American Sand Association

"IN THE DUNES"

Volume 5 Issue 3
September 2005

Unite, Inform, and Mobilize

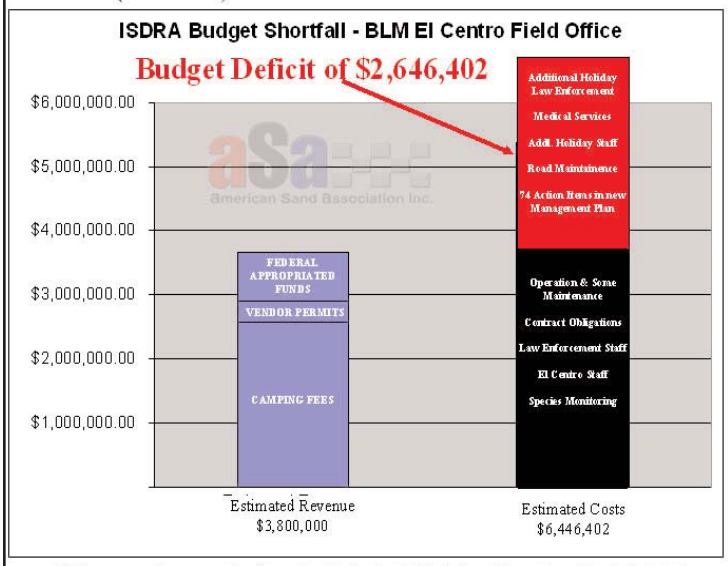
TRASH: Our #1 Challenge Next Season

We have been told that the first bag of trash to hit the ground next to a dumpster creates a violation of the biological opinion - **this can be used in obtaining an injunction to close the dunes.**

The first bag of trash to go into one of the new dumpsters that keeps the lid from closing all the way also creates a violation of the biological opinion - **this can also be used in obtaining an injunction to close the dunes.**

The first thought of many is that they've paid their fees and it will pay for someone to pick up after them - NOT SO! See the graph below and you will quickly realize that we are under funded as it is.

IMPERIAL SAND DUNES RECREATION AREA (ISDRA) 2006 BUDGET DILEMMA



- All figures are close approximations using the best available information and are intended solely to communicate overall situation of expenses outstripping income.
- Estimated Revenues based upon ISDRA Dunes Manager
  - Camping fees are sales of Special Recreation Permit authorized under FLREA
  - Federal Appropriated Dollars of $900,000 goes entirely to species monitoring
- Estimated Expenditures based on 2003 ISDRA Business plan and not adjusted for inflation
  - Black area: Budget items that can be covered – highest priority from bottom up
  - **Red Area: Items that will be reduced or eliminated due to lack of funds**
- While there were some appropriate funds last year, all of it went to monitor species of concern: this looks to be the case next year as well

With over 1,400,000 visitors annually, the ISDRA receives far less in appropriations than other World Class outdoor opportunities. Moreover, taxes paid at the gas pump are not being proportionally reinvested in the ISDRA even though ISDRA is one of the largest sources of revenue of the Off Highway Motor Vehicle trust fund.

The looser is the end user.

NEXT OPEN ASA BOARD of DIRECTORS MEETING
Saturday October 22nd at 9:00 AM
THE HANDLERY HOTEL
950 HOTEL CIRCLE NORTH
SAN DIEGO, CA 92108

Everyone is Invited

Guest Speakers and Topics to be Announced

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ASA Quarterly Newsletters
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President's Message

By Grant George

Every Season Brings New Challenges

As each season arrives, it seems we are continually faced with new challenges. I am proud to say that we have an organization in place that is finally getting ahead of the curve. We are now PROactive vs. being REactive as in days past.

We're proactive on litter. Due to our many connections and activities, we know ahead of time that trash on the ground can be used to lock us out of our dunes. We are proactive in getting the word out and going on a litter education campaign before it is too late.

We're proactive on getting top officials out to the dunes so they can see for themselves what our situation is. We are proactively pursuing another PMV delisting. We proactively got local officials and community leaders involved to help us with our fight: the result is the UDG. Together with our sister organizations, we formed the Eco Logic legal group: a group dedicated solely to fighting OHV issues on our behalf while slashing legal costs.

Capacity limits? Not until we see the numbers! Enter Dr. Haas. With the help of the UDG, we'll have accurate data so that no limits are placed because of a guess that someone has taken. Better still, the BLM can't defend their position when they don't place them due to accurate data.

We are actively pursuing 3 lawsuits that determine if the new RAMP goes into play. When it does, we'll be proactive in helping take down the closure markers.

Thank you for you're continued financial and volunteer support.

Chairman's Report

By Bob Mason

"WHERE TO FROM HERE"

ASA is five years old. The list of accomplishments is long. But we still have a temporary closure. I'm sure you say, "Why?"

The legal process is painfully slow. The Judge is scheduled to issue the ruling on Sept 30, 2005. We are confident that the closures will be removed. The Management Plan and the Biological Opinion have been through years of public review in accordance with the applicable US environmental protection laws. Regardless of the decision ASA will continue to fight to regain your right to ride.

An equally important issue is litter. Dune closure is threatened if litter management is not improved. The biological opinion requires that the dunes be litter free. We have been told that the first bag of trash to hit the ground next to a dumpster creates a violation of the biological opinion - this can be used in obtaining injunction to close the dunes.
This is one of the few areas that we, as a community, have total control. It is up to us.

The bottom line is RESPONSIBILITY MATTERS. Please do your part. PACK YOUR TRASH HOME— It's the right thing to do.
Encourage your duning friends to do the same.

As Always, thanks for your support,

Chairman of the Board

WHAT IS THE ASA?

The ASA is the lead group fighting to keep the Imperial Sands Dunes Recreation Area (ISDRA) open to OHV use. We are a nonprofit California corporation under the IRS Tax Code known as 501(c)(4). The leadership of the ASA are volunteers.

Working in concert with the Off Road Business Association (ORBA), San Diego Off-Road Coalition (SDORC), and others, the ASA has filed eight lawsuits against the Bureau of Land Management and the Fish and Wildlife Service. We have standing in several legal actions that could well be used to close the entire dunes. We stand poised to oppose any legal actions brought by any anti-access groups that would prevent the new Recreation Area Management Plan from being implemented. This plan would remove some of the closures entirely and grant conditional access to others.

In addition to our legal actions to preserve our right to ride, we filed a precedent-setting delisting petition to remove the Peirson's Milk Vetch from the Endangered Species List. This plant was used to create the closures put in place in 2000. These closures total over 49,000 acres of sand dunes and are located south of Highway 78, south of Highway 8, and at Mammoth Wash.

Our delisting petition is based on good, solid science derived from biological studies paid for by the ASA, ORBA, and SDORC. This science cost over $100,000.00 so far and we are budgeting for more. Our efforts don't stop there. We have two lobbyists on retainer: one in Washington D. C. and the other in Sacramento.

We have made several trips to Washington D.C. and Sacramento to present our case and plan to make several more. Our Public Safety and Education makes us known as a group that is not only interested in a World Class duning experience, but Stewards of the land and its resources: a very good connection with the current administration.

The ASA has received the US Dept. of Interior's 4C's Award, recognizing our organization's commitment to working with the Bureau and others to enhance recreational conservation on public lands in Southern California.

MOTORIZED OHV SUMMIT in WASHINGTON, DC JULY 12 & 13, 2005

Bob Mason, ASA Chairman, and Grant George, ASA President, participated in the two-day conference co-chaired by Roy Denner of the Off-Road Business Association (ORBA) and Jack Welch of the BlueRibbon Coalition. (BRC) A very successful trip.

Purpose of the Summit:

-- Support House Resources Committee Chairman Pombo's effort to reform and update the Endangered Species Act (ESA).
-- Educate legislators about the popularity and economic importance of motorized recreation.
-- Participate in a Congressional Oversight Hearing on Motorized Recreation on Federal Lands.
-- Meet with executive management of federal agencies responsible for the management of motorized recreation opportunities.
-- Network with the participants at the Summit.

Overview:

The Summit was very worthwhile in terms of formal meetings and informal networking opportunities. The OHV panel representatives were very effective. Advance research and preparation of briefing materials relating to the ISDRA budget shortfall was useful. The PMV DVD and the Litter Education PSAs were well received. Thanks to all that assisted in the preparation of the briefing materials.

Attendees:

-- Nearly 100 participants - including representatives of snowmobile, personal watercraft, and OHV recreation.
-- Representatives from Pennsylvania, Oregon, Colorado, Connecticut, California, Nevada, Texas, Idaho, and Arizona.
-- ASA leadership was supported by Dr. Art Phillips, Botanical and Environmental Consultant; David Hubbard, Attorney; Paul Kavinoky, Washington OHV Lobbyist; and Pete Conaty, California OHV Lobbyist.
-- ISDRA Small Business owners Mike and Michelle Gilmore (Gilmore Off-Road) and Kathy Godley (KD Cycle) attended meetings with the BLM and their congressional representatives. Gilmore Off-Road and KD Cycle joined representatives of the Arizona State Association of 4-Wheel Drive Clubs in a meeting with the BLM staff responsible for permit administration.
-- The United Desert Gateway (UDG) communities of Brawley, El Centro, and Yuma were represented by Nicole Gilles, UDG President.

Meetings:

The following is a partial list of meetings ASA had and the discussion topics:

United States Fish and Wildlife Service

Craig Manson, Assistant Secretary for Fish and Wildlife and Parks in the U.S. Department of the Interior
Julie MacDonald, Deputy Assistant Secretary for Fish and Wildlife and Parks in the U.S. Department of the Interior
Randy Bowman, Special Assistant to Assistant Secretary Manson

Topics:

-- Formal delivery of the resubmission of the Peirson's milkvetch (PMV) delisting petition and DVD
-- ESA reform and update
-- ISDRA Biological Opinion (BO) & Recreation Area Management Plan (RAMP) implementation requirements and the associated budget shortfall.

Bureau of Land Management

William Woody, Director of Law Enforcement and Security
Selma Sierra, Chief of Staff at the Bureau of Land Management
Ed Shepard, Assistant Director Renewable Resources
Scott Abdon, Sr Outdoor Recreation Specialist
Bob Ratcliffe, Deputy Manager National Recreation Program

Topics:

-- UDG activity update and funding delay
-- Law Enforcement commitment to ISDRA by DC office
-- Law enforcement support of Litter Education and enforcement
-- ISDRA small business activity permits-- ISDRA budget shortfall

Department of Interior

Gale Norton, Secretary of Interior
Scott Stewart, Associate Director, Office of External Affairs

Topics:

-- ESA reform and update mutual objectives

left to right—Harold Soens-SDORC, Bob Reed-Cal4WD, Roy Denner-ORBA, Gale Norton, Secretary of Interior Ed Waldheim- CORVA Pete Conaty, Jack Welch-BRC, Dave Hubbard, Bob Mason-ASA

CONTINUED ON ..... PAGE 10

Support the ASA and win this Sand LIMO

LAST CHANCE

Buggy Tickets are only $20 each - only 12,500 will be sold

Thanks to these generous sponsors:

Sand Limo by Joe Fab, Sand Limo Crew, A & M Nut and Bolt, Affordable Exahust Coating, Affordable Powder Coat, Al's Pinstriping, ASS, Automotive Body & Paint, AZ Transaxle, B & M Wiring, Batteries Plus, Beard Seats, C & R Racing, CMS Wheels, CNC, Crow Ent., Finish Masters, Foddrill Fab, Fortin Racing, Gear One, Goodridge, High Torque/IMI, Intellidash, Iowa Export/Import, JB Motorsports, Karl's Custom, Kennedy Engineered Prod., Kerr West Plating, K-Four Switches, King Racing Shocks, Lazer Star Lights, Marine Screens, McKenzie's, Mendeola Transaxles, Parts Unlimited, Paul Bunyan Firewood, Racer X, Robert Biggs, Tube Service Co, Tuff Skin, Turn Key Engine Supply, Weddle Ind, Xtreme Tire Co.

