November 23, 2011

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BUREAU OF LAND MANAGEMENT
PHOENIX DISTRICT OFFICE

Richard B. Hanson, Manager
Sonoran Desert National Monument
Bureau of Land Management
21605 North 7th Avenue
Phoenix, AZ 85027

RE: LS-SDNM RMP - Public Comments

Dear Mr. Hanson,

Attached you will find my submission for the public comment period regarding the LS-SDNM RMP. I want to commend you and your staff for your efforts in this arduous process and hope that my comments will be useful in your decision making process.

For your convenience, I am including my submission in hard-copy form as well as in electronic form on a CD/SD card.

Sincerely,

[redacted]

Lower Sonoran/SDNM Draft RMP

Appendix X. Sonoran Desert National Monument- Illegal Alien & Drug Smuggling (IA/DS) Impact Analysis (Unofficial)

X.1. Summary

This analysis was undertaken by a Concerned Citizen and frequent visitor to the SDNM. This "unofficial" analysis was prepared for and is being submitted as part of the comment process afforded to the public regarding The Lower Sonoran and Sonoran Desert National Monument (SDNM) Draft Resource Management Plan and Draft Environmental Impact Statement (DRMP/EIS). It was felt that the distinct absence of such an analysis in the aforementioned DRMP/EIS created a void in the planning process that needed to be filled.... and if in no other place.....in the public comment process.

http://www.blm.gov/pgdata/etc/medialib/blm/az/pdfs/planning/son_des/drmp.Par.65408.File.dat/complete.pdf

In describing the **"PURPOSE & NEED"** for the proposed SDNM DRMP/EIS , BLM cites...

A new RMP is needed to address these changing conditions, which include:

- Unprecedented regional population growth and urban expansion into surrounding public lands is increasing demand for access to and use of public lands and resources. Growth contributes to dramatic increases in and demands for commodities, utilities, renewable energy, communication, transportation, and infrastructure on public lands.
- Emerging recreational activities, some based on recent technologies, has yielded new recreational equipment and increased use of public lands.
- New legal and BLM policy requirements have resulted in additional or revised management responsibilities.
- New information and understandings of ecological relationships has led to changes in management direction.

In order to justify banning the practice of Recreational Target Shooting on the SDNM, an extensive analysis was included in Appendix G of the DRMP/EIS concerning the effects of Recreational Target Shooting on the Environment, Public Safety and Monument Objects.

A similar study concerning the substantial effects of Illegal Alien and Drug Smuggling on the SDNM is conspicuously absent from the DRMP/EIS.

The SDNM is squarely in the middle of a major Illegal Alien smuggling and designated High Intensity Drug Trafficking Area/ Corridor.

According to DRMP/EIS....

"...Border security for BLM employees and visitors continues to be a challenge. Escalation of drug-smuggling activities has created concerns for both the Lower Sonoran and SDNM. The BLM has posted travel caution signs, increased interactions with visitors, and is providing additional information at public access points and on websites."

"...Various areas of the Lower Sonoran and SDNM are used as travel routes by drug and UDA smugglers and independent parties of UDAs. Regular use by human and drug smuggling traffickers has become apparent over the last decade, with summertime lulls; however, over the past two years, traffic has been intense year-round with no respite during the heat of summer."

"...The most heavily traveled routes for smuggler and UDA traffic are in the SDNM south of I-8, where traffic is widespread and heavy. The Ajo Block and Sentinel Plain areas also have received smuggler and UDA traffic. Law-enforcement activity in the Decision Areas typically include the recovery of stolen vehicles abandoned by or confiscated from smugglers, recovery of weapons, drug interdictions involving the seizure of illegal drugs, and the apprehension of UDAs (Hanson 2010). Law enforcement officers report that smugglers are often armed (Brasington 2010)"

"Smuggler and UDA traffic through the Decision Areas has increased within the last decade, while traffic in other regional areas has declined. This trend is due to the Decision Area's proximity to the United States/Mexico border (Brasington 2010), remote unpopulated terrain, and strong interdiction efforts elsewhere, such as in California, New Mexico, and other parts of Arizona.

"Increases in illegal and armed cross-border trafficking, coupled with increases in public visitation to these areas, intensifies related public safety concerns."

In this citizen's view, if....

" ...The purpose of the Lower Sonoran and SDNM Draft RMP/Environmental Impact Statement (EIS) is to provide guidance for managing the use of public lands and provide a framework for future land management actions within the Planning Area..."

... then failure on BLM's part to thoroughly analyze and take into consideration (as part of their planning process) the ramifications of the SDNM lands being in the middle of an Illegal Alien and Drug smuggling corridor is highly suspect.

X.2. Method of Analysis

Citizen's are at a distinct dis-advantage in this comment process. BLM has had at least 10 years to analyze and formulate the 1379 page SDNM Draft RMP before publishing it in August 2011. Citizens, however, have 90 days to analyze and formulate their comments regarding same, without the advantage of the considerable resources available to BLM in this process.

Some of the documentation contained herein is from personal experience on the SDNM, however, much of the documentation was from others sources and credited as such. Although BLM land mangers have not performed a comprehensive analysis of the effects of IA/DS on the SDNM, land mangers in surrounding, adjacent federal lands have not been so silent. In particular, the adjacent BARRY M. GOLDWATER RANGE, CABEZA PRIETA NATIONAL WILDLIFE REFUGE and ORGAN PIPE CACTUS NATIONAL MONUMENT have extensively documented, analyzed, and commented on the effects of IA/DS with regard to the desert environment, public safety, monument objects, and future planning on the lands they manage.

Documentation and analysis regarding smuggling in these adjacent federal lands is include herein for comparison to the analysis (not) provided in the SDNM DRMP/EIS. Being in the same IA/DS Corridor, all of these lands have similar experiences with smuggling activity, even though some lands are many miles from the US/Mexico Border. Being "upstream" from most all of these adjacent federal lands, the SDNM decision areas is a "direct recipient" of much of the smuggling traffic coming up from Mexico.

X.3. Issues & Concerns

X.3.1. Why didn't BLM include/consider an analysis of the effects of IA/DS as part of their DRMP/EIS?

BLM has compiled an immense amount of data regarding the effects of IA/DS on the desert environment, public safety and monument objects as a result of their clean-up efforts and has every reason to be proud of those efforts. (See BLM's "Southern Arizona Project (SAP) below).

That being said, it would be naïve to believe that BLM's cleanup efforts are the end to an ongoing problem that needs to be considered while formulating future plans for the decision areas. The best smuggling routes into this country are bought and paid for by the cartels and will continue to be used… in spite of any new regulations imposed by BLM.

Unfortunately, BLM has chosen not to include a comprehensive analysis of the data they compiled as part of their planning process for the SDNM and Lower Sonoran decision areas. Without such a comprehensive analysis, BLM will be proceeding with a decision making process and formulating new regulations without considering how the reality of Illegal Alien and Drug Smuggling will ultimately determine the wisdom and/or effectiveness of these new regulations.

"The Southern Arizona Project (SAP) is administered by the Bureau of Land Management (BLM) in Arizona to mitigate the effects of undocumented immigration and drug smuggling on Arizona's borderlands."

http://www.blm.gov/pgdata/etc/medialib/blm/az/pdfs/undoc_aliens.Par.99867.File.dat/FY10-Summary.pdf

Bureau of Land Management- Southern Arizona Project FY 2010 Fact Sheet 3

SOUTHERN ARIZONA PROJECT Highlights

PROJECT	Fiscal Year 2010 Totals* OUTCOME	COMMENTS
TRASH REMOVAL	255 tons (510,000 pounds) of trash removed *	Total of BLM and partner cleanup projects
ABANDONED VEHICLE REMOVAL	77 vehicles removed	BLM/Border Patrol cooperative effort, south of Interstate 8
TIRE REMOVAL	13.5 tons (27,000 pounds) removed	787 tires removed and transferred to county collection centers.
BICYCLE REMOVAL	364 bicycles removed	Bikes are in highly remote locations and are difficult to reach and remove.
LAND RESTORATION	2583 acres	Acres reclaimed on roads, lay up sites, illegal smuggling routes.
UNAUTHORIZED ROAD AND TRAIL RECLAMATIOM	5 miles	Unauthorized roads and trails restored to natural condition.
TRAILS AND ROADS MAINTAINED	18 trail miles; 23 road miles	Vekol Road and Smith Road fully maintained.
VEHICLE INCURSION BARRIERS ERECTED	1.3 miles *	Project ROAM; stops smuggling vehicles from entering Table Top Wilderness Area.
SIGNS AND POST INSTALLATION	219 signs installed or replaced	Completed by youth crews and BLM staff
WELL SITE OPERATIONS	3 wells maintained	Wells operated for endangered Sonoran Pronghorn. Damage from smugglers repaired.
FENCE CONSTRUCTION AND REPAIR	4600 feet and 301 fenceposts	New fencing protects natural resources.
FENCE REMOVAL	14,500 feet	Removal of damaged fences

Some truth as to the reason for this omission by BLM may be found in the article below….

Trashing Arizona
Illegal immigrants dump tons of waste in the wilderness every day—and it's devastating the environment
by Leo W. Banks Tucson Weekly - April 2, 2009
http://www.tucsonweekly.com/tucson/trashing-arizona/Content?oid=1168857

"...When I ask land managers and ecologists about the impact of this trash on wildlife, on water quality, on our deserts overall, the answers are hedging and elusive, with good reason: ***Little hard research has been done****. "I know everybody is worried about it, but nobody has really studied it," says Thrasher.*

It probably won't be studied in the near future, either. The reason, in part, says Nabhan, is our government's emphasis on security, which has made it difficult to actually get to the border. He used to walk from Organ Pipe Cactus National Monument, in Southwest Arizona, into Sonora to work.

