

# APPENDIX D: MOTORIZED-VEHICLE ACCESS

## BACKGROUND

### CALIFORNIA DESERT CONSERVATION AREA PLAN, 1980, AS AMENDED

Other than those who are simply crossing it, most users of the desert travel some of the time on its network of maintained gravel and dirt roads, ways, trails, and accessible desert washes. There are many of these "routes of travel" in the California Desert Conservation Area (CDCA).

According to one study, the CDCA has 15,000 miles of paved and maintained roads, 21,000 miles of unmaintained dirt roads, and 7,000 miles of vehicle-accessible washes. However, these routes are not evenly distributed, and desert topography and vegetation do not prevent, and sometimes encourage, cross-country travel in motorized vehicles. Desert soils and vegetation retain the marks of this kind of travel for many years, except in a few places where occasional rains, windstorms, and flash floods erase them. Thus, one vehicle traveling cross-country can create a new route of travel. The proliferation of roads and trails in the CDCA has resulted in a serious problem in some areas and provides the most difficult management issue for BLM and the public.

Many of the Desert's loveliest and most fragile resources can only be enjoyed by use of vehicle access routes, but these resources are quickly destroyed if vehicles travel everywhere. Most people who go to the desert revel in its spaciousness and the feeling of solitude and freedom it provides. However, growing numbers of vehicles and uncontrolled expansion of this network of roads and trails may damage this solitude, and heavy-handed regulations to control this traffic would certainly affect the sense of freedom.

The question of managing access to the desert is especially sensitive. Vehicle access is confused with the use of vehicles for play. Public comments make it clear that motorized-vehicle access and off-highway vehicle play need to be clearly separated and managed differently.

While the Bureau is responsible for vehicle use on public lands, much of the control of vehicle travel in the desert is the responsibility of the user, whether the goal is recreational or commercial. The Bureau of Land Management does not and will not have the funds or staff to oversee vehicle use throughout the desert at all times. Therefore, rules for vehicle use must be fair, understandable, easy to follow, and reasonable if they are to be publicly accepted. Only commitment by the public, the owners of these lands, will insure success of rules and guidelines.

*from California Desert Conservation Area Management  
Plan (1980), as amended*

### **Issuance of Executive Orders and Development of Regulations**

The increased popularity and widespread use of off-highway vehicles (OHVs) on federal lands in the 1960s and early 1970s prompted the development of a unified federal policy for such use. Executive Order 11644 ("Use of Off-Road Vehicles on the Public Lands") was issued on February 9, 1972 (87 F.R. 2877), to establish policies and provide for procedures to control and direct the use of OHVs on federal lands so as to (1) protect the resources of those lands, (2) promote the safety of all users of those lands, and (3) minimize conflicts among the various uses of those lands. The order directs the agency heads responsible for managing the federal lands to issue regulations governing the designation of areas where OHVs may and may not be

## Appendix D

used. Under the order, OHV use can be restricted or prohibited to minimize (1) damage to the soil, watersheds, vegetation, or other resources of the federal lands; (2) harm to wildlife or wildlife habitats; and (3) conflicts between the use of OHVs and other types of recreation. It also requires the federal agencies to issue OHV use regulations, inform the public of the lands' designation for OHV use through signs and maps, enforce OHV use regulations, and monitor the effects of OHV use on the land.

Executive Order 11989 ("Off-Road Vehicles on Public Lands") was issued on May 24, 1977 (42 F.R. 26959), and contains three amendments to the previous order. While these amendments lift restrictions on the use of military and emergency vehicles on public lands during emergencies, they otherwise strengthen protection of the lands by authorizing agency heads to (1) close areas or trails to OHVs causing considerable adverse effects and (2) designate lands as closed to OHVs unless the lands or trails are specifically designated as open to them.

The BLM developed regulations (Title 43 of the Code of Federal Regulations [CFR] 8340) in response to the executive orders. These regulations require the agency to designate areas where OHVs may be used and to manage the use of OHVs on public lands through the resource management planning process, which allows for public participation. The regulations also require the BLM to monitor the use of OHVs, identify any adverse effects of their use, and take appropriate steps to counteract such effects.

### **Development of the CDCA Management Plan**

Recognizing that resources of the California desert can and should "provide present and future use and enjoyment, particularly outdoor recreation uses, including the use, where appropriate, of off-road recreational vehicles," Congress, through Section 601 of the Federal Land Policy and Management Act of 1976 (FLPMA), directed the Secretary of the Interior to prepare and implement a comprehensive, long-range plan for the management, use, development, and protection of the public lands within the California Desert Conservation Area. In response, the Bureau of Land Management prepared the CDCA Management Plan (1980), an element of which addresses motorized-vehicle access.