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by purchasing tickets at $10 each **OR BY SELLING BUGGY TICKETS** (5 sold gets you 1 cart ticket FREE)
Both tickets available at select retail locations and events.
Call: 619-448-8078 for ticket info.
All proceeds to benefit ASA general fund -
Both giveaways to be held at the 2005 Sand Sports Super Show
Winner need not be present to win, but it sure is nice when they are!
(contributions to the ASA are not tax deductible)

THE DUNES DILEMMA

by
Roy Denner, President & CEO
Off-Road Business Association

The good news is that the new Management Plan for the Imperial Sand Dunes Recreation Area (ISDRA) has finally been approved for implementation. This includes a "no jeopardy" Biological Opinion (BO) from US Fish & Wildlife Service – meaning that implementation of the Plan will not jeopardize the existence of the Pierson's MilkVetch Plant (PMV). The new Plan will lift the current interim closures in the ISDRA while allowing for limited use of the central area as an Adaptive Management Area. The new Plan also includes provisions for improvements on the ground – such as new camping pads and more restroom facilities – that should benefit ISDRA visitors.

Of course, there is still one stumbling block – a 9th Circuit Court Judge will be ruling in September on an action by environmental groups to stop the implementation of the plan. Hopefully the judge's ruling will allow for the new Plan to move ahead.

Now for the bad news! And it's all about money!

The fee collection system at the ISDRA has totally collapsed. The vendor responsible has gone AWOL and the machines are all broken. The El Centro BLM Office will be approximately $500,000 short in anticipated revenue from fees for the year.

All of the Federal funds that the Desert District Manager can scrape up are being used to cover the cost of the annual $900,000 monitoring effort for the PMV and other species of concern in the dunes.

The State Off-Highway Motor Vehicle Recreation (OHMVR) Division and its Commission that has the power to provide grants to the ISDRA has allocated zero dollars to the ISDRA for operation and maintenance for the last two years. Prior to that grants were in the neighborhood of $1.2 million.

So - - - all of the funding for implementation of the new Plan must come from the fees that ISDRA visitors pay.

When deciding on what provisions of the new Plan they should implement first, the BLM looks at which actions are necessary to avoid any possibility of violating the favorable Biological Opinion – a violation could lead to the re-closing of much, if not all, of the ISDRA. The drastic shortfall in fee collections, combined with the lack of sufficient grant money, causes a major dilemma!

Money collected from user fees will barely be enough to cover the actions necessary to satisfy the Biological Opinion. There will be no money available to make any of the on-the-ground improvements that ISDRA visitors have asked for – even though they are part of the new Management Plan.

So visitors to the ISDRA this year will see another comprehensive $900,000 monitoring study taking place (paid for by appropriated funds), they will see an unbelievably complicated and costly trash collection system in place with bird-proof receptacles (Paid for with fees collected at the ISDRA), they will witness the construction of a wildlife kiosk (not paid for with fees) and a new ranger station (paid for with a special appropriated fund) – but they will not see a single new camping pad or restroom facility!

Does this make the California BLM the "bad guys?" I don't think so! Compared to other recreation areas of similar size and visitor usage, the ISDRA is drastically under-funded by Congress! The CA BLM insists that it is using the limited funds available to prevent new closures to vehicle access as its topmost priority. I think that's how ISDRA visitors would want the funds allocated.

California OHV organizations are working hard to convince Congress that more money needs to be allocated to the ISDRA. In the meantime, ISDRA users are unavoidably faced with the question of whether or not they would be willing to pay a higher use fee to have more on-the-ground improvements. An interesting debate is in the making.

http://www.ORBAnet.org

*** The ASA in early July sent out 2 letters in hopes of securing much needed funds for the operation of the Imperial Sand Dunes. One letter to BLM Director Kathleen Clarke and another to Congressman Bob Filner.

In short, our message was that the ISDRA needs federal appropriations that are commensurate with the level of visitorship experienced at this popular OHV recreation area and managed by the BLM. Based on our estimates the ISDRA shortfall will require significant additional federal appropriations. Your continued support is appreciated.

Both letters can be viewed on our website or in the online version of this issue.

HOT Topics from the Public ASA Board of Directors Meeting

Anaheim, CA - July 23, 2005

Neil Hamada, Dunes Manager, Imperial Sand Dunes Recreation Area spoke on several main areas that will affect our dune experience in the upcoming season.

- **Adaptive Management Area (AMA) and its Permit Program:**

Neil emphasized that the AMA is in place to allow recreation while conserving habitat. The AMA will be open Oct. 15 to March 31 and only during dawn to dusk during that period. The plan allows 75 groups of up to 7 vehicles to enter the area – no limit on the number of people in the 7-vehicle group. Permits are good for up to seven days but can be obtained for fewer days so that others can be allowed to get a permit as their permits expire. He cautioned that even though a permit can be obtained for only one or 2 vehicles this would count as 7 towards the maximum limit of 525 vehicles allowed entry into the AMA since there will be only 75 permits in effect at any given time. Vehicle slots would be wasted.

The program is intended to be simple. Each driver of each vehicle will be required to read a conservation brochure and answer four simple questions relative to the data in the brochure. After answering the four questions, applicants will receive the permit provided there are permits available. Information about the program will be on the message board at the Cahuilla ranger station. Neil also explained that there will be no access to the AMA from the east side (from the washes) of the dunes due to the sensitive areas located there.

- **Zero Tolerance Enforcement policy:**

Nothing has changed in this area. Know the rules and CA Off-Highway Vehicle Laws.

- **2005-06 Season Fee Program Management:**

The contract with Central parking expires on Sept. 30 The BLM is working on a new agreement with the Imperial County Sheriffs Office (ICSO) for collection and enforcement of the fee program. The ICSO will be able to track fee-related violations through the California DMV Vehicle registration will be denied if there is an outstanding citation.

- **Vending at Glamis:**

Dune Buggy Flats and Buttercup will be allowed from noon Thursday to noon Monday from Oct 1 through May 31. There are short and long term vendor area designations. Vending restrictions are in the Recreation Area Management Plan (RAMP) and the BLM intends to abide by them.

- **ISDRA Newsletter:**

The UDG and BLM intend to develop a yearly newspaper that will be helpful to people who may not receive ISDRA information through other outlets.

- **Trash Containment Requirements of the RAMP:**

The requirement is that the trash be contained in Coyote and Raven proof containers. If the trash is not contained, it violates the Biological Opinion (BO) and the ISDRA could be in violation of the BO which could close the ISDRA down.

Mark McNay, Sargent, Imperial County Sheriff's Office spoke on the ICSO's perspective.

- **Comp Hill Curfew:**

Mark indicated this was a temporary fix. The ASA has asked the Sheriff to lift the ban but at this point, it will not be lifted. Member Steve Brooks inquired if the idea of pinch points had been fully explored. Mark commented that they were used extensively for 2 years but were not an effective way to handle the issue. They took many man hours and it was simply not an efficient way to handle the problems. Mark stated that it was not a money issue. The idea of only allowing legal off road vehicles to enter the hill was discussed and the idea is being investigated.

Jerry Seaver, ISDRA TRT Chairman

- **Update on TRT Business:**

The BLM monitoring plan is a 4-year plan of which we are on the 2nd year. This is not only for the PMV but other species of concern. The trash dumpsters are a major concern. They must be in place for the implementation of the RAMP as per the Biological opinion (BO). If trash is left on the ground, we are in violation of the BO. Per Neil Hamada: any trash that is on the ground or if trash causes a lid on a bin to stay open, it violates the BO. A massive education program needs to be done so that everyone understands how important it is that no trash be left out in the open. Neil commented that there is a plan to have a low paid staff to help on the busy weekends to keep up with the overflow. **(more TRT information on page 11)**

Steve Razo, BLM CA Desert District External Affairs Director

- **Steve gave a presentation on the BLM's participation at the Los Angles County Fair and the ASA's involvement with the program. The ASA will be listed as a sponsor for the magic show that is scheduled 4 times a day with an environmentally friendly message. The ASA will use one of the Public Service Announcement messages to promote the litter program or the Tread Lightly message. We will have various sand cars on site. The BLM will be on site for the duration of the fair.**

CONTINUING THE SUCCESS

Since the Imperial County Sheriff's Office (ISCO) responded to the need for improved safety enforcement five years ago, it is widely agreed the Imperial Sand Dunes have become a safer and more enjoyable off-road experience.

Using state grant funding to increase officers on duty during busier weekends, ICSO, in cooperation with the federal Bureau of Land Management, was able to build on the independent safety education of organizations such as the American Sand Association.

As the 2005-2006 fall to spring season nears, Imperial County Sheriff Harold D. Carter is laying the groundwork for continuing the success of the broad-based effort and ensuring it has adequate long-term funding.

The major change dunes visitors will notice this year is proactive enforcement of the camping permit requirement. ICSO is forming a collection and compliance team whose goal is to not only ensure all dune campers have the required BLM camping permit, but also that those permits are easier to obtain.

ICSO will begin a major education effort Sept. 1 and proactive camping permit enforcement Halloween weekend. Once the enforcement period begins campers without permits will be ticketed and required to immediately get a permit.

"The folks who are not paying are costing those who are. The fees collected come right back to the dunes. They help to build and maintain camping pads and restrooms," Carter noted.

To make the permit system easier to use and less intrusive, ICSO will employ some state-of-the-art technology. First, permits will be available at the same places they always have been – retail outlets and seven vending machines in the dunes. But the machines will be new and dispense a new kind of permit with a radio frequency identifier that will allow patrol officers to use a hand held device to scan vehicles for valid permits. This will make checking easier and an officer's visit to a camp less intrusive.

Carter added he expects to have personnel staffing the vending machines to ensure that everyone who needs a permit can get one. This year, permit purchases will remain "one time," meaning you can buy for a weekend or the entire year and then discard them. However, Carter said the system will expand in coming years so that cards can be renewed via credit card over the Internet.

Carter said he expects permit compliance, which has been about 60% and collecting $3-4 million a year at the dunes to improve to 90% with revenues of $6-7 million. That is more good news than dune visitors may realize.
"Because the funding for our safety enforcement comes from the state, there always is a threat of cutbacks," Carter explained. "In fact, we have seen some impact because we can no longer purchase equipment, such as quads and four-wheel-drive trucks, with the state funding. Those vehicles take a pounding out there, so we have to find ways to pay for the equipment we need to keep the dunes a safe, family fun experience."

Other key issues for 2005-2006 include:

• The peak weekend dusk to dawn curfew at Competition Hill will remain in effect for the rest of 2005. However, Carter said he is exploring a change to the county ordinance that would allow a limited number of sand racers into the area during those times. Those without vehicles would still be kept out.

• Patrols will be on the lookout for litter violations. Anyone seen littering or leaving trash behind will be cited. This is in conjunction with ASA and United Desert Gateways public education programs. In forming UDG, the El Centro, Brawley, and Yuma chambers of commerce entered into an assistance agreement with the BLM to develop support, communication and cooperation on dunes issues.

• Patrols will continue enforcing laws requiring flags, prohibiting having more riders on a vehicle than it is designed for, requiring spark arrestors and prohibiting wading or swimming in canals.

• 2006 will see a re-calibration of the so-called "green sticker fee" on off highway vehicles. Currently the fees go to the county in which the vehicles are sold. The re-calibration will see more of those funds going to counties such as Imperial, which has a relatively low number of OHV sales but a high amount of off roading. "This funding will further insulate the ICSO safety effort from state budget cuts," Carter said. "A re-distribution of the gas tax under consideration by the state would also help," he added.

Slappy's ADOPT-A-WASH Program

Dedicated lovers of Mother Glamis, let us join together to protect and insure her pristine beauty for future generations. Signup to a specific area of the dunes (any area) and keep it clean each time out. For more information and to signup, click on the Adopt-A-Wash logo on the front page. **www.GlamisDunes.com** or email: SlappyMcDuner@hotmail.com

WE WANT TO THANK THESE MAGAZINES THAT SUPPORT US AND HELP TO INFORM

SAND ADDICTION MAGAZINE

TOYHAULER MAGAZINE

San Diego OFF ROAD Magazine

SAND SPORTS Magazine

UDG PLEDGES SUPPORT TO THE DUNING COMMUNITY

The United Desert Gateway is pleased to have entered into a partnership with the Bureau of Land Management through the signing of an Assistance Agreement in the fall of 2004. The purpose of the agreement is to develop support, communication and cooperation with gateway communities associated with the Imperial Sand Dunes Recreation Area and BLM public lands in the region.

