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2 **UNITED STATES DEPARTMENT OF THE INTERIOR**
3 **OFFICE OF HEARINGS AND APPEALS**
4 **BOARD OF LAND APPEALS**

5)
6) IBLA Docket No. IBLA-2021-0313
7 FRIENDS OF THE NORTH COAST,)
8 DAVENPORT NORTH COAST ASSOCIATION,)
9 and RURAL BONNY DOON ASSOCIATION,)
Appellants.) DECLARATION OF
MICHAEL R. EATON
IN SUPPORT OF
MOTION FOR STAY
)

10 I, Michael R. Eaton, declare as follows:

11 1. I am a resident of Davenport and a member of the Board of Directors of the Davenport
12 North Coast Association.

13 2. On March 28, 2022 I attended a meeting in the field conducted by BLM Field
14 Manager Ben Blom at the site of BLM’s proposed Warrenella Gate Parking Lot for Cotoni-Coast
15 Dairies. The other attendees were Brian McElroy, John Barnes, Noel Bock, Don Croll, and
16 Colin Hannon.
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18 3. During and subsequent to the March 28 meeting I took or arranged to be taken
19 field measurements and photographs to assist in more effectively depicting the issues at stake in
20 this matter. The measurements showed that:
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- 22 a. north of Warrenella Road, Cement Plant Road pavement is 12 – 14 feet wide;
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24 b. from north side of Warrenella Road @ Cement Plant Road to the power pole just
25 south of the proposed alternative parking entry is 520 feet and from there to the near
26 edge of Mocettini Barn is approximately 190 feet; and
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1 c. After deducting the 60 feet from Warrenella Road to the BLM's proposed
2 relocated Access to BLM's proposed Parking Lot, the total distance from the
3 Mocettini Barn to BLM's relocated Access is approximately 650 feet;

4 d. A remnant fence segment extends inland from near the Warrenella gate for about
5 250', connecting with no other fence and with a large gap at the Warrenella gate. The
6 current plan (Barnes Exhibit B) does not show a planned new fence along this
7 alignment.
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9 Exhibit A includes a selection of the above-described photos.

10 4. At that meeting I personally heard Field Manager Blom make the following
11 statements:
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- 13 A. Blom confirmed that funding for the "cheese barn" renovation has been approved and
14 that planning for renovation has been initiated;
- 15 B. Blom stated that the expected use of the restored barn is for interpretive displays,
16 used for educational purposes, and special events;
- 17 C. Blom stated that the renovated barn would require a parking lot closer than the
18 planned lot at the top of the hill and that the likely site for this parking would be the
19 area that the Appellant Davenport North Coast Association has long advanced as a
20 preferred site for parking for trail access;
- 21 D. Blom stated that BLM plans to proceed with construction on the parking lot prior to
22 IBLA action on the appeal and noted that Appellants had not asked for a stay pending
23 decision on the appeal.
- 24 E. Blom identified four large trees that will be removed for access to the planned new
25 parking lot;
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1 F. Blom acknowledged that substantial grading would be required to create the parking
2 lot planned by BLM;

3 G. Blom acknowledged that the BLM-preferred parking lot would have a visual impact
4 on residents of Davenport and be visible from much of the Monument land;

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

7 I. Blom acknowledged that the very close proximity of the entrance to the parking lot
8 and the Warrenella gate would make it more difficult to limit bicycle access to
9 Warrenella, a private road; and
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11 J. Blom stated that BLM intended to commence construction "in June," that appellants
12 had not asked for a stay, and that BLM would not wait for an IBLA action before
13 proceeding to construction.
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16 I declare under penalty of perjury that the foregoing is true and correct. Executed on May
17 9, 2022.

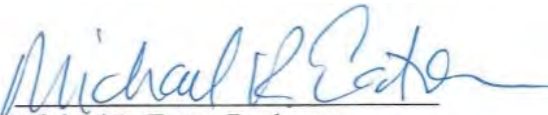
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20 Michael R. Eaton, Declarant

EXHIBIT A

1 Exhibit A – Photographic Documentation



28 Photos 1 and 2: Views from Warrenella Road of the knoll proposed for parking lot construction.

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Photo 3: The knoll proposed for parking, viewed from ~1,000 feet up Warrenella Road. Red “X’s” in this and subsequent photos indicate trees proposed for removal.



Photo 4: The knoll (left) and cheese barn (right). From this vantage, the DNCA proposed alternative site is largely screened by the hill that slopes steeply to the flat south of the barn and corral fencing.

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Photo 5: A panoramic from above Warrenella looking west. The triangular road pattern to the left is the RR crossing planned for closure. The cheese barn is at the extreme right.



Photo 6: A Google Earth view of the site illustrating topography. This photo was included in FONC et al.'s "Statement of Reasons" filed with the IBLA and dated August 20, 2021.

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Photo 7: From the far shoulder of Highway One, looking toward the proposed parking lot. Tree removal will create a view corridor directly from Highway One into the parking lot, particularly during much of the year when the weeds have been cut down.

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Photos 8 and 9: Views from Cement Plant Road looking northward into the proposed parking area. In photo 9 the view of the Warrenella gate, to the right, is blocked by seasonal weeds.

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Photo 10: Vehicles queued to enter the Warrenella gate from the north. The red car (in this and subsequent photos) is situated on what Field Manager Blom informed the attendees of the 3-28-2022 meeting is the proposed center line of the Access to the proposed parking lot.



Photo 11: Cement Plant's narrow pavement width (12'-14' north of Warrenella) creates issues for turning and passing.

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Photo 12: A view of the Warrenella gate and the proposed parking lot entry from the far side of Cement Plant Road.



Photo 13: A view from the knoll of Cement Plant Road, trees to be removed, and Warrenella Gate (far left).

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Photo 14: View to the north from a Davenport New Town back yard. Vehicles in (and exiting and entering) the parking lot will be visible from New Town yards and windows.

1 **PROOF OF SERVICE**

2 I, Toyer Grear, declare as follows:

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

- 6 • Declaration of Michael R. Eaton in Support of Motion to Stay

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

8

9 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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13 By enclosing the documents in an envelope provided by an overnight delivery carrier and
14 addressed to the persons listed below and placing the envelope for collection and
15 overnight delivery at an office or a regularly utilized drop box of the overnight delivery
carrier

16

17 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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19 I declare under penalty of perjury (under the laws of the State of California) that the foregoing
20 is true and correct, and that this declaration was executed May 11, 2022 at Oakland, California.

21 
22
23 Toyer Grear