



United States Department of the Interior
Bureau of Land Management
California Desert District

October 2002



PROPOSED
CALIFORNIA DESERT CONSERVATION AREA
PLAN AMENDMENT FOR THE
COACHELLA VALLEY

and

FINAL ENVIRONMENTAL IMPACT STATEMENT

Volume 2
APPENDICES



**Proposed California Desert Conservation Area Plan Amendment
for the Coachella Valley
and
Final Environmental Impact Statement**

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Notice of Intent, June 28, 2000

[Federal Register: June 28, 2000 (Volume 65, Number 125)]
[Notices]
[Pages 39920-39922]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr28jn00-92]

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DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

Preparation of an Environmental Impact Statement/ Environmental Impact Report for
Federal and State Actions Associated With the Coachella Valley Multiple Species
Habitat Conservation Plan/Natural Communities Conservation Plan

AGENCY: Fish and Wildlife Service, Interior (Lead Agency).

COOPERATING AGENCIES: Bureau of Land Management, Interior; National Park
Service, Interior; Forest Service, Agriculture; California Resources Agency; California
Department of Fish and Game; California Department of Parks and Recreation; and
Coachella Valley Association of Governments.

ACTION: Notice of intent; notice of public meeting.

SUMMARY: The Fish and Wildlife Service and cooperating agencies are gathering
information necessary for the preparation of an Environmental Impact
Statement/Environmental Impact Report (Impact Statement/Report). This Impact
Statement/Report will consider the actions of Federal, State, and local agencies, as well
as private interests, associated with implementation of the Coachella Valley Multiple
Species Habitat Conservation Plan/Natural Communities Conservation Plan
(Multispecies Plan) and the issuance of incidental take permits pursuant to section
10(a)(1)(B) of the Federal Endangered Species Act of 1973, as amended, and section
2081 of the California Endangered Species Act. The Impact Statement/Report also will
consider the Bureau of Land Management's proposed amendment of the California
Desert Conservation Plan to conform with the Multispecies Plan. In addition, the Impact
Statement/Report will consider any other actions by other Federal or State agencies
that are necessary or appropriate to implement the Multispecies Plan.

*Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix A – Notices and EIS Distribution List*

We encourage interested persons to attend public meetings to identify and discuss the scope of issues and alternatives that should be addressed in the Multispecies Plan and in the Impact Statement/Report. We provide this notice pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act (40 CFR 1501.7 and 1508.22).

DATES: We must receive your written comments by July 28, 2000. See SUPPLEMENTARY INFORMATION section for meeting dates and locations.

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ADDRESSES: Send comments regarding the scope of the Impact Statement/Report as it relates to the proposed Multispecies Plan to the Field Supervisor, Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008; facsimile 760/431-9624. Send comments regarding the scope of the Impact Statement/Report as it relates to the proposed amendment of the Desert Conservation Plan to the Field Manager, Bureau of Land Management, Palm Springs-South Coast Field Office, P.O. Box 1260, North Palm Springs, California 92258-1260; facsimile 760/251-4899.

FOR FURTHER INFORMATION CONTACT: Mr. Pete Sorensen, Supervisory Fish and Wildlife Biologist, Carlsbad Fish and Wildlife Office, Carlsbad, California; telephone 760/431-9440; or Ms. Elena Misquez, Planning and Environmental Coordinator, Bureau of Land Management, Palm Springs-South Coast Field Office, North Palm Springs, California; telephone 760/251-4810.

SUPPLEMENTARY INFORMATION: All comments that we receive will become part of the administrative record and may be released to the public. You may view these comments during normal business hours (8 a.m. to 5 p.m., Monday through Friday) at the above offices (see ADDRESSES). Please call for an appointment.

In addition, you may obtain specific information regarding the location of lands proposed for conservation from Mr. Steve Nagle, Coachella Valley Association of Governments, 73-710 Fred Waring Drive, Suite 200, Palm Desert, California 92260; telephone 760/346-1127; facsimile 760/340-5949.

Meetings

We will hold public meetings as follows:

July 10, 2000, 6:30 p.m. to 8:30 p.m., City Hall Council Chambers, 68-700 Avenida Lalo Guerrero, Cathedral City, California.

July 11, 2000, 6:30 p.m. to 8:30 p.m., City Hall Council Chambers, 68-700 Avenida Lalo Guerrero, Cathedral City, California.

July 12, 2000, 6:30 p.m. to 8:30 p.m., City Hall Council Chambers, 78-495 Calle Tampico, La Quinta, California.

The meetings on July 10 and 12 broadly focus on the scope and content of the Impact Statement/Report as it relates to the proposed Multispecies Plan and to the proposed amendment of the California Desert Conservation Plan. The meeting on July 11 specifically focuses on the trail component of these plans.

Background

Section 9 of the Federal Endangered Species Act and regulations prohibit the "take" of animal species listed as endangered or threatened. That is, no one may harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 USC 1538). "Harm" is defined by regulation to include significant habitat modification or degradation that actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). Under certain circumstances, the Fish and Wildlife Service may issue permits to authorize "incidental" take of listed animal species (defined by the Act as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity). Regulations governing permits for federally-listed threatened and endangered species, respectively, are at 50 CFR 17.32 and 50 CFR 17.22. The California Department of Fish and Game has similar provisions for incidental take of species listed under the California Endangered Species Act.

The Coachella Valley Association of Governments and its member jurisdictions (Riverside County and 9 municipalities) intend to apply for incidental take permits from the Fish and Wildlife Service and the California Department of Fish and Game. As part of the application process, the Association is developing the Multispecies Plan for an anticipated 31 target species and 24 habitat types currently within their jurisdiction. We anticipate that the permit applications for incidental take will include 20 unlisted species and the following 11 federally-listed species: Peninsular bighorn sheep (*Ovis canadensis*), desert tortoise (*Gopherus agassizii*), Southwest arroyo toad (*Bufo microscaphus californicus*), desert slender salamander (*Batrachoseps aridus*), Coachella Valley fringe-toed lizard (*Uma inornata*), desert pupfish (*Cyprinodon macularius*), Yuma clapper rail (*Rallus longirostris yumanensis*), least Bell's vireo (*Vireo bellii pusillus*), Southwestern willow flycatcher (*Empidonax trailii extimus*), Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*), and triple-ribbed milk-vetch (*Astragalus tricarinatus*).

The take prohibitions of the Federal Endangered Species Act do not apply to listed plants on private land unless their destruction on private land is in violation of State law. Nevertheless, we expect that the Coachella Valley Council of Governments and its member jurisdictions will consider plants in the Multispecies Plan and request permits for them to the extent that State law applies.

The 1,206,578-acre (1,885 square-mile) planning area for the Multispecies Plan is located in the central portion of Riverside County, California. It generally is defined by the ridgelines of the San Jacinto, Santa Rosa, and Little San Bernardino Mountains, extending to the Imperial and San Diego County lines from the Cabazon/San Gorgonio Pass area in the northwest to, and including, portions of the Salton Sea in the

southeast.

Approximately 45 percent of the planning area consists of lands under the ownership and management of the Bureau of Land Management, while private lands total about 43 percent. The remaining 12 percent includes native American, State, and other public and quasi-public lands.

The Multispecies Plan is being designed to assure the conservation of adequate habitat and ecological processes for the protection and long-term viability of populations of the target species that are either listed as threatened or endangered, are proposed for listing, or are believed to have a high probability of being proposed for listing in the future if they are not protected by the Multispecies Plan. A critical consideration of the Plan is allowing key ecological processes, such as sand movement by wind and water, to support a shifting network of sand dunes essential to the well being of the target species. Plan developers are considering conservation of core habitat areas and linkages primarily through protection and management of existing public and quasi-public lands, and through acquisition of additional lands by cooperating Federal, State, and local governments from willing sellers throughout the planning area. The linkage areas connecting core habitat areas are intended to assure the long-term protection of movement or migratory corridors through which wildlife populations can mix and perpetuate a healthy gene pool.

Project Alternatives

A range and mix of public and private lands are under consideration and will be analyzed as project alternatives in the Impact Statement/Report, including a "No Project" alternative that assesses the efficacy of species and habitat protections, as well as associated impacts. Each alternative is summarized below.

No Project Alternative: Under this alternative, an area-wide Multispecies

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Plan would not be adopted. Hence Federal and State incidental take permits would be issued incrementally for individual projects. Assemblage of an effective preserve system would be unlikely. Over time, additional species would likely become listed, further complicating continued urban development. The land development permit process would continue to be lengthy, costly, and uncertain.

Existing Conservation Lands Alternative: Only existing reserves and other public and private conservation lands with habitat for target species would be included in this alternative. The type, amount and location of lands conserved under this alternative would be insufficient to obtain incidental take permit coverage for most, if not all, of the target species. This alternative would not streamline development permit processing.

Core Habitat, Ecological Processes and Linkages Alternative: Developed by the Scientific Advisory Committee for the Multispecies Plan, this alternative focuses on protecting core habitat areas of sufficient size and long-term viability for the protection of target species and natural communities. This alternative also includes protection of essential ecological processes and wildlife movement corridors.

Expanded Core Habitat, Ecological Processes and Linkages Alternative: Based upon the previous alternative, this enhanced conservation alternative would include additional habitat, ecological processes and wildlife corridors to further ensure functionality.

Avoid or Minimize Incidental Take Alternative: Under this alternative, most remaining viable habitat for target species, and associated ecological process and wildlife corridor lands in the planning area would be incorporated into the preserve system. Conservation would focus on all large habitat blocks within the composite range of target species and would allow development of all isolated habitat fragments. Little economic incentive for private land-owner participation would be available and immediate land acquisition would likely be required to address the resulting take of private lands.

Alternative Funding and Implementation Mechanisms

Estimates of the costs associated with the dedication, acquisition, and management of lands to be protected in perpetuity under the Multispecies Plan have not yet been completed. Substantial Federal and State assets are currently proposed for inclusion in the Plan, as are county, local, and private lands. Several alternative approaches are under consideration.

Tool Box Approach: This implementation mechanism may take the form of zoning overlays, General Plan policies, ordinances, development fees, and mitigation ratios. Tools that may be used include: (a) Conservation easements, (b) density transfer and cluster development, (c) conservation banks, (d) donation of lands for tax benefits, and (e) inclusion of land in a habitat transaction system with pre-assigned habitat values or credits.

Immediate Purchase of All At-Risk Lands: This alternative represents the optimum implementation mechanism but would require the immediate or short-term availability of substantial funding for purchase of land and conservation easements. Potential funding sources may include biological resource impact-fees assessed to future development, State and Federal grants, government loan guarantees, landfill tipping fees, and local sales tax.

Combined Public Funds/Mitigation Fee for Land Acquisition and Management: This approach includes the combined use of State and Federal grants, as well as the payment of a standardized impact mitigation fees for development of lands outside conservation areas. Revenues from existing or new tax streams, bond issues, landfill tipping fees, and other sources are also being explored. Continued private contributions are expected to be available for habitat acquisition.

In addition, the Forest Service, pursuant to the National Forest Management Act of 1976, and the Bureau of Land Management, pursuant to the Federal Land Policy and Management Act of 1976, have authority to acquire, excess, exchange and transfer Federal lands, and will be the agencies primarily responsible for furthering the Federal realty actions. The State of California also acquires lands for conservation purposes through the Wildlife Conservation Board, the Department of Parks and Recreation, and

the Coachella Valley Mountains Conservancy.

Proposed Amendment of the California Desert Conservation Plan

The Bureau of Land Management is participating as a responsible agency in the planning process. To ensure that its land use decisions are in conformance with the Multispecies Plan, the Bureau proposes to amend the California Desert Conservation Area Plan in compliance with the National Environmental Policy Act, the Federal Land Policy Management Act of 1976, and the Code of Federal Regulations (40 CFR part 1500 and 43 CFR part 1610).

The Bureau will use the Impact Statement/Report prepared for the Multispecies Plan as the Environmental Impact Statement for its proposed amendment to the Desert Conservation Plan. The Bureau will prepare a Record of Decision separate from that of the Fish and Wildlife Service. The proposed plan amendment will address changes in Bureau land use classifications, identify public lands for exchange to augment the multispecies reserve system, and designate new Areas of Critical Environmental Concern. The proposed plan amendment will take into consideration biological, botanical, cultural, wilderness, mineral and other natural resources, as well as use of the public lands for recreation, mineral extraction, utility corridors and other uses. Nothing in this proposed plan amendment shall have the effect of terminating any validly issued rights-of-way or customary operation, maintenance, repair, and replacement activities in such rights-of-ways in accordance with Sections 509(a) and 701(a) of the Federal Land Policy Management Act of 1976.

Dated: June 21, 2000.

Elizabeth H. Stevens,

Deputy Manager, California/Nevada Operations Office, Region 1,
Sacramento, California.

[FR Doc. 00-16383 Filed 6-27-00; 8:45 am]

BILLING CODE 4310-55-P

Notice of Intent Addendum, April 12, 2002

[Federal Register: April 12, 2002 (Volume 67, Number 71)]

[Notices]

[Pages 18022-18023]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr12ap02-86]

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DEPARTMENT OF THE INTERIOR
Bureau of Land Management

[CA-660-02-1610-DO]

Proposed California Desert Conservation Area Plan Amendment Palm Springs-South
Coast Field Office, California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: This notice is an addendum to the notice of intent published June 28, 2000 (pages 39920-39922) for the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and California Desert Conservation Area (CDCA) Plan Amendment. In compliance with the National Environmental Policy Act of 1969 (NEPA), the Federal Land Policy Management Act of 1976 (FLPMA) and the Code of Federal Regulations (40 CFR 1501.7, 43 CFR 1610.2), notice is hereby given that the Bureau of Land Management (BLM), in collaboration with the Coachella Valley Association of Governments (CVAG), is preparing a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the CVMSHCP and CDCA Plan Amendment. The CDCA Plan Amendment planning boundary extends beyond the CVMSHCP planning boundary (described below), incorporating BLM-managed public lands within the Santa Rosa Wilderness and public lands surrounding Coyote Canyon in Riverside County, and those portions of the San Geronio Wilderness and Big Morongo Canyon Area of Critical Environmental Concern (ACEC) within San Bernardino County. The CDCA Plan Amendment does not include lands within BLM's South Coast planning area.

The BLM invites the public to participate in this planning and NEPA process. Citizens are requested to help identify significant issues or concerns to be addressed in the draft CDCA Plan amendment and to provide input on BLM's proposed planning criteria described below under SUPPLEMENTARY INFORMATION.

DATES: All comments received shall be taken into consideration prior to issuance of the Record of Decision. Please submit any scoping or proposed planning criteria comments in writing, 30-days from the date of this notice to ensure inclusion in the draft plan/EIS.

ADDRESSES: Written comments may be forwarded to the following address: Mr. James G. Kenna, Field Manager, Bureau of Land Management, Palm Springs-South Coast Field Office, 690 W. Garnet Ave., PO Box 581260, North Palm Springs, CA 92258-1260. Citizens submitting written comments will automatically be included in the mailing list to receive an electronic copy of the Draft CVMSHPC/CDCA Plan Amendment and joint EIS/EIR.

FOR FURTHER INFORMATION CONTACT: Ms. Elena Misquez, Planning and Environmental Coordinator, Bureau of Land Management, Palm Springs-South Coast Field Office, telephone (760) 251-4800.

SUPPLEMENTARY INFORMATION: The CVMSHCP planning boundary encompasses 1,205,780 acres located in the central portion of Riverside County, California. The CVMSHCP planning boundary generally is defined by the ridgelines of the San Jacinto, Santa Rosa and Little San Bernardino Mountains, extending to the Imperial and San Diego County lines from the Cabazon/San Gorgonio Pass area in the northwest to and including, portions of the Salton Sea to the southeast. Approximately 24 percent of the planning area consists of BLM-managed public lands, while private lands total about 43 percent. The remaining 33 percent includes Native American, State and other public and quasi-public lands.

The CDCA Plan Amendment planning boundary extends beyond the CVMSHCP planning boundary, incorporating BLM-managed public lands within the CDCA boundary in Riverside County in the vicinity of Coyote Canyon and the Santa Rosa Wilderness (Township 8 South, Ranges 4 and 5 East), and those portions of the San Gorgonio Wilderness and Big Morongo Canyon ACEC within San Bernardino County (Townships 1 North and 1 South, Ranges 3, 4 and 5 East.).

Proposals and alternatives (including the "no action" alternative) to be addressed include opportunities for new off-highway vehicle open areas, wind energy projects, saleable minerals extraction and communication sites, establishment of air quality and fire management guidelines for the public lands, identification of changes in land use classification, new ACEC designations and public lands available for disposal, a re-evaluation of the wild horse and burro program in Palm Canyon and grazing in the Whitewater Canyon allotment, in addition to the multiple species conservation program being considered for the Coachella Valley. To ensure the aforementioned proposals are in conformance with the CDCA Plan, an amendment to the CDCA Plan is required.

The following types of issues are anticipated to be addressed through this planning process: (1) Recovery of threatened and endangered species and the avoidance of future listings, (2) identifying compatible multiple uses within and outside the CVMSHCP reserve areas, (3) improving quality of life in the Coachella Valley by

implementing practices which promote a healthy environment and by providing safe and enjoyable recreational opportunities, (4) designate routes of travel for motorized vehicle access, (5) address management of grazing and wild horse and burros in the mountains surrounding the Coachella Valley.

In compliance with 43 CFR 1610.4-2, the BLM requests public input on the following proposed planning criteria, which will guide development and establish "sideboards" for preparation of the CDCA Plan Amendment. Please submit any comments in writing to the BLM address listed above no later than 30 days from the date of this Federal Register notice. Development of the CDCA Plan Amendment shall be conducted:

In compliance with all applicable laws, regulations and policies which address such pertinent topics as BLM's multiple use mandate, valid existing rights, the Bureau's energy policy, ACECs, threatened and endangered species, route designation, land health, habitat and range management, cultural resources, Native American consultation, water quality, air quality, wilderness and other topics.

In close coordination with the local jurisdictions, State and other Federal agencies to ensure consistency with the CVMSHCP. BLM shall also consider updating its ACEC and Wildlife Habitat Management Plans to ensure consistency with the CVMSHCP.

To the extent practicable, without revising proposed decisions made through the Northern and Eastern Colorado Desert Plan.

Considering relevant plans such as Recovery Plans prepared by the US Fish and Wildlife Service, the Agua Caliente Band of Cahuilla Indians Land Management Plan, and other plans.

Such that nothing in the proposed plan amendment shall have the effect of terminating any validly issued rights-of-way or customary operation, maintenance, repair, and replacement activities in such rights-of-ways in accordance with sections 509(a) and 701(a) of FLPMA.

Selection of the preferred alternative will be based on the following proposed planning criteria:

Promote long-term recovery and viability of native flora and fauna.

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Do not unduly burden Bureau resources and funding capability, including maintenance activities.

Consider the manageability and implementability of approved actions relative to the urban/wildland interface and the public/private interface.

Provide for multiple-use opportunities on the public lands throughout the Coachella Valley landscape, including recreation and energy-related projects.

Seek to achieve common goals set forth in the CVMSHCP, selection of the preferred alternative shall be conducted in close coordination with the local jurisdictions to promote land management consistency, effectiveness and cost efficiency across

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jurisdictional boundaries.

An interdisciplinary team of BLM staff and contract specialists has been assembled to work on the plan amendment, representing the following disciplines: Wind energy, communications, socio-economics, minerals management, lands and realty, range management, recreation, wildlife, botany, cultural resources, air, water, soils, wilderness, wild and scenic rivers, planning, NEPA and other disciplines.

Citizens who wish to be actively involved with development of the CVMSHCP and CDCA Plan Amendment are encouraged to attend the Project Advisory Group (PAG) meetings held generally every fourth Thursday of the month starting at 9 a.m. in the CVAG conference room, 73-710 Fred Waring Drive, Palm Desert, CA 92260. Please contact the CVAG office at (760) 346-1127 for specific meeting dates.

Dated: February 7, 2002.

James G. Kenna,
Field Manager.

[FR Doc. 02-8876 Filed 4-11-02; 8:45 am]

BILLING CODE 4310-40-P

Notice of Availability, May 31, 2002

[Federal Register: May 31, 2002 (Volume 67, Number 105)]
[Notices]
[Page 38145]
From the Federal Register Online via GPO [wais.access.gpo.gov]
[DOCID:fr31my02-129]

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DEPARTMENT OF THE INTERIOR
Bureau of Land Management

[CA-660-02-1610-DS]

Draft California Desert Conservation Area Plan Amendment for the Coachella Valley,
Draft Trails Management Plan and Draft Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior

ACTION: Notice of Availability

SUMMARY: In compliance with Title 43 Code of Federal Regulations (CFF) Part 1610.2(f)(3) and Title 40 CFR Part 1500, the Bureau of Land Management (BLM) hereby gives notice that the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley, Draft Trails Management Plan, and Draft Environmental Impact Statement is available for public review and comment. The environmental impact statement includes a draft air quality conformity determination, prepared in compliance with section 176 of the Federal Clean Air Act and 40 CFR 93.150 -160.

DATE: Comments will be accepted until 90-days have elapsed after publication of notice in the Federal Register by the Environmental Protection Agency (EPA). Publication of notice by EPA will coincide or shortly follow publication of this notice.

ADDRESSES: If you wish to comment, you may submit your comments by any of several methods. You may mail comments to:

James G. Kenna, Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
P.O. Box 581260
North Palm Springs, CA 92258

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You may also comment via the Internet to emisquez@ca.blm.gov. Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. Please also include in the subject line: "Draft CDCA Plan Amendment and EIS" and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact Elena Misquez at (760) 251-4810. Finally, you may hand-deliver comments to:

Bureau of Land Management
Palm Springs-South Coast Field Office
690 W. Garnet Avenue
North Palm Springs, CA 92258.

Oral comments will be accepted and recorded at any of three public meetings to be held during the month of July, 2002. Please contact Elena Misquez at (760) 251-4810 or emisquez@ca.blm.gov for further information as to exact dates, place and time. Notice published in local media will also be provided at least 15 days prior to the scheduled public meetings.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT: Elena Misquez at (760) 251-4810 or emisquez@ca.blm.gov.

SUPPLEMENTAL INFORMATION: A copy of the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley, Draft Trails Management Plan, and Draft Environmental Impact Statement is available for review via the internet at www.ca.blm.gov/palmsprings. Electronic (on CD-ROM) and paper copies may also be obtained by contacting Elena Misquez at the aforementioned addresses and phone number.

This draft California Desert Conservation Area Plan Amendment for the Coachella Valley and draft Trails Management Plan is being developed in partnership with the Coachella Valley Association of Governments (CVAG) in support of their efforts to prepare a Coachella Valley Multi-Species Habitat Conservation Area Plan (CVMSHCP). The Trails Management Plan will be incorporated into the CVMSHCP. Upon completion of the environmental impact statement/environmental impact report for the CVMSHCP, BLM may adopt the CVMSHCP as an activity (implementation) level

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plan in accordance with Bureau Manual guidance and the National Environmental Policy Act of 1969 (NEPA). A separate record of decision will be prepared for the California Desert Conservation Area Plan Amendment for the Coachella Valley in accordance with the planning regulations at Title 43 CFR 1610 and NEPA.

Dated: May 6, 2002

James G. Kenna

Field Manager

[FR Doc. 02-13475 Filed 5-30-02; 8:45 am]

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Notice of Availability, June 7, 2002

[Federal Register: June 7, 2002 (Volume 67, Number 110)]

[Notices]

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From the Federal Register Online via GPO [wais.access.gpo.gov]

[DOCID:fr31my02-129]

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Weekly receipt of Environmental Impact Statements

Filed May 27, 2002 Through May 31, 2002

Pursuant to 40 CFR 1506.9.

EIS No. 020220, Final EIS, AFS, CO, White River National Forest Land and Resource Management Plan 2002 Revision, Alternative K is the Selected Alternative, Implementation, Eagle, Garfield, Gunnison, Mesa, Moffat, Pitkin, Rio Blanco, Routt and Summit Counties, CO, Wait Period Ends: July 08, 2002, Contact: Martha Ketelle (970) 945-2521. This document is available on the Internet at: www.fs.fed.us/r2/whiteriver.

EIS No. 020221, Final EIS, FHW, IL, U.S. 67 (FAP-310) Expressway from Jacksonville to Macomb Transportation Improvements, NPDES and COE Section 10 and 404 Permits, Morgan, Cass, Schuyler and McDonough Counties, IL, Wait Period Ends: July 08, 2002, Contact: Norman Stoner (217) 492-4640.

EIS No. 020222, Draft EIS, NRS, OK, Rehabilitation of Aging Flood Control Dams in Oklahoma, Authorization and Funding, OK, Comment Period Ends: July 08, 2002, Contact: M. Darrel Dominick (405) 742-1227.

EIS No. 020223, Final EIS, AFS, MT, Beaverhead-DeerLodge National Forest, Noxious Weed Control Program, Implementation, Integrated Weed Management, Beaverhead, Butte-Silver Bow, Anaconda-Deer Lodge, Granite, Jefferson, Powell and Madison Counties, Dillon, MT, Wait Period Ends: July 08, 2002, Contact: Leaf Magnuson (406) 683-3950.

EIS No. 020224, Final EIS, COE, FL, Lake Tohopekaliga Extreme Drawdown and Habitat Enhancement Project, Fish and Wildlife Habitat Improvements, Construction, Operation and Maintenance, Osceola County, FL, Wait Period Ends: July 08, 2002, Contact: Lizabeth Manners (904) 232-3923.

EIS No. 020225, Final Supplement, NOA, Atlantic Tunas, Swordfish and Sharks, Highly Migratory Species Fishery Management Plan, Updated Information concerning Reduction of Bycatch and Incidental Catch in the Atlantic Pelagic Longline Fishery, Atlantic Ocean, Gulf of Mexico and Caribbean Sea, Wait Period Ends: June 28, 2002, Contact: Christopher Rogers (301) 713-2347. Under Section 1506.10(d) of the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act the US Environmental Protection Agency has Granted a 7-day Waiver for the above EIS.

EIS No. 020226, Final EIS, USA, PA, Fort Indiantown Gap National Guard Training Center, Training and Operations Enhancement, Pennsylvania National Guard

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(PANG), Annville, Dauphin and Lebanon Counties, PA, Wait Period Ends: July 08, 2002, Contact: Ltc. Richard H. Shertzler (717) 861-2548.

EIS No. 020227, Draft EIS, BLM, CA, Coachella Valley California Desert Conservation Area Plan Amendment, Santa Rosa and San Jacinto Mountains Trails Management Plan, Implementation, Riverside and San Bernardino Counties, CA, Comment Period Ends: September 05, 2002, Contact: Elena Misquez (760) 251-4810. This document is available on the Internet at: www.ca.blm.gov/palmsprings.

Amended Notices

EIS No. 020163, Final EIS, COE, FL, Cape Sable Seaside Sparrow Protection, Interim Operating Plan (IOP), Alternative 7R Final Recommend Plan, Emergency Sparrow Protection Actions, Implementation, Everglass National Park, Miami-Dade County, FL, Wait Period Ends: June 18, 2002, Contact: Jon Moulding (904) 232-2286. Revision of FR Notice Published on 05/03/2002: CEQ Comment Period Ending 06/03/2002 has been extended to 06/18/2002.

EIS No. 020213, Draft EIS, FHW, PA, Mon/Fayette Transportation Project, Improvements from PA Route 51 to I-376 in Monroeville and Pittsburg, Funding, U.S. Coast Guard Bridge Permit and COE Section 404 Permit, Allegheny County, PA, Comment Period Ends: August 14, 2002, Contact: James A. Cheatham (717) 221-3461. Revision of FR Notice Published on 05/31/2002: Correction to Contact Telephone.

Dated: June 4, 2002.

Ken Mittelholtz,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. 02-14395 Filed 6-6-02; 8:45 am]

Billing Code 6560-50-P

Notice of Availability

[Federal Register]
[Notices]

DEPARTMENT OF THE INTERIOR
Bureau of Land Management

[CA-660-02-1610-DT]

Proposed California Desert Conservation Area Plan Amendment for the Coachella Valley and Final Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior

ACTION: Notice of Availability and Initiation of the 30-day Protest Period

SUMMARY: The Coachella Valley Plan amends the CDCA Plan for a 1.2 million-acre planning area encompassing the Coachella Valley, California. The BLM administers approximately 28 percent, or 330,516 acres, of the planning area. The Coachella Valley Plan is being developed in coordination with the Coachella Valley Association of Governments in support of their efforts to prepare a Coachella Valley Multiple-Species Habitat Conservation Plan (CVMSHCP).

The Coachella Valley Plan includes goals, objectives, and management prescriptions in accordance with the Federal Land Policy and Management Act of 1976 (FLPMA) for comprehensive management of desert ecosystems, including actions supporting recovery of ten species listed under the federal Endangered Species Act: Peninsular Ranges Bighorn Sheep (*Ovis Canadensis nelsoni*), Arroyo Toad (*Bufo microscaphus californicus*), Desert Pupfish (*Cyprinodon macularius macularius*), Desert Slender Salamander (*Batrachoseps aridus*), Desert Tortoise (*Xerobates [or Gopherus] agassizii*), Least Bell's Vireo (*Vireo bellii pusillus*), Southwestern Willow Flycatcher (*Empidonax traillii extimus*), Yuma Clapper Rail (*Rallus longirostris yumanensis*), Coachella Valley Milk Vetch (*Astragalus lentiginosus coachellae*), and Triple-ribbed Milk Vetch (*Astragalus tricarinatus*). The FEIS evaluates the Proposed Plan Amendments and three alternatives. The FEIS also includes public comments on the Draft Environmental Impact Statement (DEIS) and BLM's response to those comments.

DATES: Written protests on the FEIS will be accepted if received by the BLM Director 30 days after publication of the Notice of Availability by the U.S. Environmental Protection Agency, expected on or about October 18, 2002. The BLM will issue a press release citing the actual date for closure of the protest period when determined, including publication on the BLM's internet site. Instructions for filing protests are contained in the Coachella Valley Plan cover sheet just inside the front cover, and are included below under "Supplementary Information."

ADDRESSES: Mailing address for filing a protest:

Regular mail---U.S. Department of the Interior, Director, Bureau of Land Management (210), Attn: Brenda Williams, P.O. Box 66538, Washington, DC 20035.

Overnight mail---U.S. Department of the Interior, Director, Bureau of Land Management (210), Attn: Brenda Williams, Telephone (202) 452-5045, 1620 "L" Street NW, Rm. 1075, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Jim Foote at (760) 251-4836 or jfoote@ca.blm.gov. Copies of the Coachella Valley Plan are being mailed to those who received the DEIS or provided comments on the DEIS. The document is available for review via the internet at <http://www.ca.blm.gov/palmsprings> and is also available in hard copy at the following addresses and telephone numbers:

BLM, 690 West Garnet Ave., P.O. Box 581260, North Palm Springs, CA 92258; (760) 251-4800

BLM, 6221 Box Springs Blvd., Riverside, CA 92507; (909) 697-5200

SUPPLEMENTARY INFORMATION: Following are the instructions from *Title 43 Code of Federal Regulations 1610.5-2* for filing protests:

(a) Any person who participates in the planning process and has an interest which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may raise only those issues which were submitted for the record during the planning process.

(1) The protest shall be in writing and shall be filed with the Director. The protest shall be filed within 30 days of the date the Environmental Protection Agency published the notice of receipt of the final environmental impact statement containing the plan or amendment in the **Federal Register**. For an amendment not requiring the preparation of an environmental impact statement, the protest shall be filed within 30 days of the publication of the notice of its effective date.

(2) The protest shall contain:

(i) The name, mailing address, telephone number and interest of the person filing the protest;

(ii) A statement of the issue or issues being protested;

(iii) A statement of the part or parts of the plan or amendment being protested;

(iv) A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party or an indication of the date the issue or issues were discussed for the record; and

(v) A concise statement explaining why the State Director's decision is believed to be wrong.

(3) The Director shall promptly render a decision on the protest. The decision shall be in writing and shall set forth the reasons for the decision. The decision shall be sent to the protesting party by certified mail, return receipt requested.

(b) The decision of the Director shall be the final decision for the Department of the Interior.

Dated: September 13, 2002

James G. Kenna

Field Manager
BILLING CODE 4310-40-P

EIS Distribution List

A news release announcing the availability of the Proposed Plan Amendment and Final EIS with instructions of how to obtain a copy (electronic or paper) was mailed to over 600 individuals, private interest groups and governmental agencies. This document is also available for public viewing at the following internet site: www.ca.blm.gov/palmsprings/. The following is a list of representatives and agencies who were directly mailed copies of the Final EIS.

Federal

Senator Dianne Feinstein
Senator Barbara Boxer
Congresswoman Mary Bono
Congressman Jerry Lewis
U.S. Environmental Protection Agency, Washington D.C.
U.S. Environmental Protection Agency, San Francisco
U.S. Fish and Wildlife Service, Carlsbad Field Office
U.S. Fish and Wildlife Service, Coachella Valley Refuge
U.S. Forest Service - San Bernardino National Forest
U.S. Forest Service - San Jacinto Ranger District
U.S. Bureau of Reclamation - Yuma Field Office
U.S. Border Patrol, Indio
U.S. Geological Survey, Sacramento
Bureau of Indian Affairs, Palm Springs
National Park Service - Joshua Tree National Park
Secretary, U.S. Department of Interior
Director, Bureau of Land Management

State of California

Office of the Governor
State Senator Jim Battin
Assemblyman David Kelley
Senate Natural Resources Committee
South Coast Air Quality Management District
Mojave Desert Air Quality Management District
California Department of Fish and Game, Long Beach
California Department of Parks and Recreation
University of California, Riverside - Deep Canyon Reserve
University of California, Riverside - Conservation Biology

Winter Park Authority
Wildlife Conservation Board
Colorado River Board of California
Coachella Valley Mountains Conservancy
State Clearinghouse

Indian Tribes

Agua Caliente Band of Cahuilla Indians
Augustine Band of Mission Indians
Cabazon Band of Mission Indians
Cahuilla Band of Indians
Colorado River Indian Tribes
Fort Mojave Indian Tribe
Los Coyotes Band of Indians
Morongo Band of Mission Indians
Ramona Band of Mission Indians
Santa Rosa Band of Mission Indians
Torres-Martinez Band of Desert Cahuilla Indians
Twenty-Nine Palms Band of Mission Indians

Local Jurisdictions

Coachella Valley Association of Governments
County of Riverside
Sky Valley Community Council
Pinion Community Council
City of Idyllwild
City of Desert Hot Springs
City of Palm Springs
City of Cathedral City
City of Rancho Mirage
City of Palm Desert
City of Indian Wells
City of La Quinta
City of Indio
City of Coachella
Desert Water Agency
Coachella Valley Water District
Imperial Irrigation District
Metropolitan Water District
Center for Natural Lands Management

APPENDIX B WILD AND SCENIC RIVERS

Section 2.4.1 describes river segments on BLM-managed lands within the Coachella Valley CDCA planning area that have been determined eligible for designation as Wild and Scenic Rivers in accordance with the Wild and Scenic Rivers Act of 1968 (P.L. 90-542). Section 3.1.3 describes the manner by which rivers are determined to be eligible. **Table B-1** summarizes eligibility assessments conducted for Whitewater Canyon, Mission Creek (main channel, North Fork, South Fork, and West Fork), Big Morongo Canyon, Little Morongo Canyon, and Palm Canyon. Tentative classifications of eligible river segments as *wild*, *scenic*, or *recreational* are based on the degree of access and amount of development along the river area. Designated river segments are classified and administered under one of the following, as defined in Section 2(b) of the Act:

Wild river areas: Those rivers, or sections of rivers, that are free of impoundments, generally inaccessible except by trail (no roads), with watersheds or shorelines essentially primitive, and having unpolluted waters.