"If you want to do that now, Homeland Security sends your passport back to Washington," Nabhan says. "Our ability to work on the border has really been knocked back. Even if you get a permit, it's dangerous to be out there."

The agency that would do such studies, the Arizona Game and Fish Department, has not done them because of the danger. ***"We haven't looked at these questions directly, mostly because we're afraid to put our biologists into these areas," says Gabriel Paz, a law enforcement program manager for Game and Fish. "There are too many border bandits."***

But the silence of the big environmental groups plays a role, too. They should be hollering from tallest buildings about border trash, but they aren't. Making too much noise might turn off the open-borders liberals they rely on for donations. However, many individual environmentalists have done great work as volunteers, through hiking clubs, hunting clubs and other organizations, to clean up the messes.

So politics and the border war conspire to keep us in the dark on border trash."

The depth of the denial by environmental groups concerning the effects of Illegal Alien and Drug Smuggling on the lands these groups profess to care about is telling. This denial further suppresses an honest discussion and possible solutions to the problem.

For example, in the extensive 227 page….

Sonoran Desert National Monument Wilderness Proposal
By: Jason A. Williams /Arizona Wilderness Coalition
http://www.azwild.org/resources/documents/AWC_SDNM_WILD_Thesis.pdf

…. Mr. Williams cites ORV (off road vehicles)- 46 times, OHV- 4 times, target shooting- 12 times, vehicle - 123 times, humans -55 times, smuggling - 1 time, and drug - 2 times

X.3.2. Wilderness Characteristics -Limiting Access?

The Federal Land Policy Management Act of 1976 (FLPMA)…
http://rlch.org/content/federal-land-policy-and-management-act

" …is the principal law governing how the Bureau of Land Management (BLM) manages public lands. It guides the BLM in management, protection, development, and enhancement of the public lands. FLPMA specifically requires the agency to manage for the multiple use and sustained yield of public land resources for both present and future"

Wilderness Characteristics Management

No doubt, conflicting interpretations, orders and directions from multiple administrations regarding FLPMA has confused the requirements BLM has had to develop a new DRMP. It is equally confusing for the public to understand just exactly what BLM's responsibility is in this process under the law. This is especially true with regard to management of "Wilderness Characteristics".

The concern here is that "Wilderness Characteristics" designation is being used to upsurp Congress's role as the sole designator of lands set aside and managed as "Wilderness".

http://rlch.org/content/federal-land-policy-and-management-act

"..In April 2003, the Department of the Interior (DOI) entered into a controversial settlement agreement with the State of Utah after Utah and others challenged the BLM's authority to conduct wilderness inventories on an ongoing basis"

"..Following the settlement agreement, DOI issued guidelines reminding BLM state offices that they can make a variety of land use plan decisions to protect wilderness characteristics, such as adjusting the placement of roads, trails, and other facilities; attaching conditions to permits, leases, and other authorizations in order to protect resources; and designating lands as open, closed, or limited to Off Highway Vehicles (OHVs.) The DOI also reminded BLM state directors that they have authority to designate Areas of Critical Environmental Concern (ACEC) where special management attention is required to protect important cultural, historic, or scenic values; fish and wildlife resources; or other natural systems or processes."

"... On December 23, 2010, Secretary of the Interior Salazar issued an executive order ***(Secretarial Order No. 3310, "Protecting Wilderness Characteristics on Lands Managed by the Bureau of Land Management")*** *that reversed the Bush administration's policy on non-congressionally designated wild lands. Under the new policy, BLM managers were to designate lands with wilderness characteristics for protection through the agency's land use planning process, authorized by FLPMA. Sec. Salazar also ordered that all lands already inventoried as potential wilderness be afforded protection to maintain their wilderness characteristics."*

"... On February 20, 2011, and in March the Utah Association of Counties and Uintah County jointly filed a complaint in federal district court, arguing that the Secretary's new policy exceeds his authority by establishing wilderness without congressional consent. The state of Alaska sought to join the county's suit as amicus curiae, and the state of Utah filed its own lawsuit challenging the policy on April 29, 2011. Also in April 2011, congressional Republicans inserted a rider into the FY 2011 continuing resolution that stripped funding from the BLM's "wild lands" inventory process.

"..On June 1, 2011, six months after announcing the new policy, Secretary Salazar reversed course and released a memo to the BLM *in which he promised to work with Congress to designate wilderness areas with local support. He did not withdraw his earlier Executive Order, but he said that the BLM would refrain from designating wild lands in compliance with the congressional rider described above.* ***The policy shift was not enough to convince any of the state or county litigants to drop their lawsuits."***

FLPMA requires BLM to review roadless areas of more than 5,000 acres for the presence of wilderness characteristics and to make recommendations to the president for areas to be designated as wilderness areas under the Wilderness Act. BLM correctly points out in the DRMP that only Congress can formally establish a wilderness area.

FLPMA also specifies that the BLM manage the public lands to provide for outdoor recreation and FLPMA specifically mentions recreation as one of the "multiple uses" for the public lands.

As a result of BLM directives based of Secretarial Order No. 3310, "Protecting Wilderness Characteristics on Lands Managed by the Bureau of Land Management" (still in litigation), BLM, in their DRMP, appears to by placing higher emphasis on managing for "wilderness characteristics" than on managing for other uses. This emphasis diverges significantly from BLM's Congressionally mandated management mission of "multiple use lands". This emphasis is evident throughout the plan alternatives in the form of varying degree of road closures and restrictions on lands designated as having "wilderness characteristics".

As a writer for the High Country News states in a recent article....

http://www.hcn.org/wotr/14050/print_view

".. But FLPMA's intent is clear: Congress never intended wilderness study to be a perpetual-motion machine. Congress wanted BLM to find and designate genuine wilderness, i.e., truly roadless, and in chunks bigger than 5,000 acres. After having done so, the agency was to turn its findings over to Congress for final resolution. Period.

Did FLPMA's authors foresee the wilderness review dragging out as it has? The Western counties now fighting to assert their rights probably never imagined that roads -- real roads that passenger cars can easily drive -- would vanish before the eyes of agency staff driving those very roads in Jeep Cherokees. As a motorcyclist, I find it silly to pretend that so many trails are said to no longer exist.

Folks, the infrastructure is on the ground. Period. BLM country is pretty wild in places, but it's not wilderness, and no amount of spin can change that reality.

While any American would want real wilderness designated and protected, creating fake wilderness through bureaucratic and legal gymnastics defies common sense. *But then again, don't forget that Congress sits smack-dab in the most primitive wilderness of all. "*

X.4 Effects and Analysis of Illegal Alien and Drug Smuggling on Adjacent Government Lands

Land managers on Federal lands adjacent to the Lower Sonoran and SDNM Decision Areas have taken proactive steps to identify, quantify and analyze the effects of IA/DS on the lands they manage and in their decision processes. The Lower Sonoran and SDNM decision areas are direct recipients of much of the smuggling traffic through these adjacent lands.

All federal land managers rightfully acknowledge that border issues are beyond their explicit scope, however, land mangers should not use this an excuse for not explicitly recognizing, analyzing and quantifying the problem of Illegal Alien and Drug Smuggling and how it will ultimately impact the effectiveness of their land management decisions.

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BARRY M. GOLDWATER RANGE: MILITARY TRAINING AND PROTECTION OF ENDANGERED SPECIES

http://www.ecr.gov/pdf/bgrange.pdf

"...The 2004 National Defense Authorization Act required the establishment of a Task Force to determine and assess various means of resolving the conflict between the dual objectives at the Barry M. Goldwater Range (Goldwater Range), Arizona, of the full use of live ordnance delivery areas for military training and the protection of endangered species that are present at the Range. The Task Force was charged with submitting to Congress a report describing its assessment, determinations, and any recommendations it would propose to address the conflict. Congress also directed the Task Force to evaluate the potential relevance of the task force approach toward resolving similar conflicts at other military training and testing ranges.

" ..The Task Force also discovered that illegal entrants and associated law enforcement activities are a larger problem on the Range than conflicts between endangered species and training"

"....The Task Force has found that illegal entrants and associated law enforcement activities currently have a significant negative effect on both the military training mission and endangered species. *Direct impacts include habitat degradation and the canceling of training due to the presence of ever-increasing numbers of illegal entrants which results in reallocation of available resources to Range security. Until existing and anticipated U.S.-Mexico border trends are mitigated, military training, the continued protection of species, and the integrity of the ecology of the Goldwater Range are anticipated to experience severe stress.*

