

0001

01 UNITED STATES DEPARTMENT OF THE INTERIOR

01

02 BUREAU OF LAND MANAGEMENT

02

03 EL CENTRO FIELD OFFICE

03

04 PUBLIC HEARING

04

05

05

06

06

07

07

08 Imperial Sand Dunes Recreation Area

08

09 Draft Recreation Area Management Plan

09

10 Draft Environmental Impact Statement

10

11

11

12 Thursday, April 11, 2002

12 7:00 p.m. - 10:00 p.m.

13

13

14 The Grand

14 4101 East Willow Street

15 Long Beach, California

15

16

16

17

17

18 Reported by: Aimee Skochko, RPR, CSR No. 11716

18 Certified Shorthand Reporter

19

19

20

20

21

21

22

22

23

23

24

24

25

25

0002

01 A P P E A R A N C E S

01

02

02

03 LEWIS MICHAELSON:

03 Moderator

04

04

05 GREG THOMSEN:

05 Field Manager, BLM El Centro Field Office

06

06

07 LYNNETTE ELSER:

07 NEPA Coordinator, BLM El Centro Field Office

08

08

09 GEOFF SPAULDING:

09 CH2M Hill Representative

10

10

11 NEIL HAMADA:

11 Outdoor Recreation Planner/Dunes Manager,

12 BLM El Centro Field Office

12

13

13

14 ROXIE TROST:

14 Resource Branch Chief, BLM El Centro Field Office

15

15

16 CLARK BEENE:

16 Supervisor and Ranger, BLM El Centro Field Office

17

17

18

18

19

19

20

20

21

21

22

22

23

23

24

24

25

25

0003

01 Long Beach, California

02 Thursday, April 11, 2002

03 7:08 p.m.

04

05 MR. MICHAELSON: Good evening. My name is Lewis

06 Michaelson. I've been hired by the Bureau of Land

07 Management to moderate the six public hearings that are

08 being held in relation to the two documents that are out

09 for review right now.

10 I'm an independent facilitator. I am not an

11 employee of the Bureau of Land Management, and I was hired

12 strictly to provide for neutral facilitation to ensure that

13 there is a fair and equal opportunity for everyone to
14 participate in this hearing.

15 The woman to my left here and to your right,
16 her name is Amelia. She is one of two sign language
17 interpreters that we have here for the hearing impaired.
18 If you are hearing impaired, the front row is reserved for
19 you, and we would like you to come forward now. If you
20 don't have anyone here to help you and you need assistance,
21 raise your hand, and one of the officers will escort you to
22 the front, and that way you can sit right next to one of
23 the signers.

24 Okay. I don't see anyone. If you do know of
25 anyone who needs that assistance, please inform them that

0004

01 the front row is for the hearing impaired.

02 A few housekeeping details. If you didn't see
03 them when you came in, the rest rooms are at the end of the
04 tables and to the right. We also ask that you turn off
05 pagers and cell phones so that we don't have any
06 interruptions during this evening.

07 The purpose of this meeting relates to these
08 two documents. One is the Draft Imperial Sand Dunes
09 Recreation Area Management Plan, and the other is

10 Environmental Impact Statement on that plan. Two hundred
11 and fifty of those have been mailed out and are available
12 for review. I saw quite a few copies being carried in by
13 several of you already, so I know some of you have had the
14 opportunity to review that. In addition, it's available on
15 the Bureau of Land Management's web site if you'd like to
16 take a look at either one of those documents.

17 As I mentioned, this is one of six public
18 hearings. The first one was held two nights ago in
19 El Centro; this will be the second of six. And this is
20 part of the National Environmental Policy Act process,
21 which provides the opportunity for you citizens and any
22 other interested stakeholders to come speak directly to a
23 panel of Bureau of Land Management staff employees who have
24 been involved in the development of these documents. So
25 this is an excellent opportunity to give them your thoughts

0005

01 on those documents.

02 Lynnette Elser, who will be doing one of the
03 presentations later, will explain in more detail the types
04 of comments that are going to be relevant and helpful to
05 this process.

06 The agenda that you should have received when

07 you came in, there are a couple of changes to it. I wanted
08 to make you aware of that. We are going to do a welcome,
09 and then once we begin the presentations, Lynnette Elser is
10 going to focus on the EIS/NEPA process. Geof Spaulding of
11 CH2M Hill is going to talk about both the alternatives
12 analyzed and the alternatives eliminated. Neil Hamada's
13 presentation will remain on the Recreation Opportunity
14 Spectrum. And Roxie Trost will be handling both the
15 Adaptive Management and the law enforcement presentation.
16 The presentation should take somewhere around a half an
17 hour. The rest of the time is reserved for your public
18 comments.

19 There are also some handouts you should have
20 received when you came in tonight. One makes it very clear
21 how to comment. Oral comments is only one of the means.
22 It is also possible to provide written detailed comments in
23 as much detail as you want by writing and mailing it in or
24 using the e-mail address to send them in. So anything that
25 you were unable to provide tonight in the allotted time and

0006

01 for those of you who are uncomfortable with public
02 speaking, please know that written comments are given the
03 same weight and consideration as oral comments offered here

04 tonight.

05 To facilitate your written comments, there is
06 a form. It's the blue one. If you want to fill it out and
07 hand it in tonight, you can save yourself the postage.
08 Otherwise, you can mail it in by the deadline that's listed
09 on those handouts.

10 One other thing that some of you may have
11 already filled out -- in fact, some 20 of you already
12 have -- is a speaker card. This is how you get the
13 opportunity to come up to the microphone when it's time for
14 that part of the meeting and offer your comments. So if
15 you've not already filled one of these out and would like
16 to speak, then please go back to the registration table and
17 grab one of these, fill it out, and they will bring it up
18 to me, and I will be calling on people in the order in
19 which they signed up.

20 There's also a court reporter here seated
21 directly in front of me. She's here to make sure that she
22 captures all of your comments accurately, so we ask when it
23 is your turn to speak that you speak slowly and clearly so
24 that she can capture everything so that we get a good
25 document of the -- what was offered here.

0007

01 With that, I would like to go ahead and do the
02 introductions of the Bureau of Land Management panel,
03 starting with Roxie.

04 MS. TROST: Good evening. My name is Roxie Trost,
05 and I'm Resources Chief from the El Centro BLM office. I'm
06 also the project lead for the Imperial Sand Dunes
07 Recreation Area Management Plan and the EIS.

08 MR. HAMADA: Hi. My name is Neil Hamada, and I
09 work for the Bureau of Land Management in the El Centro
10 Field Office, and I'm the Dunes Manager.

11 MS. ELSER: My name is Lynnette Elser. I work for
12 BLM, and I'm the environmental coordinator.

13 MR. SPAULDING: My name is Geof Spaulding. I work
14 for CH2M Hill, the firm that was hired by the BLM to assist
15 in preparation of the Draft EIS and the biological
16 assessment.

17 MR. THOMSEN: Hello. My name is Greg Thomsen,
18 and I'm the BLM manager in El Centro. And thanks a lot for
19 coming out tonight.

20 MR. MICHAELSON: We have one more introduction.

21 RANGER BEENE: Good evening. My name is Clark
22 Beene, supervisor and ranger for El Centro Field Office.
23 Imperial Sand Dunes is part of my area of responsibility.

24 I want to thank each and every one of you for
25 being patient as we brought you in tonight. The extra
0008

01 security measures are because of the political environment
02 we live in in these days. Thank you for being patient with
03 us.

04 Also, as the meeting goes forward, we'd
05 appreciate it if you'd pay attention to the ground rules.
06 It will make things go smoothly and nicer for everybody.
07 Have a good evening.

08 MR. MICHAELSON: With that, I'd like invite Greg
09 Thomsen to provide the welcome.

10 MR. THOMSEN: Once again, thanks for joining us
11 tonight to help us work on the Draft Environmental Impact
12 Statement and the draft plan for the Imperial Sand Dunes
13 Recreation Area.

14 A number of you have been working with us for
15 over two years on these documents, and your input has been
16 invaluable, and it's reflected in the documents. That's
17 why they look -- your work is part of the reason why they
18 look the way they do.

19 Some of the things that we heard from people
20 like yourselves during the scoping process over the last

21 few years are that you want us to provide a variety of
22 recreational opportunities at the dunes; that you want both
23 undeveloped as well as developed areas with facilities at
24 the dunes; you said you wanted a safe area that you could
25 bring your family and enjoy for generations; and you said
0009

01 that you wanted us to conserve the important natural and
02 cultural resources that live or exist at the dunes, for now
03 and for the future.

04 And one of the things that we heard probably
05 above all is how important the sand dunes are to
06 everybody. That's why you're here tonight taking your
07 personal time because of how much the dunes mean to you.
08 We appreciate that.

09 Based on some of those thoughts, we developed
10 a number of alternatives in these documents to try and get
11 a range of options on how we could manage the dunes. To
12 give you an example, for the Mammoth Wash area, we heard
13 from most people that they'd like a more rural, less
14 developed recreational use there. So the range of
15 alternatives includes all the way from non-motorized to
16 low-intensity motorized recreational use.

17 On the other side of the spectrum, the Gecko

18 area, we hear from pretty much everybody that that's an
19 area where there ought to be high-intensity opportunities
20 for recreation and activities. So most all the
21 alternatives or all the alternatives reflect that to one
22 degree or another, and at your suggestion we've included
23 increased trash and toilet facilities, pay phones,
24 educational opportunities, and more law enforcement.

25 Another area that we -- that you'll see in the

0010

01 document is what we call the Adaptive Management Area, and
02 that's sort of an area to try and do two things. It's an
03 essential part of the south dunes. It's both to conserve
04 the biological resources that are in the area, and also to
05 allow a certain amount of recreational use for people
06 liking to get back into the back part of the dunes.

07 As you can imagine, it was a difficult process
08 to try and balance both the recreational use as well as the
09 conservation of resources. We feel that we've done that
10 well in the draft documents. Certainly they are draft, and
11 we expect that we'll be making some adjustments from
12 hearing from you and others between now and the final.

13 We believe that proposed action in the
14 documents meets the goals that we feel are important for

15 the dunes from hearing from all of you, and these three
16 goals are -- there's three of them. Goal Number 1, provide
17 a variety of sustainable OHV and other recreational
18 activities. Goal Number 2, maintain or improve conditions
19 of the special-status species and other unique natural and
20 cultural resources that exist at the dunes. And Goal
21 Number 3, create an environment to promote the health and
22 safety of visitors, employees, and nearby residents by
23 working with local, state, and federal agencies and
24 interest groups.

25 So once again, I welcome you. We want to hear

0011

01 from you, both here tonight or in written comments. We
02 know there's some more work to be done, and your
03 participation is a key part of that. So thanks again.

04 And next, Lynnette will talk about the public
05 participation process.

06 MS. ELSER: My name is Lynnette Elser, and I'm the
07 NEPA coordinator.

08 NEPA stands for the National Environmental
09 Policy Act. When congress passed NEPA, they established a
10 process for agencies to follow when they want to implement
11 a program or a new plan or a new project.

12 When an agency -- the size of the plan may
13 impact the human environment, then they issue a Notice of
14 Intent to prepare an Environmental Impact Statement.
15 That's also abbreviated as EIS.

16 After the Notice of Intent has been published
17 in the Federal Register, then the federal agency begins a
18 scoping process. For the sand dunes, many of you
19 participated in the scoping process. It was a set of
20 public meetings to find out what you wanted included in the
21 EIS, as well as written comments on what you wanted
22 included in the EIS.