This agreement enables the gateway communities (Brawley, El Centro and Yuma) to implement projects that have been outlined in two task orders which will allow the UDG to accomplish specific objectives required in the ISDRA Recreation Area Management Plan (RAMP) and the associated Business Plan. A task order (TO) is defined as an order which is issued against the assistance agreement to obligate funds for specific services or work to be accomplished.

This partnership will accomplish tasks that are funded through congressional appropriated funds and not by visitor use fees. The RAMP requires the El Centro Field Office to conduct public outreach and to gather data relating to visitor use. Both of these tasks will be carried out by the UDG in cooperation with the BLM.

A requirement of the UDG partnership is to track and report all matching contributions. For example, several of the Partners in Dune Safety activities were accredited as matching contributions. The list of matching activities included the highway billboard program; the law enforcement trailer donated by Weekend Warrior; the publication of the Dune Smart brochure along with other printed and broadcast media outreach projects. The generous contributions by several ASA Business Sponsors provided the kick-start for the UDG/BLM partnership.

Looking ahead, UDG will be working closely with several willing OHV organizations and volunteers to implement the TOs. Projects such as the annual North and South dunes cleanup programs will provide excellent opportunities for ISDRA visitors to support the UDG/BLM partnership. Volunteer hours from the cleanup and volunteer projects will add to the matching requirement.

UDG will join with BLM and the Imperial County Sheriff's Office in outreach programs designed to inform ISDRA visitors about litter ethics, public safety and visitor fee compliance. Public service announcements are also currently being designed.

The UDG is currently preparing an ISDRA welcome publication that will be published annually. Distribution at the dunes, via local businesses and OHV supporting organizations and sponsors, will fulfill the public outreach requirement of the TOs. A website is also being developed to inform the duning community about UDG activities.

Involvement of the gateway community residents is an important component of this partnership. Local businesses and service clubs will be encouraged to participate in ISDRA volunteer activities. Chambers of Commerce staff and other volunteer organizations were very involved in the initial development of the UDG programs. An active local community will preserve the integrity and long-term sustainability of ISDRA and other local BLM public lands.

The UDG will conduct a public information meeting in September or October to outline the plans for the upcoming dune season.
For additional information visit their website at www.uniteddesertgateway.org

UDG/BLM Cost-Matching Program

Onan Generators and Dometic Refrigerators are popular accessories in motorhomes and toybox trailers used by many sand sport enthusiasts. Because of the efforts of Michele Garnett at Weekend Warrior, these suppliers have offered to help sponsor the "Litter Education" program initiated by the United Desert Gateway (UDG) communities. (just added, Atwood Mobile Products)

The Onan and Dometic contributions become part of the UDG/BLM cost-matching program that will help pay for unique trash bags to be distributed at the dunes. The "stewardship" message on the bags will encourage dune visitors to take their trash home.

By supporting the "Litter Education" program, Weekend Warrior once again proves their commitment to a leadership role in their quest to do what it takes to maintain access to public land. (see their billboard for this season, page 16) Michele continues to look for additional sponsors for this program. The goal is to identify sufficient funding to purchase 100,000 bags.

We all owe a big thanks to Onan, Dometic, and Weekend Warrior for their help in delivering this important land use ethics message.

>>> *ASA STORE SPECIALS* <<<

Get our 100% cotton, Men's and Women's style of Jersey Tank Tops. Sizes XX and larger have an additional $3.00 charge. The Men's 3XL is a Sleeveless T-shirt (not a tank)

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Please send check payable to ASA:
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Moreno Valley, CA 92557-5504

FOR A COMPLETE LISTING OF STORE MERCHANDISE, PLEASE SEE OUR WEBSITE STORE.
www.AmericanSandAssociation.org/store

Where your purchase is helping to fund your future of duning

>>> LEGAL AND BIOLOGICAL UPDATE <<<

PMV STUDIES

Dr. Art Phillips has completed his studies for the 2004-2005 Peirson's milk vetch (PMV) growing season. His studies answer many objections that were used to deny us a favorable decision on our first delisting petition and add new insight to the PMV life cycle and reproductive abilities. This new information is used in our most recent delisting petition and in an addendum to it. The petition was filed in June 2005 Our new delisting petition has been accepted for review and we will dismiss our suit challenging denial of the first delisting petition.

LISTING ANOTHER 17 SPECIES

Our legal staff is composing arguments against the listing of 17 other species at the ISDRA. The petition to list these species is weak providing nothing more than conjecture and no conclusive science.

CAMPING CLOSURE OPENED

The 25,000-acre "no camping" closure east of the railroad tracks are now Open. Travel in this area is restricted to existing trails. ASA spent $7000 toward this effort with CORVA taking the lead after that and ORBA assisting in DC. Implementation of BLM's Northern Eastern Colorado Desert (NECO) plan reopened these lands. The Temporary Closed areas at the ISDRA are still closed until the RAMP is implemented.

ISDRA RAMP

We are optimistic the RAMP (Recreation Area Management Plan) will clear the final hurdle on September 30th for implementation. On this date, Judge Illston will make a final ruling on 3 of our suits that have been rolled into one: critical habitat designation for the PMV, the legality of the ramp itself, and the CBD opposition to the biological opinion (BO). The BO is the document that gives the approval of the Fish and Wildlife Service. There are 2 BOs that concur the new RAMP will not jeopardize species of concern at the ISDRA. At this writing, all dates have been met in the case management order and we are on track to the final ruling on September 30th.

NEW ASA VIDEO ON THE PMV

The explosive growth of the Pierson's Milkvetch (PMV) during the past season was significant. The ASA has documented this event along with Dr. Art Phillips' studies in a new DVD titled, "Peirson's Milkvetch - A case study of ESA gone Awry." This helps highlight the need to fix the Endangered Species Act (ESA) This 12 minute documentary was hand delieved in Washington DC.

The DVD, produced by the ASA with the help of Wally Cahill of AZ Motor Sports Mania, may be viewed on our website homepage or at: http://www.americansandassociation.org/documents/multimedia/PMV2005.wmv

Dr. Phillips' latest research can be viewed at:
http://www.americansandassociation.org/documents/legal/2005_PMV_Final_Report.pdf

QUARTERLY NEWSLETTERS -- PRINTED vs ONLINE

In an effort to preserve our much needed donations, we are going to "attempt" to limit our quarterly printed newsletters to 16 pages. As one of our primary goals is to keep you **Informed**, we will concentrate on those issues and subjects that matter most, like; "when are the closures stakes coming out?" Yes, we're still awaiting to put that date in print too! This measure will help us put our valuable funds into more areas to protect our rights to ride in the dunes.

The good news, our online .PDF versions of each quarterly newsletter offers us no limit in size, colors and all at no cost. So our members can read and see what is happening concerning our dunes and other related issues we couldn't fit into 16 pages. We will provide space in the printed version for those stories you will find in our online .PDF versions.

ASA IN DC ..... CONTINUED FROM ..... PAGE 4

— BLM overall funding deficit
— ISDRA RAMP Biological Opinion implementation funding requirements
— ISDRA specific funding shortfall
— PMV delisting petition resubmission
— Expression of appreciation for support of OHV recreation

Accomplishments/Action Items:

— Bill Woody supports the addition of the BLM law enforcement shield and logo on the Litter Education public service announcements (PSAs).
— Paul Kavinoky will draft a letter for Congressman Hunter, Pombo, and Filner's signatures supporting increased BLM appropriations for the ISDRA.
— Selma Sierra will follow up regarding the delay of UDG Task Order matching funds.
— ISDRA small business owners presented their concerns regarding the RAMP and vendor permit process to BLM and their congressional representatives.
— Gained useful insight regarding the submission of additional information in support of the PMV delisting petition.

ISDRA TRT Meeting Report - June 7th 2005

Four motions were passed other than the normal ones for accepting the minutes of the last meeting and to adjourn.

A motion was made to BLM that the TRT recommends that they terminate the Central Parking Contract. – Passed with a Unanimous vote.

A motion was made to the BLM that the TRT recommends that they pursue collecting the money from Central Parking that was not collected because of them not fulfilling their contract. – Passed with a Unanimous vote.

The TRT passed unanimously a motion to send a letter to the District Manager asking her to give a timely answer to the Vendors on their proposal to vend seven days a week at Glamis Flats.

The TRT also passed unanimously to send a letter supporting the OHMVR grants that had to do with the ISDRA.

There is no scheduled time for the next meeting as of this writing but there probably will be one in October.
To see the minutes of the June 7th meeting, go to *WWW.ISDRATRT.ORG*

Thanks,
Jerry Seaver
ISDRA TRT Chairman

Ranger Station Coming to Buttercup?

Some call it a Ranger Station, and others call it a Visitor Center. The BLM is calling it a "Contact Station" for now, but that could change by the time it is completed.

Regardless what it ends up being called, construction will start soon in the Buttercup area. The building is slated to be shared-use providing facilities for the BLM, Imperial County Sheriff Dept., California Highway Patrol, and the U. S. Border Patrol. **Funding is coming from a capitol improvement account from the Federal Government, not from fees being collected from ISDRA visitors.**

Plans are to locate the building in the area North of the Buttercup access road where the fee machines are located. The design-build contract will go out for bid before the end of this year with construction starting sometime in 2006. The concept building is approximately 127 feet by 23 feet, would have a lobby in the South end for information distribution, an emergency medical room, a holding cell for law enforcement, and space for the law enforcement agencies sharing the facility.

ISDRA TRT 2004-05 Dune Users Survey

The results of the ISDRA TRT 2004-05 Dune Users Survey are ready. The TRT and the BLM El Centro Field Office would like to thank those who participated. A total of 767 dune users responded.

The Survey Says: (bold reflects Question and most responded Answers)

The average Dune User **visits the ISDRA 5 to 6 times per year** (22%), spends **3 days on each trip** (48%), and transports **2 people in their Primary Vehicle** (31%). They visit the ISDRA on **Holiday and Non-Holiday weekends** (71%), with the **most visited Holidays** being **Presidents Day** (21%), **Thanksgiving** (20%), and **New Years** (19%).

They feel that the **current level of Trash Dumpsters are fine** (64%), and that the **Portable Toilets should be left at current quantities** (50%). There are some Dune Users (19%) that feel that the **portable toilets should be replaced by permanent Pit Toilets** and are nearly even split for putting them at **Wash Road** (36%) and **Dune Buggy Flats** (35%). However, other Dune Users (23%) **feel the portable toilets should be eliminated.**

Most Dune Users feel that **Law Enforcement presence is fine at the current levels** (61%), while 22% feel there **should be less**. More feel that **Emergency Medical Services** are **fine at the current levels** (73%), while 25% would like to see **more EMS.**

When it comes to **Road Grading**, Dune Users feel that the **current levels are fine** for **Wash Road** (62%) and **Gordon's Well Road** (72%). There are some who would like to see **Wash Road** graded **more often** (24%). Dune Users are also **fine with the current levels** of when **sand is cleared from paved surfaces** on **Gecko Road** (82%) and **Grey's Well Road** (82%).

The survey indicates that the average Dune User feels that **Vendor services are important.** 57% said that the **current level is fine,** while 37% thought **more vendor services** are needed. Only 6% thought **less are needed**.

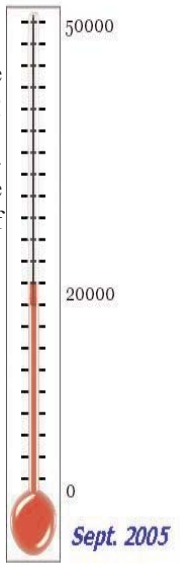
The current tallied results show 767 dune users responded to this survey. 172 printed and 595 taken on the isdratrt.org website.

