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November 16, 2014

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

Re: 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"). For your consideration, we have prepared comments on the Draft Environmental Impact Statement ("DEIS") for the proposed Recreation Area Management Plan ("RAMP") for ISDRA. These comments are in addition to those submitted by ASA under separate cover and dated June 25, 2002.

Through our review of the DEIS, we have identified a host of defects in its analyses and conclusions. Some of the defects relate to factual errors, while others relate to false and unsupported assumptions. In some cases, the DEIS simply fails to comply with the legal requirements of the National Environmental Policy Act ("NEPA").

Should you have any questions regarding the comments, please feel free to call me.

Very truly yours,

David P. Hubbard

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

COMMENTS ON THE DRAFT EIS FOR THE ISDRA RAMP
PREPARED BY
PROCOPIO, CORY, HARGREAVES & SAVITCH LLP

1. Pg. ES-2 **Trespass Into North Algodones Dunes Wilderness Area.** The DEIS indicates that there has been an increase in the number of off-highway vehicles ("OHVs") which trespass into the North Algodones Dunes Wilderness. However, there is no verifiable data to support this statement. As a result, the statement should be removed from the EIS, as it misleads and misinforms the public.

2. Pg. 1-1 **Multiple Use Doctrine of FLPMA Encourages Outdoor Recreation.** The DEIS quotes FLPMA's "multiple use" doctrine as support for the RAMP's resource protection policies. However, the quotation is incomplete and therefore misleading, as it fails to disclose that FLPMA's multiple use doctrine also mandates that BLM provide for public recreation. The full and accurate quotation is as follows: "The Congress declares that it is the policy of the United States that. . . (8) the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in the natural condition; that will provide food and habitat for fish and wildlife and domestic animals; *and that will provide for outdoor recreation and human occupancy and use*." (43 U.S.C. § 1701(a)(8)). (*Emphasis added.*)

3. Pg. 1-2 **BLM Law Enforcement Staffing.** The DEIS states that OHV demand at the ISDRA has tripled since 1985. Please indicate whether BLM's law enforcement staff has likewise tripled during that same time period. If it has not, please explain why law enforcement staffing has not kept pace with the increase in visitor demand.

4. Pg. 1-3 **"Infeasible" Projects from the 1987 RAMP**. The DEIS claims that certain projects set forth in the 1987 RAMP have not been implemented because they are "infeasible." Please identify these projects and explain why they are infeasible.

5. Pg. 1-8 **"Interim" Closure Process.** The DEIS should disclose that BLM agreed to the interim dune closures *prior* to assessing the environmental impacts (both individual and cumulative) of those closures.

6. Pg. 1-9 **The ISDRA "Interim" Closure.** The DEIS should disclose that in November 2000, BLM shut down 49,300 acres of the ISDRA without NEPA review, without an "emergency" finding, and without public input.

7. Pg. 1-11 **History of the ISDRA RAMP Development Process.** The DEIS should disclose that the public's involvement in the RAMP development process, which began in 1998, came to a halt in March 2000 when the Center for Biological Diversity ("CBD") filed suit against BLM. The settlement stipulations and "interim" closures which resulted from the lawsuit were never vetted through a public process. To suggest otherwise, as the DEIS does at page 1-11, is to mislead the public.

8. Pg. 1-19 **Current Status of the Flat-Tailed Horned Lizard.** At page 1-19, the DEIS states that the Flat-tailed horned lizard ("FTHL") is listed as a threatened species under the Federal ESA. This is false. The FTHL has been *proposed* for such a listing; no final rule has been issued. Indeed, the public comment period on the proposed listing is not set to close until the end of July 2002.

9. Pg. 2-1 **Alternatives**. Under NEPA and its implementing regulations, BLM must rigorously analyze the alternatives suggested by ASA in its comments dated June 25, 2002. 40 CFR § 1502.14.

10. Pg. 2-4 **Gecko Road Extension.** The DEIS states that the Gecko Road extension "would not comply with the Endangered Species Act." However, the nature of this alleged non-compliance is not described. Please explain why extending Gecko Road would result in a violation of the ESA. Further, please identify the species that would be threatened and whether the road extension would result in a jeopardy opinion from the United States Fish & Wildlife Service ("USFWS").

