American Sand Association Inc.

COMMENTS on the BUREAU of LAND MANAGEMENT Draft Environmental Impact Statement for a PROPOSED RECREATION AREA MANAGEMENT PLAN for the IMPERIAL SAND DUNES RECREATION AREA

June 2002

Box left behind by Military – American Flag erected by dune enthusiasts

Osborne Overlook

American Sand Association Inc.

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Mr. Jim Komatinsky
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El Centro Field Office
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RE: The American Sand Association's comments on the March 2002 DEIS for a Proposed ISDRA DRAMP

Dear Jim Komatinsky,

Please find the comments contained herein from the American Sand Association. We ask that you make them part of the official record of comments. These are supplementary to the consensus comments contained in the collaborative work submitted on behalf of the entire OHV community.

We appreciate the dedication of the BLM El Centro Field Office staff to provide the Off Highway Vehicle ("OHV") community the recreational experience we desire while ensuring protection for all species of concern within the ISDRA. The work before you contains our comments and suggestions to aid you in that task. We sincerely hope you find our ideas workable as well as constructive to your end goal.

All comments included in the enclosed material relate to items in the DEIS. Some relate to items in the DRAMP which are only partially addressed in the DEIS. Please consider all comments in the enclosed material pertinent to implementing the preferred alternative in the DEIS. It is our desire that all of the enclosed comments be included in the NEPA process. It is our expectation that the enclosed comments and the BLM response thereto will appear in the appendices of the final RAMP and EIS.

Should you have any questions or need any clarification, please feel free to contact Jerry Seaver at 602-864-1788

Thank you for your outstanding efforts and dedication to the balanced management of the Imperial Sand Dune Recreation Area.

Sincerely,

J. R. Seaver
Encls.

CC: ASA BOD

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June 20, 2002

Mr. Jim Komatinsky
Bureau of Land Management
El Centro Field Office
1661 S. 4th Street
El Centro, CA 92243

Re: ASA's Comments on the March 2002 DEIS for a Proposed ISDRA RAMP

Dear Mr. Komatinsky:

This firm is special environmental counsel to the American Sand Association ("ASA") on matters affecting the Imperial Sand Dunes Recreation Area ("ISDRA"). ASA has committed significant resources to reviewing the proposed Recreation Area Management Plan ("RAMP") for ISDRA and its corresponding Draft Environmental Impact Statement ("DEIS"). In preparing its comments, ASA not only relied on its own expertise, it also sought the opinions of non-ASA members who visit the ISDRA and would be affected by the proposed RAMP.

Through its efforts to collect information and critically assess the RAMP and DEIS, ASA has identified a host of defects in both documents. Some of these relate to factual errors, which in turn generate inaccurate analyses and conclusions. Others relate to false and unsupported assumptions, while still others constitute simple failures to comply with the legal requirements of the National Environmental Policy Act ("NEPA"). In the enclosed set of comments, ASA describes these defects and offers suggestions for correcting them.

Through its comments, ASA seeks to return recreation to its rightful place in the RAMP development process. For too long, recreation has been viewed as antithetical to resource protection and treated as a problem to be eliminated rather than an important interest to be protected and encouraged wherever feasible. Recent data show that there is no scientific basis for this viewpoint. To the extent BLM and others still believe that recreation must be curbed to preserve natural resources, that belief is grounded in prejudice, not a clear-eyed review of the technical evidence. In an effort to remove biased assumptions from the "factual" foundation on which the RAMP is built, ASA's comments identify those areas where the RAMP and DEIS betray an unsupported prejudice against OHV use and recreation.

ASA and this office recognize the size and difficulty of the task before you. We appreciate your efforts to date. ASA has submitted the enclosed comments not to attack BLM

and its consultants, but to assist them in preparing a better RAMP and DEIS. Please accept and consider them in that spirit. Should you have any questions regarding the comments, please feel free to call me or Jerry Seaver of ASA at (602) 864-1788.

Very truly yours,

David P. Hubbard

Enclosure
cc: Mark Harms, American Sand Association
Jerry Seaver, American Sand Association

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EXECUTIVE SUMMARY

Management issues at the Imperial Sand Dune Recreation Area ("ISDRA") are very complex. We recognize the time constraints placed upon the BLM to publish the Draft Environmental Impact Statement ("DEIS") and Draft Recreation Area Management Plan ("DRAMP"). With these facts in mind, it is understandable that there was not enough time to gather adequate data that would describe issues at the ISDRA with a high degree of accuracy.

Notwithstanding that the DEIS was written by a firm not intimately familiar with the ISDRA, the lack and integrity of the data provided results in planning that is deficient to the extent required to operate the ISDRA in a productive manner.

It is our fear that decisions based on missing and inaccurate data will cause more erroneous management actions, such as the closure of 49,000 acres to protect the Peirson's Milk Vetch - a species that in fact does not need protection.

We comment copiously regarding the proposed use of the Recreation Opportunity Spectrum ("ROS"), its limitations, implementation, and triggers. It is our belief that it is not being utilized as intended when it was written in 1979 by Clark and Stankey, but instead is being used solely as a way to limit visitor capacity at the ISDRA.

We feel strongly that while ROS may work well in the forest setting, it must be heavily modified to work at the ISDRA and should include at least the following elements:

- Decisions should be based on good reliable data having at least an 80% verifiable accuracy rate. Data gathering should be as thorough and accurate as possible. This may require years in some areas.
- Any major management decision cannot be implemented without the aforementioned data and therefore the necessary studies to gather said data.
- Initial triggers or actions should be minor and monitored for effectiveness. A mechanism for resetting a trigger should be planned for and implemented.
- Visitor involvement should occur at all stages of the process, including data gathering, planning, and implementation.
- The BLM should be required to make progress reports and held accountable for meeting deadlines.

From this, a new management philosophy is born that should be applied to all areas of planning and management at the ISDRA and not just ROS. Stakeholder involvement is essential to providing the recreation experience desired by visitors to the ISDRA.

The ISDRA is recognized as a World-Class OHV recreation area in the DEIS Executive Summary. This acknowledgement must be supported by a commitment of resources to provide for effective management. There is no evaluation of the "span" of management responsibility in the DEIS. Presently the ISDRA managerial responsibility is co-mingled with significant other management responsibilities in the California Desert District. The ISDRA must become an independently managed recreation facility with the ISDRA Manager reporting directly to the California BLM State Director. The popularity of OHV recreation has increased the ISDRA

visitor growth beyond that of a part time management task. The present "span" of management responsibility of the El Centro Field Manager is to broad to allow for effective management of this important recreation resource.

Other comments explain our opposition to the proposed alcohol ban. It should be noted that the Imperial County Sheriff ("ICSO") also opposes the ban. We also oppose the proposed curfew at major hills during hours of darkness. It is our belief, as corroborated by press releases from the BLM El Centro Field Office, that the current increase in law enforcement is having the desired result. No further rules are necessary.

The focus of the BLM should be resource protection and recreation enhancement and not law enforcement. The ICSO has primary law enforcement responsibility in Imperial County and as such, should be the lead law enforcement agency at the ISDRA.

We offer suggestions and alternatives to the proposed Adaptive Management Area. As currently written, the RAMP would require a written test and a flawed permit system to enter the area. There is no supporting scientific data to indicate that this restriction on Off-Highway Vehicle ("OHV") use is required to protect any species in that area. Moreover, as in all other proposed management areas, no detailed maps are provided. This results in an unclear understanding of where the boundaries are rendering them open to dispute.

Air quality is addressed. Our common thread throughout the document is exposing flawed and missing data. The Air Quality section carries this thread throughout its pages.

While Socioeconomics is addressed in the DEIS, it fails to consider the effects of plan implementations outside of Yuma and Imperial Counties. The ISDRA affects are statewide flowing into Arizona and California as well as Nevada.

The ISDRA is one of the few remaining sand recreation areas in California still available for OHV enthusiasts. Maintaining the ISDRA as mitigation for the closures listed below is necessary.

Sand Area Closures:

1000 Palms Dunes	Kelso Dunes
Borrego Dunes	90% of Oceano Dunes
Cadiz Dunes	Panamint Dunes
Chuckwalla Dune Thicket	Pinto Dunes
Eureka Dunes	Saline Dunes
Ibex Dunes	Whitewater Dunes

Rice Valley Dunes (soon to be closed under the NECO Plan)

The ISDRA should be managed as a "World Class" multiple use motorized recreation area. The goals set forth on page 2 of the DRAMP reinforces the BLM's intention to *"…sustain OHV activities…maintaining conditions of special status species, natural and cultural resources…and creating an environment to promote health and safety."* We encourage the BLM to recognize

that additional camping and staging areas need to be developed in order to support the "World Class" OHV recreation experience they have proposed in the DRAMP.

A ranger station should not be built at Osborne Overlook. Due to the site's location on top of a remote sand dune, the utility and construction costs at this location will be significantly greater than expanding the existing Gecko Road site.

Use of the Osborne site during the six high use periods as a temporary command post is reasonable. However, camping should be permitted at all other times.

Building an additional station on the south end of the dunes would add to the visitor recreation experience and safety. It should occur instead of the Osborne project.

The 1987 RAMP proposed the extension of the Gecko Road to Interstate 8. The opportunity to disperse camping and staging areas and the associated recreational impacts make this worthy of reconsideration. As ISDRA OHV visitor growth continues, the BLM must identify additional camping and staging areas.

With the Congressional removal of WSA 362 from Wilderness Study Area status, creating more camping opportunities between Highway 78 and Interstate 8 along the canal should be considered a viable option of expanding the desired recreational experience sought after by the OHV community.

GENERAL COMMENTS

ISDRA Visitor Participation in Planning and Management
In an April 24, 2002 news release entitled "Interior Secretary Makes Plans to Manage National Monuments" BLM Director Kathleen Clarke stated that*: "the BLM will take this opportunity to look at expanded opportunities for direct citizen participation in monument planning and stewardship. Our door is open."* Clarke went on to say*: "If the planning and management process for the monuments is to be effective, we must make sure it is citizen centered. We must ensure that local communities have a true stake in these national monuments to guarantee that generations of future Americans can enjoy them too."* Since the ISDRA has been identified as a "World Class" motorized recreation opportunity in the DEIS we expect that the BLM's Director would likewise support visitor participation in ROS planning and management of the ISDRA.

