

FRIENDS OF THE NORTH COAST,
DAVENPORT NORTH COAST ASSOCIATION,
and RURAL BONNY DOON ASSOCIATION,

Appellants.

)
) IBLA Docket No. IBLA-2021-0313
)
)
) DECLARATION OF
) BRIAN McELROY
) IN SUPPORT OF
) MOTION FOR STAY
)

1. I am a resident of the New Town/Davenport and a member of the Board of Directors of the Davenport North Coast Association.

3. At that meeting I personally heard Field Manager Blom make the following statements:

B. Blom identified four large trees that will be removed for the relocated proposed access to BLM's proposed Warrenella Gate Parking Lot;

C. Blom acknowledged that substantial grading would be required to create the parking lot proposed by BLM;

1 D. Blom acknowledged that the BLM-preferred parking lot would have a visual impact
2 on residents of New Town/Davenport and be visible from much of the Monument
3 land; and

4 E. Blom described BLM's intention to provide a visual screen between Warrenella Road
5 and the parking lot, to the extent feasible;
6

7 4. Blom shared with the group a single page depiction of the parking lot which he
8 characterized as preliminary and lacking final detail. He did not distribute copies of that
9 graphic.

10 5. Blom stated that final plans would be available within a few weeks.

11 6. I followed up with Blom by email on April 14, inquiring as to the status of the revised
12 plans. Blom followed up that same day and provided the requested revised plans. That
13 email exchange is attached as Exhibit A.
14

15 7. I have personally observed Warrenella Road to be used by tractor-trailers, including
16 loaded logging trucks and service vehicles which frequently transport heavy equipment.
17 A significant number of these tractor-trailers are as much as 60 feet long.
18

19 8. BLM's relocated proposed Access is close to Warrenella Road (60 feet, centerline to
20 centerline). Cement Plant Road is a narrow road which varies from 15' – 18' in width in
21 this immediate area. Warrenella Road has an associated locked manual gate which is
22 approximately 60 feet from Cement Plant Road.
23

24 9. I staged the vehicles and took the photo which is Attachment 3 to the Traffic Engineer
25 Analysis. It shows the area where Warrenella Road intersects Cement Plan Road and
26 where BLM proposes its Access to intersect Cement Plant Road. The photo includes two
27 vehicles intended to show the relationship between the existing Warrenella Road
28

1 intersection and BLM's proposed Access intersecting with Cement Plant Road. The
2 photo shows a white CRV parked in the approximate location of the BLM Access
3 centerline. The CRV is just in front of the large stump that Field Manager Ben Bloom
4 pointed to as the approximate centerline of the BLM Access during an on-site meeting
5 with a number of DNCA Board members, including me. The 20-foot long van is parked
6 at the side of Cement Plant Road. The back of the van is in line with the north edge of
7 Warrenella Road.
8

9 10. I measured from the north edge of Warrenella Road to the white CRV at centerline of the
10 BLM Access and found the measurement to be 48 feet. The easement for Warrenella
11 Road is 25 feet wide, so adding the 12.5 feet to its centerline with the 48 feet results in a
12 centerline to centerline measurement of approximately 60 feet.
13

14 11. I have personally observed many versions of tractor-trailers pass through the Warrenella
15 Road gate (e.g., BLM trucks with trailers, logging trucks, trucks pulling horse or cattle
16 trailers, trucks pulling trailers with tractors or other heavy equipment). Tractor-trailers
17 move frequently through that gate for agriculture, logging, fire management, PG&E
18 activities (including at its substation) and other land management purposes. Convoys of
19 vehicles doing work on and touring in the San Vicente Redwoods property are becoming
20 more frequent.
21

22 12. I have personally observed that long trucks using Warrenella Road need space to open the
23 gate; to accomplish this they double park on Cement Plant Road. They access Highway 1
24 by angling right onto a makeshift road about 275 feet south of Warrenella Road, then
25 travel about 230 feet, crossing the railroad tracks of a dead-end unused spur, and intersect
26 Highway 1. A panoramic visual of this railroad crossing access to Highway 1 is Photo No.
27
28

1 5 to the Declaration of Michael R. Eaton, DNCA Board members, including me, have
2 been informed by County officials that this makeshift crossing will be closed in the
3 Spring of 2022. Once closed, tractor-trailers departing Warrenella Road will only have
4 two choices to access Highway 1 via Cement Plant Road: (a) at the north end (about 0.3
5 mile); or (b) at the south end (about 0.65 miles over proposed speed bumps). Most, if not
6 all, logging trucks enter and exit the Warrenella intersection via Cement Plant Road from
7 the north (the direction of the Big Creek Lumber mill).
8

9 13. In both 2021 and 2022 I have personally observed monarch butterflies along Cement
10 Plant Road at the side of the Proposed Warrenella Gate Parking Lot in the eucalyptus
11 trees. There were more present in 2022 than in 2021. In 2022 I was present with other
12 individuals who simultaneously observed the presence of these monarchs. During a
13 couple of winters prior to 2021 we were hopeful they would congregate as they were
14 somewhat numerous. I have the knowledge and experience to identify a butterfly as
15 being a monarch.
16

