

INFORMATION MEMORANDUM
FOR THE ASSISTANT SECRETARY – LAND AND MINERALS MANAGEMENT

FROM: Neil Kornze, Director – Bureau of Land Management

SUBJECT: Proposed Partial Revocation, Trinidad Head Light Station Withdrawal, California

DATE: June 12, 2014

I. INTRODUCTION

The Bureau of Land Management (BLM) requests that the Assistant Secretary for Land and Minerals Management approve a Public Land Order (PLO) that would partially revoke a withdrawal created by two Executive Orders (EO) which reserved land for lighthouse purposes. The partial revocation would return administrative jurisdiction of 12.97 acres of public land containing the Trinidad Head Light Station back to the BLM.

II. BACKGROUND

On March 23, 2007, The United States Coast Guard (USCG) requested a partial relinquishment of 12.97 acres of reserved public land at the Trinidad Head located in Humboldt County, California. Trinidad Head Light Station is located along the northern California coastline and is strategically located to assist the BLM in showcasing the California Coastal National Monument (CCNM). Returning administration of the public land back to the BLM would provide the public opportunities to enjoy the historic features of the light station, scenic trail access, and increase views of the CCNM. Although BLM's general policy, as reflected in Instruction Memorandum No. 2005-151, is not to retain or manage lighthouses, the BLM Deputy Director for Operations has granted an exemption from this policy for this lighthouse given the public benefits associated with BLM management.

The EOs initially reserved 60.99 acres for use by the USCG for lighthouse purposes. The Trinidad Head Station began operation in 1871 and originally contained a lighthouse, navigation system, a housing complex for USCG personnel, and a communication site. PLO No. 6374 issued on April 21, 1983, (48 FR 17081), partially revoked the original withdrawal with respect to 46.94 acres, which were subsequently conveyed out of Federal ownership. This partial revocation action will return 12.97 acres of the original withdrawn land back to the administration of the BLM. The USCG would retain administrative jurisdiction over the remaining 1.08 acres which would continue to be used for communication site purposes related to navigation.

III. POSITION OF INTERESTED PARTIES

The partial revocation of the withdrawal and transfer of the lighthouse and surrounding land back to the BLM is consistent with the BLM's California Coastal National Monument Resource Management Plan (RMP), Arcata Field Office's management for coastal properties along the

northern California coastline. This RMP provides programmatic management direction for coastal properties along the northern California coastline.

The City of Trinidad, the Yurok Tribe, and the Trinidad Rancheria, in the past, have all shown interest in either acquiring the property or participating in management of the parcel. These groups are members of the Trinidad Gateway Committee which is a strong team of cooperators including the Trinidad Museum Society, California State Parks, Humboldt State University, California Department of Fish and Wildlife, Tsurai Ancestral Society, Trinidad Coastal Land Trust, Coastwalk California, Redwood Region Audubon Society, and the Trinidad Chamber of Commerce.

The committee supports the return of administrative jurisdiction of the subject land, including the Trinidad Light Station, to the BLM. The committee has a strong interest in forming a cooperative group to assist the BLM in the long term maintenance and operation of the facility. Upon jurisdictional transfer, the BLM would develop a cooperative management plan in coordination with its CCNM Collaborative Partnerships for the Trinidad Head to include provisions for funding the operation and maintenance of the lighthouse building.

IV. LEGAL STATUS

There is no litigation associated with the proposed partial withdrawal revocation. The PLO, as originally drafted, would also have opened the land to location and entry under the United States mining laws. This section has been removed from the PLO. A separate opening order would need to be issued under 43 CFR 2091.6 to open the lands to location and entry. The original PLO contained the opening language in part because of the IBLA decision in Casey Folks, Jr., et al. (183 IBLA 24, September 20, 2012). This decision held that when a withdrawal issued under FLPMA authority expired the lands automatically opened without any further order from the BLM. The present situation can be distinguished from the circumstances leading to the Casey Folks, Jr, et al. decision because the withdrawal that is being revoked here was issued by Executive Order, not FLPMA. Also, 16 U.S.C. 470w-7, commonly known as the National Historic Lighthouse Preservation Act, contemplates that historic lighthouses be preserved after they are relinquished by the Coast Guard.