Scenic river areas: Those rivers, or sections of rivers, that are free of impoundments, having shorelines or watersheds largely primitive and shorelines largely undeveloped, but accessible in places by roads (i.e., roads may cross but generally not parallel the river). These rivers are usually more developed than wild and less developed than recreational. This classification may or may not include scenery as an outstandingly remarkable value.

Recreational river areas: Those rivers or sections of rivers that are readily accessible by road or railroad, may have some development along the shoreline, and may have had some impoundment or diversion in the past. This classification, however, does not imply that recreation is an outstandingly remarkable value, nor that the segment must be managed or developed for recreational activities.

Table B-2 provides more detailed information pertaining to the assessments of eligibility. **Table B-3** identifies measures that protect the free-flowing characteristics and outstandingly remarkable values of the eligible river segments pending determinations of suitability or non-suitability as Wild and Scenic Rivers. Protective measures are generally applied to public lands within 1/4 mile of the eligible river segment's bank.

*Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix B – Wild and Scenic Rivers*

**Table B-1
Documentation of Eligibility**

**Eligibility Assessment for River Segments Identified for Possible Inclusion
as Components of the National Wild and Scenic Rivers System**

<u>River Name</u>	<u>Free-Flowing Values</u>		<u>Outstandingly 3/ Remarkable Values</u>							<u>Potential Classification</u>			<u>Eligibility Determination</u>	
	<u>Yes</u>	<u>NO</u>	<u>a</u>	<u>b</u>	<u>c</u>	<u>d</u>	<u>e</u>	<u>f</u>	<u>g</u>	<u>Wild</u>	<u>Scenic</u>	<u>Recreational</u>	<u>Eligible</u>	<u>Non-Eligible</u>
Whitewater Canyon	X					X	X			X		X	X	
Mission Creek (main channel)	X		X	X						X		X	X	
Mission Creek North fork	X		X	X						X			X	
Mission Creek South Fork	X					X				X			X	
Mission Creek West Fork	X					X						X	X	
Big Morongo Canyon		X				X								X
Little Morongo Canyon		X				X								X
Palm Canyon	X					X	X				X		X	

3/ Outstandingly Remarkable Values: (a) Scenic; (b) Recreational; (c) Geological; (d) Fish and Wildlife; (e) Historical; (f) Cultural; (g) Other Similar Values

TABLE B-2. ELIGIBILITY EVALUATION

EVALUATION OF FREE-FLOWING CHARACTER, OUTSTANDINGLY REMARKABLE VALUES, AND TENTATIVE CLASSIFICATION	
Whitewater Canyon	<p><u>Free flowing</u></p> <p><u>Outstandingly Remarkable Values</u> The BLM-managed segments of Whitewater Canyon provide habitat for federal and state listed endangered species, and state species of special concern (SSSC):</p> <ul style="list-style-type: none"> – Southwestern Willow Flycatcher (<i>Empidonax traillii extimus</i> – federal and state endangered) – Arroyo southwestern toad (<i>Bufo microscaphus californicus</i> – federal endangered) – Least Bell’s Vireo (<i>Vireo bellii pusillus</i> – federal and state endangered) – Summer tanager (<i>Piranga rubra cooperi</i> – SSSC) – Yellow warbler (<i>Dendroica petechia brewsteri</i> – SSSC) – Yellow-breasted chat (<i>Icteria virens</i> – SSSC) – Gray Vireo (<i>Vireo vicinior</i> – SSSC) – Crissal thrasher (<i>Toxostoma crissali</i> – SSSC) <p>The canyon is home territory of the Wanakik lineage of Cahuilla Indians, is considered to be an important collecting and gathering area for the Cahuilla, and contains ceremonial sites and Native American sensitive areas.</p> <p><u>Tentative Classification</u> The segments of Whitewater Canyon on BLM-managed lands within the San Geronio Wilderness Additions (totaling 6.5 miles in length) are tentatively classified as “wild” in accordance with Section 2(b) of the Act. The segments outside wilderness are tentatively classified as “recreational”—they are readily accessible by the general public via the paved Whitewater Canyon Road.</p> <p><u>Ineligible Segment</u> The segment of Whitewater Canyon on BLM-managed lands between the community of Bonnie Bell and the Colorado River Aqueduct (about 0.1 mile in length) does not contain any outstandingly remarkable values, hence it is ineligible for designation as a Wild and Scenic River.</p>

EVALUATION OF FREE-FLOWING CHARACTER, OUTSTANDINGLY REMARKABLE VALUES, AND TENTATIVE CLASSIFICATION	
<p>Mission Creek – Main channel – North Fork – South Fork – West Fork</p>	<p><u>Free flowing</u></p> <p><u>Outstandingly Remarkable Values</u> The BLM-managed segments of Mission Creek provide habitat for federal and state listed endangered species, and state species of special concern (SSSC):</p> <ul style="list-style-type: none"> – Southwestern Willow Flycatcher (<i>Empidonax traillii extimus</i> – federal and state endangered) – Least Bell’s Vireo (<i>Vireo bellii pusillus</i> – federal and state endangered) – Yellow warbler (<i>Dendroica petechia brewsteri</i> – SSSC) – Yellow-breasted chat (<i>Icteria virens</i> – SSSC) – Crissal thrasher (<i>Toxostoma crissali</i> – SSSC) <p>The Pacific Crest National Scenic Trail parallels segments of Mission Creek (main channel) and the North Fork in the San Gorgonio Wilderness Additions. It is regarded by the Pacific Crest Trail Association as “the jewel in the crown of America’s scenic trails,” and spans 2,650 miles from Mexico to Canada through three states.</p> <p><u>Tentative Classification</u> The upper segments of Mission Creek on BLM-managed lands within the San Gorgonio Wilderness Additions (totaling 3.1 miles in length), as well as the North and South Forks (totaling 1.5 miles in length), are tentatively classified as “wild” in accordance with Section 2(b) of the Act. The lower segments of Mission Creek (both inside and outside wilderness), as well as the West Fork, are readily accessible via dirt roads that parallel the river segments—in wilderness, use of the roads by a private landowner has been authorized by the BLM. These segments are tentatively classified as “recreational.”</p>
<p>Big Morongo Canyon</p>	<p><u>Not free flowing</u> – The presence of a high-pressure gas pipeline along the canyon bottom, in conjunction with potential major maintenance and/or repair activities that could substantially affect the free-flowing character of river segments on BLM-managed lands, renders Big Morongo Canyon as ineligible for designation as a Wild and Scenic River.</p> <p><u>Outstandingly Remarkable Values</u> The BLM-managed segments of Big Morongo Canyon provide habitat for federal and state listed endangered species, and state species of special concern (SSSC):</p> <ul style="list-style-type: none"> – Southwestern Willow Flycatcher (<i>Empidonax traillii extimus</i> – federal and state endangered) – Least Bell’s Vireo (<i>Vireo bellii pusillus</i> – federal and state endangered) – Yellow warbler (<i>Dendroica petechia brewsteri</i> – SSSC) – Yellow-breasted chat (<i>Icteria virens</i> – SSSC) <p>Big Morongo Canyon is not tentatively classified as “wild,” “scenic,” or “recreational” given its ineligibility for designation.</p>

EVALUATION OF FREE-FLOWING CHARACTER, OUTSTANDINGLY REMARKABLE VALUES, AND TENTATIVE CLASSIFICATION	
Little Morongo Canyon	<p><u>Not free flowing</u> – The presence of a popular motorized-vehicle touring route along the canyon bottom (Kickapoo Trail) continually disrupts the free-flowing character of Little Morongo Canyon, thereby rendering it as ineligible for designation as a Wild and Scenic River. Illegal hill-climbing activities in the canyon have adversely affected soil conditions and vegetative composition. The hill climb routes are being reclaimed by the BLM.</p> <p><u>Outstandingly Remarkable Values</u> The BLM-managed segments of Little Morongo Canyon provide habitat for federal and state listed endangered species, a federal candidate species, and state species of special concern (SSSC):</p> <ul style="list-style-type: none"> – Southwestern Willow Flycatcher (<i>Empidonax traillii extimus</i> – federal and state endangered) – Least Bell’s Vireo (<i>Vireo bellii pusillus</i> – federal and state endangered) – Yellow-breasted chat (<i>Icteria virens</i> – SSSC) – Little San Bernardino Mountains Linanthus (<i>Linanthus maculatus</i> – federal candidate) <p>Little Morongo Canyon is not tentatively classified as “wild,” “scenic,” or “recreational” given its ineligibility for designation.</p>

EVALUATION OF FREE-FLOWING CHARACTER, OUTSTANDINGLY REMARKABLE VALUES, AND TENTATIVE CLASSIFICATION	
Palm Canyon	<p><u>Free flowing</u></p> <p><u>Outstandingly Remarkable Values</u> The BLM-managed segments of Palm Canyon provide habitat for federal and state listed endangered species, and state species of special concern (SSSC):</p> <ul style="list-style-type: none"> – Southwestern Willow Flycatcher (<i>Empidonax traillii extimus</i> – federal and state endangered) – Least Bell's Vireo (<i>Vireo bellii pusillus</i> – federal and state endangered) – Summer tanager (<i>Piranga rubra cooperi</i> – SSSC) – Yellow warbler (<i>Dendroica petechia brewsteri</i> – SSSC) – Yellow-breasted chat (<i>Icteria virens</i> – SSSC) – Gray Vireo (<i>Vireo vicinior</i> – SSSC) – Southern yellow bat (<i>Lasiurus ega (xanthinus)</i> – federal and state endangered) – Peninsular Ranges bighorn sheep (<i>Ovis canadensis</i> – federal endangered, SSSC) <p>Palm Canyon contains several archaeological sites significant in Cahuilla oral history. A prehistoric trail follows the canyon.</p> <p><u>Tentative Classification</u> The segment of Palm Canyon on BLM-managed lands is tentatively classified as "scenic." Although existing vehicle routes provide access to and parallel the river segment, these routes are temporarily closed pending completion of the Coachella Valley CDCA Plan Amendment, and would remain closed under the Amendment, though available for administrative purposes such as law enforcement, search and rescue, and fire control. General public access via motorized-vehicle would be prohibited.</p>

TABLE B-3. PROTECTIVE MEASURES

<p>LOCATION OF ELIGIBLE RIVER SEGMENTS AND APPLICABLE MANAGEMENT GUIDANCE</p>	<p>PROTECTIVE MEASURES PENDING DETERMINATIONS OF SUITABILITY OR NON-SUITABILITY</p>
<p><u>WILDERNESS</u> Management of the San Gorgonio Wilderness Additions in accordance with the Wilderness Act of 1964 and the California Desert Protection Act of 1994 would protect the free-flowing characteristics and outstandingly remarkable values of eligible river segments therein.</p>	<p><u>Wilderness Management</u> (partial listing of use restrictions) – Subject to valid existing rights, federal lands are withdrawn from all forms of appropriation under the mining laws. – New rights-of-way will not be granted. – Casual motorized vehicle and mechanized equipment use is prohibited. – Facilities and improvements such as trails, bridges, signs, and campsites may be provided only where they are the minimum necessary to protect the wilderness resource. – New trails may be constructed only if they are needed to preserve wilderness values and resources. – Establishment of new water-regulating structures is subject to approval by the President. – To the extent possible, wildlife species are allowed to maintain a natural balance with their habitat and with each other.</p>
<p><u>NATIONAL MONUMENT</u> Management of the Santa Rosa and San Jacinto Mountains National Monument in accordance with its establishing legislation and BLM interim management policy for National Monuments pending completion of the required planning process would protect the free-flowing characteristics and outstandingly remarkable values of eligible river segments therein.</p>	<p><u>Interim Management of the National Monument</u> – Subject to valid existing rights, federal lands are withdrawn from all forms of entry, appropriation, or disposal under the public lands laws; from location, entry, and patent under the public land mining laws; and from operation of the mineral leasing and geothermal leasing laws and the mineral material laws. However, lands may be exchanged with the Agua Caliente Band of Cahuilla Indians to support the existing cooperative agreement with the BLM. – Pending completion of the management plan, federal lands are managed substantially consistent with current uses occurring on such lands and under the general guidelines and authorities of existing management plans. – Vehicle access by the general public to Palm Canyon is temporarily prohibited pending completion of the Coachella Valley CDCA Plan Amendment. Under all alternatives of the plan amendment, this closure would continue. Routes accessing the eligible river segment would be available only for administrative purposes such as law enforcement, search and rescue, and fire control.</p>

*Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix B – Wild and Scenic Rivers*

<p style="text-align: center;">LOCATION OF ELIGIBLE RIVER SEGMENTS AND APPLICABLE MANAGEMENT GUIDANCE</p>	<p style="text-align: center;">PROTECTIVE MEASURES PENDING DETERMINATIONS OF SUITABILITY OR NON-SUITABILITY</p>
<p><u>OTHER</u> Management of public lands outside designated wilderness and the Santa Rosa and San Jacinto Mountains National Monument in accordance with the California Desert Conservation Area Plan and the Coachella Valley CDCA Plan Amendment, upon approval, would protect the free-flowing characteristics and outstandingly remarkable values of eligible river segments.</p>	<p><u>CDCA Plan Guidance for Multiple-Use Class “L” (Limited Use) areas and Coachella Valley Amendments to the Plan</u> – Public lands designated as Class L are managed to provide for generally lower-intensity, carefully controlled multiple use of resources, while ensuring that sensitive values are not significantly diminished. – Motorized-vehicle use will be allowed on existing routes of travel until designation of routes is accomplished. The Coachella Valley CDCA Plan Amendment would continue an existing closure to general public access along the eligible segment of Mission Creek. – Management of public lands in accordance habitat conservation objectives and regional land health standards identified in the CDCA Plan Amendment would protect wildlife habitats, native species, riparian stream function, and water quality.</p>

Appendix C **Air Quality**

I. AIR QUALITY MANAGEMENT STRATEGY

In accordance with the Clean Air Act as Amended (1990), the U.S. Environmental Protection Agency has developed National Ambient Air Quality Standards that are used to classify areas as to whether they are in attainment or not of the air quality standards. Areas that are classified as non-attainment areas, such as the Coachella Valley, are required to prepare and implement a State Implementation Plan that identifies and quantifies sources of emissions and provides a strategy to reduce emissions. In the Coachella Valley, there are a variety of natural and man-made fugitive dust sources that generate PM10 emissions.

In 2002, a State Implementation Plan for the Coachella Valley has been prepared which identifies sources of PM10, including revised construction-related emissions data from year 2000, and control measures to reduce emissions. There also are a set of rules (400 series) designed to limit area and point source particulate emissions and fugitive dust in the Coachella Valley. Under the Clean Air Act conformity rules (CAA 176(c) and 40 CFR part 51 subpart W), activities on BLM-managed lands in a non-attainment area must conform to the applicable State Implementation Plan. The BLM proposes to implement the following air quality management strategy to do its part in facilitating compliance with the 2002 Coachella Valley PM10 State Implementation Plan.

A. Reduce the unpaved route network.

The BLM strategy includes a reduction in the extent of the unpaved routes of travel network. This will be accomplished, in part, through the closure of routes that are redundant with other routes in a given area. Existing routes which are in conflict with the conservation goals and strategies of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) will also be closed or subject to seasonal closure.

B. Direct off-highway vehicle use away from sensitive receptors.

This management strategy consists of two related parts. One is to continue providing opportunities for off-highway vehicle use downwind of sensitive receptors in the Coachella Valley, such as in the Drop 31 area (located in the south east end of the Coachella Valley). Current off-highway vehicle use occurs on existing routes within the Coachella Valley. The BLM proposes to collaborate with the appropriate County and State agencies to establish an off-highway vehicle recreation area ("open area") east of Dillon Road and north of Interstate-10.

The second part of this management strategy addresses unauthorized off-highway vehicle use in closed and "limited use" areas, notably those upwind of sensitive receptors. BLM would post signs and enforce vehicle restrictions. BLM would also seek to develop a volunteer patrol program to provide more on-the ground presence,

and to report off-highway vehicle intrusions in restricted areas to BLM law enforcement rangers.

C. Install Sand Fencing.

The BLM would install sand fencing where fencing can assist in reducing PM10 emissions upwind of sensitive receptors and maintain habitat for sand dependent species.

D. Authorized uses comply with State Implementation Plan.

All authorized uses with the potential to generate fugitive dust and PM10 shall be conditioned through the application of terms and conditions developed based on mitigation, management and control measures set forth in the State Implementation Program for PM10 in effect at the time of approval. Proposed projects with the potential to exceed National Ambient Air Quality Standards shall include in the environmental analysis, a dust control plan prepared in coordination with the South Coast Air Quality Management District.

II. COACHELLA VALLEY PM10 STATE IMPLEMENTATION PLAN

The South Coast Air Quality Management District (SCAQMD) has developed a revised and updated set of PM10 control measures designed to bring the Coachella Valley into compliance with federal PM10 standards. These proposed control measures are embodied in the draft 2002 Coachella Valley PM10 State Implementation Plan (SIP) and are summarized below.

Changes to the proposed control measures cited in the 2002 Coachella Valley PM10 SIP, may occur as a result of the most stringent measures (MSM) analyses, but are not expected to substantially change the conclusions regarding the environmental impacts analyzed. The draft 2002 Coachella Valley PM10 SIP also identifies specific enforceable SIP commitments. The control measures are proposed to be adopted as expeditiously as possible, but no later than the adoption dates outlined in the following table.

Table C-1: Summary of 2002 Coachella Valley PM10 SIP Control Measures

Control Measure	Source Category	Implementing Agency	Adoption Schedule
CV BACM 1	Construction	Local Jurisdictions	Prior to October 1, 2003
		AQMD Regulations	Prior to January 1, 2004
CV BACM 2	Disturbed Vacant Lands	Local Jurisdictions BLM	Prior to October 1, 2003

Control Measure	Source Category	Implementing Agency	Adoption Schedule
CV BACM 3	Unpaved Roads	Local Jurisdictions BLM	Prior to October 1, 2003
	Unpaved Parking Lots	Local Jurisdictions	Prior to October 1, 2003
CV BACM 4	Paved Roads	Local Jurisdictions	Prior to October 1, 2003
		AQMD Regulations	Prior to January 1, 2004
CV BACM 5	Agriculture	AQMD Regulations	Prior to January 1, 2004

A. CV BACM 1 – Further Control of Emissions from Construction Activities

CONTROL MEASURE SUMMARY	
Source Category:	Construction Activities
Control Methods:	Watering, chemical stabilization, wind fencing, re-vegetation, track-out control
Implementing Agency:	Local governments/ AQMD

1. **Description of Source Category**

Background. Construction activities are a fugitive dust source that may have a substantial temporary impact on local air quality. Emission sources during construction activities include land clearing, drilling and blasting, ground excavation, cut and fill activities, and windblown emissions from disturbed surfaces. Vehicular travel on disturbed surfaces and material tracked from unpaved surfaces onto paved public roads can also contribute to construction activity emissions. Construction activity fugitive dust emissions can vary significantly from day to day depending on the level/type of activity and wind conditions.¹

Regulatory History. In the Coachella Valley, construction projects are subject to dust control ordinances that require applicants to obtain local jurisdiction approval of a dust control plan (plan) prior to issuance of a grading permit. The ordinance requires that the plan must include sufficient detail to demonstrate compliance with AQMD Rule 403. In addition, AQMD Rules 403/403.1 serve as backstop regulations for Coachella Valley construction activity emissions. A summary of local jurisdiction dust control ordinance and AQMD Rule 403/403.1 requirements for construction activities is included in Chapter 4.

¹ U.S. Environmental Protection Agency, Compilation of Emission Factors (AP-42), Chapter 13 - Miscellaneous Sources, January 1995.

2. Proposed Method of Control

Local Jurisdiction Dust Control Ordinances. In order to facilitate enforcement activities at construction sites under local jurisdiction control, a revised model ordinance is proposed to be adopted by all Coachella Valley local jurisdictions. In addition to the dust control plan submittal requirements, the revised dust control ordinance is proposed to include the following upgrades to enhance construction site compliance determinations.

- All fugitive dust sources will be required to implement Coachella Valley Best Available Control Measures (CV BACM).
- Dust control plans required prior to issuance of building permits for projects with more than 5,000 square feet of disturbed soils unless a dust control plan has already been issued to the builder/developer through a grading permit. The plan must have the required elements described in the Coachella Valley Dust Control Handbook (which will be developed concurrently with the revised dust control ordinance).
- Site-specific dust mitigation plan required for construction activities greater than or equal to 10 acres (must be forwarded to AQMD after local approval). AQMD staff will compile this information for compliance purposes and not issue a separate approval.
- Construction activities greater than or equal to 10 acres must notify local jurisdiction/AQMD at least 24-hours prior to initiating earth-movement activities.
- Construction activities greater than or equal to 10 acres must notify local jurisdiction/AQMD within 10 days of project completion.
- Construction site signage required for projects requiring issuance of grading permit or building permit for a site with greater than or equal to 5,000 square feet (approximately 0.1 acre) of disturbed soils, activities that import or export more than 100 cubic yards of material, or trenching activities greater than 100 feet in length. AQMD staff proposes to scale the signage requirements based on project site acreage (i.e., smaller/fewer signs required for sites with between 5,000 square feet to five acres with larger signage required for sites with more than five acres). Based on guidance contained in Clark County and Maricopa County regulations, sites with more than ten acres would be required to install four-foot by eight-foot signs with the following information provided in three-inch lettering: project name, permittee name, phone number of person(s) responsible for dust control, AQMD phone number, dust control permit (plan) number, and project acreage.
- Dust control monitor (responsible person) required for sites with greater than or equal to 50 acres of actively disturbed soils. Monitor(s) must be hired by property owner or developer, have dust control as primary responsibility, and have the

authority to initiate dust control measures.

Work Practice Requirements. Under existing dust control ordinance requirements, activities that submit a dust control plan are required to provide sufficient detail to demonstrate compliance with AQMD Rule 403. In order to provide more direct guidance, the AQMD proposes that specific work practices be incorporated into the revised dust control ordinance. These work practice requirements are based on the most stringent requirements contained in Clark and Maricopa County regulations and are intended to ensure a baseline level of control regardless if a plan has been submitted. Specific dust control work practices include the following.

- Earth-moving operations on sites with greater than one acre of disturbed surfaces are required to operate a water application system (i.e., water truck) while conducting earth-moving operations if watering is the selected control measure.
- Short-term stabilization (maintaining soils in a damp condition, surface crust, or chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months) required for after-hours/weekends.
- Long-term stabilization techniques required within 10 days for areas where construction activities are not scheduled for 30 days.
- Track-out control device (washed gravel pad at least 30 feet wide, 50 feet long, and six inches deep, paving starting from the point of intersection with a paved public roadway and extending for a centerline distance of at least 100 feet and a width of at least 20 feet, grizzly or wheel wash system) required for construction projects greater than or equal to five acres or those that import/export greater than or equal to 100 cubic yards per day. Regardless of project size or track-out control device selected, material tracked-out onto a paved public road must be removed at anytime it extends more than 50 feet from a site entrance and at the conclusion of the workday.

Local Government/AQMD Agreements. To ensure a uniform approach to development and approval of dust control plans, all jurisdictions are proposed to be required to adopt the Coachella Valley Dust Control Handbook in conjunction with the revised dust control ordinance. The Coachella Valley Dust Control Handbook will be an enforceable upgrade to the Coachella Valley Dust Control Plan Review Guidance document approved by the Coachella Valley Association of Governments (CVAG) in March of 2001. The intent of the Coachella Valley Dust Control Handbook is to specify the procedures for preparation and approval of a dust control plan, similar to the Handbooks prepared by Maricopa and Clark Counties. Elements of the Coachella Valley Dust Control Handbook are to include:

- Project applicant forms
- Project description forms (acreage, phasing, water sources)

- Requirements for site mapping (site location/boundaries and all access points)
- Forms for notifying local jurisdictions/AQMD of project initiation/completion
- Standards (dimensions, lettering, location, etc.) for construction site signage
- List of Coachella Valley Best Available Control Measures (CV BACM) for fugitive dust sources
- Forms to describe the CV BACM to be implemented on-site (routine dust control measures in sufficient detail to facilitate compliance determinations and a description of the contingency control measures to be implemented if the routine measures are ineffective)
- Estimates of daily throughput
- Detailed description of track-out control system (gravel pad, wheel washer, etc.) and procedures for removal of material that extends more than 50 feet from any site access point
- Identification of dust control monitor (responsible person) for sites with greater than or equal to 50 acres of actively disturbed soils.
- Checklist for local government plan reviewers
- Sample record keeping form

Finally, the AQMD is proposing to enter into a Memorandum of Understanding (MOU) with either CVAG or each local jurisdiction to specify responsibilities and commitments (permitting fees, enforcement staffing, penalty procedures, etc.) associated with the revised dust control ordinance provisions.

AQMD Regulations. Construction/earth-movement activities that are not required to obtain grading/building permits from local jurisdictions (School Districts, Flood Control Maintenance, Caltrans, etc.) are currently subject to AQMD Rules 403/403.1. Under the planned dust control program upgrades, the AQMD proposes to revise these regulations to require:

- Implementation of CV BACM instead of Reasonably Available Control Measures (RACM) that are currently required. These CV BACM would be required of all Coachella Valley fugitive dust sources.
- An AQMD-approved dust control plan (plan) for any source not under local jurisdiction control with greater than or equal to one acre of disturbed surfaces, or those that import/export greater than or equal to 100 cubic yards per day, or trenching activities greater than 100 feet in length.
- An AQMD-approved plan must follow the Coachella Valley Dust Control Handbook procedures summarized above. For routine maintenance activities (i.e., road shoulder/flood control channel maintenance), one AQMD-approved plan can be developed and approved for multiple sites provided that sufficient information is provided to describe dust control efforts.

3. Emission Reductions

All of the control options listed above represent existing technologies that are presently available to construction site managers. For more traditional air pollution sources, such as point sources, emissions reductions are calculated by multiplying the baseline

emissions by the effectiveness of a given control technology (e.g., selective catalytic reduction). For non-traditional air pollution sources, such as fugitive dust, emissions reductions calculations are more difficult because the level of control necessary to comply will vary greatly due to site-specific conditions. For example, a construction site in a wind-protected cove area of the desert may need to apply less water to a grading project when compared to a site located in the Coachella Valley blowsand zone. Moreover, many of the proposed rule requirements allow various control options. Accordingly, it is not possible to quantify precise emissions reductions from implementation of the proposed revised dust control ordinance/AQMD rule requirements. A study conducted by the Midwest Research Institute that monitored PM10 emissions both with and without an extensive watering program, however, determined that an effective watering program can reduce PM10 emissions by 60 to 90 percent.²

4. Rule Compliance /Test Methods/ Record keeping

The following test methods/performance standards are proposed for the locally-adopted dust control ordinances and AQMD regulations: visible plume length limit (e.g., 100 - 300 feet), 20 percent opacity for active operations, silt loading not to exceed 0.33 ounces/square foot or silt content not to exceed 6 percent for haul roads, and drop ball/threshold friction velocity for disturbed surface areas. Self-inspection records (daily inspection of damp or crusted soils, track-out conditions, water usage) must be prepared and retained for three years after project completion and must be made available to the local jurisdiction/AQMD upon request. The Coachella Valley Dust Control Handbook will contain sample record keeping forms. Activities that use chemical dust suppressants will be required to maintain records indicating type of product applied, vendor name, and the method, frequency, concentration, and quantity of application.

5. Cost Effectiveness

In 1997, AQMD adopted amendments to Rule 403.³ Among other requirements, these amendments upgraded the existing Reasonable Available Control Measure implementation requirement to require Best Available Control Measures implementation for all fugitive dust sources in the South Coast Air Basin. The cost-effectiveness of these upgrades were estimated at \$197 per ton of PM10 reduced.

² Midwest Research Institute, Improvement of Specific Emission Factors, March 29, 1996

³ South Coast Air Quality Management District, Revised Final Staff Report for Proposed Amended Rule 403 (Fugitive Dust) and Proposed Rule 1186 (PM10 Emissions from Paved and Unpaved Roads, and Livestock Operations), February 14, 1997.

6. Implementing Agency

Local jurisdictions have the authority to require and enforce conditions of approval (i.e., plan conditions) prior to issuance of building/grading permits. Additionally, Health and Safety Code Section 40449 states that there are no limitations on cities or counties to adopt any ordinance that is more stringent than and not in conflict with AQMD regulations. Under this Health and Safety Code Section, AQMD also has the authority to enforce locally-adopted ordinance provisions and conditions of approval placed on construction projects. The AQMD has the authority to adopt and enforce rules and regulations to achieve and maintain the National Ambient Air Quality Standards under Health and Safety Code Section 40413.

B. CV BACM 2 – Disturbed Vacant Lands

CONTROL MEASURE SUMMARY	
Source Category:	Disturbed Vacant Lands
Control Methods:	Chemical stabilization, wind fencing, access restriction, re-vegetation
Implementing Agency:	Local governments/ AQMD / BLM

1. Description of Source Category

Background. Fugitive dust emissions can be generated by wind erosion of vacant lands and areas that have been disturbed by man-made activities. In the Coachella Valley, a unique situation exists where approximately 20,000 acres of vacant land have been preserved to protect the federally threatened Coachella Valley fringe-toed lizard. These animals rely on sand migration for foraging and habitat and thus, the control of fugitive dust from wind erosion is prohibited in these areas. Accordingly, the proposed disturbed vacant land controls target areas subject to man-made disturbances (i.e., off-road vehicle use, inactive construction sites, etc.). As mentioned in Chapter 2, exclusion of certain air quality data is allowed under the U.S. EPA Natural Events Policy if it can be documented that emissions are attributable to a natural source such as the Coachella Valley Preserve.

Regulatory History. The dust control ordinance currently requires owners of unimproved property to discourage off-road motor vehicle use through signage and/or fencing as deemed necessary by local jurisdiction. In addition, AQMD Rules 403/403.1 serve as backstop regulations for the dust control ordinance.

2. Proposed Method of Control

In order to facilitate enforcement activities on disturbed vacant lands, a revised dust control ordinance is proposed for adoption by all Coachella Valley local jurisdictions.

The revised dust control ordinance is proposed to include the following upgrades to further reduce emissions from disturbed surface areas.

- Owners/operators of vacant lands greater than or equal to 5,000 square feet that have a cumulative area of more than or equal to 500 square feet that are disturbed by motor vehicles and/or off-road motor vehicles are required to prevent trespass by installing barriers. If access restriction is not feasible, owners/operators may choose to uniformly apply and maintain washed gravel or chemical/organic dust suppressants to all disturbed areas at a level sufficient to prevent wind driven fugitive dust. These treatments shall be required within 30 days of initial discovery by either the local jurisdiction or the AQMD and must be maintained in a condition that to meet the applicable performance standards.
- Owners/operators of disturbed vacant lands greater than or equal to 0.5 acre are required to establish vegetative ground cover, stabilize with chemical dust suppressants or washed gravel, or implement and maintain an alternative U.S. EPA-approved control measure at a level sufficient to prevent wind driven fugitive dust. These treatments shall be required within 30 days of initial discovery by either the local jurisdiction or the AQMD and must be maintained in a condition to meet the applicable performance standards.
- Owner/operators of vacant lands where weed abatement is conducted by disking or blading shall be required to apply water before and during weed abatement activities and stabilize the site with vegetative ground cover, chemical dust suppressants, washed gravel, or implement and maintain an alternative U.S. EPA-approved control measure at a level sufficient to prevent wind driven fugitive dust.

3. Emission Reductions

All of the control options listed above represent existing technologies that are presently available to owner/operators of disturbed vacant lands. As with the proposed controls for construction activities, there are a range of compliance options for reducing PM10 emissions from disturbed vacant lands. Accordingly, it is difficult to estimate the percent reduction from this source category. For reference, the AQMD 1990 Coachella Valley PM10 State Implementation Plan (1990 CV SIP) estimated that vacant land control measures (vegetative cover, chemical stabilization, and wind fencing) would reduce emissions by 28 percent.⁴

4. Rule Compliance/ Test Methods/ Record keeping

The following test methods/performance standards are proposed for the locally-adopted

⁴ South Coast Air Quality Management District, State Implementation Plan for PM10 in the Coachella Valley, November 1990.

dust control ordinances: wind driven fugitive dust (defined as visible emissions from any disturbed surface area generated from wind action alone), drop ball, vegetative cover, rock test and/or threshold friction velocity.

To proactively address potential wind erosion emissions from disturbed vacant lands, owners of disturbed vacant lands that are subject to the revised dust control ordinance provisions are required to notify the City (County) of the location of subject vacant lands and owner contact information within 90 days of ordinance adoption.

Owner/operators of disturbed vacant lands will be required to compile records of evidence that documents compliance with the ordinance requirements. Said records of evidence may include, but shall not be limited to, name and contact person of all firms contracted with for dust suppression, listing of all dust control implements used on-site, and proof (invoices from dust suppressant and dust control implement vendors) of dust suppressant application. The records must be retained for three years and made available to the City (County) and AQMD upon request.

5. Cost Effectiveness

Cost-effectiveness calculations for controlling emissions from disturbed vacant lands were calculated in the 1990 CV SIP as follows: stabilizing blowsand areas with chemical stabilizers - \$810/ton PM10 reduced, snow fence windbreaks - \$281/ton PM10 reduced, tree wind breaks - \$409/ton PM10 reduced, and vegetative planting \$532/ton PM10 reduced.

6. Implementing Agency

Under general police powers, local jurisdictions have the authority to impose requirements and enforce ordinance requirements on owners of disturbed vacant lands. Additionally, Health and Safety Code Section 40449 states that there are no limitations on cities or counties to adopt any ordinance that is more stringent than and not in conflict with AQMD regulations. This Health and Safety Code Section also provides the AQMD with the authority to enforce locally-adopted ordinance provisions and conditions of approval placed on construction projects.

C. CV BACM 3 – Unpaved Roads and Unpaved Parking Lots

CONTROL MEASURE SUMMARY	
Source Category:	Unpaved Roads and Unpaved Parking Lots
Control Methods:	Paving, chemical stabilization, access restriction, re-vegetation
Implementing Agency:	Local governments/ AQMD / BLM

1. Description of Source Category

Background. Continued growth and development in the Coachella Valley has resulted in conversion of many unpaved surfaces to paved areas. Additionally, unpaved roads and unpaved parking lots are typically not permitted in new land use developments. In spite of this, existing vehicular travel on and windblown emissions from unpaved roads and unpaved parking lots continue to generate significant amounts of fugitive dust and the accompanying PM10 emissions.

Regulatory History. The existing model ordinance requires that owners of public or private unpaved roads with between 20 and 150 average daily traffic (ADT) levels must take measures (signage or speed control devices) to reduce vehicular speeds to 15 miles per hour. Owners of public or private unpaved roads with more than 150 ADT are required to pave the roadway or submit a Fugitive Dust Mitigation Plan that specifies the method(s) to reduce fugitive dust emissions within six months of ordinance adoption. In addition, AQMD Rule 403 serves as a backstop regulation for the dust control ordinance.

2. Proposed Method of Control

In order to improve enforcement determinations for unpaved roads and parking lots, a revised model ordinance is proposed to be adopted by all Coachella Valley local jurisdictions. The revised dust control ordinance is proposed to include the following upgrades to further reduce emissions from unpaved roads and unpaved parking lots.

Unpaved Roads.

- Upon dust control ordinance adoption, new unpaved roads or alleys are prohibited as public thoroughfares after July 1, 2002 unless chemical dust suppressants are applied and maintained according to the applicable standards/test methods.
- Owner/operators of public or private unpaved roads with between 20 and 150 average daily traffic (ADT) levels must take measures (signage or speed control devices) to reduce vehicular speeds to 15 miles per hour (*existing model ordinance requirement*).
- Owner/operators of public or private unpaved public roads, including alleys, constructed prior to July 1, 2002, that have ADT levels of 150 or more, are required to pave, apply and maintain chemical dust suppressants according to the applicable rule standards/test methods in accordance with the following schedule—1/3 of qualifying unpaved roads within one year of ordinance adoption with the remainder treated within two years of ordinance adoption.