Consistent with Executive Orders No. 11644 and No. 11989, all public lands in the California desert were designated as "open," "limited," or "closed" through the CDCA Plan. Subsequent to designation of areas for motorized-vehicle use, the Plan required on-the-ground route designation to occur within Multiple-Use Class (MUC) "L" (Limited), while existing routes of travel could be utilized in Multiple-Use Classes "I" (Intensive), "M" (Moderate) and "C" (Controlled), with MUC "C" being managed commensurate with MUC "L" guidelines until Congress designated these areas as wilderness. ("Existing routes of travel" were defined as routes existing before December 31, 1978 [the date of full aerial photo coverage of the CDCA].")

Route designation criteria for MUC "L" were identified in the CDCA Plan as follows:

- (1) Is the route new or existing?
- (2) Does the route provide access for resource use or enjoyment?
- (3) Are there alternate access opportunities?
- (4) Does the route cause considerable adverse impacts?
- (5) Are there alternate access routes which do not cause considerable adverse impacts?

## Appendix D

### **1982 Amendment to the CDCA Management Plan**

Subsequent to approval of the CDCA Plan in 1980, environmental organizations filed action in U.S. District Court, C.D. California, challenging its route designation criteria. In response, the BLM amended the CDCA Plan's Motorized-Vehicle Access element (1982 Plan Amendment Three, approved May 17, 1983) to conform with 43 CFR 8342.1. Route approval would be based on the following criteria:

- (1) Areas and trail shall be located to minimize damage to soil, watershed, vegetation, air, or other resources of the public lands, and to prevent impairment of wilderness suitability.
- (2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. Special attention will be given to protect endangered or threatened species and their habitats.
- (3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.
- (4) Areas and trails shall not be located in officially designated wilderness areas or primitive areas. Areas and trails shall be located in natural areas only if the authorized officer determines that vehicle use in such locations will not adversely affect their natural, esthetic, scenic, or other values for which such areas are established.

### **MUC guidelines for motorized-vehicle access**

The 1982 amendment modified or reiterated prescriptions relative to motorized-vehicle access, including changes to the MUC guidelines established through the 1980 Plan. These guidelines are described below.

**MUC "C":** Vehicle use on lands preliminarily recommended as suitable for wilderness, but not yet so designated by Congress, will be managed under guidelines described for Multiple-Use Class "L."

**MUC "L":** Vehicle access will be directed toward use of approved ("open" or "limited") routes of travel. Routes not approved in MUC "L" areas will be reviewed and, after opportunity for public comment, those routes deemed to conflict with management objectives or to cause unacceptable resource damage will be given priority for closure through obliteration, barricading, or signing. All remaining routes of travel in these areas will be monitored for either inclusion as approved routes, or for closure to resolve specific problems.

**MUC "M":** Access will be on "existing" routes unless it is determined that use on specific routes must be further limited. An "existing" route is one established before approval of the Desert Plan in 1980, with a minimum width of two feet, showing significant surface evidence of prior vehicle use or, for washes, history of prior use.

**MUC "I":** Unless it is determined that further limitations are necessary, those areas not designated "open" will be limited to use of "existing" routes.

**ACECs:** In ACECs where vehicle use is allowed, vehicle access will be managed under

## Appendix D

the guidelines for MUC “L.”

**Undesignated Areas:** In areas not assigned to a Multiple-Use Class, the route approval process will be applied as needed to resolve specific problems and to establish a cohesive program.

### **Washes, sand dunes, and dry lakes**

The 1982 CDCA Plan amendment also addressed motorized-vehicle access on washes, sand dunes, and dry lakes:

#### *Washes*

Vehicle access using desert washes will be governed by the area designation for the vicinity in which the wash is located. In areas designated “closed,” vehicle access in desert washes will be prohibited. In areas designated “open,” vehicle access in desert washes will be permitted. In all “limited” areas, vehicle use in desert washes will be controlled in the same manner as for routes of travel in MUC “L,” “M,” and “I.”