23 The federal agency took all this information
24 and wrote a Draft Environmental Impact Statement. That was
25 returned back to the public for the public to review it and

0012

01 to comment on it, and that's where we're at in this
02 project. The public comment period has already started and
03 it continues through June 28th. During this time we're
04 seeking your comments on ways that we can improve this
05 document so that it better meets your needs as well as our
06 needs.

07 We will issue a final Environmental Impact
08 Statement after we've considered all of your comments.

09 That final Environmental Impact Statement is issued to the
10 public. Then there's a 30-day period where the public has
11 a protest opportunity. So if they think that there's a
12 flaw in the document, they have the opportunity to write to
13 BLM and identify the flaws.

14 After that 30-day period, a manager of BLM can
15 sign a Record of Decision. The Record of Decision will say
16 what the agency is going to take for the action for the
17 project, what alternative they are going to choose.

18 When the Record of Decision is signed, it
19 doesn't consider the number of people that are for or
20 against a certain part of project. What it considers are
21 the facts and the goals that are necessary to meet the
22 project's needs. So if there's a thousand people that want
23 one position and ten that want the other, it's not a vote.
24 It's based upon the facts that are in the document and
25 facts that came out during the protest period.

0013

01 If somebody is still unhappy with the Record
02 of Decision or parts of the Record of Decision, there's an
03 appeals process. And if a person believes that the NEPA
04 process was not followed properly, they can file a suit in
05 federal court. It is our hope and goal that we can

06 implement the final Record of Decision by October 2002.

07 There are several different ways that you can
08 comment on our Draft Environmental Impact Statement. You
09 can comment by e-mail, and you have the address in the
10 handouts. You can comment by written letter to BLM, and
11 you again have the address in your handouts. You can
12 comment here at the meeting orally, or you can give us the
13 written form tonight, and that will count as a comment as
14 well.

15 There are two ways that you cannot comment.
16 One is by sending a fax to our office, and that's because
17 our fax machine doesn't have the capability to accept the
18 number of faxes that we would receive and still allow us to
19 conduct our regular business. And you also cannot comment
20 by leaving us a voice mail message or talking to us on the
21 phone, and that's because we really don't have the
22 capability to transcribe those messages and turn them into
23 a public comment.

24 When you do comment, there are certain types
25 of comments that are much more beneficial than others.

0014

01 When you comment, you should comment on the Environmental
02 Impact Statement rather than the RAMP if you want your

03 comments to become official public comments. Comments that
04 are on the Environmental Impact Statement will be attached
05 to the final Environmental Impact Statement, and there will
06 be a response from BLM for each comment on how we responded
07 to that comment and the changes that were made in the
08 document because of that comment.

09 If you comment on the Draft RAMP, BLM will
10 consider those comments, but they will not be considered
11 formally. They are not attached to the final document, and
12 there's no written response of how we consider the
13 comments.

14 When you comment, it helps us if you say what
15 you like as well as what you dislike. Sometimes people
16 comment and they focus only on what they dislike, and then
17 when they get the final document they are not happy because
18 a lot of things they like were left out. So you need to
19 let us know what you do like, what you don't like.

20 Offer alternatives and suggestions. Identify
21 the errors and omissions. We know that there are several
22 errors and inconsistencies in the Draft Environmental
23 Impact Statement and in the Draft RAMP. We know that the
24 Executive Summary of the Environmental Impact Statement
25 does not identify an alternative that's the preferred

0015

01 alternative. It's identified elsewhere within the
02 document.

03 Provide data and information to support your
04 views. If you just tell us what you want without giving us
05 the data to support it, we may not be able to change the
06 document in a way that satisfies you. For example, if you
07 say that there's not enough vehicle capacity at the pads,
08 we'll consider that. But if you tell us, "I regularly camp
09 at a certain pad, there are usually this many vehicles
10 there, and that's a desirable number of vehicles," that
11 information is more useful for us when we revise the
12 document.

13 And lastly, when you do comment, consider all
14 the alternatives. If you only comment on the preferred
15 alternative, you may be disappointed. The final EIS may
16 choose a different alternative as the preferred
17 alternative, and the final Record of Decision may choose an
18 entirely different alternative as a preferred alternative.
19 So if you don't comment on all of the alternatives, you're
20 giving up that luxury or ability to comment on them.

21 Geof is going to continue on and to explain
22 the alternatives that are in the Environmental Impact

23 Statement, draft version.

24 MR. SPAULDING: The Draft Environmental Impact

25 statement identifies essentially three action alternatives

0016

01 for further analysis in that Environmental Impact

02 Statement, as well as the No Action Alternative.

03 None of the action alternatives would have

04 been developed if they had not addressed a substantial

05 portion of the issues, concerns, and objectives detailed in

06 the Draft Environmental Impact Statement summarized by Greg

07 in terms of the three goals, provide sustainable OHV and

08 other recreational activities, to maintain or improve

09 conditions for special-status species and cultural

10 resources, and to create an environment to promote the

11 health and safety of visitors, employees, and nearby

12 residents.

13 These are sometimes mutually-inclusive goals,

14 but they have to be balanced and they have and managed in

15 such a way that all users of the Imperial Dunes have the

16 opportunity to experience the unique environment there. In

17 a similar vein, they reflect the BLM's mandate under the

18 Federal Land Policy and Management Act to provide for

19 multiple and balanced use of federally-managed lands.

20 Now, the Draft EIS also presents alternatives
21 that were eliminated for detailed analysis, normally
22 because they don't provide for that balanced use. They
23 include something that's called and is described in detail
24 in the DEIS as the Hybrid Recreation Intensive Alternative,
25 the Current Management Alternative, and the Total Closure
0017

01 Alternative.

02 In general, these were rejected and eliminated
03 from further analysis, as I said, primarily because they
04 don't provide for that balanced approach to the use and
05 management of the Imperial dunes.

06 Alternative Number 2, which we called the
07 Recreation and Resource Protection Alternative in the Draft
08 EIS is identified as the preferred alternative therein and
09 is carried on further in the Draft Recreation Area
10 Management Plan.

11 And Neil Hamada and Roxie Trost will describe
12 in more detail components of the Draft Recreation
13 Management Plan.

14 MR. HAMADA: Within the Draft Recreation Area
15 Management Plan, the dunes are divided into nine management
16 areas. Each of these management areas will be assigned a

17 setting classification under the Recreation Opportunity
18 Spectrum, which is up on the screen.

19 The Recreation Opportunity Spectrum is a
20 management tool that's been used by land management
21 agencies for over 25 years. Recreation Opportunity
22 Spectrum guidelines help the BLM to focus on the
23 recreational goal. The goal for the visitors on the dunes
24 is to have a good time, and the goal for the BLM is to
25 provide opportunities for the visitors to have a satisfying
0018

01 experience.

02 The Recreation Opportunity Spectrum recognizes
03 that factors which make up a satisfying experience vary
04 from person to person, and that there is a need for a
05 variety of different opportunities.

06 Each of the nine management areas of the dunes
07 have an assigned one of the four classifications on the
08 screen: Rural, Roded Natural, Semi-Primitive Motorized,
09 and Semi-Primitive Non-Motorized. Each of these
10 classifications have a specific social, physical, and
11 managerial goal.

12 The rural classification will include
13 campgrounds, overlooks, parking lots, and camping areas in

14 the Buttercup and Gecko Management Areas. Approximately
15 30,000 acres would be in this Recreation Opportunity
16 Spectrum class.

17 A substantially modified natural environment
18 characterizes the rural classification. The area is
19 modified to enhance overnight camping and dining-related
20 recreational activities, sights and sounds of other people
21 are evident, and interaction between visitors is moderate
22 to high.

23 A considerable number of facilities are
24 designed for use by a large number of people, and
25 facilities for intensified motorized use and parking are
0019
01 available. Available overnight campsites largely define
02 the visitor supply or goal of the rural Recreation
03 Opportunity Spectrum classification.

04 Approximately 64,000 acres will be classified
05 as roaded natural. This classification will primarily be
06 the Glamis area, the Washes, and Dune Buggy Flats.

07 These areas have natural-appearing
08 environments, and facilities are designed and constructed
09 to accommodate conventional motorized use. Moderate sights
10 and sounds of humans exist, and interaction between

11 visitors is low to moderate.

12 Resource modification is evident, but in
13 harmony with the natural environment. Available overnight
14 dispersed camping defines the visitor supply for the roaded
15 natural classification.

16 The BLM will manage approximately 105,000
17 acres in a semi-primitive motorized Recreation Opportunity
18 Spectrum class, which will include the Mammoth Wash area,
19 the Buffer Zone Management Area, and the Adapted Management
20 Area.

21 The semi-primitive motorized area is
22 predominantly a natural or natural-appearing environment of
23 moderate to large size. The resource integrity of the area
24 is very important to the visitor experience, and the
25 concentration of visitors is low.

0020

01 The Mammoth Wash area will provide overnight
02 camping and day use for the semi-primitive motorized
03 opportunity. Overnight dispersed camping in the Mammoth
04 Wash area define the visitor supply of the semi-primitive
05 motorized opportunity.

06 Off-highway vehicle riding will be allowed in
07 the Buffer Zone Management Area on designated routes.

08 However, no camping will be allowed to minimize the impact
09 to vegetation and wildlife. In this particular area, we're
10 concerned about the Desert Tortoise, a federally-listed
11 threatened species, and the Flat-tailed Horned Lizard, a
12 BLM special-status species and State species of special
13 concern.

14 The Adapted Management Area, which is the
15 center deep dunes, will provide unique world-class day-use
16 opportunities for semi-primitive motorized recreation.
17 Off-highway vehicle recreation will be allowed by permit
18 for day use only. No camping would be allowed to protect
19 the woodland habitat on the east side of the dunes.

20 The BLM will manage approximately 28,000 acres
21 as semi-primitive non-motorized Recreation Opportunity
22 Spectrum class. These areas occur in a large block in the
23 North Algodones Dune Wilderness Management Area.

24 A predominantly natural or natural-appearing
25 environment of moderate to large size characterizes this

0021

01 setting. Interaction between the visitors is low, but
02 there is often evidence of other users. The area is
03 managed with minimal and subtle on-site controls and
04 restrictions. Motorized use is not permitted. One

05 overnight camping party for every two square miles defines
06 the visitor supply.

07 Each of these management areas, through the
08 Recreation Opportunity Spectrum class, have visitation
09 goals in order to provide the desired social experience,
10 physical setting, and managerial controls. The table on
11 the screen is a simplified version of the one in the Draft
12 Recreation Area Management Plan.

13 In order to maintain the desired setting in
14 each particular management area, we have assigned a visitor
15 supply goal. Once the number in the right column is
16 exceeded, we will no longer be meeting the Recreation
17 Opportunity Spectrum class objectives.

18 As you can see, the visitation for the entire
19 dunes is 55,403. Just for a feel, if you were out there on
20 Easter, that was about the visitation, 55,000, about two
21 weeks ago.

22 If we exceed the visitor supply goal, 37 days,
23 which is 15 percent of the days during the one season, we
24 will conduct resource and social surveys, promote
25 non-holiday visitation, and evaluate the feasibility of a

0022

01 reservation system, differential fees, and enhance

02 education.

03 If we exceed the goal for 49 days, 20 percent
04 of the days during the season, or by 15 percent of the days
05 for two consecutive seasons, we will set up a reservation
06 system for 50 percent of all designated campsites and limit
07 the number of visitors.

08 The 55,403 goal was reached with the
09 understanding that that's the goal for non-holiday
10 weekends. We know that we're going to exceed the 55,000
11 during most of the holidays. However, at the current
12 visitation, we only exceed this goal 22 days per year,
13 which is still 15 days less than the first trigger point.

14 And next up is Roxie Trost, and she's going to
15 explain the Adaptive Management Area and some of the dunes
16 law enforcement issues.