Unpaved Parking Lots. Upon dust control ordinance adoption, new unpaved parking lots are prohibited unless treated with chemical dust suppressants or stabilized with chemical dust suppressants in travel lanes and two inches of uniformly applied washed gravel in parking areas and maintained in accordance with the applicable standards/test methods.

Owners/operators of an existing unpaved parking lot larger than 5,000 square feet are required to pave, apply chemical dust suppressants, or apply washed gravel, according to the applicable rule standards/test methods within six months of ordinance adoption. Owners/operators of unpaved parking lots that are used no more than 35 days a year are required to implement control measures [apply dust suppressants or apply washed gravel] according to the applicable rule standards/test methods on days when more than 10 vehicles enter and park.

3. Emission Reductions

All of the control options listed above represent existing technologies that are presently available to owner/operators of unpaved roads and unpaved parking lots. Because the proposed control measure allows the implementation of a variety of control options it is difficult to estimate the accompanying emission reductions. The 1997 AQMD staff report for Rule 1186 (applicable to unpaved roads within the South Coast Air Basin) included the following emission reduction percentages for the various control options paving unpaved roads - 94 percent reduction, chemical stabilization - 75 percent reduction, and 15 mile per hour speed limits - 50 percent reduction.⁵

4. Rule Compliance/ Test Methods/ Record keeping

The following test methods/performance standards are proposed for the locally-adopted dust control ordinances: visible plume length limit of 100 - 300 feet, 20 percent opacity standard, a 6 percent silt content standard and a 0.33 ounces per square foot silt loading standard (for unpaved roads), an eight percent silt content standard and a 0.33 ounces per square foot silt loading standard (for unpaved parking lots), and/or gravel applied uniformly and maintained to a depth of two inches.

⁵ South Coast Air Quality Management District, Revised Final Staff Report for Proposed Amended Rule 403 (Fugitive Dust) and Proposed Rule 1186 (PM10 Emissions from Paved and Unpaved Roads, and Livestock Operations), February 14, 1997.

To proactively address potential emissions from unpaved roads and unpaved parking lots owner/operators must report unpaved road locations and ADT estimates and parking lot size to the applicable jurisdiction within six months of ordinance adoption. Local jurisdictions will then be required to prepare annual reports that describe the total unpaved road miles within their jurisdictional boundaries and the miles paved or treated in compliance with the revised dust control ordinance requirements until all applicable roads are in compliance. The annual reports must also include an inventory of unpaved parking lots within the jurisdiction and describe the control actions implemented to demonstrate compliance with the ordinance requirements. If chemical dust suppressants are used as an alternative to paving, then the annual report shall include the date, amount and proposed frequency of chemical dust suppressant application, and the manufacturer's dust suppressant product information sheet that identifies the name of the dust suppressant and application instructions. These records must be retained for three years and made available to the local jurisdiction/AQMD upon request.

5. Cost Effectiveness

Costs for unpaved road treatments were estimated in the 1997 AQMD Rule 1186 staff report as follows: paving - \$350,000 per mile, chemical stabilization - \$16,107 per mile, and speed limit reduction: \$200 per sign with four signs required per mile for a total of \$800 per mile. The overall cost-effectiveness of AQMD Rule 1186 unpaved road treatment requirements was estimated at \$958 per ton of PM10 reduced.⁶

6. Implementing Agency

Under general police powers, local jurisdictions have the authority to impose dust control ordinance requirements on owner/operators of unpaved roads and parking lots and enforce the accompanying dust control ordinance provisions. Additionally, Health and Safety Code Section 40449 states that there are no limitations on cities or counties to adopt any ordinance that is more stringent than and not in conflict with AQMD regulations. This Health and Safety Code Section also provides AQMD with the authority to enforce locally-adopted ordinance provisions.

⁶ South Coast Air Quality Management District, Revised Final Staff Report for Proposed Amended Rule 403 (Fugitive Dust) and Proposed Rule 1186 (PM10 Emissions from Paved and Unpaved Roads, and Livestock Operations), February 14, 1997.

III. AIR QUALITY CONFORMITY ANALYSIS

INTRODUCTION

The Coachella Valley and Western Morongo Basin portions of the CDCA planning area are in "non-attainment" for PM₁₀ (particulate matter 10 microns or smaller) and ozone. Section 176 (c) of the Clean Air Act (CAA), as amended (42 U.S.C. 7401 *et seq.*) and regulations under 40 CFR part 51 subpart W requires federal agencies to make a determination that a proposed action is or will be in conformity with applicable implementation plans meant to bring an area into compliance. The exceedances for ozone are primarily due to ozone's production and importation outside the plan area and, therefore, efforts to control ozone in those areas in conjunction with existing industrial rules will reduce ozone in the planning area. Within the plan area, however, PM₁₀ is primarily associated with local conditions and activities. Two separate State Implementation Plans (SIPs) have been adopted, which direct actions to be taken to bring the respective areas into compliance with federal PM₁₀ standards.

MORONGO BASIN PM₁₀ PLAN CONFORMITY ANALYSIS

PM₁₀ violations throughout the Mojave Desert Air Basin are primarily attributed to heavy fugitive dust sources in and around urbanized areas and dust generated from large-scale high wind events.⁷ Major dust sources in urbanized areas include unpaved road travel, off-highway vehicle use, wind erosion of unpaved roads and disturbed soils, and construction and demolition activity. In an effort to bring the region into compliance with federal PM₁₀ standards, the MDAQMD adopted a "Federal Particulate Matter Attainment Plan" in 1995, which sets forth a control strategy plan for the entire District. The strategy is aimed at reducing fugitive dust emissions from unpaved road travel, construction/demolition activities, disturbed areas, and industrial activities. All development in the District must comply with the provisions of this Plan and other applicable MDAQMD emissions requirements.

With the implementation of the "air quality management strategy" and appropriate mitigation for any emission producing projects, in the preferred alternative of the Coachella Valley CDCA Plan Amendment, there will be an overall reduction in air emissions within the Western Morongo Basin subarea from BLM managed lands. Therefore, cumulatively, activities on the BLM lands will be in conformance with the current Morongo Desert Air Basin's "Federal Particulate Matter Attainment Plan".

⁷ "Mojave Desert Planning Area Federal Particulate Matter (PM₁₀) Attainment Plan," Mojave Desert Air Quality Management Plan, July 31, 1995.

COACHELLA VALLEY PM10 PLAN CONFORMITY ANALYSIS

The air quality conformity analysis is a process that evaluates a variety of criteria, including special and jurisdictional applicability, current SIP and its status and rules and provisions, and other issues. Each of these steps is described and addressed below. The South Coast Air Quality Management District has drafted the 2002 CVSIP, which details the control measures necessary to attain the PM10 standards again. This analysis addresses conformance of the CDCA Plan Amendment with the 2002 CVSIP and its more stringent standards.

1. Spatial and Jurisdictional Applicability

The Coachella Valley encompasses approximately 2,500 square miles and is located in the central portion of Riverside County known as the Salton Sea Air Basin (SSAB). The 2002 CVSIP focuses on the Coachella Valley as defined by Banning Pass to the north, by the Riverside/Imperial County boundary lines to the south, by the San Jacinto Mountains to the west, and by the San Bernardino Mountains to the east. Elevation ranges from 500 feet above sea level to 150 feet below sea level. On private and state-regulated lands, the South Coast Air Quality Management District (SCAQMD) has responsibility for assuring compliance with applicable state and federal air quality regulations. The U.S. EPA is directly involved in assuring that SCAQMD and affected jurisdictions take appropriate actions to "attain" federal standards. Lands under federal control are required to demonstrate compliance with applicable attainment plans, including the Coachella Valley SIP.

2. Coachella Valley 2002 State Implementation Plan

In November 1990, areas in the United States that were previously designated as federal nonattainment areas for PM10, including the Coachella Valley, were initially designated as "moderate" PM10 nonattainment areas. The Coachella Valley PM10 SIP (CVSIP) was adopted in November, 1990 and incorporated "reasonably available control measures" (RACM). The 90-CVSIP identified candidate control measures and demonstrated attainment of the NAAQS for PM10 by the year 1995, one year after the statutory limit for moderate nonattainment areas.

Unable to meet regulatory standards, the Coachella Valley was redesignated as "serious" effective February 8, 1993. In response, the SCAQMD prepared a SIP revision (94-CVSIP) that identified candidate Best Available Control Measures (BACM) for implementation prior to February 8, 1997. Compliance seemed to have been achieved in the period from 1993 through 1995. The 1996 CVSIP demonstrated attainment of the PM10 standards. From 1999 through 2001, PM10 dust levels rose

sufficiently to exceed the annual average PM₁₀ standard. Based upon the exceedances during this period, coupled with very low rainfall, the Coachella Valley was determined to be on non-attainment of federal PM₁₀ standards.

The following table provides information regarding exceedances of Standards PM₁₀ Standards

Coachella Valley Air Quality Trends
Exceedances of PM₁₀ Standards

Monitoring Station	Year	Maximum Concentration ($\mu\text{g}/\text{m}^3/24\text{hours}$)	No. (%) Samples Exceeding 24-hr. Standards		Annual Average ($\mu\text{g}/\text{m}^3$)	
			Federal ¹	State ²	AAM ³	AGM ⁴
Palm Springs	1990	83	0 (0.0%)	9 (15.3%)	34.5	30.5
	1991	197	1 (1.8%)	14 (25.0%)	42.9	36.6
	1992	175	1 (1.7%)	4 (6.7%)	29.6	24.3
	1993	58	0 (0.0%)	1 (1.7%)	27.0	23.6
	1994	97	0 (0.0%)	23 (38.3%)	48.7	45.3
	1995 [^]	199	1 (1.6%)	27 (44.3%)	52.0	47.2
	1996	130	0 (0.0%)	2 (3.3%)	29.3	25.2
	1997 ^{a)}	63	0 (0.0%)	1 (1.8%)	26.4	23.6
	1998	72	0 (0.0%)	3 (5.2%)	26.4	23.8
	1999	104	0 (0.0%)	3 (5.0%)	28.8	26.1
	2000	44	0(0.0%)	0(0.0%)	24.4	22.7
Indio	1990	520	4 (6.8%)	41 (69.5%)	79.3	64.9
	1991	340	3 (5.1%)	37 (62.7%)	69.0	59.8
	1992	117	0 (0.0%)	18 (30.5%)	43.4	39.2
	1993	125	0 (0.0%)	25 (41.0%)	46.4	40.6
	1994	97	0 (0.0%)	23 (38.3%)	48.7	45.3
	1995 [^]	199	1 (1.6%)	27 (44.3%)	52.0	47.2
	1996 [*]	117	0 (0.0%)	29 (50.0%)	50.8	46.1
	1997 ^{a)*}	144	0 (0.0%)	23 (42.6%)	49.1	44.2
	1998	114	0 (0.0%)	32 (40.0%)	48.1	43.8
	1999	119	0 (0.0%)	30 (54.0%)	52.7	49.8
	2000 [*]	114	0(0.0%)	52(50.0%)	51.9	48.4

¹ = > 150 $\mu\text{g}/\text{m}^3$ in 24 hour period

² = > 50 $\mu\text{g}/\text{m}^3$ in 24 hour period

³ Federal Annual Average Standard = AAM > 50 $\mu\text{g}/\text{m}^3$

⁴ State Annual Average Standard = AGM > 30 $\mu\text{g}/\text{m}^3$

[^] Includes high-wind natural event days

^{a)} Less than 12 full months of data; may not be representative.

^{*} Data for samples collected on high-wind days were excluded in accordance with EPA's Natural Events Policy.

Source: Annual air quality site monitoring reports, prepared by South Coast Air Quality Management District.

Under Title I of the CAA, EPA sets limits on how much of a particular pollutant can be present in the air for any given location within the United States. EPA, states, and local governments are required under the CAA to implement measures to prevent and control air pollution, with significant responsibility resting with the states. The major mechanism used to attain the standards in individual areas is a SIP.

The 2002 Coachella Valley State Implementation Plan (CVSIP) updates the previous Coachella Valley plans to address the recent rise in PM10 levels above the standard and forestall a notice of failure to attain. Its elements include the following:

- ▶ Air quality summary from 1997-2001, including natural events;
- ▶ Emissions inventory update;
- ▶ Most Stringent Measures (MSM) analysis and Proposed Control Strategy;
- ▶ Attainment demonstration;
- ▶ Natural Events Action Plan status and update; and
- ▶ Request for Extension of 2001 PM10 attainment deadline.

The following table is a summary of the control strategies in the 2002 CVSIP.

Summary of 2002 CVSIP Control Strategies

CONTROL MEASURE	TITLE	CONTROL METHOD
BACM-1	Construction Activities	watering, chemical stabilization, wind fencing, revegetation, track-out
BACM-2	Disturbed Vacant Lands	chemical stabilization, wind fencing, access restriction, revegetation
BACM-3	Unpaved Roads and Unpaved Parking Lots	paving, chemical stabilization, access restriction, revegetation
BACM-4	Paved Road Dust	minimal track-out, stabilization of unpaved road shoulders, clean streets management
BACM-5	Control of Emissions from Agricultural Activities	requirements to implement agricultural handbook conservation practices

3. Air Quality Impact Analysis for the Proposed CDCA Plan Amendment

The proposed Coachella Valley CDCA Plan Amendment addresses a variety of plan elements, including an Air Quality Management Strategy, Land Health Standards, Visual Resource Management Classification, Fire Management, Habitat Conservation Objectives, Multiple Use Classification, Wild and Scenic River Eligibility, Special Area Designations, Land Tenure Exchange & Sale Criteria, Land Tenure Acquisition Criteria, Management of Acquired Lands, Communication Sites & Utilities, Sand and Gravel Mining, Livestock Grazing, Wild Horse and Burro Program, Motorized Vehicle Area Designations, Motorized Vehicle Route Designations, Special Recreation Management Area designation, Stopping/Parking/Vehicle Camping, Bighorn Sheep Recovery Strategy, and Hiking/Biking/Equestrian Trails.

Air Quality Management Strategy. The proposed Coachella Valley CDCA Plan Amendment includes an air quality management strategy designed to reduce PM10 emissions from the BLM-managed public lands, especially upwind of sensitive receptors. The motorized-vehicle route network currently available for use by the general public would be reduced by 36% (excluding the NECO Plan overlap area), closing redundant routes and routes not consistent with habitat conservation objectives, and closing all informal off-highway vehicle “free-play” areas upwind of sensitive receptors (i.e., residents of the Coachella Valley). Installation of new communication sites, wind parks, and sand and gravel mining operations would be restricted to designated areas. Where feasible, BLM would install sand fencing to reduce the amount of sand flow and PM10 emissions off of the public lands.

Of the various plan elements set forth above, those with the potential to exceed National Ambient Air Quality Standards include: (1) Communication Sites and Utilities, (2) Sand and Gravel Mining, (3) Motorized Vehicle Area Designations, and (4) Motorized Vehicle Access Route designations. Potential impacts associated with these plan elements, how potential impacts are mitigated and how BLM actions comply with CVSIP provisions and rules are discussed for each plan element below.

Communication Sites and Utilities, Sand and Gravel Mining: Potential PM10 generation associated with proposed amendments to these CDCA Plan elements are limited. The issuance of new or renewed rights of way for windparks, communication sites and utilities would be required to be consistent with the BLM’s habitat conservation objectives, land health standards and air quality management strategy, as well as the National Ambient Air Quality Standards and current State Implementation Plan. Most potentially viable windpark lands in the Plan area have already been developed. Any requests for new communication towers would be restricted to existing communication sites.

Existing sand and gravel operations of BLM lands within the CDCA planning area are already subject to a variety of requirements to control blowing sand and the emission of fugitive dust. Under the proposed Coachella Valley CDCA Plan Amendment, saleable mineral materials would be restricted to those identified by the California Division of Mines and Geology as mineral resource zones (MRZs). Proposed new sand and gravel mines would be required to demonstrate compatibility with BLM's habitat conservation objectives, land health standards and air quality management strategy, as well as the National Ambient Air Quality Standards and current State Implementation Plan, before new rights-of-way would be issued.

Potential areas of PM10 impact include the construction, maintenance and use of roads, initial site disturbance for facilities (turbines, powerlines, substations, antennas, etc.). New construction activities would be required to comply with the 2002 CVSIP rules and provisions, including the following:

- All fugitive dust sources will be required to implement Coachella Valley Best Available Control Measures (CV BACM).
- Dust control plans required prior to issuance of building permits for projects with more than 5,000 square feet of disturbed soils unless a dust control plan has already been issued to the builder/developer through a grading permit. The plan must have the required elements described in the Coachella Valley Dust Control Handbook (which will be developed concurrently with the BLM's revised dust control ordinance).
- Site-specific dust mitigation plan required for construction activities greater than or equal to 10 acres (must be forwarded to AQMD after local approval). AQMD staff will compile this information for compliance purposes and not issue a separate approval.
- Project on BLM lands would be required to obtain an AQMD approved dust control plan.
- Construction activities greater than or equal to 10 acres must notify local jurisdiction/AQMD within 10 days of project completion.
- Construction site signage required for projects with greater than or equal to 5,000 square feet (approximately 0.1 acre) of disturbed soils, activities that import or export more than 100 cubic yards of material, or trenching activities greater than 100 feet in length. Sites with more than ten acres would be required to install four-foot by eight-foot signs with the following information provided in three-inch lettering: project name, permittee name, phone number of person(s) responsible for dust control, AQMD phone number, dust control permit (plan) number, and project acreage.
- Dust control monitor (responsible person) required for sites with greater than or equal to 50 acres of actively disturbed soils. Monitor(s) must be hired by property owner or developer, have dust control as primary responsibility, and have the authority to initiate dust control measures.

Under existing dust control ordinance requirements, activities that submit a dust control plan are required to provide sufficient detail to demonstrate compliance with AQMD Rule 403. Specific dust control work practices include the following.

- Earth-moving operations on sites with greater than one acre of disturbed surfaces are required to operate a water application system (i.e., water truck) while conducting earth-moving operations if watering is the selected control measure.
- Short-term stabilization (maintaining soils in a damp condition, surface crust, or chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months) required for after-hours/weekends.
- Long-term stabilization techniques required within 10 days for areas where construction activities are not scheduled for 30 days.

Track-out control device (washed gravel pad at least 30 feet wide, 50 feet long, and six inches deep, paving starting from the point of intersection with a paved public roadway and extending for a centerline distance of at least 100 feet and a width of at least 20 feet, grizzly or wheel wash system) required for construction projects greater than or equal to five acres or those that import/export greater than or equal to 100 cubic yards per day. Regardless of project size or track-out control device selected, material tracked-out onto a paved public road must be removed at anytime it extends more than 25 feet from a site entrance and at the conclusion of the work day.

Motorized Vehicle Area Designations: Potential PM10 emissions associated with the Proposed Plan for motorized vehicle area designations are limited by the air quality management strategy incorporated into the Coachella Valley CDCA Plan Amendment. Under the Proposed Plan, all historically used “free-play” areas upwind of sensitive receptors would be closed (2,253 acres) to off-highway vehicles. Off-highway vehicle use would continue to occur on designated routes, including the Drop 31 area. Any valley-wide reductions in PM10 emissions upwind of sensitive receptors will depend on the extent to which displaced off-highway vehicle enthusiasts use non-federal land instead of public land, or travel farther to “open” public land areas.

The off-highway vehicle users themselves would be exposed to PM10 emissions on any route where off-highway vehicles are used, the relative amount depending on the velocity of the vehicle and prevailing wind speeds. As part of the overall management strategy, mitigation measures will be included to reduce PM10 emissions, such as temporary closure of high-use areas on high wind days (as defined by the South Coast Air Quality Management District), setting speed limits, establishing cattle guards to reduce “track out” onto paved roads, install fencing and signs to discourage trespass into wilderness and onto private lands, setting a carrying capacity if the specific sites become enormously popular, and assuring compliance with the approved PM10 State Implementation Plan. Based upon current knowledge and understanding of motorized

vehicle use and its potential to contribute to PM10 emissions, the proposed CDCA Plan Amendment will result in reduced PM10 emissions from the public lands, especially for sensitive receptors in the Coachella Valley.

Motorized Vehicle Access Route Designations: Potential PM10 emissions associated with the Proposed Plan for routes of travel are limited by the air quality management strategy incorporated into the Coachella Valley CDCA Plan Amendment. Under the Proposed Plan, the motorized-vehicle route network currently available for use by the general public would be reduced by 36% (excluding the NECO Plan overlap area), closing redundant routes and routes not consistent with habitat conservation objectives, and closing all informal off-highway vehicle “free-play” areas upwind of sensitive receptors (i.e., residents of the Coachella Valley). The relative amount of PM10 emissions generated by motorized vehicles on the remaining 47 miles of routes available to the general public would depend on the average daily trips, the velocity of the vehicles and prevailing wind speeds.

The ongoing use of these areas has the potential to emit or create conditions for fugitive dust. The average level of use on these routes of travel has been estimated for high and low-activity periods: 5 average daily trips (ADT) on weekdays and during all days in the summer, and 25 ADT on weekends and during hunting season. Based upon current knowledge and understanding of this use and its potential to contribute to PM10 emissions, the proposed CDCA Plan Amendment would not result in significant PM10 air quality impacts, and would result in an overall reduction of PM10 emissions from the public lands. In an effort to help the Coachella Valley reach “attainment” status for PM10, route management would include provisions to comply with the approved PM10 State Implementation Plan, such as (1) signage, (2) establishing cattle guards to reduce “track out” onto paved roads, (3) 15 mile per hour speed limits on unpaved roads with 20 to 150 average daily traffic levels, and (4) temporary closures on high wind days (as defined by the South Coast Air Quality Management District).

FINALCONFORMITY DETERMINATION

The BLM's proposed Coachella Valley CDCA Plan Amendment and alternatives have been analyzed under Section 176 of the Clean Air Act, as required by 40 CFR 93.158. The Proposed Plan incorporates an air quality management strategy which applies measures to reduce PM10 emissions from the public lands upwind of sensitive receptors, and contributes to the goals set forth in the 2002 Coachella Valley PM10 State Implementation Plan. The proposed CDCA Plan Amendment has been determined to be in conformance with the applicable State Implementation Plans for the purpose of attaining the National Ambient Air Quality Standards.

APPENDIX D
MOTORIZED-VEHICLE ACCESS

– BACKGROUND –
CALIFORNIA DESERT CONSERVATION AREA PLAN, AS AMENDED

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

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

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

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

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

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

Issuance of Executive Orders and Development of Regulations

The increased popularity and widespread use of off-highway vehicles (OHVs) on federal lands in the 1960s and early 1970s prompted the development of a unified federal policy for such use. Executive Order 11644 (“Use of Off-Road Vehicles on the Public Lands”) was issued on February 9, 1972 (87 F.R. 2877), to establish policies and provide for procedures to control and direct the use of OHVs on federal lands so as to (1) protect the resources of those lands, (2) promote the safety of all users of those lands, and (3) minimize conflicts among the various uses of those lands. The order directs the agency heads responsible for managing the federal lands to issue regulations governing the designation of areas where OHVs may and may not be used. Under the order, OHV use can be restricted or prohibited to minimize (1) damage to the soil, watersheds, vegetation, or other resources of the federal lands; (2) harm to wildlife or wildlife habitats; and (3) conflicts between the use of OHVs and other types of recreation. It also requires the federal agencies to issue OHV use regulations, inform the public of the lands’ designation for OHV use through signs and maps, enforce OHV use regulations, and monitor the effects of OHV use on the land.

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

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

Development of the CDCA Management Plan

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

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

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

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

1982 Amendment to the CDCA Management Plan

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

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

MUC guidelines for motorized-vehicle access

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

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

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

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

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

ACECs: In ACECs where vehicle use is allowed, vehicle access will be managed under the guidelines for MUC “L.”

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

Washes, sand dunes, and dry lakes

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

Washes

Vehicle access using desert washes will be governed by the area designation for the vicinity in which the wash is located. In areas designated “closed,” vehicle access in desert washes will be prohibited. In areas designated “open,” vehicle access in desert washes will be

permitted. In all “limited” areas, vehicle use in desert washes will be controlled in the same manner as for routes of travel in MUC “L,” “M,” and “I.”

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

Sand Dunes and Dry Lakes

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

Route designation definitions

The 1982 amendment defined route designations in the following manner:

Open Route

Access on the route by motorized vehicles is allowed.

Limited Route

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

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

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

Closed Route

Access on the route by motorized vehicles is prohibited except: (1) fire,

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

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

Implementation of the CDCA Management Plan

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

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

COACHELLA VALLEY CDCA PLAN AMENDMENT

Section 2.4.17 describes alternatives for route designations in the Coachella Valley CDCA planning area, excluding the NECO overlap area. Table D-2 identifies all existing routes closed under previous CDCA Plan amendments. These routes would remain closed under the Coachella Valley Plan. Table D-3 identifies routes not available for public access per rights-of-way, Federal Register Notices, or activity plans (e.g., Coachella Valley Preserve Plan, 11/95), or access precluded by other parties. These routes would be closed under all alternatives of the Coachella Valley Plan. Table D-4 identifies proposed designations of the remaining routes on an alternative by alternative, route by route basis, and references by an assigned number the specific U.S. Geological Survey (U.S.G.S.) 1:24,000 scale map on which the route can be located. Table D-1 relates this number to the name of the U.S.G.S. map along with the U.S.G.S. map code. Large-scale maps depicting the routes addressed are available for review in the BLM Palm Springs-South Coast Field Office (North Palm Springs) and the BLM California Desert District Office (Riverside).

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
 Appendix D – Motorized-Vehicle Access

TABLE D-1. MAP REFERENCES

Map number referenced in Tables D-2, D-3 and D-4	U.S.G.S. 1:24,000 map name	U.S.G.S. map code
1	Morong Valley	34116A5
2	Yucca Valley South	34116A4
3	White Water	33116H6
4	Desert Hot Springs	33116H5
5	Seven Palms Valley	33116H4
6	East Deception Canyon	33116H3
7	Palm Springs	33116G5
8	Cathedral City	33116G4
9	Myoma	33116G3
10	West Berdoo Canyon	33116G2
11	Palm View Peak	33116F5
12	Rancho Mirage	33116F4
13	La Quinta	33116F3
14	Indio	33116F2
15	Thermal Canyon	33116F1
16	Toro Peak	33116E4
17	Martinez Mountain	33116E3
18	Valerie	33116E2
19	Mecca	33116E1
20	Rabbit Peak	33116D2
21	Oasis	33116D1
22	Mortmar	33115E8
23	Orocopia Canyon	33115E7
24	Salton	33115D8
25	Durmid	33115D7
26	Frink NW	33115D6

TABLE D-2. EXISTING ROUTE DESIGNATIONS ON BLM LANDS THROUGH PRIOR CDCA PLAN AMENDMENTS

Map #	Rte #	Miles on BLM lands	Miles Closed (BLM)	Notes
1	CV002	0.8	0.8	Gated access route to Big Morongo Canyon Preserve / ACEC. Closed under CDCA Plan Amendment and Record of Decision (ROD), 4/98.
1	CV003	4.3	4.3	Gated access route in Big Morongo Canyon located in Big Morongo Canyon Preserve / ACEC. Closed under CDCA Plan Amendment and ROD, 4/98.
1	CV004	0.2	0.2	Midway Canyon route in Big Morongo Canyon Preserve / ACEC. Closed under CDCA Plan Amendment and ROD, 4/98.
5	CV036	1.1	1.1	Multi-jurisdictional route in Big Morongo Canyon Preserve / ACEC. Closed under CDCA Plan Amendment and ROD, 4/98.
5	CV037	0.3	0.3	Gated access route in Big Morongo Canyon Preserve / ACEC. Closed under CDCA Plan Amendment and ROD, 4/98.
23	CV101	1.1	1.1	Multi-jurisdictional route; majority of route in Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
23	CV102	1.5	1.5	Multi-jurisdictional route within Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
23	CV103	0.7	0.7	Multi-jurisdictional Palmas Spring Rd.; segment within Dos Palmas Preserve / ACEC closed under CDCA Plan Amendment and ROD 4/98.
23	CV105	0.9	0.9	Multi-jurisdictional route within Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
23	CV106	0.9	0.9	Multi-jurisdictional route within Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
23	CV107	0.3	0.3	Multi-jurisdictional route within Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
23	CV108	0.2	0.2	Multi-jurisdictional route within Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
23	CV109	0.6	0.6	Multi-jurisdictional route traversing corner of Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
23	CV111	2.4	2.4	Complex of routes on public lands in Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.

TABLE D-2. EXISTING ROUTE DESIGNATIONS ON BLM LANDS THROUGH PRIOR CDCA PLAN AMENDMENTS

Map #	Rte #	Miles on BLM lands	Miles Closed (BLM)	Notes
25	CV098	1.2	1.2	Multi-jurisdictional powerline route in Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV109	0.6	0.6	Multi-jurisdictional route traversing corner of Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV112	1.4	1.4	Section line route bounding public and non-public lands; provides access to Dos Palmas Preserve / ACEC. Closed segment within Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV115	1.8	1.8	Route mostly within Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV120	1.0	1.0	Multi-jurisdictional route providing access to Oasis Springs along Salt Creek; southern segment in Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV121	1.3	1.3	Multi-jurisdictional route paralleling railroad tracks in Dos Palmas Preserve / ACEC; RR tracks proceed to Eagle Mtn. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV122	1.8	1.8	Multi-jurisdictional route paralleling railroad tracks in Dos Palmas Preserve / ACEC; RR tracks proceed to Eagle Mtn. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV123	0.2	0.2	Multi-jurisdictional spur route off CV121 in Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV134	0.5	0.5	Spur route off CV122 in Dos Palmas Preserve / ACEC. Closed under CDCA Plan Amendment and ROD 4/98.
25	CV126	0.4	0.4	Multi-jurisdictional route providing access to Oasis Springs along Salt Creek. Closed under CDCA Plan Amendment and ROD 4/98.
			25.5	TOTAL MILES

TABLE D-3. ROUTES NOT AVAILABLE FOR PUBLIC ACCESS PER RIGHTS-OF-WAY, FEDERAL REGISTER NOTICES, OR ACTIVITY PLANS (BLM LANDS), OR ACCESS PRECLUDED BY OTHER PARTIES; PROPOSED CLOSED UNDER ALL ALTERNATIVES

Map #	Rte #	Miles on BLM lands	Miles Not Available for Public Access (BLM); Proposed for Closure under All Alternatives	Notes
1	CV029	0.2	0.2	Gated access route to private property.
3	CV006	1.5	1.5	Gated access route to windfarm; gated by right-of-way holder.
3	CV007	0.1	0.1	Cottonwood Canyon; gated to control motorized access into San Gorgonio Wilderness.
3	CV008	8.1	8.1	Gated complex of routes to and within windfarm; gated by right-of-way holder.
3	CV009	5.3	5.3	Gated complex of routes to and within windfarm; gated by right-of-way holder.
3	CV010	0.2	0.2	Access precluded by Whitewater Trout Farm.
3	CV024	0.4	0.4	Gated access route to Desert Water Agency (DWA) facilities in Snow Creek; gated by DWA.
4	CV031	0.9	0.9	Multi-jurisdictional route along Colorado River Aqueduct; gated by right-of-way holder. Segment southwest of gate closed to general public.
4	CV032	0.2	0.2	Multi-jurisdictional Painted Hill Trail providing access to Colorado River Aqueduct; gated by right-of-way holder. Segment north of gate closed to general public.
4	CV034	0.8	0.8	Gated access route paralleling railroad tracks; gated by right-of-way holder. Provides access to windfarm area.
4	CV133	0.3	0.3	No legal access to route. Locked gate / fence at south end on Hwy. 111; railroad tracks block access on north end.
5	CV042	0.5	0.5	Multi-jurisdictional route within Willow Hole Unit of Coachella Valley Preserve / ACEC. Closed under activity plan Record of Decision (ROD), 11/95.
5	CV044	0.4	0.4	Multi-jurisdictional route within Willow Hole Unit of Coachella Valley Preserve / ACEC. Closed under activity plan Record of Decision (ROD), 11/95.
8	CV055	1.1	1.1	Dunn Road, gated. Except for northern 0.5 mile segment, access is controlled on both ends by other party.
8	CV056	1.0	1.0	Gated route on Riverside County Flood Control District levee.
9	CV057	2.5	2.5	Route in Coachella Valley Preserve / ACEC. Closed under activity plan ROD, 11/95.
9	CV058	1.0	1.0	Route in Coachella Valley Preserve / ACEC. Closed under activity plan ROD, 11/95.

TABLE D-3. ROUTES NOT AVAILABLE FOR PUBLIC ACCESS PER RIGHTS-OF-WAY, FEDERAL REGISTER NOTICES, OR ACTIVITY PLANS (BLM LANDS), OR ACCESS PRECLUDED BY OTHER PARTIES; PROPOSED CLOSED UNDER ALL ALTERNATIVES

Map #	Rte #	Miles on BLM lands	Miles Not Available for Public Access (BLM); Proposed for Closure under All Alternatives	Notes
9	CV059	0.8	0.8	Route in Coachella Valley Preserve / ACEC. Closed under activity plan ROD, 11/95.
9	CV061	0.6	0.6	Route in Coachella Valley Preserve / ACEC. Closed under activity plan ROD, 11/95.
9	CV062	1.8	1.8	Route in Coachella Valley Preserve / ACEC. Closed under activity plan ROD, 11/95.
9	CV063	0.3	0.3	Route in Coachella Valley Preserve / ACEC. Closed under activity plan ROD, 11/95.
9	CV064	0.9	0.9	Route in Coachella Valley Preserve / ACEC. Closed under activity plan ROD, 11/95.
11	CV077	0.7	0.7	Multi-jurisdictional route in Dry Wash; accessed via Dunn Road (CV055); see notes for CV055, Map # 8.
11	CV078	0.8	0.8	Multi-jurisdictional route in Palm Canyon; accessed via Dunn Road (CV055) and Dry Wash (CV077); see notes for CV055, Map # 8.
11	CV079	1.2	1.2	Multi-jurisdictional route in Palm Canyon; accessed via Dunn Road (CV055) and Dry Wash (CV077); see notes for CV055, Map # 8.
12	CV055	6.3	6.3	Dunn Road, gated. Except for northern 0.5 mile segment, access is controlled on both ends by other party.
12	CV077	1.4	1.4	Dry Wash route; accessed via Dunn Road (CV055); see notes for CV055, Map # 12.
12	CV080	2.0	2.0	Connecting route between Dunn Road (CV055) and Dry Wash (CV077); no longer used. See map notes for CV055, map # 12.
12	CV081	0.5	0.5	Multi-jurisdictional spur route off Dunn Road (CV055); see map notes for CV055, Map # 12.
12	CV082	1.0	1.0	Route connecting Potrero Spring and Dunn Road (CV055); see notes for CV055, Map # 12.
12	CV083	0.1	0.1	Multi-jurisdictional gated route. Route gated by other party; public lands are located at the end of the route.
12	CV084	0.3	0.3	Multi-jurisdictional gated route. Route gated by other party; provides access to Carrizo Canyon Ecological Reserve.
12	CV088	0.1	0.1	Route gated by other party; provides access to southern end of Carrizo Canyon.
13	CV085	0.3	0.3	Multi-jurisdictional gated route south of La Quinta Cove; gated by other party.

