

Minutes of April 25, 2015 SBNF Cabin Coalition Meeting

The meeting was called to order at about 10:10 a.m. at Bob and Donna Jeffrey's cabin #44 in the Seven Oaks Tract. In attendance for the Forest Service were Mountaintop District Ranger Marc Stamer and Special Uses Administrator Heather Mobley. There were 22 cabin representatives in attendance from the following 9 tracts: Barton Flats, Falls, South Fork Santa Ana River, East Lakeview, Lytle Creek, Metcalf, Big Bear Southwest Shore, Stetson Creek and Seven Oaks.

Forest Service Update

Marc indicated that staffing continues to be a tight, although there will be a new special uses staffer arriving in June from the Prescott NF in Arizona. Responsibilities will be sorted out once that individual is on-site. The situation on the Mountaintop RD is as follows:

- Marc Stamer [mstamer@fs.fed.us, 909-382-2728] District Ranger;
- David Kotlarski [dkotlarski@fs.fed.us 909-382-2815] Public Services Manager, oversees the special uses administrators, among other duties.
- Heather Mobley [hmobley@fs.fed.us 909-382-2804] Special Uses Permit Administrator. Heather is back from her winter detail and is our day-to-day contact for cabin issues.
- Jerome Dorsey is also special uses, but primarily working with recreation events, not cabins.

On the Front Country Ranger District [RD]:

- Christine Hill [cahill01@fs.fed.us 909-392-2860] is the new District Ranger, replacing Gabe Garcia who has retired;
- Jason Collier [jpcollier@fs.fed.us 909-382-2869] is back on the District as the temporary Recreation Officer; and
- Mark Uthus [muthus@fs.fed.us 909-382-2907] is presently on detail and off the District.

Marc explained that, by Forest Service policy, vacant positions elsewhere are often filled through "detail" assignments that are usually of 120 days in length. "Promotional details," where the individual fills a position higher than their permanent role, are encouraged and are difficult to deny.

Heather reiterated her past appeal that cabin owners email their questions or requests to her, or telephone as a second choice. Don't just drop by hoping to catch her in the office.

Annual Pine Needle Clearance: June 1 is the target date for completing our annual cleanup and the distances remain at 30 feet around structures and 10 feet around propane tanks. [Still not 100 feet. Contact Heather if your insurance carrier is demanding more distance.]

Marc noted that last year's fire season never ended, and fire crews are up to full strength already. This could be a bad fire season and there will be more FS patrols out in the forest.

To report a fire or other incident, call the Forest Service Dispatch at 909-393-5654 or, for bad emergencies, call 911. FS Dispatch covers all of Southern California and “911” may get quicker response if it’s a true emergency.

Cabin Inspections: Heather told us that the district has already met its annual target for inspections but staff is planning to inspect several more tracts in June and July. She will be looking for volunteers to do these inspections and I will email a request for volunteers once she knows how many volunteers she wants and when they’re needed.

Expired Permits: There remain less than a dozen cabins without signed permits for various reasons. These permittees have been given notice and the next step will be to pursue their removal. The fate of these cabins has been passed to the Forest Supervisor and above. Heather has told us before that a major problem is that the FS has been unable to contact these permittees. Each permit holder is asked to email their permit administrator annually to confirm the permittee’s correct address and contact information, even if they have not moved or changed contact data. **[Please pass this request along to cabin owners.]**

Fuels Clearance Projects: Marc told us that clearance work continues along the south shore of Big Bear Lake and the Bluff Mesa area. NEPA approvals are being developed for new clearance work along the north shore and the entire Santa Ana River basin. The FS is looking to carry out controlled burns in already-cleared areas to maintain the clearances and eliminate additional fuels.

Funding for clearance work in residence tracts continues to be available from the Natural Resources Conservation Service [NRCS], which can make funding available for protection of private property, in this case our cabins. Dennis Moran of the Southwest Shore Colony Tract (below Highway 18 east from the dam) described their NRCS-funded project, which was carried out in September and October last year. After much discussion with NRCS, the agency surveyed the cabin tract area and determined the level of clearance needed and how much funding NRCS would provide per acre for the project. The SW Shore association entered into an agreement with NRCS to carry out this clearance and then did an open-bid to select a contractor to carry out the clearance work. Ultimately, the clearance work was fully-paid by the NRCS funding with no additional funding needed from the cabin owners or tract association. SW Shore developed a bidding procedure and contract format they would be willing to share with other tracts who might be interested in pursuing NRCS funding.

