

AGENDA
State of Oregon, BLM and Bandon Biota
Pre-application meeting
February 9, 2015 10:30-noon
BLM office Coos Bay

Attendees:

- ~~Patricia Burke, District Manager, BLM~~ *late*
- Paul Rodriguez, Realty Specialist, BLM
- Megan Harper, Public Affairs, BLM
- Kathy Hoffine, Field Manager, BLM
- Steve Corey, Legal Counsel, Bandon Biota LLC
- Doug Hojem, Legal Counsel, Bandon Biota LLC
- Don Stastny, Architect, Bandon Biota LLC
- Jim Seeley and LeeAnn Remy, Wild Rivers Coast Alliance
- Bob Johnson, Property Specialist, Bandon Biota LLC, tentative
- Chris Havel, Communications Director, OPRD
- Kammie Bunes, Acquisition Specialist, OPRD

- 1) Review the following materials for completeness:
 - Draft Development Plan
 - Draft Management Plan
 - Draft Application Form
- 2) Review next steps and potential timelines
- 3) Differences between Federal and State public disclosure processes

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See agenda for attendees. These are notes taken by OPRD staff. Any errors or omissions are OPRD's responsibility.

Meeting held to review draft drawings and management plan text: aerial photo showing ownership, conceptual bubble diagram, and very preliminary schematic showing layout of holes, fairways, trails, restrooms, a small clubhouse and birdwatching areas. Only buildings on the 280 acres proposed for trade are two restrooms. Designers can't confirm locations with 100% accuracy while property is covered with gorse due to margin of error in LIDAR readings.

Want to minimize buildings on traded acres, so concentrating those on owned private land. Some of these drafts mistakenly show some features on land that is not owned by Bandon Biota; corrected draft will remove those mistakes. Conceptual bubble diagram doesn't have this error.

Minor clubhouse and driving range on adjacent private land will be central to the three courses.

Three courses (south, mid, and north). Southern course laid out to accommodate existing recreation trail. Trail to beach would intersect with new trail skirting western edge of course, between course and ocean. New views possible along this route. Could place restrooms along this route. Couple narrow gravel service corridors linked to agronomy service center on private land. Aiming to improve entrance off Hwy 101 to coincide with 2016 repaving already on ODOT's books. May use shuttles/electric vehicles to move people from entrance into core areas to minimize traffic in the interior.

Sewer treatment is onsite using a Kubota system that obviates need for drainfields. Use resulting water for irrigation and other non-potable uses.

South access for required second emergency exit. Haven't yet designed this route. Would cross oceanfront property newly traded to OPRD through this proposal.

Some facilities dedicated to Caddy Development Program. Program develops job skills and provides scholarships to continue education and training beyond Bandon.

Differs from Bandon Dunes: no multiple large buildings, no multiple restaurants, etc. Focus is on caddy development center and links-style golf.

What will nonprofit own and do? Own property, and contract for development and management. Still not final which portion of private land will be owned by nonprofit; they will own all 280 acres proposed

to be acquired from OPRD. Net profit from property proposed to be acquired from OPRD goes to nonprofit for scholarships, recreation and economic development with Wild Rivers Coast Alliance, and gorse control.

BLM not sure if private land development will need to be covered in NEPA evaluation or not. Certainly have to do wetlands delineation; gorse prevents some of this work now. After wetlands more precisely delineated, may have to move fairways to accommodate. Will ask for this flexibility if application is approved. How far might something move? Links courses typically start with routing diagram, clear some veg (gorse, in this case), and adjust. Some wetlands best guesses already in the draft drawings. Changes probably wouldn't be dramatic, perhaps on the matter of yards. Also true for recreation trails (trails would come last after courses are set).

BLM suggests trying 1m or .5m LIDAR to resolve terrain through veg. Has this been tried? Bandon Biota isn't sure. Past LIDAR attempts on other property through gorse have failed. Ultimately, exact hole placement isn't critical as long as it can be moved a few yards to avoid sensitive sites.

OPRD has done prelim cultural work and originally had three sites to investigate: one site doesn't appear to exist, two others may and could require rerouting some development. Kammie has info; sensitive info, so distribution is limited.

New proposed trails may re-discover legacy trails. May look for some historic trail routes on north end (Kammie will check with Nancy, one of OPRD's archaeologists).

Can application specify golf areas, rather than specific routes? Yes, this makes sense to BLM. Willing to provide whatever level of detail necessary for complete application. Would prefer bubble concept diagram if it's acceptable.

BLM needs to be able determine if use meets RPP requirements. How much detail is needed for NEPA? BLM believes it can work from bubble diagram, plus written design criteria (project will not build on wetland, or cultural site, etc.) NEPA also needs to anticipate the initial construction will require heavy equipment. Initial review can't measure these unknowns. Wetlands delineation will be crucial to avoid interfering with sensitive landscapes, so this gets entered as a design criteria, and allows BLM to proceed with the NEPA evaluation.