TABLE D-3. ROUTES NOT AVAILABLE FOR PUBLIC ACCESS PER RIGHTS-OF-WAY, FEDERAL REGISTER NOTICES, OR ACTIVITY PLANS (BLM LANDS), OR ACCESS PRECLUDED BY OTHER PARTIES; PROPOSED CLOSED UNDER ALL ALTERNATIVES

Map #	Rte #	Miles on BLM lands	Miles Not Available for Public Access (BLM); Proposed for Closure under All Alternatives	Notes
13	CV086	0.3	0.3	Multi-jurisdictional loop route at law enforcement agency shooting range north of Lake Cahuilla County Park.
16	CV088	0.2	0.2	Multi-jurisdictional gated route; gated by other party.
16	CV089	0.5	0.5	Multi-jurisdictional gated route; gated by other party.
			44.6	TOTAL MILES

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
1	CV001	0.6	0.6		0.6		0.6		0.6		Canyon House Road: access route to private property crossing public lands.
1	CV004	0.2	0.2		0.2			0.2	0.2		Midway Canyon: Multi-jurisdictional route in Section 14.
1	CV005	3.3	3.3		3.3			3.3	3.3		Kickapoo Trail in Little Morongo Canyon of Big Morongo Canyon Preserve / ACEC. Open under CDCA Plan Amendment, Record of Decision (ROD) 4/98.
1	CV029	0.1	0.1		0.1			0.1	0.1		Access route to private property; route east of gate is open under all alternatives.
2	CV005	2.8	2.8		2.8			2.8	2.8		Kickapoo Trail in Little Morongo Canyon of Big Morongo Canyon Preserve / ACEC. Open under CDCA Plan Amendment, ROD 4/98.
3	CV011	1.8	1.8		1.8			1.8	1.8		Multi-jurisdictional complex of routes adjacent to Whitewater Canyon Road; closure of public land segments would not be manageable.
3	CV012	2.2	2.2			2.2		2.2	2.2		Complex of access routes to and within windfarm and mine site. Proposed closed to protect property and for public safety.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
3	CV013	1.3	1.3			1.3		1.3	1.3		Complex of access routes to and within mine site. Proposed closed to protect property and for public safety.
3	CV014	1.5	1.5			1.5		1.5	1.5		Complex of access routes to and within Whitewater Hill windfarm. Proposed closed to protect property and for public safety.
3	CV015	1.1	1.1		1.1			1.1	1.1		Multi-jurisdictional powerline route in rugged terrain; closure of public land segment (Alt. C) would disrupt connectivity for general public use.
3	CV016	0.9	0.9			0.9		0.9	0.9		Multi-jurisdictional parallel route to CV017; route is redundant.
3	CV017	0.7	0.7			0.7		0.7	0.7		Multi-jurisdictional utility line route. Closure of public land segments (Alt. B and C) would disrupt connectivity for general public use; route is redundant of route to south on non-public lands.
3	CV018	0.5	0.5			0.5		0.5	0.5		Dead-end spur route off CV017; entirely on public lands.
3	CV019	0.6	0.6		0.6			0.6	0.6		Multi-jurisdictional access route to windfarm, as well as public and non-public lands to the west; closure of public land segment (Alt. C) would disrupt connectivity for general public use.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
3	CV020	0.2	0.2				0.2		0.2		Multi-jurisdictional parallel route to segment of CV019; route is redundant.
3	CV021	0.4	0.4				0.4		0.4		Multi-jurisdictional route accessed from Snow Creek Road; access point on public lands.
3	CV022	0.3	0.3		0.3		0.3		0.3		Multi-jurisdictional route extending west from Snow Creek Village; gated at public/private land boundary.
3	CV023	0.1	0.1		0.1		0.1		0.1		Multi-jurisdictional route adjacent to Snow Creek Village.
3	CV025	0.6	0.6		0.6			0.6	0.6		Multi-jurisdictional route parallel to Snow Creek Road; closure of public land segment (Alt. C) would be difficult to manage.
3	CV026	1.0	1.0				1.0		1.0		Multi-jurisdictional route providing access to the Windy Point area; access point from Snow Creek Road on public lands.
3	CV027	1.1	1.1				1.1		1.1		Loop route entirely on public lands with terminal points intersecting CV026.
3	CV028	0.6	0.6				0.6		0.6		Multi-jurisdictional route providing access to Windy Point and western sand dunes (not designated as an OHV open area under Alts. B, C and D) from CV026.
3	CV125	0.1	0.1		0.1		0.1		0.1		Multi-jurisdictional route with short segments on public lands.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
3	CV130	0.3	0.3		0.3			0.3	0.3		Multi-jurisdictional route that crosses public lands. Interim lawsuit closure area. Route not identified in draft.
3	CV131	0.7	0.7			0.7		0.7	0.7		Access route to Windy Point. Interim lawsuit closure area. Closed under Alts. B & C to control access to Windy Pt. Route not identified in draft.
3	CV132	0.3	0.3			0.3		0.3	0.3		Multi-jurisdictional route which crosses public lands; redundant to CV130. Interim lawsuit closure area. Route not identified in draft.
4	CV004	0.1	0.1		0.1			0.1	0.1		Multi-jurisdictional route in Midway Canyon.
4	CV014	2.8	2.8			2.8		2.8	2.8		Complex of access routes to and within Whitewater Hill windfarm.
4	CV029	1.3	1.3		1.3		1.3		1.3		Mission Creek access route to private lands and Mission Creek Preserve. Closure location shown incorrectly in draft.
4	CV030	0.3	0.3			0.3		0.3	0.3		Multi-jurisdictional route providing access to CV013 complex of routes within mine site. Proposed closed to protect property and public safety.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
4	CV031	0.2	0.2		0.2		0.2		0.2		Multi-jurisdictional route along Colorado River Aqueduct; segment southwest of gate closed to general public (see Table D-3).
4	CV032	0.2	0.2		0.2		0.2		0.2		Multi-jurisdictional Painted Hill Trail providing access to Colorado River Aqueduct; segment north of gate closed to general public (see Table D-3).
4	CV033	0.3	0.3		0.3		0.3		0.3		Multi-jurisdictional Old Morongo Valley Road; short segments on public lands.
4	CV035	0.2	0.2		0.2		0.2		0.2		Multi-jurisdictional access route paralleling railroad tracks; short segments on public lands.
4	CV125	0.8	0.8		0.8		0.8		0.8		Multi-jurisdictional route with short segments on public lands.
5	CV038	1.2	1.2		1.2		1.2		1.2		Multi-jurisdictional route providing access to Long Canyon and Big Morongo Canyon Preserve / ACEC; closure (Alt. C) would preclude access to this western part of Joshua Tree National Park.
5	CV039	0.7	0.7			0.7		0.7	0.7		Popular OHV route; redundant of adjacent routes on non-public lands.
5	CV040	0.4	0.4		0.4		0.4		0.4		Multi-jurisdictional Hacienda Drive continuation; short segments on public lands.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
5	CV041	0.3	0.3		0.3		0.3		0.3		Multi-jurisdictional route providing access to home sites on non-public lands.
5	CV043	0.5	0.5		0.5		0.5		0.5		Multi-jurisdictional route along southwest side of Willow Hole Unit of Coachella Valley Preserve / ACEC; short segments of overall route on public lands.
5	CV045	1.7	1.7			1.7		1.7	1.7		Complex of routes on public lands (designated as an OHV open area only under Alt. A).
5	CV200	0.9	0.9		0.9			0.9	0.9		Multi-jurisdictional route along northern edge of CV045 complex of routes; closure (Alt. C) would disrupt connectivity for general public use through this part of the Indio Hills.
6	CV046	0.2	0.2		0.2		0.2		0.2		Multi-jurisdictional route with very short segment on public lands.
6	CV047	0.4	0.4			0.4		0.4	0.4		Spur route off CV046; entirely on public lands; used to access target shooting site.
8	CV049	0.2	0.2		0.1	0.1	0.1	0.1	0.2		Multi-jurisdictional route with very short segments on public lands; segment east of Morongo Wash closed under Alts. B and C.
8	CV050	1.1	1.1			1.1		1.1	1.1		Multi-jurisdictional route providing access to south base of Flat Top Mountain.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
8	CV051	0.2	0.2		0.2		0.2		0.2		Multi-jurisdictional route with very short segments on public lands; provides access to Edom Hill.
8	CV052	2.1	2.1		2.1		0.9	1.2	2.1		Southeastern segment is multi-jurisdictional route. Northern segment is entirely on public lands; northern segment closed under Alt. C.
8	CV053	0.3	0.3		0.3		0.3		0.3		Multi-jurisdictional route with short segments on public lands.
8	CV054	0.5	0.5		0.5			0.5	0.5		Spur route off CV052; mostly on public lands.
9	CV060	0.6	0.6		0.6		0.6		0.6		Multi-jurisdictional complex of routes; closure of public land segments would not be manageable.
9	CV067	1.5	1.5		1.5			1.5	1.5		Multi-jurisdictional route in Coachella Valley Preserve / ACEC. Segments of route in ACEC entirely on public lands, though they constitute a small portion of the overall route; closure (Alt C.) would disrupt connectivity for general public use.
9	CV074	0.6	0.6		0.6		0.6		0.6		Multi-jurisdictional route along major powerline in Coachella Valley Preserve / ACEC; small segment of overall route on public lands.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
10	CV065	0.7	0.7		0.7			0.7	0.7		Multi-jurisdictional route providing access to boundary of Joshua Tree National Park; closure of route (Alt. C) would preclude access to Pushawalla Canyon.
10	CV066	0.4	0.4		0.4			0.4	0.4		Multi-jurisdictional route providing access to boundary of Joshua Tree National Park; closure of route (Alt. C) would preclude access to Pushawalla Canyon.
10	CV067	1.4	1.4		1.4		0.9	0.5	1.4		Multi-jurisdictional route; segment of route in Coachella Valley Preserve / ACEC entirely on public lands, though it constitutes a small portion of the overall route. Closure of this segment (Alt. C) would disrupt connectivity for general public use.
10	CV068	0.9	0.9			0.9		0.9	0.9		Multi-jurisdictional route to communications site; western segment of route, including communications site, entirely on public lands.
10	CV070	0.2	0.2		0.2		0.2		0.2		Multi-jurisdictional route; short segment of route on public lands.
10	CV075	1.1	1.1		1.1			1.1	1.1		Multi-jurisdictional route along pipeline; closure (Alt. C) would disrupt connectivity for general public use.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
10	CV076	1.2	1.2		0.2	1.0		1.2	1.2		Multi-jurisdictional route partially along transmission line. Closure of segment in Sec. 2 (Alts. B and C) would preclude access to gravel pit area; closure of all segments on public lands (Alt. C) would disrupt connectivity of the segment in Sec. 12 for general public use.
15	CV087	2.7	2.7		2.7		2.7		2.7		Multi-jurisdictional route along the Coachella Canal; segments on public lands constitute a small portion of the overall route.
17	CV090	1.4	1.4			1.4		1.4	1.4		Multi-jurisdictional route coincident with Boo Hoff Trail along eastern edge of Santa Rosa Wilderness; southern portion on public lands. Proposed seasonal closure (Alts. B & C), to coincide with SRSJ Mtns. Trails Mgmt. Plan. If no seasonal closure of Boo Hoff Trail occurs at this location, the route would be designated open year-round.
17	CV091	0.3	0.3		0.3		0.3		0.3		Multi-jurisdictional route; small segments of route on public lands.
17	CV092	0.3	0.3			0.3		0.3	0.3		Multi-jurisdictional route; western segment on public lands intersects CV090.
18	CV093	2.0	2.0		2.0		2.0		2.0		Multi-jurisdictional route providing access to Martinez Canyon.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
18	CV094	0.8	0.8		0.8		0.8		0.8		Multi-jurisdictional route providing access to Martinez Canyon.
22	CV095	1.0	1.0		1.0		1.0		1.0		Multi-jurisdictional route along the Coachella Canal; segments on public lands constitute a small portion of the overall route.
22	CV096	1.0	1.0		1.0		1.0		1.0		Multi-jurisdictional route along the Coachella Canal; segments on public lands constitute a small portion of the overall route.
22	CV097	0.5	0.5		0.5			0.5	0.5		Multi-jurisdictional route; redundant. Closure (Alt. C) would isolate non-public lands and be difficult to implement given terrain and proximity of informally established complex of routes.
22	CV098	0.6	0.6		0.6			0.6	0.6		Multi-jurisdictional powerline route; closure of public land segment (Alt. C) would disrupt connectivity for general public use.
22	CV099	0.4	0.4			0.4		0.4	0.4		Route entirely on public lands between CV097 and CV119; redundant.
22	CV100	0.9	0.9		0.9		0.9		0.9		Route complex on public lands adjacent to community of Desert Beach; provides access to Salton Sea.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
23	CV096	4.3	4.3		4.3		4.3		4.3		Multi-jurisdictional route along the Coachella Canal. Segments on public lands constitute a portion of the overall route; segments occur within Dos Palmas Preserve / ACEC. Open to provide public access connection to Bradshaw Trail.
23	CV097	0.4	0.4		0.4			0.4	0.4		Multi-jurisdictional route; redundant. Closure (Alt. C) would isolate non-public lands and be difficult to implement given terrain and proximity of informally established complex of OHV routes.
23	CV101	0.1	0.1			0.1		0.1	0.1		Multi-jurisdictional route leads to Dos Palmas Preserve / ACEC (closed area) and parallels CV096. Open in draft, closed (Alts. B and C) per staff review.
23	CV102	1.4	1.4			1.4		1.4	1.4		Multi-jurisdictional route paralleling Coachella Canal and CV096. Open in draft, closed (Alts. B and C) per staff review.
23	CV103	0.9	0.9		0.9		0.9		0.9		Multi-jurisdictional Dos Palmas Spring Road.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
23	CV104	0.2	0.2		0.2			0.2	0.2		Multi-jurisdictional route primarily on non-public lands; closure (Alt. C) would isolate non-public lands and be difficult to implement given terrain and proximity of informally established complex of OHV routes.
23	CV110	0.6	0.6		0.6		0.6		0.6		Multi-jurisdictional route paralleling Coachella Canal; public land segment constitutes a portion of the overall route.
24	CV098	0.2	0.2		0.2			0.2	0.2		Multi-jurisdictional powerline route; closure of public land segment (Alt. C) would disrupt connectivity for general public use.
24	CV112	0.4	0.4		0.4		0.4		0.4		Section line route bounding public and non-public lands; provides access to Dos Palmas Preserve / ACEC.
24	CV113	0.1	0.1		0.1		0.1		0.1		Western extension of route providing access to Dos Palmas Preserve / ACEC.
25	CV098	0.6	0.6		0.6			0.6	0.6		Multi-jurisdictional powerline route; closure of public land segment outside Dos Palmas Preserve / ACEC (Alt. C) would disrupt connectivity for general public use.

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
25	CV112	0.3	0.3		0.3		0.3		0.3		Section line route bounding public and non-public lands; provides access to Dos Palmas Preserve / ACEC.
25	CV113	0.5	0.5		0.5			0.5	0.5		Section line route bounding public and non-public lands; closure (Alt. C) consistent with closure of CV098, an intersecting route.
25	CV114	0.4	0.4		0.4		0.4		0.4		Section line route bounding public and non-public lands; provides access to landing strip on non-public lands.
25	CV116	0.2	0.2			0.2		0.2	0.2		Spur route on public lands; redundant.
25	CV117	0.3	0.3		0.3			0.3	0.3		Quarter section line route bounding public and non-public lands; closure (Alt. C) consistent with closure of CV098 and CV113, which are connected by CV117.
25	CV118	0.2	0.2			0.2		0.2	0.2		Redundant route connecting CV098 and CV114.
25	CV120	0.8	0.8			0.8		0.8	0.8		Multi-jurisdictional route providing access to Oasis Springs along Salt Creek; southern segment only in Dos Palmas Preserve / ACEC (see Table D-1).

TABLE D-4. DESIGNATION PROPOSALS FOR ROUTES ON PUBLIC LANDS (EXCLUDING ROUTES AND ROUTE SEGMENTS IDENTIFIED IN TABLES D-2 AND D-3)

Map #	Rte #	Miles on BLM lands	Alt. A Open Miles (BLM)	Alt. A Closed Miles (BLM)	Alt. B Open Miles (BLM)	Alt. B Closed Miles (BLM)	Alt. C Open Miles (BLM)	Alt. C Closed Miles (BLM)	Alt. D Exist Avail. Miles (BLM)	Alt. D Closed (see Tables D-2 and D-3)	Notes
25	CV126	0.2	0.2			0.2		0.2	0.2		Multi-jurisdictional route providing access to Oasis Springs along Salt Creek. Public land segment outside Dos Palmas Preserve / ACEC; closure (Alts. B and C) would preclude access to Oasis Springs.
26	CV126	0.2	0.2			0.2		0.2	0.2		Multi-jurisdictional route providing access to Oasis Springs along Salt Creek. Public land segment outside Dos Palmas Preserve / ACEC; closure (Alts. B and C) would preclude access to Oasis Springs.
		73.0	73.0	0.0	47.4	25.6	26.9	46.1	73.0		TOTAL MILES

APPENDIX E SPECIES ACCOUNTS

Arroyo Toad – *Bufo microscaphus californicus*

**Status: Federal – Endangered
State – None**

Distribution, Abundance, and Trends.

The arroyo toad is endemic to California and Baja. Historically it occurred from the upper Salinas River in San Luis Obispo County south along the coast to the Rio Santo Domingo system in Baja California, Mexico. There are records from six desert side drainages. The species has disappeared from 76% of its historic range as of 1994 (Jennings and Hayes 1994a). The northern, central, and eastern portions of the range have lost all of their populations. It is currently known from only a few scattered locations within its historic range. About 40% of the known extant populations occur in areas owned or managed by the U.S. Forest Service (Brown 1993). The arroyo toad has highly specialized habitat requirements. Arroyo toad breeding sites are known to be streams of second to sixth order with overflow pools, depending somewhat on latitude (Sweet 1992, Griffin 1999). The streams and pools should be free of predatory fish. Adults breed in pools that have little woody vegetation along the margins and are shallow, sand, or gravel-based. The current velocity is generally low. The breeding pools occur near juvenile and adult habitat. This habitat is a shoreline or central bar and stable sandy terraces. The juveniles prefer areas that provide shelter either through drying algal mats or small damp refuges or depressions. The sand terraces have an over story of scattered shrubs and trees such as mulefat, California sycamore, Fremont cottonwood, or coast live oak. There is an absence of vegetation at ground level (Brown 1993, Jennings and Hayes 1994a). Arroyo toads have been found up to 1.08 km from water (Griffin 1999).

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Whitewater River, Riverside County - This critical habitat subunit includes portions of the Whitewater River and adjacent uplands, from near Red Dome downstream to one-quarter mile south of Interstate 10. The unit encompasses approximately 5,900 ac., of which about 56 percent is BLM land and 44 percent is private land. BLM parcels. Six BLM parcels are near (101, 52, 26, 2, and 2 ac.) or below (86 ac.) the mouth of the Whitewater Canyon. Three larger parcels (1758, 1329, 52 ac.) extend up the canyon and include portions of the riverbed. The current status of arroyo toads in this subunit is poorly known, but recent sightings have occurred, and high-quality habitat still exists in the area. The range of the arroyo toad on BLM-managed lands within the planning area, based on modeled habitat, is 1, 260 acres. This land is within the San Gorgonio and the Whitewater Area of Critical Environmental Concern and thus is in conservation status.

Patten and Myers (1992) found a small population of Arroyo toads in the Whitewater River, 3-5 kilometers (2-3 miles) north of Interstate 10 at an elevation of about 420 meters (1,380 feet). The extent of breeding habitat for Arroyo Toads in the Whitewater River is unknown.

Threats and Limiting factors. Arroyo toad breeding habitat is created and maintained by the fluctuating hydrological, geological, and ecological processes operating in riparian ecosystems and the adjacent uplands within a Mediterranean climate. These riparian/wash habitats as well as adjacent upland habitats are essential for the species' survival. Periodic and unpredictable flooding that reworks stream channels and channel sediments and alters pool location and form, coupled with upper terrace stabilization by vegetation, is required to keep a stream segment suitable for all life stages of the arroyo toad. There are many threats to this species throughout its range, all of which could potentially be a problem to the Whitewater population. Human activities that affect water quality, influence the timing and amount of non-flood flows or frequency and intensity of floods, affect riparian plant communities, or alter sedimentation dynamics can reduce or eliminate the suitability of stream channels for arroyo toad breeding habitat. The development and alteration of streamside gravel bars and terraces is probably the main factor in the loss of habitat (Jennings and Hayes 1994a). Degradation or loss of surrounding uplands reduces and eliminates foraging and over-wintering habitat. This species is especially vulnerable to predation by exotic fishes and bullfrogs. Exotic plants can also adversely impact the habitat. The streamside bank and terrace habitat is popular for human uses such as camping, wading, ORV use, and suction dredge mining. The extent of impacts from human uses such as camping and wading is unknown. Livestock grazing can affect arroyo toads directly and indirectly through impacts on habitat features.

Burrowing Owl

Speotyto cunicularia

Status: **Federal – Species of Concern**
 State – Species of Concern

Distribution, Abundance and Trends. The Burrowing Owl has a broad distribution that includes open country throughout the Midwest and western United States, Texas and southern Florida, parts of central Canada, and into Mexico and the drier regions of Central and South America. In Southern California, it is known from lowlands over much of the region, particularly in agricultural areas. This species is greatly reduced in numbers throughout its range (DeSante 1991, 1992).

Within the Plan area, burrowing owls are scattered in low numbers on open terrain throughout the lowlands. They occur in open desert areas, in fallow fields, along irrigation dikes and levees, wherever burrows (generally dug by ground squirrels) are available away from intense human activity. They can occur adjacent to residential development, as evidenced by regular observations of these owls in sandy substrates along Washington Avenue in Bermuda Dunes (prior to development of empty lots) (C. Barrows pers. comm.), and around the Palm Springs Airport (Cornett, pers. comm.).

Burrowing owls are notably common in Imperial County along roads and levees in the agricultural areas. They may occur along roads and levees in agricultural areas at the eastern end of the Coachella Valley, within the Plan area. However, our efforts to locate reliable records for burrowing owls in these agricultural areas met with limited success. Biologists from the California Department of Fish and Game (Keeney, pers. comm.) and Coachella Valley Water District who routinely visit the agricultural drains and associated levees around the Salton Sea reported only one burrowing owl observation (Thiery, pers. comm.).

An influx of wintering burrowing owls may occur in the Coachella Valley. The known location information for this species does not allow a determination of wintering birds as the month of observation is not consistently reported; four of the known locations report only the year of observation. Of the 40 known locations, four are listed as observations during the winter months (December to February). The remaining known locations are from observations in the spring and summer months, which probably indicate resident birds, potentially on breeding territories.

Burrowing owls occupy burrows dug by others, primarily ground squirrels. If left undisturbed, they will use the same burrow year after year for nesting. A clutch of 7 to 9 eggs is laid between March and July. Both parents take part in incubation for about 28 days. The young emerge from the nest and spend daylight hours at the burrow entrance with one or both adults. Their distress call is a low rattle, said to be a mimic of a rattlesnake. The burrows selected by these owls are typically abandoned rodent burrows, however, they also commonly use old pipes, culverts or other debris that simulates a hole in the ground.

Though their occurrence, distribution, and habitat preferences in the Coachella Valley are not well documented, burrowing owls are well studied elsewhere. Aspects of their biology that have been well documented include their food habits (Maser et al. 1971, Brown et al. 1986, Green et al. 1993) and their nesting requirements (Gleason and Johnson 1985, MacCracken et al. 1985, Rich 1986).

Burrowing owls follow a crepuscular habit, being most active during the early morning and evening hours. They are often observed perched on fence posts or utility wires. They typically live 8 years or more. Their diet is predominantly large insects and small rodents, but they will also take small birds, reptiles, amphibians, fish, scorpions, and other available prey. One study found that during the breeding season they feed on both vertebrates (mainly rodents) and invertebrates (mainly beetles) (Belthoff et al 1995). This study also noted that factors that provide for recruitment of young into the breeding population, including post-fledging behavior, dispersal and survival of young burrowing owls, are important to reversing population declines in this species.

The number of burrowing owl pairs that occur in the Plan area is not known. The relative population size and distribution of burrowing owls is highly variable, depending on local

conditions of burrow and food availability. In a summary of the relative distribution and abundance of burrowing owls in California, DeSante et al. (1996) report that burrowing owls often move their breeding locations over short (less than two to three km) distances from year to year, but do not appear to move over large distances. They designated “breeding groups” according to the following standard, “any location of known or presumed breeding burrowing owls found to lie within 3.0 km of any other location in continuous breeding habitat, or within 2.0 km of any other location from which it was separated by non-breeding habitat, was considered to be part of the same breeding group . . . most owl pairs were found to lie either well within 2 km or well over 3 km of each other.” Further research would be necessary to determine if this standard applies to burrowing owls in the Coachella Valley.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Burrowing owls occur on BLM-managed lands in the Coachella Valley, particularly areas adjacent to agricultural fields and along unpaved roads. Precise distribution is not known.

Threats and Limiting Factors The most significant factor to the continued persistence of burrowing owl is habitat destruction. Their ground-nesting habit leaves them susceptible to predation by domestic cats and dogs. Individuals may be killed on roadways while foraging at night. Some studies indicate that road mortality may be a significant factor for this species; vehicle collisions caused three of five known mortalities in one study (Konrad and Gilmer 1984) and 37% of known mortality in another (Haug and Oliphant 1987). In agricultural areas, levees and irrigation dikes where rodent burrows are present can provide suitable nest sites. In these areas, burrowing owls may be threatened by disturbance as a result of maintenance activities along dikes and levees and by poisoning from pesticide use or rodent poisoning campaigns. Off-road vehicle use is a threat to the habitat of this species because their burrows can be crushed and their nest sites disturbed or destroyed. Illegal trash dumping has also been observed to impact burrowing owls (Corey personal communication).

California black rail

Laterallus jamaicensis

USFWS: No status

CDFG: Threatened

Distribution, Abundance, and Trends. Historically, black rails occurred along the Pacific coast from Bahia San Quintin in Baja California to San Diego, Los Angeles and north to San Francisco. Inland, these rails occurred from the delta of the Colorado River north to the central valley of California and on to eastern Oregon marshlands. Today the coastal and inland wetlands are greatly reduced from their historic range. A desert strong hold for this species appears to be along the lower Colorado River where over a hundred birds have been observed repeatedly during censuses in recent years. Black rails are known to occur within the Salt Creek watershed of the Dos Palmas region, both in the wetlands in the Dos

Palmas Springs area at and at the mouth of Salt Creek. No accurate numbers are available. There is also a record from the Whitewater delta area at the north end of the Salton Sea. Appropriate management of both Dos Palmas and the Whitewater delta could expand existing habitat for this species.

Black rails are birds of dense coastal and inland marsh habitat. Based on radio telemetry data gathered on the lower Colorado River, black rails selected habitat dominated by California bulrush, *Scirpus californicus* and three square bulrush *S. americanus*. They either avoided cattails *Typha domingensis* or utilized cattail habitat in proportion to its availability. However, nests were often constructed of cattail leaf blades, even though cattails were rarely the dominant vegetation type surrounding the nest. Preferred habitat sites had a shallow water depth of <2.5 cm, with 25% of the substrate covered in water. They preferred areas closer to the shoreline than would have been expected in random distribution.

Home range size along the lower Colorado River varied from 0.43 to 0.55 ha., depending on sex and time of year. The birds are resident year-round. The home range sizes described above are three to four times smaller than those described for the eastern black rail, and may result from more stable water levels than found in tidal habitats. The rails were found to be entirely diurnal in their activity.

Black rails are omnivorous, eating both invertebrates and bulrush seeds. Predators include house cats, short-eared owls, northern harriers, great blue herons and great egrets.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Black rails are known to occur at the Dos Palmas ACEC, north of the Salton Sea in eastern Riverside County. Although there is approximately 1125 acres of potential black rail habitat in the Coachella Valley, only 257 acres is BLM land.

Threats and Limiting Factors

Threats to black rails include water diversions that reduce marsh habitat, including the lining of the earthen Coachella Canal above Dos Palmas. The Coachella Canal Lining Project includes mitigation measures for lost habitat and water at Dos Palmas and rail habitat will be conserved and maintained at Dos Palmas. Habitat modification for flood control at the Whitewater River delta, tamarisk infestations which degrade and dry up marsh habitat, and predation from exotic bullfrogs all impact black rails.

Casey's June Beetle

Dinacoma caseyi

Status: None

Distribution, Abundance and Trends. Casey's June beetle has an extremely limited distribution that includes the alluvial plains bordering the San Jacinto and Santa Rosa Mountains along the southern edge of the Coachella Valley. At present it is known from only two specific locations in the south Palm Springs area. One location is at the junction of South Palm Canyon Drive and Bogert Trail, on private land. A second location is within the Smoke Tree Ranch development, south of Highway 111 and east of Sunrise Road. Potential habitat has been described in this vicinity on land within the Agua Caliente Indian Reservation but the species has not been detected there in recent surveys.

Based on descriptions of historic range and early collections, this species is presumed to have occurred from Palm Springs, possibly as far west as Snow Creek, to the vicinity of Indian Wells. All of the historic and extant localities occur on alluvial fans where dissipated flows deposit finer silts and sands (Hovore 1997). The known population at Bogert Trail occurs on the Carsitas gravelly sand, 0 to 9% slopes, (CdC) soil type as mapped by the Soil Conservation Service. Hovore (1997) has proposed that Carsitas gravelly sand on 9 to 30% (CdE) slopes may also be suitable. These soils are gravelly sands, often with a noticeable "crypto-biotic crust," of nitrogen-fixing blue-green algae and fungi. These soils tend to occur along the base of the mountains in areas most extensively used for agriculture and urban development, so that very little potential habitat may still exist.

The Casey's June beetle emerges and "swarms" in mid-to-late spring (usually late May through June). They generally fly on warm nights when temperatures at dusk are 70° F, when daytime temperatures range from 90° to 100° F. The males fly swiftly over the ground from dusk to shortly after dark in search of flightless females. A larval food plant may be cheesebush, *Hymenoclea salsola*, as females have been collected immediately below this plant.

Surveys during the spring and early summer months of 1997 through 1999 have failed to detect additional known occurrences of the Casey's June beetle. Surveys conducted in 1999 for the Agua Caliente Band of Cahuilla Indians (for their separate MSHCP covering reservations lands) failed to detect any individuals of this species. Efforts will continue to coordinate with the surveys and Agua Caliente planning effort. Other locations where potentially suitable habitat may still occur, such as the mouth of Deep Canyon and Dead Indian Canyon, require additional survey under appropriate climatic conditions.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

There are no known occurrences of Casey's June Beetle in the planning area on BLM land.

Coachella Valley Fringe-toed lizard

Uma inornata

**Status: Federal – Threatened
 State – Endangered**

Distribution, abundance, and trends. The Coachella Valley fringe-toed lizard is restricted to the Coachella Valley and was found historically from near Cabazon at the northwestern extreme to near Thermal at the southeastern extreme. It is associated with a substrate of aeolian sand to which it has developed morphological and behavioral adaptations (Heifetz 1941, Stebbins 1944, Norris 1958). It occurs wherever there are large patches of the appropriate substrate (England and Nelson 1976, LaPre and Cornett 1981, Turner et al. 1981, England 1983, Barrows 1997). As development of the Coachella Valley progressed, fringe-toed lizard habitat declined from about 171,000 acres historically (HCP 1985) to 63,360 acres in 1980 (Federal Register 1980) to 27,206 acres estimated by GIS modeling in 2000 (Coachella Valley Multiple Species Habitat Conservation Plan/Natural Communities Conservation Plan).

Coachella Valley fringe-toed lizard abundance, calculated as density, was estimated at several sites considered representative of habitat in the Coachella Valley by Turner et al. 1981 and 1983. These estimates, made from surveys in only one year, ranged from 4 to 18 per acre in unstabilized habitat. However, a long-term demographic study by Muth and Fisher (in prep) revealed density variations among years from 7 to 60 per acre at one site. Availability of food resources appears to be causal to these fluctuations in density, as reproduction and mortality are correlated with annual rainfall.

The Coachella Valley fringe-toed lizard is omnivorous and diet changes as a function of food availability. During normal to wet years it eats primarily flowers and plant dwelling arthropods. During dry periods the diet shifts to primarily leaves and ants (Durtsche 1987, 1995). The dietary content differs also between breeding and non-breeding seasons for males, but does not differ significantly for females (Durtsche 1992).

Coachella Valley fringe-toed lizards differ sexually in their spatial use of habitat. Males have a significantly larger home range size than do females. On average, the home range for males is 1,070 square meters and 437 square meters for females (Horchar 1992).

Coachella Valley fringe-toed lizards are active from March to mid-November (and sometimes December when the weather is accommodating), although adults are primarily active from April to October with a peak in May-June (Mayhew 1965). Springtime activity is triggered when subsurface temperatures exceed the minimum voluntary temperature at -5 cm where the lizards hibernate, and end when these temperatures drop below minimum voluntary in the fall (Cowles 1941, Brattstrom 1965, Muth and Fisher 1991). Daily activity is also associated with temperature. Mayhew (1964) found them active when their body temperatures ranged from 25.8-44.0 degrees C. They must have access to cool temperatures to survive midday temperatures during the hottest months. Muth and Fisher

(1991) found that surface temperatures in the shade and subsurface temperatures at – 5 cm in the sun exceeded the critical thermal maximum for the species (Brattstrom 1965). Fringe-toed lizards must burrow 5 cm in the shade or much deeper in direct sun to escape extreme heat. Not all individuals are active on any given day, despite appropriate temperatures. Muth (1987) and Muth and Fisher (1991 and unpublished data) found that on average, only 20% of a marked population was active each day, with much individual variation. Although Fisher and Muth watched the lizards excavate relatively deep burrows in the sun on the hottest days, Pough (1970) states that fringe-toed lizards do not bury deeper than 3-4 cm “even under near-fatal heat stress”.

Breeding occurs from late April into August and eggs are laid from May into September (Mayhew 1965). This prolonged breeding season, along with distinct size classes among hatchlings, the simultaneous presence of enlarged eggs in both oviduct and ovary, and the recurrence of breeding color in individual females suggests that they lay multiple clutches per year when food resources are abundant (Mayhew 1965, Muth and Fisher, unpublished data). Young of the year hatch the first week of August at Whitewater Floodplain Preserve (Muth and Fisher, unpublished data) but a week or two earlier at the Coachella Valley Preserve where temperatures are higher. Growth rate is positively correlated with annual rainfall and young reach adult size one to three years after hatching. Fewer females breed during dry years and they lay fewer egg clutches (Muth and Fisher unpublished data).

Coachella Valley fringe-toed lizards are known to live eight years in the wild but annual survivorship is about 35%. Size, sex, or age related differences in mortality are not detectable (Muth and Fisher 1991). Known predators include larger conspecifics, leopard lizards (*Gambelia wislizenii*), coachwhip snakes (*Masticophis flagellum*), sidewinders (*Crotalus cerastes*), loggerhead shrikes (*Lanius ludovicianus*), American kestrels (*Falco sparverius*), Coyotes (*Canis latrans*), kit foxes (*Vulpes macrotis*), Palm Springs ground squirrels (*Spermophilus tereticaudus* spp. *Chlorus*), red-tailed hawks (*Buteo jamaicensis*), prairie falcons (*Falco mexicanus*), greater road runners (*Geococcyx californianus*), and burrowing owls (*Speotyto cunicularia*) utilize fringe-toed lizard habitat and are known to eat lizards.

Trepanier and Murphey (2001) analyzed nine populations of Coachella Valley fringe-toed lizards using mitochondrial DNA and found them to be nearly identical. They found the species to be most similar to its nearby congener, the Colorado Desert fringe-toed lizard, confirming earlier analyses of anatomical characters (Norris 1958, de Querioz 1989) and display behavior (Carpenter 1963). However, genetic differences among the nine populations are considerably less than genetic differences among populations of the Colorado Desert fringe-toed lizard, indicating a relatively recent genetic isolation.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

The population is rapidly declining due to ongoing loss of habitat, especially in the area south of Interstate 10 near La Quinta, Palm Desert, Rancho Mirage and Cathedral City. Remaining habitat is dwindling and heavily fragmented. Fifty-seven percent (57%) of the

170,880 acres of historic habitat described in the Habitat Conservation Plan (HCP 1980) has been lost to human development (Johnson, pers. com.). Some authorities contend that the amount of historic habitat is substantially less than this figure (Barrows, pers. com.), in which case the percentage of historic habitat lost is much greater. This discrepancy may be due to the absence of aerial photographs from the 19th century. On BLM-managed lands within the Coachella Valley, 2, 557.1 acres of suitable habitat has been modeled, 2, 312,8 acres of which are designated critical habitat. The majority of these acres occur within the Coachella Valley Preserve system and BLM ACECs and thus are protected. The BLM lands at Windy Point are proposed for protection under the preferred alternative in the DEIS.