Improvement Requests: As of our meeting, Heather had not completed all applications for work to be done this summer, but told us that she hoped to have these done before June 1. Most of these last applications were incomplete, and Heather has been trying to contact the owners to obtain the needed information. If a permittee has not received a response or isn’t sure, they should email Heather.

Requests for work to be done next summer will be due to Heather by the end of August. An approved improvement request is needed for any maintenance or improvement project with the exception of spot painting, replacing a few shingles and other minor repairs. Once

you have a project approved you generally have 2 years to complete the work, although extensions can be requested. The form to fill a request can be found online at <http://www.fs.usda.gov/detail/sbnf/recreation/camping-cabins/?cid=stelprdb5390786>

Water System and Road Permits: At the August 2014 Coalition meeting, Heather mentioned that she would be working on issuing/reissuing water system permits during winter 2014. Since she was on detail, this work did not begin. When raised last summer, there were many questions about why these permits were needed, what would be required, what fees charged and who would be responsible for what. With both water systems and tract roads, there was agreement by the Forest Service that requirements and responsibilities must be clearly explained before permitting can be pursued.

Written permission from the FS is required for any road maintenance. Heather asked that the same Improvement Request used for cabin projects be submitted for proposed road projects. If minor, approval should be quick. Any road work must be done to Forest Service standards and FS Engineering staff will respond to requests with the appropriate requirements.

Cabin Compliance: Heather noted that there is a lot of non-compliance with the basic requirements for maintenance, storage on cabin lots, and unauthorized improvements. Permittees are required to comply with the rules and requirements in the Region 5 Special Uses Supplement for recreation residences.

Heather also told us that FS is working with local escrow companies to ensure that new owners meet with the FS before a cabin sale is completed, and that permits are properly transferred from the prior permittee to the new permittee. Even within families, permits are not being properly transferred.

Finally, Heather noted that permits may be placed into trusts, but a new directive clarifies that the FS requires single-asset trusts. Heather can provide a sample trust if asked.

Cabin Fee Act Update

As all should know by now, Congress passed the Cabin Fee Act on December 12, 2014, as part of the National Defense Authorization Act, culminating over 7 ½ years of effort by National Forest Homeowners and state, regional and local cabin organizations. Passage of the Cabin Fee Act – now officially titled Public Law 113-291 – replaces the Cabin User Fee Fairness Act of 2000 [CUFFA] as the authority for setting cabin use fees and eliminates the every-10-year appraisals as the basis for cabin fees.

Once all current CUFFA appraisals are completed, the appraised valuations for all cabins will be “normalized” to bring all to a common date of value, as if they were all done at the same time, thus eliminating any effect of one’s appraisal being done at the high or low-points of the real estate market over the past 7 years. The resulting adjusted valuations will then be divided into the 11 fee tiers according to the percentages specified in the Act, from Tier 1 with a beginning fee of \$650 per year to Tier 11 with a fee of \$5,650. Each year, the annual fees will be adjusted using the Implicit Price Deflator (IPD), which is basically a

consumer price inflation index. The 2016 fees will be based on the Cabin Fee Act.

Because appeals will not be allowed of the assignment of a cabin to a specific tier, permittees will be asked to confirm that the FS records properly reflect their appraised value. The Forest Service has yet to determine how it will request confirmation of the appraisal results, but this will occur during late summer/early fall this year.

Another aspect of the Cabin Fee Act is the \$1200 Transfer Fee that will be charged whenever a new permit is issued. The exact definition of events which will result in a transfer fee has not been proposed; however, permittees are advised that transfers into or out of trusts or within families should be accomplished before the Transfer Fee is finalized and becomes effective. If you've been thinking of changing the permit holder, do it now.

Additional information on implementation of the Cabin Fee Act will be forthcoming.

Other Business: Roy raised the idea of creating a Cabin Coalition website that would be more-easily accessible for cabin owners on the San Bernardino NF and might replace the Yahoo Groups Site that is currently used (by some). Discussion ensued and the consensus was that this should be explored. Several representatives offered to help identify possible volunteers with the expertise to set up and maintain such a website. This item will be raised again at the August Coalition meeting.

Setting Next Meeting Date: Our next Cabin Coalition meeting will be August 1, 2015, as will be our annual BBQ Picnic meeting. Any tract wishing to host this meeting should contact Roy as soon as convenient.

*Minutes Prepared 5/7/15
Roy Glauthier*