11. Pg. 2-7 **Recent Abundance Data on Special Status Plants.** The three "special status" plants identified in the DEIS— the Peirson's Milk Vetch ("PMV"), sand food, and Algodones Dunes Sunflower — have already been monitored extensively throughout the ISDRA. These studies show that (1) the plants are more abundant in the proposed Adaptive Management Area ("AMA") today than they were in 1977, and (2) OHV use in the proposed AMA is light to moderate and does not adversely affect the plants of concern. These conclusions were confirmed by the report issued by Thomas Olsen & Associates ("TOA") in July 2001. Based on these data, there is no need for the proposed AMA, unless future monitoring shows a dramatic reversal in plant abundance in these portions of the dunes.

12. Pg. 2-7 **Adaptive Management Area Permits.** The DEIS should explain that only 75 permits for vehicle use in the AMA will be issued per day. These will be group permits, each one good for a maximum of 7 vehicles. Thus, the maximum number of vehicles allowed in the AMA could range from 75 to 525 on any given day, depending on how many vehicles are in each OHV "group" that obtains a permit.

13. Pg. 2-12 **Rescission of "Interim" Closures.** At page 2-12, the DEIS states that the "interim" dune closures imposed as a result of the CBD lawsuit are no longer necessary to protect threatened or endangered species. Given this fact — which has been substantiated by the plant monitoring reports issued by BLM in November 2000 and June 2001, and by the plant census performed by TOA in May 2001 — the closures should be rescinded immediately, as they serve only to prevent public use of public lands.

14. Pg. 3-1 **"Existing Conditions" Baseline.** The "existing conditions" baseline should also include the biological data generated by, and submitted to, BLM prior to preparation of the DEIS. This would include the TOA Report submitted on July 9, 2001.

15. Pg. 3-8 **Size of Socio-Economic Impacts Study Area.** The DEIS admits that only 10% of ISDRA visitors are local, while the remaining 90% come from Los Angeles,

San Diego, Phoenix, Tucson, and other areas of the U.S. This demonstrates that the study area for the "economic" impacts analysis should be widened.

16. Pg. 3-10 **Camping Capacity.** The DEIS states that visitor demand exceeds campsite capacity on major holidays; however, the DEIS does not quantify campsite "capacity" or indicate how much it is surpassed on the dates in question. Also, the formula used to derive capacity is not adequately explained; nor is it supported by empirical data.

17. Pg. 3-24 **Description of Peirson's Milk-Vetch and its Status.** At pages 3-24 and 3-25, the DEIS describes the PMV and identifies the known threats to its survival. Unfortunately, this discussion is incorrect and inconsistent with most recent plant survey data compiled by BLM and TOA. This results in a misinformed and misleading analysis.

18. Pg. 3-25 **Threats to the PMV.** The DEIS states incorrectly that OHV use is the primary threat to the PMV. BLM studies (November 2000 and June 2001), as well as the TOA Report (July 2001), flatly dispute this claim. Note also that the 1990 ECOS study, which formed the basis of the 1998 listing of the PMV as threatened, has been abandoned by BLM due to its biased sampling methodology. (See BLM Plant Monitoring Report, November 2000). Simply put, the DEIS is legally defective for not explaining that recent data obtained through BLM's plant surveys and the TOA plant census show OHVs are *not* a significant threat to the PMV.

19. Pg. 3-25 and 3-26 **Threats to Other Sensitive Plants.** As with OHV impacts on the PMV, the DEIS grossly overstates the OHV threat to the Algodones Dunes sunflower, Wiggins Croton, Giant Spanish Needle, and Sand Food. BLM's monitoring reports (November 2000 and June 2001) do not support this claim.

20. Pg. 3-31 **The 1990 ECOS Study.** The DEIS should disclose that BLM has essentially abandoned the 1990 ECOS Study due to its sampling bias.

21. Pg. 3-33 **Threats to the Desert Tortoise.** The DEIS provides a misleading discussion of threats to the Desert tortoise. The best available data indicate that Upper Respiratory Tract Disease ("URTD") is by far the leading cause of Desert Tortoise mortality. Conversely, there is no convincing data that habitat loss and fragmentation has had a significant adverse effect on tortoise populations. Indeed, despite closing more than 1 million acres of the CDCA for the benefit of the tortoise, the species continues to decline due to disease. The studies cited in the DEIS on this issue are outdated and largely rebutted by recent, readily available scientific literature.