An Excel Spreadsheet with detailed results can be found in the Documents Section. http://www.isdratrt.org

>>> *MEMBERSHIP NEWS* <<<

Here we GO!!! **Our 2005 - 2006 Membership Drive.**

Our first **ASA Membership Drive** will kick off at the **Sand Sports Super Show** this month. Currently we have 21,345 members but we want to have **50,000+** voices to take with us to **Washington DC** and **we need your help!**



Who is missing? Maybe your spouse, other family members or your friends you enjoy those dunes trips with. Our database has come a long way with the ability to add your family members under just one account. Use the "ADD FAMILY" option under your account profile. With the costs of printing and mailing a newsletter to each of our thousands of members, all current and future members must list a verifiable mailing address in our database.

You can change and review your information on our website here:
http://www.americansandassociation.org/mymembership/
Don't know your username and password? Send an email to:
Membership@AmericanSandAssociation.org

The above will enable us to save our needed funding and to keep you Informed. So please help us and update your information and ask your family and friends to do the same.

Thanks, Dick Holliday
ASA Membership Director

We would like to welcome all the new and renewing Supporting Members that have signed up or renewed since our last newsletter. Their commitment goes a long way in supporting the fight to keep our riding areas open now and for our future. Thank You

David Adams
Rachael Ainsworth
Rich Alcaraz
Ernest Algorri
Jeff Amman
Jim Arbogast
Duncan Arms
Howard Ault
Don Ayers
Dave Baker
Robert Barada
Bryan Beardsley
Walter Beck
Tony Beck
Roger R. Berte
Tim Bielski
William Bierman
Brian Bissell
John Blair
Tommie Bowman
Sierra Brannon
Steve Briee
Jon Brooks
Thomas G. Brown
Chris Button
Patrick Calderone
Jim Camp
Jasmine Cano
Charlie Carr
Lee Cerini
Allen Colantuono Jr.
Randall Conrad
Jerry Conway
Mark Cook
Teri Cordeiro
Jon Crowley
Kim Cue
David Cupp Sr.
Brett Cushing
Craig Dalman
Buddie Dalo Jr.
Howard Davis
Rick Davis
Cindy Davis
Keith Davis
Amy Dempster
Michael Diaz
Joe Downs
Leo Duarte
Loren Duncan
Ken Fairbarn
Steven Favero
Steven C. Forrester
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Jan VanGreuningen
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Charles Walters
Deborah Wassmann
Benjamin Weed
Taylor White
Tim Wight
Dave Williamson
Todd J. Wilson
Trevais Wilson
Gary Wright
Kyle Yancey

ASA MEMBERSHIP DRIVE

OFFICIAL RULES for the ASA MEMBERSHIP DRIVE CONTEST
Specifically, the rules below are for the Contest

NO PURCHASE NECESSARY TO ENTER OR WIN

How to Enter: Using a membership form or the ASA online Join page, sign up family members and friends for a membership or upgrade your own membership. Each new membership receives points (see below) that are credited to your name. Odds of winning depend on number of contestants.

By entering or participating in the ASA Membership Drive Contest you agree to all of the following rules:

ASA Membership Contest Rules:

Begins: Sept 19th, 2005 Ends on: June 1st, 2006

TOP PRIZE: The Winner will receive a 4-Night Stay at Terrible's Hotel & Casino - Las Vegas and includes meals and 1 night on the town with a limo!

Winner determined by points earned:
Each new individual membership = 1 Pt (free membership)
Each new paid Supporting Membership = 5 Pts ($25 annually)
Each new supporting Business Sponsor = 10 Pts (same for all 4 levels)

All new and existing members may participate (board members excluded)

One Random Prize: All that participated in the contest are eligible for a $250.00 gift certificate good for all merchandise in the ASA Online Store

Winners to be awarded at the 2006 Sand Sports Super Show
(need not be present to win)

ASA Membership Contest Rules for ASA Business Sponsors:

(Same rules as above; time frame and points earned)
Winner receives: Special perpetual plaque for business gaining most new members within contest. Free Website Advertising for one full year. (link on main page and random banner ads) Free Newsletter Advertising for one full year. (half page ad in color on back page)

AS A QUARTERLY NEWSLETTER ADVERTISING RATES
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Full Page (approx.7.5" x 9")	$650	$2200
Three Quarter Page	$550	$1900
Half Page	$350	$1200
Quarter Page	$200	$700
Business Card	$100	$300

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For all their support in producing this newsletter and other ASA publications that help us achieve our goal of OPEN DUNE ACCESS.

SSSS VOLUNTEERS NEEDED

Volunteers are needed for the 2005 Sand Sports Super Show. The largest Sand related show will take place again in Costa Mesa on Sept. 16-18th. As usual, the ASA is given generous space by the promoters to help us Unite, Inform, and Mobilize the sand community.

We are in need of volunteers to help with this large show. We have four areas in which you can help: Membership signups, Merchandise sales, Checkered flags consignment and help with our SAND LIMO Sand Car Giveaway.

This is our biggest event of the year and with your help, we can do so much to protect our sport. We have shifts available for all 4 areas to fit your schedule at the show. So please let us know and we will mail you a name badge and instructions on the area in which you choose to help. Time well spent to help Keep Our Dunes Open.

Contact us at: SSSSvolunteers@AmericanSandAssociation.org
Or by phone **(714) 229-0286 OR (619) 448-8078**

>>> UPCOMING EVENTS <<<

ARIZONA:

Two events are scheduled on the calendar in AZ this fall. Board Member Gary Jordan will coordinate a Dune Info Meeting at ***RATV/MX Warehouse*** in Chandler.

And an early October event will be held on the west side in Peoria at the ***Orangewood RV*** facility. Scott Swenka, Checkered Flag Chairman is coordinating this event.

CALIFORNIA:

Events include the ***Sand Sports Super Show*** on Sept. 16 - 18 in Costa Mesa. The ***Off Road Expo*** is scheduled for Oct. 8 & 9 in Pomona. The El Centro ***Big Boys Show*** is Oct. 7 & 8. The ***5th Annual Glamis Poker Run***, Nov. 5th. Boardmanville.

FOR UP-TO-DATE EVENTS, PLEASE SEE OUR WEBSITE
to help at the above events:
Volunteers@AmericanSandAssociation.org

ASA BUSINESS SPONSORS Our new and renewing sponsors since our June issue!

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>>> ASA PREMIUM SPONSORS <<<

Become a Supporting Member and receive an ASA Membership ID Card. This card is valid for discounts at our "Premium Sponsors" listed below. This annual membership ($25) helps keep our organization funded and fighting for your right to ride.

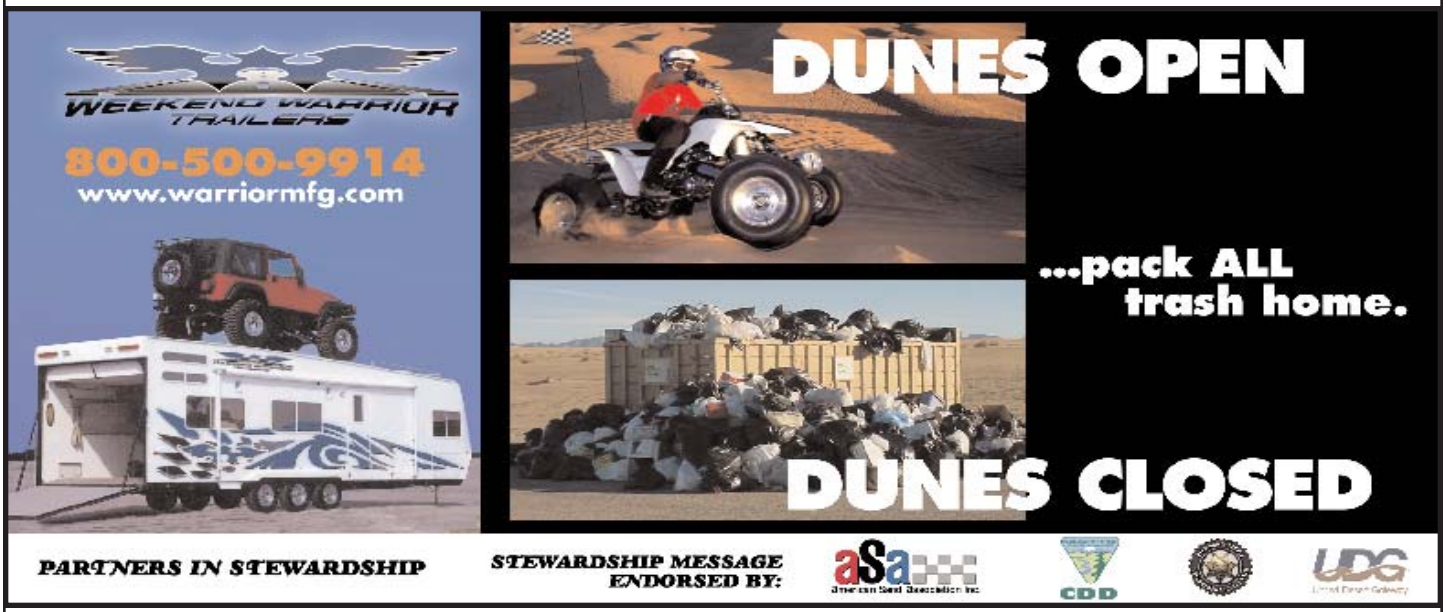
PLEASE SUPPORT ALL OUR SPONSORS WHEN MAKING YOUR PURCHASES.