The portion of the population south of Interstate 10 and east of Palm Drive can be expected to go extinct within the next 10 years as habitat is converted to human use. There are no BLM-managed lands in this area south of I-10. Remaining populations will occur only on the Coachella Valley Preserve's three units, on the Valley's wind farms, and from Windy Point to Fingal's Finger. Wind farms under BLM right-of-way grants are protected from public entry. Existing wind parks are operating under existing Biological Opinions. Future projects would be subject to Section 7 consultation. Population monitoring on the Coachella Preserve indicates a stable population in this area. A total of 27, 205 acres of suitable habitat has been modeled for the fringe-toed lizard; 2, 557 acres occur on BLM-managed lands, primarily in the Windy Point area and the Coachella Valley Preserve.

Threats and limiting factors. Primary threats are loss or degradation of habitat and the processes that drive that habitat. Habitat is lost when urban, agricultural and other types of development replace suitable with unsuitable habitat. Habitat is degraded by off-highway vehicle (OHV) abuse, illegal dumping, and invasion by exotic weeds, etc. Floodwaters transport sediment downstream from its source to where it is gradually sorted and the sand is then transported by wind to form dunes. To maintain the habitat, floodwaters must not be blocked or redirected from the sorting area. There must also be no barriers blocking the movement of wind and its sand load between the sorting area and the habitat. These barriers impound sand and cause shielding effects, which, eventually, will "extend to the downwind end of the region because of the unidirectional sand movement pattern" (HCP 1985).

In the Coachella Valley, edge effects are related to urban development adjacent to habitat. Roads, feral pets, collecting, etc. increase mortality of fringe-toed lizards, especially around the perimeter of a habitat patch. The size of the perimeter is relative to the total area – thus the larger the perimeter the larger the area affected by adjacent development.

Coachella Valley Giant Sand treader Cricket

Macrobaenetes valgum

**Status: Federal – Species of Concern (No official status)
State – None**

Distribution, Abundance and Trends. The Coachella Valley giant sand treader cricket occurs exclusively in the active sand hummocks and dunes in the Coachella Valley. They are most abundant in the active dunes and ephemeral sand fields at the west end of the Coachella Valley, west of Palm Drive at least to Snow Creek Road, adjacent to the Whitewater River and San Gorgonio River washes. Suitable habitat also occurs within the Whitewater River Floodplain Preserve and at the Coachella Valley Preserve, on the main dunes and the Simone dunes. Despite the low numbers reported below from pit-trap samples at the Thousand Palms Preserve, burrows of these crickets are commonly observed in the more active portions of the aeolian sands in the southern dunes (C. Barrows, 1998). The distinctive cone-shaped excavation tailings of this species' diurnal burrows can be easily identified and used to confirm this species occurrence at a given location (C. Barrows, 1998); these distinctive excavations were common on the Simone Dune at the Thousand Palms Preserve, and at the Snow Creek and Windy Point locations. They were not as common at Willow Hole, and were not observed at a La Quinta site and at the east end of the Indio Hills. The east end of the Indio Hills also includes suitable active blowsand habitat, but this species has not been observed there; their apparent absence at this location may relate to moisture regimes where they occur in lower numbers in the drier eastern portion of the Plan area.

Perennial shrubs including creosote bush, burrobush, honey mesquite, Mormon tea, desert willow, and sandpaper bush dominate the preferred habitat of this species in windblown environments. Stabilized sand areas appear to be avoided. Evidence for their affiliation with active, unshielded sand habitats again comes from trapping results reported by Barrows (1998). Cameron Barrows reports that after more than 900 trap nights, using pitfall traps and drift fences, no sand treader crickets were captured on a stabilized and previously disturbed sand area of the Thousand Palms Preserve.

The historic range of this species is entirely within the Plan area, from Fingal's Finger east to the sand dune areas in the vicinity of Indio. Tinkham (1962) describes them as occurring on "sand dune ridges to two miles west of Indio"; this description would include portions of the Big Dune area. Information on the occurrence of this species in the remnants of the Big Dune, from Palm Springs east to La Quinta and Indio, is limited as most of the land is privately owned and has not been accessible for surveys. The species distribution model indicates that potential habitat occurs on the Big Dune, however, the active blowsand areas apparently preferred by the Coachella giant sand treader cricket will not persist in the absence of an intact sand transport corridor. The occupied range for this species has been greatly reduced as a result of development and sand stabilization.

The giant sand treader cricket has its primary period of activity during the spring. They are nocturnal, coming to the surface to forage on detritus blown over the dunes, or to look for mates. During the day they conceal themselves in self-dug burrows from five to twenty meters deep in the sand. These burrows are often associated with the roots of perennial shrubs or under boards, rocks, and other hiding places. The life history of these insects is not well known. The adult and juvenile instars disappear during the warm months of the year, perhaps spending the summer in the egg stage. Activity of small juvenile instars begins in the late fall through early winter. By mid to late spring the adults have disappeared.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Habitat for the giant sand treader cricket overlaps with the Coachella Valley fringe-toed lizard.

Threats and limiting factors

The most significant limiting factor for this species is the availability of the aeolian sand ecosystem and the sand sources and corridors that maintain it. Threats to this species include cumulative habitat loss and degradation of the existing habitat as a result of development, in particular where sand transport processes are disturbed. Off-road vehicle activity is a threat because shallow burrows can be crushed and the sand compacted. Non-native species such as Saharan mustard (*Brassica tournefortii*) and Russian thistle (*Salsola tragus*) can significantly stabilize active sand habitats and may decrease habitat availability and habitat quality for these crickets.

Coachella Valley Grasshopper

Spaniacris deserticola

Status: Federal – None
State – None

Distribution, Abundance and Trends. The Coachella Valley Grasshopper is a rare grasshopper that uses *Tiquilia palmeri* as a food plant. It also occasionally uses *Tiquilia plicata* which grows in sandy flats and washes (Hawks 1995). According to Tinkham (1975) *Tiquilia palmeri* may be the preferred host because it provides green foliage all summer long and occurs in edaphic conditions which provide greater protection for the eggs. Hawks (1995) indicates that all life stages of this species are associated with *Tiquilia palmeri*. This grasshopper is typically associated with the lower fringes of rocky bajadas, particularly where the soil is partly of rock, sand, and clay (Tinkham 1975), low sandy ridges, and sandy alluvial fans, if the host plant is present.

Known sites where this species has been observed outside the Plan area include the vicinity of Rice in San Bernardino County where Tinkham (1975) reported finding a female on *Tiquilia plicata*, on a “rather level sweep of sand well covered with sand mat.” He also reported a large colony on a low sand ridge about a mile east of Plaster City in Imperial

County; this colony was extirpated by 1961 after construction of a highway department borrow pit (Tinkham 1975). This grasshopper also occurs in the Borrego Springs area and in the 1960s, several specimens were collected near stabilized sand dunes southeast of San Luis Rio Colorado in Sonora, Mexico. A number of other known colonies have been extirpated as reported by Tinkham (1975) near Dale Lake, 25 miles east of 29 Palms, in the vicinity of Smoke Tree Ranch in Palm Springs, and west of Thousand Palms. Within the Plan area, colonies of this species have been recorded along the alluvial slopes of the Indio Hills, from Washington Street to Willow Hole, including the southern slopes of Edom Hill (Hawks 1995), on the Coachella Valley Preserve, and at scattered locations north of Ramon Road and west of the Coachella Valley Preserve, near Thousand Palms. Writing in the Independent Science Advisors Review (Noss et al. 2001), suggests that it may now be restricted to sites north of I-10, including portions of the Thousand Palms Preserve and Willow Hole areas.

The distribution of this species in the eastern and southern parts of the Plan area needs further verification. As noted below, Matt McDonald from the U.S. Fish and Wildlife Service collected some specimens that appeared to be this species from Dos Palmas and near the Salton Sea; input from experts on this species ultimately suggested they were not. Greg Ballmer (Noss et al. 2001) suggests that if the historical populations in Imperial County are extirpated, the remaining populations in the Coachella Valley are of greater significance.

This insect is not well known and it has not been widely surveyed throughout its potential range. Its food plant, *Tiquilia palmeri*, is distributed throughout the lower elevations of the Colorado Desert; it is not common though and tends to occur in small isolated clusters in sandy soils. It is likely that the Coachella Valley grasshopper may be found throughout the area of distribution of *T. palmeri*.

A distinctive characteristic of this grasshopper species is the activity period of the adults which occurs in the hottest months of the year, during mid-day, and at the lowest elevations within the Coachella Valley. Adults can tolerate soil temperatures of at least 60° C. In areas where *Tiquilia palmeri* (and apparently sometimes *Tiquilia plicata*) occurs, nymphs may be found during the spring months. The adults are much easier to detect and are active from late June through August. At this time of year, *Tiquilia plicata* is one of the few plants with green foliage available.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

This species is known to occur within the Thousand Palms Preserve, the east end of the Indio Hills, and Willow Hole areas.

Threats and limiting factors

Within the known habitat of this species, the primary threats are sand and gravel mining and urbanizations. This species is vulnerable to development as its colonies occur at low elevation sites in the Coachella Valley. The Coachella Valley grasshopper may also be vulnerable to being crushed by passing cars on roads because *Tiquilia palmeri* often grows

well along road margins. This species is apparently limited to areas where the host plant occurs.

Coachella Valley Jerusalem Cricket

Stenopelmatus cahuilensis

Status: Federal – Species of Concern
State – None

Distribution, Abundance and Trends. The Coachella Valley Jerusalem Cricket is known from the Snow Creek area from Fingal's Finger east to Windy Point, and remnants of sand dune habitat around the Palm Springs Airport. They occur in sandy to somewhat gravelly sandy soils and have been called an obligate sand species. They do not necessarily require active blow sand habitat but have been found in loose wind blown drift sands, dunes, and sand in vacant lots if native vegetation exists. They have been found associated with the roots of members of the sunflower family, including *Ambrosia* sp. and *Encelia* sp. (Weissman and Ballmer, pers. comm.).

According to Hawks (1995) these Jerusalem crickets require high humidity and most observations have been following winter and spring storms while the soil substrate remains moist. They are most often located beneath surface debris during the cooler and wetter months of the year. During the summer months they spend daylight hours in deep burrows in the ground; they may rarely be encountered at the surface during the night (Hawks 1995). Because these Jerusalem crickets have been observed more widely at the western edge of the Coachella Valley, and because of their affiliation with cool, moist conditions, it has been suggested that they may be limited in distribution by temperature and moisture regimes (Tinkham 1968, Hawks 1995).

The Coachella Valley Jerusalem cricket feeds at night on roots, tubers, and detritus; they have also been occasionally observed feeding on dead animals and may be cannibalistic. Male and female Jerusalem crickets drum their abdomens against the bottom of their burrows or the ground to attract one another. Small clusters of their relatively large eggs are laid by the female in soil pockets. Their complete life cycle may extend three years or more.

Tinkham first described this species in 1968 from collections made in 1962 and after. The type locality of the species is described as "undulating dunes piled up at the northern base of the San Jacinto Mountains," reached by traveling south from the old Palm Springs Depot (10 miles west of Palm Springs). This location is likely at or near the Snow Creek dunes area. The known range also includes portions of what is now northern Palm Springs and Cathedral City. Known locations where this species has been observed occur on some of the lands owned by the BLM in the Windy Point area, and on lands recently purchased by the BLM or by the Friends of the Desert Mountains along Snow Creek Road. In a 1995 survey for this Plan, Dave Hawks (1995) reported finding these crickets only in the vicinity

of Fingal's Finger. Scientific Advisory Committee member Cameron Barrows has also reported observing these crickets only in the Snow Creek area; this Jerusalem cricket has not been detected on the Thousand Palms Preserve despite trapping efforts in this area (C. Barrows, pers. comm.). They have not been found in the vicinity of the Whitewater Floodplain Preserve and Hawks (1995) suggests that suitable habitat does not exist in this area. The easternmost known location is in the vicinity of Thousand Palms, near Bob Hope Drive and Interstate 10; this location may not longer be extant as the area is increasingly developed; Greg Ballmer suggests this record is probably an outlier. The lack of observations of this species east of Windy Point are very limited and suggest that they may not occur in significant numbers in the central Coachella Valley. Greg Ballmer suggests in the ISA review (Noss et al. 2001) that a predicted climatic shift toward warmer and drier conditions would emphasize the importance of protecting habitat for this species at the western end of its range (he suggests especially along the Whitewater River wash from Palms Springs westward to Fingal's Finger).

Occurrence within the Coachella Valley CDCA Plan Amendment Area

The known range also includes portions of what is now northern Palm Springs and Cathedral City. Known locations where this species has been observed occur on some of the lands owned by the BLM in the Windy Point area. The lack of observations of this species east of Windy Point are very limited and suggest that they may not occur in significant numbers in the central Coachella Valley. There are 23, 017 acres of modeled suitable habitat in the Coachella Valley for this species; 3,381 acres is on BLM-managed lands.

Threats and limiting factors

The most significant threats to the Coachella Valley Jerusalem cricket are habitat fragmentation and off-road vehicle use within their habitat. Off road vehicles damage their habitat by crushing underground burrows and eliminating native vegetation. Conversely, clean up and removal of surface debris may not benefit this species as they use debris piles. This species is apparently limited to sand dunes and sand fields at the west end of the Plan area where the temperature/moisture gradients are within their tolerance levels. Greg Ballmer in his report on a trapping survey for the Coachella Valley Jerusalem cricket (1993) has suggested that average annual precipitation and floral community components may be used to predict the occurrence of this species. He suggests that dunes east of Ramon Road (Bob Hope Drive?), at the Coachella Valley Preserve, and in Indian Wells/La Quinta (mostly extirpated) appear to be drier than sites where *S. cahuilaensis* was found, as evidenced by the comparative lack of winter/spring annuals and herbaceous perennials. He describes observations of sand near Windy Point that was wet to a depth of several inches following winter storms, while sand at Washington Street would be damp, at most, to a depth of one to two inches.

Coachella Valley Milkvetch

Astragalus lentiginosus coachellae

Status: Federal – Endangered
State – None

Distribution, abundance, and trends. The Coachella Valley milkvetch occurs in dunes and sandy flats, along the disturbed margins of sandy washes, and in sandy soils along roadsides where they occur adjacent to existing sand dunes. Within the sand dunes and sand fields, this milkvetch tends to occur in the coarser sands at the margins of the dunes, not in the most active blowsand areas. This species is strongly affiliated with sandy substrates and may occur in localized pockets where sand has been deposited by wind or by active washes. It may also occur in sandy substrates in creosote bush scrub, not directly associated with sand dune habitats. In the Plan area, populations are known from the Snow Creek area, on the Whitewater Floodplain Preserve, the Edom Hill-Willow Hole Preserve/ACEC, and the Coachella Valley Preserve. Other concentrations of the species occur along Gene Autry Trail near the airport in Palm Springs, on and around Flat Top Mountain, along Varner Road at the base of Edom Hill, and in scattered locations in the southern parts of Desert Hot Springs. Though suitable habitat appears to be present in the Indio and La Quinta areas, this species has not been recorded there. Within the plan area, the easternmost known location for the Coachella Valley milkvetch that is still extant is on the Thousand Palms Preserve. Information on the distribution of the species has been compiled from a variety of sources, including biological surveys completed in the spring and summer of 1995 (Sanders, 1995, Barrows, 1995), data from the Natural Diversity Data Base (NDDDB 1994), environmental assessment documents, annual monitoring data for the Coachella Valley Preserve (C. Barrows 1987-1995) and previous surveys (Barrows 1987).

This federally-listed endangered species is an erect winter annual, or short-lived perennial, which blooms from February to May, producing pink to deep magenta-colored flowers. It is distinguished in part from the other milkvetches by its strongly inflated, two-chambered, mottled pods. These pods, when dried, fall to the ground and are blown along the dunes. In good years, hundreds to thousands of individuals have been described in a population, but often reports are of less than 20 plants. Specific data on population size and dynamics are not available for this species. The factors controlling population size through effects on seed germination, seedling establishment, and plant longevity have not been studied, but presumably involve moisture availability and soil and air temperatures (Sanders 1995).

The Coachella Valley milkvetch was first described by Rupert Barneby in Shreve and Wiggins (1964) based on a collection made by Alice Eastwood in 1913 near Palm Springs, Riverside County. Extensive dune systems, now much reduced, at the base of the Santa Rosa Mountains, in what are now the cities of Palm Springs, Cathedral City, Rancho Mirage, Palm Desert, Indian Wells, and La Quinta provided suitable habitat for the Coachella Valley Milkvetch.

This species is known from locations from One Horse Spring near Cabazon to the sand dunes off Washington Avenue, north and west of Indio, in a longitudinal west to east range

of approximately 33 miles. The distribution of this species is restricted to the Coachella Valley in Riverside County, between Cabazon and Indio, with the exception of six outlying occurrences within a 5-mile area along Rice Road in the Chuckwalla Valley north of Desert Center (BLM 2000). These Desert Center “outliers”, most recently observed in March 1998, are not within the plan area. While the overall range (east to west) of this species may not be significantly reduced from the historical distribution, the number of known locations has declined dramatically (Barrows 1987).

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Of forty-nine extant observations of the Coachella Valley milkvetch (*Coachella Valley Multiple Species HCP database*), only 6 of those occurred on BLM-managed lands. Three of these observations were made within existing Areas of Critical Environmental Concern (ACECs) and three on unclassified land within the Coachella Valley. A model of the potential distribution of this species has been prepared for use in the Coachella Valley Multiple Species HCP. This model shows suitable habitat extending as far as northeast of Indio and into La Quinta. Suitable habitat also is found east of Highway 62 south of Dillon Road. No observations of the Coachella Valley milkvetch have been made in these two areas. There are 5,059.6 acres of suitable habitat on BLM-managed lands within the planning area. The majority of these fall within existing ACECs such as the Coachella Valley Preserve, Edom Hill, and the Whitewater Floodplain Preserve/ACEC. These lands are already within protective status. The modeled habitat at Windy Point would be protected under the proposed preferred alternative in the attached DEIS.

Threats and limiting factors. The primary threat to this species is habitat destruction due to continuing urban development, including the direct effects of habitat conversion. Other impacts to the species are from increased human activity, including off-road vehicle use, trampling, and the introduction of non-native plants, including Russian thistle (*Salsola tragus*) and Saharan mustard (*Brassica tournefortii*). Development of wind energy parks has impacted this species, although the plants can persist associated with wind parks as long as disturbance to the species’ sandy habitat is minimized. Many of the sand dune areas where this milkvetch occurs have been developed, been stabilized by adjacent development, or fragmented by urbanization. Each of the impacts described above relates to the sand dune ecosystem and the interference with the windblown sand transport system. These ecosystems require a source of new sand to be maintained over long periods of time and a wind corridor to maintain dune dynamics. Though Coachella Valley milkvetch does not necessarily occupy active blow sand dune habitats, the species does appear to be dependent on sand dune ecosystems.

The annual variation in population size that has been observed in this species, associated with drought conditions and the occurrence of seasonal rainfall, is also of concern. The small size of populations in drought years could leave this milkvetch vulnerable to extinction from stochastic events. The number of individuals of this species in known locations can vary dramatically from year to year, depending upon available soil moisture and other factors. For example, during the course of a biological survey for the Army Corps of

Engineers at the Cabazon Windpark site in May 1979, 209 individuals were observed (Wright and LaPre 1979); a survey of this same area in May 1987, a dry year, only six were observed (Barrows 1987).

Desert Bighorn Sheep (outside the Peninsular Ranges)

Ovis Canadensis nelsoni

**Status: Federal – Sensitive
State – None**

Distribution, abundance and trends

Desert bighorn sheep occur in the Little San Bernardino Mountains on the Big Morongo Canyon Preserve, in the Mecca Hills, and the Orocopia Mountains. This BLM sensitive species is also fully protected under state law. Desert bighorn sheep have declined across the southwest since the early 1900's (Buechner 1960). Bighorn sheep typically utilize habitat that is steep, rugged, and open, habitat that provides escape routes from predators, forage, and water during the hot summer months. Bighorn sheep habitat tends to be patchily distributed and connected by movement corridors with high visibility and nearby escape terrain (Risenhoover et al. 1988).

The Little San Bernardino Mountains are located in central Riverside County and are bordered on the south by the Coachella Valley, and include parts of Big Morongo Canyon Preserve and Joshua Tree National Park. Sixty-one sheep in 16 separate groups were observed during surveys conducted in the western portion of the Little San Bernardino Mountains in September 2001. The largest concentrations of sheep were observed near known water sources in Little Morongo and Long Canyons. No sheep and little trailing was observed in the lower portions of these canyons.

The Orocopia Mountains are located east of Indio in south-central Riverside County. This area is bordered by the Coachella Canal on the west and southwest, the Bradshaw Trail on the south, and I-10 on the north. Gas Line Road is the eastern boundary and the western border of the adjacent Chuckwalla Mountains. The Orocopia Mountains run into the Mecca Hills to the west. Bighorn sheep surveys in the Orocopia Mountains indicate that the population is stable at 60-80 animals (CDFG files). However, dependence upon water from the Coachella Canal has caused some concern among CDFG biologists. The need for guzzlers in the Orocopia Mountains has long been discussed. There are a number of existing guzzlers in the Orocopia Mountains, some specifically for bighorn sheep and some for gallinaceous birds. This sub-population of the Sonoran metapopulation has been identified as a transplant source population by the California Department of Fish and Game. No transplants have occurred recently.

Desert Pupfish

Cyprinodon macularius macularius

**Status: Federal – Endangered
State – Endangered**

Distribution, abundance and trends. Historically, desert pupfish occurred in the lower Colorado River in Arizona and California, from Needles downstream to the Gulf of Mexico and into the delta in Sonora and Baja. In California, pupfish inhabited springs, seeps, and slow-moving streams in the Salton Sink Basin, and backwaters and sloughs along the Colorado River. Desert pupfish also occurred in the Gila River Basin in Arizona and Sonora, including the Gila, Santa Cruz, San Pedro, and Salt Rivers; the Rio Sonoyta of Arizona and Sonora; Pureto Penasco, Sonora; and Laguna Salada basin of Baja California. The Quitobaquito pupfish, found only in Quitobaquito Spring, Arizona, was recognized as a subspecies of desert pupfish; however, a recent phylogenetic study supports the recognition of this pupfish (as well as pupfish from the Rio Sonoyta) as the species *Cyprinodon eremus* Miller and Fuiman (Echelle 1999).

In the Salton Sink, desert pupfish populations are the remnants of those that inhabited ancient Lake Cahuilla. Four to five hundred years ago, the Colorado River was diverted away from the lake and into the Gulf of California, leaving pupfish isolated in springs. After the Salton Sink was flooded in the early 1900s by diversion of the Colorado River, desert pupfish colonized the Salton Seas. The Salton Sea, its tributary streams, irrigation drains, and shoreline pools, supported large pupfish populations until the populations began declining in the mid to late 1960s. A 1991 California Department of Fish and Game survey (Nichol et al. 1991) found pupfish in a majority of irrigation drains, some shoreline pools and several tributaries of the Salton Sea. Currently, California desert pupfish populations are restricted to portions of San Felipe Creek and its associated wetland, San Sebastian Marsh (Imperial County), portions of Salt Creek (Riverside County), some shoreline pools and irrigation drains along the Salton Sea (Imperial and Riverside Counties), and various artificial refugia (Riverside and San Diego counties).

Adequate water quantity and quality must be maintained in desert streams, springs, irrigation drains, and shoreline pools. Surface and groundwater from upper Salt Creek Canyon and other canyons in the Orocopia and Chocolate Mountains may contribute to the groundwater system. Seepage from the Coachella Canyon also contributes to the groundwater in the Salt Creek drainage system. Ground water pumping, channel erosion, water diversion, contaminants, and other threats must be reduced.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Dos Palmas ACEC- In the Plan area, pupfish are found in upper and lower Salt Creek, the mouth of Salt Creek (Sutton 2000), several irrigation drains emptying into the Salton Sea, some shoreline pools, and several refugia: Dos Palmas ACEC, the Coachella Valley Preserve; Oasis Springs Ecological Reserve; the Living Desert; and Salton Sea State Recreation Area. The Plan area contains a substantial portion of the remaining pupfish

habitat, including one of only two natural tributary streams, most of the refugia, and some of the shoreline pools and irrigation drains. A small, but stable, population exists in Salt Creek. The majority of fish inhabit an upstream portion of the creek, but a few pupfish were found at the mouth as recently as 1995 and again in 1999 (Sutton 1999). Surveys conducted by the California Department of Fish and Game in 1997, 100 pupfish and 700 mosquito fish were captured in the upstream section of Salt Creek. Recent surveys conducted by the Department of Fish and Game found pupfish in approximately 30% of the irrigation drains emptying into the Salton Sea, significantly fewer than in 1991. This is likely the result of substantial increase in tilapia numbers during this time. Pupfish seem to be doing better along the west end of the Sea, where habitat is more suitable. Along the east end of the Sea, the substrate in many of the drains consists almost entirely of tilapia nests and very little aquatic vegetation remains in these drains.

Threats and limiting factors. The major threat to desert pupfish is the presence of exotic fish species, particularly tilapia (*Tilapia* spp), sailfin molly (*Poecilia latipinna*), and mosquitofish (*Gambusia affinis*) in habitats occupied by pupfish. These and other introduced fish species affect pupfish populations through predation, competition, and behavioral interference. In addition, the non-native bullfrog (*Rana catesbeiana*) is a serious predator of pupfish. Introduced plant species such as salt cedar (*Tamarisk*) also pose a threat to pupfish populations. Evapotranspiration by salt cedar may result in a lack of water at crucial times, especially in smaller habitat patches where water supply is limited. Salt Creek is particularly vulnerable to the effects of salt cedar. Other threats within the planning area include groundwater pumping, dewatering, water diversion, drain maintenance activities, off-road vehicle use, contaminants, the lining of the Coachella Canal, and fluctuations of the Salton Sea. The pupfish requires shallow, slow-moving clear water with a moderate amount of aquatic vegetation and soft substrate. On BLM-managed lands within the Dos Palmas ACEC, pupfish ponds are behind locked gates and the area is patrolled daily by an on-site caretaker. It is unlikely that illegal OHV activity impacts desert pupfish at Dos Palmas.

Desert slender salamander

Batrachoseps aridus

Status: Federal – Endangered
 State – Endangered

Distribution, Abundance, and Trends. *B. aridus* is known from only two canyons in the Santa Rosa Mountains, the entire occupiable habitat comprising perhaps several acres. In addition to the population at Hidden Palms Oasis, an additional population of slender salamanders was found in the vicinity of Guadalupe Creek, in a canyon separated from Hidden Palms by 4.5 miles of continuous desert (Duncan and Esque 1986). Comparative genetic analysis of the two populations has not been completed but preliminary results have confirmed that Guadalupe Creek is a disjunct population of *B. aridus* (K. Nicol, pers. comm.).

There is no indication that the geographic range of the species has declined historically. The current range has probably changed little since shortly after the last pluvial period, about 10 million years ago. The habitat of *B. aridus* is a steep-walled desert canyon with permanent water seeping from fractured bedrock. The species uses cracks in the bedrock and sheet-like limestone deposits for shelter from desiccation and temperature extremes. The combination of permanent water, shade, and availability of retreat sites appears important to the distribution of the species. The area receives only 8 inches of rainfall annually (M. Fisher, pers. comm.), and the dry hillsides adjacent to the seeps are uninhabitable by the salamander.

Perennial plants in the canyon from where the species is known include desert fan palm, *Washingtonia filifera*; southern maidenhair fern, *Adiantum capillus-veneris*; narrow-leaved willow, *Salix exigua*; squaw waterweed, *Baccharis sergiloides*; honey mesquite, *Prosopis glandulosa*; and sugarbush, *Rhus ovata* (Zabriskie 1980). Common perennial plants on the hillsides surrounding the canyon include desert agave, *Agave deserti*; big galleta grass, *Pleuraphis (Hilaria) rigida*; desert apricot, *Prunus schottii*; desert tea, *Ephedra aspera*; Santa Rosa sage, *Salvia eremostachya*; buckhorn cholla, *Opuntia acanthocarpa*; California barrel cactus, *Ferocactus cylindraceus (acanthodes)*; creosote *Larrea tridentata*; Jojoba, *Simmondsia chinensis*; and catclaw acacia, *Acacia greggii*. (Zabriskie 1980, Hickman 1993).

Little is known specifically about the natural history of *B. aridus*. Most sightings have been in the period from late February to early April. Information from the California Department of Fish and Game indicates that they are active year round and that there does not seem to be any seasonal preference. Like its congeners, *B. aridus* lacks an aquatic larval stage; instead, eggs are laid in moist soil and hatch as fully developed young. Other species of *Batrachoseps* eat primarily small arthropods.

Threats and limiting factors

The major threats to the species involve degradation of habitat. Although the area is closed to public access, it is still susceptible to damage by vandals and illegal collectors. In addition, the water that feeds the seep comes from the northwest near Asbestos Mountain. This recharge area includes undeveloped BLM, USFWS and CDFG land as well as portions of the communities of Pinyon Crest, Royal Carrizo, and Chapman Ranch (Denver 1990). Water use by these communities may significantly decrease water available to the salamander. Also, water quality may degrade as nitrates and nitrites enter the water from septic systems. Invasion of the habitat by exotic plants such as tamarisk is another potential threat.

Desert Tortoise

Gopherus agassizii

Status: Federal – Threatened
State – Threatened

Distribution, Abundance, and Trends. The desert tortoise is widely distributed through an exceptionally broad array of habitats that span 1,100 kilometers from northern Sinaloa State, Mexico where it occupies deciduous forest, across the Sonoran (including the Colorado Desert Subdivision in California) and Mojave Deserts, to the edge of the Colorado Plateau in arid southwestern Utah (Ernst et al., 1994; Germano, 1994). Populations north and west of the Colorado River were listed as threatened in April 1990 under the Federal ESA. The species is listed by California as a threatened species, and it is the official State reptile. In California, the tortoise is naturally absent from most areas west of the Salton Sea (Luckenbach, 1982). Thus, the Imperial Valley and portions of the southern Coachella Valley do not support native populations of tortoises. Tortoises, however, are found naturally along the northern, eastern and western rim of the Coachella Valley in the foothills of the Little San Bernardino Mountains, the Painted and Whitewater Hills (in the latter they are common), and the San Jacinto and northern Santa Rosa Mountains.

Range wide, occupied habitats include desert alluvial fans, washes, canyon bottoms, rocky hillsides, and other steep terrain. In the Whitewater Hills and environs tortoise burrows were found on slopes averaging 17.7° and ranging from 0-45° (Lovich and Daniels, unpublished). Areas with gravelly or coarse sandy soil are preferred, but tortoises can be found in boulder piles in some areas near the Coachella Valley. Desert tortoises have been recorded at elevations of at least 1,070 m in some portions of their range. Elevational records for desert tortoises in the Whitewater Hills and the Painted Hills average 735 m and range from 661-817 m (based on 150 records of 27 specimens in 1997). The particular habitat types utilized vary geographically with a preference for rocky slopes in the eastern part of the range (Schamberger and Turner, 1986; Barrett, 1990). However, it is important to emphasize that tortoises can occupy a surprising range of habitat types.

The spatial distribution of desert tortoises in relation to plant communities is not random (Baxter, 1988). High diversity plant ecotones and communities, and possibly soil characteristics, are important features in determining tortoise densities (Wilson and Stager, 1992). This may explain the relatively high density of tortoises in the Whitewater Hills as the area is situated in a transition zone between plant communities from the San Bernardino Mountains, the Mojave and Colorado Deserts, and coastal assemblages. The clustered nature of tortoise burrows in the western Coachella Valley environs is consistent with the observations of others throughout the range of the tortoise: desert tortoises frequently exhibit a contagious distribution, with clusters of individuals in some areas and large intervening areas of what appears to be suitable habitat without tortoises. Home ranges of tortoises vary from about 1-642 acres with males typically having larger home ranges than females. In southern Nevada males had an average home range of 80 acres while females used 37 acres (data summarized by Luckenbach, 1982).

In the western Coachella Valley the nesting season extends from April through at least July. Of 10 females radio-tracked and x-rayed at weekly intervals from early April through July, 1997 in the Whitewater Hills, 9 produced 72 eggs in 16 clutches. Seven produced second clutches and one tortoise produced a third clutch. Clutch sizes ranged from 1-8 (including a single female with 1 egg in the Painted Hills) with the first clutch averaging 4.33 eggs and the second clutch averaging 5.0 eggs (Lovich, unpublished). In contrast, during the same time period, only 1 of 8 females tracked and x-rayed in Joshua Tree National Park produced eggs; a single clutch of 5. The difference is attributed to the fact that winter rain produced high biomass of annuals in the Whitewater Hills, whereas tortoises in the Park are in the second year of drought conditions.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

The Plan area represents a small, but perhaps biologically significant portion of the tortoise's overall range. Tortoises in the foothills of the southeastern San Bernardino Mountains (especially in the Whitewater Hills) represent the western-most reproductively active population of tortoises in the Colorado Desert ecosystem. The western-most records of tortoises in the San Geronio Pass are represented by a series of eight active burrows (with scat at four) found by Jeffrey Lovich on July 7, 1997 in T3S, R3E, NW ¼ Sec 5. Significant geographic variation in ecology, morphology, allozymes, plasma proteins markers, gene sequences and mitochondrial DNA has been noted among populations of tortoise range wide (Weinstein and Berry, 1987; Rainboth et al., 1989; Lamb et al., 1989; Glenn et al., 1990; Lamb and Lydeard, 1994; Morafka et al., 1994), but no published comparisons have included tortoises from the Coachella Valley. Within the planning area, there is a total of 216,215.4 acres of potentially suitable desert tortoise habitat. Of this, 59,910.5 acres are designated critical habitat. These recovery units are in the overlap area of the Northern and Eastern Colorado Desert Plan (NECO).

Threats and Limiting Factors. Coyotes (*Canis latrans*), bobcats (*Lynx rufus*), ravens (*Corvus corax*), golden eagles (*Aquila chrysaetos*), and Gila monsters (*Heloderma suspectum*) [which do not occur in the Plan area] are known predators of either eggs, juveniles or adults (Hensley, 1950; Barrow, 1979; Luckenbach, 1982; Barrett and Humphrey, 1986), and ring-tailed cats (*Bassariscus*), badgers (*Taxidea*), skunks (*Mephitis*, *Spilogale*), kit foxes (*Vulpes*), domestic dogs (*Canis familiaris*), large hawks (*Buteo*), owls (*Athene*), roadrunners (*Geococcyx*), bullsnakes (*Pituophis*), and coachwhip snakes (*Masticophis*) are suspected predators (Ernst and Barbour, 1972; Luckenbach, 1982; H. Avery, pers. comm.). The presence of a high density of local ravens (*Corvus corax*) has a detrimental affect on populations of *G. agassizii* through predation on young tortoises (Boarman, 1993).

Desert tortoise habitat can be lost to urbanization and other human-related activities, including off-highway-vehicle use, overgrazing of domestic livestock, and construction of roads and utility corridors. Secondary contributions to degradation include the proliferation of exotic plant species and a higher frequency of anthropogenic fire. Effects of these

impacts include alteration or destruction of macro- and microvegetation elements, establishment of climax plant communities, destruction of soil stabilizers, soil compaction, erosion, and pollution (Lovich, 1992). Off-road vehicle (ORV) use may contribute to declines of tortoise populations directly by crushing individuals (above or below ground), or by collapsing burrows. Vehicle activity may also destroy vegetation used by tortoises for food or cover, making habitat unsuitable for sustaining their populations.