More Camping and Staging
Create access for more camping and staging opportunities between Highway 78 and Interstate 8 along the canal.
The 1987 Recreation Area Management Plan ("RAMP") proposed the extension of the Gecko Road to Interstate 8. The opportunity to disperse camping and staging areas and the associated recreational impacts make this worthy of reconsideration. As the ISDRA OHV visitor growth continues, the BLM must identify and provide additional camping and staging areas.

Visitor Supply – Public Safety
Two of the primary goals of the new RAMP should be to provide as many camping and staging opportunities as possible and enhance Public Safety wherever possible.

We suggest building as many camping pads along Gecko Road as possible. Over a span of time, 100% of both sides of the road would be camping pads. At the same time, lower the speed limit to 15 MPH in the proximity of all existing camping pads. As more pads are constructed, lower the speed limit in those sections of the road as well. Ultimately, the whole of Gecko Road would have a 15 MPH speed limit.

This accomplishes many things simultaneously. First, more visitors would be accommodated in a more efficient manner. Second, the ten foot set back rule would be enforceable at all pads thus adding to public safety. Third, vendors would be within the law to make stops at the pads and would be able to do so safely. Fourth, with the decrease in speed along the road, public safety would be further enhanced.

Socioeconomic impacts
Socioeconomic impacts beyond Imperial and Yuma Counties must be considered along with the cumulative impact of multiple closures throughout the desert.
Ignoring socioeconomic impacts outside Imperial and Yuma Counties is a serious deficiency in the DEIS. The impact of ISDRA OHV use reaches far beyond the local economy. Any management action at the ISDRA that limits or restricts visitor use would significantly affect the economies of California, Arizona, and Nevada in a negative manner. The ISDRA is recognized as a "World Class" motorized recreation opportunity. The contribution to the economy of the

southwest from off-road recreation amounts to billions of dollars. In the 1993-1994 season, OHV use had a $3 Billion Impact on California's economy alone[1]. Given that this data is almost 10 years old, one would expect the current number to be much greater. The final EIS must consider a broader scope of socioeconomic impacts.

All cumulative impacts, not just socioeconomic, must be considered in the context of BLM's entire "desert closure" plan. NEPA requires the BLM to address the combined effect of the closures contemplated in the NECO, WECO, NEMO, ISDRA, and elsewhere. Mitigation of the large acreages lost for off road use needs to be more strongly addressed.

Adaptive Management Area - Buffer Zone
There is no justification for restricting motorized access using an Adaptive Management Area or Buffer Zone for biological and resource protection. (Sec. 2-7)
The DEIS states there is insufficient scientific data to support the temporary interim closures. Therefore, the 1987 RAMP that does not include said closures, has been used as the baseline in the selection of the preferred alternative.

No data is provided that demonstrate a need to restrict motorized access to protect any sensitive species via an Adaptive Management Area ("AMA") and a Buffer Zone ("BZ") . While there is no definitive visitor use data for the AMA, it is a well-known fact that this area is the lowest OHV use area at the ISDRA.

Chapter 2-12, of the DEIS, Rationale for Rejection for 2.2.3 Interim Management Alternative states: *"The primary reason for rejecting this alternative is that interim closures (as stipulated in the settlement agreement) are not required for adequate protection of sensitive species. A settlement agreement was developed in November 2000 with plaintiffs (Center for Biological Diversity and others) to establish interim actions to protect endangered and threatened species pending completion of USFWS consultation on the CDCA Plan in total. Prior to November 2, 2000 the BLM did not have the results of monitoring to assess adequately the status of sensitive species addressed by the settlement agreement. The results of the monitoring conducted since November 2000 and other data collected prior to November 2000 and assessed after the settlement agreement indicate that continuing the interim closures is not necessary to ensure adequate protection for the species of concern. For further support of the rationale for eliminating this alternative, see appendix B."* Based on this statement there should be no change from the 1987 RAMP in this area. . The proposed Adaptive Management Area is unnecessary as well as impractical from an administrative standpoint.

The DEIS states the BZ is necessary to minimize *"conflicts among OHV enthusiasts, landowners and concerned members of the public."* There is already a de facto BZ in place: an international border to the South, Mammoth Wash to the North, railroad tracks to the East and a canal to the West. The BZ is an unwarranted isolation of OHV activities that results in fewer camping opportunities and possible overcrowding in other camping areas.

[1] "A 1993-1994 Report: Off-Highway Vehicle (OHV) Recreation's Economic Impact in California" published by the Off Highway Vehicle Recreation Division of California State Parks and Recreation.

Recreation Opportunities
ROS Strongly Opposed by the ASA
The ASA adamantly opposes the implementation of ROS and its application to limit motorized recreation use at the ISDRA. There is no scientific data to support the use of ROS as a method to limit motorized activity to protect any natural or cultural resources in the ISDRA. In fact, almost every study undertaken by the BLM indicate the opposite.

While incorporating comments and suggestions from the Off Road Community, the USFWS should approve the DEIS preferred alternative with a No Jeopardy Opinion since there is no scientific biological data to justify any restriction on motorized recreation to protect any sensitive species within the ISDRA. We urge the BLM to make certain the USFWS is fully informed of this lack of supporting data.

While we cannot support the application of ROS to the ISDRA, we have included extensive ROS comments in an effort to identify a mutually acceptable ROS equation in the event that ROS is ultimately applied to ISDRA. These comments can be found on page 22.

The goal of the recreation resource manager is to provide the ISDRA visitor with a satisfying recreation experience. Chapter ES-1, paragraph 1 in ES-2 BACKGROUND states: *" The ISDRA, which comprises the largest mass of sand dunes in California, is located in Imperial County. The ISDRA is recognized as a world-class off-highway vehicle (OHV) recreation area to the Southern California region and vicinity because of the outstanding opportunities it presents for OHV recreational activities. In addition, the ISDRA provides unique habitat for several endemic and sensitive plant, insect, and animal species."* Visitor growth must be managed in harmony with protection of cultural and natural resources.

The final RAMP must provide for future recreational growth. There are adequate sand dunes within the ISDRA to provide the recreation opportunity we seek and desire. More staging and camping areas are needed. The application of the Recreation Opportunity Spectrum ("ROS") concept must not limit recreation opportunities but rather provide a management tool to identify and fill the need for additional camping and staging requirements.

The BLM should provide the maximum amount of Recreation Opportunities that the natural resources will allow.

Camping and OHV Use
Camping and staging facilities must be added to accommodate increased ISDRA visitor use resulting from the closure of many sand-riding areas in California. The BLM must mitigate the impacts to motorized recreation associated with these numerous and continuing closures.

Camping and OHV use should be encouraged and supported with adequate facilities as long as such use does not jeopardize species. The Thomas Olsen and Associates studies and all but one of the studies initiated by the BLM confirm that OHV use in the ISDRA does not have a significant impact on species of concern in the dunes. The one study that does not concur (1990 ECOS, Inc.) has been declared flawed by the BLM.

Alcohol Ban

There is no justification for either the proposed alcohol ban (ES-5 4-26 2-6 table 2-1) or curfews (Sections 2-4 4-26). Current laws and the new "Zero Tolerance" policy are proving to be sufficient.

Beginning with the January 2002 New Year's holiday, the BLM implemented a new "Zero Tolerance" law enforcement policy. BLM news releases for the remainder of the 2001-2002 season show lawless behavior to be significantly reduced. It is clear that enforcement of existing State and Federal alcohol laws are producing the desired effect at the ISDRA. The "Zero Tolerance" policy is working and should be the foundation for future ISDRA public safety strategies.

Rather than add new Federal regulations that are largely unenforceable, the RAMP should instead strongly encourage the County to adopt a general ordinance for crowd control.

Imperial County Sheriff

The Imperial County Sheriff's Office should be designated as the lead law enforcement agency. The ICSO has primary law enforcement responsibility in Imperial County and as such, should be the lead law enforcement agency at the ISDRA.

Recent Off Highway Motor Vehicle Recreation (OHMVR – green sticker) law enforcement grants to the Imperial County Sheriff resulted in increased involvement of the Sheriff at the ISDRA. Since then, a definite reduction in lawless behavior has been documented by the BLM. Enacting a County ordinance for crowd control and assigning the County Sheriff lead for law enforcement will continue to enhance public safety.

Further supporting this concept: Citations written for violations of local ordinances prove to be more effective than Federal citations written on BLM Supplemental Rules. Federal magistrate courts are simply are not interested in, and do not take the time to pursue, BLM citations.

Osborne Overlook

A ranger station should not be built at Osborne Overlook.

Construction of a permanent ranger station at the Osborne Overlook will create a permanent unacceptable visual impact. Chapter 4-69, 4.6 VISUAL RESOURCES states: *"All land-disturbing activities have a direct effect on the visual resource. These effects can be either positive or negative, depending on the location, size, color, and viewing location."* Paragraph 2 states: *"Ground-disturbing activities like road and facilities construction have the potential of not harmonizing with the natural character of the landscape."*

Additionally, due to the site's location on top of a remote sand dune, the utility and construction costs at this location will be significantly greater than expanding the existing Gecko Road site.

Use of the Osborne site during the six high use periods as a temporary command post is reasonable. However, camping should be permitted at all other times.

Building an additional station on the south end of the dunes would add to the visitor recreation experience and should occur instead of this project.

Flawed Data

The DEIS is replete with inconsistent, flawed, and unsupported data.

It is clear the consultant employed by BLM to write the DEIS was not familiar with the ISDRA. Moreover, it is readily apparent that BLM staff did not carefully review the documents before they were submitted for public comment.

Many of the proposed management actions are based on unrealistic estimates and generally inaccurate data. Essential data gathering has not occurred and pertinent studies were not prepared. This leads to a Record of Decision being written based upon incomplete and invalid information. This situation must be corrected.

