be 5 feet from it, unless you know to look for something green in the desert, you would not see it. It's not a quail guzzler, but it's a place to protect for water for the animals out there. And the off roaders all know about it and think it's a great thing, and it's common knowledge in the last few years and you should possibly put on your radar. That's not Cowboy Franks? Will, no, that's up the hill. Sam asked: What steps have you taken to get the BLM and the State Department to work with you; what legal steps have you taken? Mark: We haven't taken any legal steps. We have tried to work with the individuals who we can work with, so when Lorraina was the biologist in this office, like I said, she believes in giving water to wildlife, she was very helpful and it was a very productive time for us. We tried to work with Ben Lewis, the California Department of Fish & Wildlife regional guy, but his zone is like as big as the BLM zone for the area he has to deal with, and he's out of the Fresno office, so he doesn't come on this side very often. _____ said, but he also ... works out here with the BLM is like running into a brick wall. It's that bad. Mark: It's challenging. George: There's a news article that says the State of California has now listed the Desert Tortoise as an official Endangered species, and because now that it is officially listed as an Endangered species by the State of California and they use these guzzlers, isn't that an avenue you use to advocate for guzzlers? Mark: One of the steps that we're looking into is to hire an independent wilderness biologist and use our funds to pay for an impact statement ... this is a volunteer organization ... it's a little bit slow. *[everyone talking at once ...]* George: Because everyone likes the Tortoises and they've changed the status to this endangered status, that seems that it would give you some kind of leverage to maintain these and keep in good working order because it not only helps our birds, but also this endangered species. Mark: We've been told the way to do it is to have a respected, independent assessment done. Sam asked: Have you looked into a biologist or an independent archeologist? Mark: There have been discussions, but it takes a lot of time. Mark: It's now my understanding that China Lake now owns Cuddeback and they haven't put up a fence; you can't get in from the China Lake side, and there's wilderness where they closed the road from the other side, so you can't legally get back there, although there's no fence, it's not marked yet. Will mentioned that the Desert Tortoise Preserve committee has some property back there, where you might be able to get to the guzzler that is close to the Fort Irwin fence. Does Liam know about this, we don't know. TAPE STOPPED.

Sam encouraged us to write letters in support of guzzlers

NEW BUSINESS:

- + No new member applications.
- + Desert Tortoise was moved from threatened to endangered last week. Federal still has it listed as threatened.

OLD BUSINESS:

- + Water Pipeline: George reported that \$150 million to build the pipeline and it would be 2027 before it gets started. Current plan has overhead power lines, but that probably will not fly. Underground will raise the price substantially. Also, Mojave Pistachio's is on their last appeal at the California Supreme Court. 30 to 90 days before know outcome.
- + A brief discussion about a field trip and or hike.

NEXT PLR MEMBERSHIP MEETING

- + Next PLRT meeting will be 5/23/24.

Adjourned at: 7:36pm

Respectfully submitted,
Mary Grimsley

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No executive committee meeting.