Interrelated and interdependent facilities get evaluated through NEPA process, even if on private ground, especially on public access route.

OPRD will submit application for change of use and transfer of title. Does approval of change of use allow transfer of title? BLM unsure.

Steps:

- 1) Establish nonprofit and submit app.
- 2) BLM verifies application is complete.
- 3) BLM reviews (with public comment) and studies (appraisal, survey, about a year, give or take). Bandon Biota pursues conditional use permit through county for private land at same time, and coordinates with OPRD with any land use permitting on proposed trade lands. Application probably requires soil testing and water on the private land. Need to make sure these steps don't incur reversionary clause.
- 4) BLM makes decision on change of use.
- 5) With land use and BLM approvals in hand, title transfers (with a reversionary interest to BLM still attached).

Application needs to include boundaries surveyed to BLM's satisfaction, and that survey work may not yet have been done. Any survey (private or OPRD) would have to meet BLM standards and approval. This can involve removing gorse just enough to sight a line (hand work). Approved survey needs to be part of application.

Have to take care that proposed lookouts on new recreation trail don't increase disturbance from property into plover areas on beach. OPRD will offer Bandon Biota comment on this point. Property should be shielded with fencing or vegetation to keep course and beach uses separate except where traditional trail crosses to beach on south end. Viewpoints from new trail might not be useful if view is entirely of shore pine. Perhaps just keep trails with good boundary control (structural and/or signs), rather than viewpoints. Need to use trail design to control foot traffic. This may also apply to birdwatching areas: if the northern area isn't good for this use, it may get dropped off or moved from the site diagram, for instance.

BLM review will highlight access issues and approximate siting of facilities.

NEPA requires scoping, which solicits public response. Depth of response determines next public comment steps. Could be through meetings, or in writing. The timing of two public comment periods -- one for BLM review and one for local land use permits -- may or may not overlap in time. These two public engagement processes are independent and never combined.

OPRD does not currently have plans for development of oceanfront parcels it would receive in trade for the proposed outgoing portion of Bandon State Natural Area. OPRD needs to define this future use with more clarity.

New BLM's resource management plan roughly expected Fall 2016.

Bandon Biota presents a draft management plan. Will be edited based on conversation today. Bottom of page 3, does manner of gorse removal matter? BLM needs to know equipment and materials that will

be used, goal of removal (all including roots, or just surface), contingency plans, etc. Page 4, does trail surface need to be specified? Instead of detailing surface, specify whether ADA or not. Do golf courses need all trails to be ADA? Unknown. Paths need to be firm and stable to use for maintenance access anyway; use packed gravel in most cases, and can be made ADA accessible. Application needs to choose how far to take this part of the design, and the extent to which it must. Kammie will send Bandon Biota a link with more info on ADA standards.

Page 6, how much info should application contain on Kubota waste disposal system? Plan should show location of these systems, pumps, pipe routing, etc. Pumps would be near irrigation lake on private ground. Application doesn't need much more detail than this. For irrigation system, need route and depth of heads. Because routes will follow fairways, and these may shift slightly.

Final NEPA document will be used to judge each subsequent action to make sure it complies with what was reviewed.

Page 8, management plan and relationship between Bandon Biota and nonprofit owner. Does application need to show how net income is computed? BLM provides sample management plan as model. Need to explain nonprofit Wild Rivers Coast Alliance's intended use of the money to benefit recreation and economic development? Yes, add more info on this fund's charter.

Page 9, how much detail should the application include on maintenance practices? BLM would like to know what chemicals would be applied, and similar issues. Schedules and similar details not necessary.

Does the CFR require the nonprofit be authorized under 501, or can it be any type of nonprofit? BLM not sure. Bandon Biota exploring idea of an Oregon-registered nonprofit without necessarily establishing federal taxing status. CFR use of the word "nonprofit" needs definition. BLM will investigate.

Bandon Biota should send questions and requests for more info after this meeting through OPRD as the applicant.

On format, should management plan precisely mirror outline presented on application form? BLM says not necessary, as long as topics are completely covered. OPRD will go back over this outline, note the requested categories of information, and will make sure each of the required points are covered, even if the order changes.

OPRD needs to check to see if survey data already in hand meets BLM standard. Any new survey work would best be funded independent of Bandon Biota, though application cost is supposed to be born by Bandon Biota. After submitting data with application, BLM will decide if any of the info is deficient. It can then direct additional work, or complete the work on its own and bill OPRD as applicant.

No illustrations left behind. Expect to receive bubble diagram by email.