Examples are: Chapter 3-8 states*: "Ninety percent of the visitors to ISDRA are associated with OHV recreation. The remaining 10 percent are largely associated with non-motorized recreation in the North Algodones Dunes Wilderness (Haas , 2002)."* The visitor count last year was 1,416,828. That would mean that 141, 682 people recreated in the Wilderness Area last year. At best this is a wild guess since there have been no studies to determine the real number. All anecdotal evidence indicates wilderness area visitation is less than one hundred per year.

Table #3.1-2 in chapter 3-9 states that total visitation at the ISDRA was 867,753 during the 1999-2000 season. The table has the same numbers repeated for different locations. Even though there is no valid data on visitation for the 1999-2000 season, the number has been used as the baseline for this report.

ISDRA Management Style

The ISDRA needs to be managed as a "World Class" multiple use motorized recreation area.

The BLM has acknowledged the continued management of ISDRA as a motorized recreation area. The use of the 1987 RAMP, without the temporary interim closures, sets the stage for future OHV recreation

The goals set forth on page 2 of the DRAMP reinforces the BLM's intention to *"…sustain OHV activities…maintaining conditions of special status species, natural and cultural resources…and creating an environment to promote health and safety."* The BLM must be encouraged to recognize that additional camping and staging areas need to be developed to support the "World Class" OHV recreation experience they have proposed in the DRAMP.

In fact, the ISDRA is one of the few remaining sand recreation areas in California still available for OHV enthusiasts. Over the years, most of the sand-riding areas have become off limits to OHV use. They are listed below. Maintaining the ISDRA as mitigation for these closures is necessary.

Sand Area Closures:

1000 Palms Dunes
Borrego Dunes
Cadiz Dunes
Kelso Dunes
90% of Oceano Dunes
Panamint Dunes

Chuckwalla Dune Thicket
Eureka Dunes
Ibex Dunes
Pinto Dunes
Saline Dunes
Whitewater Dunes
Rice Valley Dunes (soon to be closed under the NECO Plan)

Monitoring
Throughout the DEIS and the DRAMP monitoring is discussed on several levels.

We strongly agree monitoring of species should be done. However, section 2.7 of the Biological Assessment under "RAMP Monitoring Plan" depicts estimates being *"combined into a single estimate for the entire ISDRA using the appropriate formula for stratified random sampling."* The Wilderness area should not be combined with the numbers of the open areas, but used as a comparison only to determine if motorized recreation is negatively affecting a species.

Virtually all studies indicate that most species in the dunes do better in the open OHV area south of Highway 78 than in the Wilderness Area. It follows then that OHV activity is probably not a major impact on those species.

However, it is very possible that in some years this will not be the case due to rainfall, climate, or other factors. We agree with BLM's intention to determine why as stated on page 2-10 of the Biological Assessment. We agree there should be detailed studies required that take rainfall, hiking, and any other impacts into consideration. We appreciate that OHV use will not immediately be assumed to be the cause for any species decline.

Biological Concerns
Page 2-9 Biological Assessment 2.6 Biological Resource Goals and Objectives
As stated on page 46 of the DRAMP, the BLM will engage in the *"...monitoring of highly visible indicator species such as the Coachella Valley fringe-toed lizard to measure the health of the habitat. The plan is to monitor a representative group of species to determine the viability of the native species as a whole."*

We question the validity of this approach: a single species having a bad year does not necessarily prove that any other species would also be in the same condition. Due to varied factors, the indicator species may be in decline while all other species are thriving.

Page 3-13 3.2.1.4 California Native Plant Society
We recognize the California Native Plant Society and the valuable work they do. However, until they can provide scientific studies that stand to peer review, their anecdotal opinion on what species are rare, threatened, or endangered should not be regarded in decisions made at the ISDRA.

LAW ENFORCEMENT, OUTREACH, and PUBLIC SAFETY

Signage

Page ES-5 Table ES-2 Common Management Actions…
References Public Safety and a Management Action relating to "Post speed limits." There are virtually no signs posted throughout the ISDRA to inform the visitors of rules of any kind.

We fully support the posting of speed limits. In addition, consideration should be given to establishing "Speed Zones" in and near major camping areas at the ISDRA. This would enhance the ability of the rangers to enforce the speed rules, minimize the 50-foot rule disputes, and reduce the dust levels.

Further, signage relating to safety practices and area policies is commonplace in most water-recreation areas and city, state, and national parks. Boaters are made aware of limited access areas and permissible speeds in all areas. The Coral Pink Dunes in Utah adequately informs dune enthusiasts of regulations in that area. The ISDRA has no such signage. The ASA would fully support a program to install and maintain the aforementioned signage.

North Algodones Wilderness Area Signage
The BLM relies heavily on "word of mouth" to inform the OHV community that the area north of Highway 78 is closed to OHV activities. Signage marking the Wilderness area north of Highway 78 is insufficient. Even so, the low incursion rate is below BLM expectations. Many visitors to the ISDRA are unaware that this area is off limits to OHV use. With the increase of new visitors to the area, this problem could be compounded.

With adequate notification, by either signs or printed materials, the incursion rate will be significantly lower than without. The OHV community should not be held accountable, nor pay a penalty, for these innocent incursions until this situation is remedied.

We support a major commitment to this Management Action.

Page 2-5 Table 2-1 Plan Area Management Actions
The Public Outreach section of the table proposes "*…a public relations program on cultural and natural resources; safety...".* **We fully support the development of a formal well-planed and documented Public Outreach Program.** If such a plan exists it is not apparent.

Page 46 of the DRAMP BLM acknowledges: *"In spite of outreach efforts made by the BLM, it is recognized that additional efforts must be made to address the pressing safety and environmental concerns at the ISDRA."* Pages 57 and 58 under "Information and Interpretation Education" AW # 15 in addressing dissemination states: *"... brochures… clearly defined rules and regulations, open and closed areas, permit required areas and consequences of violations."* These well-meaning management actions must be supported by both financial and human resources to accomplish the desired results. Volunteer support may be part of the solution but requires adequate advance planning. This planning has been lacking in the past.

Page 3-41 3.3.2.2 Citations and Arrests
This section states: *"…3530 citations/arrests occurred over the six major holiday weekends."* While we do not dispute this number, we take issue with how it is used. The press and those pre-disposed to defacing the OHV community have taken this number as total arrests. We request that this number be broken down into its various sub-components.

We also request that a comparison be done against cities with populations of approximately 200,000 for the same periods. This would provide a clearer picture of the severity, or lack of, law enforcement issues at the ISDRA. Moreover, statistics comparing dune activities to other events involving large numbers of people i.e. Soccer, Football, and Baseball games would add insight and bring perspective to issues regarding crime at the dunes.

Page 3-42 Table 3.3-2
This table provides only the number of incidents. To accurately determine what occurs at the ISDRA, the reader needs to have the types of incidents broken out into separate categories.

DRAMP Page 23 LAW ENFORCEMENT
DRAMP Page 75 Gecko Management Area EXISTING CONDITIONS
There is no reference in the DEIS to public safety concerns associated with the "impromptu sand drags," however, the DRAMP[2] acknowledges the drags are of significant concern in both the north and south dunes. The drags are mentioned on Page 23 and again on Page 75 in the DRAMP. On page 75, the description of the activities at the drags is portrayed in much the same language as the law enforcement concerns elsewhere at the ISDRA.

There is no proposed management action in the DEIS or the DRAMP to deal with the unsafe operation of the drags. Recent BLM news releases state that the implementation of the "Zero Tolerance" law enforcement policy has been very effective in dealing with the spectator behavior at the sand drags. This main unresolved public safety concern relates to the manner in which the BLM allows the vehicles to proceed thru the informal impromptu sand drags.

Allowing more than two vehicles to proceed thru the drags and "flying starts" both increase the risk of a serious accident involving the crowd of spectators. The lack of physical barriers to protect the onlookers is equally hazardous. There is already a 15 mph speed limit within 50 feet of any assembly of people. This law could be used to keep the spectators a safe distance away from the drags. It may be the case that 100 feet is more appropriate in this instance.

DRAMP Page 59 Health and Safety
DRAMP Gecko Management (GM) Area
DESIRED CONDITIONS; Page 75

[2] **Since the above comments relate to an area of significant importance which is not addressed directly in the DEIS please consider specifically including the foregoing comments as a means of implementing the preferred alternative in the DEIS. Please also consider these comments as pertaining to Law Enforcement and Public Safety which are addressed in the DEIS. It is our desire that the foregoing comments be included in the NEPA process. It is our expectation that the foregoing comments and the BLM response thereto will appear in the appendices of the final RAMP and EIS.**

MANAGEMENT ACTION Health and Safety Page 77
DRAMP Dune Buggy Flats Management (DM) Area
DESIRED CONDITIONS; Page 93
DRAMP PAGE 93 MANAGEMENT ACTION; Health and Safety

The Desired Conditions for the above sections should include a statement acknowledging the need to enhance spectator safety at the drags in the GM and DM areas. A Management Action should be added to the above sections that describe the BLM plan for providing spectator safety at the drags.

SOCIOECONOMICS

Overall Socioeconomic Impact Comment
The DEIS lacks much of the data needed to determine true local and regional economic impacts. Because of the nature of OHV recreation and the higher than normal expenditures inherent to this form of recreation, national economic impacts must be taken into account. Additional in-depth socioeconomic studies are required. These studies should be done before any management actions that restrict OHV use at the ISDRA are implemented.

Page 4-29 4.4.1 Assumptions and Assessment Guidelines
Stated here is that trip expenditures are the same for OHV and non-OHV visitors. Trip-related expenditures are described in this section as food, lodging, transportation, and activities.

Transportation costs for off-highway users, because of the increased size and weight of their vehicles, are generally much higher than the transportation costs of non-OHV visitors. Additionally, the necessary tools, supplies, and equipment necessary to support and maintain off-highway vehicles easily weigh several thousand pounds. These supplies must be transported to the ISDRA using a towed vehicle, which adds to transportation costs as well.

Due to the nature of the motor vehicles involved, transportation expenses are much greater for dune enthusiasts. Non-OHV visitors, in most cases, transport nothing more than themselves and their related hiking and/or camping supplies and light equipment in a stand-alone vehicle. It logically follows that fuel expenditures and the maintenance (e.g. tire replacement, hitch repair and general automotive) required on vehicles and trailers of OHV enthusiasts are much higher. Adding also to OHV costs are the increased vehicle registration, insurance, and storage expenses.