17 MS. TROST: Thank you, Neil.

18 You can see on the screen the dark-colored
19 area or the red zone. That's considered to be the Adaptive
20 Management area. And according to Webster, the word
21 "adaptive" means "to adapt or become adjusted to new
22 conditions," and that's our intention for this area as it
23 is in the draft document. As we receive new information,
24 adjustments will be made to this area, whether it's

25 biological information or user information.

0023

01 This area was developed with the input of a
02 diverse scientific team. And the goal of that team was not
03 just to provide for us a Peirson's Milk-Vetch Plan, but to
04 help us provide a Recreation Area Management Plan which
05 also considers all of the resources of the Imperial Sand
06 Dunes.

07 Some of the major actions identified in the
08 Adaptive Management Area provides for 525 vehicles at one
09 time. No more than that. It also reflects 75 permits
10 issued in groups of seven.

11 We came up with the groups of seven because we
12 understood from many of you that you like to visit this
13 area with your friends and with your neighbors, and this
14 was one way to ensure that that could still occur. If you
15 received a permit and your friend or neighbor did not, they
16 would have the ability to visit this area along with you.
17 This also means that if only one person was to visit this
18 area independently, there may only be 75 visitors at one
19 time.

20 Another major action is that the permit would
21 be issued for seven consecutive days. So if you received

22 your permit on Monday, it would be valid until the
23 following Sunday.

24 Another component is the -- it would require
25 an environmental education program before a permit would be
0024

01 issued. This would be available on site in both the North
02 Dunes Cahuilla Ranger Station area as well as in the south
03 dunes, especially for this first year. And we would look
04 at options for taking the test via Internet.

05 The permit would be valid from sunrise until
06 sunset, and the number, again, is adaptive based on prior
07 years' monitoring.

08 Some of our law enforcement and public safety
09 goals have been long-standing, and initially the thought to
10 create and maintain a radio system for our law enforcement
11 as well as our emergency medical services is an idea that
12 has gone forward in this draft plan.

13 Now, the remaining major items up there are
14 what we consider part of our BLM toolbox. These are things
15 that can be implemented on an as-needed basis, or they can
16 be taken away as needed as well, and that's at the
17 discretion of the authorized officer. And some of those
18 things are listed on your slide, but they would be things

19 like increased staff during the major holidays, the alcohol
20 ban outside of designated camping areas, and the curfews at
21 the five gathering points throughout the dune system.

22 This concludes our formal presentations, and
23 I'd like to give the floor back to Lewis Michaelson, our
24 facilitator.

25 MR. MICHAELSON: Thank you very much.

0025

01 We understand that there was some information
02 put out that this meeting started at 7:30 instead of 7:00,
03 so if I could ask the interpreter to step up on the stage
04 one more time and just make the announcement one more time
05 to see if there's anyone else out there that may be hearing
06 impaired who didn't hear my original announcement.

07 Okay. Is there anyone who has arrived since
08 my first announcement who is hearing impaired who would
09 like to take advantage of the sign language interpreters?
10 If so, they are seated in this front row. If you would
11 come forward, we would like to accommodate you. If you
12 need assistance, raise your hand, and one of the rangers
13 will escort you.

14 A VOICE: Turn it up, please.

15 MR. MICHAELSON: Are you having difficulty hearing

16 back there?

17 A VOICE: Yeah.

18 MR. MICHAELSON: Okay. We will try and speak
19 louder. I'm certainly capable of that.

20 Okay. We are ready to go into the time for
21 public comment. Everyone who filled out one of these
22 speaker cards, attached to it were the ground rules for
23 speakers, which were also on this chart to my right. I
24 want to go over those and make sure that everyone
25 understands them.

0026

01 Again, the purpose of having the public
02 hearing is so that the members of the Bureau of Land
03 Management can hear firsthand your thoughts, opinions,
04 suggestions. So we would like you to address the speakers
05 and look forward so that they can hear what you have to
06 say.

07 Again, we are asking for comments on the EIS.
08 Comments on the RAMP, as it's referred to, Recreational
09 Area Management Plan, will not be given the same
10 consideration or addressed formally in the EIS.

11 The time limit for each speaker will be two
12 minutes, and I have a method to go through that. When

13 you've used up a minute and a half, I will hold up this
14 sign indicating you have 30 seconds left. So do
15 occasionally look my way as well, if you could, and that
16 way you'll see it, and that way you can wrap up your
17 speaking in a comfortable place.

18 We understand that you are here tonight
19 because you care about something. Something of value to
20 you is involved or at stake, and that's why you're here.
21 It's also not at all unlikely that people here have views
22 different from yours, and that's okay too. That's why
23 we're having these meetings. You are asked to respect
24 other people's comments and points of view. We don't want
25 any interruptions or expressions of displeasure about

0027

01 anyone -- anything anyone has to say. We want everyone to
02 have an equal opportunity to express themselves without
03 interruption.

04 Please be aware also that your two-minute time
05 is not transferrable. Each individual has two minutes and
06 two minutes only.

07 Again, please address your comments towards
08 individuals -- excuse me -- towards issues and not
09 individuals or groups.

10 We have, in order to facilitate coming up to
11 the microphone up here in the middle, six chairs over to my
12 right. There are signs over there that say, "Speaker
13 Waiting Area." I will call ahead five or six names. That
14 way you'll know when your turn is coming up. When I call
15 your name ahead of time, I'd like you to make your way up
16 to those chairs right there. And then when it's your turn
17 to speak, you'll be able to walk quickly in between these
18 two front rows to the microphone, and that way we'll be
19 able to expedite the process for making your comments.

20 With that in mind, let me read off the names
21 of the first six individuals. I will apologize in advance
22 for any mispronunciations. I will do the best that I can.

23 The first name is Jeri Ferguson, followed by
24 Vernon Herndon, Bob Pring, Dale Davis, Todd -- looks
25 like -- Goodbon, and Jim Arbogast.

0028

01 First individual is Jeri Ferguson; you can
02 come directly to the microphone. If the others of you
03 would take seats over in the chairs to my right.

04 We have set aside the front row of both sides
05 for the hearing impaired. We've made two announcements.
06 We have a few individuals who have taken advantage of that.

07 However, because some people in the back are having
08 difficulty hearing, I've been informed that if you would
09 like to move forward and take some of these front row seats
10 for better hearing, please feel free to do that.

11 If you would just state your name for the
12 court reporter, we would appreciate it.

13 MS. FERGUSON: My name is Jeri Ferguson,
14 F-e-r-g-u-s-o-n. I represent the California Association of
15 Four-Wheel-Drive Clubs.

16 My first comment is regarding -- and I know
17 we're not dealing with the RAMP tonight, but you guys
18 printed a newspaper quote saying that the interveners were
19 in coalition with the environmentalists on closing the --
20 doing the temporary closure. I want to clarify for the
21 public that we did not go in there with that intent.

22 What we had done was on the temporary closure
23 we were backed into a box or whatever. It was either agree
24 to the temporary closure or have the whole dunes closed
25 when we were in court.

0029

01 The second thing I'd like to deal with is
02 the -- in the first chapters of both plans it states that
03 OHV users have gone in and done illegal intrusions into the

04 wilderness, while if you read back further in the law
05 enforcement section, there's no citations whatsoever for
06 that. And it seems like it's inflammatory to the OHV
07 users, when we haven't intruded in there and you haven't
08 given tickets or anything for that.

09 And I'm also working on monitoring the OHV
10 grant for the wilderness rehab, and the El Centro Field
11 Office has not asked for any money for the North Algodones
12 Dunes Wilderness to have any of that fixed. So again,
13 that's a contradiction, and it just seems like it's
14 inflammatory right at the beginning.

15 And there's 30 seconds. Thank you again, and
16 I'll see you in a couple days. Bye.

17 (Applause.)

18 MR. MICHAELSON: Vernon Herndon.

19 MR. HERNDON: My name is Vernon Herndon. First
20 meeting I've ever attended.

21 MR. MICHAELSON: You'll want to speak up so the
22 people in the back can hear you.

23 MR. HERNDON: My name is Vernon Herndon. This is
24 one of the first meetings I've ever attended. The main
25 thing I came here for has already been answered, so I'll

01 just pass my time.

02 MR. MICHAELSON: Okay. Thank you very much.

03 Next speaker is Bob Pring.

04 MR. PRING: Good evening, ladies and gentlemen. My

05 name is Bob Pring. I'm a member of the American Sand

06 Association.

07 Some comments on the EIS as well as maybe some

08 that are applicable to the RAMP. I personally am in favor

09 of an option, perhaps closely resembled by Option 4, which

10 is 100 percent access in all of the sand dunes for

11 motorized vehicles. Knowing that that's not the preferred

12 option --

13 (Applause.)

14 MR. MICHAELSON: Mr. Pring, will you wait just a

15 minute.

16 We're not going to do that. If you would hold

17 your expressions of either pleasure or displeasure until

18 they've finished speaking, you're cutting into his two

19 minutes.

20 Okay. Go ahead.

21 MR. PRING: Knowing that that's not the documented

22 preferred option, I do have some comments specific to the

23 preferred option.

24 With the Adapted Management Area, it's
25 certainly an interesting concept. How it's monitored will
0031
01 be certainly telling. But some practical things that might
02 be helpful there, if the northern boundary of that was
03 moved so that we're south of the Hill 6 area, that would
04 have a great impact. Most folks, as you've pointed out,
05 don't go that far south. That would impact or lessen the
06 impact to the folks that do go down there.

07 On the permit side, seven days seems a bit
08 long. We may run into situations where those permits are
09 monopolized by a small number of individuals, resulting
10 that folks can't get down there that really do want to get
11 into that area. So maybe three days may be more reasonable
12 if we have to have that.

13 In terms of proposed restrictions to vendors,
14 we've seen lots of different vendors down there.
15 Personally, I don't have a problem with a number of them
16 that are there on a full-time basis. They provide a great
17 service to folks that are there on Mondays, Tuesdays,
18 Wednesdays, and Thursdays. If they are limited,
19 certainly -- 30 seconds -- they are -- that will impact the
20 rest of us.

21 In terms of visitor supply, just a brief
22 comment there. I think that the calculations for the
23 visitor supply and the carrying capacity in some of the
24 areas, particularly the Glamis area, is slightly out of
25 whack. Three acres for a campsite seems a bit large, and
0032

01 the result is that the load that you can carry in those
02 areas is much smaller than what I think is appropriate.

03 Thank you.

04 (Applause.)

05 MR. MICHAELSON: Dale Davis.

06 MR. DAVIS: Hi, good evening. My name is Dale
07 Davis. I'm here basically representing myself this
08 evening.

09 MR. MICHAELSON: Could you get closer to the
10 microphone? They can't hear you in the back.

11 MR. DAVIS: First thing I'd like to do is thank you
12 for including -- for excluding the temporary closures when
13 you considered the baseline. That's very important. Thank
14 you again for that.

15 Second thing I want to talk about is the MUC
16 and multiple-use classes and how they relate to your ROS
17 Spectrum. I think you're going to have major problems with

18 the ROS, because you haven't addressed the underlining
19 MUCs. And I'm afraid that we're going to look at this
20 plan, Alternative 2, and say, "Gosh, you've given us this
21 one area," and somebody's going to come back in and say,
22 "No, the underlying MUC is still limited use. It's not
23 suitable for rural or for roaded natural." I think you're
24 going to have to go back and address that. So basically
25 the ROS is a poor fit with the existing ROS system and MUC

0033

01 system.

02 In general, there's a lot of numerical errors
03 in the visitation numbers in your plan. We found three or
04 four different numbers for the number of visitors per day,
05 so we're going to have to really address that.