22. 3-34 **Flat-tailed horned lizard Habitat.** The DEIS incorrectly states that the FTHL inhabits sand dunes. In fact, lizard surveys have established that sand dunes are not preferred habitat for the FTHL.

23. 3-25 **OHV Impacts on the FTHL.** The DEIS suggests that OHVs are a substantial threat to the FTHL. However, there is little or no data showing that OHV use has

contributed to any perceived declines in FTHL populations. In fact, there is no support for BLM's assertion (set forth on page 3-25 of the DEIS) that the FTHL is declining at all.

24. 3-39 **OHV Impacts on the LeConte's Thrasher.** According to the DEIS, OHVs are a significant threat to the LeConte's Thrasher. However, there is no data showing that OHV use actually harms the Le Conte's thrasher or destroys its habitat. The statements set forth in the DEIS are pure speculation.

25. 3-48 **Study Area for Socio-Economic Impacts Analysis.** The study area for the DEIS's socioeconomic impact analysis is too small. At a minimum, it should include San Diego, Los Angeles, Orange, and Riverside counties. There is no basis for assuming that the vast majority of economic impacts occur in Imperial County and Yuma County.

26. 3-48 **Local v. Non Local Expenditures.** The DEIS states that "only expenditures by non-local visitors represent injections of new dollars into the regional economy." This is false; or rather, misses the point. The fact is, if OHV opportunities are curtailed, all spending — both local and non-local — will be reduced, resulting in a severe economic impact.

27. 3-64 **Visual Impacts**. The DEIS says BLM has not inventoried ISDRA lands and has not assigned to those lands "relative visual ratings." Therefore, how can the EIS assess existing visual conditions or determine how those conditions will be affected by the proposed action?

28. 3-67 **Dune Tracks are Ephemeral.** The DEIS should disclose that OHV tracks in sand dunes are highly ephemeral and remain visible only for a short period of time.

29. 3-91 **Air Quality**. There are no air quality monitoring data to support claim that OHVs are a significant source of O_3, NO_2, CO, and PM_{10} in the SSAB. For one thing, the closest monitoring station is 20 miles from the ISDRA, so there is no way for that station to collect air quality data from the planning area. Also, what study shows that 87% of PM_{10} is from road dust? Agricultural activities and natural wind disturbance would appear to be the largest sources of PM_{10}.

30. 4-2 **Recreation Impacts**. The DEIS's list of "adverse recreation impacts" is incomplete. It should include the following as an additional "impact" criterion: "When recreational opportunities are lost, demand is not satisfied, and ISDRA visitors are prevented from engaging in their preferred activities."

31. 4-3 **ISDRA Visitation Rate Under Alternative 3**. Given that 90% of the people who visit ISDRA do so to engage in OHV recreation (or at least camp with others who engage in OHV recreation), the projected visitation numbers for Alternative 3 — the No Motorized Vehicle Alternative — are completely unrealistic. Without the ability to use OHVs over large areas of the ISDRA — as is contemplated under this alternative — many current visitors to the dunes will choose to stay home or go elsewhere.

32. 4-4 **Recreation Impacts of Alternative 1**. No study or data support the statement that increased visitation under Alternative 1 will cause "compatibility issues" between "those seeking a more solitary experience and those users dispersed into lower-use areas due to overcrowding." Please identify the kinds of "compatibility issues" BLM expects to arise under this alternative. Given the large size of the "open" area under the No Action Alternative (Alternative 1), there should be plenty of room to accommodate projected visitor growth without significant encroachment into the more primitive/less crowded portions of ISDRA.

33. 4-4 **"Management Challenges" Under Alternative 1.** Please identify the "various management challenges for ISDRA staff" posed by Alternative 1. Further, please explain why the management challenges cannot be met through (1) proportional staff increases, (2) standard recreation management techniques, and (3) increased law enforcement.

34. 4-5 **Recreation Conflicts**. Please describe the recreation conflicts referenced in this section of the DEIS and provide the data which demonstrate that such conflicts currently exist and are expected to arise more frequently in the future.