Notwithstanding the initial purchase of the OHV itself, expenditures associated with OHV use are by nature much higher than non-OHV visitor activities. OHV activity requires fuel, on and off site maintenance, and repair of the off highway vehicle. These expenditures of transporting, maintaining, storing, and supporting an off highway vehicle are in addition to the food, supplies and other camping related expenditures common to off highway vehicle activity. A significant portion is historically spent in the outlying communities of Yuma and Imperial Valley.

Further, this section assumes that only expenditures made by non-residents are relevant for determining economic impacts. These expenditures include all expenditures made at or near the ISDRA as well as a portion of the expenditures made en route. It has been shown that many residents of the Imperial Valley participate in OHV activity at the ISDRA. These residents must spend money to transport, store, and maintain their OHVs just as non-residents do.

Local expenditures are greater for residents of the Imperial Valley who participate in OHV activity than non-residents. A non-resident will purchase a percentage of their needs in their own community. Residents of the Imperial Valley who participate in ISDRA OHV activity spend money on food, fuel, camping supplies, repairs, and maintenance of their OHVs, tow vehicles, and trailers. In most cases, these expenditures are made solely in the Imperial Valley.

A resident of Imperial Valley would not otherwise make these local expenditures if the ISDRA were closed to OHV use. Expenditures made by Imperial Valley residents participating in OHV activity at the ISDRA must be considered just as relevant to socioeconomic impacts as non-resident expenditures.

Page 4-65 Compatibility with Existing Land Uses
The DEIS claims that Alternative 2 would not result in changes to existing land use patterns in the ISDRA: the BLM would continue to manage the ISDRA for multiple uses including recreation and resource protection. The baseline condition allows full-motorized use of the Adaptive Management Area.

We refer you to page 5 of the DRAMP, Chapter I, Introduction which states: *"Currently, as a result of a negotiated settlement agreement between the BLM and a coalition of environmental and off-road groups, several areas of the ISDRA are temporarily closed in order to protect various species. This Draft RAMP is written using the "current condition" as the management of the ISDRA prior to the temporary closure."* Therefore, implementation of any alternative other than Alternative 1 would result in changes to existing land use patterns in terms of geographic distribution and concentration by displacement. Alternative 2, in adopting the Adaptive Management Area and the Buffer Zone, has a negative effect on recreational opportunities. **We request that the EIS correct this oversight**

The Buffer Zone is defined in this section as: *"allowing motorized use where it potentially does not exist, as part of the baseline condition."* It is unclear what "potentially does not exist" means. Alternative 2 prohibits camping in the Buffer Zone and imposes route designations. **This statement needs to be clarified.**

In addition, the prohibition of camping as well as route restrictions, have a negative impact on visual resources and view opportunities.

We oppose the Buffer Zone as stated in other comments and suggest it be removed from the final plan.

Page 4-71 4.6 Visual Resources 4.6.2.2 – Change in ROS Designation continued.
states: *"allowing more intense use in a particular management area provides views of the inner dunes to more recreationists at one time. This is a visual benefit to the public. Conversely, allowing less intense use in a particular management area provides views of the inner dunes to fewer recreationists at one time. Due to the high level of mobility of the recreationists using the dunes, a lower level of allowable use would not adversely affect view opportunities of the OHV enthusiasts."*

We believe that allowing more intense use in a particular management area provides views of the inner dunes to more recreationists at one time, and is a visual benefit. It is also clear that allowing less intense use in a particular management area provides views of the inner dunes to fewer recreationists at one time. There is no logical connection to the assumption that a "high level of mobility' can offset "a lower level of allowable use [that] would not adversely affect view opportunities of the OHV enthusiasts."

Further, this section states: *"A ranger station would be constructed at Osborne Overlook. This would not alter views from Osborne Overlook. Visitors traveling on SR-78 would experience an altered view of Osborne Overlook. However, this change would not be substantial to the casual observer."*

The current temporary ranger station at Osborne Overlook closes the area to all camping and user visitation. While the Ranger Station may not alter views from Osborne Overlook, it would prohibit recreationists from enjoying these views. Osborne Overlook is the site of some of the most spectacular vistas found in the ISDRA. Furthermore, while it is true that visitors traveling on SR-78 would experience an altered view of Osborne Overlook and the change of the view of Osborne Overlook would not be substantial, the visual resource is the view beyond Osborne Overlook. Restricting access to the overlook destroys the opportunity to observe the viewshed available only from that site.

Visitors traveling on SR-78 will be deprived of the panoramic views available at the baseline condition of no Ranger Station. Osborne Overlook is the crown jewel of visual resources at the ISDRA and this would be lost with the implementation of Alternative #2. A reasonably accessible alternative site should be found for any new Law Enforcement facilities.

The DEIS goes on to state*: "Closing Oldsmobile Hill, Competition Hill, Test Hill, and Patton Valley at night would result in those areas appearing darker at night (less nighttime glow) due to the elimination of vehicle lights."*

It is arguable that the nighttime views afforded by a sea of OHVs are second only to the views from Osborne in terms of user favorite visual resources. One needs to look no further than the many postcards sold featuring these crowded nighttime views. Closing these areas at night would have a definitive negative impact on the viewer's experience. The public would be left with only pictures to remind us of the ISDRA before Alternative 2, 3, or 4.

If a visitor truly wished to see those locations in the dark, a mid-week or mid-summer venture to these hills would still provide that.

AIR QUALITY

Page 4-88 4.11 Air Quality, 4.11.1.1 Vehicle Types
"For the purpose of this Air Quality Analysis, the peak OHV activity would occur when an estimated 3.5 person per occupant's on road vehicle are operating their OHV at the same hour."

Not all 3.5 people operate an OHV and not all OHVs are operated simultaneously. The number of OHVs is not proportional to the number of visits since many people that camp with dune enthusiasts do not actually operate or own an OHV themselves. A good percentage of visitors that arrive with OHV enthusiasts ride as passengers in larger four and five-passenger OHVs or prefer to stay at camp for various reasons. Studies need to be conducted to determine what this percentage is.

The above leads to inaccuracy when counting the number of OHVs utilized within the ISDRA. Moreover, it is highly unlikely that every OHV present at the ISDRA would be operating at any given moment. Again, improper modeling and data representation causes data and planning to be flawed. This is consistent throughout the DEIS.

Finally, there is no indication that the computations take into account that OHV use is almost non-existent during mid-week and the summer months.

Page 4-91 Table 4.11-2 Estimated Annual Air Emissions Associated with the Future Baseline
Incorrect data and numbers are used in this section. In checking these numbers, it was determined that the numbers used were the total number of visits (867,753) times the PM10 factor of .12 listed on Page C-7, Table: Operational Emissions From OHV Source.
Several issues arise:

- The factor of .12 is a total comprised of the lb/day of PM10 emissions for a motorcycle and an ATV. This then gives a PM10 Total that is greater than that which is actually being produced. The factor of .12 is the PM10 emission rate for Street Motorcycles Statewide.
- This total equates to 52 tons per year, which is the total for on-road vehicles listed in Table 4.11-2. CARB Reports state the Total PM10 Emissions for the State of California for 2000/2001 by OHVs is .28 tons per day, and Street Motorcycles contribute .12 tons per day. This equates to a total of 102.2 tons per year *statewide*, however Appendix C lists on page C-5 a total of 1210.52 tons. This is an extremely large error. (CARB website)
- Total PM10 listed on Page C-7 are listed as lb/day, yet the totals for Air Quality significance thresholds are listed without any reference showing what these are elsewhere.
- Table 4.11-4 – Totals for emissions listed for Alternative 1 are in error.

Page 4-90, 4.11.1.4 Future Baseline
Wind-blown dust emission generates 173.35 tons per day in Imperial County during the year 2000 followed by vehicles generate 42.59 tons per day. The information in 4.11.1.4 states*: the "number of OHVs is proportionate to the total visits."*

We are not given a ratio or total tons per day. Thus, it is possible that the information presented is either skewed or flawed. Additionally, the number of visits includes hikers and tour busses that should not be included when computing the number of OHVs present.

As stated above, many visitors to the ISDRA do not operate an OHV. Since the OHV profile is inaccurate, the PM10 information is also inaccurate. This number is used to calculate the rate of PM10 emissions. Without accurate statistical data based on the OHV recreationist or ISDRA experience, up-to-date OHV emissions modeling and operational profiling data based on these data points will be completely flawed and unusable.

Appendix C Air Quality Data Page C-3
The numbers and data presented here are incorrect. By using examples listed and information listed elsewhere in the DEIS and DRAMP, it can be shown that the data models and surveys used for vehicle visits and people per vehicle ratio are inaccurate.

Using the example shown for Thanksgiving Weekend, there are an estimated 16,065 vehicle trips per day. The 6-day weekend then includes 96,390 vehicle trips. Using the 3.5 USFWS visitor average of 3.5 person per vehicle, as stipulated in the DEIS, we arrive at 337,365 people.

Using the 55,892 visitor supply, this would then put the amount of visitors at the proposed supply quantity in excess by 281,473.

As previously stated, the use of inaccurate estimations of vehicle trips and visitors per vehicle greatly influence other data and suppositions throughout the DEIS and ultimately the DRAMP or any other plan.

Accurate data needs to be obtained to correctly plan for, budget, and mitigate any impacts to the environment and OHV activities. Unless this is done, any EIS and plans developed from the inaccurate data would be flawed. Successful management of resources and recreational opportunities would thus be impossible. Inaccurate data also causes socioeconomic models connected to that data to be unreliable.

Page 4-101 4.11.3 Mitigation Measures
"The following measures would be implemented to reduce potential air quality impacts:

- *"Suspend all operations when wind speeds (as instantaneous gusts) exceed 25 mph."*

The word "operations" needs to be defined. If the intent is to suspend all OHV operations, the proposed methodology needs to be determined before policy approval. Additionally, studies

need to be done that show that OHV activity in the coarse dune sand results in higher PM10 emissions at wind speeds of 25 MPH than at lower wind speeds.