06 Type of visitors. A tour bus visitor who
07 steps off in the parking lot onto one of the overlooks
08 should not be counted the same as someone who's going to
09 camp in the dunes for the weekend. And if you get a
10 thousand visitors down there for 20 minutes apiece, that's
11 not the same as the family out there camping. So we'd like
12 to have that treated a little differently.

13 Next, the cumulative effect analysis, I think
14 that's very inadequate. I think you really need to look at

15 the economic effects that this is going to have on the
16 surrounding communities and the OHV industry in general.
17 It's going to be quite dramatic.

18 In fact, the overall effects of the plans for
19 the Forest Service and the other BLM revisions are going on
20 at the same time, and I think you're required by law to tie
21 those all together, and I saw a minor mention of that.

22 MR. MICHAELSON: I'm sorry, sir. Your time is up.
23 Thank you very much.

24 (Applause.)

25 MR. MICHAELSON: Okay. I want to read ahead again.

0034

01 The next speaker will be Jim Arbogast, but those of who you
02 are following him, will you please come to the chairs on my
03 right, the speaker waiting area. Those names are Gary
04 Burkland, William Tezak, Dwayne Williams, J. Dalglish, and
05 Jim Colln.

06 Mr. Arbogast.

07 MR. ARBOGAST: Yes. Good evening. My name Jim
08 Arbogast. I'm a resident of Anaheim, and I'm a
09 representative of CORVA.

10 I just want to reiterate briefly a couple
11 items of concern to me. The establishment of the sundown

12 to sunup closures of the five major congregation points,
13 Competition Hill, North and South Oldsmobile Hill, Test
14 Hill, and Patton Valley, I and many others that I've talked
15 to feel that this is a very draconian form of management.

16 I believe that the BLM has not given law
17 enforcement a chance. The BLM, I feel, failed miserably
18 back on Thanksgiving. It had such an ineffective level of
19 management that allowed issues to propagate to the point
20 that they were such a concern that this -- this made the
21 unwanted rowdy element give such bad name to the family
22 value recreation of the tens of thousands of folks there
23 that come to the dunes.

24 The BLM has received a \$500,000 grant.
25 There's more sheriffs. Law enforcement is coming in. They

0035

01 are getting a handle on this. It's time to let that, you
02 know, take -- you know, move forward and put -- put forth
03 this draconian type of law enforcement.

04 Another thing I wanted to briefly reiterate,
05 and this comes to this Adaptive Management Area in which --
06 I'm so concerned -- in order to obtain a permit the driver
07 of each vehicle must pass a resource and conservation
08 exam. I mean, this is highly restrictive. This is

09 unnecessary.

10 I believe this area should be managed as
11 semi-primitive motorized in the same fashion that the
12 Mammoth Wash area is. This is designed to fail, and it
13 will turn it into a low-use area that BLM is already, last
14 year, taken several management areas and completely taken
15 them off the map for user use.

16 Thank you.

17 (Applause.)

18 MR. MICHAELSON: By the way, I want to thank
19 everyone so far for making very focused relevant comments
20 on the documents and attending to what you do and don't
21 like and following the hints that were given by Lynnette
22 about what are beneficial comments for this process. Thank
23 you very much.

24 The next speaker is Gary Burkland.

25 MR. BURKLAND: Hi. My name is Gary Burkland.

0036

01 I did want to address a few things in the RAMP
02 plan, mainly the Adapted Management Area. It was stated
03 half an hour or so ago that there was a scientific study
04 for this area. This looks like a box. Now, my kid could
05 have drew a box in an area. Once again -- last time we had

06 circles in the sand. Now we have boxes in the sand.

07 There are still areas in here where
08 off-roaders like to go. If there was a scientific study,
09 it would have been to let the off-roaders go where they
10 want to go and keep the other areas, if you have to close
11 it down. The way I look at it is that that area was not
12 used that often.

13 If you study it the next few years and see how
14 many people go in there, then maybe you can come back with
15 a plan. But we don't know how many people go down in those
16 dunes on a year-in and year-out basis.

17 So to come up with a plan and say, "Look,
18 people, look how this works," is ludicrous. It should
19 be -- if you want to have a study area, keep it open and
20 study how many people. If you feel too many people go out
21 there, then maybe come up with a plan.

22 The other ban, talking about the closures at
23 Comp Hill, if you have to do it on busy weekends, do it
24 temporarily only on a holiday, and then open it up to see
25 if the problem subsides. But just don't make a -- a law in

0037

01 effect and say, "That's it."

02 Thank you very much.

03 (Applause.)

04 MR. MICHAELSON: William Tezak.

05 MR. TEZAK: My name is William Tezak. I'm a
06 resident of Orange County, a dunes user between the time
07 periods of fall and the winter seasons.

08 And basically I just want to commend the panel
09 for doing a good job with putting together the management
10 plan. I haven't had enough time to be able to look at the
11 EIS or the RAMP in detail, but I wanted to come up here and
12 basically be able to put my statement on record that I will
13 provide comments at a later time. However, I wanted to
14 find out if you can provide a time frame of when those
15 comments would be due so that they wouldn't lapse.

16 And then based on your presentation, I just
17 want to make the comment that I would support basically the
18 Alternative Number 4, which would be the Motorized
19 Recreational Opportunities. I feel that this would best
20 serve the primary users of the dunes, you know, as a whole,
21 because there's plenty of other land down there for
22 environmental and other people to enjoy and do other
23 things. The dunes, I think, are primarily supportive of
24 the dune people that would ride out there.

25 I am, in any of the management effort, which I

0038

01 haven't seen on the planning yet, opposed to any highly
02 restrictive law enforcement. I didn't like the zero
03 tolerance policy that I became accustomed to over the last
04 season.

05 I would also be opposed to any environmental
06 education programs. As an offer of response to that, I
07 think informational handouts or things on their web site
08 would be sufficient.

09 And I'm definitely opposed to any closures in
10 the future.

11 And I think at this time that's about it, and
12 I will formulate my written comments, you know, for you in
13 detail.

14 (Applause.)

15 MR. MICHAELSON: Thank you.

16 There was, I think, a question in there about
17 the deadline for comments, so in case some of you may have
18 come in late, if you look at the either the blue or the
19 yellow handout, you will see that the deadline for comments
20 on the Draft EIS is June 28th.

21 Next speaker is Dwayne Williams.

22 MR. WILLIAMS: Hi. I'm Dwayne Williams. I'm a

23 volunteer of the ASA.

24 And basically I just wanted to comment at this
25 point -- I'll be back on the 25th in San Diego to make some
0039

01 others -- but it's about the Adapted Management Area. I
02 feel that the limit of 75 permits is a little too low,
03 especially in the first year, due to the fact that a lot of
04 people who have not been out there and are new to the dunes
05 this year, you'll see a rush of people to go out there. So
06 I feel that the limit should be brought up some more. I
07 know that you needed to put something in for non-jeopardy
08 for the Fish and Game, and that's basically what it is.

09 Thank you very much.

10 (Applause.)

11 MR. MICHAELSON: Thank you.

12 Jay Dalglish.

13 MR. DALGLEISH: Okay. I have some -- John
14 Dalglish, D-a-l-g-l-e-i-s-h.

15 I have a comment -- on the EIS, I have
16 several. The first one is on 3.2.1.4. The California
17 Native Plant Society is an advisory group, and as such
18 should not have their findings involved, nor should their
19 lists be used in any way, as the plants on their list do

20 not have any legal status of protection.

21 On 3.2.3.1 it deals with the study on the
22 Peirson's Milk-Vetch. Why was this study that is over 20
23 years old used instead of the Thomas Olsen & Associates
24 that was done in the past couple of years. I would ask
25 that it be redone using the Thomas Olsen & Associates study

0040

01 instead of the CNPS.

02 3.1.3.1. The number of camp spaces is
03 completely out of line with the camps. Cement Flats can
04 hold way more than seven camps on four acres. A 60-foot by
05 12-foot area is enough space per unit on any of the flats.

06 The plan needs to include vendors other than
07 the Glamis store. This is 3.5.3.2. The plan needs to
08 include other vendors besides the Glamis store and allow
09 them to stay open seven days a week. Very often they are
10 the first point of contact if no ranger can be found.
11 Also, if you need things, many of us would have to load our
12 motor homes and drive it into town if vendors were not
13 there. Please keep the vendors in the plan seven days a
14 week.

15 I'll wrap it up there.

16 (Applause.)

17 MR. MICHAELSON: The next speaker is Jim Colln.

18 But in order after that, so you can come over in the

19 speaker waiting area, are Bob Brumlev, Gary Simpson,

20 Vincent Brunasso, Wayne Lee, and Dick Moon.

21 MR. COLLN: Hi. My name is Jim Colln. I live in

22 Bellflower.

23 My family and I --

24 MR. MICHAELSON: Could you spell your last name,

25 please. It's a little unclear on the card.

0041

01 MR. COLLN: C-o-l-l-n.

02 MR. MICHAELSON: Okay.

03 MR. COLLN: We've been going to the dunes for 18

04 years. Thank you for not considering the interim temporary

05 closures in this plan. Thank you.

06 I'd like to comment on the Draft EIS. I have

07 only had a brief time to look this over. Here are some of

08 my comments.

09 In Chapter 3, Page 8, it states,

10 "Ninety percent of the visitors at the

11 Imperial Sand Dunes Recreation Area are

12 associated with off-highway vehicle

13 recreation. The remaining 10 percent are

14 largely associated with non-motorized
15 recreation in the North Algodones Dunes
16 Wilderness," and quotes "Haas, 2002," for a
17 reference.

18 I can't seem to find a mention in either the
19 references or the literature cited listed in this book to
20 this report. I can only find a Dr. Glenn Haas in the list
21 of preparers on Page 6-3.

22 If this percentage is true, that would equate
23 to 86,775 people in the North Dunes a year, using your
24 benchmark figure. Since there is no legal parking along
25 Highway 78, where does this average of 216 people a day,
0042

01 per year, park?

02 In Chapter 3, Page 5, of the DEIS it
03 states, "The South Algodones Dunes,
04 formerly Wilderness Study Area 362, has
05 been removed from consideration and is now
06 designated as Class L," Limited Use Area.

07 Please remove this from the table in the EIS,
08 3.5-1, Page 58, and the RAMP plan in two separate places in
09 the Appendix Number 2.

10 The proposed closure of Osborne Overlook to

11 the public for a ranger station and an inter-agency law
12 enforcement facility at a taxpayer cost of over \$3 million
13 is not needed or wanted.

14 In the 1987 RAMP final comments, the BLM's
15 response Number 7.3 states, "Such a viewpoint for the
16 general public's use is needed today more than ever." I
17 ask: Has this changed since 1987?

18 MR. MICHAELSON: Thank you very much, sir.

19 (Applause.)

20 MR. MICHAELSON: I want to remind everyone that
21 written comments are given the same weight and
22 consideration as oral comments here tonight. So if you are
23 unable to finish your comments tonight, please provide them
24 in writing. They will be given the same consideration.

25 And also for those of you who are uncomfortable with public
0043

01 speaking, that is just as legitimate a way as speaking here
02 tonight.

03 Next speaker is Bob Brumlev.

04 MR. BRUMLEV: Good evening. My name is Bob
05 Brumlev. I live in Orange.

06 A VOICE: Louder, please.

07 MR. MICHAELSON: Please speaker louder.

08 MR. BRUMLEV: My name is Bob Brumlev. I live in
09 Orange, California. I have a wife and two children. We
10 spend a lot of time down at the dunes. We thoroughly enjoy
11 it. It's a tremendous family experience for us.