35. 4-5 — 4-6 **Opportunities for Lower Intensity Use**. The DEIS claims that "under baseline conditions [Alternative 1], opportunities for lower intensity recreational activity (*e.g.*, as characterized by the semi-primitive motorized and roaded natural ROS classes) would eventually be diminished due to overcrowding." However, no data are offered in support of this assertion. As indicated above, the No Action Alternative maximizes the amount of acreage open to motorized recreation, and thus will be able to accommodate the most growth. Significant opportunities for low-intensity recreation will remain, as many remote areas of the dunes will be open to visitors who desire a more primitive, less crowded desert experience. The data show that most of the visitor growth at ISDRA since 1985 has *not* been in the remote dunes, but in the popular "competition" and staging areas nearest the main access roads. This trend is likely to continue in the future. Note also that the overcrowding problem, to the extent it will arise at all, will exist only during four or five holiday weekends. The rest of the time, visitor levels will be low throughout ISDRA. Perhaps BLM should consider developing special management options and techniques which address the large crowds on key holiday weekends, but which would not be implemented during non-holiday periods when crowds are small.

36. 4-6 **Visitor Supply**. The "visitor supply" number for ISDRA (55,998) is completely artificial and not derived through a valid methodology. Further, it completely ignores historical use patterns and suggests that there are designated campsites (*i.e.*, official slots for individual campers) at various places in ISDRA. In fact, there are few (if any) designated campsites.

37. 4-6 **Holiday Visitors**. The EIS indicates that on holiday weekends, more that 100,000 people visit the ISDRA. This is true, but does not tell the whole story or provide the data necessary for making sound management decisions. BLM needs to determine whether the high number of visitors on holiday weekends results in wide dispersal of OHV users into those areas of the dunes which typically provide the low-intensity recreational experience preferred by some individuals. If the data *do* show significant encroachment into these remote areas on holidays, then more controls should be implemented during these peak periods. However, if the

data show that little encroachment takes place even on holiday weekends, there is no reason to impose restrictions in the more remote/less utilized areas of ISDRA.

38. 4-6 — 4-7 **Holiday Weekends**. With the ROS classifications assumed under the preferred alternative (Alternative 2), BLM expects to accommodate future visitor demand, which is estimated at 1.6 million per annual season (October 1 – May 31). To do this, however, BLM will have to redistribute visitors across the full "season" of 39 weekends, which means that many people will have to visit the ISDRA on non-holiday weekends. According to the DEIS, this is not a significant adverse impact on recreation "because it would not alter the recreation experience at ISDRA." This is false. For many people, holiday weekends — which are typically 3 or 4 days long as opposed to 2 — are the best (sometimes only) weekends where a visit to ISDRA is feasible. Restricting visitation on holiday weekends imposes an extreme hardship on many families who wish to recreate in the dunes during these key periods of the year. This is a significant impact that cannot be mitigated by simply "encouraging" people to visit the ISDRA during non-holiday weekends. If redistributing visitors was this easy, there would be no reason to amend the 1987 RAMP at all. BLM could simply "encourage" dune patrons to come back on non-holiday weekends when the crowds are lower.

39. 4-7 **Osborne Overlook**. The loss of camping opportunities at Osborne Overlook is a significant impact that must be mitigated by the creation of new, additional camping areas that are comparable to Osborne Overlook with respect to amenities, location, visual quality, and access.

40. 4-7 — 4-8 **ROS Classifications**. It is ironic that BLM, through the proposed RAMP, is devising such extensive controls to provide for more "primitive/low-intensity" recreational experiences when the number of visitors who desire this kind of experience is extremely low. Further, existing natural conditions currently provide more than adequate space for primitive/low-intensity recreation in much of the ISDRA. Therefore, there is no need for the additional ROS controls contemplated by Alternatives 2 and 3.

41. 4-14 **OHV Impacts to Biological Resources Under Alternative 1**. The DEIS claims that OHVs would continue to have adverse impacts on special status plants, such as the PMV and Sand Food. However, the DEIS once again fails to disclose and explain that these special status plants actually increased in abundance between 1977 and 2001, despite a ten-fold growth in OHV use. Further, the increase in plant numbers has been more pronounced in the "open" areas than in the closed areas. These plant population trends are described in BLM's own monitoring studies from November 2000 and June 2001, and confirmed in the TOA Report dated July 2001. In short, the BLM studies and the TOA Report demonstrate that OHV use does not negatively affect the PMV or other special status plants of the ISDRA. These facts should be — but are not — clearly disclosed and discussed in this section of the DEIS. By failing to include such a discussion, the DEIS is inadequate under NEPA and misleads the public.