In the context of motorized-vehicle access, the term “wash” is defined as a watercourse, either dry or with running or standing water, which by its physical nature—width, soil, slope, topography, vegetative cover, etc.—permits the passage of motorized vehicles (Appendix VI, CDCA Plan). The implication of this definition is that washes can be considered as routes of travel only if wash banks are not compromised (primarily a function of width), soil stability is not adversely affected, and vegetation is not destroyed consequent to the passage of vehicles. If access to a wash by motorized vehicles results in vegetative destruction, disturbance to the integrity of wash banks, or an unacceptable degree of soil erosion—the destruction of natural features—the wash is not considered to be a route of travel.

#### *Sand Dunes and Dry Lakes*

Due to the unique geography of these areas, “routes of travel” cannot be readily delineated. Therefore, significant sand dunes and dry lakes within the California desert are designated either “open” or “closed” to vehicular travel regardless of the Multiple-Use Class in which the dune system or dry lake is located. The management objective for each dune system or dry lake will dictate the area’s vehicle use designation.

### **Route designation definitions**

The 1982 amendment defined route designations in the following manner:

#### *Open Route*

Access on the route by motorized vehicles is allowed.

#### *Limited Route*

Access on the route is limited to use by motorized vehicles in one or more of the following ways and limited with respect to:

- 1) number of vehicles allowed

## Appendix D

- 2) types of vehicles allowed
- 3) time or season of vehicle use
- 4) permitted or licensed vehicle use only
- 5) establishment of speed limits

The same exceptions to motorized-vehicle use of closed routes also apply to limited routes (see below, “*Closed Route*”).

### *Closed Route*

Access on the route by motorized vehicles is prohibited except: (1) fire, military, emergency or law enforcement vehicles when used for emergency purposes; (2) combat or combat support vehicles when used for national defense purposes; (3) vehicles whose use is expressly authorized by an agency head under a permit, lease, or contract; and (4) vehicles used for official purposes by employees, agents, or designated representatives of the Federal Government or one of its contractors.

Except in Congressionally-designated wilderness areas, “open,” “limited,” and “closed” route designations may be made in each of the Multiple-Use Classes, in Areas of Critical Environmental Concern (ACECs), and in unclassified lands.

### **Implementation of the CDCA Management Plan**

From 1973 to approval of the CDCA Plan in 1980, BLM managed access under the Interim Critical Management Program (ICMP). An integral part of that program was the release of a series of 22 maps covering the entire CDCA. These maps illustrated the ICMP designations and delineated a network of access routes compiled from existing maps, public input, and field review.

With approval of the CDCA Plan, the new OHV area designations became effective, and the ICMP maps and designations became invalid. However, until implementation of the CDCA Plan’s Motorized-Vehicle Access Element, as amended, is complete, existing routes of travel may be used in all MUC “L” and “M” areas, in unclassified lands, and in those MUC “I” areas not designated “open” to motorized-vehicle access. In some areas, certain routes were closed under ICMP guidelines; these will remain closed. As implementation proceeds, some old limitations (including closures) may be revoked and others added.

## **COACHELLA VALLEY CDCA PLAN AMENDMENT**

Section 2.1.3.16 describes alternatives for route designations in the Coachella Valley CDCA planning area, excluding the NECO overlap area. Table D-2 identifies proposed designations on an alternative by alternative, route by route basis, and references by an assigned number the specific U.S. Geological Survey (U.S.G.S.) 1:24,000 scale maps on which the routes can be located. Table D-1 relates this number to the name of the U.S.G.S. map along with the U.S.G.S. map code. Large-scale maps depicting the routes addressed are available for review in the BLM Palm Springs-South Coast Field Office (North Palm Springs) and the BLM California Desert District Office (Riverside).

Appendix D

**TABLE D-1. MAP RELATES**

Map number referenced in Table D-2	U.S.G.S. 1:24,000 map name	U.S.G.S. map code
1	Morong Valley	34116A5
2	Yucca Valley South	34116A4
3	White Water	33116H6
4	Desert Hot Springs	33116H5
5	Seven Palms Valley	33116H4
6	East Deception Canyon	33116H3
7	Palm Springs	33116G5
8	Cathedral City	33116G4
9	Myoma	33116G3
10	West Berdoo Canyon	33116G2
11	Palm View Peak	33116F5
12	Rancho Mirage	33116F4
13	La Quinta	33116F3
14	Indio	33116F2
15	Thermal Canyon	33116F1
16	Toro Peak	33116E4
17	Martinez Mountain	33116E3
18	Valerie	33116E2
19	Mecca	33116E1
20	Rabbit Peak	33116D2
21	Oasis	33116D1
22	Mortmar	33115E8
23	Orocopia Canyon	33115E7
24	Salton	33115D8
25	Durmid	33115D7