

## **Jackson County (CO) Star**

**February 17, 2011**

### **Does The BLM Care About Local Opinion?**

By Jim Dustin, editor

Barbara Vasquez, recently appointed to a BLM advisory panel, went to the Jackson County Board of County Commissioners on Jan. 31 to get some input on local feelings about the federal agency, and boy, did she get an earful.

“It’s all top-down now. They don’t care what the locals think, and I really think that’s hurting the county,” said Mike Blanton, county commission chairman.

“It’s not public land anymore, it’s government land,” said commissioner Lanny Weddle.

“They don’t listen to us,” said commissioner John Rich.

“I have never seen this total disregard for local input,” said county administrator Kent Crowder, who has been in that post for 36 years.

Exhibit A is a new campground built at the North Sand Hills by the Bureau of Land Management late last year. It wasn’t that the BLM built the campground, but BLM officials apparently didn’t tell any local officials – not even their state management partners at the Sand Hills – that they were going to do it.

And, a \$50,000 master plan that included a survey of Sand Hills users indicated that users didn’t want or need any increased development at the Sand Hills.

“The user input indicates that additional facilities and services are not desired by most users,” says the North Sand Hills Master Plan (NSHMP) written in 2006. However, that information seems to have been disregarded by the BLM.

In a letter to Grand County Commissioner Gary Bumgarner, Dave Stout, manager of the BLM field office in Kremmling, said, “I don’t think the conclusions reached … were accurate in 2006 because the input provided by BLM specialists was not included in the plan. Had that input been considered, conclusions likely would have been different.”

Blanton pointed out that if the BLM had been a private developer, the agency would have violated Colorado state law by going ahead with the project without notifying the appropriate county offices, particularly planning and zoning.

It’s not just the campground, the commissioners have said in meetings and in interviews. It’s other looming issues with the BLM, including:

- Clear signs that some BLM officials want to impose use fees at the Sand Hills. Recreationists can now use the area for free, and do in large numbers during the summer.
- Travel management plans in the works that would prohibit motorized travel off designated routes on BLM lands. In one odd example of this, current draft regulations would prevent hunters from driving off a designated road to retrieve elk they had shot.

- The ease with which any objection from the state Division of Wildlife can cause mineral lease acreage to be removed from public auction. In nearly every case in recent years, just a letter from the DOW resulted in mineral leases being pulled from previously planned BLM auctions.

## The Campground

The North Sand Hills is a recreation area chiefly used by motorized users. It is about 1,400 acres of sand dunes and gravel. It's located in the northeast part of the county, and is jointly managed by the BLM and the state through four agencies – the State Forest, the State Forest State Park, the Division of Wildlife and the Land Board. It is the only sand dunes complex in Colorado where OHV use is allowed, and is extremely popular.

The BLM estimates the area attracts 20,000 visitors a year. "Those sand dunes mean a lot to the local economy," Weddle said.

Some estimates put the population at the Sand Hills at 5,000 on holiday weekends, but regular users and aerial surveys put that number in doubt. Les Baugh, a Jackson County resident who is very familiar with the Sand Hills, said the figure was probably closer to 2,000, or even fewer. Based on aerial surveys and on-the-ground counts, the NSHMP reached the same conclusion.

Dispersed camping is allowed at the Sand Hills. Most users seem to come equipped with RVs, motor homes and camper trailers. Until the new campground was built, there were only two public toilets in the area.

"The unregulated dispersed camping has caused increasing impacts to natural and cultural resources within the (area)... The current recreational development and facilities are not adequate or efficient to meet the public demand at the site," the BLM said in its environmental assessment.

The new campground development provides:

- 13 developed camp sites.
- A short stretch of new access road.
- A 1,000-gallon capacity vault toilet.
- An informational kiosk.
- New plantings of aspen trees.
- Restrictions on dispersed camping near Government Creek, the appropriately-named watercourse that runs through the area.

The project cost about \$145,000. According to the BLM's Stout, it has been on the books since 2002, but the project was never undertaken because of lack of funds. When money became available under the American Recovery and Reinvestment Act (the stimulus bill), the BLM went ahead with it in 2010.

## No Notice

"I didn't know anything about it until a contractor mentioned he had bid on it," said Blanton. "I don't know that we'd have had that much objection to it if we'd been told about it."

At a meeting of the State Land Board working group on Oct. 18, 2010, three agencies that participate in the management of the 72,000-acre Colorado State Forest were present. The Sand Hills are located at the northern end of that land, and the state owns some land in the recreation area.

A reporter asked if any of those agencies had been notified about the campground being built. Everyone present said no. Those representatives included Carol Brown of the State Land Board; Kent Minor, the Colorado State Forest State Park manager; and Brook Lee, the state forester at the time. A DOW representative was not present at this meeting.

Who actually said "go" on the project is not known. Stout said in an interview, "It wasn't really our project. It was an engineering staff project out of Grand Junction." A member of the engineering staff referred the question to the public relations department. The state BLM's director of communications, Steven Hall, said for the record that it was a "BLM decision."

Hall acknowledged that the BLM should have coordinated more closely with local entities. "If we did not coordinate with the local commissioners, that was an oversight on our part," he said.

Stout has also apologized. In a letter to the Jackson County Board of Commissioners, he wrote, "As you clearly pointed out... I failed to personally notify you of the project and keep you informed of its progress. I truly regret my oversight and offer my sincere apology." That was sent nearly two months after construction had begun on the project.