The Task Force acknowledges that border issues are beyond its specified scope and recognizes they are not simply a Goldwater Range or even an Arizona problem. *Nevertheless, as the number and frequency of illegal entrants transiting the Range increases, there is an increased risk of killing or harming someone through normal military activities. Such an occurrence could have significant implications on future military training and national security.*
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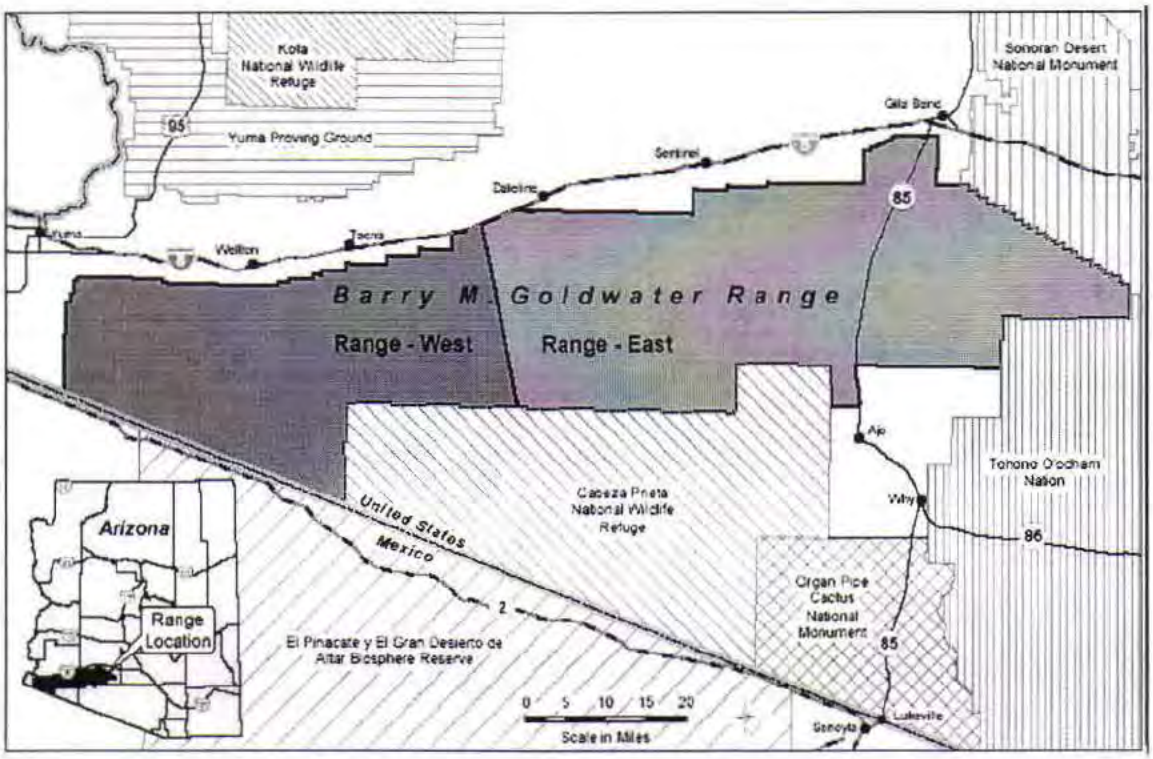

Because the Air Force has been required by Biological Opinion to monitor for the presence of Pronghorn they have been able to measure the impact of Pronghorn to overall mission impact on a percentage basis since 1998. With the establishment of a centralized range control operations facility in 2003 they have since been able to measure illegal entrants' impact on a by-occurrence and lost-range-time basis. ***While a Pronghorn sighting normally results in one to three target sets being closed for an entire day, the presence of illegal entrants results in the closure of an entire tactical range (approximately 25 target sets) for the period of time required to effect their removal***

D. Border Issues

The Task Force has determined that, based on both recent trends and anecdotal evidence, illegal entrants and associated law enforcement activities have a greater negative impact on Goldwater Range activities than either military training has on species conservation or species conservation has on military training. *Part of the growing problem is attributable to increased law enforcement and supporting activities that tend to channel the illegal entrants to increasingly remote areas, such as the Goldwater Range and the Cabeza Prieta National Wildlife Refuge. Unless these border situations are effectively addressed, military training, the continued protection of species, and the integrity of the ecology of the Range will all be in jeopardy.*

1. Illegal Entrants Impacts on Training Mission

The statistics reflect a notable increase in the number of individuals illegally crossing the border, both for Arizona as a whole and for the Range itself (which includes 37 miles of international boundary):

9,247 undocumented migrants were arrested on the Range during the 10 months between October 1, 2003 and August 4, 2004.

229 vehicles were seized on the Range during the same period.

In the Yuma Sector of the Border Patrol, apprehensions were up 73 percent in fiscal year 2004 to a total of 98,060. The Yuma Sector is responsible for 106 Arizona Border miles and includes the western portion of the Range.

The Task Force acknowledges that border issues are beyond its explicit scope and recognizes that they are not simply a Range or even a State of Arizona problem. *Nevertheless, both the Marine Corps and Air Force are dedicated to the maintenance of a safe training environment. Both are concerned about the risk of killing or harming illegal entrants. As the number of entrants transiting the Range increases, so does the likelihood of a serious accident. Additionally, the killing or injury of humans on the Range could potentially result in a stoppage of training on the Range. This risk is unacceptably high and growing.* ***As an indication of the growing impact of illegal entrants, the following maps show the increasing number of trails and roads through the Cabeza Prieta National Wildlife Refuge from 1998 (Map 1) to 2004 (Map2)***

When illegal entrants walk or drive into the impact area of an unmanned tactical range or near the targets of a manned controlled range they are exposed to many hazards, from unexploded ordnance to being wounded or killed by air-to-ground munitions delivery. Because of the danger, when it is known that these individuals are in the area, aircraft air-to-ground weapons deliveries must be terminated and the individuals removed from the range before operations can resume.

In calendar year 2003, Range-East tactical ranges were closed on 37 occasions for 135 hours due to illegal entrants or related causes.

For calendar year 2004, Range-East tactical ranges were closed on 55 occasions for 122 hours.

Range closure periods due to migrant or drug trafficking incursion can last from 30 minutes to several hours, depending on the scenario, and can occur at any time of the day or year. When unauthorized individuals are spotted by Range ground personnel, information is relayed to security, which then dispatches personnel to detain and remove the individuals from the Range. If the incursion consists of a large group, security coordinates with Immigration and Customs Enforcement and U.S. Border Patrol to assist with additional vehicles and officers. Because of the distances, rough roads, and speed limits, this can often be a lengthy endeavor. It also requires diversion of military personnel from their mission-related duties to border-related issues.

If an unmanned tactical range closes because of the presence of unauthorized personnel, the entire range, including all target sets, closes for weapon deliveries. In some cases pilots can "safe up" their systems and continue to train using simulated weapons deliveries (no weapons released). This procedure often allows for germane training to continue that can partially fulfill mission requirements. Otherwise, missions are cancelled, delayed, or moved to another range (if one is available and the mission relocation can be safely accomplished). Any changes to the attack scenario or target set, however, degrade training effectiveness at the very least. To the extent Immigration and Customs Enforcement and Border Patrol are required to use aircraft in response to an incursion, such use will likely conflict with low-altitude military training, resulting in a non-effective or cancelled mission.

2. Illegal Entrants Impacts on Habitat and Endangered Species

While there has been no documented harm to a Pronghorn as a result of illegal entrant activity, as the number of illegal entrants on the Range increases, the chance of harming Pronghorn or Lizards also increases. The Border Patrol's response to illegal border incursions also will impact habitat and protected species.

The more obvious and increasingly negative impacts of border crossing and related enforcement activities are occurring to the habitat of the fragile Sonoran Desert. These impacts include:

The proliferation of trails and roads, resulting in soil compaction, destruction of vegetation and erosion.

Abandoned vehicles and the additional ecosystem damage caused by efforts to remove them.

Human waste and trash, including large amounts of plastic used to carry water, provide shelter and as packaging for food as well as other discarded personal effects.

Fires for cooking or to keep warm resulting in destruction of vegetation and also increasing the risk of wildfires.

The pollution of wildlife water resources.

The introduction of non-native plants and other harmful organisms, including diseases that impact wildlife.

Increased security infrastructure that fragments and degrades habitat and disrupts wildlife movement.

Redistribution of illegal entrants into smaller and ecologically-sensitive areas, such as Parks, Refuges and Monuments as well as the Goldwater Range.

Border issues are negatively impacting the safety of visitors and staff.

3. Summary

The Task Force concludes that border issues are not only a bigger problem on the Range, but they are inextricably intertwined with both endangered species and training concerns. There is significantly more habitat degradation and destruction as a result of illegal entrants and associated enforcement activity than results from military training on the Range. Similarly the military training is negatively impacted more by border issues than by endangered species. *As the number of entrants crossing the border increases, there is a heightened risk that an illegal entrant will be killed or seriously injured. When illegal entrants are encountered on the Range, the Range can be closed for extended periods of time. Moreover, the efforts of the Border Patrol to control illegal immigration, even when well coordinated with the military, can interfere with military training and reduce its effectiveness.*

The Task Force provides the following general recommendations regarding border control issues, acknowledging that border issues are beyond its explicit scope and recognizing that they are not simply a Range or even a State of Arizona problem. *Recommendations include:*

Recognize and address that illegal entrants and associated law enforcement activities are having a significant impact on Goldwater Range operations and endangered species.

Recognize and address that a funneling effect occurs from focused law enforcement efforts that forces illegal entrants onto the Goldwater Range and other remote desert areas.

Increase the opportunity for Goldwater Range management input into strategic level law enforcement planning in an effort to help mitigate the unintended consequences of law enforcement activities.

To alleviate current pressure on the Goldwater Range, strongly examine the effectiveness and consequences of constructing a vehicle barrier and other low-impact monitoring technology along the southern boundary of the Cabeza Prieta National Wildlife Refuge and the Goldwater Range.