As stated in Chapter 4 Page 89, *"most of the PM10 emissions are from wind erosions, which are a major source of PM10 emissions throughout the ISDRA."* There are no estimates given that quantify what effect normal OHV activity has during 25 MPH wind conditions on PM10 emissions vs. the proposed suspension of OHV activity as a percentage. Given the fact that most visitors choose to wait out high winds in the comfort of their campsites, it is likely that this proposed measure is unnecessary.

"Suspend all OHV operations during second-stage smog alerts. For daily forecast, to identify second-stage smog alerts, the following number should be called: 1-800-CUT-SMOG (Imperial County APCD)."

The U.S. Environmental Protection Agency ("EPA") announced October 10, 2001 that it has finalized its finding that Imperial County will remain a moderate PM10 "non-attainment" area and avoid a reclassification to "serious" despite protests from the Sierra Club.

According to the EPA, Imperial County met the 1994 federal Clean Air Act deadline for particulate matter, or dust, based on a County demonstration that the area would have attained air quality standards if not for the emissions from Mexico. See [Federal Register: August 10, 2001 (Volume 66, Number 155)] [Proposed Rules] [Page 42187-42193]

There are no studies or estimates that show suspended OHV activity would have a demonstrable effect on either smog or net PM10 emissions to support this drastic action, especially in light of the EPA's finding that Imperial County will remain a moderate PM10 non-attainment area.

VISITOR SUPPLY

Page 3-8 3.1.3.2
Data is required reflecting the amount of use occurring in the 32,000+ acres of North Algodones Wilderness Area. The DEIS states that 10 % of visitation to the dunes is non-motorized recreation in the Wilderness Area. We do not believe this to be true.

The BLM visitation number for the 2001-2002 season is 1,416,828. Taking 10 % of total visitation yields approximately 141,000. This means that 141,000 visitors used the Wilderness Area. We feel strongly that this is incorrect. The lack of data makes any determination impossible.

Trailheads, a parking area, and sign-in facilities are needed to count visitors going into the Wilderness Area. Triggers are needed that provide for expanding these facilities based on use. Since other areas in the ISDRA are required to be self–supporting, this area should also be self-supporting. A fee should be charged to anyone using these areas based on recovering costs to maintain this system.

As a side note, the BLM at the Samoa Dunes incorporated the following into their RAMP to separate different uses: *"Those non-OHV users that choose to recreate at Samoa Dunes will be encouraged (through signing, maps, and brochure) to recreate in selected areas either closed to OHV use or far enough away from the OHVs to minimize negative impacts caused by noise and safety concerns.*

The proposed hiking trail located in the Wetland Protection Area, which is closed to vehicle use, will help to separate pedestrians from OHV activity. Designating and signing pedestrian corridors to the waveslope within the OHV riding area, reducing the speed limit near pedestrians and developing a parking area at the end of Bunker Road are additional mitigation measures designed to reduce the potential for accidents."

The entire text can be viewed at http://www.arcata.com/fiorica/6.htm

Page 3-10, Table 3.1-3 Campsite Occupancy Rate for the ISDRA
Incorrect data is used here. 21 days are shown as major holiday weekends with shoulder days. Also stated at the bottom of the table, the OHV season is Oct 01 thru April 15. Page 3-1 states the season is from Oct 1 to Sept.30. Yet, Table 3.9-3 shows peak attendance at the ISDRA on major holiday periods as having a total of 37 days. Discrepancy here affects other data throughout the report, which factors into more errors when creating the DRAMP.

Of primary concern is space available for camping units: vehicles, trailers, tents, and OHVs. It may be more meaningful to develop a recreation plan based on the number of campsites rather than to focus on the number of visitors.

The development of "day visit staging" facilities should be assigned a high priority. Encouraging offsite lodging will assist in dispersing visitor utilization.

Page 3-78 3.9-2 Recreation Visitation
The California Department of Transportation is stated as the source of the data in table 3.9-2 on page 3-78 and refers to the 1999-2000 season. Below the table, it is stated that it is based on annual projected generated traffic of 495,860. This is traffic on the highways of vehicles going to or coming from the ISDRA. The numbers on the table actually add up to 495,760. If 495,760 is multiplied by 3.5 persons per vehicle (the accepted national average used throughout the DEIS) the total is 1,735,160. This would be the number of people that visited the ISDRA in the 1999/2000 season. Table 3.1-2 on page 3-9 states that the total visitation for 1999/2000 season to be 867,753. Both cannot be true.

We also question the validity of the numbers in table 3.9-2. It is unlikely that I-8 East and SR-78 East would produce the identical number of vehicles.

Page 4-6 Table 4.1-3 Visitor Supply
In calculating the information here, the season used is Oct 01 – May 31; for Air Quality data, the season is Oct 01 – Apr 15. These two different seasons result in an inaccurate count of visitors and vehicles towards emissions data. Page 3-1 states the season is from Oct. 1 to Sept. 30. **We strongly suggest a 365-day season**.

The DEIS does not state that an actual count of visitors was performed. Instead, the reader will repeatedly see the words 'estimated', 'assumed', 'impossible' and 'difficult' used vs. accurate and factual numbers or profiles for the OHV community. Any proposed "Management Actions" in the DEIS or the DRAMP based on such tentative information or data are no more valid than the unrealistic data upon which they are based.

Visitor supply is listed at just under 56,000. This falls far short of what has been observed on the major holiday weekends. If the 15% or 20% triggers are met, neither the DEIS or DRAMP state how the BLM would enact a plan or mitigation measure to let people know that the ISDRA was full prior to their leaving their house 4+ hours away.

It does state that traffic control and alertment signs would be posted at the entrances, but this has the potential to actually increase illegal activity. Large groups travel long distances to the ISDRA: it is unclear what their actions would be when they are informed the ISDRA is full upon their arrival.

There should be no reservation system at the ISDRA. Using reservation systems as a response to triggers to limit the supply of visitors (page 56 of the DRAMP) is unjustified. The camping and staging space available at the ISDRA should be used to accommodate as many people as possible. The BLM should encourage the development of camping facilities that can be reserved on private land surrounding the ISDRA. This would be the best way to have sites that can be reserved. They may even be developed with water, electricity, and RV dumps. They would be self- supporting and would not spread the cost to those that do not utilize them.

Some of our main objections to this concept are:
a) Possibility for non OHV groups to book 100% of sites
b) First come first served has history of working

c) There is no justification for program
d) Added task for Rangers and administration
e) Bidding for sites is discriminatory – Pg 76 of DRAMP
f) Unnatural and unrealistic campsite size
g) Potential for scalping exists
h) There is no added benefit to users over present system
i) The only purpose appears to limit visitorship at the ISDRA.

Page 4-5, Table 4.1-2
The description of Semi-Primitive Motorized states "natural surfaces and trails suitable for motorbikes is permitted." The Adaptive Management Area, also known as the Central Dunes, is primarily reached via travel with ATVs or Dune Buggies. This definition could be used to close the Central Dunes Area to non-motorcycle riders. Duners that ride their motorcycles to and thru this area are usually at the upper end of being in shape and/or experience because it is extremely difficult to ride a two-wheeled motorcycle into this area. While this is a subtle error, this definition needs to be changed.

Page 4-12, Table 4.2-1
Incorrect and inaccurate data is used in this table. Acreage listed as open and closed equals 167,373 acres, which is 59,660 less than the total 227,033 acreage listed earlier in the DEIS. The reason or explanation for this difference cannot be found.

Page 4-68 4.5.3 Mitigation Measures
"No adverse impacts were identified that would require mitigation measures for any project alternative."

Implementation of any Alternative that further restricts OHV activity and decreases the available amount of area for OHV operations would require some type of mitigation. Further restrictions on OHV activity would cause OHV enthusiasts traveling to other sites, thus resulting impacts become an issue in those other areas that need to be addressed.

RECREATION OPPORTUNITY SPECTRUM (ROS)

As stated previously, The ASA adamantly opposes the implementation of ROS and its application to limit motorized recreation use at the ISDRA. There is no scientific data to support the use of ROS as a method to limit motorized activity to protect any natural or cultural resources in the ISDRA. In fact, almost every study undertaken by the BLM indicate the opposite.

Page ES-4 Table ES-1 Definition of Recreation Opportunity Spectrum Classifications
The ROS classifications are introduced in the "Executive Summary" of the DEIS. The ROS classifications are the foundation for numerous proposed "Management Actions" discussed in the DEIS and the DRAMP. Page ES-4 of the DEIS states *"Where facilities are planned, and where law enforcement is planned to be increased, these actions are proposed to enhance public safety in the context of an enjoyable recreation experience."*

An understandable and site-specific equation defining recreation opportunities and recreation supply must be clearly defined for easy public evaluation. It must be "User Friendly," easily interpreted, and provide a foundation for consistent application by future El Centro Field Office Managers.

The ROS classifications proposed in Table ES-1 do not directly apply to the recreation experience associated with the ISDRA. The ROS classifications must be refined to satisfy the unique recreation activities associated with ISDRA camping, OHV staging and use.

The final DEIS, and thus RAMP, should set forth a structured procedure that BLM will follow in developing a "ROS Implementation Plan." Any plan to implement ROS should include at least the following:

- Monitoring and Data Acquisition Procedure
- Management Area Precise Boundary Definition
- Precise Determination of Campground and OHV Staging Area Acreage
- Explicit Trigger[3] Definitions
- Expansion Plans for Camping And OHV Staging Areas
- Well defined prescriptions for Stakeholder participation
- Specific provisions for implementation accountability.

The ASA has undertaken an analysis of the guidelines used for "Land and Resource Planning" in the United States and Canada. Based on this literature research, the ASA proposes the application of ROS classifications be expanded to include "subclasses" as provided for in the United States Department of Agriculture (USDA) / United States Forest Service (USFS) ROS User's Guide. This should be used in conjunction with Limits of Acceptable Change ("LAC").