Air Cooled Engineering Ace	Salt Lake City	UT	801	943-1234	10% Off All In Stock Items and Some Special Orders
Alba Action Sports	Poway	CA	858	486-4380	12% Discount off on All Parts
Azdune.com	Apache Junction	AZ	480	982-8100	10% on Most Stock Items
B&R Buggies	Oceanside	CA	760	722-1266	10% Discount off Parts and Labor
Beard Seats	Anaheim	CA	714	774-9444	5% Off Orders Made Directly to the Factory
Bellflower Motorsports	Bellflower	CA	562	925-5097	10% Discount on Parts
Big Shot Atv Rentals Llc	Phoenix	AZ	602	790-4268	No Additional Charge for Paddles and Whip.
Bill & Steve's Foreign Car Parts	Downey	CA	562	923-3251	10% Discount on Parts
Billet Industries	Lake Elsinore	CA	951	640-3294	10% off Regular Prices
Brawley Trailer Supply	Brawley	CA	760	344-6620	10% Cash Discount
Brm Offroad Graphics	Fountain Hills	AZ	602	421-0880	15% off first purchase for ASA Supporting Members.
Butler Auto Repair	El Centro	CA	760	335-4965	10% off on parts with a minimum purchase of $100.
Camp 'n Style	Lakeside	CA	619	561-7368	5% Discount off Rental Rates.
Center for Bodywork & Natural Therapeutics	Laguna Beach	CA	949	212-1444	10% Discount
D&D Motor Sports	Mesa	AZ	602	421-2359	10% off Retail Price on All Quads
Daniel And Sons Trucking Inc	Corona	CA	951	808-0681	10% off on All Deliveries
Diablo Pipes & Headers	La Puente	CA	626	712-3919	$100.00 Off Complete Set Of Headers
Dirt Diva	Newberry Park	CA	805	498-8798	Purchase $35 and receive a Free Beanie
Dj Safety Inc	Tujunga	CA	818	951-0774	12 to 20% Discount off Selected Merchandise
Duncan Racing International	Santee	CA	619	258-6306	10% off any item purchased direct from Duncan Racing. NOTE: Cannot be used in conjunction with other discounts.
Eagle Performance Products	Alpine	CA	619	445-7321	10% Off on all items in stock.
Electro Tech Coatings Inc	San Marcos	CA	760	746-0292	Show your ASA ID card and receive $10 off your order.
F&L Racing Fuel	Long Beach	CA	562	432-3946	$0.50 Discount ($0.25 to the paying customer and $0.25 to the ASA)
Fiber-Tech Auto Parts	Santee	CA	619	448-0221	10% Discount off selected merch. excl. tires, wheels & frames
Funrunner	Whittier	CA	562	945-2180	10% off Regular Prices; Sale Items Discounts will vary. All Canopies available at Dealer or below.
G.E.T. Sales, Inc.	Mesa	AZ	602	315-3504	10% Discount on all products. For a catalog, contact GET Sales
German Auto Parts	Santa Fe Springs	CA	562	863-1123	10% Discount on Parts
Hall's Engine Rebuilding & Radiator	Moreno Valley	CA	951	242-7418	10% Discount on Any Invoice
Ironwood RV Storage & Firewood	Cerritos	CA	562	924-2670	10% Discount on Firewood
J & J Tire Company	Westmorland	CA	760	455-3109	10% Discount on Labor - Service
J D Performance	Temecula	CA	951	676-7957	10% Discount off any purchase of A-Arm Kits
J.M. Race And Development	El Cajon	CA	619	448-7048	10% off All Customizing Jobs
John Potocki Associates	San Diego	CA	619	464-7904	Hourly Fee Discount
Lazer Star Billet Lights	Anaheim	CA	800	624-6234	10% off walk-in orders or FREE Ground Shipping
Leadfoot Industries	Temecula	CA	951	694-1166	Contact LEADFOOT Industries @ 760-722-0983 for details
Light 'em Up !!	El Cajon	CA	619	593-9791	10% Discount on Non-Sale Items
Mendeola Transaxles	Chula Vista	CA	619	691-1000	10% Discount on Magnaflux
Mid Cities Honda	Paramount	CA	562	531-1225	10% Discount on Parts
MTG Experts Inc	Moreno Valley	CA	951	653-4884	50% off All fees charged by MTG Experts
Nationwide Financial Group	Temecula	CA	951	699-1157	Free Appraisal Up To $400.00 Refunded At Closing
OMF Performance Products	Riverside	CA	951	354-8272	10% off all retail purchases
Polepositionusa.com	Scottsdale	AZ	480	424-7223	5% Discount on All Products and Free Shipping
Progressive Trailers	Phoenix	AZ	800	500-1405	5% Discount (no other discounts apply)
Race Craft Suspensions Seats	Yuma	AZ	928	344-8876	5% Discount on Seats
Racewerks Inc.	Vista	CA	760	822-2428	$20.00 Discount on any complete Powertank Air System.
RIS Designs	Paramount	CA	562	251-1330	5% Discount on Parts
Sandrails Unlimited	Canoga Park	CA	818	701-5435	10% on All Parts sold in Stock Items
Schilling 3D Design	El Cajon	CA	619	390-0390	25% off any off-road related product design/ engineering
Sick Racing Corporation	Santee	CA	619	749-6874	20% Discount off All Products
Simon's Auto Body & Frame Inc	Laguna Hills	CA	949	951-5265	10% Off All Labor Customer Pay Jobs or Off Deductables for Ins. Jobs.
Suck It Up Racing Apparel	Downey	CA	562	622-8808	15% Discount on Merchandise
Thar Customs	Phoenix	AZ	602	870-0882	5% Discount
Toy Box Covers.com	Winnetka	CA	888	214-8928	20% off Custom Covers
Trans Media Group	Higley	AZ	480	694-1180	10% off advertising 5% off money paid for first year's ad given to the ASA
Verde Powersports	Mesa	AZ	800	483-3134	Free installation or 15% off Seat Covers or Shock Covers
VW Country	Bakersfield	CA	661	326-8092	10% on Some Items, Call for more Info.
Warner Truck Rental	Oceanside	CA	760	757-1908	10% Discount on Rentals
Webb's RV Supply	Lakeside	CA	619	443-5073	10% off Parts & Supplies (excl. sale items and propane)
Wild West Motorsports	Yuma	AZ	928	783-8282	10% off normal Retail prices and 5% off MSRP on New bikes and ATVs
X-Racing Products	Chandler	AZ	480	821-5473	20% Discount on Any Billet Part we Manufacture. 10% Discount on all Custom Orders. Will offer Shipping Discounts to California
Xtreme Off-Road & Performance LLC	Peoria	AZ	602	763-2960	10% Discount depending on the Item

The SAFETY BUG says,

Never ride alone, always tell someone in camp where you're going and when you plan to return.

The Safety Bug is the official mascot of the public safety and educational program embraced by many organizations and businesses.



KNOW THE LAW… *DON'T DRINK AND RIDE!*

Keeping the Dunes a safe, clean and fun place for all outdoor enthusiasts is your responsibility.

Drinking and driving laws apply off-highway

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WELCOME TO OUR NEW ONLINE VERSION OF THE ASA QUARTERLY NEWSLETTERS

BEGINNING HERE ON PAGE 17 OF EACH ISSUE YOU WILL FIND A TABLE OF CONTENTS (LIKE ON PAGE 2) LISTING THOSE ITEMS WE JUST DIDN'T HAVE ENOUGH ROOM FOR IN OUR FIRST 16 PAGE OF THE PRINTED VERSION.

THIS IS AN "ATTEMPT" TO KEEP OUR PRINTED VERSIONS TO A STANDARD 16 PAGES AND KEEP OUR COSTS DOWN. AS OUR MEMBERSHIP GROWS, SO DO OUR COSTS. OUR ONLINE VERSION CAN BE MUCH LARGER AND COVER ISSUES THAT MAY HAPPEN WHILE THE PRINTED VERSION IS ON THE PRESSES OR ON THE WAY TO THE MAIL BOX. WE WILL ALWAYS COVER THE MORE IMPORTANT ISSUES THAT WE REGARD WITHIN THE FIRST 16 PAGES.

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ASA Newsletters are published on a quarterly basis. We welcome stories and articles for each issue that will help ***Unite, Inform*** and ***Mobilize*** that pertain to those in the Sand Community. Deadlines for submissions is 5 weeks prior to our scheduled months found on page 2.

As space is limited in our printed versions, your submission may be found only in our online versions. All submissions will be reviewed by the editors and must include contact information.

Send to: newsletters@ASAsand.org

Or send to our mailing address listed on page 2.

OUR 2006 CALENDARS

It is that time again to get your calendar that helps support the ASA and keeps you thinking "dunes" all year long. Keep up to date regarding events at the dunes and shows.

On sale at the
Sand Sports Super Show
and in the ASA Store online
starting September 19th.

www.asasand.org/store

September 16, 17 and 18, 2005

Orange County Fair and Exposition Center, Costa Mesa, CA

Show Hours
FREE Parking - FREE Re-entry

Friday 5 pm - 10 pm

Saturday 9 am - 7 pm

Sunday 9 am - 4 pm

Tickets on sale at the gate

$8 Adults (13 & up)

Kids 12 and under FREE

Tickets Available Online!

See the latest innovations in sand rails, ATV, 4x4, parts and accessories.

http://www.SandSportsSuperShow.com

ASA BUCKS

VOLUNTEER TO HELP

For each full hour a volunteer works for the ASA at an event or other support gathering, they will receive 1 ASA Buck. The ASA Buck is a plastic token imprinted with the ASA logo and motto on one side and the Safety Bug and "Pack it in, Pack it out" on the other.

The ASA Bucks are redeemable for ASA Merchandise at ASA events where the ASA is selling merchandise and via mail order for all merchandise items.

VOLUNTEER and get some FOOD!

As another **Sand Sport Super Show** appears on the horizon, many American Sand Association volunteers are hard at work behind the scenes to make the ASA's presence at this sand show the best yet! Since the ASA is staffed by hard working volunteers to keep the operating expenses at a minimum, meaning more money is available to fight for OHV access rights.

A small group of volunteers are working again in the background to put together the **ASA Hospitality Area**. The idea is to provide refreshments for our volunteers, show staff, and ASA supporters at a friendly Bar-B-Que in the campground area. This will be the third year for this program. The planned menu will be hotdogs and hamburgers for Friday night dinner, Saturday lunch and dinner. There will be no lunch on Sunday. A breakfast of scrambled eggs, sausage, and hash browns will be available on Saturday and Sunday morning.

The ASA has sponsored this program and anyone or business that wants to contribute towards the food cost can make a donation to the ASA General Fund or cash donations will be accepted at the hospitality area. This is a great place to have lunch and get re-acquainted with old friends, or make new ones. So sign up today and volunteer for a couple of hours to get some great food. THANKS, Tim Wight

OFF ROAD EXPO

Show Dates: October 8-9, 2005
at the Fairplex Pomona, CA

Saturday, October 8th, 9:00 - 6:00pm
Sunday, October 9th, 9:00 - 5:00pm

Admission: $12.00
Children under 12 are free.

http://www.offroadexpo.com

Proposed Reservoir Project near South Dunes Could Impact Dune Use

The Drop 2 Reservoir project proposed by the United States Bureau of Reclamation (USBR) was announced in July. The project involves a canal that would be built in areas used by visitors to a southern portion of the ISDRA.

The location of the proposed reservoir is near the Interstate 8 and Brock Research Center exit, which is West of the ISDRA. The reservoir would be fed by a canal originating where the Cochella Canal feeds from the All American Canal and would cross lands within the Tailed Horned Lizard (FTHL) Management Area.

Open House meetings to seek public input were held in El Centro, CA on July 12th and in Yuma, AZ on July 13th. Here are a few points from discussions and the presentation in Yuma.

- There were 14 alternate plans for this project
- Access to Dune Buggy Flats should not be affected by preferred plan
- Access from Gray's Well to Gordon's Well bridge (over the All American canal) will not be impacted
- Access from private property near Gordon's well (Pair-A-Dice & McMillian's) across Flat-Tailed Horned Lizard (FTHL) Management Area boundary will still exist.
- Inlet canal to feed the reservoir will be about 7 miles.
- Canal will be about 18-20 feet wide and as much as 14 feet deep.
- Majority of canal will be within Flat-Tailed Horned Lizard (FTHL) habitat boundry
- USBR commissioned a study of the routes for endangered and/or threatened plants only. None were found.
- The USBR did not know when the last study on FTHL was done in that area and didn't have any information on one. One of the representatives from the company that did the plant study said he saw 1 FTHL, but wasn't really looking for them. This one just happen to cross their path
- About 380+ acres of mitigation will be needed for canal
- Its expected that mitigation will come from other USBR land
- Mitigation will not come from BLM land
- Reservoir will be located at Brock Experimental farm and outside of the FTHL boundry
- Reservoir site was selected specifically to avoid larger impact on FTHL mitigation
- Reservoir is estimated to be empty or low as much as 75% of the time. Not for long period though. An example was it could be full for a few days then empty or low for a few days, then full again.
- The water that would be stored in the reservoir would be ordered released from Lake Mead
- It takes 3 days for water from Lake Mead to get to Yuma

The following information was provided in a fact sheet distributed by the USBR.

Project Summary and Objectives

The proposed project is one of many potential actions that may be taken to maximize beneficial use of Colorado River water in the United States. Specific objectives of the proposed project include:

- Providing additional operational flexibility in the Lower Colorado River system for the Imperial Irrigation District, Coachella Valley Water District, and other Colorado River system users; and
- Providing additional storage capacity to reduce non-storable flows of the Colorado River below Parker Dam.

Project Location

The proposed reservoir site would be located on an approximately 621-acre site in Imperial County, California. The proposed reservoir site is north of the All-American Canal and lnterstate Highway 8, west of the Coachella Canal, approximately 30 miles southeast of the City of El Centro, California, and 25 miles west of the City of Yuma, Arizona.

Project Components

The Project has four primary physical components, the reservoir itself (which maybe composed of two "cells"), an inlet canal, an outlet canal, and a location for storage of silt periodically removed from the reservoir. Project operations would be relatively simple: a new inlet canal would convey water from the existing Coachella Canal Turnout to a new storage reservoir and as needed, water would be returned to the All-American Canal via a new outlet canal. Both the inlet and outlet canals would be designed to use gravity flow. To maintain capacity, silt would have to be periodically removed from the bottom of the reservoir.