Biological Opinion for the Integrated Natural Resource Management Plan for the Barry M. Goldwater Range, Arizona

http://www.fws.gov/southwest/es/arizona/Documents/Biol_Opin/050492_BMGR_INRMP.pdf

Of particular concern are increasing illegal border crossings by undocumented migrants and smugglers. *Deportable migrant apprehensions by Border Patrol agents in the Ajo Station increased steadily from 9,150 in 1996 to 20,340 in 2000. Apprehensions in the BMGR by the Border Patrol were 9,500, 11,202, and 8,704 in 1996, 2000, and 2001, respectively (URS Corporation 2003). In 2001, estimates of undocumented migrant traffic reached 1,000 per night in Organ Pipe Cactus NM alone (Organ Pipe Cactus NM 2001).* ***Given these numbers and that the Border Patrol apprehends only a fraction of illegal migrants and smugglers, undocumented illegal traffic through the BMGR probably exceeds recreational use even on the busiest of holiday weekends.*** *Increased presence of the Border Patrol in the Douglas, Arizona area, and in San Diego (Operation Gatekeeper) and southeastern California, have pushed undocumented migrant and smuggler traffic into remote desert areas, such as Cabeza Prieta NWR, Organ Pipe Cactus NM, and BMGR (Klein 2000). Vehicle barriers and effective patrols in the Algodones Dunes of Imperial County, California, are probably responsible for a recent redirection to and increase of illegal vehicle crossings and vehicle abandonment in the BMGR (May 21, 2003, meeting notes of the Barry M. Goldwater Range Executive Council).* ***These illegal crossings and law enforcement response have resulted in route proliferation, off-highway vehicle (OHV) activity, increased human presence in backcountry areas, discarded trash, abandoned vehicles, cutting of firewood, illegal campfires, and increased chance of wildfire. Habitat degradation and disturbance of pronghorn almost certainly results from these illegal activities. We expect these activities to continue****; however, some discussions are occurring between Mexican and U.S. officials about the creation of a guest worker program whereby Mexican nationals could legally cross the border to work in the U.S. If such a program is initiated, it might greatly reduce future illegal immigration and law enforcement response, with concomitant reductions in habitat degradation and suspected disturbance of pronghorn.*

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Cabeza Prieta National Wildlife Refuge -

- Lessons to be learned from failure to consider Illegal Alien and Drug Smuggling in the land management planning process

Threat Assessment for Public Lands

http://www.tucsonweekly.com/general/pdfs/2009-12-10DOIThreatAssessment.pdf

Vehicle Trails Associated with Illegal Border Activities on Cabeza Prieta National Wildlife Refuge – July 2011

http://azwild.org/action/CabezaPrieta_2011July.pdf

Executive Summary

" The Cabeza Prieta National Wildlife Refuge (CPNWR) lies in southwest Arizona and shares 56 miles of border with Mexico. ***Over the past decade, the refuge has experienced significant impacts associated with illegal border crossings and subsequent interdiction efforts by law enforcement.*** *These illegal crossings include the smuggling of undocumented aliens (UDAs) of various nationalities and drugs. Our*
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concern is that smuggling and interdiction activities have resulted in significant impacts to wilderness character, and put other trust resources such as the federally endangered Sonoran pronghorn at risk '.

"..The CPNWR was established in 1939 for the conservation and development of natural wildlife and forage resources, primarily to assist in the recovery of desert bighorn sheep (Ovis canadensis desertii). Over the years, the refuge also became important as the core habitat for the remaining U.S. population of Sonoran pronghorn (Antilocapra americana sonoriensis), a federally endangered species pursuant to the Endangered Species Act of 1973, as amended. ***In 1990, the Arizona Desert Wilderness Act designated over 90 percent of the refuge as wilderness, forming the largest U.S. Fish and Wildlife Service managed wilderness area in the lower 48 states."***

"Over the last 10 years, the illegal movement of people and narcotics into the United States has significantly affected the CPNWR Wilderness Area. ***The very qualities that made the refuge worthy of designation as a unit of the National Wilderness Preservation System have made this an ideal location for the smuggling of people and contraband into the United States.*** *CPNWR is located in one of the most remote sections of the Sonoran Desert.* ***Due to the great distance from paved roads, rugged conditions, and lack of development, the refuge wilderness area has been used as a travel corridor for illegal border crossing and drug smuggling activities.*** *These events, and the resulting interdiction efforts by the USBP, have resulted in significant impacts associated with a proliferation of trails driven by both smugglers and U.S. law enforcement agency personnel."*

"We are disturbed over both the magnitude and extent of the impacts we recorded during this inventory; we did not expect to find almost 8,000 miles of vehicle trails through the CPNWR wilderness area. *The frequent use of mechanized transport associated with illegal smuggling activities and interdiction efforts precludes opportunities for solitude. Furthermore, the amount of damage from off-road activities may be significantly impacting the natural quality of wilderness character by such means as altering hydrological process, affecting plant distribution, impacts to wildlife inhabiting tunnels and dens below the surface, and disrupting habitat use of wildlife where high intensity traffic areas may be avoided due to the frequent presence of humans and vehicles. It is possible the observed low population size and the current infrequent use of habitat areas by Sonoran pronghorn in the southeastern portion of their range may be in part due to the level of activity associated with illegal smuggling and subsequent interdiction activities in this area. The unintentional establishment of a trail network inarguably compromises the undeveloped quality of the refuge wilderness."*

"From a wilderness stewardship perspective, the density and extent of the off-road travel is alarming. *However, impacts to endangered species, plant and animal communities, and cultural resources are more significant than just the mere presence of tire tracks within wilderness. Past research of vehicle use in off-road areas have demonstrated significant impacts to soils, plants, and wildlife. Many of the direct and indirect effects currently occurring on the refuge are yet to be quantified. Direct impact concerns include: soil compaction, increased soil erosion, damage to soil crusts, altered hydrological processes, disruption of migration patterns for Sonoran pronghorn and other wildlife, wildlife mortality, damage to vegetation from vehicle impacts, damage to cultural resources and degradation of wilderness values. Indirect impact concerns include: alteration to the entire biotic community within CPNWR as a result of a disruption to surface hydrology patterns, and potential spread of invasive species. Furthermore, many of these impacts may be significantly interrelated; impacts from soil compaction and alteration of sheet flow events may affect plant distributions that may further impact pronghorn movements and habitat use. To protect federally endangered Sonoran pronghorn, wilderness values, and other trust resources found within CPNWR and to provide an informed plan to reduce the impact of illegal smuggling activities and the subsequent interdiction efforts on these refuge resources, additional information is required"*

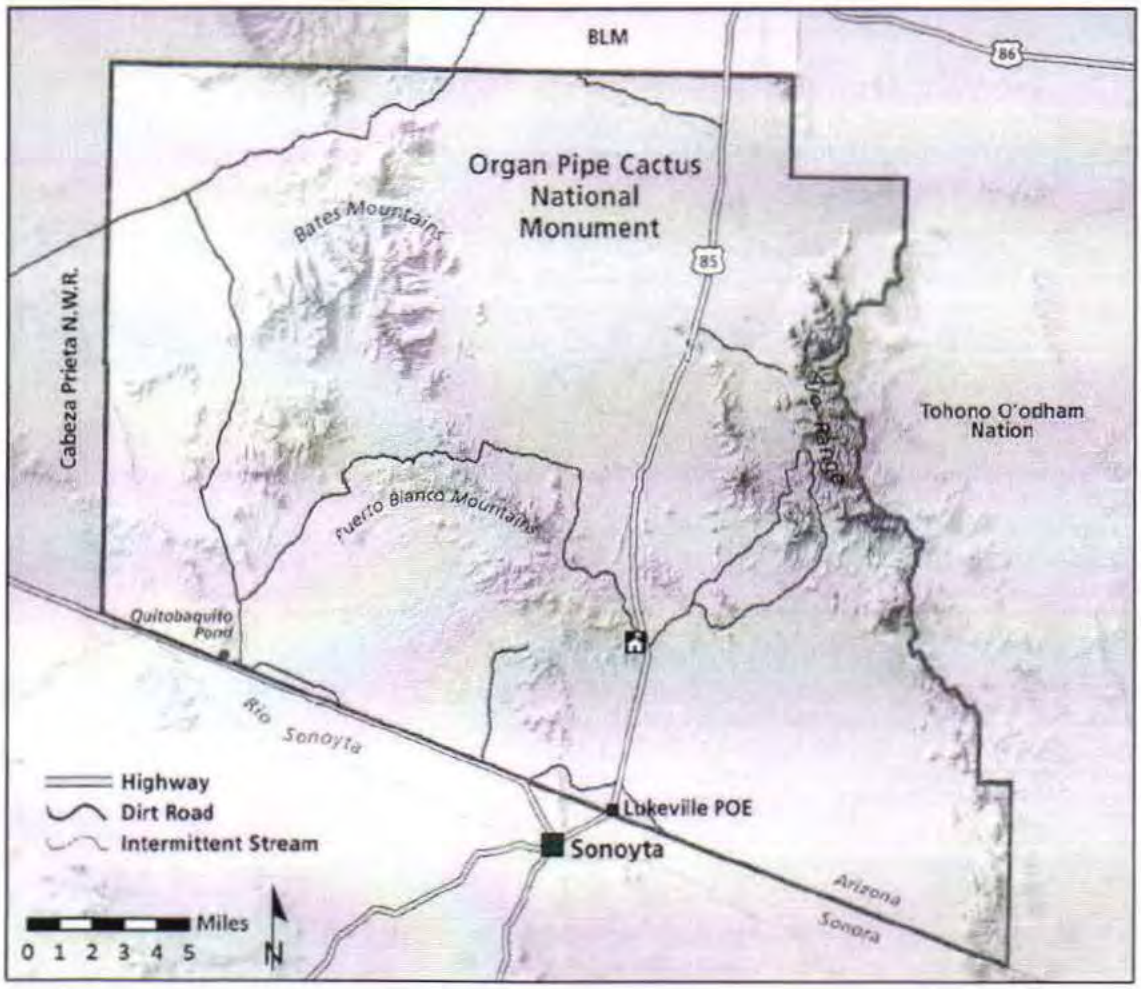
Organ Pipe National Monument

At Arizona's border is the 330,000-acre Organ Pipe Cactus National Monument, a treasure that Congress created for the American people. Unfortunately, 55 percent of Monument land is closed because the drug and people smugglers make it too risky to be out there. Recently, conditions at Organ Pipe have actually *improved*.... a few years back, 95 percent of Monument land was closed because of smuggling danger.