12 I'd like to say that I completely support the
13 proposal for more radios for law enforcement and emergency
14 services. And if I were to choose one of the alternatives
15 that you provided, Alternative 4 would be my first choice.

16 I do not support your decision to attempt to
17 limit vendors from the weekday use. We use them during the
18 week frequently to have safety gear, goggles, helmets.
19 Whatever we need, they have. Repair service, maintenance
20 service on our buggies when we break down. They keep us
21 enjoying the dunes.

22 I did not support you limiting the amount of
23 visitors that are allowed to camp. I frequently go out
24 during the week by myself, take the motor home and the toys
25 out; my wife and children will come Friday night or

0044

01 Saturday morning. If they are not allowed to get in,
02 that's going to be a problem, because the camp is filled up
03 before they arrive.

04 The Adaptive Management Area, again, I do not

05 agree with that. You should not put any restrictions on
06 the number of people who are allowed to use it. You should
07 open it up completely for the dune use.

08 I oppose the sundown closure of any areas.
09 That's just not a -- not a direction that we should take.
10 And I'm opposed to training classes.

11 But I do support Alternative 4 and your
12 increased law enforcement and radio communication.

13 Thank you.

14 (Applause.)

15 MR. MICHAELSON: Gary Simpson.

16 MR. SIMPSON: Hi. My name is Gary Simpson, like
17 the Simpsons. I'm 43 years old. I've been riding since
18 1981.

19 I have been leading part of the people here.
20 A leader is someone who is -- who is in charge of all the
21 people behind them. I have been dodging plans of all types
22 for 19 years. This is my fourth group of riders I have
23 led. I'm a teacher and geologist.

24 I just wanted to address not the EIS, per se,
25 but the science that you have not addressed. The fact that

0045

01 this is -- the geology and evolution. Pardon me. I'm

02 reading from my notes.

03 We ride in a wind environment. These dunes
04 transport sand up to 50 feet a year, and anybody who's out
05 there knows that. These species, the plant species, and
06 specifically all of the plants that are out there, and
07 those are the plants that have been listed by the Sierra
08 Club as well as Center for Biological Diversity, these
09 plants have adapted to this environment.

10 These plants have been buried and unburied for
11 millions of years. Flowering species have been evolving
12 for the past approximately 60 -- tens of millions of years.
13 This erosive deposition environment has caused local
14 species to adapt for being buried under tens, twenties,
15 thirties of years under two to three hundred feet of sand
16 and dust, without danger of extinction.

17 Okay. I am also for Alternative 4, the
18 pre- -- pre-1987 riding limits. And, you know, personally
19 you guys have endangered us by crowding many riders into
20 smaller and smaller areas, and as one of the leaders, I am
21 the person responsible for the safety of people who follow
22 me.

23 Thank you.

24 (Applause.)

25 MR. MICHAELSON: Vincent Brunasso.

0046

01 MR. BRUNASSO: My name is Vince Brunasso. I'm
02 affiliated with the American Sand Association.

03 First, I'd like to thank the El Centro BLM
04 office for getting out such a difficult document in
05 probably record time. I know it was a monumental task.

06 First off, I'd like to say I also support
07 Alternative 4. The DEIS is a good start towards the
08 revision of the RAMP. I'm glad to see that they stayed
09 with the intended use, which is mainly a recreation area.
10 I'm pleased to also see that the baseline did not include
11 the temporary closures, and I'd like to emphasize that
12 those are temporary. I also want to see more law
13 enforcement; I'm glad you left that in as well.

14 The Adaptive Management Area kind of sticks in
15 my craw a little bit. We don't really need to limit access
16 in the way of permits. That area is self-limiting.
17 Factors such as remoteness from campsites, fuel capacity,
18 operator's reluctance to risk mechanical failure far from
19 camp, and operator's fear of becoming lost all serve to
20 limit the area. No basis is given on how the 525 number
21 was arrived at, because no baseline studies have been

22 done.

23 In addition, it would be possible for
24 non-motorized groups to book all the permits out in
25 advance. Also, this is another task the rangers have to

0047

01 do.

02 And we should allow for camping between the
03 tracks and the woodlands in that Adaptive Management Area.

04 There's several acres there that could be used for camping.

05 ROS designations that work for the Forest

06 Service don't seem to be appropriate for sand dunes.

07 THE REPORTER: I'm sorry, sir, you have to slow

08 down.

09 MR. BRUNASSO: The Adaptive Management Area, I've

10 covered. ROS designations that work for the Forest Service

11 in a forest do not seem appropriate for sand dunes.

12 The ISDRA is composed of many unique areas,

13 and as such, new information and boundaries need to be

14 drawn up.

15 The (inaudible) defacto standard for a

16 campsite is 20 by 70 or 1,400 square feet, and that

17 includes room that is not shared as common areas. When we

18 camp together, we do have a lot of common areas. We should

19 be able to get more than 24 (inaudible) per acre.

20 MR. MICHAELSON: Thank you very much.

21 (Applause.)

22 MR. MICHAELSON: I know there's a tendency when

23 reading from prepared comments to go rather quickly. That

24 makes it difficult for the court reporter. The good news

25 is that anything you're unable to finish, obviously you've

0048

01 already written it out, you can hand it in. And again,

02 that will be given the same consideration as any oral

03 comments offered here tonight.

04 The next speaker is Wayne Lee.

05 A VOICE: Why can't we make a motion to up the

06 minutes to two and a half since most people aren't --

07 MR. MICHAELSON: I'm sorry, sir. That's out of

08 order. We have established the two minutes for all six of

09 these hearings, and we're going to try to stick to that

10 consistently if we can.

11 The next speaker is Wayne Lee.

12 MR. LEE: My name is Wayne Lee, and I'd like to

13 address the Adaptive Management Area.

14 Obviously we all are in favor of Prop 4 or

15 Idea 4. While we do not want any limitations, and if a

16 permit is required, I'd offer the following:

17 First, we'd like to allow for the full 525
18 vehicles, not seven per permit. I feel that this could
19 have certain organizations that may try to monopolize all
20 the permits, and mysteriously they will all disappear for
21 the duners.

22 I think we should also limit the time from
23 seven days to three days, and again that would eliminate
24 certain groups that may be monopolizing it.

25 Also, I feel that a study should be done or a
0049

01 survey, and a ranger should patrol the area to make sure
02 that people are actually using the permits that are in the
03 area, again, if we have to go with this.

04 Also, in lieu of making this mandatory like
05 the CA two-year study and analyze the area and make sure
06 it's being used.

07 There is a -- a border that currently
08 parallels Sand Highway that has made Sand Highway pretty
09 much a one-lane high-speed road through there, people
10 transversing (sic) between the two dune areas. I'd like to
11 see the -- what would be called basically the western
12 border to be moved in to possibly include two and two.

13 This would allow for safety and not high-speed
14 vehicles all in the same area, and would also minimize the
15 impact on the dunes in the area, and spread the vehicles
16 out instead of their current single-lane road they are
17 now.

18 As we all know, regulations are a part of
19 life, and we all hate to be regulated, but let's not
20 overregulate.

21 We've already lost the north dunes, and we'd
22 hate to lose all the south dunes.

23 A couple things we do like is the increase in
24 the camping for Gecko Road, and I applaud your idea of the
25 community service in lieu of tickets.

0050

01 Like I said earlier, we've lost 21 percent of
02 the area. Twenty-three currently would have a heavier
03 restriction. We'd like to have that looked at a little
04 bit.

05 Also, the review number in the campsites,
06 let's check those areas.

07 And then one last comment. I'd like you to
08 look at the crowd that's actually here. These are users;
09 we are not abusers of the dunes.

10 Thank you for your time.

11 (Applause.)

12 MR. MICHAELSON: One thing I might point out is
13 that, as Lynnette Elser had mentioned earlier in her
14 opening remarks, that the BLM is looking for the content
15 and the substance of what you have to say. And it's what
16 you have to say, not how many times or frequently you say
17 it, that is going to really count to them.

18 So for that reason, if you know someone has
19 already covered something several times, and you have a lot
20 of prepared comments, I would encourage you to cover
21 something in your comments that maybe has not already been
22 covered by some other speaker, and that way you get more
23 substance on the record.

24 The next speaker up is Dick Moon, but I'd like
25 to go ahead and announce the next speakers after that.

0051

01 John Begin, Paul Medeiros, Jesse May, Dan Huffman, and I
02 only have a last name on this one, McCauley. I'd like to
03 ask you your first name when you actually come up to speak.
04 And again, if you'd take a seat over in the speaker waiting
05 area, we can expedite the comments tonight.

06 Mr. Moon.

07 MR. MOON: My name is Dick Moon. I'm affiliated
08 with CORVA and the Jeeper, Jeeper, Jeep Club.

09 MR. MICHAELSON: Sir, you're going to have to speak
10 up if you can.

11 MR. MOON: I'd like to comment on the EIS in
12 particular. I believe very strongly that you're using bad
13 science for that. I need to tell you that I've been going
14 to the sand dunes since 1965. I have not missed a
15 Thanksgiving or an Easter in all that time. That's 37
16 years at the Mammoth Wash end of the sand dunes.

17 Now, over that period of time, I've seen
18 nature go in cycles. Sometimes it's wet, sometimes it's
19 dry, sometimes there's an abundance of plants, sometimes
20 there's none, sometimes there's an abundance of animals,
21 and sometimes there's none.

22 All of your studies that I read in the EIS is
23 based on a short-term thing. It needs to be based on
24 better science over a very long-term period of time. I
25 believe these cycles could even some -- people say they are

0052

01 seven-year cycles. I believe they can even be 20- and
02 30-year cycles.

03 I believe strongly if you were to chain-link

04 off -- fence off the whole damn dune complex down there,
05 within weeks, if not days, you would see no impact at all.

06 Thank you very much.

07 (Applause.)

08 MR. MICHAELSON: John Begin.

09 MR. BEGIN: My name is John Begin. I've been going
10 to the dunes for 30 years, and I'm for Option 4, 100
11 percent access. If you have to have some areas closed
12 down, keep the north side closed down the way you have it
13 now. Most people have adapted to that and are willing to
14 live with it. The hikers have their areas that they can --
15 they can visit the dunes on that side.

16 I don't feel the majority of the sand duners
17 or people who visit the dunes, they want big government.
18 This is a place to go and relieve a little stress once in a
19 while, and they don't want to have a whole book load of
20 rules or regulations they have to follow by.

21 The areas for improvement, Gecko Road should
22 be 20 miles long, not 5 miles long. You know, we look at
23 your report, and you guys want to spent almost \$3 million
24 on a campsite. Put it towards where the money could use
25 some good, to the people who are using the dunes.

01 And as far as the trash clean up and things
02 out there, if this is federally-managed land, then why
03 can't some of the people who work for the federal
04 government actually do some clean up once in a while? I've
05 never once seen a ranger or anybody ever attempt to pick up
06 some trash or even hire -- like at the beaches where they
07 have big tractors come and grade the sand and keep it clean
08 all the time. That's where our money should be spent, not
09 on all the rules and regulations that you're trying to
10 propose right now.

11 Thank you very much.

12 (Applause.)

13 MR. MICHAELSON: Paul Medeiros.

14 MR. MEDEIROS: First of all, I thank the panel
15 members for giving us the opportunity to speak tonight.

16 I'd like to say --

17 MR. MICHAELSON: Please just state your name for
18 the court reporter.

19 MR. MEDEIROS: Paul Medeiros.

20 I've only been involved with the off-highway
21 vehicles for about four or five years. Prior to that, I
22 basically enjoyed the river. But my first trip to the
23 dunes, what I did notice was the large amount of trash, and

24 initially that shocked me.