- *Reservoir* - Two 4,000-acre-feet capacity reservoir cells (an acre-foot is approximately 326,000 gallons, enough water to support between 1 to 2 households for one year). The reservoir cells would be formed by excavating below the existing ground surface elevation and the displaced soil used to construct earthen embankments. The approximate depth of the reservoir would be 20 feet. The reservoir would occupy approximately 621 acres.

CONTINUED ON ..... PAGE 20

□ *Inlet Canal* - A canal from 5 to 7 miles in length depending on alignment. The inlet canal would be approximately 19 feet wide at the bottom (2:1 side slopes), a water depth of 14 feet. The canal is ca. 43 ft wide at the water line (top). The canal would be lined with un-reinforced concrete and a high-density polyethylene geo-membrane liner. Twenty-foot wide access roads would be located on the top of each canal embankment. Overall width of the canal structure would be 120 feet including beams and fence. Inlet canal capacity would be 1,700 cubic feet per second (cfs).

□ *Outlet Canal* - A canal approximately 3,500 feet in length connecting the reservoir to the All-American Canal near Drop 2. The outlet canal would be approximately 17 feet wide, with an approximate water depth of 13 feet. The outlet canal would be lined with un-reinforced concrete and a high-density polyethylene geo-membrane liner, though a portion of the canal would be transitioned to pipeline to cross under Interstate 8. Outlet canal capacity would be 1,700 cfs.

?□ *Other improvements* - Other improvements, such as construction of a new Coachella Canal Turnout on the All- American Canal, are also proposed as part of the project.

Existing Conditions and Land Uses

□ The proposed project site is largely federal lands and may involve private lands depending on the inlet canal alternative selected. The reservoir site itself is on Reclamation withdrawn land.

□ The reservoir site was formerly used for agricultural operations as part of the Brock Ranch Experimental Research Station.

□ The reservoir site is outside of the Flat-Tailed Horned Lizard Management Area.

□ The inlet canal may abut or lie within a portion of County of Imperial road right-of-way.

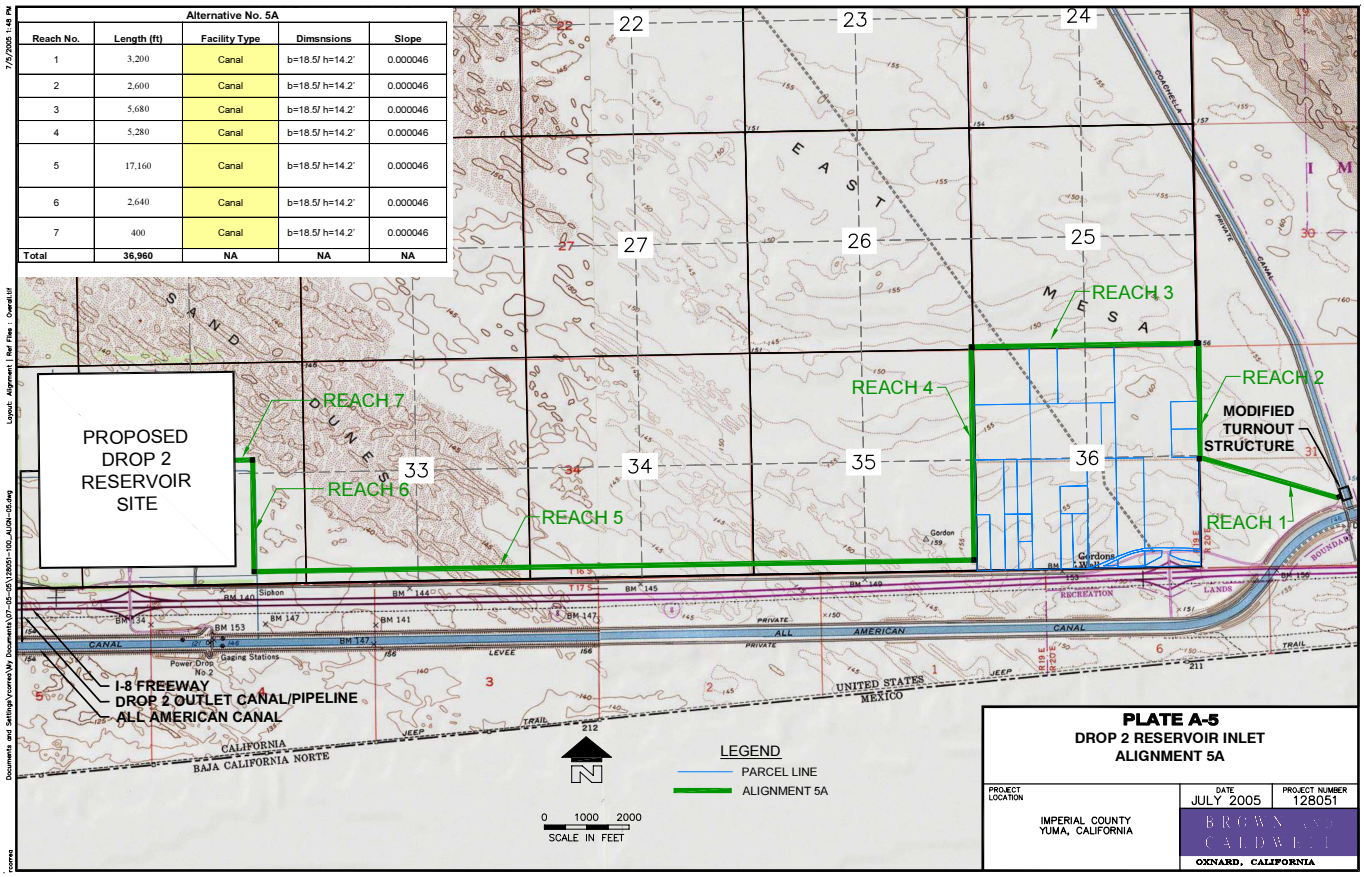
□ Inlet canal Alternative 5 would be located entirely on Reclamation withdrawn lands. The other two alternatives involve withdrawn land and private lands.

□ All inlet canal alternatives cross the Flat-Tailed Horned Lizard Management Area.

The complete fact sheet, press release, and a detailed map is available at this address:
http://www.usbr.gov/lc/yuma/environmental_docs/Drop_2/Drop_2_News_Release.pdf

Updates for the Drop 2 project will be available on the USBR Yuma website.
http://www.usbr.gov/lc/yuma/

Glenn Montgomery, ISDRA TRT Yuma County representative, contributed to this article.



ESA NEWS

The Endangered Species Act

(The ESA was used to list the Peirson s Milk Vetch plant (PMV) found at the dunes as a Threatened Species)
(The ASA is working to de-list this plant using years of scientific studies that show this plant is thriving!)

SENATORS AGAIN PROMISE ESA COOPERATION

Democratic Sen. Blanche Lincoln (D-Ark.) said August 9 she will work with her Republican colleagues to fashion legislation to revise the Endangered Species Act (ESA). Lincoln said one of the five major issues they will address is the protection of critical habitat. Republicans and some Democrats have long complained that designation of critical habitat on listing of a species sets aside too much land, is too expensive, and takes up too much employee time at the Fish and Wildlife Service. In February moderate and conservative Republican senators pledged to cooperate in writing a new ESA bill. Now they have a Democratic ally on the closely-divided Senate Environment and Public Works Committee. On the other side of the Hill House Resources Committee Chairman Richard Pombo (R-Calif.) is even closer to producing a draft bill. He is working with ranking committee Democrat Rep. Nick Joe Rahall (W.Va.) on a measure. They were unable to reach agreement before an initial mark-up session scheduled for the last week of July. So introduction of a House bill has been postponed until fall. The general thrust of the Pombo effort would be to defer designation of critical habitat to the recovery phase, require tough scientific standards be met in order to list a species, provide incentives for private landowners to protect species, and provide a greater role for states. Lincoln and her cochair on the Senate ESA effort, Mike Crapo (R-Idaho), listed five similar issues that their bill will tackle - critical habitat, tougher scientific standards, a stronger role for states, a commitment to recovery as well as to protection, and incentives for private landowners to cooperate.

OVERSIGHT HEARING ON OHV RECREATION

On July 13th, two subcommittees of the House Resources Committee, the Subcommittee on National Parks and the Subcommittee on Forests and Forest Health, held a joint hearing on OHV recreation on public lands. The lead witness was Dale Bosworth, the Chief of the U.S. Forest Service. Chief Bosworth talked about the growing popularity of OHV recreation on Forest Service land and the need for the agency to do a better job of managing this activity. Bosworth made specific mention of the proposed rule on designated OHV routes that is currently under consideration by his agency.

ARRA along with the American Motorcyclist Association, the Blue Ribbon Coalition and the Off-Road Business Association were all invited to testify as well.

A movement is afoot in the House of Representatives to begin a process of reforming the Endangered Species Act (ESA). Richard Pombo, Chairman of the House Resources Committee, has said that he hopes his committee will consider revising the Act to reflect new scientific standards for determining threatened species of plants and animals.

The last time ESA was authorized by the Congress was back in 1992. It seems to us that after 13 years, it?s time for another thorough review of the Act. It can?t hurt to examine the Act to see what is working well and what areas are in need of improvement. Since the Act is often used to declare certain public lands off limits to various types of recreational activities because of an endangered plant or animal, recreational groups will have an interest in how this debate plays out.

Chairman Pombo has his work cut out for him. Even before he circulated a draft outline of his ideas for ESA reform, the environmental community was attacking his intentions. We anticipate that the process will be lengthy and very contentious. But we also think it is long overdue and merits the time and effort on the part of all members of the House Resources Committee. This is certainly an issue of importance to ARRA and we will be working on it in the months ahead. We wish Chairman Pombo good luck and success. Unfortunately, the success won t come without a little bit of luck considering the commotion his efforts will generate on the part of anti-access organizations.

New ASA Raffle Trailer:

The raffle car for next year will be displayed in a new trailer with one side that folds up and down. The trailer, donated by Weekend Warrior, is currently on the assembly line. The new design will enhance our ability to display the car at many events and particularly on vendor row at the dunes.

Be Aware of the Storm Damage at the Dunes

BLM Press Release as follows:

Road and recreation facilities from the recent summer storms.

McCain Valley in Eastern San Diego County, McCain Valley Road has received some significant rutting the entire length of the road. Repairs are scheduled for the week of August 15, 2005.

North Imperial Sand Dunes, Gecko Road, Upper Gecko Campgrounds, Road Runner Campground, several of the Gecko Road pads, Osborn Overlook, the Glamis Flats offramp and Wash Road have received various amounts of damage. In the
interest of public safety Osborn Overlook has been closed until repairs can be made. Repairs are scheduled to start in the dunes the week of August 22, 2005 to assure completion prior to the October 1, 2005 Dunes Season. Please use extreme caution in the dunes area due to the storm damage until these issues can be addressed.

If you are planning to use the area please use adequate caution and please be aware that State Highway 78 in the dunes received significant damage and CAL Trans crews are doing repairs and there is only one way traffic and delays should be expected.

July 25th 2005

DUNES CLEANUP TO BE TEAM EFFORT

The United Desert Gateway will team up with True Excitement and KD Cycle to coordinate the annual Martin Luther King Day weekend cleanup to be held in Glamis and Buttercup on January 14, 2006. Representatives from each of the entities met recently to discuss the details of the cleanup and to begin the sponsorship drive.

In commenting on the collaborative efforts of the three entities, Jarrod Bullard of True Excitement said, "I organized last year's South dunes cleanup and I look forward to continuing with that and working with the UDG and Kathy Godley from KD Cycle to carryout a one-day cleanup of the entire Imperial Sand Dunes Recreation Area." Nicole Gilles, president of the UDG, said "As a new organization we are thrilled to be a part of a project that demonstrates our commitment to keeping the dunes open through stewardship programs such as the annual cleanup." "I'm really pleased that Bullard and Godley will be spear heading the efforts as our South and North dunes cleanup leaders," she added.

"The Glamis and Buttercup cleanups, although carried out on the same day, will each have their own staging area, T-shirts, barbecue and prize drawing," said Bullard.

The cleanup task force will be reaching out to local and region businesses to assist with underwriting the cost of the event. Sponsors of the cleanup will be recognized on a commemorative t-shirt, poster and at the event. Bullard added, "This year's sponsors will have an opportunity to sponsor one or both of the events."