...excerpts from the **Superintendent's 2010 Report on Natural Resource Vital Signs**
Organ Pipe Cactus National Monument

http://www.nps.gov/orpi/parkmgmt/upload/orpi_vitalsigns2010.pdf

".. Organ pipe cactus national monument (opcnm) was established by Presidential proclamation in 1937 to preserve approximately 330,000 acres of the Sonoran Desert for the public interest. In 1976, the monument was declared an International Biosphere Reserve by the United Nations and in 1978, Congress ***designated nearly 95% of monument lands as wilderness."***

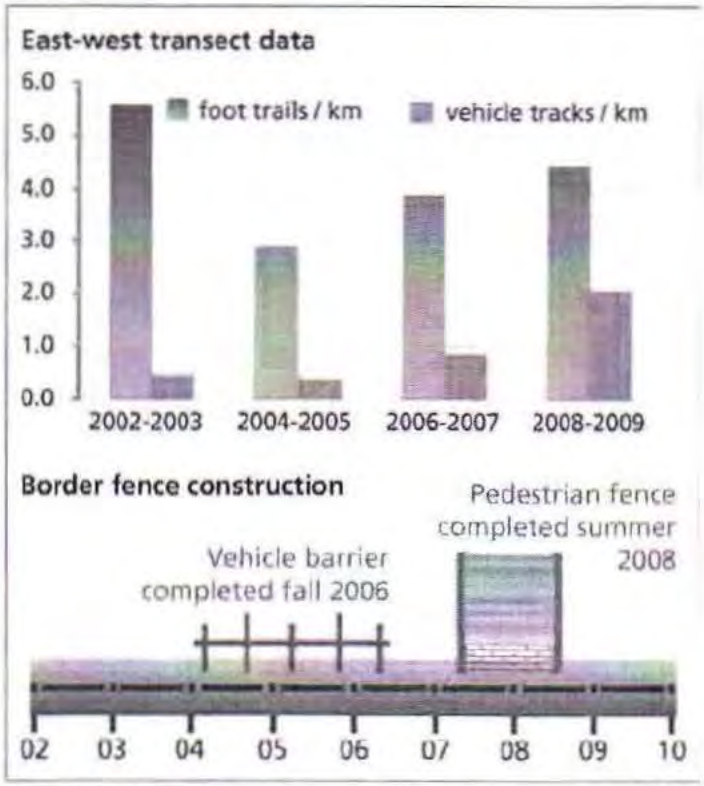


Border-related Impacts

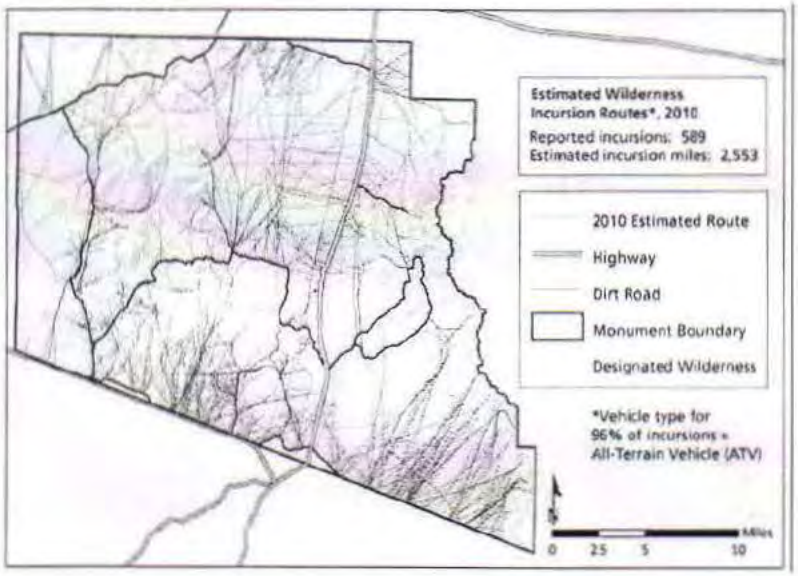
http://www.nps.gov/orpi/parkmgmt/upload/orpi_vitalsigns2010.pdf

"Today, the effects of the U.S./Mexico border situation are found throughout OPCNM. *While impacts on park resources are common and sometimes severe, many parts of the monument are still relatively undisturbed and representative of the pristine Sonoran Desert wilderness that OPCNM is intended to conserve. Nonetheless,* ***illegal border-related activities influence every aspect of park operations. The creation of thousands of miles of unauthorized roads and trails, associated damage to soils and vegetation, interruption of natural ecological processes, disturbance to wildlife movements, recurring vandalism and theft at cultural-resource sites, and an abundance of trash are some examples of issues facing the park. In response, OPCNM managers are working to understand the extent and nature of these impacts, and are collecting baseline data on un-impacted areas to facilitate ongoing and long-range restoration plans.*** *Examples of border-related projects include:*

- *East/west transects surveyed to document trends in the distribution of illegal trails and vehicle routes*
- *Development and use of a rapid-assessment tool for illegal roads and trails*
- *Remote-imagery sensing of illegal roads and trails*
- *Opportunistic restoration of impacted habitats*
- *Remote-camera and soundscape monitoring of border activities*
- *Assessment of the effects of border activities on threatened and endangered species*
- *Wilderness Minimum Requirements analyses of border-related actions (e.g., abandoned vehicle removal)*
- *Implementation of a collaborative, USGS-led project to assess soil and vegetation vulnerability and recoverability*
    - *Trash monitoring and clean-up*
    - *Channel-geomorphology monitoring at sites where hydrology has been influenced by border infrastructure*
    - *Cultural-resource condition surveys and stabilization*
    - *Training of agents and contractors about issues related to wilderness and natural and cultural resources*



Monitoring results from east-west transects compared with border fence infrastructure



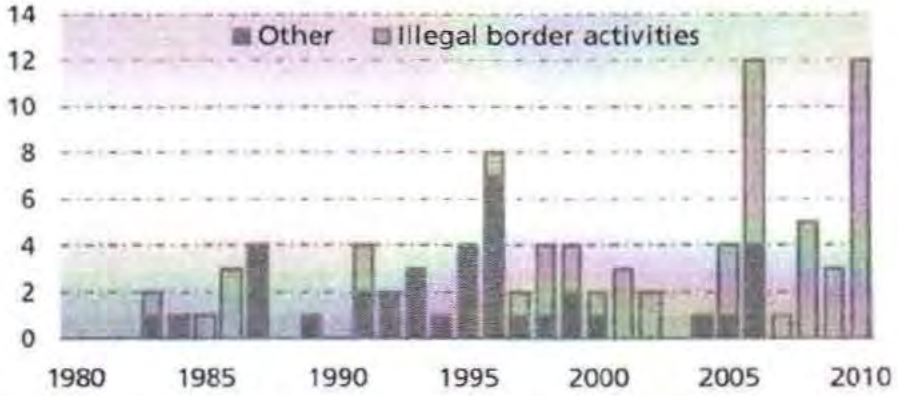
Estimated routes of reported off-road incursions within OPCNM during 2010

http://www.nps.gov/orpi/parkmgmt/upload/orpi_vitalsigns2010.pdf

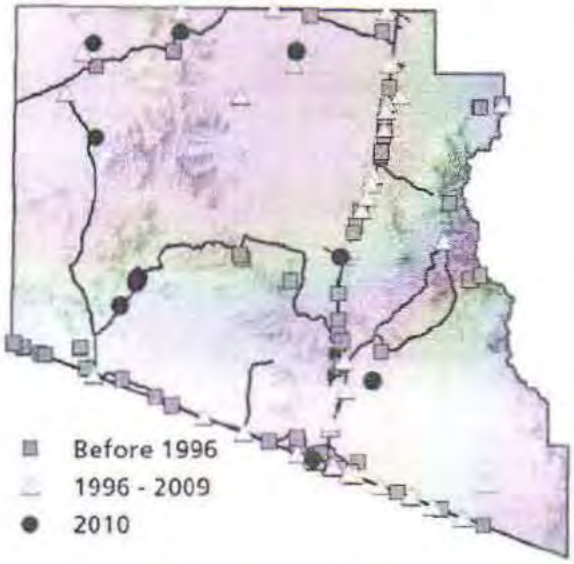
Fire

"...Wildland fires are rare in the Sonoran Desert, even though lightning strikes are common during summer thunderstorms. Lightning-caused fires in OPCNM are usually small (less than one acre) and almost never detected or recorded. In 2010, no lightning-caused fires were discovered in the park.

Fires ignited by people are much more common. *Before the late 1990s, most fires in OPCNM occurred along roadsides or the U.S./Mexico border, especially near agricultural fields. Most fires were unintentionally caused by motor-vehicle accidents, tossed cigarettes, campfires, or agricultural activities in Mexico.* ***By comparison, the 12 fires that occurred in the park during the first nine months of 2010 were intentionally started by drug smugglers and migrants.*** *All fires were less than one acre in size.*
The number of backcountry ignitions has also risen since the late 1990s. The remoteness of these fires increases the risk that they will become large, similar to the large fires (several hundred thousand acres) on Cabeza Prieta National Wildlife Refuge and the Barry M. Goldwater Range that occurred in the mid-2000s."