42. 4-14 — 4-15 **OHV Impacts on Special Status Wildlife Under Alternative 1**. The DEIS claims that OHVs create negative impacts on certain special status wildlife species, including the FTHL and the Fringe-toed lizard. However, there are no data demonstrating that OHV use in the ISDRA kills these species, crushes their burrows, or otherwise contributes to any

real or perceived decline in their populations. Note also that Gavin Wright of BLM's El Centro office recently completed the most comprehensive study of FTHL populations in Imperial County. In his report, dated April 2002, Mr. Wright found no discernable trend (*i.e.*, no increase or decrease) in FTHL populations. He drew this conclusion after reviewing lizard data gathered between 1979 and 2001. This information should be included in the Final EIS.

43. 4-15. **OHV Activity in Psammophytic Scrub**. The DEIS indicates that "OHV activity tends to be concentrated within psammophytic scrub." However, no evidence is cited in support of this assertion. Please identify the data which show that OHV use in the ISDRA (1) is concentrated within psammophytic scrub, and (2) adversely affects vegetation in psammophytic scrub.

44. 4-15 **OHV Impacts on Fringe-toed Lizard and Dune Beetle**. The DEIS claims that Fringe-toed lizards and dune beetles at the ISDRA "would be killed or injured by OHV activity" under Alternative 1. Again, the DEIS fails to cite any data in support of this claim. We are aware of no evidence confirming that OHVs have killed or damaged Fringe-toed lizards or dune beetles in the ISDRA. In suggesting that such impacts have occurred and will continue to occur if Alternative 1 is adopted, the DEIS misleads the public and the decision-makers.

45. 4-15 **OHV Impacts on Desert Tortoise and Couch's Spadefoot Toad**. The DEIS states that OHVs driving through desert wash areas may kill Desert Tortoises and destroy their burrows. The DEIS then claims that this same activity may have adverse effects on the Couch's spadefoot toad, which occasionally breed in the ephemeral ponds that develop in wash areas. However, the DEIS once again fails to provide any technical data in support of these contentions. We know of no data which indicate that OHV activity in the washes at ISDRA (or elsewhere) has damaged Desert Tortoises or Couch's spadefoot toads, or has otherwise jeopardized their reproductive success. The BLM, when finalizing the EIS, should remove such speculative comments from the document unless they can be substantiated with verifiable data.

46. 4-15 **Assumptions Regarding Fringe-toed Lizard Habitat**. The DEIS states that "[f]or the Colorado Desert fringe-toed lizard it is assumed that all psammophytic scrub and creosote bush scrub are occupied habitat." However, there is no data to support this assumption. We are not aware of any study which has determined how many Fringe-toed lizards live in the ISDRA and where they reside. Therefore, the operating assumption which underlies the impact analysis for this species is wholly arbitrary.

47. 4-15 **Flat-tailed horned lizard Cells**. According to the DEIS, BLM tallied the "number of cells (survey units) containing Flat-tailed horned lizards observed within the North Algodones dunes Wilderness Area and in those areas open to OHV activities. . ." However, the DEIS omits key information. For example, it is unclear whether the lizard "observations" were based on sightings of actual lizards or on scat counts. If scat counts were used to determine Flat-tailed horned lizards cells, the entire analysis is compromised, as recent studies have concluded that scat counts are an extremely unreliable method for determining the presence of Flat-tailed horned lizards. (See, Procopio, Cory, Hargreaves & Savitch LLP comment Letter to United

States Fish & Wildlife Service re Proposed Listing of Flat-tailed horned lizard, dated April 25, 2002.)

48. 4-65 **Consistency of No Action Alternative with BLM Plan Update Policy**. According to the DEIS, the No Action Alternative "would be inconsistent with applicable BLM recreation area management policies that call for periodic updates of management plans so that management practices can adapt to changing land use patters and intensity." This statement makes no sense. Certainly, BLM can re-adopt a recreation management plan that continues to meet the policy objectives for the area in question — in this case the ISDRA.