Certain key tortoise food plants may comprise over 40% of the cattle diet, and, since cattle are larger and more mobile than tortoises, these plants may be severely depleted with heavy grazing (Berry, 1978; Coombs, 1979). The Whitewater Grazing Allotment managed by the BLM overlaps significant tortoise habitat in the Whitewater and Painted Hills. Cattle have been observed to step on burrows and cause their collapse in the area, including burrows occupied by tortoises or used as nest sites. Recent research by Hal Avery of the U.S. Geological Survey demonstrates conclusively, for the first time, that cattle can out-compete tortoises for key forage species. Cattle grazing in the Whitewater Hills tortoise habitat has also led to visible increases in soil destruction and increased erosion in some areas.

Disease has contributed to declines of some desert tortoise populations. Wild and captive desert tortoises are afflicted with Upper Respiratory Tract Disease (URTD) in many areas within the geographic range. Jacobson et al. (1991; 1995) isolated a species of Mycoplasma, a small bacterium lacking a cell wall, as a potential pathogen causing URTD. Introductions of infected captive tortoises into the desert may have caused the spread of this potentially lethal disease in wild tortoise populations. No evidence of URTD has been observed in tortoises in the Whitewater Hills or the Painted Hills (Lovich). A new disease, called shell disease, has recently been reported in tortoises. In extreme cases, the scutes overlying the bony shell flake off, exposing skeletal tissue to desiccation and invasion by pathogens (Jacobson et al., 1994). Evidence of incipient shell disease on the lower shell of tortoises in the Whitewater Hills has been observed (Lovich), but no cases of scute exfoliation or mortality have been observed.

Jeff Lovich believes that fire is the biggest threat to the continued survival of tortoises in the western Coachella Valley. He reports that the proliferation of exotic annual grasses and forbs in the region has dramatically increased the frequency and extent of wildland fires in an ecosystem poorly adapted to perturbations of such periodicity or magnitude (Jeff Lovich, pers. comm.). Other than direct mortality, habitat conversion of desert scrub and semi-desert chaparral to exotic grasslands will diminish the prospects for long-term survival of viable tortoise populations.

Flat-tailed Horned Lizard

Phrynosoma mcallii

Status: Federal – Proposed
State – Species of Special Concern

Distribution, Abundance and Trends. The flat-tailed horned lizard is often associated with sand flats and sand dunes, although it is rare on larger dunes. It also occurs far from blowsand on concreted silt and gravel substrates (Beauchamp *et al.* 1998; C. Barrows, pers. comm.; Muth and Fisher 1992). In their comparisons of habitat types, Turner *et al.* (1980) determined the “best” habitat consisted of hard packed sand or desert pavement overlain with fine blowsand. The most common perennial plants associated with habitat for this lizard are creosote bush, *Larrea tridentata* and white bursage, *Ambrosia dumosa* (Turner *et al.* 1980; Muth and Fisher 1992).

The flat-tailed horned lizard lives in low elevation desert characterized by extremely high temperatures and low rainfall and humidity. The flat-tailed horned lizard has a higher preferred body temperature than its congener the desert horned lizard, *Phrynosoma platyrhinos* (Brattstrom 1965). This enables this lizard to exploit a hotter environment, but at the same time may restrict it to that environment. Thus there is little overlap in the geographic ranges of the two horned lizards found in the Coachella Valley (*P. mcallii* and *P. platyrhinos*).

Like related species, flat-tailed horned lizards are myrmecophagous; they eat ants. Ants, especially harvester ants, comprise about 98% of their diet. The proportion of ants in the diet is substantially higher in the flat-tailed horned lizard than in any other horned lizard (Pianka and Parker 1975, Turner and Medica 1982).

The flat-tailed horned lizard is relatively active for a desert lizard. A majority (54%) of the day is spent in some kind of activity, including feeding, digging burrows, and running (Muth and Fisher 1992). They eat ants they encounter while moving. They dig burrows to escape hot midday temperatures, and for winter hibernation. Most of the remaining activity involved running to locate food, suitable burrow sites, and mates. The mean home range size is nearly 300,000 sq. ft. (over 6½ acres), a large portion of which is covered daily. When approached by a potential predator, a flat-tailed horned lizard usually stops running and flattens its body against the ground. It relies on cryptic coloration to avoid predation and will usually remain immobile until after the threat has passed. This behavior makes the species difficult to locate in the field; in blowsand habitats, they may be located by following tracks left in freshly deposited sand (C. Barrows, pers. comm.).

Adult flat-tailed horned lizards are obligatory hibernators (Mayhew 1965). They hibernate from mid November to mid February in shallow burrows, although at least some juveniles are active on warm days during the winter (C. Barrows, pers. comm.). Reproductive activity begins in the spring and the first clutch of eggs hatches in late July. A second cohort may hatch in September. One or both of these cohorts may be lacking if

environmental conditions are severe. Females lay about five eggs per clutch, on average. Young grow quickly and reach sexual maturity by one year of age.

About 50% of all individuals survive from one year to the next, with most mortalities in mid summer. Population density estimates range from 0.5 (Muth and Fisher 1992) to 2.4 (Turner and Medica 1982) flat-tailed horned lizards per acre. The lower value may underestimate the true density, and the higher value may overestimate it. In addition, density may vary annually with changes in environmental conditions.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Within the Plan area, the flat-tailed horned lizard occurs at low elevations in the valley. Nearly all sightings in California and Arizona were below 800 feet (250 m) elevation (Mayhew and Carlson 1986, Turner et al. 1980, M. Fisher, pers. comm.). This lizard is found in two protected areas created by the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan: the Coachella Valley Preserve and the Whitewater River Floodplain Preserve. The Coachella Valley Preserve and the Whitewater River Floodplain Preserve consist of BLM land, private land, and other state and federal holdings. Another population is known from an unprotected area at the east end of the Indio Hills on the north side of the Coachella Canal at Avenue 38. A potential habitat corridor was identified between the east end of the Indio Hills and the Coachella Valley Preserve. In a survey conducted to evaluate the suitability of this corridor in 1999 it was concluded that the corridor is not presently suitable for *P. mcallii* based on vegetation and substrate (Hays, LaPointe and Wright 1999). The Plan area represents the northernmost and westernmost limits of flat-tailed horned lizard geographic range. The populations in the Coachella Valley are isolated from all other flat-tailed horned lizard populations by agricultural, urban development and by the Salton Sea. As a group, the Coachella Valley population can be viewed as a distinct vertebrate population pursuant to the federal Endangered Species Act and as such is a candidate for future listing action. To date, no analyses have been completed to determine if this distinct population differs genetically from the more southeastern populations. The historic range of this species included suitable habitat in southeastern California, southwestern Arizona, northwestern Sonora, Mexico, and northeastern Baja California, Mexico. In California, they occurred in the Lower Colorado River Basin and the Salton Basin (Coachella and Imperial Valleys) from Palm Springs south-southeast to the Mexican border; an area of about 3,462 square miles. Historically there were about 694 square miles in the Coachella Valley Plan area of Riverside County. Currently, less than 50% of the historic habitat in California remains (Turner et al. 1980). Models developed for the Coachella Valley Multiple Species Habitat Conservation Plan and Natural Communities Plan indicate that there are 3,037 acres of potential habitat for flat-tailed horned lizards on BLM-managed lands in the Coachella Valley. However, surveys conducted in July 2002 by BLM staff revealed no flat-tailed horned lizards, scat, or tracks at the proposed Drop 31 Open OHV area.

Threats and Limiting Factors. Threats to the species include increased mortality and loss of habitat. A Population Viability Analysis indicates that populations are particularly sensitive to changes in mortality rate and fecundity. A slight change in mortality or fecundity can lead

to extinction (Rorabaugh *et al.*, unpublished data). Threats to habitat within the Coachella Valley MSHCP include agricultural development, urban development, expansion of the Salton Sea, expansion of utility corridors, and off-highway vehicle use. Here, 84% of the historic habitat has been lost to urban and agricultural development (K. Nicol, pers. comm.). This estimate is conservative because much of the remaining habitat is now discontinuous and fragmented. Off-road vehicle use, use of dirt roads and paved roads dramatically increase mortality of desert reptiles, including flat-tailed horned lizards, and may deplete the population for as much as one mile from the road edge. Another serious edge effect is predation by household pets that are allowed to wander into habitat from surrounding urban development. Non-native species including Saharan mustard (*Brassica tournefortii*) and Russian thistle (*Salsola tragus*) may impact this species as well.

Gray Vireo

Vireo vicinior

Status: Federal – None
State – Species of Concern

Distribution, Abundance, and Trends. The gray vireo is a small passerine about the size of a house sparrow that inhabits arid, shrub-covered slopes in pinyon-juniper, juniper, and chamise-redshank chaparral habitats on foothills and mesas. Suitable habitat typically occurs from 2,000 to 6,500 feet (600-2,000 m) (Zeiner *et al.* 1990). In its preferred habitat it is found in areas with sparse to moderate cover and scattered small trees. While junipers are the dominant tree in gray vireo habitat, oaks may also be common.

The summer range of the gray vireo is from New Mexico, southern Nevada, southern Utah, southern Colorado, western Texas, Arizona, and southeastern California. This species winters primarily south of the Mexican border and in southwestern Arizona. In California, breeding gray vireos are known from the northeastern slopes of the San Bernardino Mountains in the vicinity of Rose Mine and Round Valley, in San Jacinto and Santa Rosa Mountains, from Mountain Center to Pinyon Flat and Sugarloaf Mountain, and on the southern slopes of the Laguna Mountains near Campo and Kitchen Creek. It is also known from the mountains of the eastern Mojave Desert, including the Grapevine, Kinston, Clark and New York Mountains.

The summer range of the gray vireo was formerly more widespread, with breeding birds recorded in the Walker Pass area of Kern County, in Joshua Tree National Park, in the northern and western foothills of the San Gabriel Mountains, and at many additional locations on the desert slopes of San Bernardino, Riverside and San Diego counties. The gray vireo is also known as a migrant in Whitewater Canyon (McCaskie 1963, Garrett and Dunn 1981).

Descriptions by Grinnell and Swarth (1913) indicate that the gray vireo was a common summer resident on the slopes of the Santa Rosa and San Jacinto Mountains. Their

observations include on a ridge at 4,200 feet near Potrero Spring and north of Asbestos Mountain, and down to 3,000 feet near the head of Palm Canyon. Along the trail from Vandeventer Flat to Pinon Flat, “many birds” were noted at 3,000 to 4,500 feet, as far east as Omstott Creek, which coincided with the limit of *Adenostoma* species. Based on known territory size and amount of suitable habitat, they estimated that 480 pairs were present. While it is not known how many birds may still exist in the area, sightings are rare. One pair was present near Pinyon Flats in 1977 (Goldwasser 1978a). One to four pairs were observed south of Highway 74 near the Santa Rosa Peak Road in 1979 and a nesting pair was observed in there in 1981 (McKernan pers. comm.). According to U.S. Forest Service records (Freeman pers. comm.) one individual was seen in Pinyon Flat in July 1997. According to Garrett and Dunn (1981) much fieldwork is needed to document the extent and causes of decline of this formerly more widespread species. Regular surveys for this species have not been conducted in the Plan area.

The gray vireo usually arrives from its wintering areas in Mexico from the end of March to early May. It generally departs by the end of August. The nest of the gray vireo is an open cup of plant fibers, bits of leaves, spider silk, and bark strips, often hung from twigs or a forked branch in a shrub or small tree, usually two to eight feet above ground (Zeiner et al. 1990). Eggs are laid from mid-May to mid-June. Gray vireos feed by gleaning insects and invertebrates from bushes and small trees. In New Mexico, territories encompass 100 acres or more (Schwarz 1991).

Occurrence within the Coachella Valley Plan Amendment Area

The gray vireo occurs in the Santa Rosa and San Jacinto Mountains National Monument. Modeled habitat on BLM land equals 14, 078 acres.

Threats and limiting factors

The reasons for the decline in gray vireo populations in recent decades are not well understood. One major cause of this decline may be parasitism by the brown-headed cowbird. Remsen (1978) has described that this species is highly susceptible to cowbird parasitism. Human activities, including residential development, golf courses and agriculture, attract cowbirds thereby increasing this potential threat to gray vireos. Another possible cause for their decline could be habitat changes and senescence of the vegetation due to fire suppression activities since the turn of the century.

Least Bell’s Vireo

Vireo bellii pusillus

Status: **Federal – Endangered**
 State – Endangered

Distribution, Abundance, and Trends. The least Bell’s vireo inhabits riparian woodland habitats along the riverine systems of southern California, primarily in San Diego, Santa Barbara, and Riverside counties. They also breed in northern Baja California and are seen

in migration in southern Baja California. This vireo species occurs at sites with two primary features: 1) a dense shrub cover within 1 to meters (3 to 6 feet) of the ground, where nests are typically placed, and 2) a dense, stratified canopy for foraging (Goldwasser 1981, USFWS 1998). Typical riparian habitats are those which may include cottonwoods (*Populus fremontii*), oak woodlands, and a dense understory of species such as willow (*Salix* spp.), mulefat (*Baccharis salicifolia*), and California wild rose (*Rosa californica*); in desert areas, arrow weed (*Pluchea sericea*) and wild grape (*Vitis girdiana*) may be dominant species in these riparian woodlands.

The least Bell's vireo was formerly known to inhabit dense willow thickets along streams throughout California's Sacramento and San Joaquin Valleys, from Red Bluff south, from coastal areas inland to the foothills of the Sierra Nevada, and in Owens and Death Valleys. Currently, U.S. populations are known only from Santa Barbara County and southern California. Major causes of the decline are cowbird parasitism and destruction of riparian habitats. In San Diego County, however, significant population increases in the period from 1986 to 1996 are primarily due to management of local cowbird populations (USFWS 1998).

The least Bell's vireos typically arrive in southern California to breed from mid-March to early April and remain until late September. Most birds spend the winter in southern Baja California and Mexico. During the breeding season, male vireos establish and defend territories; they maintain a stubborn attachment to these sites throughout the breeding season. Nests are constructed in dense thickets of willow or mulefat, one to two meters from the ground. These vireos may also make their nests in other riparian tree and shrub species.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

The least Bell's vireo is known to occur as a breeding bird in Big Morongo Canyon Preserve/ACEC, Chino Canyon and in Andreas Canyon. Although LBVI have been detected in Chino Canyon, there is no BLM land in Chino Canyon and very little at the mouth of Andreas Canyon, near the gauging station. Other suitable breeding habitat may occur in Millard Canyon, Whitewater Canyon, Mission Creek, Palm Canyon, and Murray Canyon, at Oasis de Los Osos, at the Willow Hole-Edom Hill Preserve/ACEC, Big Morongo Preserve/ACEC, along the Whitewater River near the Salton Sea and at Dos Palmas. There are no records of breeding occurring at any of the above-mentioned areas but potential exists. BLM-managed lands occur in Whitewater Canyon, Mission Creek, Willow-Hole Edom Hill ACEC, and along the Whitewater River Delta and Dos Palmas. Breeding and other habitat in Andreas, Palm and Murray Canyons is on the Agua Caliente Indian Reservation, is part of the Indian Canyons Heritage Park, and is not included in this Plan. Some Bell's vireos, particularly if sighted near the Salton Sea or at other locations on the valley floor, could be subspecies *arizonae*, but the Plan will address all Bell's vireo habitat as if occupied by subspecies *pusillus*. Modeled habitat indicates that there are 68,358 acres of potentially suitable habitat for least Bell's vireo in the planning area, about one-

third (20,740 acres) occurs on BLM-managed lands. Most of this land is within the Big Morongo Canyon Preserve

During 2001, protocol surveys were conducted in the Whitewater River drainage. No breeding LBVI were observed. Habitat suitability was determined to be marginal because the drainage is too narrow and linear for breeding. Small numbers of brown-headed cowbirds were seen along the survey routes.

Least Bell's vireos migrate through the Plan area en route to other breeding areas. In migration, they may use desert fan palm oasis woodland, mesquite hummocks, mesquite bosque, arrowweed scrub, desert dry wash woodland, southern sycamore-alder riparian woodland, Sonoran cottonwood-willow riparian forest, and southern arroyo willow riparian forest.

Threats and Limiting Factors. The most significant threats to the least Bell's vireo in the Plan area are nest parasitism by brown-headed cowbird, destruction of habitat as a result of flood control activities, invasion of non-native plants in riparian habitats, and degradation of habitat as a result of edge effects related to human activities. Brown-headed cowbird parasitism has been described as a primary cause for the decline of least Bell's vireos in central and northern California as well as southern California. The decline in breeding populations of lowland riparian passerine species, including the least Bell's vireo, along with other small, insectivorous, open-cup nesting birds – among them the yellow warbler and southwestern willow flycatcher – is well documented. It has been suggested that because the least Bell's vireo is most restricted to lowland riparian forests where cowbird parasitism is likely to be greatest, this species has suffered the largest aggregate reduction in numbers. Parasitized vireo pairs either desert the nest or raise the young cowbird at the expense of their own young. Human activities, including golf courses and agriculture, attract cowbirds thereby increasing the threat to least Bell's vireos. Annual breeding bird surveys at Big Morongo Canyon ACEC in the past four years have not detected any brown-headed cowbirds. Cowbird management during the past 4 years has effectively eliminated cowbird parasitism at the ACEC (Robin Kobaly, Preserve Mgr. BLM, personal communication 2002).

Le Conte's thrasher

Toxostoma lecontei

Status: Federal – None
State – Species of Special Concern

Distribution, Abundance, and Trends. Le Conte's thrasher is an uncommon resident of the deserts of the American southwest and northwestern Mexico. It is found in the San Joaquin Valley and in the Mojave and Colorado deserts of California and Nevada southward into northeastern Baja California, and farther south into central and coastal Baja California. It also occurs in the Sonoran Desert from extreme southwest Utah and western Arizona

south into western Sonora, Mexico. Within this range, distribution is patchy. Its elevational distribution is generally between sea level and 1,150 meters; though in Death Valley it occurs down to -81 meters, and in the Mojave Desert it is known up to approximately 1,600 meters. The species requires undisturbed substrate for foraging under desert shrubs. Agriculture and urban development have eliminated considerable former habitat in the San Joaquin Valley, portions of the Mojave Desert, Imperial and Coachella valleys, the Las Vegas area, and south and west of Phoenix. Based on false-infrared satellite imagery of 243 historic localities in the U.S. as of 1993, at least 26% no longer had suitable habitat patches within 3 km.

Its typical habitat consists of sparsely vegetated desert flats, dunes, alluvial fans, or gently rolling hills having a high proportion of one or more species of saltbush (*Atriplex* spp.) and/or cylindrical cholla cactus (*Opuntia* spp.) 0.9 - 1.9 meters high. It also occupies other desert habitats with similar structural profiles but lacking saltbush/shadscale or cholla cactus. In its typical habitat, shrubs are well scattered with contiguous or closed cover usually less than 15 meters in any direction, even along the sides of arroyos. The ground is generally bare or with sparse patches of grasses and annuals forming low ground cover (average height less than 30cm.). It is rarely found in habitats consisting entirely of creosote bush (*Larrea*). The majority of shrubs rarely exceed 2.5 meters in height, except for isolated desert trees, yuccas, or tall, thin shrubs such as ocotillo. Substrates are typically sandy and rarely composed of a large proportion of rock or of deep silty clays. The habitat requires accumulated leaf litter under most plants as diurnal cover for most arthropod prey. Surface water rarely exists anywhere within several kilometers of most territories except temporarily following infrequent rains.

Typical territories rarely have topographical relief greater than 10 - 20 meters, although many broad canyon floors with large flood plains and poorly vegetated sides are acceptable. Narrow, boulder-strewn canyons with little or no sand deposition are used infrequently. The species commonly uses small arroyos, depressions, or streambeds traversing more level terrain with associated larger saltbush/shadscale and other desert shrubs. It also uses the vegetated margins of large, rolling sand dunes. Crissal and California thrashers prefer nearly continuous cover of shrub or riparian vegetation; both occupy habitats with far more contiguous or closed cover that is far denser and usually taller than any vegetation typically inhabited by Le Conte's thrasher.

For nesting, Le Conte's thrasher prefers thick, dense, and thorny shrubs or cholla cactus. Cholla cactus and saltbush were used in 85% of 289 nest sites throughout the distribution of the species. The remaining 15% were in a large variety of desert shrubs, small trees, and yucca.

Within the Plan area, there are historical records in the Natural Diversity Database and a few recent records. Historic records (the date follows the location in parentheses) include the mouth of Whitewater River Canyon (1930), Desert Hot Springs (1968), Edom Hill (1984), Andreas Canyon alluvial fan (1923), Mecca (1908), Indio (1924), Cabazon (1916),

Whitewater River east of Palm Springs Airport (1920), 2 miles west of Thousand Palms (1921), Palm Canyon wash (1923), Whitewater River in Indian Wells (1919), and Shavers Valley (1986). Many of these areas have been impacted by development. Records since 1990 include 4 records for the Desert Hot Springs area, 2 of which are west of Highway 62, a record for the area below Cottonwood Canyon (west of Whitewater Canyon), a record for the area south of I-10 and west of Gene Autry Trail, a record for the Willow Hole ACEC area, a record for Pushwalla Canyon, a record for the Thousand Palms Oasis area, and a record for Indian Wells. These historical and current records suggest a widespread distribution of the species in the Plan area, where there is appropriate habitat. This would include most of the non-mountainous areas that have not been disturbed by urbanization or agriculture.

No data are available on population density in the Plan area. However, average density in Maricopa, California was 4.63 pairs/km². Other density estimates have ranged from less than one pair per square kilometer to 1.7 pairs/km². Other estimates have been 6 pairs/mi², or 2.3 pairs/km², (Engels, 1940), and 10 pairs/mi² or 3.86 pairs/km² in one study area in the San Joaquin Valley and 0 - 5 pairs/mi², or 0 - 1.93/ km², throughout the range (Sheppard, 1970). The home range limits vary with time and interactions with neighbors, if any; pairs may occupy about 40 - 100 ha in aggregate over a period of a few years.

Little San Bernardino Mountains Linanthus

***Linanthus maculatus* (formerly *Gilia maculata*)**

**Status: Federal Species of Concern, Candidate for listing
State - No official status**

Distribution, Abundance and Trends. The Little San Bernardino Mountains Linanthus is a tiny endemic plant found in a restricted range in the vicinity of the Little San Bernardino Mountains near Desert Hot Springs, in Mission Creek canyon across Hwy. 62 to Dry Morongo Wash and Big Morongo Canyon and near the mouth of Dry Morongo Canyon in the northwestern portion of the Coachella Valley, in Whitewater Canyon in the eastern San Bernardino Mountains, and from Whitewater to Palm Springs. There is one very recently described location in Rattlesnake Canyon on the north side of the San Bernardino Mountains. The most extensive populations of this species are outside the Plan boundary, along washes at the northern edge of Joshua Tree National Park, in the vicinity of Joshua Tree, Yucca Valley and Twentynine Palms. It seems likely that additional populations of this species may occur in the area of approximately 22 miles between Rattlesnake Canyon and Yucca Valley.

The size and ephemeral habit of the Little San Bernardino Mountains Linanthus have made it difficult to find and hence it is little collected and studied. This tiny desert annual was first described by Parish in 1892 from a collection at "Agua Caliente" (= Palm Springs) in 1889; the location of this collection was described as just west of the hot springs in Palm Springs. The next collection was at Joshua Tree in 1924. It was little known until Patterson (1989)

described more exactly its preferred habitat. More records have been reported in the last five to ten years.

Recently, the nomenclature for this species has been revised and it is included in the genus *Linanthus*.

The preferred habitat of Little San Bernardino Mountains *Linanthus* is in loose soft sandy soils on low benches along washes, generally where the substrate shows some evidence of water flow. It seems to occur in areas where few or no competing species are found, with little shrub or tree cover in the immediate vicinity. The sand is loose and well aerated, soft and unconsolidated (Sanders 1999). The known locations within the Plan area are on the margins of washes on shallow sandy benches, not on areas where a hard surface layer occurs, and not on loose blowsand away from washes. This *Linanthus* has a slender taproot that can extend over 6 cm into the sand, presumably allowing it to avoid atmospheric drying. It is associated with creosote bush scrub, but avoids growing in the shadow of other plants. The elevational range of the species is from 500 to 4000 feet.

Little is known of the life history of this species. Its pollinators, germination requirements, seed longevity, and population parameters have not been described. The flower form and color are indicative of insect pollination but no information on pollination ecology is available. The plants are very small, generally reaching a height of only 0.8 to 1.2 inches. They have a slender, little-branched taproot that may extend over 6cm into the sand, probably allowing the plants to tap subsurface supplies of moisture and thus avoid atmospheric drying. They are nevertheless very ephemeral.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

No comprehensive population estimates have been made, but records for the species give an idea of the size of the known populations. In Dry Morongo Canyon Helmkamp (in Sanders 1999) reported a few hundred plants in 1995 but only six in 1996. At the mouth of Big Morongo Canyon north of Indian Avenue more than 10,000 plants were in spring of 1996. Populations in the Whitewater River area have been reported in the range of 200 individuals. In Mission Creek wash east of old Highway 62, Helmkamp reported a single population of more than 2,000 plants in 1992. Clearly, populations vary with environmental conditions in a given year. Modeled habitat for this species indicates that 3515 acres of potential habitat exists in the Coachella Valley; of this, 384 acres of potential habitat occur on BLM-managed lands.

Threats and limiting factors

The greatest threat to this species is growing urbanization in the vicinity of Desert Hot Springs and Highway 62 where the largest populations exist. Only 6% of the known locations for Little San Bernardino Mountains *Linanthus* are currently protected in existing public or private conservation areas. Urbanization spreading westward from Desert Hot Springs could eliminate the most significant populations in the long term. Development pressures are a concern primarily in the Mission Creek drainage east of Hwy. 62 and in the

vicinity of Dry Morongo Wash near Hwy. 62 and Indian Avenue. One disturbance that may impact this species is flood control maintenance activities in the Whitewater Canyon and Mission Creek drainages. Another threat to this species is OHV activity in the wash habitat where it occurs. The small size of the plants and their occurrence along the margins of washes, which may serve as routes of travel for OHV users, make them particularly vulnerable to vehicle damage.

Mecca Aster

Xylorhiza cognata

**Status: Federal – None
State – None**

Distribution, Abundance and Trends. Mecca Aster is endemic to the Indio Hills and the Mecca Hills. It typically occurs in these fluvial mud hills in washes and along the lower slopes. It is known to occur from Macomber Palms and Biskra Palms on the Coachella Valley Preserve east along the base of the Indio Hills. The easternmost location in the Indio Hills is in the vicinity of Curtis Palms, east of the Granite Construction facility. In the Mecca Hills, it occurs in Painted Canyon, in Box Canyon along Hwy 195, and in Hidden Spring Canyon. Most of the known occurrences are along roads or well-traveled hiking routes; it is likely that the species has a scattered distribution throughout the Mecca Hills (Stewart 1991). Information on population size and density is not available. The following table summarized the number of plants observed at 17 occurrences reported by the California Natural Diversity Data Base (CDFG 1997).

Jon Stewart, a botanist familiar with the species, has suggested that it may be associated with two intergraded geologic formations found in these hills, the Palm Springs formation and the Canebrake formation (Stewart 1991). These formations are similar in age and are both fluvial deposits; the Palm Springs formation is composed of sandstones and clays while the Canebrake formation includes granitic conglomerates of larger materials. Stewart noted a strong correlation between the known occurrences of this species and the Palm Springs and Canebrake geologic formations. It should be noted that these two formations are not restricted to the Coachella Valley.

It may be that the observation of this species in proximity to major roads has given the false impression that the plants are very common. While the species may be numerous in places, its limited geographic distribution and restricted soil preferences suggest that it is only very locally common.

Threats and limiting factors

Threats to this species include cumulative habitat loss and degradation of the existing habitat from off road vehicle activity, illegal dumping, sand and gravel mining (J. Dice pers. comm.) and edge effects. Off-road vehicle activity that formerly threatened populations in the Mecca Hills has been eliminated with the designation of this area as wilderness. Off-

road vehicle activity in the Indio Hills may threaten several populations and may increase as other areas become unavailable through development or protection. For example plants in the vicinity of Macomber Palms occur in a wash where they are vulnerable to off-road vehicles. Isolation of the two significant populations in the Indio Hills and Mecca Hills may reduce genetic diversity.

Orocopia Sage

Salvia greatae

Status: Federal – None
State – California Species of Special Concern

Distribution, Abundance and Trends. The Orocopia sage is endemic to the Orocopia Mountains, Mecca Hills, and Chocolate Mountains in the eastern part of the Plan area. Orocopia sage occurs in a longitudinal west to east range of approximately 30 miles. This species has also been reported by BLM from the north side of the Chuckwalla Mountains, outside the Plan area. This location, south of Desert Center, was visited in 1986 but the presence of Orocopia sage was not confirmed (Barrows 1986).

The preferred habitat of Orocopia sage is in gravelly or rocky soils on broad bajadas or fans, often adjacent to desert washes, or on the rocky slopes of canyons. It may occur on alluvial terraces and sandy or rocky benches elevated above the flood plain of a wash, as the in Salt Creek Wash along the Bradshaw Trail. The species does not appear to occur within the immediate wash zone. This species has been recorded up to 2800 feet in the Orocopia Mountains. Although thorough surveys have not been completed, it has only been observed on the south-facing slopes of the Orocopia Mountains. Surveys completed several years ago in the Chocolate Mountains Aerial Gunnery Range (CMAGR) indicate it is fairly common in these mountains, which are outside the CVMSHCP boundary. A report of Orocopia sage from limestone outcrops in the Marble Mountains of San Bernardino County near Cadiz is considered questionable and has not been confirmed since it was reported 20 years ago; a search for this species at this location was made but no plants were found (Barrows 1986). Information on population size and density of Orocopia sage is not available. Observations at known locations of the species by Barrows (1986) were reported as ranging from 50 plants to 1000 or more plants.

Though Orocopia sage is patchy in its distribution, where it occurs it is typically one of the dominant members of the vegetation. Plants may be three to four feet tall and usually form dense, rounded clumps, sometimes as large as four or five feet in diameter. Multiple branching from near ground level results in a very bushy habit. This species is associated with desert dry wash woodland and Sonoran creosote bush scrub.

Little is known of the life history and ecology of Orocopia sage. Its remarkable ability to withstand long periods of drought was noted by Jaeger (1941). During drought periods it may lose nearly all its leaves. In dry years this plant may be virtually dormant, forming only

a few new shoots and perhaps no flowers (Clary, in Jepson 1943), whereas in wet year the plants may bloom by early April. Orocopia sage is reportedly pollinated by bees (Jones 1995).

Threats and limiting factors

Threats to this species are few in that its habitat is largely protected within the Mecca Hills, Orocopia Mountains, and Chuckwalla Mountains Wilderness Areas, established by the 1994 Desert Protection Act. There may be some threat from illegal off-highway vehicle activity, for example along the Bradshaw Trail where lands on either side of this road were excluded from the wilderness areas. Fortunately, Orocopia sage populations are typically on rocky slopes or alluvial fans and are either inaccessible to vehicle traffic or are some distance from major roads. Barrows (1986) reported that no evidence of OHV impacts within Orocopia sage populations was observed along the Bradshaw Trail. Plants within the Chocolate Mountain Aerial Gunnery Range are essentially protected by the fact that the area is off-limits to the public and bombing does not occur along the perimeter of the range, where Orocopia sage occurs, because of its close proximity to recreational use areas.

Coachella Valley Round-tailed Ground Squirrel

Spermophilus tereticaudus chlorus

Status: Federal – None
State – Species of Special Concern

Distribution, Abundance and Trends. The Coachella Valley ground squirrel is a subspecies of the round-tailed ground squirrel which occurs in the Coachella Valley associated with sandy substrates. Within the Plan area, the current and historical distribution for the Palm Springs ground squirrel is from San Geronimo Pass to the vicinity of the Salton Sea (Grinnell and Dixon 1918). Individuals of this species have been observed at the south end of La Quinta near Jefferson Ave. and along the Coachella Canal near Box Canyon. The range of this species in the eastern part of the Plan area is not well known. The Plan area includes all of the known range for the Coachella Valley subspecies of the more widely distributed round-tailed ground squirrel.

The Coachella Valley ground squirrel is typically associated with sand fields and dune formations (Bradley and Deacon 1971), although it does not require active blow sand areas. This small ground squirrel seems to prefer areas where hummocks of sand accumulate at the base of large shrubs that provide burrow sites and adequate cover (Grinnell and Dixon 1918, C. Barrows pers. comm.). Various authors have referred to the use of mesquite habitat by Coachella Valley round-tailed ground squirrels (Allen 1895, Elliot 1904, Grinnell and Dixon 1918, Vorhies 1945, Drabek 1973, Dunford 1975). Although numerical data were not presented McDonald (1999) reported relatively high densities of Coachella Valley round-tailed ground squirrel in a mesquite hummock and active sand field habitat at the east end of the Indio Hills. In surveys for this Plan, Doderer (1995) reported observing this squirrel at Willow Hole in the central portion of the dune as well as at the

southern periphery, at the edge of mesquite clumps. He also reported that these squirrels are most abundant at Willow Hole in the dune area where the transition from desert dune to Sonoran creosote scrub takes place. Barrows (2001) suggests that they are most abundant in more mesic sand dune habitats, often associate with mesquite hummocks. They may also be found in areas where sandy substrates occur in creosote bush scrub and desert saltbush or desert sink scrub that supports herbaceous growth. In addition to wind blown sand habitats, they may occur in areas of more coarse sands, associated with washes. According to Mark Fisher of the University of California Deep Canyon Desert Research Center, the Coachella Valley round-tailed ground squirrel used to occur on this reserve in sandy patches associated with washes and was reported from 1979 to 1984 (see known locations data for this species). He indicated that this ground squirrel has not been observed in the Deep Canyon area since the 1980's when the sandy substrates were removed by a large flood event and have not been restored. According to Ryan (1965) the highest concentrations of this species in the Deep Canyon area were not in aeolian dunes but in areas of somewhat coarser sand, slightly pebbly ground cover, or packed silt.

Very little quantitative data are available to describe the population density for this species throughout the Plan area. Density estimates for round tailed ground squirrels in Arizona range from 2.1 individuals/acre (5.3/ha) on a 63 hectare site in southcentral Arizona (Drabek 1970) to 16/acre (40/ha) on a crowded site (Dunford 1977). It is likely that densities in the Coachella Valley would be less than in Arizona where average annual rainfall and vegetation density are relatively higher. The Coachella Valley round-tailed ground squirrel occurs in small colonies widely scattered in suitable sandy habitats (Ryan 1968). According to Jaeger (1961) 10 to 15 animals per square mile (0.01 to 0.02/acre) is probably an average number. From trap data in the creosote-palo verde habitat, Ryan (1968) estimated 1.1 individual/acre during 30 April-2 May, 2.3 individuals/acre during October, and 1.1 individual/acre during January. Drabek (1973) found mean home range estimates of 0.74/acre for adults and 0.77/acre for juveniles.

