

LUCERNE VALLEY ECONOMIC DEVELOPMENT ASSOCIATION (LVEDA)

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RE: ACECs IN THE DRECP

Lucerne Valley ACECs

Northern Lucerne Wildlife Linkage ACEC (disturbance cap: 0.5%).
Granite Mountain Wildlife Linkage ACEC (disturbance cap: 0.25%).
Juniper Flats ACEC (disturbance cap: 1%)
Ord/Rodman ACEC (disturbance cap: .5% to 1%)

Disturbance Caps

A disturbance cap assigned to one ACEC differs significantly from the disturbance cap assigned to an immediately adjacent ACEC. How does BLM arrive at an objective and consistent calculation? Specific resource issues in each ACEC will dictate different measures throughout the ACEC network that would be confusing, inconsistent and difficult to implement by all parties. And what constitutes a “disturbance”?

Without knowing the current status of the cap in each ACEC it is difficult to know if disturbance mitigation will be required for activities occurring within the ACECs. The Ord/Rodman ACEC – which includes the active Ord Mt. Cattle Allotment – with significant acreage of private land within it and apparently included in the cap requirements - is an example of an arbitrary boundary around a lot of ground

that has existing, historic pre-disturbed areas likely greater than the designated .5% to 1% cap. If that is the case, would the private land owner on his/her private parcels – or on BLM lands where certain ranch ‘projects’ are allowed - be required to mitigate/compensate at some high ratio for any so-called ‘disturbance’ associated with permitted operation of the allotment. Would BLM’s proposed fencing and spring ‘protection’ projects count as a disturbance? Would BLM’s designation of a new OHV route (part of it likely a non-existing trail) through the allotment from the Johnson Valley OHV area to the Stoddard Valley OHV area (at least to the Slash X beer joint) constitute a new disturbance? How would BLM compensate for this? By a BLM ‘project’ taking up more of any remaining margin in the cap - would it jeopardize a future project (disturbance) that the rancher would need to perform as part of its grazing operation? This could be considered a “taking” of private land – and definitely a major hardship on the private land owner/BLM lessee in performing the necessary and allowable functions associated with a permitted grazing lease. What are the consequences? Where will all this end – certainly not well? Again, what constitutes a “disturbance” – on private and public land?

Other Private Land Issues

The disturbance cap program could prevent access to many private in-holdings within all the ACECs and cause a financial burden.

The property owner is required to pay for a disturbance cap analysis for any proposed development on their land as well as the cost of mitigation (e.g., a road to their property). What does this ‘analysis’ entail?

The ACEC designs contain a mix of private and public lands. The southern portion of the Granite Mountain Linkage ACEC near the San Bernardino Mountains contains private lands that are surrounded by federal lands.

Private lands are important for the economic development of Lucerne Valley. What analysis has been done that can ensure that economic development can continue to be achieved on private lands?

Additional Comments

We are in support of the Town of Apple Valley’s position regarding the Northern Lucerne Linkage ACEC design as stated in their comment letter dated May 9, 2016.

This ACEC contains an area that is heavily used for recreation and is unsuitable for inclusion within the ACEC. This area should be removed from the ACEC design.

The ACEC also excludes Upper Lucerne Valley, which contains high-quality desert tortoise habitat essential to the success of the Ord-Rodman DWMA and this ACEC. BLM lands within this area should be added to the ACEC design.

We are in support of the Town of Apple Valley's linkage design, which identifies landscape-scale linkages that connect to existing conservation areas.