[3] **Since these comments relate to an area of significant importance which is not directly addressed in the DEIS please consider specifically including these comments as a means of implementing the preferred alternative in the DEIS. Please also consider them as comments pertaining to ROS in the DEIS. It is our desire that these comments be included in the NEPA process. It is our expectation that these comments and the BLM'S response thereto will appear in the appendices of the final EIS and RAMP.**

Limits of Acceptable Change
As stated on the University of Arizona's School of Renewable Natural Resources website at http://www.srnr.arizona.edu/~gimblett/LAC_2000a.html: *"The LAC has become an accepted planning scheme, used by the U.S. Forest Service, Bureau of Land Management, and National Park Service for recreational use management… LAC acknowledges that human-induced change will occur… First, it focuses more on conditions of the experience or the resource to be maintained, rather than amount and type of use on area resources …*

The LAC planning system involves a nine-step process.

In this nine step process, value judgments [are] made in determining recreation carrying capacity within a larger and more rational resource decision-making process…The LAC procedure provides an integrative framework that applies the principles, concepts and findings of the more traditional carrying capacity research."

The nine steps are:

1. Identify Area Issues and Concerns
2. Define and Describe Opportunity Classes
3. Select Indicators of Resource and Social Conditions
4. Inventory Existing Resource and Social Conditions
5. Specify Standards for Resource and Social Indicators for each Opportunity Class
6. Identify Alternative Opportunity Class Allocations Reflecting Area Issues and Concerns and Existing Resource and Social Conditions
7. Identify Management Actions for Each Key Issue and Opportunity Class
8. Evaluate and Select a Preferred Alternative
9. Implement Actions and Monitor Condition

It is interesting to note that ROS was written in 1979 by Clark and Stankey and LAC was later developed by Stankey et al. in 1985 and followed from the original work on ROS.

The ASA further proposes that the "Management Actions AW #1" on page 55 and 56 of the DRAMP relating to ROS "Triggers" be expanded to maximize recreation development and opportunities before restrictions are imposed on visitor recreation opportunities via limitations on camping or OHV staging activities.

The following comments provide the ASA rationale for the proposed "ROS subclasses" and "ROS Triggers."

United States Department of Agriculture (USDA) / United States Forest Service (USFS) ROS User's Guide
This guide is available online at http://roadless.fs.fed.us/data/pdfdocs/rosguide.pdf. The intent of the document is to lay down specific guidelines for implementing the ROS **in a forest setting**. Based on those guidelines and the DEIS for the ISDRA, we have formulated the following comments regarding the proposed implementation of ROS at the ISDRA.

Page 4-4 4.1.2 Impacts
"Alternative 1, the BLM has not assigned any ROS classifications because a ROS inventory has not been conducted."

Page 18, section 20.1 of the ROS User's Guide states*: "THE SUPPLY COMPONENT-The supply component of recreation input to* ***Land and Resource Management Planning requires an inventory of recreation supply*** *opportunities by Recreation Opportunity Spectrum class that are* ***currently available as a result of existing conditions****. It also requires for each alternative management prescription that a separate projection of potential supply by Recreation Opportunity Spectrum Class be developed.* ***This information provides the basis for evaluation and determination of the management direction response to projected recreation demands****."* Bold emphasis is added by the ASA.

According to the guide, ROS cannot be implemented until this inventory is complete. The above inventory should be done based upon the 1987 baseline that does not include the interim closures.

Without a correct and accurate inventory, ROS designations cannot be assigned. Additionally, the ROS designations utilized by the USFWS are not designed for, nor do they take into account, the unique recreational opportunities and visitor experiences that exist at the ISDRA. It is improper for the BLM to arbitrarily assign ROS designations without data.

The ROS designations on page 4-5 are from the ROS User's Guide and appear to be cut and pasted from their website. While it may be true they have been successfully used since 1979 in the forest setting, it is readily apparent they do not suit activities at the ISDRA.

As stated on the Forest Service website: *"The recreation opportunity spectrum (ROS) is an organizing framework for setting recreation management objectives. It was developed by the U.S. Forest Service and is widely used in North America. The ROS system is based on the idea that* ***recreationists can realize desired experiences*** *by participating in recreation activities in chosen settings. These opportunities for activities, settings and experiences range from primitive to urban.* ***The recreation inventory includes information on existing conditions*** *by ROS class."*[4] The bold emphasis is added by the ASA. As written in the DEIS, ROS classes are proposed based on *desired conditions* and not the *existing conditions* as directed in the Official ROS User's Guide.

Also stated in the ROS User's Guide:*"ROS specifications are to be only as a* ***basic framework*** *for inventorying, planning and managing the recreation resource in accordance with the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA)."* Again, bold emphasis is added by the ASA. This directs planners to use the ROS as a basic guide that is flexible.

Page 8 of the ROS User's Guide, Section 12 RECREATION OPPORTUNITY states:
"*The word opportunity is defined as a "combination of circumstances favorable for a purpose." The purpose or goal of the recreationist, as discussed above, is to realize satisfying experiences. This is done by participating in preferred activities in preferred environmental settings. Thus,*

[4] http://www.for.gov.bc.ca/pab/publctns/frrra/chap5.htm#sec5-1.htm

recreation opportunity is "the availability of a real choice for a user to participate in a preferred activity within a preferred setting, in order to realize those satisfying experiences which are desired."

The key point above is "*for a user to participate in a preferred activity within a preferred setting, in order to realize those satisfying experiences which are desired."* Dune enthusiasts at the ISDRA are already doing so. Therefore, ROS concepts do not need to be applied to the ISDRA unless the intent is to provide a greater number of satisfying experiences while providing for conservation. This can be applied to the need for more camping and staging areas.

If the BLM is resolute to impose the ROS on the ISDRA, we direct your attention to the ROS User's Guide section 13: RECREATION OPPORTUNITY SPECTRUM.
*"**While the goal of the recreations is to obtain satisfying experiences, the goal of the recreation resource manager becomes one of providing the opportunities for obtaining these experiences**. By managing the natural resource settings, and the activities which occur within it, the manager is providing the opportunities for recreation experiences to take place. Therefore, for both the manager and the recreationist, recreation opportunities can be expressed in terms of three principal components: the activities, the setting, and the experience."* Again, bold emphasis is added by the ASA.

As currently proposed in the DEIS, the ROS designations do not accomplish this directive as set forth in the ROS User's Guide because the number of campsites per acre assigned to the various classes are well below levels currently occurring at the ISDRA. Additionally, the use of "triggers" does not provide more desired experiences but instead restricts them.

The Recreational Opportunity Spectrum is designed as a tool in planning for continued enjoyment of recreational opportunities. The designation of "triggers" is being utilized to limit or reduce recreational opportunities. This is not supported by the principles set forth in ROS Users Guide and such negative utilization of the trigger system does not achieve the management goal of maintaining the ISDRA as a World Class OHV experience.

ROS Classes and subclasses
The Guides further states: *"For management and conceptual convenience possible mixes or combinations of activities, settings, and probable experience opportunities have been arranged along a spectrum, or continuum. This continuum is called the Recreation Opportunity Spectrum (ROS) and is divided into six classes … The six classes, or portions along the continuum, and the accompanying class names have been selected and conventionalized because of their descriptiveness and utility in Land and Resource Management Planning and other management applications.*

*Each class is defined in terms of its combination of activity, setting, and experience opportunities … **Subclasses may be established to reflect local or regional conditions** as long as aggregations can be made back to the six major classes for regional or national summaries. An example of a subclass may be a further breakdown of Roaded Natural into subclasses based on paved, oiled, or dirt surfaced roads, which in turns reflects amount of use, or a further breakdown of Primitive based upon aircraft or boat use.*

*The Recreation Opportunity Spectrum provides a framework for defining the types of outdoor recreation opportunities the public might desire, and identifies that portion of the spectrum a given **National Forest** might be able to provide."* Again, bold emphasis is added by the ASA.

The experiences at the ISDRA are, by nature, limited to the following types.

1) Wilderness hiking and Camping
2) Open dune riding areas that typically receive high usage
3) Open dune riding areas that typically receive low usage
4) Primitive camping
5) Lightly developed camping
6) Moderately developed camping

Given the fact that the ROS was written as a management tool for forests, redefining the ROS designations for the ISDRA seems appropriate. This can be accomplished by establishing sub classes as mentioned in the excerpt above.

Suggested ROS subclasses

Suggested subclasses are listed below. For simplicity sake, each assumes one campsite per camping unit be it either a tent or an RV of any sort. We accept the national average of 3.5 people per vehicle. Approximately 10% of OHV related visitors do not operate a vehicle: they are passengers or they remain at camp for various reasons. An additional unknown percentage of visitors use the North Algodones Wilderness Area. We believe the resulting visitor supply to be well within the carrying capacity of the ISDRA. As stated in other comments, the Buffer Management Area is not necessary.

1) WCD = Wilderness Closed Dunes. Dunes closed to motorized use.
   - Development prohibited except for weather monitoring stations and guzzlers.
   - Motorized use only by official, authorized vehicles
   - Natural resources completely intact
2) Class I Open Dunes
   - Large area
   - Possible kiosks
   - Development prohibited except for weather monitoring stations.
   - Monitoring to ensure resource preservation
   - Interaction of users low to moderate – possibly very high in a small percentage of total area
   - No marked trails
   - Little if any dispersed camping
   - Close proximity to developed camping and staging areas
3) Class II Open Dunes
   - Development prohibited except for weather monitoring stations.
   - Natural resources virtually completely intact
   - Possible kiosks
   - Primitive setting

- Large area
- Motorized access naturally limited by:
    a. topography undesirable to most OHV enthusiasts
    b. higher degree of user skill and endurance required to reach area
    c. fuel capacity
    d. distance from developed campsites
    e. difficulty of navigation
    f. operator reluctance to risk mechanical failure far from help
    g. lack of unique attractions and points of interest
    h. lack of gathering spots
    i. time required to access the area
    j. small sand grain size creating soft conditions usually avoided
- Extensive Monitoring to ensure preservation of resources
- Low concentrations of users
- User interaction low to non-existent
- Little if any dispersed camping
- No marked trails
- Mostly comprised of medium to small dunes with little or no vegetation

4) Primitive Camping
    - Development prohibited except for weather monitoring stations and kiosks.
    - All natural resources virtually undisturbed
    - No pit toilets or trash dumpsters
    - Generally a great distance from main access roads
    - 15 to 20 sites per acre: possibility of higher denisity
    - No designated roads
    - Difficult to access with most street legal, non-4x4 vehicles
5) Lightly Developed Camping
    - No major facilities – Possible kiosks and pit toilets
    - Possible trash dumpsters
    - One camp site typically 1000 sq ft.
    - Predominately natural environment
    - Few if any gravel or dirt roads – dirt roads apparent
    - No paved access roads
6) Moderately Developed Camping
    - Permanent structures (Ranger Station)
    - Trash dumpsters, kiosks, telephones, and pit toilets
    - Paved access roads and campgrounds
    - Gravel camping pads
    - High density of users during weekends in winter
    - Facilities for intensified use and special activities
    - Vendor pads and temporary vending areas
    - Sights and sounds of users readily evident
    - One camp site typically 1000 sq ft.