Based on input from various observers, including members of the SAC, areas where the Palm Springs ground squirrel occurs in relatively high density have been identified. This squirrel occurs in good populations in the vicinity of Snow Creek, from Fingal to Windy Point; it has also been observed further west near Cabazon. It occurs around the Whitewater river channel north and west of Palm Springs, including the Whitewater Floodplain Preserve. It has been observed along the Mission Creek wash and likely occurs in suitable habitat in the southern parts of Desert Hot Springs. Habitat, including mesquite hummocks and sand dunes, at the Edom Hill-Willow Hole Preserve/ACEC has been described as high quality for this species (Doderer 1995) and many individuals were observed there during surveys for the Plan. Data on the number of individuals of Palm Springs ground squirrel along a 1 km. transect at the Willow Hole-Edom Hill preserve have been collected during annual monitoring surveys for the fringe-toed lizard (CNLM 2000); the mean number of squirrels per survey per year ranges from 2 to 7 squirrels from 1990 to 1994 and from 4 to 10 squirrels from 1998 to 2000. From the Willow Hole-Edom Hill ACEC it can be found in sandy habitats east toward the Thousand Palms Preserve. It occurs in

good numbers on the dunes of the Thousand Palms Preserve. It is also common on the sand dunes at the east end of the Indio Hills. Habitat is still present for this ground squirrel on the so-called Big Dune south of Interstate 10, although surveys for this species have not been conducted in this area because it is private land without access.

The burrows of the Coachella Valley round-tailed ground squirrel are typically located at the base of a large creosote bush or other shrub, often on a small mound or hummock. The entry is several inches across leading to tunnels that are not usually deep nor over five or six feet in length (Jaeger 1961). Young are born in March or April in litters of four to twelve. In winter, they remain in their underground burrows for much of the time. They feed on seeds and green leaves of desert plants, including the stems of Mormon tea (*Ephedra* sp.), leaves and beans of mesquite, cactus fruit, ocotillo blossoms, and agricultural crops but may occasionally take small lizards (including flat-tailed horned lizards) and insects; they have also been observed to feed on carrion.

Threats and limiting factors

Threats to the Coachella Valley round-tailed ground squirrel in the Plan area include loss of habitat as a result of urbanization and agricultural development, including the loss of mesquite hummocks due to lowered water tables, and related impacts. As ground dwelling small mammals, they are susceptible to impacts from off-road vehicles and other surface disturbances that could crush their burrows. At the urban interface, impacts from domestic pets (cats and dogs) and small predator populations could pose a threat. As they seem to prefer open areas with adequate visibility, invasive exotic plants such as Saharan mustard (*Brassica tournefortii*) and Russian thistle (*Salsola tragus*) may reduce habitat suitability. This species has been observed crossing two and four-lane roads; in high traffic areas, however, roads within suitable habitat could increase mortality significantly. While the Coachella Valley round-tailed ground squirrel does not require active blow sand areas, maintenance of their habitat will depend on protection of ecosystem processes associated with sand dunes.

Palm Springs pocket mouse

Perognathus longimembris bangsi

Status: **Federal – None**
 State – Species of Special Concern

Distribution, Abundance, and Trends. The Palm Springs pocket mouse is one of seven subspecies of *Perognathus longimembris*, the “silky pocket mice” that occur in southern California. The species is the smallest of the Heteromyidae family that also includes kangaroo rats, kangaroo mice, and spiny pocket mice. The Palm Springs pocket mouse was originally described by Mearns (1898) with the type locality in Palm Springs. This subspecies occurs in the lower Sonoran life zone from the San Geronio Pass area east to the Little San Bernardino Mountains and south along the eastern edge of the Peninsular Range to Borrego Valley and the east side of San Felipe Narrows (Hall 1981). There is no

evidence that this subspecies' range is different than what has been described in the past (Dodd 1996), although its habitat has been greatly reduced by urbanization and agriculture in the Coachella Valley.

The Palm Springs pocket mouse is known to hybridize with the Los Angeles pocket mouse (*P.I. brevinasus*) along its western boundary. Hybridization also occurs, although the extent is not known, with other subspecies, the Jacumba pocket mouse (*P. I. internationalis*) to the south, and little pocket mouse (*P. I. longimembris*) to the north.

Generally, their habitat is described as having level to gently sloping topography, sparse to moderate vegetative cover, and loosely packed or sandy soils. The species was found broadly distributed in the Plan area on slopes ranging from 0% to approximately 15% (Dodd 1996). The Plan area contains the major portion of the range of this species, including the western, northern, and eastern limits of the species' range. The southern boundary of the range extends out of the Plan area into Imperial, and San Diego counties. The species occurs on three existing preserves: the Coachella Valley Preserve, the Whitewater Floodplain Preserve, and the Willow Hole-Edom Hill Preserve/ACEC. It occurs at the highest reported densities for the Plan area in the Snow Creek area. Three individuals were captured in a small mammal-trapping grid (Tierra Madre Consultants 1999) in the blowsand habitat adjoining the San Gorgonio River wash just north of One Horse Spring; this location is approximately 3 miles west of Snow Creek Road. Surveys completed for this plan (Dodd 1999) confirmed that the species also occurs at Dos Palmas Preserve/ACEC and in the Cottonwood Canyon area of Joshua Tree National Park. Tests to determine that the subspecies captured in these areas is *bangsi* and not *longimembris* have not been finalized.

Our understanding of the ecology of the Palm Springs pocket mouse arises largely from the observations of mammalogists studying other species. Pocket mice of the *P. longimembris* group are nocturnal, solitary, and generally exhibit strong intraspecific aggression (Dodd 1996). They spend the day in burrows they construct, comprised of a system of tunnels and resting areas, with the entrance plugged. This species generally breeds from January to August, with a peak of activity from March to May (Dodd 1996). Several studies suggest that reproduction in heteromyids may be dependent on availability of annual vegetation. The little pocket mice hibernate in winter and are active above ground in spring, summer, and fall (Bartholomew and Cade 1957).

Estimates of home range size are not available for the Palm Springs pocket mouse. In Joshua Tree National Park, home ranges of *P. longimembris* range from 38.7 to 84.4 meters (Chew and Butterworth 1964); in this study densities ranged from 0.85 to 1.74 individuals/ha. In Nevada, home ranges of males ranged from 12.4 to 31.6 meters and home ranges of females from 13.7 to 40.5 meters (Maza et al. 1973). O'Farrell (1978) determined that home range for both sexes varied from 0.28 ha in early spring to 0.80 ha in late fall.

According to the survey results of Shana Dodd in 1995 and 1999 (Dodd 1996, 1999) the highest densities of this pocket mouse occur at the western end of the Plan area, with lower densities occurring further east. Her live trapping data, which are summarized in the table below, indicate that this species is most abundant throughout the Snow Creek to Windy Point area. She describes the Palm Springs pocket mouse as moderately abundant in the Highway 62/Mission Creek area, where the species is not currently protected. Considerable unprotected habitat also occurs adjacent to the Willow Hole Preserve; Dodd (1996) describes the density of this species at Willow Hole as moderate. Additional density estimates were made for the Palm Springs pocket mouse, based on live trapping on two 0.5 ha grids located west of Snow Creek Road, approximately ½-mile north of Snow Creek Village in the Snow Creek area (Spencer et al. 2000). The minimum density was 32.6 individuals/acre (81.6 individuals/ha) and 25.3 individuals/acre (63.3 individuals/ha), on two adjacent grids. Further discussion of the density estimates for this species is included in the section below entitled “Verification of Core Habitat Sufficiency.”

Threats and limiting factors

Threats to this species and its habitat within the Coachella Valley include agricultural development, urban development, construction of roads, railroads, airports and other structures, off-highway vehicle use, illegal trash dumping, and domestic animal predators.

Peninsular Ranges Bighorn Sheep

Ovis Canadensis nelsoni

Status: Federal – Endangered
 State – Threatened

Distribution, Abundance, and Trends. The Peninsular Ranges population of desert bighorn sheep was listed as endangered by the USFWS on March 18, 1998. During the past 26 years, the population has declined dramatically from about 1,100 animals to as few as 300 sheep. This decline has been attributed to a variety of causes, including disease, automobile collisions, mountain lion predation, exotic plant invasion, toxic plant ingestion, competition with cattle, habitat loss, degradation and fragmentation, and recreational disturbance.

The Peninsular bighorn sheep is restricted to the east facing, lower elevation slopes (below 1400 meters) of the Peninsular Ranges in the Sonoran desert life zone. Range wide estimates of abundance for the U.S. population, from the San Jacinto Mountains to the Mexican border, began in the 1970's. The highest population estimate was 1,171 in 1974. Surveys in the 1970's, 1980's, and 1990's indicate that significant declines have occurred in multiple ewe groups. The synergistic effects from habitat loss, disease, human disturbance, and predation are believed to have caused the decline. The 2000 range-wide population was estimated to be 400 animals (excluding lambs). Approximately half of these were in the Plan area in four subpopulations, or ewe groups. The ewe groups in the Plan area are the San Jacinto Mountains group, the northern Santa Rosa Mountains (northwest of Highway

74) group, the Deep Canyon group (southeast of Highway 74 to Martinez Canyon), and the southern Santa Rosa Mountains group (south of Martinez Canyon). The subpopulations in the northern Santa Rosa Mountains and San Jacinto are the smallest populations, estimated at 41 (19 ewes) and 32 (4 ewes) respectively, excluding lambs. These two groups are especially vulnerable to extirpation.

During the past four years, the population has stabilized and appears to be increasing. BLM has implemented interim measures to promote recovery of bighorn sheep populations. Through implementation of the CVMSHCP and BLM's CDCA plan amendment, long-term management direction will be established. The Bighorn Sheep Recovery Plan, completed in October 2000, provides recommendations for developing and assessing conservation and management activities in order to achieve recovery of the bighorn. Because the ESA permitting process is tied to the CVMSHCP planning process, BLM's CDCA plan amendment has primary responsibility for implementing recovery actions and protecting Peninsular Ranges bighorn sheep on BLM-managed lands.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Range-wide, there are 782,049.2 acres of suitable bighorn sheep habitat. Of that, 84,551.8 acres are designated critical habitat, of which 84,216.4 acres occur within the planning area. These lands are within the Santa Rosa and San Jacinto Mountains National Monument and the Santa Rosa Wilderness Area.

Threats and Limiting Factors. The Peninsular bighorn sheep is endangered because of the loss and fragmentation of habitat, disease, and predation. A limiting factor is that the sheep live in a narrow band of habitat in which they must find the resources needed to survive in a harsh desert environment. This band of habitat is at the lower elevations of the Peninsular Ranges and includes canyon bottoms, alluvial fans, and mountain slopes. Within the narrow band of habitat, bighorn sheep need to be able to move daily, seasonally, and annually to make use of the sparse and sometimes sporadically available resources found within their home ranges. Habitat loss is considered to be one of the greatest threats to the species' continued existence. As humans encroach into the habitat, the resources, and the survival potential of a particular ewe group that depends on them, may be eliminated. Habitat loss can impact the sheep's ability to forage, reproduce, find water, avoid predators, and move among important resource areas and between ewe groups. Habitat fragmentation is recognized as a major threat to Peninsular bighorn sheep because of the dual effect of restricting animals to a smaller area and severing connections between ewe groups, thus creating genetic isolation. Roads and human use of an area can create habitat fragmentation. Habitat modification, such as constructing golf courses and residences in bighorn habitat that attract sheep, creates threats in the form collisions with vehicles, poisoning by toxic landscape plants, entanglement in wire fences, harassment by dogs, and exposure to pathogens and chemicals such as herbicides and insecticides. The human population in the Coachella Valley is predicted to increase from approximately 312,000 in 2000 to 456,000 by 2020, a 41% increase. As the population in the valley increases, threats to bighorn sheep also increase. Increased demands for recreation opportunities,

home sites, and other development may result in greater habitat fragmentation and loss. Traffic on SR 74 will likely increase, thereby increasing the effects of fragmentation on bighorn sheep in the Santa Rosa Mountains. Disease and predation, particularly by mountain lions, are also significant threats.

Southern yellow bat

Lasiurus ega (xanthinus)

Status: Federal – None

State – Species of Special Concern

Distribution, Abundance, and Trends. The southern yellow bat occurs in extreme southeastern California, the southwest to Texas and the northwestern portion of Mexico, including Baja (Burt and Grossenheider 1976). Its range appears to be expanding due to the use of palm trees for landscaping. While very few surveys have been conducted for the species in the Plan area, and it is known to occur only at the Coachella Valley Preserve, Dos Palmas Preserve/ACEC, and on the Applegarth Ranch in the Thermal area, the yellow bat is believed to occur throughout the Coachella Valley in the palm oases and in residential areas with untrimmed palm trees. The Coachella Valley is probably very important to this species, as it has a significant number of the native palm oases in southeastern California. There is no estimate of the population size of this species in the Plan area.

This species roosts in trees, primarily palm trees. It appears to prefer the dead fronds of palm trees. It feeds on flying insects such as beetles and true bugs, and forages over water and among trees. This species is thought to be non-colonial, although aggregations of up to 15 have been found in the same roost site. Yellow bats probably do not hibernate; activity has been observed year-round in both the southern and northern portions of the range. This species probably forms small maternity groups in trees and palms. Pregnancy occurs from April to June, with lactation occurring in June and July. Females carry from one to four embryos. In Texas, bat pups have been found on fronds that have been trimmed from trees (Mirowsky 1997). There is very little information available on the life history of this species.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

Modeled habitat for this species occurs on 315 acres of BLM-managed lands, mostly within the Dos Palmas ACEC.

Threats and limiting factors

The most serious threat to this species would be loss of dead palm fronds. This can result from fire or pruning when trees are used for landscape purposes. If loss of fronds occurs in the spring before the young can fly, it could result in the loss of a year's reproduction. Fires may be naturally occurring from lightning or may be the result of vandalism. Small colonies may be lost in residential areas or resorts and golf courses where the fronds from the trees

are trimmed. Pesticides may impact food availability for this species, particularly where agricultural areas occur adjacent to roosting habitat.

Southwestern Willow Flycatcher

Empidonax traillii extimus

**Status: Federal – Endangered
State – Endangered**

Distribution, Abundance, and Trends. The southwestern willow flycatcher is restricted to dense riparian woodlands and forests along the river and stream systems of southern California, primarily in Kern, San Diego, San Bernardino, and Riverside counties. Their breeding range also includes southern Nevada, Arizona, New Mexico, Utah, western Texas, and possibly southwestern Colorado. They are reported as breeding birds in Mexico, in extreme northern Baja California and Sonora. They winter in Mexico, Central America, and northern South America. This flycatcher can be found at sites where a dense growth of willows (*Salix* sp.), *Baccharis*, arrowweed (*Pluchea* sp.), or other plants occurs in thickets. These thickets are often associated with a scattered overstory of cottonwood (*Populus fremontii*) and other riparian trees. This species has also been found nesting in southern California in relatively narrow bands of riparian habitat and can utilize extremely small remnant riparian areas (one medium size willow tree) during migration (Theresa Newkirk, pers. comm.).

The historic range of the southwestern willow flycatcher in California included riparian areas throughout the southern third of the state; it was reported as common in the Los Angeles basin, the San Bernardino/Riverside area, and in San Diego County. It was also a common breeder along the lower Colorado River, near Yuma. Currently, stable nesting groups are reported from only two locations, along the South Fork of the Kern River and along the Santa Margarita River on Camp Pendleton. Elsewhere, they exist only in small scattered, remnant and isolated populations. Major causes of the decline are cowbird parasitism and destruction or disturbance in riparian habitats.

The birds begin to arrive in southern California to breed late in the spring, generally from May 15 on through the summer months, until August. Males establish and defend territories beginning shortly after arrival in mid-May. Most birds begin nesting within one week after pair formation, which occurs 10 to 14 days after their arrival. The young fledge in early July and begin to disperse approximately two weeks after leaving the nest.

They construct their nests in dense thickets of willows, mulefat, and other trees and shrubs approximately 4 to 7 meters in height. They virtually always nest near surface water or saturated soil. They have not been found nesting in habitats where the riparian zone is very narrow, or where distances between willow patches and individual shrubs is great. The southwestern willow flycatcher is an insectivore, foraging within and above dense riparian vegetation, sometimes adjacent to nest sites.

Occurrence within the Coachella Valley CDCA Plan Amendment Area

The breeding status of the southwestern willow flycatcher within the Plan area is not well known. Of the known locations at which this species has been observed, only one was confirmed as supporting breeding birds, sited by Bob McKernan in Mission Creek. Suitable breeding habitat is present in a number of locations where riparian habitat exists, in Chino Canyon, Andreas, Murray, and Palm Canyons, Millard Canyon, Whitewater Canyon, possibly Stubbe and Cottonwood Canyons. Suitable breeding habitat may also occur at Oasis de Los Osos, along the Whitewater River near the Salton Sea, at the Coachella Valley Preserve, and at Dos Palmas Preserve/ACEC. No breeding southwestern willow flycatchers were observed during surveys conducted in the Whitewater River drainage during 2001. Migrant willow flycatchers were observed once in upper Whitewater Canyon. Habitat suitability is marginal in this area due to small patch size. Few brown-headed cowbirds were seen at this site and on survey routes. Modeled suitable habitat for southwestern willow flycatcher is the same as for Least Bell's Vireo, 68,358.9 acres range-wide within the planning area, and 20,740.1 acres on BLM-managed lands.

Southwestern willow flycatchers also migrate through the Plan area en route to other breeding areas. In migration, they may use desert fan palm oasis woodland, mesquite hummocks, mesquite bosque, arrow weed scrub, desert dry wash woodland, southern sycamore-alder riparian woodland, Sonoran cottonwood-willow riparian forest, and southern arroyo willow riparian forest. Canyons on the north side of the Coachella Valley on the boundary of Joshua Tree National Park may provide migratory habitat for this species. In addition, there are two records of migrant southwestern willow flycatchers at Dos Palmas ACEC.

Threats and Limiting Factors. The most significant threats to the southwestern willow flycatcher in the Plan area are loss and modification of riparian habitats upon which they depend and nest parasitism by the brown-headed cowbird. BLM-managed lands where southwestern willow flycatchers have been documented are in conservation status at this time. These areas include Big Morongo Canyon Preserve, Dos Palmas ACEC, and the San Gorgonio Wilderness Area. Other factors that have contributed to their decline include disturbance of riparian habitat by cattle, fragmentation of breeding areas, flood control activities, invasion of non-native plants in riparian habitats, degradation of habitat as a result of edge effects related to urbanization and other human activities, and sand/gravel mining. Other localized threats may include changes in fire frequency and concentrated human access within some of the riparian areas. For example, the Whitewater River area near Bonnie Bell appears to be heavily used by people. Brown-headed cowbird parasitism rates of southwestern willow flycatcher nests has been reported as ranging from 50 to 80 percent in California, to 100% in the Grand Canyon. The decline in breeding populations of the southwestern willow flycatcher, along with other small, insectivorous, open-cup nesting birds – among them the yellow warbler and least Bell's vireo – is well documented. It has been reported (Unitt 1987) from historical and contemporary records that the southwestern willow flycatcher has declined precipitously throughout its range in the last 50 years. Parent

birds in parasitized nests either desert the nest or raise the young cowbird at the expense of their own young. Human activities, including golf courses and agriculture, attract cowbirds, thereby increasing the threat to southwestern willow flycatchers. Cowbird control has been implemented at Big Morongo Canyon Preserve for the past four years. At this time, cowbird parasitism is not a limiting factor for southwestern willow flycatchers at Big Morongo Canyon Preserve (Robin Kobaly, preserve mgr. Pers. Comm., 2002)

Summer tanager

Piranga rubra cooperi

Status: Federal – None
State – Species of Special Concern

Distribution, Abundance, and Trends. The summer tanager breeds across the southern United States from California, as far north as the Kern River valley, to Florida, and in the eastern United States as far north as 40° N. Two subspecies are currently recognized. One, *P. r. cooperi*, breeds in the southwest from California to west Texas and northern Mexico. The other, *P. r. rubra*, occupies the remainder of the range to the east. The western subspecies inhabits riparian woodlands and, at higher elevations, woodlands dominated by mesquite and salt cedar. The summer tanager winters from central Mexico south through Central America to Bolivia and Brazil. It occurs in small numbers in winter in southern California, southern Arizona and in southern Florida.

The North American breeding population has remained generally stable since the mid-1970's, although some populations in the eastern United States and along the Colorado River have declined. It was formerly considered common in the lower Colorado River valley by Grinnell (1914), but only 216 individuals were estimated to be present by 1976 (Rosenberg et al. 1991). Habitat destruction is the likely cause of the decrease.

Little is known of the breeding biology of the species. Summer tanagers nest in mature riparian groves dominated by cottonwoods and willows. Early arrivals from wintering grounds may appear in late March, but the main migration is April through early May. Nesting is primarily May through June. The nest is built on a horizontal limb of large trees including cottonwoods, usually 10 to 35 feet above the ground, and often over an opening such as a creek bed. The nest is a loosely built, shallow cup of weed stems, leaves, bark, and grasses, lined with fine grasses. From 3 to 5, but usually 4 eggs are laid. Incubation is approximately 12 days. Tanagers eat insects, including bees and wasps, and small wild fruits.

This species is known or suspected to nest in the Plan area in Mission Creek, the Whitewater River Canyon, and Palm Canyon, and also migrates through the area on its way to more coastal and northern habitats. There are also records from the Whitewater River delta and the Coachella Valley Preserve, but whether it nests in these areas or only uses them in migration is not known.

Threats and Limiting Factors. The major threat is loss of habitat due to human activity, including flood control. Cowbird parasitism may be a contributing factor, although parasitism of summer tanager nests appears to vary significantly by geographic area. In southern Illinois, 11 of 13 nests observed were parasitized, while in the South Fork Kern River Valley only 1 of 16 nests was subject to parasitism. The extent of cowbird parasitism in the Plan area is not known. Collisions with wind turbines and other towers during migration could also be a source of mortality. In Leon County, Florida, 146 summer tanagers were killed at a television tower during spring migration. The actuality or potential of mortality from wind turbines, communication towers, and transmission towers in the Plan area is not known. Overall in California, the population of summer tanagers has declined severely in response to elimination of riparian willow and cottonwood forest. The species is designated a Species of Special Concern by the state.

Triple-ribbed milkvetch

Astragalus tricarinatus

Status: Federal – Endangered
State – None

Distribution, Abundance and Trends

The triple-ribbed milkvetch is an endemic species that is found in a narrow range primarily from the northwestern portion of the Coachella Valley, from the vicinity of Whitewater Canyon, the type locality, in Mission Creek canyon across Hwy. 62 to Dry Morongo Wash and Big Morongo Canyon. Another location where the species has been collected is Agua Alta Canyon, a branch of Martinez Canyon in the Santa Rosa Mountains in the southern portion of the Plan area; this record is for one individual collected by Jon Stewart and identified by Andy Sanders of the U.C. Riverside herbarium. It is of interest that Munz and Keck (1959) and Barneby (1964) described the range of the species from Whitewater to the Orocopia Mountains, east of the Martinez Canyon location. The Martinez Canyon known location has led some to suggest that this species could occur in the rugged canyons of the Santa Rosa/San Jacinto Mountains. Much of the Deep Canyon area has received a fair amount of attention from botanists, particularly in the Deep Canyon watershed near Palm Desert (Zabriskie 1979) where the triple-ribbed milkvetch has never been recorded. It is a very difficult species to detect, however. The species is also known from several locations outside the Plan boundary in San Bernardino County, including the upper reaches of Big Morongo Canyon, Dry Morongo Canyon just north of the county line, and a somewhat anomalous, relatively high elevation, location (Sanders 1999) near Key's Ranch in Joshua Tree National Park. These locations in San Bernardino County are within the boundaries of BLM's West Mojave Planning Area. There are 3085 acres of modeled habitat for triple-ribbed milkvetch within the Coachella Valley CDCA Plan amendment planning area. Of these, 1634 acres occur on BLM-managed lands.

Most of the populations of this species appear to be in the eastern end of the San

Bernardino Mountains and at the western end of the Little San Bernardino Mountains. Much of the suitable habitat along the southern margin of these mountains is rugged and poorly explored and so it is possible that additional populations occur in the upper reaches of Mission, Dry Morongo, and Big Morongo Canyons, as well as in the westernmost portions of Joshua Tree National Park (Sanders 1999).

The preferred habitat of the triple-ribbed milkvetch has been characterized as sandy and gravelly soils of dry washes or on decomposed granite or gravelly soils at the base of canyon slopes. Recent observations of the species have illustrated that its habitat requirements are very poorly understood. Most, if not all, observations of the species are in disturbed areas, such that it may require some disturbance, whether natural or man-made. In Big Morongo Canyon it is found on decomposed granite "slides" at the base of canyon slopes. Other disturbed sites include along washes, on canyon bottoms where slides or flooding occurs. In Mission Creek canyon, the species was observed in 1998 growing along the rocky edge of the stream, in the middle of roads, in a "rip-rap" barrier above the U.S.G.S. gauging station, in open soils in a recently burned willow thicket at the margins of the cienega, and on gravelly sandbars in the midst of the stream channel (K. Barrows, pers. obs.).

Andy Sanders (1999) has suggested that washes may not in fact be the typical habitat for this species, which may be more common on the slopes above washes. Very limited surveys by Andy Sanders and Katie Barrows in Mission Creek Canyon between 1995 and 1998 have not located triple-ribbed milkvetch on these slopes. It may be that the species requires a very specific set of environmental conditions for germination and growth. In this scenario, seeds only find these conditions infrequently in various years such that plants are only seen in good numbers in certain years. In its wash habitat, large-scale floods may be a necessary condition for the successful germination of many seeds of triple-ribbed milkvetch. These large, scouring flood events occur only infrequently in this arid desert habitat. A question remains as to how this species can persist given the small size of most known populations and the relative level of disturbance that could, presumably, wipe out a substantial number of individuals. Consideration should be given to retaining an active and intact hydrological regime for this listed species.

In his summary of the species for the West Mojave Desert HCP (Sanders 1999), Andy Sanders nicely summarizes the questions about the habitat requirements and population status of this species: "It is apparent that this species is most commonly collected along washes and on canyon bottoms, but whether this represents the preferred habitat of the species or is simply the place that people collect, and hence find waifs, is yet to be determined. Given the small size of most populations and the instability of the habitats occupied, it is difficult to see how this species could maintain itself if washes truly are its main habitat. With every flood, seeds and plants will be destroyed or washed downstream out of the habitat area. If there is not a substantial population, some of which will escape destruction, or a permanent population in areas not subject to scouring, it is difficult to see how a scarce fugitive can maintain itself at all. Seed longevity should be investigated to

determine if seeds are able to survive prolonged burial in sand following a flood so that they might wait for many years until another flood again exposes them and makes open habitat available. There is a great need for careful and thorough surveys of the slopes above the washes where this species is usually found. If there are no permanent populations found there, then it should be concluded that this species is in fact a wash inhabitant and that the plants are few in number and their status precarious indeed.”

Where it does occur, triple-ribbed milkvetch is apparently never common. Surveys for the species in the Mission Creek area in 1998 detected only 13 plants, in spite of what would appear to have been favorable growth conditions with relatively high rainfall that year; the 13 plants were large and laden with fruits (K. Barrows, pers. obs.). Reported observations of the number of individuals of the triple-ribbed milkvetch in Whitewater Canyon, Dry Morongo Wash, and Big Morongo Canyon are mostly of one to 13 plants, with the exception of 120 plants reported in 1991 (in 1997 6 to 8 individuals were observed at this site), 35 plants reported in 1992 (both by G. Helmkamp, pers. comm.), and 70 plants in 1993 (Jacobsen 1993). The known location in Martinez Canyon is a single observation of one plant, which has not been observed since it was reported in 1985; additional casual surveys of this location have been accomplished several times since 1985, but no plants have been found (W. Miller 1997; J. Dice, pers. comm.).

As noted, the factors that control the distribution and size of populations of this species are not understood. During some years, the species is difficult to find, while in other years it may be relatively common at some sites. The occurrence in Big Morongo Canyon consists of approximately 50 plants, occupying a total area of about 36 acres; these plants occur in scattered locations along the canyon bottom, north of and within the Plan area. As previously noted, George Helmkamp (pers. comm.) has seen this population vary from 6 to 120 plants. In the year when 120 plants were observed (ca. 1991) heavy rains resulting in floodwaters had scoured the bottom of the canyon; the plants appeared in the open canyon bottom. The Big Morongo Canyon has been monitored from 1983 and 1998, with changes in abundance apparently dependent on the amount of winter rainfall.

The triple-ribbed milkvetch may be a short-lived perennial, but more commonly behaves as an annual. It may best be described as a short-lived perennial, persisting for about 3 to 5 years (Sanders 1999). Healthy individuals appear as a somewhat bushy herb, which at maturity are usually 12-20 inches (30-50 cm) tall. The lower stem is somewhat woody, with a tap root. The white to pale cream-colored flowers appear from February through April, with fruits appearing as early as March and present until at least May. The fruits are distinctive, narrow pods, 2 to 4 cm long and three-ribbed in cross section. Most aspects of the biology of this species are unknown including pollinators, germination requirements, longevity of seeds in the soil and specific habitat requirements.

Threats and Limiting Factors. This species occurs in locations within the Plan area where there are few if any human-caused threats. Most of the known locations, 85%, occur on existing conservation lands in protected status, including those in Mission Creek on land

owned by BLM or the Wildlands Conservancy, in Big Morongo Canyon on BLM land, or in Whitewater Canyon on BLM land. In the wash bottom habitat and along roads, the species may be subject to trampling by vehicles, but most of the known locations receive very limited vehicle traffic. Development pressures are a concern primarily in the Mission Creek drainage on private lands immediately west of Hwy. 62 and in the vicinity of Dry Morongo Wash near Hwy. 62 and Indian Avenue. One disturbance that may impact this species is flood control maintenance activities in the Whitewater Canyon and Mission Creek drainages. Sand and gravel mining is not a current threat, although there is some potential for mining in Whitewater Canyon. Road widening along Hwy. 62 could impact the Dry Morongo Canyon location in the future, although no widening is proposed. Grazing is not a threat in the known locations for this species. Illegal berming and drainage diversions are potential impacts that may have or might in the future affect the structure and function of canyon habitats. In the upper reaches of Big Morongo Canyon, outside the Plan boundary in San Bernardino County, habitat for triple-ribbed milkvetch has been disturbed by pipeline construction and maintenance. This is a threat with mixed impacts as, while individual plants may be destroyed, some plants may germinate in soil freshly disturbed by pipeline construction activities (G. Helmkamp, pers. comm.). In 1995, however, a pipeline realignment project may have impacted this milkvetch. With the low population numbers reported by most observers, a significant threat may be impacts to the species from stochastic natural events.

Yellow-breasted chat

***Icteria virens* (SC)**

Status: **Federal – None**
 State – Species of Special Concern

Distribution, Abundance, and Trends. The yellow-breasted chat is found throughout most of the United States, southern Canada, parts of Mexico, and south to Panama in the appropriate habitat. It is more often heard than seen, preferring to stay under cover in dense riparian thickets. The yellow-breasted chat nests in dense riparian thickets and brushy tangles in the lower portions of foothill canyons and in the lowlands. Its nest is a cup of dried leaves, coarse straw, and bark, lined with grasses, fine plant stems and leaves, built low in a bush, vine, or briar; there are typically 3 - 5 eggs laid from early May to mid July. It is primarily an insect eater but also eats wild berries and wild grapes.

This species is known to breed or is likely to breed in Whitewater Canyon, Mission Creek, Chino Canyon, and the Whitewater River between Mecca and the Salton Sea. It is possible that it breeds elsewhere in the Plan area as well. In migration, the yellow-breasted chat may use desert fan palm oasis woodland, mesquite hummocks, mesquite bosque, arrowweed scrub, desert dry wash woodland, desert sink scrub, desert saltbush scrub, southern sycamore-alder riparian woodland, Sonoran cottonwood-willow riparian forest, valley freshwater marsh, and cismontane alkali marsh in the plan area. It has been observed at Dos Palmas, the Coachella Valley Preserve, and Willow Hole. It has also been

observed in Andreas Canyon on the Agua Caliente Indian Reservation. Individuals observed in these locations may have been in migration to other breeding areas outside the Plan area.

The yellow-breasted chat is in a general state of decline. The primary threat is loss of habitat, mainly due to flood control activities. They are also subject to cowbird parasitism. Human activities, including golf courses and agriculture, attract cowbirds, thereby increasing the threat to the species.

Threats and Limiting Factors. The primary threat to the yellow-breasted chat in the Plan area is destruction or degradation of habitat from flood control and other human activities. The extent to which this species is impacted by cowbird parasitism is not known.

Yellow warbler

Dendroica petechia brewsteri

Status: Federal – No Status

State – Species of Special Concern

Distribution, Abundance, and Trends. The yellow warbler occurs in riparian areas throughout Alaska, Canada, the United States, and parts of Mexico. A tropical subspecies occurs in Central and South America. The yellow warbler prefers wetlands and mature riparian woodlands dominated by cottonwoods, alders, and willows. It also uses well watered, second growth woodlands and gardens. The yellow warbler winters south to the Bahamas, Central America and South America to Peru, Bolivia, and Brazil. The species breeds throughout the United States and Canada. The population is fluctuating in North America: declining in some areas and increasing in others. It was once a common to locally abundant summer resident in riparian areas throughout California. Currently, populations are reduced and locally extirpated (e.g., Sacramento Valley and San Joaquin Valley). Once a common resident in San Francisco, there are no recent breeding records for this area. Breeding populations in Marin County have declined, but the species is still common in Santa Cruz County. Numbers have also declined in Siskiyou County, but are steady in some areas of the Sierra Nevada. Yellow warblers are common along streams below about 8,000 feet in the eastern Sierra. The yellow warbler has declined significantly as a breeding bird in the coastal lowlands of southern California and is believed to be extirpated from the Colorado River. Destruction of riparian habitats and cowbird parasitism are the major causes of the decline.

The yellow warbler is known or believed to occur as a breeding bird at Whitewater Canyon, Mission Creek, Chino Canyon, Andreas Canyon, in the Whitewater River near the Salton Sea, and at Cottonwood Spring in Joshua Tree National Park. Many yellow warblers also migrate through the Plan area en route to other breeding areas. In migration, the yellow warbler may use desert fan palm oasis woodland, mesquite hummocks, mesquite bosque, arrowweed scrub, desert dry wash woodland, desert sink scrub, desert saltbush scrub,

southern sycamore-alder riparian woodland, Sonoran cottonwood-willow riparian forest, valley freshwater marsh, and cismontane alkali marsh in the plan area. The species would also use urban areas in migration. No conservation measures are proposed in urban areas; however, it is anticipated that suitable landscape trees and shrubs will continue to thrive in urban areas.

The yellow warbler typically arrives from their wintering areas from late March to May. It tends to nest in locations of intermediate height and shrub density. The nest is built in an upright fork or crotch of a large tree, or sometimes a sapling or bush, generally 6 to 8 feet above the ground. The nest is a well-formed cup of interwoven plant fibers and down, fine grasses, lichens, mosses, spider's silk, hairs, etc. Usually 4 to 5 eggs are laid in spring or early summer. Incubation is 11 days, and the young leave the nest at 9 to 12 days old. The yellow warbler feeds on caterpillars, cankerworms, moth larvae, bark beetles, borers, weevils, small moths, aphids, grasshoppers, and spiders, and occasionally feeds on a few species of berries.

Threats and limiting factors

The primary threats to the yellow warbler in the Plan area are cowbird parasitism and destruction or degradation of habitat from flood control and other human activities. Cowbird parasitism is well documented, and the yellow warbler is one of the most common hosts. One cowbird may lay an egg in up to 12 different nests in a breeding season, and yellow warblers lay a single clutch per season. Human activities, including golf courses and agriculture, attract cowbirds, thereby increasing the threat to yellow warblers.