49. 4-91 **OHV Emissions of PM_{10}**. The formulas used to derive anticipated OHV emissions are inapplicable to the ISDRA. As admitted by BLM, there are no air monitoring stations at or near the ISDRA, so the DEIS uses OHV emissions factors published by CARB. However, the coarse sand in the dunes, which is where much of the OHV activity takes place, does not fit the PM_{10} profile. Sand is larger and heavier and does not travel as far as other forms of dust. Also, Table 4.11-4 does not indicate the number of OHVs that were multiplied by the PM_{10} emissions factors. This information should be provided. Finally, Table 4.11-4 is indecipherable. For example, there is no way to discern from the table what is meant by "Net Emissions."

50. 5-2 — 5-3 **Cumulative Recreation Impacts**. **The EA Does Not Provide an Adequate Cumulative Impacts Analysis**. To comply with NEPA, BLM must evaluate more than just the impacts of the ISDRA RAMP; it also must assess the combined or "cumulative" effects of the proposed RAMP plus all other activities that affect OHV recreation in the CDCA. The DEISfails to include such a cumulative impacts analysis. In the last eight months BLM has closed a large number of OHV routes and recreation areas throughout the CDCA — not just in the ISDRA. Areas subject to BLM's recent closure edicts include the following:

(1) Two major trails in Painted Gorge;

(2) A major trail in Surprise Canyon;

(3) 25,600 acres in the East Glamis Camping Area;

(4) 271,528 acres of OHV use area in the Superior subregion of the Western Mojave Management Planning Area ("WEMO");

(5) 81,500 acres of OHV use area in the Newberry-Rodman subregion of the WEMO;

(6) 98,043 acres of OHV use area in the Red Mountain subregion of the WEMO;

(7) 8,500 acres of OHV use area in the Helendale subregion of the WEMO;

(8) 3,200 acres in the Edwards Bowl area of the WEMO;

(9) 222,750 acres of OHV use area in the Fremont subregion of the WEMO;

(10) 133,129 acres of OHV use area in the Kramer subregion of the WEMO;

(11) 15 miles of OHV routes in the Chemehuevi Valley of the Northern and Eastern Colorado Desert ("NECO"); and

(12) 415,000 acres of OHV routes and washes throughout the NECO.

All of these actions were taken to comply with BLM's settlement agreement with CBD. Combined with the Imperial Sand Dunes action, these 11 closures constitute a comprehensive effort by BLM to remove the OHV community from huge areas of the CDCA — areas which have historically been designated as "open" to OHV use. Through its piece-meal (but far-reaching) closure program, BLM has shut down more than 1 million acres of formerly open OHV areas without ever evaluating the cumulative recreation impacts of those closures.

In failing to include an adequate cumulative impacts analysis, the DEIS is deficient under NEPA. 40 CFR Part 1508.7, 1508.27(b)(7); *see also, Hall v. Norton*, 2001 U.S. App. LEXIS 20320, (9th Cir. 2001). According to 40 CFR Part 1508.27(b)(7), BLM must consider cumulative effects when evaluating the "intensity" or "significance" of the impacts associated with a particular action:

> "The following should be considered in evaluating intensity:
>
> (7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. *Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*" (*Emphasis added*.)

With respect to the RAMP DEIS, BLM has done exactly what 40 CFR Part 1508.27(b)(7) forbids: It has attempted to avoid a "significance" finding by (a) hiding the cumulative effects of the proposed RAMP and the 11 closures listed above; (b) breaking the entire CDCA closure program into pieces, without ever evaluating the impacts of the whole (*i.e.*, without assessing the impacts of closing more than 1 million acres of OHV use area in the CDCA); and (c) characterizing the closures as "temporary" or "interim." In short, the cumulative impacts of these various desert closures are significant and should be assessed in the DEIS. Cumulative impacts of the proposed RAMP and the other instituted or planned desert closures include: (1) loss of OHV recreation opportunities; (2) diminished public safety; (3) socio-economic declines; (4) conflicts with federal, state, regional, and local land use and recreation plans; and (5) loss of access to desert areas for disabled persons and persons unable to hike through desert terrain.

51. **Conclusion**. Thank you for the opportunity to participate in the preparation of this critical environmental document. We look forward to receiving BLM's responses to the issues raised in the comments set forth above.