17 I declare under penalty of perjury that the foregoing is true and correct. Executed on May
18 9, 2022.
19

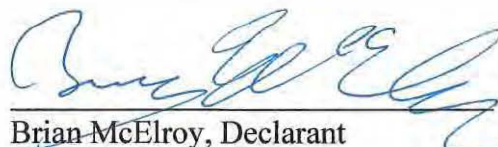
20 
21 Brian McElroy, Declarant
22
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EXHIBIT A

Exhibit A to Declaration of Brian McElroy

Email Exchange with Ben Blom Requesting Copy of Plans

From: Brian McElroy <briancareymcelroy@gmail.com>
Sent: Monday, March 28, 2022 5:46 PM
To: Blom, Benjamin Z <bblom@blm.gov>
Cc: Colin Hannon <colinhannon@cruzio.com>; Don Croll <donccroll@gmail.com>; John Barnes <johncbarnes@comcast.net>; Mike Eaton <michaelreaton@fastmail.com>; Noel Bock <ngbock@icloud.com>
Subject: [EXTERNAL] Grading plans and parking lot design

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Ben,

Would you be willing to provide DNCA with a copy of the grading and parking plans that you showed us today?

Thank you.

On Mar 29, 2022, at 11:41 AM, Blom, Benjamin Z <bblom@blm.gov> wrote:

Hello Brian,

Great to reconnect with you all yesterday. Our engineer, Jed Parker, is still making some tweaks to the design. I've also asked him to add some labels to the drawings so that it is more easily interpretable for the general public. The designs I showed you yesterday will lead to confusion if there isn't adequate explanation of what all the different lines represent. He thinks he could have a more polished design completed within the next week or two. At that point I would send it your way via email.

Thanks for taking the time to connect with me yesterday.

Ben Blom
Field Manager
BLM Central Coast Field Office
U.S. Department of the Interior Region 10
Office: (831) 582-2210
Mobile: (831) 277-6295

From: Brian McElroy <briancareymcelroy@gmail.com>
Sent: Thursday, April 14, 2022 9:00 AM
To: Blom, Benjamin Z <bblom@blm.gov>
Cc: Colin Hannon <colinhannon@cruzio.com>; Don Croll <donccroll@gmail.com>; John Barnes <johncbarnes@comcast.net>; Mike Eaton <michaelreaton@fastmail.com>; Noel Bock <ngbock@icloud.com>
Subject: Re: [EXTERNAL] Grading plans and parking lot design

Hi Ben, Do you have the design completed that you can share with us?

From: "Blom, Benjamin Z" <bblom@blm.gov>
To: Brian McElroy <briancareymcelroy@gmail.com>

1 Cc: Colin Hannon <colinhannon@cruzio.com>, Don Croll <doncroll@gmail.com>, John Barnes
2 <johnbarnes@comcast.net>, Mike Eaton <michaelreaton@fastmail.com>, Noel Bock
3 <ngbock@icloud.com>

4 Subject: Re: [EXTERNAL] Grading plans and parking lot design

5 Date: Monday, April 18, 2022 12:50 PM

6 Hello Brian,

7 Attached are the more public-friendly construction designs that I had mentioned we would provide. I think it is important to
8 note that the design allows for the number of spaces for parking to be increased, as needed, to add parking capacity within the
9 disturbance footprint of the project. We will be monitoring parking capacity on a monthly basis once it is open to the public to
10 determine if more spaces are needed.

11 Sincerely,

12 Ben Blom
13 Field Manager
14 BLM Central Coast Field Office
15 U.S. Department of the Interior Region 10
16 Office: (831) 582-2210
17 Mobile: (831) 277-6295
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PROOF OF SERVICE

I, Toyer Gear, declare as follows:

I am a resident of the State of California, and employed in Oakland, California. I am over the age of 18 years and am not a party to the above-entitled action. My business address is 1939 Harrison Street, Suite 150 Oakland, CA 94612. On May 11, 2022, I served a copy of the following documents:

- Declaration of Brian McElroy in Support of Motion to Stay


☒ By electronically e-mailing a true and correct copy to the e-mail addresses set forth below.

United States Department of the Interior Office of Hearings and Appeals Interior Board of Land Appeals 801 N. Quincy St., Suite 300 Arlington, VA 22203 ibla@oha.doi.gov	Erica Anderson, Attorney-Advisor Office of the Regional Solicitor Pacific Southwest Region U.S. Department of the Interior 2800 Cottage Way, Room E-1712 Sacramento, CA 95825-1890 erica.anderson@sol.doi.gov
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☒ By enclosing the documents in an envelope provided by an overnight delivery carrier and addressed to the persons listed below and placing the envelope for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier

BLM California State Director 2800 Cottage Way, W1623 Sacramento, CA 95825	Office of the Regional Solicitor Pacific Southwest Region U.S. Department of the Interior 2800 Cottage Way, Room E-1712 Sacramento, CA 95825-1890
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I declare under penalty of perjury (under the laws of the State of California) that the foregoing is true and correct, and that this declaration was executed May 11, 2022 at Oakland, California.



Toyer Gear