

## Comment for November 7 Workshop

Hi

1. My name is Mark Algazy

2. As some of you may already know, I am one of the new members of the BLM's Desert Advisory Council, mostly referred to as the DAC.

3. The DAC is charged with advising the California Desert District of the BLM on proposed management actions that affect the District.

4. The DRECP obviously affects the District, and a subcommittee of the DAC is currently working on a list of concerns and suggestions to present to the District at our next meeting.

5. Because of this fact, I was not planning on speaking to you tonight. In fact, I did not decide I was going to do this until just last night.

6. However, As I have been mulling over my concerns with the way in which this Plan has been presented, I have had a growing sense that the way the document has been described in both these public workshops and the Executive Summary does not sufficiently match the document that will eventually lead to a ROD. Let me explain.

7. The BLM's part in enabling the DRECP is to make certain land use plan amendments. This we all understand is going to happen.

8. What has not been made sufficiently clear in either the workshops or the Executive Summary is that the BLM is using the opportunity of having the vehicle of the DRECP to make a wide-ranging overhaul of its master plan, the CDCA. These additional amendments go well beyond what is necessary to implement the DRECP.

8. I do not question the idea that the DRECP is a convenient platform from which to start a process like this. It may even be an appropriate one. I am not here tonight to debate that.

9. My issue is that these proposed amendments are of a nature that will fundamentally change core components of a plan that has been in place for 34 years, and the true scope of these proposed changes is not apparent from the way the Plan has been represented.

10. Vicki Campbell of the BLM offered this convenient summary in an e-mail to me 3 days ago:

(Quote) The DRECP is proposing to amend substantial portions of the CDCA Plan, consist(sic) with the purpose of the CDCA. The 6 primary areas of the proposed amendment to the CDCA are: 1) the Development Focus Areas (DFA) prioritizing areas for renewable energy development with incentives; 2) proposed conservation

designations including National Conservation Lands and Areas of Critical Environmental Concern with disturbance caps, allowable and non-allowable uses, and Conservation and Management Actions (CMAs); 3) proposed Special Recreation Management Areas and Extensive Recreation Management Areas, including allowable and non-allowable uses and CMAs; 4) proposed Visual Resource Management designations; 5) replacement of the Multiple Use Classes (MUCs); and, 6) CMAs for 15 resource areas. (End quote)

11. What may not be readily understood by the other REAT partners is that just one component of these six, the MUCs, has been the focus of a substantial amount of negotiation and litigation over the last 34 years. Something as substantive as the REPLACEMENT of the MUCs, if properly identified, would draw a lot more interest from the parties that have traditionally engaged in the prior amendments to the CDCA on this issue.

12. Instead, the way the DRECP has been presented, the public is of an understanding that only the BLM lands that are WITHIN the Plan area are going to be affected by the final decision, not the MUCs of the entire CDCA. This is fatal flaw in due process.

13. Now that I have finally grasped just how serious this mistake is, I didn't want to spare any time in making you aware of it.

14. I know that the number one comment that the public has made up to this point has been to request more time to evaluate the document and formalize their concerns. My instincts tell me that you are already giving this serious consideration. However, as opposed to simply granting an extension, tonight I am proposing to you that you consider another option to deal with these two issues at the same time.

15. That option is to consider amending the Notice of Availability itself to more accurately identify the scope of this Plan, and to resubmit the Notice, effectively restarting the clock on the comment period. This option will not only offer the REAT agencies the opportunity to cure a problem that exposes the Plan to additional and unnecessary risk of litigation, but will offer the public the much-needed time it so desperately needs. It's a win-win.

16. Just as one potential example, the Notice could start with something like "BLM proposes major changes to CDCA in furtherance of renewable energy and conservation plan."

17. Thank you for your time.