Anyone interested in sponsoring or assisting with the 2006 cleanup is encouraged to visit: www.glamis-cleanup.org
For specific information on the Glamis cleanup contact Godley at: kdcycle@adelphia.net or for the south dunes email Bullard at: info@trueexcitement.com

ASA's recent letter to Kathleen Clarke, Director of the Bureau of Land Management in Washington DC

June 30, 2005

Kathleen Clarke, Director
Bureau of Land Management
1849 C Street NW Room 3314
Washington, DC 20515

Dear Ms. Clarke:

The BLM has identified the Imperial Sand Dunes Recreation Area (ISDRA) as The most popular Off Highway Vehicle (OHV) area in the southwest United States. 1. BLM calls ISDRA one of the premier OHV playgrounds in the United States 2. By all accounts, ISDRA is truly a World Class OHV Recreation opportunity.

Grant George, ASA President and I will be in Washington in mid July to participate in the OHV Summit. Unfortunately your schedule will not permit us to meet with you personally.Arrangements have been made to meet with BLM executive staff members Selma Sierra, Tom Dyer, Bill Woody and Keith Aller on July 12. At our meeting we will encourage your staff to carefully evaluate the federal funding requirements associated with the implementation of the RAMP at the ISDRA.

Your participation in the development of the United Desert Gateway partnership clearly demonstrates BLM executive management support of ISDRA. We thank you for those efforts; however, it is clear that the ISDRA federal appropriations are inadequate to implement the new RAMP this September. New facilities such as camping pads, emergency medical services, and law enforcement appear to be relegated to a lower priority than trash management and natural resource monitoring. ISDRA will have a difficult time breaking even based on current estimates.

The funding required to accomplish the Management Actions set forth in the RAMP is significant. The required resource monitoring, trash dumpsters, and dust control are all very costly. The ISDRA Technical Review Team (TRT) is working closely with the El Centro Field Office staff to identify viable means to accomplish the RAMP requirements within the existing financial constraints. Steps are being taken to improve visitor fee compliance. United Desert Gateway (UDG) and BLM staff members are developing a visitor outreach program to encourage ISDRA visitors to participate in activities that support effective management of financial and natural resources.

An additional Five-hundred-thousand dollars is needed this year. Without additional funding, the ISDRA BLM will not be able to add a single on-the-ground improvement for OHV opportunities in the ISDRA. A $900,000 monitoring study will be done, a new wildlife kiosk will be built, and a new ranger station will be started. Nonetheless, we are staring at a trash collection nightmare due to lack of funding and there will not be a new camping pad or a new restroom facility. According to Greg Thomsen, past Field Manager for the BLM office that oversees the ISDRA, an additional $2.5 million is required annually to operate the ISDRA at a reasonable level.

In short, our message is that ISDRA needs federal appropriations that are commensurate with the level of visitorship experienced at this popular OHV recreation area managed by the BLM. Based on our estimates of the ISDRA shortfall an additional $500,000 in federal appropriations is required. Your continued support is appreciated.

Sincerely,

Bob Mason, Chairman ASA

1. Executive Summary of the recently approved Imperial Sand Dunes Recreation Area Management Plan (RAMP)
2. In a BLM publication entitled GREAT ESCAPES a dozen trips

ASA's recent letter to Congressman Bob Filner (D) California's 51st Congressional District that covers the Imperial Valley and the dunes.

June 30, 2005

The Honorable Bob Filner
2428 Rayburn
Washington, DC 20515

Dear Congressman Filner:

The BLM has identified the Imperial Sand Dunes Recreation Area (ISDRA) as The most popular Off Highway Vehicle (OHV) area in the southwest United States. 1 BLM calls ISDRA One of the premier OHV playgrounds in the United States. 2 By all accounts, ISDRA is truly a World Class OHV Recreation opportunity.

Your past support of ISDRA federal appropriations clearly denotes your recognition of the economic value of this recreation area to your constituents. We thank you for those efforts; however, it is clear that the ISDRA federal appropriations are inadequate to implement the new RAMP this September. New facilities such as camping pads, emergency medical services, and law enforcement appear to be relegated to a lower priority than trash management and natural resource monitoring. ISDRA will have a difficult time breaking even based on current estimates.

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Grant George, ASA President, and I will be in Washington in mid July to participate in the OHV Summit. Nicole Gilles, Executive Director of the Brawley Chamber of Commerce and President of the United Desert Gateway, has invited us to join her in meeting with you on July 12.

At our July 12 meeting, we will ask you to encourage the BLM staff to carefully evaluate the federal funding requirements associated with implementation of the new RAMP at the ISDRA.

In short, our message is that ISDRA needs federal appropriations that are commensurate with the level of visitorship experienced at this popular OHV recreation area managed by the BLM. Based on our estimates of the ISDRA shortfall an additional $500,000 in federal appropriations is required. Your continued support is appreciated.

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Notes from the Public ASA Board of Directors Meeting

Anaheim, CA - July 23, 2005

(continued from page 7 Hot Topics)

Mike Remington Imperial Irrigation District (IID), New Canal

Mike showed a map where the new location of the All American Canal will be. As much as possible IID will try to do as much of the building where it will not affect recreation. Neil commented that they have addressed their own concerns regarding OHV access. They have requested the work that needs to be done in the busy area be handled in the off season.

Jarred Bullard inquired about test hill access. The way that it looks on the map now the access would be limited.

Mike indicated that they were only about 60% complete on the planning and the map showed only the proposed location. Mike asked that a representative from the ASA work with them to make sure our input would be considered.

Clean up update: Jarrod Bullard

KD Cycle and True Excitement will be working with the UDG and the BLM on the Glamis clean up next year. KD Cycle will coordinate the North dunes and True Excitement is doing the South. Glamis Flats will be the new main area for clean up; it is chosen for the main North dunes coordinating area due to it being more centrally located. There will be satellite sign up locations at the Wash road and the Ranger Station. All documented hours will go toward UDGs task orders.

Committee Reports:

Legislative, Grant George

The ASA is involved in Federal & State efforts in a coalition of 5 OHV groups. On the federal side our representative is Paul Kavinoki. On the State side our representative is Terry McHale.

The new 2005 PMV delisting petition has been filed. The 90-day clock for a response from the FWS is ticking. Dr. Art Phillips has been asked to provide his input on the ESA from Washington DC.

Legal Coalition, Grant George

Ecologic Partners have retained Dave Hubbard to work full time on Off Road issues. Vince Brunasso explained that Julie McDonald has led us through some of the maze of requirements for a delisting. The CBD has filed request for summary judgement, and the ASA files our response on August 5th. The current litigation is actually 3 lawsuits rolled into one and we will have our anser on September 30, 2005 on these suits.

Political update, Roy Denner

Roy has been working with Congressman Pombo. Pombo has been leading the charge to change the ESA reform. Pombo s group has a congressional council that is a fundraising group that entitles the holder to attend functions. Roy brought in applications with the dollar amounts that are needed to join. ORBA has a State political action committee.

Endowment, Ron Scott

There has been confirmation that weekend warrior has donated another trailer, which will be used for the display of the give away car. There is raffles prizes lined up thru 2010. Ron is looking for additional raffle prizes .

Membership, Dick Holliday

The current membership stands 20886 total members. We have started the planning for the SSSS. We are looking at selecting some new promotional items for the supporting members.

Business Sponsors, Jerry Canning

This committee contacts the business sponsors. There are currently 514 business sponsors. 114 support the ASA above the base annual level and 21 sponsors are clubs or organizations. There are 59 Premium Sponsors and they are listed on the website. Sandy, the ASA office assistant, has made a huge impact on getting the business sponsors paid and current. She also sends out the reminder notices.

Events, Bryan Henry

Bryan gave update of at Extreme Sand Show, our next big event is the SSSS. Sept 1st RATV Warehouse and in October Orangewood RV are two events that will be in Arizona.

Merchandise, Ron Scott gave report for Flo Haynes

$5 a month donation is currently at 60 people. The ASA is debuting a new T-shirt design at the SSSS. There is going to be downsizing and streamlining the merchandise choices that we have.

OFF-ROAD BUSINESS ASSOCIATION, Inc.

August 8, 2005

ATV INDUSTRY UNDER ATTACK!

IF YOUR BUSINESS WOULD SUFFER IF SALES OF ATVs FOR USE BY KIDS UNDER 16 YEARS OF AGE WERE TERMINATED YOU NEED TO READ THIS DOCUMENT CAREFULLY AND IN ITS ENTIRETY!

There is a major effort underway in this country to pass legislation making it illegal for children under sixteen years of age to drive All Terrain Vehicles (ATVs). Consider the following examples:

Attack in Washington, DC (July, 2005) ORBA s President, Roy Denner, testified at a Congressional Oversight Hearing in Washington, DC on Motorized Recreation on Public Lands. Also testifying on the same panel was Doctor Mary Dowd, emergency room physician and chief of injury prevention for Children s Mercy Hospital in Kansas City. Dr. Dowd provided statistics on the number of injuries and deaths she had witnessed resulting from kids riding ATVs. She went into vivid detail for the benefit of the Congressional Subcommittee members about a case where a child s head was impaled on the handlebar of a second vehicle. She stated that part of the ATV brake handle protruded from the left side of his face, near his cheekbone, with brain extruding from the wound. Obviously, the testimony is an example of the good doctor s idea of what is important about Motorized Recreation on Public Lands. She testified on behalf of the American Academy of Pediatrics. Her organization s goal is to get legislation passed making it illegal for any child under 16 to drive an ATV anywhere! The American Academy of Pediatrics, the American College of Emergency Physicians and a half-dozen other medical, conservation and consumer groups are supporting this effort.

As part of his testimony, Denner submitted the results of a study done by Stanford Sports Injury Statistics that compares injuries and deaths to children under 14 resulting from all forms of sports that kids participate in. Considering football, soccer, baseball, bicycling, skateboarding, trampolines, and many other physically active sports, injuries resulting from ATV use were found to be very low in comparison! The Consumer Product Safety Commission (CPSC) quietly released a study in the fall of 2002 that shows, on a per capita basis, ATV-related injuries were lower than most other recreational activities. When put into the proper context, kids riding ATVs (with the proper protective equipment and the proper training) appears to be a relatively safe form of recreation.

On July 6th of this year, the CPSC announced the formation of an ATV Safety Review Team to look into improving the ATV safety of young riders. The team will look into evaluating a number of ATV safety-related proposals. This is partly in response to a petition filed by a number of special interest groups lobbying to ban the sale of adult-sized ATVs to riders under 16. Those groups include the Bluewater Network, Consumer Federation of America and the Natural Trails and Waters Coalition. The Specialty Vehicle Institute of America is supporting the CPSC s contention that the problem has to do with the proper use of ATVs, not the improper sale of those products.

With his Congressional Hearing testimony, Denner also submitted a copy of an article run in USA TODAY titled Childhood Pastimes are Increasingly Moving Indoors. The author cites surveys done by the Kaiser Family Foundation and the Center for Disease Control that conclude that a child is six times more likely to play a video game on a typical day than to ride a bike. Video games and the Internet are making our kids indoor couch potatoes!

Attack by CBS TV (March, 2005) - During March, 2005 Dan Rather hosted a TV series on CBS suggesting that ATVs are killing our kids. The series featured a ten year-old who was killed while riding an ATV on his parents farm. The announcer stated that he was killed when his ATV rolled over on him and crushed him. Obviously, there had to be extenuating circumstances that were not described. It is unlikely that the weight of an ATV sitting on top of a 10-year-old would crush his body. Of course, they played up the suffering of the child s parents who admitted that they made a mistake letting the boy ride the large ATV.

CBS showed pictures of a small child riding a large quad on his knees through a stream - over and over again. They cited the fact that the number of children killed on ATVs has doubled since 1993. They don t say that the number of kids riding ATVs has probably increased by a factor of 10 over that time period. In reality, the safety record is improving significantly!