25 I think more attention needs to be drawn to

0054

01 those that are actually violating laws that are visible and

02 flagrant versus the good, law-abiding citizens that are --

03 in my experience in the past five years, most of the people

04 that I see are just the average, good, law-abiding

05 citizens.

06 You do get a few people in there that don't

07 like to follow the rules and that ruin the dunes by

08 throwing trash and acting absurd. Those are the people

09 that need to be addressed, and if they are addressed, I

10 think you'll have less problems with the entire dunes. But

11 most of the time, they are just enjoying it.

12 I have yet to see someone enjoy the dunes by

13 walking through the dunes. When I'm there, I always see

14 off-highway vehicles. If you want to sightsee, you can

15 sightsee from far away. I don't see anybody enjoying the

16 dunes by walking through them.

17 I don't see how not riding through the dunes

18 is actually going to improve them, because the studies

19 conflict one another. Some say we actually disperse the

20 seed; some say we don't. So I think we need to use the

21 dunes for what we actually primarily get benefit out of it,
22 and that's use for off-highway vehicles.

23 I do support Plan 4. The number of passes can
24 obviously be manipulated for those who do not want
25 off-highway vehicle use, and if they can monopolize
0055

01 obtaining those passes, then there will be no more use of
02 the dunes at all.

03 I think there's a great economic benefit for
04 off-highway vehicle use for all of Southern California,
05 even Northern California and out of state. If we limit
06 that, that's going to be an economic disaster for certain
07 companies.

08 But I think everything else has been covered.

09 Again, thank you for your time.

10 (Applause.)

11 MR. MICHAELSON: Jesse May.

12 This is written very lightly. Is that

13 correct, May, M-a-y?

14 MR. MAY: Jesse May.

15 A few questions or statements. How are you
16 going to count the people? What's the way of counting bus
17 loads, versus an RV, versus a car, and the singles and day

18 users? You've got a highway running through there. Are
19 you going to count those vehicles? It's a matter of how
20 you're going to count the vehicles and how you're going to
21 count the people. That's real important.

22 Education on the Adaptive. If you want
23 education, everybody should be educated, not just the OHV.
24 I mean, if you're going to force people to go and use the
25 area by using it by permit, everybody should be educated,

0056

01 not just that. And it should not be stringed to or grouped
02 in a class. It should be like a brochure or a test. If
03 they need to take a class, a class can be available.
04 That's great. People can learn.

05 The third thing I have is how are you going to
06 handle the rave-type parties where people are out there not
07 enjoying it? They are just out there to have a party. Are
08 you going to count them in the count?

09 And if you close down Comp Hill, where are the
10 people going to go? People are still going to do it. Now
11 they have to go farther away, and law enforcement is going
12 to have trouble controlling those type of people.

13 Thank you.

14 (Applause.)

15 MR. MICHAELSON: Daniel Huffman. H-u-f-f-m-a-n?

16 MR. HUFFMAN: Yes.

17 MR. MICHAELSON: Thank you.

18 MR. HUFFMAN: Good evening. Dan Huffman, Orange

19 County resident. I've been going to the Glamis sand

20 dunes --

21 A VOICE: Speak up.

22 MR. HUFFMAN: Excuse me. I've been going to the

23 Glamis sand dunes since the late '70s. I was introduced to

24 it by my uncle. It's a family sport. I take my kids now

25 some 30 years later.

0057

01 I welcome the law enforcement. I've had the

02 pleasure of meeting Neil and a lot of the other rangers out

03 there, and I get the feeling that these people want the

04 dunes open, and we have to come up with a way to keep the

05 dunes open. And I'm all for the pre-'87 plan.

06 One of the comments that was made to me by one

07 of the rangers was about having E-bay bidding for campsite.

08 My concern there is we would of course then achieve the low

09 use by bidding the campsites out of most people's price

10 range.

11 The vendor safety I think is huge. We go

12 there for helmets, goggles, broken whips, huge safety
13 items. And I think the seven-days allotment for the
14 vendors to be on site seven days a week is imperative.

15 One of the other comments by one of the
16 rangers is that the dunes are a world-class dune resort
17 area, and I don't see where they would be closing Aspen or
18 other areas that are world-class areas whenever an economic
19 impact on the business community would be huge.

20 Thank you.

21 (Applause.)

22 MR. MICHAELSON: Next speaker is McCauley, but I'd
23 like to go ahead and read forward. The next speakers after
24 that will be John Johnson, it looks to me like Ron Scott, I
25 believe it's Ileene Anderson, Mark Harms, and Dave Oakleaf.

0058

01 Are you Mr. McCauley?

02 MR. McCAULEY: My first name is Ronald.

03 MR. MICHAELSON: Thank you.

04 MR. McCAULEY: I belong to the Orange County ATV
05 Association.

06 And with all the problems with so many people,
07 couldn't we open up more land or rotate the dunes from one
08 side of Highway 78 to the other and open up closed ones,

09 and that would give more use the dunes.

10 Thank you.

11 (Applause.)

12 MR. MICHAELSON: Thank you.

13 John Johnson.

14 (Interruption in the proceedings.)

15 MR. MICHAELSON: Excuse me. Just a second.

16 I made an announcement at the beginning of the
17 meeting about if you would please turn off cell phones and
18 and pagers, I'd appreciate it. Thank you.

19 MR. JOHNSON: Thank you. Good evening. My name is
20 John Johnson, and I'm 44 years old. I'm from the beautiful
21 City of Yorba Linda. I've been riding dirt bikes --

22 MR. MICHAELSON: Could you get closer to the mic?

23 MR. JOHNSON: Wow. That's a first for me. Thank
24 you.

25 I've been riding dirt bikes since I was 12

0059

01 years old. You do the math on that. It's been a long
02 time. Myself and my friends, we all enjoy Glamis. It is
03 our personal roller coaster ride. We love it out there.
04 Every ride is different, even on the same day. Sorry I'm
05 stammering.

06 The idea of having permits for certain areas,
07 the area that you're talking about, the Adaptive Area,
08 that's commonly referred to by most of the off-roaders that
09 I know as no man's land. I've been out there a few times.
10 It is a long way out in case you do break down out there.

11 And, you know, we're throwing a Band-Aid on
12 the problem. We all know the real problem, as stated in
13 the RAMP plan, is these people who go out there and party.
14 You go by these campgrounds, you see three off-road
15 vehicles and 20 people. These people are going out to the
16 hill at night in the back of pickup trucks. We could stop
17 that from happening. There's two access areas to Comp Hill
18 at night. We could stop these alcoholic people who are
19 looking for a place to party pretty easily by clamping down
20 on that area instead of all the off-road vehicle users.

21 Certainly when we closed predominantly the
22 rest of the desert through Alan Cranston's desert closure
23 bill, which will get a lot of people riled up here, we knew
24 there was going to be more impact to the Imperial Sand
25 Dunes area. And when you put more people into a smaller
0060

01 area, these things are going to happen.

02 I, for one, would like to see the

03 beach-cleaning equipment implemented as the other gentleman
04 suggested, and I would hate to see this beautiful area
05 turned into Pismo South, because that's where we're going.

06 (Applause.)

07 MR. MICHAELSON: Ron Scott.

08 MR. SCOTT: Good evening. My name is Ron Scott.

09 I'm an ASA volunteer.

10 MR. MICHAELSON: Could you pull the microphone down
11 just a little bit?

12 MR. SCOTT: I'm an ASA volunteer. I'm also here
13 representing my company, and I'd like everybody to know my
14 entire staff is here tonight.

15 First, let me applaud the BLM for taking the
16 management of our dunes so seriously. I'm certain with
17 some positive changes a plan that is based on facts can and
18 will be implemented.

19 My comments today will be on the curfews
20 proposed on all alternatives in the EIS, except
21 Alternative 1. Your proposed sunset to sunrise closure of
22 Competition Hill, Oldsmobile Hill, Test Hill, and Patton
23 Valley, and Buttercup Competition Hill is unwarranted and
24 unnecessary. It also has the potential to have a negative
25 impact on my business, the lighting business, a company

0061

01 that is based right here in Long Beach.

02 What was the reasoning for issuing closures at
03 these three locations? Most here will tell you that only
04 one of them has a problem.

05 Let the current law enforcement plan run its
06 course, see if it works, then discuss curfews, rather than
07 closing them and then talking about re-opening them later.
08 This plan will only disperse the unwanted rowdy element
09 into the dunes where the BLM will be unable to reach and
10 control them.

11 On April 1, 2002, the BLM was bragging
12 when it issued a press release where they
13 stated, quote, "The inter-agency instant
14 command system has proven to be effective
15 in providing law enforcement presence and
16 the ability to respond quickly and
17 effectively to any situation throughout the
18 dunes," unquote.

19 We applaud these efforts, yet they were a long
20 time in coming. But this is yet another argument in the
21 BLM's own words that the proposed curfews are not
22 necessary.

23 Thank you.

24 MR. MICHAELSON: Ileene Anderson. Would you please

25 spell your first name.

0062

01 MS. ANDERSON: Sure. Ileene Anderson, I-l-e-e-n-e;

02 Anderson, s-o-n at the end. And I'm here representing the

03 California Native Plant Society.

04 And CNPS requested an additional alternative

05 that includes the interim closures as negotiated by the

06 off-highway vehicle coalitions, other conservation groups,

07 and the BLM. This current management was based on the best

08 available science to protect the Peirson's Milk-Vetch as

09 well as other sensitive dune resources when the settlement

10 was negotiated.

11 Although additional data has been collected on

12 the species, those data did not provide any additional

13 information on the trend of the sensitive species. And

14 trends, how the plants persist over decades, is truly the

15 conservation issue here.

16 Current management provides balanced

17 management. In the absence of trend data, approximately

18 half of the dunes are open to motorized use, and half of

19 the dunes are open to non-motorized use.

20 CNPS supports Adaptive Management of the dunes
21 and the using of interim closures as the necessary, quote,
22 "control" areas by recent measure changes in the, quote,
23 "experimental" or "open" areas. The concept is a very
24 basic tenant for scientific experimental design, identified
25 in every Biology 101 course. This experimental design

0063

01 assures that the native plant capital is conservatively
02 managed until scientific evidence is produced on which to
03 base Adaptive Management.

04 By keeping the interim closures, both
05 controlled and experimental areas are automatically set up
06 throughout the dunes which captures the geomorphic and
07 climatological differences in habitat.

08 CNPS cannot support a limited access area,
09 because we don't think it's logistically enforceable.

10 And lastly, in scoping comments, CNPS has
11 identified an unusual plant community and (inaudible)
12 grassland on the west side of the dunes, and that hasn't
13 been addressed in the EIS or RAMP as well. And I have my
14 comments to submit in writing.

15 MR. MICHAELSON: There's a box out at the
16 registration table for written comments.

17 MS. ANDERSON: Thank you very much.

18 (Applause.)

19 MR. MICHAELSON: Mark Harms.

20 MR. HARMS: Hello. My name is Mark Harms.

21 MR. MICHAELSON: Let's make sure everyone is
22 quiet. Okay. We'll start your two minutes now.

23 MR. HARMS: My name is Mark Harms, H-a-r-m-s. I'm
24 a board member of the American Sand Association, and I also
25 own Sand Tires Unlimited, a 33-year-old company.

0064

01 I was prepared to speak on the socioeconomical
02 impact with respect to these dunes, but I had asked in
03 El Centro at the first of these meetings that the staff
04 here explain a little bit more about the consequences with
05 respect to their preferred alternative, and they didn't do
06 that. So I need to tell you people what's going to
07 happen.