ROS Mapping Requirements
Section 21 - ROS CLASS DELINEATION on Page 18 of the ROS User's Guide states:
"Mapping the Recreation Opportunity Spectrum classes should be done on a map scale which allows an overall view of the planning area. A 1 inch = 1 mile scale is usually sufficient to provide this overview. If necessary the map information may be transferred to larger scale maps later in the data processing stage to conform with integrated data collection criteria."

As stated on the Parks Canada web site[5]: *"The ROS framework relies heavily on its setting orientation for assessment of the supply of recreation opportunities. Mapping, therefore, forms a large component of opportunity assessment under the ROS. (An Australian firm, Digital Land Systems Research in Melbourne, has developed a ROS module to run with its GIS software, SAGE; the firm's World Wide Web address is URL http://www.dlsr.com.au/. Other GIS software can also be used to good effect.)*

Four maps are developed in the ROS framework:

- *physical setting map,*
- *social setting map,*
- *managerial setting map, and*
- *ROS class map.*

Physical setting map
Determining the physical setting component requires the mapping of two factors, remoteness and human modifications, and the application of a third factor, size, as a constraint. Remoteness is determined by distance from roads: the greater the distance from roads, the more remote the area. Roads can be mapped, and distances from those roads measured. Human modifications to the natural environment include such features as hydro-electrical power lines, railways, dams, logged areas, trails, lodges, and settlements. All features that are relevant to a specific area can be mapped. Typically, human modifications are concentrated in specific areas.
Size is a constraint at the wilderness end of the spectrum of opportunities: if an area that is relatively remote and substantially unmodified is less than 5,000 ha, it should not be considered capable of supporting wilderness activities or experiences. Therefore, depending on the area in question, its human modifications and size, a broad spectrum of opportunities (according to physical factors), can be identified.

Social setting map
The social setting mapping effort describes the density of people likely to be found in different areas. A crucial aspect of this mapping exercise is the information on users to be mapped. If there is no information, or it is of poor quality, the assessment of opportunities will be compromised. The social setting map describes the likelihood of meeting other people in different park areas. Areas based on encounter norms are mapped, with the lowest likelihood of encountering others found at the wilderness end of the spectrum, and the highest likelihood at the urban end.

[5] http://parkscanada.pch.gc.ca/library/ros/english/chap2_e.htm#2.1

Managerial setting map
The managerial setting map illustrates the rules that permit and guide behaviour in different areas. In a national park, the park's zoning would be the key indication of managerial presence. Other, more tangible evidence would be signage directing or advising visitors about conditions. Outside park areas (in Ontario), the managerial presence might be such designations as Forest Management Agreement areas or lands belonging to aboriginal people. In each case, some recreational activities are permitted while others are not. Of the three maps, the managerial setting is the easiest to map, as such information is readily available.

ROS class map
The ROS class map describes, in ROS terms, recreation opportunities that are available in the mapped area. It is developed by overlaying the physical, social, and managerial setting maps, and by examining conflicting areas among the three maps. Reconciling the conflicts depends on the researcher's/planner's understanding of local conditions. In an area that has been, and continues to be, modified by human activity, but is otherwise lightly used, the physical setting will drive the final ROS class decisions. In an area that is slightly modified, but heavily used by people for recreation, the social setting map will be the determining point of view. In a national park, where the full weight of legislation and policy favouring ecological integrity is applied, the managerial setting may outweigh the other two components.

The final ROS class map is the basis for the assessment and description of recreation opportunities in the mapped area."

An excellent example of the resulting map can be found on their site at:
http://parkscanada.pch.gc.ca/library/ros/english/map8_e.htm

We request the above mapping be done. As far as we know, no mapping has been done- none are provided in the DEIS or the DRAMP of this scale. The boundaries of the proposed management areas remain unclear and open to dispute. Moreover, they appear to inaccurately represent the experience currently obtained and desired in each area. We suggest the management area boundaries be re-drawn to accurately reflect the visitor's desired experience as it actually occurs: i.e. existing conditions as called for in the ROS User's Guide. The absence of the interim closures should be considered part of the "existing conditions."

At the same time, the above-suggested subclasses should be added to the ROS delineations in the areas shown. See figure 1 below. Parks Canada goes one step further: *"Although the original ROS framework identifies "urban" and "rural" opportunity areas, those designations give way to a "frontcrountry" class, more appropriate for most national parks. The frontcountry class is further subdivided where necessary."* [6]

[6] http://parkscanada.pch.gc.ca/library/ros/english/chap2_e.htm#2.1

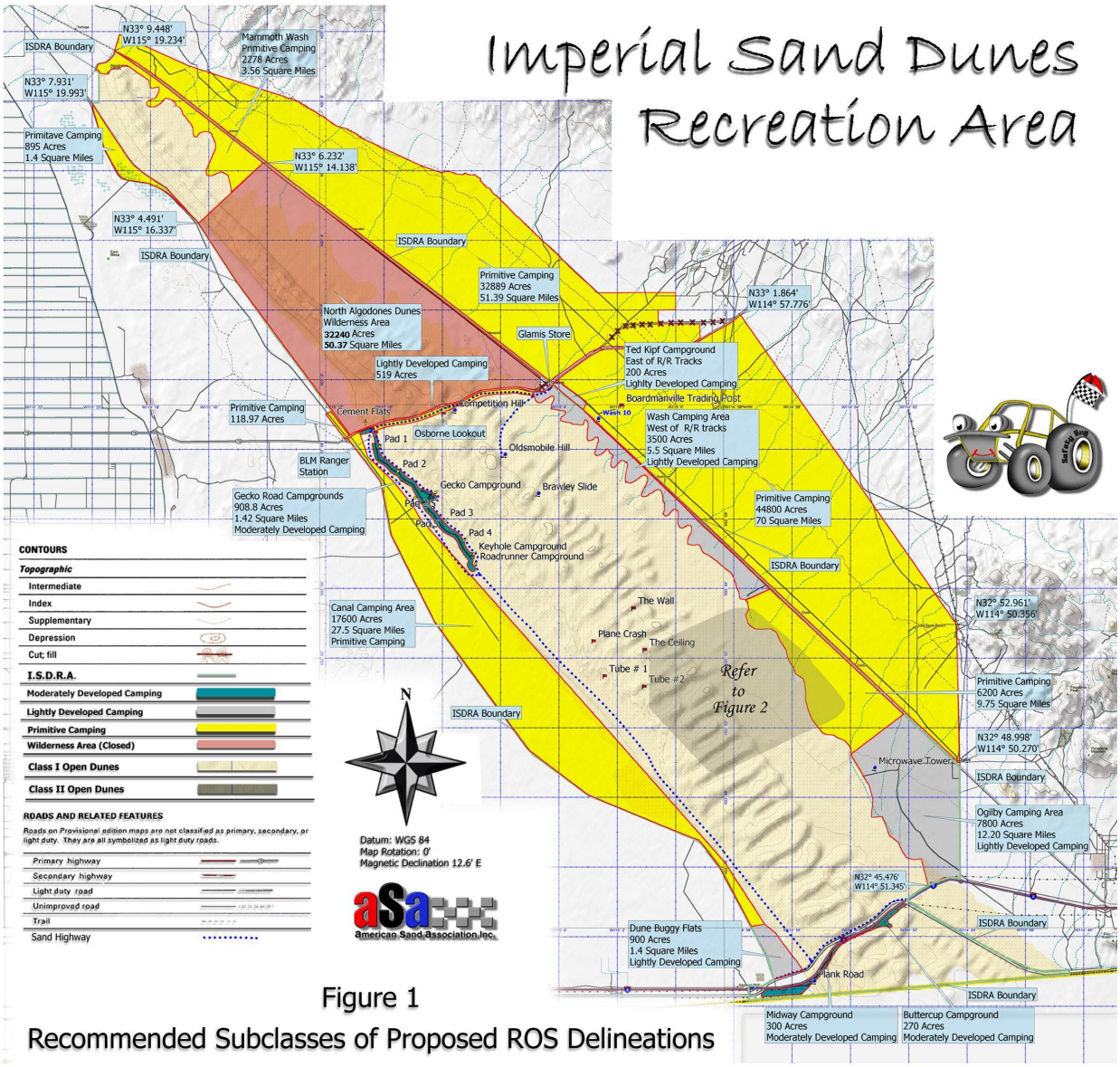

Figure 1

Recommended Subclasses of Proposed ROS Delineations

Imperial Sand Dunes Recreation Area

Adaptive Management Area

Scientific data does not suggest the need for an Adaptive Management Area and we suggest renaming it to "Central Dunes Management Area (CDMA)." Page 3-61 states: *"Most of the central dunes Class L area is lightly used."* While this is an understatement, we feel this justifies a CDMA that does not require permits but instead, monitoring for numbers and patterns of usage and resource conditions.

The microphyll woodlands to the East of the dunes do not attract dune enthusiasts for a variety of reasons. Tire puncture is a main concern in this area. OHV use is virtually exclusively limited to the wider washes present in the area. Trees are carefully avoided as moving past them and receiving a blow from even the smallest branch at any speed amounts to being hit with a whip.