Number and location of known fires and their causes, 1980–2010



http://www.nps.gov/orpi/parkmgmt/upload/orpi_vitalsigns2010.pdf

*"...**Unquestionably, the most difficult issue faced by managers of OPCNM is the ongoing U.S./Mexico border situation.** In recent years, **every aspect of the park's management has been affected by border-related issues.** In response, today we are implementing numerous border-related projects involving targeted research, monitoring, education, resource management, and restoration. Through this significant effort we hope to document the effects of border issues and facilitate the development of creative and effective management options to minimize future impacts and repair degraded resources.*

X.5. Travel Management & Smuggling

X.5.1. Overview

There are 1264 instances of "Travel" to be found in the SDNM DRMP/EIS. The rules and regulations formulated as a result of BLM's decision process will determine what access the public will have to the decision areas in the future.

According to the document, *"The plan alternatives progressively explore increasing restrictions to motorized recreation and access, which would result in a progressively limited, motorized route network and reduced access."* If BLM had conducted, included, and considered an analysis of the effects IA/DS has on the decision areas, the route evaluation process and corresponding route "decision tree" might look entirely different.

To what end would it be to "progressively explore increasing restrictions" (in any of the plan alternatives) on the existing motorized network of existing routes when smugglers adhere to their own "route plan"?

One only has to look at the failed "wilderness experiments" of Organ Pipe Cactus National Monument and Cabeza Prieta National Wildlife Refuge to realize the folly of trying to "erase" existing roads and routes in an Illegal Alien and Drug Smuggling Corridor.....

...excerpts from **Vehicle Trails Associated with Illegal Border Activities on Cabeza Prieta National Wildlife Refuge – July 2011**
http://azwild.org/action/CabezaPrieta_2011July.pdf

*"..In 1990, the Arizona Desert Wilderness Act **designated over 90 percent of the refuge as wilderness**, forming the largest U.S. Fish and Wildlife Service managed wilderness area in the lower 48 states"*
*"...**The very qualities that made the refuge worthy of designation as a unit of the National Wilderness Preservation System have made this an ideal location for the smuggling of people and contraband into the United States.** CPNWR is located in one of the most remote sections of the Sonoran Desert. Due to the great distance from paved roads, rugged conditions, and lack of development, the refuge wilderness area has been used as a travel corridor for illegal border crossing and drug smuggling activities."*

*"...We are disturbed over both the magnitude and extent of the impacts we recorded during this inventory; **we did not expect to find almost 8,000 miles of vehicle trails through the CPNWR wilderness area."***

...excerpts from **Superintendent's 2010 Report on Natural Resource Vital Signs**
Organ Pipe Cactus National Monument
http://www.nps.gov/orpi/parkmgmt/upload/orpi_vitalsigns2010.pdf

".. Organ pipe cactus national monument (opcnm) was established by Presidential proclamation in 1937 to preserve approximately 330,000 acres of the Sonoran Desert for the public interest. In 1976, the monument was declared an International Biosphere Reserve by the United Nations and in 1978, Congress ***designated nearly 95% of monument lands as wilderness."***

*"...**Illegal border-related activities influence every aspect of park operations**. The creation of thousands of miles of unauthorized roads and trails, associated damage to soils and vegetation, interruption of natural ecological processes, disturbance to wildlife movements, recurring vandalism and theft at cultural-resource sites, and an abundance of trash are some examples of issues facing the park."*

There is no doubt that the extensive, existing road network throughout the SDNM that was inherited from past ranching activities and the BMGR Area "A" has spared the SDNM from a fate similar to Cabezea Prieta and Organ Pipe.

For IA/DS, the most direct route is "thru". The simple truth... ... if an existing road network is available, smugglers will use it.... Otherwise, they will make their own road network.

Although BLM does not specifically "manage for illegality", they would be remiss not to heed the lesson herein. This logic may not be part of BLM's route "decision tree", but it should.

X.5.2. Smuggling on the SDNM

In southern Arizona, Illegal Alien & Drug Smugglers use federal lands such as the Organ Pipe Cactus National Monument, Cabeza Prieta National Wildlife Refuge, Barry M. Goldwater Range, and the Sonoran Desert National Monument as smuggling corridors.

Being in the same IA/DS Corridor, all of these lands have similar experiences with smuggling activity, even though some of these federal lands are many miles from the US/Mexico Border. The very "Wilderness Characteristics" that make these lands worthy of preservation have made them ideal for the smuggling of Illegal Aliens and Drugs into this country.

The SDNM is "upstream" from most all of these adjacent federal lands and is a "direct recipient" of much of the smuggling traffic coming up from Mexico. The smuggler's destination is Interstate 8, which in places runs just north of the US/Mexico border and passes squarely through the middle of the SDNM. These smuggling corridors traverse

some 20 million acres of wilderness, much of which is virtually a cartel domain. Armed cartel "spotters" maintain an extensive network of hill-top observations posts throughout the smuggling corridors to facilitate delivery/pickup of smuggled contraband and to subvert Law Enforcement efforts.

Although laudable and commendable, it would be naïve to believe that BLM's recent Law Enforcement and cleanup efforts on the SDNM are the end to an ongoing problem that needs to be considered while formulating future plans for the decision areas. The best smuggling routes into this country are bought and paid for by the cartels and will continue to be used… in spite of any new regulations imposed by BLM.

Smuggling activity on the SDNM is subject to the "balloon effect", where concentrated Law Enforcement efforts in one area causes increased smuggling activity in another area. When LE presence subsides in an area, the smugglers return to that area…..months and sometimes years later. In the past, smugglers have continued to use the same routes over and over, even after LE presence begins effecting apprehensions. In recent years, smugglers, as a matter of strategy, have been observed to flood a route with intense smuggling activity for a short period of time and then move on to another area, without waiting to be detected. This strategy makes smuggling activity extremely difficult to predict, detect or quantify an beguiles reports by Government Agencies that the "numbers are down" or "smuggling activity has decreased".

Once again… "*there is no doubt that the extensive, existing road/route/trail network throughout the SDNM that was inherited from past ranching activities and the BMGR Area "A" has spared the SDNM from a fate similar to Cabezea Prieta and Organ Pipe. For IA/DS, the most direct route is "thru". The simple truth… … if an existing road network is available, smugglers will use it…. Otherwise, they will create their own road network*".

The SDNM may be unique in that much of the existing road network are primitive roads that occur mostly in washes near the Sand Tank Mountains and few upland primitive roads exist. Smugglers make extensive use of this travel network in washes throughout the SDNM . Nature has generally paved the most direct routes north through the SDNM to Interstate 8 and the smugglers take advantage of this fact:

-- Travel in washes is physically easier to traverse than most upland routes and is harder to detect because of the lower profile in the landscape.

-- The surface of wash beds is of gravely and rocky material that is resistant to erosion, so there are generally no measurable impacts to soils that occur from driving in wash beds, and no corresponding telltale dust trail.

-- Vehicle tracks in wash beds are periodically erased by storm water flows, thus further obfuscating detection.

Smugglers traversing to Interstate 8 use ADOT "mile marker" posts as waypoints for transferring contraband to vehicles for transport out of the area. North of the Sand Tank Mountains, most washes parallel Interstate 8, making a perfect "back highway" for smugglers to drive loads up to the "mile marker of their choice". This is especially true of the Bender Wash (Route 8018), which parallels Interstate 8 one half mile to the south for 7 miles.

Most smuggling activity on the SDNM comes up from the US/Mexico border through the Tohono O'odham Indian Reservation. Similar to federal lands designated "wilderness" or with "wilderness characteristics", the rugged and remote nature of the Tohono O'dham Reservation also makes it an ideal smuggling corridor. Minimal Law Enforcement presence at the border or on the Reservation allows smugglers to drive their contraband undetected more than 70 miles to the southern boundary of the SDNM and/or the adjacent Barry M. Goldwater Range.

The "Bender Wash" smuggling route is just one of many smuggling routes though the SDNM but is typical of the use of travel routes in desert washes by smugglers. Starting off near the northern boundary of the Tohono O'odham Indian Reservation at the town of Kaka, smugglers traverse some 30 miles of primitive roads and washes on the SDNM or the BMGR to arrive at their pickup/load-up destinations at mile markers on Interstate 8.

The Bender Wash smuggling route winds from Kaka to Paradise Well on the BMGR. Once inside the "Area A" boundary on BLM land, smugglers use one of the 8026 route alternatives to arrive at Johnson's Well. The smuggling route then proceeds on the Sand Tank Wash Road (Route 8008) to Papago Indian Chief Mine, south of Javelina Mountain. This area is listed in the DRMP/EIS as one of the **"Site-Specific Sample Areas"** that is *" representative of remote, pristine and lightly used areas of SDNM that are difficult to access without aid of high clearance or specialized vehicles."*

From Papago Indian Chief Mine the smugglers have their choice of two routes north, but once they have delivered their loads to Interstate 8, they traverse a complete loop back to Kaka, through the SDNM and/or the BMGR. One route north traverses east of the Sand Tank Mountains on Big Horn Road (Route 8011), NW to the 8020 road, takes the wash that parallels the 8020 road west to the Goetz Well road (Route 8012), and takes the 8012 road north to Bender Wash (Route 8018). The Bender Wash and all branches west of the Getz well area are listed in the DRMP/EIS as one of the **"Site-Specific Sample Areas"** that is *" representative of remote areas of SDNM where vehicle routes exist in sand washes and use prior to monument proclamation is well known. This area is outside the area A permit area."*

As stated before, the Bender Wash route puts smugglers to within 1/2 mile of Interstate 8 and access to 7 miles of Interstate mile markers to use as drop-off/ load-up points.