08 This 55,403 people or person limit that they
09 have as a capacity, if you break that by 15 percent in two
10 consecutive years, or you break that capacity by 20 percent
11 in one year, from that point forward, and there is no reset
12 component, you could only have 55,403 people out there.
13 And that includes Thanksgiving, Easter, New Year's,

14 Halloween, President's weekend as well.

15 That means that as many as three out of -- two
16 out of three of you won't be able to be out there. Or in
17 the worst case scenario three out of four of you sitting in
18 this room today will not be able to be out there because
19 the preferred alternative goes through. You need to know
20 that, because that's a big one.

21 As far as the socioeconomical impacts on this,
22 I spoke to the DAC in El Centro about a concern I have.
23 I'm listed in this book as a contributor. And what
24 happened was is that the person that took the information
25 didn't do what they should have done. Mr. Tim Salt, the
0065

01 manager at that time, I conveyed this concern to, said he
02 was going to address that with CH2M Hill.

03 Based on what I'm seeing here, that's not the
04 case. I'd like a raise of hands of the business owners in
05 this room that do not reside or have their business in
06 Imperial County or Yuma County. So anybody outside of
07 those counties, would you raise your hand, please.

08 You people are not being addressed in this.
09 They are only concerned with Yuma and Imperial Counties and
10 not us.

11 MR. MICHAELSON: Thank you, Mr. Harms.

12 (Applause.)

13 MR MICHAELSON: The next speaker is Dave Oakleaf.

14 So that you may come over to the speaker waiting area, the

15 next speakers after that will be Bill Howell, I'm really

16 not sure of this first name, but I think it's Suzi Scott,

17 Todd Shuman, Steve Galley, and Jeff Kasper, and Robbi

18 Doncost.

19 MR. OAKLEAF: My name is Dave Oakleaf. I'm the

20 legislative officer for District 37 of the AMA. I

21 represent about 2,000 off-road competition riders.

22 Now, we don't ride down in the Imperial Dunes

23 Glamis Area. We don't race down there, but a lot of them

24 recreate down there. I'm going to make a couple of general

25 comments.

0066

01 It seems that -- what I'm concerned about most

02 is closures. I saw 49,000 acres closed. We've lost half

03 of our open areas since 1980 -- over half -- so I'm always

04 concerned when I see more closures.

05 I understand or heard a comment or read a

06 comment about the BLM spent 75 percent of their allocated

07 money to fight lawsuits. I think it might be because of

08 the way they are managing the land.

09 I attend all the commission meetings, the
10 OHMVR commission meetings. I attend the stakeholder
11 meetings. And at the last one I went to in San Diego, I
12 saw that they were getting \$500,000 of our green sticker
13 money for law enforcement. I think that's totally
14 inappropriate. It's not these people out here that are
15 having the rave parties, and it shouldn't be our green
16 sticker money that's used for law enforcement. We should
17 be using it to keep the land open, get new opportunities to
18 rehab the land.

19 And I just want to comment, next week I'll be
20 going along with some San Diego off-roaders and others to
21 Washington DC to meet with the top administration in the
22 Department of Interior to help let them know what's going
23 on down here.

24 The final comment, let you know now, settling
25 lawsuits by closing riding areas to appease environmental

0067

01 groups is not going to be tolerated. As you know, every
02 time you illegally close an area, we'll be there to see
03 that your action is appealed in the courts.

04 Thanks.

05 (Applause.)

06 (Whereupon the reporter changes steno paper.)

07 MR. MICHAELSON: Sit down, please, and be quiet.

08 The next speaker is on crutches. I don't

09 think he wants to stand there any longer than he has to.

10 Please sit down and be quiet. This is a public hearing.

11 MR. HOWELL: My name is Bill Howell, H-o-w-e-l-l.

12 I'm a resident of San Bernardino County. I'm here

13 representing the Huntington Beach Motorcycle Club. We have

14 approximately 50 members and extended families of about 200

15 people. All of them are adamantly opposed to closing one

16 more acre of public land, as Dave said, to appease a bunch

17 of environmentalists. This is bull.

18 I wholly support the Alternative Number 4.

19 The idea of having permits just to ride on what is

20 designated as an open area is ludicrous. To stop night

21 riding is crazy. That's half the experience of having an

22 open area.

23 I think you for your time.

24 (Applause.)

25 MR. MICHAELSON: Suzi Scott.

0068

01 MS. SCOTT: Good evening. My name is Suzi Scott.

02 I'm here supporting the ASA.

03 I only had one topic I wanted to address, and
04 that is the lack of consideration on the impact of litter
05 and trash in your alternatives. I recommend a very high
06 fine of say two to five thousand dollars for littering in
07 the dunes or dropping trash at the hills or at camp. I'm
08 not proposing any new laws, but I think the ones we have
09 should be beefed up and also enforced.

10 I think a good recommendation the BLM should
11 promote is the pack-in/pack-out campaign, put up lots of
12 signs, and really get that point across. When you go out
13 there, the trash, I think, is the worst part of the
14 experience, and the best is, of course, the dunes. Let's
15 keep them open, guys.

16 Thank you very much.

17 (Applause.)

18 MR. MICHAELSON: Todd Shuman.

19 MR. SHUMAN: My name is Todd Shuman. I live in
20 Glendale.

21 I'm a hiker. I am a dunes user. I hike the
22 dunes. Just this last weekend, I hiked across the southern
23 closure. There are some of us who do that, and our
24 experiences will be severely impacted if you get rid of

25 these closure areas.

0069

01 These areas are needed, not only for us to
02 have a very unique kind of hiking desert experience, but
03 they are also necessary to protect the native wildlife and
04 the fauna and the flora in the area. And you can see that
05 by comparing the closed areas with the areas that are
06 opened. There's lots of plants that are busted and killed
07 and run over on the boarder areas. When you get deep into
08 the closure areas, there's a much more vibrant biological
09 community there.

10 And the BLM really needs to consider including
11 the Current Management System as an alternative that it
12 uses in developing this EIS. That's a major defect.

13 I wanted to respond -- I wanted to say one
14 thing about the science. There is no scientific basis to
15 re-open the protected areas to OHV activity. The U.S. Fish
16 and Wildlife Service, when listing the Peirson's Milk-Vetch
17 as an endangered species, cited off-roading as a major
18 threat to this species. Since 1998, off-roading threats to
19 the species have significantly increased with increasing
20 crowds of off-roaders at the dunes.

21 The BLM's preferred alternative relies on a

22 biased off-road industry-funded, unpublished,
23 unpeer-reviewed report in comparison of a drought-year
24 aerial survey to a wet-year on a ground botanist study. It
25 will take at least ten more years of BLM's Fish and

0070

01 Wildlife (inaudible) on the ground research to determine if
02 the threats of the Peirson's Milk-Vetch have been reduced.

03 We need to take the conservative approach to
04 protecting the dunes, and that means keeping the closed
05 areas.

06 MR. MICHAELSON: Thank you, Mr. Shuman.

07 Excuse me. I'm keeping the time. I don't
08 need any help doing that. Thank you.

09 The next speaker is Steve Galley, and after
10 him will be Jim Kasper, Robbi Doncost, Joshua Gibson, and
11 Bill Symms.

12 Could we have it quiet, please.

13 MR. GALLEY: Hello. My name is Steve Galley. I'm
14 from Long Beach, California. I'm a taxpayer for the past
15 22 years. I would like to address and thank the -- thank
16 you for not considering the interim closures in this plan.

17 The major identification that I'd like to have
18 here is in Alternative Number 4, the Recreation Plan. As a

19 duner and as an environmentalist, I don't understand why
20 the update kiosk at the Watchable Wildlife site were not
21 listed in this plan. It surely will be needed for that 10
22 percent of visitors that use this year-round. You know
23 that from the average of the 1,668 that come to this each
24 week of the year just for this area.

25 This RAMP plan has many unrealistic goals and
0071

01 calculations when history has proven the BLM does not have
02 the resources or the funding to carry it out. As proof,
03 the very first level-one management goal for the 1987 RAMP
04 was to enforce the no parking rule on the maintained
05 roadways. Gecko Road, to this day, is living proof of that
06 fact that after 14 years, the BLM continues to have
07 problems even enforcing the simplest of rules. BLM will
08 only fail working with this proposed plan.

09 Thank you very much.

10 (Applause.)

11 MR. MICHAELSON: Jeff Kasper.

12 MR. KASPER: My name is Jeff Kasper. I'm here on
13 behalf of my family and 12 others. Our comments are
14 directed towards the Draft EIS.

15 We enjoy riding the dunes on our off-road

16 vehicles while respecting the environment. We don't want
17 camping limits; we don't want curfews; we don't want speed
18 limit signs; we don't want alcohol limits. Temporary law
19 enforcement is more than sufficient for the holiday weekend
20 crowds.

21 If we had our choice, we would choose the no
22 action alternative. We think the other alternatives are
23 beyond overkill. We also ask you, please include a little
24 democracy in the decision-making process. Consider the
25 will of the people.

0072

01 Thank you.

02 (Applause.)

03 MR. MICHAELSON: Robbi Doncost. And I'm not sure,
04 so if you'd spell your last name for the court reporter.

05 MR. DONCOST: Yes. My name is Robbi Doncost. I
06 live in San Pedro, California. I'm here representing the
07 After Shocks 4-Wheel Drive Club. D-o-n-c-o-s-t.

08 Wow. What a public outcry tonight. I'm here
09 to oppose any special adaptive areas. There have been many
10 times in the past when this phrase is synonymous with
11 "Closed it in the future."

12 I'm opposed to all closures in the Imperial

13 Sand Dunes area. I'm opposed to on-site special
14 educational permits, which specifically target OHV users.
15 I'm opposed to sundown closures.

16 I am in support of law enforcement
17 supplements. I am in support of maintenance and update of
18 camping and management facilities.

19 Please don't manage based upon isolated, bad
20 influences. Be open minded to OHV use, which is a family
21 activity. A lot of comments you have here tonight are from
22 people that have used the dunes for decades. Please give
23 their thoughts deep considerations.

24 Many of us, and including myself, may not have
25 a tremendous amount of scientific data, and it has not been

0073

01 presented tonight. What you have heard has been emotions,
02 feelings that they are being left out of the process.

03 I have heard tonight -- thank you. I have
04 heard tonight issues of endangered species, and that has
05 been a huge anvil against OHV use. Have these endangered
06 species been listed initially in the original impact plan?
07 Has the Imperial Sand Dunes been targeted as Milk-Vetch and
08 other endangered species as part of that management plan?
09 I think not.

10 Thank you very much.

11 (Applause.)

12 MR. MICHAELSON: Thank you.

13 The next speaker up is Joshua Gibson. He will
14 be followed by Bill Symms, Steve -- I believe it's --
15 Frank, and Tim Nowak.

16 MR. GIBSON: Good evening. My name is Joshua
17 Gibson, and I live in the San Fernando Valley. I'm one of
18 the visitors to the sand dunes that goes pretty much on the
19 major holidays. I'm responsible. I pack-in; I pack-out.

20 I understand there are, once in a while, a few
21 people that don't respect that. In the EIS, Chapter 4 on
22 Page 26, we'd ask that you please change the wording. It
23 is quoted as, "Other visitors, however, are seeking a
24 recreational experience that is unlawful or contributes to
25 threats to public safety." We'd like to see that changed

0074

01 to, "A few unlawful visitors, however, are seeking a
02 recreational experience that contributes to threats of
03 public safety."

04 Off-roaders in general have been verbally
05 abused and given a black eye already in the media and
06 everywhere else, and we don't need additional things

07 written down to make it worse.

08 Also, as far as I know, this hasn't been
09 addressed. I'd like to make a point on the proposal for
10 the dusk-to-dawn curfew closures in the five major areas.
11 And as we've shown, we don't need the closures on that.
12 It's not necessary. The last four major holidays, with the
13 presence of law enforcement, we've seen an increased
14 compliance with laws and the duning activities there. It's
15 been a success.

