

**TESTIMONY OF
MIKE POOL, STATE DIRECTOR, CALIFORNIA,
BUREAU OF LAND MANAGEMENT
BEFORE THE COMMITTEE ON RESOURCES, SUBCOMMITTEE ON NATIONAL PARKS,
RECREATION AND PUBLIC LANDS
U.S. HOUSE OF REPRESENTATIVES
OVERSIGHT HEARING
PUBLIC ACCESS IN THE CALIFORNIA DESERT CONSERVATION DISTRICT
AND THE IMPERIAL SAND DUNES RECREATION AREA
August 18, 2003**

[Plan Status - California Desert National Conservation Area](#) (27KB PDF)

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to testify today on access to the California Desert National Conservation Area (CDCA) and, in particular, the Imperial Sand Dunes Recreation Area.

Background

In 1976, with passage of the Bureau of Land Management's (BLM's) organic act, the Federal Land Policy and Management Act (FLPMA), Congress recognized the 25 million-acre CDCA as unique among landscapes throughout the country. When the CDCA was designated as part of FLPMA, Congress highlighted a wide range of land management challenges in this area. Some of these challenges include the very same conflicts you are examining today -- that is, how to balance recreational access, primarily off-road vehicle access, with the protection of sensitive desert resources, particularly rare and endangered plant and animal species. FLPMA also recognized that these very special public land resources were "uniquely located adjacent to an area of large population."

The challenges Congress recognized when it created the CDCA twenty-seven years ago are even more daunting today. For example, in 1976, there were only five plant or animal species in the California Desert that were listed as either threatened or endangered under the Endangered Species Act (ESA). Currently, there are 10 plant species and 14 animal species in this region listed by the U.S. Fish and Wildlife Service (FWS). Moreover, the urbanization of this region has increased; the population in Southern California has grown from an estimated 12 million in 1976 to 20 million people today. Dramatic growth has occurred in the western desert region, often referred to as the "Inland Empire."

To address these resource management challenges, FLPMA directed the BLM to prepare a comprehensive, long-range plan for the "management, use, development, and protection" of the public lands in the CDCA. Congress established the California Desert Conservation Area Advisory Committee to ensure full citizen involvement and participation in this important planning process. The overall plan, developed in cooperation with the State and local governments, was completed in 1980. Twenty-three years later, the BLM is in the midst of updating that plan through six regional plan amendments. The California BLM is working diligently to balance the various competing public interests as we develop these plan amendments. It is our goal to allow public access and use of the CDCA consistent with the resource and species protection requirements of the ESA.

Plan Amendments

For the last three years, the BLM has been working to complete plan amendments for the six plans that encompass the CDCA. The plan amendments fulfill the requirements of five consent decrees entered between August 2000 and April 2001, in connection with a lawsuit filed by the Center for Biological Diversity, Sierra Club, and Public Employees for Environmental Responsibility against the BLM. The resulting plan amendments, while controversial and very time-consuming, have been developed with substantial public, State and local government input. At present, we have completed four of these

amendments. They are the Northern and Eastern Colorado Desert, the Northern and Eastern Mojave Desert, the Coachella Valley, and the Western Colorado Desert amendments. Attached to this statement is a detailed update on the progress of these four plan amendments. The two remaining plan amendments, covering the Imperial Sand Dunes Recreation Area and the West Mojave Desert, are still underway, and are discussed more fully below.

The Imperial Sand Dunes (Dunes) comprise 160,000 acres located approximately 130 miles to the east of us. We are in the final stages of developing a major update to our Recreation Area Management Plan (RAMP) for the Dunes. The RAMP was originally developed in 1987. The Dunes provides world-class recreation opportunities for off-highway vehicles (OHVs). Over a million recreationists come to the Dunes annually to enjoy its vistas and OHV opportunities. In 2002, 1.2 million people visited the Dunes, with visitation during the busy Thanksgiving holiday weekend exceeding 170,000. As one of the most popular OHV areas in the southwestern United States, the Dunes presents significant management challenges, including law enforcement, visitor safety and services, and protection of sensitive resources.

The 1998 listing of the Peirson's milk-vetch as a threatened species by the FWS required the BLM to determine how to balance recreation use with resource protections under the ESA. We believe the plan now being finalized achieves this balance, through the creation of a 33,000-acre adaptive management area that will allow us to monitor the plant while still providing limited OHV access to determine the impacts of interaction between the plant and OHV use. While settlement of the litigation required us to close approximately 49,000 acres of the Dunes, our proposed plan would re-open those lands to OHV use, including the 33,000 acres within that adaptive management area. A Final EIS/Proposed Plan was released on May 23, 2003. Since the end of the required 30-day public protest period, the BLM has been evaluating 11 protests it has received.

On August 5, 2003, the Service proposed to designate critical habitat for this species on approximately 52,780 acres of sand dunes in Algodones Dunes in Imperial County, California. Earlier this year, the Service completed consultation on BLM's draft Recreation Area Management Plan (RAMP) for the Dunes. Based on the review of the draft RAMP and the provisions to conduct monitoring and study efforts, the Service determined that implementation of the RAMP would not likely jeopardize the continued existence of the Peirson's milk-vetch in the Algodones Dunes within the next four years.

The West Mojave Plan, a resource management plan amendment which is also an interagency Habitat Conservation Plan (HCP), was prepared in collaboration with the region's cities, counties, State and Federal agencies, and covers 9.3 million acres in the western portion of the Mojave Desert. It includes within its boundaries China Lake Naval Weapons Center, Edwards Air Force Base, Fort Irwin, the Marine Corps Logistics Base at Barstow, and the Marine Corps Air Ground Combat Center. It is by far the most comprehensive of the six regional land use plans and is intended to streamline and develop less costly procedures for complying with the requirements of both the Federal and California Endangered Species Acts. The HCP is intended to stimulate economic development within this rapidly growing region while conserving more than 100 identified Federally-listed, State-listed and sensitive plant and animal species.

The HCP would establish a balanced and equitable program that would cut permitting costs in half, eliminate construction delays through the adoption of a pre-approved conservation and mitigation strategy, and enhance business planning certainty. Cost reductions would result primarily from the elimination of the administrative costs associated with the preparation of the reports and applications necessary to obtain incidental take permits. The HCP would allow for appropriate resource use and community expansion. The West Mojave Plan would also include a regional strategy for conserving sensitive wildlife species that would be implemented in a collaborative manner by local governments and State and Federal agencies. The plan would be implemented on public lands through the amendment of the BLM's CDCA Plan, and on private lands through the issuance of programmatic incidental take permits to local cities and counties by the California Department of Fish and Game and FWS.

An important part of this effort has been designing a network of motorized vehicle access routes for the western Mojave Desert to provide access to recreation venues, commercial and industrial sites, and other

destinations. On March 21, 2003, the BLM published an environmental assessment that examined the impacts of establishing a vehicle access network. A 30-day public comment period followed. On June 30, 2003, the Record of Decision was issued for the West Mojave route designation. This access network is also included in the draft West Mojave Plan/HCP now out for public comment. The 90-day public comment period on the draft plan will close on September 12, 2003.

Conclusion

The CDCA is a vast, challenging, controversial, and fascinating resource area. In keeping with Secretary Norton's 4Cs - consultation, cooperation and communication all in the service of conservation - the BLM remains steadfast and committed to reaching a fair and balanced approach to managing the public lands in this important region. We believe this approach will best serve the many competing needs and interests of the area. Mr. Chairman, that concludes my testimony. I would be happy to respond to any questions the Committee may have for me.