The other possible route north from Papago Indian Chief Mine is through the Sand Tank Wash, through the middle of the Sand Tank Mountains (Route 8013) This area is also listed in the DRMP/EIS as one of the **"Site-Specific Sample Areas"** that is…

"...representative of remote areas of the SDNM where the only available vehicle routes are in sand washes. This area is considered to be some of the best desert wash habitat in SDNM. Wash travel inside Area A was prohibited by previous Air Force land use plan. Designating these routes as primitive roads is being considered". Continuing in the description... *"..this area is representative of large mountainous areas with few routes and good habitat and primitive recreation opportunity. The area is fairly pristine."*

Route 8013 winds thorough the middle of the Sand Tank Mountains in the Sand Tank Wash, connects with Route 8017, traverses west to Route 8014 and north to the Bender Wash (Route 8018) and/or the gate at MM124, with the previously mentioned access to Interstate 8.

The route back to Kaka on the Tohono O'odham Reservation completes the "smuggling circuit". Retracing either one of two routes mentioned above has been documented as a return route, however, recently smugglers have been remiss to retrace any part of these routes for fear of detection. Currently the "return route home" entails following the Bender Wash (Route 8018) or the wash aligned with Route 8019 to the west outside the SDNM boundary to the "Nine Mile Wash" road, and south to Route 8008, across the BMGR "Hot Zone" and back to the Indian Reservation and Kaka.

X.5.3. Issues and Observations

According to DRMP/EIS....

"Travel management focuses on the BLM's route system of roads; primitive roads and trails; and the associated signs, maps and management presence, including maintenance and law enforcement. Issues that affect management of the route system include: legal public access to BLM-managed public lands, compliance with the route designations, effects of the route-area footprint, and direct and indirect effects of using routes, serving allowable uses in a sustainable manner, and managing traffic and resource conditions near routes. Routes will be specifically designated through this plan for SDNM, and effects on the resources and objects are discussed in this section"

All federal land managers rightfully acknowledge that border issues are beyond their explicit scope, however, land mangers should not use this an excuse for not explicitly recognizing, analyzing and quantifying the problem of IA/DS and how it will ultimately impact the effectiveness of their land management decisions.

Not all the issues presented here pertain to IA/DS through the SDNM. Actually, most of the issues pertain to the use of common sense in the BLM's decision making process which *" requires the agency to manage for the multiple use and sustained yield of public land resources for both present and future".*

Ultimately, however, the reality of IA/DS activity throughout the LS/SDNM decision areas will determine the wisdom and/or effectiveness of any new BLM regulations.

Below are some additional issues for BLM to consider that have a direct bearing on route system decisions and management.

X.5.3.1. Travel Management

From the ***"Biological Opinion for the Integrated Natural Resource Management Plan for the Barry M. Goldwater Range, Arizona"***

http://www.fws.gov/southwest/es/arizona/Documents/Biol_Opin/050492_BMGR_INRMP.pdf

"...Of particular concern are increasing illegal border crossings by undocumented migrants and smugglers. ***Given these numbers and that the Border Patrol apprehends only a fraction of illegal migrants and smugglers, undocumented illegal traffic through the BMGR probably exceeds recreational use even on the busiest of holiday weekends."***

Given this reality, the idea that *"...the plan alternatives progressively explore increasing restrictions to motorized recreation and access, which would result in a progressively limited, motorized route network and reduced access"* is disingenuous at best.

At worst, presenting plan alternatives which "... *progressively explore increasing restrictions to motorized recreation and access*" is a red herring which allows BLM to "compromise away" public access to the decision areas to satisfy environmental NGOs.

For IA/DS, the most direct route is "thru". The simple truth... ... if an existing road network is available, smugglers will use it.... Otherwise, they will make their own road network.

As stated previously ***"There is no doubt that the extensive, existing road network throughout the SDNM that was inherited from past ranching activities and the BMGR Area "A" has saved the SDNM from a fate similar to Cabezea Prieta and Organ Pipe "***

Alternative B's approach to mitigating the impacts of recreation & travel on the decision areas recognizes the same reality..... **managing, utilizing, and maintaining BLMs** ***existing inventory of routes throughout the SDNM " disperses travelers and minimizing repetitive disturbance of wildlife*".**

There are other reasons for BLM to maintain an extensive network of designated routes though the SDNM..

~ an extensive network of designated routes (even redundant) will tend to preclude route proliferation which could lead to closures of routes from misuse and over-use.

~ an extensive network of designated routes (even redundant), can be used by Law Enforcement and reduce the necessity (and corresponding damage) of off-road travel.

~ an extensive network of designated routes (even redundant) reduces higher concentrations of traffic on any one route, and therefore reduces the potential for vehicular accidents and associated road degradation.

~ an extensive network of designated routes (even redundant) reduces higher concentrations of traffic on any one route thus decreasing the potential for fugitive dust . Because excessive dust can obscure visibility, this could increase the potential for vehicle accidents.

~ an extensive network of designated routes (even redundant) reduces recreational miles traveled in order to access and return from recreational destinations. This reduction in miles traveled will result in a reduction in wildlife disturbance, particulate emissions, road degradation and increased opportunities for remote experience by providing direct and varied access points and routes.

X.5.3.2. Travel in Washes

It is recognized by this Citizen that *"...Washes provide important habitat to wildlife as they function as wildlife corridors, provide den and ambush sites for carnivores, provide shade during hot periods, and provide habitat for a wide range of wildlife."*

That being said, there are other factors for BLM to consider in evaluating the ultimate impact, effectiveness, and necessity of such closures by limiting public access to these routes.

Travel in washes offers a unique recreational experience with opportunities to view wildlife and xeroriparian vegetation that does not occur within the upland valley and bajada areas dissected by these washes. Driving in washes is a practice that is used by some hunters, and other visitors, to gain access to locations where game species are more likely to occur.

This practice necessarily includes Law Enforcement and unfortunately (and predominately) includes IA/DS.

Although unrestricted driving in washes large enough to accommodate a vehicle appears to been a common practice on the SNDM, this citizen is not an advocate of this practice.

That being said, there are remote areas within the SDNM where travel through certain washes are the most direct routes to a destination or "*..where the only available vehicle routes are in sand washes. This is particularly true of Sand Tank Wash... all branches inside Area A, and the Bender Wash...all branches west of Getz well where vehicle routes exist in sand washes and use prior to monument proclamation is well known".*

The fact that the travel route inventory conducted by the BLM since 2000 includes routes in washes recognizes these circumstances.

Dove Springs OHV Open Area, California

http://www.werc.usgs.gov/fileHandler.ashx?File=/Lists/Products/Attachments/3033/Matchett_et_al_2004_Spatial%20and%20Temporal%20Patterns%20of%20off-highway.pdf .

"...OHV use patterns correspond with key features of the landscape, including pre-existing infrastructure and washes. Washes are of particular concern because of their unique vegetation, bank structures, and sediment flows during rains. Currently, BLM has little information on the intensity of recreational travel in washes and on damage caused to wash properties from recreational travel."

Washes are a traditional travel route and have been used extensively throughout time, Motorized travel in washes should actually be encouraged in certain circumstances as evidence of travel in washes gets 'erased' after even a small flood event.

Floods are part of the natural environment and washes are in a constant state of change because of the nature of floods. Floods have a far greater impact on wash vegetation than the impact of vehicles traveling in a wash. Traveling in washes helps contain fugitive dust and particulate emissions,

The surface of wash beds is of gravely and rocky material that is resistant to erosion, so there are generally no measurable impacts to soils that occur from driving in wash beds. Vehicle activity in washes is not associated with high levels of particulate emissions as the gravel cover in wash beds reduces the airborne suspension of underlying fine silt and sand particles.

Contrast the potential environmental effects of driving in a wash to that of driving on a un-maintained dirt road…..

U.S. Environmental Protection Agency

Rural Roads

http://www.epa.gov/oecaagct/trur.html

"..Unpaved rural roads are a source of pollution. Erosion of unpaved roadways occurs when soil particles are loosened and carried away from the roadway base, ditch, or road bank by water, wind, traffic, or other transport means. Exposed soils, high runoff velocities and volumes, sandy or silty soil types, and poor compaction increase the potential for erosion.

Loosened soil particles are carried from the road bed and into the roadway drainage system. Particles most often settle out where they diminish the carrying capacity of the ditch, and in turn cause roadway flooding, which subsequently leads to more roadway erosion. Most of the eroded soil, however, ultimately ends up in streams and rivers where it diminishes channel capacity, causing more frequent and severe flooding; destroys aquatic and riparian habitat; and has other adverse effects on water quality and water-related activities"

X.5.3.3. Seasonal Route Closures

The preferred alternative "E" proposes seasonal closure (April 15-September 15) of certain primitive roads/routes in the SDNM . The proposed seasonal closures include the Bender Wash (Route 8018), a branch of the bender wash (Route 8019), the Sand Tank Pass Wash (8013) and the cross-cut "Farley's Cabin Route" (8017) which connects to the west with Route 8013 & 8014.

It is recognized by this Citizen that *"...Washes provide important habitat to wildlife as they function as wildlife corridors, provide den and ambush sites for carnivores, provide shade during hot periods, and provide habitat for a wide range of wildlife."*

That being said, there are other factors for BLM to consider in evaluating the ultimate impact, effectiveness, and necessity of such closures by limiting public access to these routes:

(1) What indicators are there as to the volume of travel and corresponding impacts that occur on these routes during the summer months and are there alternatives to travel on these closed routes?

From the DRMP/EIS....