16 The pinch points as far as like around Comp
17 Hill, things have proved to limit the number of unlawful
18 users there. And I think it's the unlawful users in the
19 areas that are a major point. You go to -- the people that
20 you see at 11:30 on Saturday night at Comp Hill are the
21 people that are packed in a pickup truck, not the people
22 that are coming in on their bikes. These aren't the same
23 people that you see with the families.

24 I think that the enforcement is good to a
25 certain extent. We just need to, I think, just keep it up.

0075

01 I think we're on the right track with that. I don't think
02 closures are the answer.

03 Thank you very much.

04 (Applause.)

05 MR. MICHAELSON: Bill Symms.

06 MR. SYMMS: Good evening.

07 Open the north end --

08 MR. MICHAELSON: Could you get closer to the mic,
09 please.

10 MR. SYMMS: Yes. Open the north end. Relieve the
11 Competition area of pressure. Open the Ted Kipf Road.
12 Open the camps along that area. Increase the access to the
13 dunes.

14 I second Mr. Dick Moon's bad science comment.
15 I have witnessed the same thing. I started riding the
16 dunes in 1964. At that time there was burn stubble all
17 through the dunes about that high (indicating). You had to
18 watch for it because it would put a hole in your tires.

19 I believe in education of all. I have a long
20 history with BLM with that and the Riverside Parks and
21 Recreation.

22 Somebody mentioned trash. At one time CORVA,
23 California 4-Wheel, AMA all got together and went through
24 the dunes and cleaned the dunes. There was a mountain of
25 trash that was generated down by the store. This trash was

0076

01 not from the user. This trash was from our forefathers.

02 I'm totally against the charges. I am open

03 to -- I am open to centers by the -- by the user peers --

04 to center education by the user peers and user registration

05 at that time. In other words, educate the user. I will --

06 I'm going to skip a lot of this.

07 MR. MICHAELSON: I'm sorry, sir. Your time is up.

08 BY MR. SYMMS: Okay. Well, I thank you very much.

09 MR. MICHAELSON: Thank you.

10 (Applause.)

11 MR. MICHAELSON: We are nearing the end of speakers

12 that have signed up. We have plenty of time left. If

13 other people have been inspired to share their thoughts

14 with us, the gentleman in the yellow shirt in the open door

15 there is holding up green speaker sign-up cards if you

16 would like to speak. We also have them on the left here.

17 Raise your hand, and you'll be given a card, we'll collect

18 those, and continue to take speakers.

19 The next speaker is Steve Frank.

20 MR. FRANK: I'd first like to thank the panel for

21 giving your time to be here to listen to us tonight. I'm

22 sure we all appreciate that.

23 I have a couple of questions for you to think

24 about. The first one is exactly who's supporting closure
25 of this area? Why are they not here tonight in the

0077

01 masses? The multiple-use supporters are here. I've only
02 heard two people speak tonight in support of closure.

03 I believe the EIS should disclose the number
04 of closure supporters and the number of multiple-use
05 supporters that have actually visited the area. I believe
06 that if you were forced to disclose those numbers, you
07 would find it almost impossible to support closure.

08 I suspect the majority of the closure
09 supporters are simply extremists with only one agenda:
10 Eventual -- eventual 100 percent closure.

11 Thank you.

12 (Applause.)

13 MR. MICHAELSON: Tim Nowak.

14 MR. NOWAK: My name is Tim Nowak. And I just want
15 to go on record that I don't think two weeks or a little
16 less than two weeks is enough time to digest the documents
17 and make it here to speak, so I'll be giving some written
18 documents.

19 MR. MICHAELSON: Can you speak a little louder.

20 MR. NOWAK: Sure.

21 The Endangered Species Act and the listing of
22 species and the enforcement is a big part of the EIS. And
23 Ilene Anderson and a lot of people at DAC and the loan
24 hiker that spoke here tonight refer to the adaptive use
25 area as a study and experimental area and that we need
0078

01 that.

02 It seems we've had that since (inaudible) used
03 the area, and we've had over six years of off-highway
04 vehicle use, and it seems that there's no effect on this
05 area. I don't know why now all of the sudden it seems we
06 need to have additional areas in addition to the north
07 closures.

08 In regards to the EIS and the science that's
09 used for the ESA, I would like to quote from a letter from
10 Representative John Peterson and Richard Pombo from the
11 House of Representatives and Congress in regards the
12 discovery of federal officials intentional misuse of
13 science in forcing the Endangered Species Act.

14 And I quote, "We should have been
15 shocked at the -- at the availability or
16 the audacity of government employees to
17 falsify evidence in order to advance their

18 environmental agenda, and even more
19 perplexed at the lackluster response from
20 their respective agencies when their
21 transgressions were brought to light."

22 Basically, I don't trust the DEIS, and I
23 oppose anything other than the removal of the closures and
24 no curfews.

25 Thank you.

0079

01 (Applause.)

02 MR. MICHAELSON: We have had a couple more people
03 to sign up to speak. Bryan Henry and Rick Royce.

04 MR. HENRY: Good evening. My name is Bryan Henry.
05 I'm here on behalf of the American Sand Association. I've
06 been a duner since I was three years old.

07 My comments are directed towards the EIS. I'm
08 going to talk about what I don't like and save my written
09 comments for what I do like. I feel that will be a little
10 more productive.

11 I don't like the Adaptive Area Management
12 Plan. I don't feel it can implemented given BLM's current
13 level of funding. I don't believe it can be adequately
14 enforced given the current ranger level.

15 Also, I feel that the permitting is absolutely
16 unconstitutional. It would violate my rights and target me
17 as an OHV user, and not target any other user of the
18 recreational area, given how new they are.

19 Everyone needs a permit, regardless of how
20 they get into the area. Everybody needs to go through the
21 education course if this plan is adapted, and everybody
22 needs to be put on a waiting list and be served in order to
23 get the permits.

24 Thank you.

25 (Applause.)

0080

01 MR. MICHAELSON: Rick Royse will be followed by
02 Greg Deguire. And Greg, if you'll spell your last name for
03 us.

04 MR. ROYSE: My name is Rick Royse. I was born and
05 raised in Long Beach, California, right here. I own a
06 business in Cerritos, California.

07 About a week ago I came home from hunting in
08 Northern California. I'm also a United States Certified
09 Arbor. I'm also a tree surgeon.

10 I came back from a place called Willow
11 Springs. About 25 years ago it was thriving. It was a

12 fantastic logging community. Now it's a quiet and
13 depressed area because of closures from the Sierra Club.

14 I am adamantly opposed to closing one more
15 square foot of property. You've taken a lot of properties
16 all over, you've closed them up, and you've put everybody
17 down there at Glamis. And when you have too many people in
18 one area, a lot of people get hurt. It's dangerous. Open
19 up the areas. Let's use them.

20 The other thing is leave the vendors alone.
21 Let them stay down there. These guys are entrepreneurs;
22 they are businessmen. They are bringing in money; they are
23 bringing in tax dollars.

24 Another thing. You look at these people here.
25 This is a huge industry; this is a giant industry. It

0081

01 brings in a lot of tax dollars into Sacramento, and it
02 creates a lot of jobs for people. And jobs right now are
03 hard to get, and more and more of our jobs are going
04 overseas. Let's keep the ones we've got here.

05 Okay. That's all I have to say. Thank you
06 very much for your time.

07 (Applause.)

08 MR. MICHAELSON: Greg Deguire is next, followed by

09 David Coe.

10 MR. DEGUIRE: Good evening. My name is Greg
11 Deguire. I'm affiliated with Orange County ATV. I'm the
12 activities director.

13 I've been riding the dunes for about 16 years
14 now, and this closure that's going out with those
15 boundaries that are out there now, I feel are unsafe. I've
16 been on the activity rides. I lead the rides, and we're
17 out at Patton Valley or that area.

18 Every couple -- along the closure area what
19 happens is we're riding along fence line, we're coming in
20 the dunes, we hit a fence, it says closed, and we follow
21 the fence line around. Now you've got oncoming traffic.
22 And there's a few times where we've had, you know, near
23 misses and stuff. I think that's a very unsafe situation.

24 And our family -- our member base is about 70
25 families. We orient towards the family and the kids and

0082

01 everything. We'd like to get out into the dunes away from
02 the crowd, not there at Comp Hill or Oldsmobile. Although
03 we do go there, we like to go out into the dunes and
04 actually get away from the crowd and enjoy the serenity of
05 the sand. And these closures have really put a damper on

06 that. I don't agree with that.

07 That's my outlook on the closures. Thank you.

08 (Applause.)

09 MR. MICHAELSON: David Coe.

10 MR. COE: My name is David Coe. I live in Covina,
11 California. I've been using the dunes with motorized
12 vehicles since 1963, and I think that overall the BLM has
13 done a good job in keeping the dunes open and providing a
14 good recreation place.

15 I have only three things to say this evening.
16 I would like you to increase the maximum number of users.
17 I think your 50,000 approximately is far short of where we
18 need to be. And the other thing that I would like to say
19 is to the group here, the reason that there are few
20 environmentalists speaking --

21 MR. MICHAELSON: Sir --

22 MR. COE: -- those environmentalist are going to
23 write --

24 MR. MICHAELSON: Sir, please address the panel.

25 MR. COE: Okay. I apologize for violating the

0083

01 rules.

02 Please write your comments and send them in.

03 MR. MICHAELSON: Do we have any other comment cards
04 that have been turned in?

05 MR. HARMS: I turned one in.

06 MR. MICHAELSON: Yes. That would be your second
07 one. You've already spoken. We have a ground rule that
08 there's only one two-minute time per person.

09 MR. HARMS: I understand, but there's also a
10 three-hour time limit that we have to comment. You're
11 hijacking this process.

12 MR. MICHAELSON: Mr. Harms, we're using the same
13 ground rules to make sure that this is a fair and equal
14 opportunity for everybody. Your concern has already been
15 registered to Greg Thomsen before the meeting started; he
16 said he would look into it.

17 MR. HARMS: This can't wait for tomorrow. We have
18 an hour left in this meeting, and I have a lot to say. The
19 people in this room --

20 MR. MICHAELSON: Excuse me.

21 MR. HARMS: Excuse me. The people in this room --

22 MR. MICHAELSON: Because you are not going by the
23 rules and are out of order, we're going to close the
24 meeting right now without any closing comments.

25 (Interruption in the proceedings.)

0084

01 MR. MICHAELSON: If you will all be quiet, we will
02 go to the next part of the agenda, which is closing
03 comments by the BLM. I have exhausted the speaker cards.

04 Roxie.

05 MS. TROST: I did have a few comments to make, and
06 mainly we wanted to thank you for your help tonight in
07 keeping your comments focused. We do know there's a lot of
08 passion out there on this specific topic. It was very
09 important to try to keep your comments focused so that we
10 could use those in getting to a final document.

11 The transcripts of our meetings, along with
12 our PowerPoints will be available in about a month for you
13 to review on the Internet. And remember, if you didn't
14 have the opportunity to comment tonight, we are able to
15 take your comments by U.S. Mail and by e-mail.

16 There are also four other public hearings
17 scheduled. We'll be on Monday in Phoenix, Thursday we'll
18 be in Brawley, and the following week we'll be in Yuma and
19 in San Diego.

20 We want to thank you for coming tonight, and
21 we hope we'll see you at one of the other meetings. Thank
22 you.

23 MR. MICHAELSON: This meeting is adjourned. Thank

24 you.

25 (Proceedings concluded at 9:06 p.m.)