The second part of the Dan Rather series depicted a salesman for an ATV dealer who pointed out to potential buyers that the ATV they were considering buying was too large for their 12-year-old. Then, on camera, he stepped off of company property and told the same parents that the 12-year-old would do fine with that ATV. Talk about dirty journalism.

Attack by San Diego Childrens Hospital (November, 2004) Several nurses from the San Diego Children s Hospital held a press conference during November of 2004. They presented a detailed list of injuries suffered by children in the ATV-active San Diego area. The statistics are undoubtedly true and certainly horrifying. But, as described above, relative to other sports injuries they are low by comparison. Would they make it illegal for kids to participate in any form of outdoor sports? If a study showed that kids slip on the soap in the bathtub and fracture their skulls, would they make it illegal for kids to take baths?

When contacted by the Off-Road Business Association (ORBA), local media representatives came to the ORBA office and interviewed OHV leaders. The following is an excerpt from the San Diego Union Tribune following the interview:

If injuries have escalated, it's because the number of riders has risen astronomically, said Roy Denner, president of the Off-Road Business Association, a national trade group based in Santee. "This is not Nintendo. It's an active sport," he said. "Have they compared it with hockey or skateboarding? I see where this is going: Have all kids stay home watching television." Besides, Denner said, ATV events are largely family gatherings. "Think what your kid might be doing if he weren't riding maybe drive-by shooting or doing drugs or graffiti or who knows what?"

Attack in Arroyo Grande, CA (July, 2005) A doctor from the Arroyo Grande Community hospital used the local media as a platform for his personal agenda attempting to halt ATV recreation for kids under 14 years of age. An article in the Los Angeles Times on July 26 titled Too Young, Too Fast, Too Furious states that Dr. Larry Foreman has launched a one-man crusade seeking a law to ban children 14 years or younger from riding the popular three-wheelers and quad-runners on public land in California.

Responding to letters from ORBA s President and other OHV leaders, the President of the hospital writes back saying that the doctor in question is acting entirely on his own without the hospital s support. The L.A. Times article quotes Dr. Foreman as saying that he used hospital records and personal medical files to support his position. On a radio talk show the doctor gave the hospital s phone number for listeners to call in. Individuals like this are finding significant public resources to advance their agenda!

Conclusion: These are just a few examples of the growing attack on kids under 16 participating in ATV recreation. ORBA sees a need to defend against this attack and to develop a counteroffensive movement on behalf of the ATV industry! We believe the counter-offensive should be initiated on three primary fronts:

Education The ever-growing number of ATV enthusiasts need to be thoroughly educated regarding safe riding techniques and the importance of wearing the appropriate protective gear while riding. Several national organizations and some major manufacturers already have good programs in place to address this need. But, there is always room for improvement when it comes to education!

Media Promotion Local and national media organizations need to help spread the word that there are many compensating positive factors associated with ATV recreation that far outweigh the risk element. How many other activities have teenagers and young adults anxious to spend their weekends and vacations with their families? What is the value of using family-owned ATV s as incentives to encourage young people to do their homework and get good marks in school? How valuable is the ATV riding experience for teenagers ready to hit the road with a new driver s license? Are ATV s a good way to keep kids involved with outdoor recreation? The media needs to be convinced that it would be useful to promote the positive aspects of kids and ATV s.

Political Lobbying Those organizations that would take kids under 16 years old out of the family OHV recreation program have long recognized the value of lobbying State and Federal lawmakers to support their position. The OHV recreation industry has been relatively ineffective in this area. Many of the major ATV manufacturers are of foreign origin and they need to concern themselves with being politically correct to successfully promote their products in this country so their lobbying efforts are necessarily limited. A strong lobbying effort is needed to educate legislators about the value of OHV recreation both social and economic. Legislators cannot be expected to support OHV issues if they don t understand the value of this form of recreation in this country.

ORBA S ROLE:

Political ORBA representatives are very active in State and Federal politics - employing the support of Lobbyists at both levels. ORBA has its own Political Action Committee that helps with campaigns conducted by legislators that support motorized recreation. ORBA s President has been invited by Congress to testify in several important Congressional Hearings in Washington, DC and at other sites around the country. ORBA s President was instrumental in getting language inserted into the House Appropriations Bill that prevents fees paid at recreation sites from being used for environmental monitoring studies.

Much, much more needs to be done in this area. Fortunately, ORBA s lobbying efforts are not constrained by the need to be politically correct. All political actions are based strictly on what is best for the motorized OHV industry! ORBA s political efforts are constrained solely by the limited financial resources.

Media In conjunction with major motorized OHV companies in the U.S., ORBA is in the process of organizing a national media campaign to enhance the image of OHV recreation.

Education Since there are a number of very good OHV education efforts already in process, ORBA is prepared to support those efforts as resources available will allow.

YOUR HELP IS NEEDED! By becoming a member of ORBA s team you can support the only non-profit motorized OHV trade association in the U.S. (maybe in the universe!) Go to ORBA s website at www.orba.biz and look at our track record. ORBA s member list reads like the who s-who of the motorized OHV industry (except maybe for your company s name if you are not a member of your trade association).

Please help us stop this effort to curtail the use of ATV s by the younger members of our OHV recreation families.

ASA helps get an audit of the Off-Highway Motor Vehicle Recreation Program

In April of 2004 the American Sand Association, Off-Road Business Association and San Dieog Off-Road Coalition formally requested that the Joint Legislative Audit Committee (JLAC) direct the Bureau of State Audits (BSA) to conduct an in-depth audit of the Off-Highway Motor Vehicle Recreation (OHMVR) Division of Calif. Dept. of Parks and Recreation. Other California OHV organizations were invited to join us in this request, but declined. Our request was championed by Senator Bill Morrow, long-time supporter of OHV recreation and a member of the JLAC, and subsequently approved. The BSA report was made available to the public on August 17 of this year. The title of the report should give you some idea of the conclusions reached by the BSA: "Off-Highway Motor Vehicle Recreation Program: The Lack of a Shared Vision and Questionable Use of Program Funds Limit Its Effectiveness." Suffice it to say that the report completely justifies our request and confirms our worst suspicions. State OHV leaders are currently coordinating our response to the revelations in this audit. We will ensure that state government knows that if they do not take appropriate steps to fix this broken program, we are prepared to do so. The full 157-page report as well as an easy-to-read summary is available at http://www.bsa.ca.gov

You can also read newspaper articles regarding the audit:

Off-roaders being shortchanged, parks audit finds- San Diego Union:
http://www.signonsandiego.com/news/state/20050818-9999-1n18offroad.html

Audit blasts oversight of off-road parks- Sacramento Bee:
http://www.sacbee.com/content/politics/story/13433752p-14274912c.html

Off-road-vehicle funds managed poorly, audit says - Associated Press:
http://www.dailybulletin.com/Stories/0,1413,203~21481~3014911,00.html

August 17, 2005

As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presentsits audit report concerning the Department of Parks and Recreation s (department) administration and allocation of moneys in the Off-Highway Vehicle Trust Fund (OHV trust fund).

This report concludes that the Off-Highway Motor Vehicle Recreation Commission and the department s Off-Highway Motor Vehicle Recreation Division (division) have not developed the shared vision, goals, and strategies necessary to balance off-highway vehicle recreation with concerns for the environment. Recent legal requirements to spend designated portions of OHV program revenue for conservation, restoration, and law enforcement have not been met and because the division is not setting aside the cash, a growing unfunded obligation exists. In addition, the division and the department have spent or plan to spend $38 million for three land acquisition projects one completed and two under consideration that offer little or no additional OHV recreation. Further, based on a questionable legal interpretation and inadequately supported cost estimates, the department is using OHV trust fund money $3.6 million during fiscal year 2003 04 to support state parks that do not have OHV recreation. The division has also used contracts for questionable purchases and violated state contracting rules, including 80 instances of splitting tasks into multiple contracts to avoid regulatory oversight. Finally, the division s management of the funds expended through grants and cooperative agreements needs improvement.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Our preliminary review of the audit reveals the following major concerns:

Questionable use of OHV funds:

Nearly 38 million of OHV Trust fund money was allocated toward the purchase of conservation and habitat lands with no justification that these purchases provide value to the OHV program, since OHVs are prohibited from operating on the vast majority of these lands.

Expenditure of over 6 million from OHV Trust fund during the past two years to pay for operation of park districts where no OHV use is allowed (i.e. parks other than State Vehicular Recreation Areas, or SVRAs). An additional $437,000 in "overhead" was charged to the OHV fund during the 2003-2004 fiscal year alone for these non-OHV park operations. Division was unable to justify expenditures as appropriately chargeable to the OHV fund.

Use of outside contractors increased dramatically, with the peak occurring in the 2002-2003 budget cycle. Audit reveals questionable expenditure of funds, including the unauthorized charter of a private aircraft.

The report cites 80 instances involving violation of the Public Contracts Code, which prohibits illegal "splitting" of tasks in multiple contracts to one applicant to avoid the mandatory competitive bidding process and regulatory oversight.

Most violations occurred in 2001 through 2003, but some more recent.

Other findings: There is a huge disconnect between the Division and the Commission, resulting in inefficiency, waste, and competing interests to the detriment of the OHV Program.

No shared vision between the OHV Commission, who controls most of the funding, and the OHV Division, who is responsible for administering the OHV program.

Division has failed to complete its strategic planning process to identify future OHV recreation needs and appropriate funding levels, although by law it is required to do so. With no comprehensive plan, Division spending is not based on any strategic goal, but rather on historical spending amounts from previous years.

Due to the disconnect between the Division and the Commission, the OHV Commission is left to allocate grant monies and cooperative agreements based on their individual interests.

For the year 2003-2004 budget cycle, 16% of the total revenues for the OHV program were required by law to be spent exclusively on restoration of OHV areas. According to the Division, "restoration" requires the permanent closure of riding areas to off-road recreation. The Division remains obligated to spend 8.3 million in accrued restoration activities from prior budget cycles, however it has failed to set aside these funds, which could cause serious problems down the road. Neither the Deputy Director, the Chairman, nor Vice Chairman of the Commission could point to any documented evidence that the expenditure of restoration funds in these amounts are necessary.

According to the audit, the law does not appear to support the Division and Commission's position that OHV trails and areas must be "permanently closed" in order to conduct restoration activities. Rather, temporary closures to restore and repair the area seem to be consistent with the intent of the law, particularly with respect to grants awarded to federal agencies.

Failure to properly audit or track use of grant funds to ensure that these funds are used for an authorized purpose, or that unused grant funds are returned. Audit identified $881,000 in grant funds that are required to be returned to the OHV fund, but the Division has failed to enforce this requirement.

McGrath Teams Up With ORBA and AMA to keep Anti-OHV Ordinance Out of Riverside CA

Jeremy McGrath along with other property owners have teamed up with ORBA and AMA to help educate Riverside County (California) officials in an effort to keep Proposed OHV ordinance from discriminating against off-roaders.

In an effort to educate Riverside county officials on how a reasonable OHV ordinance can be written, ORBA and the AMA have teamed up to cultivate a better working environment among the Riverside County Board of Supervisors and planning officials and the local OHV community. The goal of this collaboration is to ensure both off-roaders and their neighbors can live together without infringing on private property owners' rights.

The off-road industry and user community is very aware of the problems excessive sound creates with neighbors and the surrounding properties. We believe the key to solving this problem is to moderate the sound levels made by the OHV's and to establish reasonable hours of operation. The ordinance as written today is excessive and possibly discriminatory, as it includes special rules ONLY for people who choose to recreate on OHV's.

Working in conjunction with all of the parties involved we hope to help Riverside County Planning officials adopt an ordinance that the off-road community and the County can point to as well written and fair to all parties involved.

RIVERSIDE COUNTY PLANNING COMMISSION

ORDINANCE NO. 847 - CEQA Exempt - Countywide - ALL Supervisorial Districts - ALL Zoning Districts and Zoning Areas

PROPOSAL: Approve and adopt County Ordinance 847, Noise Ordinance, which provides definitions; exemptions; methodologies; time, place, and manner restrictions; exceptions; and enforcement penalties for noise regulation in County unincorporated areas.

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