Generally, OHV travel through this area is primarily to accomplish a limited exploration of the area on a single occasion and then return to the larger dunes after a brief period. As a rule, the woodlands are avoided and is not an area suited to OHV recreation.

Some travel through the area can be credited to mechanical failure and thus the need to get to the Wash Road by the most direct route possible for safety reasons. A limited number of visitors camp south of Wash 50 and will use the widest washes to access to the dunes at their first opportunity. Some dune enthusiasts will become lost and to regain their bearings, will head for the wash road as a safety measure. Again, the woodlands are avoided and is not the recreation opportunity sought by the OHV community.

If an adaptive Management Area is designated requiring permits, we recommend the boundaries as depicted in Figure 2 below.

Cutting off the Northwest corner to allow access to the minor attractions[7] in that area will eliminate an estimated 90% of the permits required to enter the area thus relieving the BLM most of the administrative burden associated with permits and enforcement. Rounding off the remaining corners reduces incursions while requiring fewer markers and the associated work force to install and maintain them. Additionally, rounded corners are safer to navigate with an OHV.

The northern boundary is moved south since the dunes in that area are virtually barren of all vegetation and Hill 6 (The Wall) is outside the boundary for the aforementioned reasons. The lack of vegetation and a larger turn around area is the reason for moving the southern boundary north. Moving the western boundary east improves safety along the Sand Highway. Areas to the east are open plains and suitable for a very remote, primitive camping experience. The microphyll woodlands in that area are rather close to the dunes and would not be impacted by camping in the area closer to the tracks.

We suggest that a permit system be initiated only in the unlikely event that monitoring results are deemed to warrant such a program based on resource conditions. Since no destinations lie within the suggested boundary, it is our belief that aerial photographs or spotters in the Central Dunes Management Area, even on holiday weekends, will reveal little if any usage within the suggested boundaries. Therefore, a permit system would not be required.

In the event a permit system is enacted, we recommend after one season of little or no usage as predicted, the permit program be discontinued. Budget concerns coupled with the drain on other resources make this a sensible action. However, because of the interim closures, it is expected that in the first season, an unusually high number of dune enthusiasts will venture out into the CDMA for reasons based solely on curiosity to see what is in the area. The second season the area is open will result in the more accurate usage numbers.

[7] Hill 7 (The Ceiling), Hill 6 (The Wall), Tubes 1 and 2, and the Plane Craxh

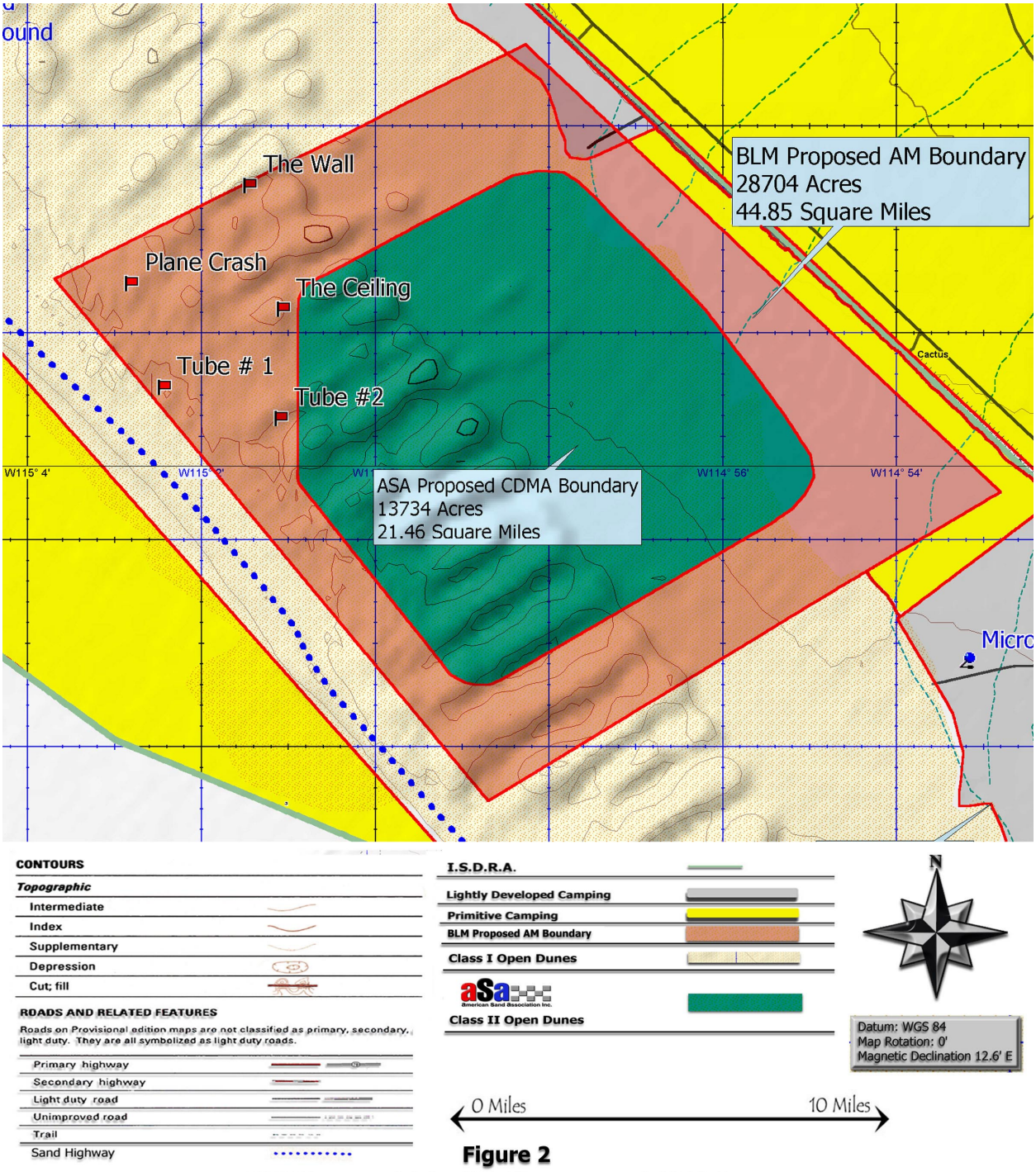

Figure 2
BLM Proposed Adaptive Management (AM) Area
ASA Proposed Central Dunes Management Area (CDMA)

ROS Triggers

No mention of "Triggers" is found in the ROS User's Guide. In addition, there is no mention of the "Triggers" in the DEIS. However, as part of the DEIS preferred alternative they are mentioned as part of ROS in the DRAMP on pages 55 and 56 and therefore are addressed in the

following comments.[8] At some point, though, it seems logical that a management action be initiated based on certain conditions. Therefore, below are ASA suggested triggers.

The six major holiday weekends and their shoulder days represent less that 6% of a year. Therefore, they can be considered rare exceptions rather than the norm. Until it is scientifically proven that these days impose a major negative impact beyond LAC on the ISDRA natural and cultural resources, these days should be excluded in carrying capacity estimates for trigger application.

Triggers must provide clear circumstances on when and how they would be activated, implemented, and enforced. They must provide for an increase in camping and other facilities as certain levels of visitation are attained. Extensive monitoring of ISDRA natural and cultural should be one of the criteria used to activate a trigger that would affect the OHV experience: rainfall must be a factor. Resetting a trigger should be required, and provided for, once a trigger is activated.

Until GIS software can be utilized to define the boundaries of the subclasses, it is impossible to state what the carrying capacity of the ISDRA actually is. Input from the OHV community will be essential to this task. It should be noted that carrying capacity of the main open riding areas will support much more use than the current number of campsites currently allow.

The varying ≈ 55,000 figure used for the number of dune visitors (which is utilized to determine triggers and their consequences) is incorrect. The 133,769 visitor count as shown in Chapter 3-11, Table 3.1-4 in the DEIS, although not accurate, is certainly closer to being accurate than the estimated ≈ 55,000 mentioned thereafter. All DEIS references to the ≈ 55,000 (Chapter 3-40) and 55,995 (Chapters 4-6; 4-9; and 4-11) and DRAMP reference to 55,403 (page 43) should be replaced with as accurate a number as possible. If these figures are included in a table or used in obtaining other totals, the other totals and tables must be adjusted accordingly.

Trigger Points

- Trigger 1: When visitor use exceeds daily ROS capacity 15% of the time during the remaining 344 days (a 365-day use season[9] less the 21 days of the six major holidays)
- Trigger 2: When visitor use exceeds daily ROS capacity 20% of the time during the remaining 344 days (a 365-day use season less the 21 days of the six major holidays) or 15% of the time during 2 consecutive years

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[8] **Again, as these comments relate to an area of significant importance which is not directly addressed in the DEIS please consider specifically including these comments as a means of implementing the preferred alternative in the DEIS. Please also consider them as comments pertaining to ROS in the DEIS. It is our desire that these comments be included in the NEPA process. It is our expectation that these comments and the BLM'S response thereto will appear in the appendices of the final EIS and RAMP.**

[9] **A 365-day use season more accurately reflects the desired conditions at the ISDRA. While summer daytime conditions deter heavy visitor use, there is an ever-increasing trend toward early and late summers. A growing number of users sleep during the day and ride at night during the hotter months. As visitor use grows the management of ISDRA must become a year-round objective. In addition, equations used elsewhere in the DEIS are based on 365 days.**

Trigger 1

- Implement plans for additional camping and OHV staging facilities.
- Implement education program.
- Lower fees on off-peak weekends to attract dune enthusiasts to those days.
- Increase resource-monitoring frequency - take into account rainfall amount and patterns.
- Institute additional parking fee on peak weekends on camping pads and paved camping areas.

Trigger 2

- Determine feasibility of an area-wide permit system and eliminating demo fee permit program.
    - Each primary vehicle would be required to buy a permit for every day planned to be spent at the dunes - 14-day limit. Proceeds could make the system self-funding.
    - Sales could be up to 6 months in advance on a first come first serve basis.
    - Permits would be available on the BLM website. This could be similar to sites that allow printing a coupon at your computer.
- Implement plans for additional camping and OHV staging facilities.

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