Hall did note that the BLM completed an environmental assessment on the project in 2009 that was posted on the BLM website and was available to the public. The project leader was John Monkouski of the BLM's Kremmling office. The question is, although the 26-page environmental assessment was prepared, was it sent to anybody?

"I never saw it," said commission chairman Mike Blanton.

"If I'd have seen this, we'd have known about the campground," said county administrator Crowder, leafing through the document.

Such federal documents usually include a list of where copies were sent. In the Sand Hills EA, under the heading of "Persons/Agencies consulted," the list includes only 12 Indian tribes, none of them located anywhere near Jackson County, Colorado.

Asked for a list showing where the EAs were sent, Hall said, "It would be nearly impossible to go back and reconstruct who was on the distribution list for an EA from two years ago."

And he added, "There is not a requirement that all planning documents from federal land agencies are mailed to all people in a given area."

This is not the first time the BLM has neglected to inform people of pending plans in Jackson County. In 2007, the BLM scheduled a mineral lease sale that involved the sale of mineral rights literally beneath the feet of several private landowners.

The BLM not only did not notify the press as is their normal procedure, spokesmen insisted that the press had been notified. For several days, plans for the sale continued until U.S. Rep. John Salazar intervened.

And there is also a question as to whether BLM officials will deliberately withhold information of interest to local officials. In that letter to Grand County Commissioner Bumgarner, the BLM's Dave Stout wrote:

"I mentioned to you that a discussion at the upcoming Tri-RAC meeting in Salida was what to do about the Recreation RAC. Since the agenda is in draft and not yet available to the public, it would be good not to mention that agenda topic in your meeting with the Jackson County folks."

Weddle's comment on seeing that was, "If they're keeping this from us, what else are they keeping from us?"

## **The Master Plan**

Jackson County applied for and got a \$50,000 grant from GoCo to develop a master plan for the North Sand Hills. The Sand Hills are designated as a Special Resource Management Area" (SRMA) under the BLM, which means that different rules might apply there that would be separate from the overall management plan for the region.

Short Elliott Hendrickson (SHE) of Boulder produced the plan and presented it at a public meeting in May of 2007. Included in the plan was an extensive user survey conducted in 2004. BLM officials, including Monkouski, were present at that meeting.

Among the conclusions of that survey, "Users appear to prefer the 'primitive' level of facility development at the North Sand Hills. User input doesn't indicate a lot of interest in formalizing camping facilities."

Information from the master plan doesn't seem to have found its way into the Environmental Assessment developed by Monkouski in 2009. Asked if that information was ignored, Stout said: "I came here after that came out, but people who participated in it told me that although the BLM input was provided, it didn't end up in the (master plan) document."

The Jackson County Star asked for information on that BLM input, but after two weeks didn't receive any. If the master plan didn't include input from the BLM, it's not because the BLM had no opportunity to do so.

Three BLM representatives – including Monkouski, who was to write the campground environmental assessment two years later – were members of the North Sand Hills Working Group. And throughout the 62 pages of the master plan is evidence of BLM input.

On page 28, for instance, the plan mentions that, "The fencing regulations were developed by the NSHWG after considerable deliberations." Page 40 notes that special events at the Sand Hills require permits from the BLM; Page 52 notes BLM water quality monitoring of Government Creek; Page 47 reports the estimated expenditures from the BLM (\$62,000 in 2006) for Sand Hills management.

## **Sand Hill Fees**

The commissioners said at their meeting with Vasquez on Jan. 31 that they suspected the campground project was a prelude to the BLM imposing fees for use of the Sand Hills.

In that letter to Bumgarner, Stout wrote in reference to the Jackson County commissioners, “While they are opposed to fees, we are heading toward some serious difficulties in providing services to the public at the North Sand Hills, and in protecting resources there, without a use fee. Our appropriated budget will not sustain continued management there, especially with the deficit reduction proposals looming over the next several years.”

Blanton said on that subject, “It’s very discriminatory to the local people. The guy coming up from Denver twice a year doesn’t give a crap about paying. But a local has to pay every time they go there.”

Weddle concurred. “It’s not public land anymore; it’s government land. But it’s paid for by the private citizen. They deserve a place to recreate.”

RAC stands for Resource Advisory Council. That is the advisory panel to which Barbara Vasquez was appointed. She replaced Jackson County Commissioner Weddle on that panel. He had wanted to be reappointed.

There are three Bureau of Land Management RACs in Colorado. According to the BLM website, “Resource Advisory Councils are official federal advisory committees that provide advice and recommendations on all aspects of public land development to BLM.” Weddle was a member of the Northwest Colorado RAC for three years. For all of those years, he was opposed to imposing fees for access to federal lands.

The subject of fees for North Sand Hills management came up at a meeting on Dec. 2 in Grand Junction. According to the minutes of that meeting, Weddle, although in his words he had already been “booted off” the RAC, called to express his continued opposition to the fees.

And according to those same minutes, Vasquez e-mailed her support of those fees.

Vasquez at the Jan. 31 meeting of the Jackson County Board of Commissioners denied that it was her intention to replace Weddle on the RAC. Vasquez told Weddle that she had been advised by BLM officials that her appointment would be in addition to, not in place of Weddle.

The relationship between the county and the BLM hasn’t always been hostile, but the latest developments seem to be souring any spirit of cooperation. The county had in the past supported a three-way land deal that would have given the BLM total ownership of the Sand Hills recreation area. The commissioners have since withdrawn their support for that plan.

“We don’t want the BLM owning any more land up here,” Weddle said.