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Nicole Nicholas Gilles

August 13, 2013

Bureau of Land Management  
Desert Advisory Council  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

Dear Chairman Bannis,

Please accept this letter as the official position statement on behalf of the Board of Directors of the American Sand Association (ASA) in reference to the Imperial Sand Dunes Recreation Area (ISDRA) Business Plan (BP) and fee increase.

The ASA is a not-for-profit organization representing over 35,000 members and 225 businesses that are Off-Highway Vehicle (OHV) related. The majority of our members recreate at the ISDRA. Our primary focus is to maintain access to public lands for motorized recreation.

Throughout this entire process, the ASA, when allowed, has been and will continue to be an active participant. We have expressed our concerns with the proposed plan with the BLM State Director, California Desert District Manager, Desert Advisory Council (DAC) and the El Centro Field Manager. We appreciate the BLM implementing several of the suggestions included in our past comments and are especially pleased that they have chosen to reinstate the seasonal dunes permit.

As per our comment letter submitted on June 30<sup>th</sup>, 2013, there are still many concerns we would like to see addressed in the BP. They are as follows:

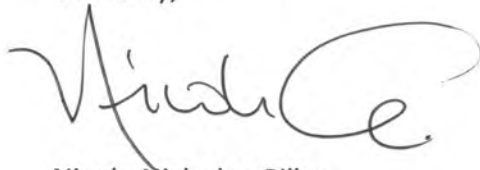
- The BLM has not provided all of the financial data the ASA requested that was agreed upon by the BLM State Director. We were provided with a chart of FY2012 expenditures. Additional data was to include: historical ISDRA expenditures, the cost to manage ISDRA considering levels of service with lesser amounts of funding with assumptions, and a future needs assessment.
- The way fee collection is being conducted is not in compliance with the Federal Lands and Recreation Enhancement Act (FLREA).
- The cost for fee collection is excessive.
- Although we feel the sticker proposal for season permits is an interesting idea, we feel it will negatively impact visitors who utilize multiple vehicles for their ISDRA trips, and effectively remove that choice from those visitors.
- The ASA believes the proposed permit fee increase, which equates to 66%, is an overly excessive amount. The increase in fees should not exceed the government's published rate of inflation, which cumulatively since 2003 is approximately 27%.
- The one day visitor permit and second vehicle permit for seasonal visitors needs to be revisited.
- The ISDRA Desert Advisory Council Subgroup should be more effectively utilized as a resource for future fee implementation strategy and/or fee rate adjustments.

We believe that the BLM has made an attempt at providing additional information, but it falls short of that required to evaluate the resource requirements claimed in the plan as well as the financial decisions that result from the unsubstantiated data. While the ASA wants to assure that the BLM has the appropriate funding necessary to properly manage the ISDRA, we offer our conditional support of the business plan providing the DAC, acting as the RRAC, requires the BLM to address and revise the following items in the fee proposal derivation:

- (1) Reduction of the amount of the fees collected that are used for administering the fee collection program. The FLREA specifies that the agencies are to only use a maximum of 15% of the fees for administration, overhead, and indirect costs.
- (2) Address and correct the derivation of the ISDRA visitation values used to determine and administer the fees. Visitation numbers reported are a major component in the derivation of the amount of fees needed to operate the ISDRA and is also the basis for the fee collection compliance value.
- (3) The annual fee increase should not exceed the government's published inflation rate, since the last time the fees were raised in 2003.
- (4) A task force must be created to address second vehicle and one day passes with findings to be reported within one year to the ISDRA DAC Sub Group and DAC for action.

The ASA believes that the BLM should receive its fair share of Federal appropriations to help offset the cost of BLM operations, as opposed to relying on dunes permit revenue as a primary source of income.

Sincerely,



Nicole Nicholas Gilles  
Executive Director

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