Priority Wildlife Species and Habitat Management on Travel Management

Effects would be the same as Alternative C with the exception of a ***seasonal closure of primitive roads in washes enacted from April 1 to September 15.*** *Effects on managing the priority species would be minor and short term due to* ***the availability of motorized access by at least one route to most popular places in SDNM. Seasonal closure periods in washes would also be during the lower visitation times of the year*** *making the effects to visitors including hunters, having a minor effect.*

Travel Management on Wilderness Characteristics
The use of designated roads and primitive roads by motorized vehicles could impact the opportunity for solitude most of all. ***These types of impacts are most often found and most intense during the winter months (November through April).***

Table S.1. Description of SDNM Site-Specific Sample Areas

11 ***Sand Tank Wash, all branches inside Area A:*** *This area is representative of* ***remote areas of the SDNM where the only available vehicle routes are in sand washes.*** *This area is considered to be some of the best desert wash habitat in SDNM. Wash travel inside Area A was prohibited by previous Air Force land use plan. Designating these routes as primitive roads is being considered.*

12 ***Bender Wash, all branches west of Getz well:*** *This area is representative of remote areas of SDNM where* ***vehicle routes exist in sand washes and use prior to monument proclamation is well known.*** *This area is outside the area A permit area.*

(2) What volume of travel constitutes a "disturbance" to wildlife habitat by travel though these washes during summer months and what solutions (besides closure) would minimize the level of disturbance on these routes ?

BARRY M. GOLDWATER RANGE: MILITARY TRAINING AND PROTECTION OF ENDANGERED SPECIES
http://www.ecr.gov/pdf/bgrange.pdf

"... Washes provide important habitat to wildlife as they function as wildlife corridors, provide den and ambush sites for carnivores, provide shade during hot periods, and provide habitat for a wide range of wildlife. Nesting birds, large mammals, and invertebrates, make disproportionate use of the resources within washes compared with surrounding areas and some species, including zebra-tailed lizards, are specialized to the wash microhabitat. Although driving in washes is not currently a sanctioned activity on the BMGR, it is known to traditionally occur in association with some BMGR washes. ***Periodic vehicular travel in washes may affect local micro habitats but would not be expected to alter wash macro habitats at a significant level; however, as the volume of use increases, the potential for impacts to wildlife habitat and wildlife species also increase.***

"...The proposed action for all the management units except Unit 2 includes a requirement for a special use permit for a single party with 10 or more vehicles"

"...Requiring a special use permit for larger group sizes could benefit wildlife and wildlife habitats in discouraging use by larger groups, which relative to smaller groups can create larger and more intense areas of habitat disturbance, greatly increased noise levels, and increased trash dispersal"

(3) What other factors might affect a decision to close these routes during summer months?

From the DRMP/EIS…

"...Various areas of the Lower Sonoran and SDNM are used as travel routes by drug and UDA smugglers and independent parties of UDAs. Regular use by human and drug smuggling traffickers has become apparent over the last decade, with summertime lulls; ***however, over the past two years, traffic has been intense year-round with no respite during the heat of summer."***

"...Alternative B's approach to managing recreation impacts by dispersing (more route alternatives- not less) travelers and minimizing repetitive disturbance of wildlife allows the most route mileage for vehicle access."

The Sand Tank Mountains create a natural barrier to route proliferation in the area. The "Sand Tank Pass Route" (Route 8013) is the only route through the mountains to the southern area of the range. The Sand Tank Wash (8013), The Bender Wash (8018), and Farley Cabin Route cross-cut route (8017) all connect Monument lands and routes west of the Sand Tank Mountains with Monument lands and routes east of the Sand Tank mountains without the necessity of round-about travel on Interstate 8. Closing these routes during any season may contribute to route proliferation and would undoubtedly contribute increased particulate emissions and road surface degradation due to increased mileage and travel on Big Horn Road (8011-not a wash) and the "Nine Mile Wash" road (8008- not a wash) in order for visitors to access remote areas south of the Sand Tank Mountains. This lack of connectivity and accessibility will be further exacerbated if the proposed closures of "direct access" to Interstate 8 at ranch gates becomes reality.

As noted in the DRMP/EIS, visitors to the SDNM during the hot summer months are expected to be minimal, and therefore would have a minimal effect on Wildlife Species and Habitat, negating the need for seasonal closures of these routes. In any event, IA/DS will continue to use these routes (as they have for over 20 years) irregardless of any new route closures /restrictions ..... seasonal or otherwise. This known volume of smuggling activity far exceeds any conceivable disturbance to wildlife species and habitat caused by law abiding citizens on these routes.... especially during summer months when legitimate visitor volume on the SDNM is minimal.

From the ***"Biological Opinion for the Integrated Natural Resource Management Plan for the Barry M. Goldwater Range, Arizona"***

http://www.fws.gov/southwest/es/arizona/Documents/Biol_Opin/050492_BMGR_INRMP.pdf

"...Of particular concern are increasing illegal border crossings by undocumented migrants and smugglers. ***Given these numbers and that the Border Patrol apprehends only a fraction of illegal migrants and smugglers, undocumented illegal traffic through the BMGR probably exceeds recreational use even on the busiest of holiday weekends****."*

X.5.3.4. Interstate 8 Public Access Points

Convenient access points to BLM lands are equally important to the success of BLM's "multiple use mandate" as is a robust route network. Potential visitors to BLM lands may perceive difficult access or excessive "closed", "restricted" or "administrative use" signage with an "un-welcome mat", thus discouraging recreational activity in the area.

It seems that citizens have been fortunate up to this point that the Arizona Department of Transportation has allowed "direct access" to Interstate 8 at various ranch gates along the freeway right-of-way, even though by definition (ADOT*)," interstate highways are fully controlled-access highways and direct access to fully-controlled access highways is prohibited without exception."*

According to the "preferred plan", access to the SDNM will be restricted to the Nine Mile Wash Road (Butterfield), Freeman Road and Vekol Rd where existing freeway interchanges are available.

The elimination of direct access gates along both sides of Interstate 8 (in particular MM 124, 127.7, 133.2 & 136.4) will severely limit public access to the SDNM.

Other considerations are:

~ Frequent requirements for Law Enforcement to utilize these direct access gates to interdict Illegal Alien and Drug Smugglers and for Search & Rescue.

~ If the gates north of Interstate 8 at MM 124 and MM 127.7 are closed, there will be no way to access BLM land in this area.

~ The proposed access route to the SDNM from the Nine Mile Wash Road where it intersects Route 8019A just happens to be at the confluence of the Sand Tank Wash, the Bender Wash, and all of their branches. Because of the amount of runoff this confluence experiences and the flat nature of the terrain, this area become impassable for days due to ponding in the Nine mile road.

~ Closing off access to some of the most direct routes to recreational destinations on the SDNM may contribute to route proliferation and would undoubtedly contribute to increased particulate emissions and road surface degradation due to increased mileage and travel on Big Horn Road (8011-not a wash) and the "Nine Mile Wash" road (8008-mostly not a wash) in order for visitors to access remote areas south of the Sand Tank Mountains.

~ Undoubtedly, IA/DS will continue to use these "direct access" points on Interstate 8... irregardless of locked gates.

According to DRMP/EIS....

" ..Continuing ADOT's permits to mine and store gravel at two sites south of I-8 requires maintaining access from I-8 at two unimproved exits from the eastbound lane *between the Butterfield Trail exit and the Freeman Road exit.* ***Gates providing access to the sites would need to remain in place.*** *Continued public use of these gates might constitute a safety hazard because they could require evasive action for highway travelers to avoid vehicles entering or exiting from the breakdown lane. The loss of public access at these gates would have a moderate effect on access to SDNMsouth of I-8. Public access has been allowed historically, and the gates could be locked at any time.*

It is possible that BLM, as part of their permit for access to the gravel site, could induce ADOT to provide the improvements necessary at the 124 gate so that it would be safe for both ADOT and the public to continue to use this gate. This would not address the loss of the other "direct access" gates, but would provide and an additional I-8 access to BLM lands west of the Sand Tank Mountains.

ADOT has seen fit to partner with BLM on "Project Daylight" along Intersate 8. Perhaps they would be willing to partner with BLM to find a solution to this access issue.

X.6. Conclusions

And finally, it is my hope that BLM heeds the wisdom of Thomas Lister, chief law enforcement ranger for the BLM in Arizona. In response to BLM's Chief Ranger's recommendation to close public access to the SDNM for safety reasons…

http://cnsnews.com/news/article/blm-spurned-chief-rangers-recommendation-close-national-monument-near-mexican-border

"… Another consideration in keeping the Monument open is that a number of law-abiding people for years have used the Sonoran Desert National Monument as a place of recreation. Those people generally are aware of the conditions, are familiar with the surroundings, and desire continued access to these public lands." AMEN!

Respectfully submitted on November 23, 2011

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Phoenix, AZ 85069

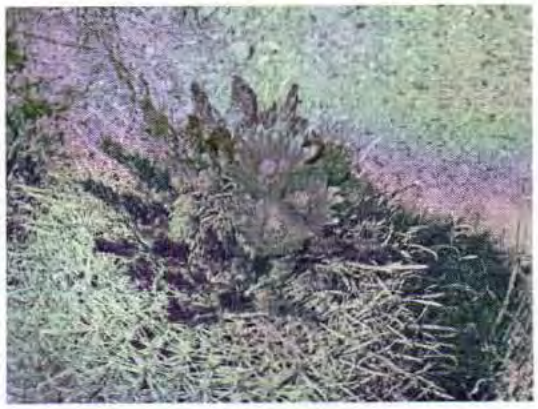
http://secureborderintel.org/

"Local citizens are often the best stewards of the land"

X.7. Picture Gallery from the SDNM

WILDVIEW 05-14-2010 14:12:31

MAR 27 2010
6:50:45 PM

WILDVIEW 03-01-2010 15:44:16

VISITOR INFORMATION
UPDATE
• Active Federal Law Enforcement Patrol Area
• Clean-up and restoration crews at work
• Contact BLM Rangers for current area status