Yuma Clapper Rail

Rallus longirostris yumaensis

Status: Federal – Endangered
State – Threatened

Distribution, Abundance, and Trends. Yuma clapper rails are and have been restricted to the region of the lower Colorado River, the Colorado River delta, and appropriate habitats surrounding the Salton Sea and in the Whitewater River north of the Sea. There are rare records for this species in marshland habitat along the eastern shore of the Sea of Cortez. Within this historic range, appropriate habitat along the lower Colorado River and delta areas has been severely reduced through water diversions and salt cedar infestations. The Plan area is at the northern edge of the Yuma clapper rail distribution. There are records from the Whitewater River delta and upstream, in scattered locations, for approximately 10 miles along the Whitewater River channel, and from two agricultural drains on the west side of the Salton Sea. The Salton Sea and Whitewater River habitats are potentially impacted due to chemical contaminants, salt cedar infestations, and flood control channel maintenance. The Yuma clapper rail occurs at the Salton Sea State Recreation Area at the mouth of Salt Creek. The Yuma clapper rails occur within the Dos Palmas marshland complex in unknown numbers. The Dos Palmas area may have particular importance in

that it may be one of the few occupied sites throughout this bird's entire range that is relatively free of chemical contaminants. Both Dos Palmas and the Whitewater River delta/Salton Sea could, if managed appropriately, provide additional habitat to what already exists there. The population size of Yuma clapper rails within this area is not known, nor are the trends in its population numbers known, but it is likely that this population will require immigration from occupied habitat to the south to maintain long term viability. Surveys conducted at Dos Palmas ACEC in 2001 and 2002 detected no breeding Yuma Clapper Rails. However, BLM biologists observed a single rail in July 2002 in the central pond at Dos Palmas on two separate occasions (R. Huddleston-Lorton, K. Doran, BLM, pers. Comm. 2002).

There are 1,177.1 acres of modeled habitat within the planning area, of which 257.2 acres occur on BLM-managed land.

Yuma clapper rails are found in marsh habitats of cattails *Typha domingensis* and bullwhip/California bulrush *Scirpus californicus*. In habitats found along and adjacent to the lower Colorado River, these rails selected some combination of cattails and bulrush for breeding. There was a post-breeding shift at some sites concurrent with a rise in water level, to higher elevation willows, arrow weed and salt cedar dominated habitats. Common reed *Phragmites communis* was also used as habitat, but usually occurred in areas too dry for breeding and foraging. Water depth appears to be an important habitat character, with average preferred depths varying from 6.5 cm to 20 cm depending on the study site. In deeper water a residual mat of decaying vegetation was important to allow the rails to have access and use throughout their home range. The rails also preferred habitat edges and generally less dense habitat to facilitate the birds' mobility and access. Home ranges for male birds were found to average 7.7 +/- 5.9 ha, and for females 9.9 +/- 9.6 ha.

Threats and Limiting Factors. Water diversions, salt cedar infestations, habitat manipulation for flood control and chemical contamination (the last two pertain primarily to the Whitewater delta) are the primary threats to Yuma clapper rails within the Plan area. Another potential threat is the lining of the Coachella Canal; leakage from the Coachella Canal currently provides a portion of the water supply to rail habitat at the Dos Palmas Preserve/ACEC. The canal lining may also be a threat to the water supply in Salt Creek. There are small amounts of Yuma clapper rail habitat in the Plan area, and it is unknown whether the habitat areas are large enough to sustain a viable population. Additional surveys are needed as part of Plan implementation to determine patch sizes and whether they are adequate to sustain a viable population. There are opportunities for habitat restoration and enhancement in the Plan area.

APPENDIX F
PUBLIC COMMENTS AND RESPONSES

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INTRODUCTION

The Bureau of Land Management (BLM) would like to extend our appreciation to members of the public and agency officials who took the time to review and submit comments on BLM's Draft Coachella Valley California Desert Conservation Area Plan Amendment, Draft Trails Management Plan and Draft Environmental Impact Statement (EIS).

As a federal agency, we are committed to managing the public lands and resources for the benefit of the people of the United States. Through the planning and environmental review process, BLM has the responsibility to establish a sound land and resource management strategy for the public lands, taking into consideration the various ideas offered by the public. Public participation, through the planning and environmental review process, is key to making better land and resource management decisions.

Source of Public Comments. Public comments submitted during the 90-day public comment period (June 7 through September 5, 2002) on the draft plans and EIS, came from a variety of sources and are included in their entirety in this appendix. The BLM received 23 comment letters, electronic mail messages or facsimiles. The transcripts from public hearings held on July 22, 23 and 25, 2002 for this plan are included. Pertinent transcript pages from the California Desert District Advisory Council meeting held on June 29, 2002, and the Santa Rosa and San Jacinto Mountains National Monument Advisory Committee meeting held on July 30, 2002 are also included.

Public Comment Analysis. Over 200 comments were extracted from the various letters, electronic mail messages, and public meeting transcripts. These comments are presented in this Appendix as "public concern statements." Similar "public concern statements" were grouped together, organized by topic (a list of which is presented in the table of contents provided at the beginning of this appendix.) Staff evaluated the "public concern statements," and prepared written responses, which are presented below.

"Substantive comments" were assessed and considered both collectively and individually (40 CFR 1504.4 and BLM Manual H-1790-1, Section V.B.4). Substantive comments may result in changes to the Final EIS in the following ways:

- 1) Modify alternatives including the proposed action;
- 2) Develop and evaluate alternatives not previously given serious consideration by the agency;
- 3) Supplement, improve or modify its analyses;
- 4) Make factual corrections.

As a general rule, the Bureau does not respond to opinion statements. Every opinion, however different from other opinions, is valid in its own right. Opinion statements are not treated as “votes.” All opinions are taken into consideration before the Bureau renders a decision (BLM Manual H-1790-1, Section V.B.4).

Sometimes members of the public, in their comments, request actions outside the scope of this plan or outside BLM’s jurisdiction altogether. In the Bureau’s responses, we tried to identify the appropriate venue or agency to address such a comment.

PUBLIC COMMENT SUBMISSIONS

Each letter, facsimile message, and electronic message submitted to BLM during the public comment period (June 7 through September 5, 2002) is reproduced in the following pages of this Appendix. These documents are arranged in the following order:

Federal agency comments

U.S. Environmental Protection Agency

Tribal comments

Agua Caliente Band of Cahuilla Indians

Morongo Band of Mission Indians

State of California agency comments

California State Lands Commission

Department of Fish and Game

University of California Cooperative Extension

University of California, Riverside—Boyd Deep Canyon Desert Research Center

Local government comments

City of La Quinta

City of Palm Desert

City of Palm Springs

Local agency comments

Imperial Irrigation District

Interest group comments

California Association of 4 Wheel Dive Clubs, Inc.

Center for Biological Diversity; California Wilderness Coalition

Desert Riders

San Diego Off-Road Coalition; Off-Road Business Association; California Off-Road Vehicle Association

Sierra Club

General (non-affiliated) public comments

Paul Adelizi, Whitewater Trout Company

Jonathan Cook

Steven Harris, Off-Road Rentals

Stephen Mascaro

Public hearing transcripts; comments provide by:

Gayle Cady
Jim Fitzpatrick, Motion Picture Association
Don Goms, Coachella Valley Mosquito and Vector Control District
Terry Kay
Will Lewis, Desert Side Tracks
Nancy Madson
Jesse McKeever
Jeffrey Morgan, Sierra Club
Greg Mottino, Desert Side Tracks
Ralph Sargent, Desert Side Tracks
Betty Mangan Smith
Kayla Thames, California Film Commission

Advisory council / committee transcripts

California Desert District Advisory Council
Santa Rosa and San Jacinto Mountains National Monument Advisory
Committee

For clarity, original letters are reproduced instead of their facsimile counterparts. Where the date stamp indicates receipt on September 6, 2002 or thereafter, BLM has retained copies of the facsimile transmission as proof of receipt before close of the comment period.

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901
RECEIVED
BUREAU OF LAND MANAGEMENT
02 SEP 13 PM 3:40
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

September 5, 2002

James G. Kenna, Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
690 West Garnet Avenue
P.O. Box 581260
North Palm Springs, CA 92258-1260

Dear Mr. Kenna:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Draft California Desert Conservation Area (CDCA) Plan Amendment for the Coachella Valley and the Draft Santa Rosa and San Jacinto Mountains Trail Management Plan [CEQ Number 020227]. Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations at 40 CFR Parts 1500-1508, and Section 309 of the Clean Air Act.

The DEIS describes and analyzes a range of alternatives for managing Bureau of Land Management (BLM) lands in the Coachella Valley of southern California. New management direction and alternatives are proposed to address a broad range of resource and management issues, including recovery of listed species, motorized and non-motorized recreational opportunities, mineral and energy resources, and collaborative management across jurisdictional boundaries. BLM has identified three action alternatives (Alternatives A-C). The agency's preferred alternative for the CDCA Plan Amendment is an amalgamation of plan elements chosen from these alternatives. The preferred alternative for the Santa Rosa and San Jacinto Mountains Trail Management Plan portion of the DEIS is Alternative B. Both the CDCA Plan Amendment and Trail Management Plan were developed using a collaborative planning process involving local governments, State agencies, other Federal agencies, and Indian tribes.

EPA commends BLM for its thorough analysis of impacts associated with the action alternatives. Issues have been clearly articulated, and the impact analysis does an excellent job of discussing potential impacts in the context of each issue area. We also appreciate efforts taken to identify related planning efforts so that this plan can be considered in its appropriate planning context. In most respects, the impacts associated with the preferred alternative are expected to be beneficial. Accordingly, we have assigned a rating of LO (Lack of Objections) to the DEIS. Please consult the enclosed document for more information on EPA's rating system.

Printed on Recycled Paper

Based on our review, we offer the following comments for your consideration in preparing the Final EIS:

- The plan amendment anticipates using an adaptive management strategy to address continuing impacts in the planning area. When possible, the Final EIS and Record of Decision (ROD) should identify specific elements of other alternatives that will be considered as fallback options if management objectives are not being met during a reasonable time frame.
- Since the preferred alternative is drawn from multiple action alternatives, it would be useful to identify the preferred alternative whenever specific alternatives are referenced in Chapter 4--Environmental Consequences (this was done on some occasions but not consistently). This would alleviate the need to refer back to Table ES-1 or Chapter 2 to determine which alternative is preferred.
- Page 4-45 references "additional mitigation measures [that] may be required to minimize impacts to water resources and hydrologic processes" in the event that sand and gravel mining facilities are developed within conservation areas. We request that BLM be more specific about the types of mitigation measures that would potentially be considered.
- Page 4-69 references the possibility of setting a carrying capacity if the Drop 31 area becomes "enormously popular." We recommend that BLM identify the elements it will consider in determining whether a carrying capacity determination is warranted. It also might be useful to adopt a specific schedule for monitoring use and associated impacts at the Drop 31 area. BLM should also identify whether it considers additional NEPA analysis to be necessary to set management parameters for the Drop 31 area, based on its best estimate of potential use.
- In the event that the preferred alternative is modified as a result of comments received on the DEIS, we request that BLM consult with EPA prior to releasing the FEIS.

EPA appreciates the opportunity to review and offer comments on this DEIS. If you have any questions concerning this letter, please contact me or Leonidas Payne of my staff [phone: (415) 972-3847; e-mail: payne.leonidas@epa.gov]. Please send a single copy of the Final EIS to the Federal Activities Office at the letterhead address above (mail code: CMD-2) when it becomes available.

Sincerely,

Lisa B. Hanf, Manager
Federal Activities Office

Enclosure: Ratings Summary

PC218
PC002
PC064
PC 119
PC 120

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 109 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



TRIBAL PLANNING, BUILDING & ENGINEERING

BUREAU OF LAND MANAGEMENT

02 SEP -6 PM 3:05

PALM SPRINGS-SOUTH COAST
RESOURCE AREA

Kenna Lr.
September 5, 2002
Page 2 of 4

September 5, 2002

James G. Kenna
U.S. Bureau of Land Management
690 West Garnet Avenue
North Palm Springs, CA 92258-1260

Subject: Comments on the U.S. Bureau of Land Management's
Draft Environmental Impact Statement for the Draft
California Desert Conservation Area Plan Amendment
for the Coachella Valley and the Draft Santa Rosa and
San Jacinto Mountains Trails Management Plan

Dear Mr. Kenna:

The Agua Caliente Band of Cahuilla Indians (the Tribe) has reviewed the above referenced document. The Tribe recognizes that as a result of the listing of the Peninsular Bighorn Sheep (PBS) as endangered by U.S. Fish and Wildlife Service and the release of the Recovery Plan for the species that the BLM is in the process of amending the California Desert Plan for the Coachella Valley. This amendment also addresses the creation of the Santa Rosa and San Jacinto Mountains National Monument within the BLM's California Desert Conservation Area. As a result, the BLM has released a draft Santa Rosa and San Jacinto Mountains Trails Management Plan establishing policies for continued opportunities for hiking, biking and equestrian use in the Santa Rosa and San Jacinto Mountains while promoting recovery of PBS. There are several issues that the Tribe wishes to address in regards to both these programs, the amended CDCA Plan and the Santa Rosa and San Jacinto Mountains Trails Management Plan, that relate to the Tribe's management of its lands, its natural resources including PBS, wild horses and riparian habitat within Palm Canyon, and the release of a Tribal Habitat Conservation Plan.

1. Agua Caliente Indian Reservation, home of the Agua Caliente Band of Cahuilla Indians, consists of over 31,400 acres of land in the Coachella Valley. It contains Tribal trust land, allotted land, and both Tribal and non-Indian fee land, which is in a

checkerboard pattern and interspersed among public lands owned or under the management of the federal government, in particular the BLM and the U.S. Forest Service, as well as state agencies and privately owned land. As a sovereign entity, the Tribe has protected and managed the areas and resources within its jurisdictional territory for thousands of years, and intends to continue to do so. However, it is the Tribe's intent to manage its lands and resources cooperatively with other adjoining land managers while maintaining sovereign authority over activities within its jurisdiction and protecting Tribal values.

2. In the above referenced document, the BLM has identified 1.2 miles of stream in Palm Canyon within Section 36 (Township 5 South, Range 4 East) on BLM land as eligible and suitable for recommendation for Wild and Scenic River designation. Although this segment of the main stream in Palm Canyon lies just outside the southeastern corner of the Reservation, segments of the stream continue onto the Reservation for approximately 3 miles before ending in the dry wash system at the base of Palm Canyon. Those segments on the Reservation may not be eligible or suitable for recommendation for Wild and Scenic River designation. It is the intent of the Tribe to manage the streams in Palm Canyon consistent with both the Indian Canyons Master Plan and the Cooperative Management Agreement with the Bureau of Land Management.
3. The Tribe agrees with the BLM's recommendation to retire the Palm Canyon Herd Management Area designation. The Tribe has recently trapped and removed nine horses that were having an adverse impact on Dos Palmas Spring due to the severe drought conditions. The Tribe will continue to review field conditions in this area and will monitor for the possible presence of additional horses on the Reservation. If additional horses are discovered on the Reservation, they will be managed in compliance with the Tribal Habitat Conservation Plan that will be released in Autumn 2002. Where appropriate the Tribe will coordinate its management actions with the BLM, particularly in regards to the existing cooperative agreement between the BLM and the Tribe for management of land uses and natural resources within the Santa Rosa and San Jacinto Mountains National Monument. As authorized under the Santa Rosa and San Jacinto Mountains National Monument Act of 2000, and as agreed upon in the above stated cooperative agreement, the Tribe and the BLM will exchange lands to facilitate both the

PC 093

PC 094

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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Kenna Lir,
September 5, 2002
Page 3 of 4

Kenna Lir,
September 5, 2002
Page 4 of 4

Tribe's and the BLM's land use and resources management actions.

4. The Tribal Habitat Conservation Program will be released in Autumn 2002 and will address the management and recovery of Peninsular Bighorn Sheep (PBS) on the Reservation as well as the management of other federally listed and Tribally designated sensitive species. A total of 18 species will be addressed by the plan. Key conservation goals in the plan for PBS include:

- Conserving lambing areas within the Reservation
- Conserving clearly defined migration corridors within the Reservation
- Conserving most of the remaining PBS habitat throughout the San Jacinto Range on the Reservation
- Dedicating, where appropriate and feasible, conserved land to a Habitat Preserve; and
- Minimizing impacts to PBS and their habitat by imposing development standards, including avoidance and minimization measures.

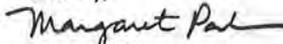
5. The establishment and maintenance of trails throughout the Reservation for hiking and equestrian use (no off-road vehicle use is allowed) is a vital part of the Tribe's management of the Indian Canyons and surrounding areas. Riparian habitat, Peninsular Bighorn Sheep lambing areas and migration routes are extremely sensitive areas that must be protected. The compatibility of the established trails with these sensitive resources will be analyzed in 2003 as part of the Tribe's implementation of the Tribal Habitat Conservation Plan. The Tribe will inventory existing trails using GPS and photo documentation to record existing conditions. This information will be used to assess potential impacts on existing sensitive biological resources.

Maintaining trails within the Reservation is an important traditional use of the Tribe for cultural, economic and conservation purposes. If possible conflicts are identified, corrective measures will be implemented where practical. While trails on the Reservation are not subject to the management prescriptions contained in the draft Santa Rosa and San Jacinto Mountains Trails Management Plan, Tribal management decisions will be considered relative to trail connectivity and

network viability with those trails on adjacent, non-Reservation lands including BLM lands.

Please do not hesitate to call us if you need additional information or need clarification on the above comments. Contact Mr. Michael Kellner at 760-325-3400, extension 204 or myself at extension 217.

Sincerely,


Margaret Park
Principal Planner
Agua Caliente Band of
Cahuilla Indians

C: Tribal Council
Tom Davis, Chief Planning Officer
Mike Kellner, Environmental Resources Manager
File

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

MORONGO
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July 22, 2002



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James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs South Coast Field Office
Post Office Box 581260

Re: Proposed California Desert Conservation Area (CDCA) Plan
Amendment and Environment Impact Statement for Public Lands in
the Coachella Valley

Dear Mr. Kenna,

We reviewed the Draft Environmental Impact Statement issued for the proposed California Desert Conservation Area Plan Amendment. Portions of the area considered were traditionally used by the Wanakik Cahuilla and Serrano peoples. We are particularly concerned with the areas immediately north and south of Whitewater Canyon and the area west of Windy Point. We would like to be informed of any projects or studies conducted in those areas.

If you require additional information, I may be reached at (909) 849-4697 x2922.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Pantell".

Susan Pantell
Environmental Manager

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PALM SPRINGS-SOUTH COAST
RESOURCE AREA

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

STATE OF CALIFORNIA

GRAY DAVIS, Governor

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100
Sacramento, CA 95825-8202

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RESOURCE AREA



PAUL D. THAYER, Executive Officer
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone 1-800-735-2922
from Voice Phone 1-800-739-2929

Contact Phone: (916) 574-1850
Contact FAX: (916) 574-1855

August 1, 2002

Ms. Elena Misquez
U.S. Bureau of Land Management
690 W. Garnet Avenue
P.O. Box 581260
North Palm Springs, CA 92258

Dear Ms. Misquez:

Staff of the California State Lands Commission (CSLC) has reviewed the Draft Environmental Impact Statement for the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley and the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan, June 2002 (SCH# 2002074001).

The CSLC owns numerous State School Land parcels within the defined area of the Conservation Area Plan Amendment for the Coachella Valley. Section 2.3.10, "Land Tenure: Acquisition Criteria", indicates that discretionary purchases within the Coachella Valley area, meeting outlined criteria, will be considered depending on overall Bureau priorities and resource capabilities. Staff of the CSLC would consider the exchange of its lands within the Coachella Valley area with the federal government, on a case-by-case basis, after appropriate appraisals of the surface and mineral estates are completed, and if it is determined that the exchange of these lands would be in the State's best interest. The CSLC would not be in a position to donate its school lands to the federal government as it has fiduciary responsibilities to the California State Teachers' Retirement System in the management of State School Lands.

The school land parcels appear to be within the Proposed Preferred Alternative Trails Management Plan shown in the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan. The parcels are located within the "Seasonal Trail Area", the

Ms. Elena Misquez
August 1, 2002
Page 2

"New Perimeter Trail Area", and possibility within the "Existing Perimeter Trail Area" shown in Figure 2-12. Authorization from the CSLC will be necessary before any proposed activity or development occurs on any CSLC owned school lands in these areas.

Should you have any questions or desire additional clarification, please contact Ms. Marianne Wetzel, School Lands Unit, at wetzelm@slc.ca.gov, at the above address, or by telephone at (916) 574-1817.

Sincerely,

Handwritten signature of Dwight B. Sanders.

Dwight B. Sanders, Chief
Division of Environmental
Planning and Management

Cc: Marianne Wetzel
Stephen Jenkins

PC 105

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

STATE OF CALIFORNIA - THE RESOURCE AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF FISH AND GAME
Eastern Sierra & Inland Deserts Region
4775 Bird Farm Rd.
Chino Hills, CA 91709
(909) 597-5043

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PALM SPRINGS-SOUTH COAST
RESOURCE AREA



5 September, 2002

Mr. James Kenna
Field Manager
Bureau of Land Management
Palm Springs-South Coast Office
690 West Garnet Avenue
P.O. Box 581260
North Palm Springs, CA 92258-1260

Dear Mr. Kenna:

The California Department of Fish and Game (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley (CDCA Plan) and the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan prepared by the Bureau of Land Management (BLM). We are not submitting comments on the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan at this time, as that Plan is part of the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP), therefore, it is more appropriate to provide the comments when that plan is out for review. The CDCA Plan/DEIS describes and analyzes a range of alternatives for managing the public lands administered by the BLM in the Coachella Valley. The Coachella Valley is located in central Riverside County. The Department has the following comments on the document:

Page 1-4, Section 1.4, Alternatives Considered and Not Analyzed in Detail, last paragraph

Please note and include a statement acknowledging that while sheep are known to enter the urban interface and become habituated to human activity, it is not a desired condition and considered detrimental to the recovery of wild sheep populations.

PC 169

Page 1-7, Section 1.5, Relationship to Other Plans, Santa Rosa Mountains National Monument Plan

Please include a statement that the boundary of the National Monument also includes lands owned by the Department and California State Parks and the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 does not alter or have jurisdiction over the management of these lands or those owned by other non-federal

PC 030

Page 2

Mr. James Kenna
5 September 2002

jurisdictions.

Page 1-8, Section 1.5, Relationship to Other Plans, The Recovery Plan for the Peninsular Ranges Bighorn Sheep

Please include that the Peninsular Bighorn sheep were listed as rare by the California Fish and Game Commission in 1971 and that the designation was changed to threatened under the California Endangered Species Act in 1984. In addition, the species is designated as Fully Protected by the California legislature.

PC 171

Pages 1-8 through 1-10, Section 1.5, Relationship to Other Plans, The Recovery Plan for the Peninsular Ranges Bighorn Sheep

It is unclear in this section which activities are to be addressed through this plan amendment and which are subject to additional project level consultation with the Fish and Wildlife Service. Several activities listed on page 1-8 are also listed on page 1-10. The document states that those on page 1-8 are applicable to this plan, whereas those on page 1-10 will require project level consultation, yet many of the activities are the same. Please clarify.

PC 174

Page 1-9, Section 1.5, Relationship to Other Plans, The Recovery Plan for the Peninsular Ranges Bighorn Sheep, Item #1

Please identify in this document that page 88 of the Peninsular Bighorn Sheep Recovery Plan identifies a list of trails with potential user conflicts.

Page 1-9, Section 1.5, Relationship to Other Plans, The Recovery Plan for the Peninsular Ranges Bighorn Sheep, Item #1(g)

Please change to read "except for peripheral trails located at or near the edge of urban areas..."

PC 170

Page 1-11, Section 1.5, Relationship to Other Plans, Santa Rosa Mountains Wildlife Habitat Management Plan: A Sikes Act Project (Sikes Act Plan)

The Sikes Act Plan was jointly developed by the Department and BLM. Any amendments or updates need to be agreed to by both agencies. The Department has not yet agreed to update the Sikes Act Plan through the CVMSHCP. The Department considers the Sikes Act Plan active and any updates should be done through the mechanism outlined in the plan itself. Management of the area will continue with the same emphasis stated in the plan, "If the WHA is to retain its relatively undisturbed character, public use must be tailored to insure minimal permanent impacts. The intent of the plan is to provide for public use of the area in a manner consistent with the maintenance of existing wildlife values". Furthermore, it needs to be consistent with the 1985 Cooperative Agreement for the Santa Rosa Mountains Wildlife Area 3, which states that "Peninsular Bighorn Sheep will be the primary emphasis species of the BLM and CDFG cooperation agreement"

PC 011

Page 1-17, Section 1.6, Planning Criteria, Area and Route Designation Criteria

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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The second criterion states "Areas and routes shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. Special attention will be given to protect endangered or threatened species and their habitats." This appears to limit the BLM's ability to establish an off-highway vehicle open area at Drop 31 without providing mechanisms to avoid impacts to bighorn sheep, as described in our letter of June 17, 2002 (attached). The desert bighorn sheep is designated as a Species of Special Concern by the Department, as well as a Fully Protected Species, by the California legislature (Fish and Game Code §4 and thus it appears that these designations and the criterion are in conflict with the placement of an off-highway vehicle open area at Drop 31.

Page 2-2, Section 2.1.2, Plan Goals Common to All Alternatives
Please provide a discussion on how the goals were developed.

Page 2-4, Section 2.1.3.1, Wild and Scenic Rivers
Please include an explanation of the differences between designations of wild vs. recreational and wilderness vs. non wilderness.

Page 2-9, Section 2.1.3.5, Multiple Use Classification, Preferred Alternative (B)
The description does not match figure 2-3(a), which indicates that Windy Point, Indian Hills, and Iron Door are classified as Multiple-Use "I".

Page 2-10, Section 2.1.3.6, Habitat Conservation Objectives, Preferred Alternative (B&C)
The text refers to objectives outlined in table 2-4, which appears to be missing from the document. This missing table makes review of the document difficult. The Department recommends that a revised document be released, with adequate time for review to determine if the analysis in chapter 4 conforms to conservation objectives.

Page 2-16, Section 2.1.3.15, Wild Horse and Burro Program
The Department recommends including the removal of illegal animals as part of the preferred alternative.

Page 2-17, Section 2.1.3.18, Motorized-Vehicle Area Designations
As previously stated in our comment on the Area and Route Designation Criteria, criterion (b) limits BLM's ability to designate Drop 31 as an off-highway vehicle open area.

Page 2-18, Section 2.1.3.16, Preferred Alternative (B)
The fifth bullet states "The expanded area of Dos Palmas ACEC would remain closed." This indicates that the ACEC boundary would be changed and conflicts with the Preferred Alternative for the Special Area Designation on page 2-11, which states that

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PC 031

PC 041

PC 220

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existing ACEC boundaries would remain unchanged.

Page 2-20, Motorized-Vehicle Access: Route Designations
A preferred alternative needs to be indicated in this section.

Page 2-22, Section 2.1.3.17, Motorized-Vehicle Access: Route Designations
At present there is no commercial use on Dunn Road and this should be reflected in alternative D.

Page 2-23, Special Recreation Management Area, Preferred Alternative (B) d)
The waters authorized in the NECO plan were included to expand the usable habitat for bighorn sheep. At the time they were authorized, the concept of designating Drop 31 as an off-highway vehicle open area had not been discussed. The designation of Drop 31 and the resultant increase in human use will result in sheep being unable to drink from the Coachella Canal. The problems associated with sheep use of the canal and its lack of availability are outlined in our letter of June 17, 2002 (attached). In addition, BLM has closed the roads to Hidden Spring, Washingtonia Spring, and Sheephole Oasis, as well as seasonally closing the Mecca-Copia Trail, at least in part, due to concerns about human intrusion into bighorn water sources. It is the Department's belief that waters in addition to the two authorized in the NECO plan are necessary to off-set the impacts of designating Drop 31 and are the responsibility of BLM as the project sponsor. It would not be possible to locate the waters outside of wilderness, due to the narrow distance between the Drop 31 area, the wilderness boundary and the intrusion by humans into the area. Therefore, additional waters should be included wherever needed. Designation of Drop 31 as an off-highway vehicle open area should be contingent upon additional waters being authorized by this plan and should be in-place prior to approving use of the area. Furthermore, the Department recommends additional ranger patrol be provided to reduce human intrusion into sheep habitat.

Page 2-27, Section 2.1.3.20, Recovery Strategy for the Peninsular Ranges Bighorn Sheep, #5
Please mention that an EA was prepared by the BLM for Bighorn sheep research. The analysis should not focus solely on helicopter use and direct handling. An analysis should be provided comparing different research methods to methods using helicopters or direct handling. All research proposals, not just helicopter and direct handling methods should be evaluated by the same criteria (i.e. on the basis of less intrusive techniques, the value of the data obtained and the costs).

Page 2-29, Section 2.1.4, Plan Maintenance
A discussion should be included to describe how the trails plan will be implemented should the CVMSHCP not be completed. Many of the trails cross through jurisdictions other than BLM, and this must be addressed.

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PC 097

PC 109

PC 116
PC 216

PC 201

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Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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Page 3-6, Section 3.1.2.3, Potential Coachella Valley ACEC, Relevance
As previously mentioned, Table 2-4 is missing from the document and, therefore, it is difficult to determine if all the habitat values have been adequately described.

Page 3-17, Section 3.1.7, Wild Horse and Burro Herd Management Areas
The last sentence on the page states - "If these animals are removed only four branded animals would be removed and the remaining animals would fall under the act." This contradicts the statement on page 2-16 which says, "only one of these horses qualifies as a wild horse under the wild horse and burro act". The Department supports removal of illegal horses and their offspring.

Page 3-21, Section 3.2.1 Coachella Valley Roadways, Rail Service
This section should include the old Kaiser Mine/ Eagle Mountain railroad that is now active and proposed to transport trash from highway 111 to the Eagle Mountain landfill. The route runs between the eastern boundary of the Orocoopia wilderness and the Chocolate Mountains Gunnery Range. The potential environmental consequences need to include the spread of tamarisk through seeds that are picked up where tamarisk is planted along railroad tracks as a wind break.

Page 3-28, Section 3.4, Recreation
This section should include a commitment by BLM that any new trails or trail alignments will not be implemented without permission from affected landowners and without proper environmental documentation.

Page 3-29, Section 3.4, Recreation, Hunting
Please mention that hunting is not permitted within the state game refuges that encompasses a large part of the Santa Rosa and San Jacinto Mountains and that hunting is also not permitted on the Coachella Valley /Thousand Palms Preserve.

Page 3-30, Section 3.4, Recreation, Off-Highway Vehicle Use
Please include the current Multiple Use Class designations for the areas described in this section.

(3) Please provide the location and a description for the Iron Door area.

(4) Please include that Drop 31 is in close proximity to the Dos Palmas ACEC, and that ORV use and camping occur as far south as Drop 28.

Page 3-33, Section 3.5, Motorized-Vehicle Access, Motorized-Vehicle Route Designations
Please include the names of the public agencies applying for right-of-way permits on the Dunn Road. Please include a description of the current maintenance activities on the Dunn Road.

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Page 3-38, Section 3.7, Water Resources/Quality, Surface Water
Please include a sentence stating that surface water is present seasonally at some springs. At Dos Palmas, surface water is also present in the palm oasis and artificial ponds.

Page 3-39, Section 3.8.1, Native Biological Resources
Last paragraph - The portion of the second sentence that states "all state listed threatened and endangered species..." needs to be rewritten to state that "all state listed threatened and endangered species within the CDCA planning area..." because all state listed species do not occur in this area.

Page 3-41, Section 3.8.2, Exotic (Non-native) Weeds and Pests
The list in the last paragraph should include major pest species found in the area, such as fountain grass, tamarisk, aquatic turtles, centrarchid fish (in certain ponds) and apple snails.

Page 4-9, Section 4.1.1.2, Wild and Scenic Rivers, Peninsular Ranges Bighorn Sheep Recovery Strategy
Please provide greater detail as to how Alternatives A, B, and C would help to conserve outstanding remarkable wildlife values in Palm Canyon related to the conservation of the Peninsular Range of bighorn sheep. No explanation is provided either here or in Chapter 2.

Page 4-17, Section 4.1.1.8, Wild Horse and Burro Management Areas
Please include that there is potential competition for resources between Peninsular Ranges bighorn sheep and wild horses. Although transferring the land to the Aqua Caliente Tribe will minimize land use conflicts on BLM-managed lands relating to wild horses, it does nothing to eliminate the actual conflict between horses and sheep.

Page 4-26, Section 4.1.3, Soils, Geology, Mineral and Energy Resources, Motorized Vehicle Route Designation, 2nd paragraph
The sentence that starts with "New unpaved roads..." needs editing for clarification.

Page 4-36, Section 4.1.5, Motorized-Vehicle Access
Alternative A - Please clarify here that currently the Dunn Road is closed to commercial Jeep tours as stated on page 3-33, and that this plan amendment will provide future direction on its use.

Page 4-36, Section 4.1.5, Motorized-Vehicle Access, Last paragraph
The third sentence which states "No new areas would be unavailable for general public access..." needs clarification. The use of double negatives is confusing.

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

Page 7
Mr. James Kenna
5 September 2002

Page 4-48, Section 4.1.8, Biological Resources, Fire Management Categories
Please include that a program to remove non-native grasses may be accomplished without prescribed burns and that non-native grasses are considered a threat to desert communities, as they provide flash fuel for fires in communities that are not fire-adapted.

PC 057

Page 4-50, Section 4.1.8, Biological Resources, Wild Horse and Burro Program
Please include a discussion of how impacts to vegetation and competition with bighorn sheep could increase during drought as forage and water become scarce. Please clarify how transferring the land to the Aqua Caliente Tribe would result in the eventual removal of the branded horses. The Tribe is not bound by this Plan and may decide to maintain the horses.

PC 089 093

Page 4-51, Section 4.1.8, Biological Resources, Motorized Vehicle Designation
Please see comment under Page 2-23.

Page 4-52, Section 4.1.8, Biological Resources, Motorized Vehicle Designation, first paragraph
Alternative A, which would allow commercial use of the Dunn Road, increases impacts to Biological Resources. This contradicts the statement "extending impacts to biological resources would continue." Although commercial use of the Dunn Road has occurred in the past, due to lawsuit requirements and denial of access by a private landowner it is currently not permitted. Thus, the analysis should reflect non-commercial use as the existing condition.

PC 154

Page 4-53, Section 4.1.8, Biological Resources, Special Recreation Management Area
Please see comment under Page 2-23.

Page 4-57, Biological Resources, Peninsular Ranges Bighorn Sheep Recovery Strategy, Alternative A, #3, 3rd paragraph on page
Line 9 should read: California Department of Fish and Wildlife Game.

PC 222

Page 4-57, Biological Resources, Peninsular Ranges Bighorn Sheep Recovery Strategy, Alternative A, #4
Please provide more explanation about how information can be misinterpreted and by whom.

PC 182

Page 4-58, Biological Resources, Peninsular Ranges Bighorn Sheep Recovery Strategy, Alternative C, #4
Please indicate how mountain lions known to have killed sheep will be identified. In California, stomach analyses are required of all mountain lions taken under depredation permits to determine if they are the culprit.

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Mr. James Kenna
5 September 2002

Page 4-60, Biological Resources, Hiking, Biking and Equestrian trails
Please include that permanent closure and relocation of trails illegally built or built without considering bighorn sheep, in addition to a perimeter trail system designed to have minimum impacts to sheep, would benefit sheep recovery. Recovery requires adequate room for increased populations to expand.

Page 4-87, Section 4.1.15, Socio-Economic Considerations, Hiking, Biking and Equestrian Trails
Please provide an analysis that shows the number of miles of trails proposed to be closed vs the number of miles of open trails in order to illustrate that there would be less than significant impacts to trail users.

The Department appreciates the opportunity to comment on this project. Questions regarding this letter should be directed to Ms. Kimberly Nicol, Staff Environmental Scientist, at (760) 775-8108.

Sincerely,

Glenn Black
Glenn Black
Senior Environmental Scientist
Eastern Sierra – Inland Deserts Region

cc: Mr. Pete Sorensen, USFWS, Carlsbad

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

Page 9
Mr. James Kenna
5 September 2002

bcc: Alan Pickard
Kim Nicol
Eddy Konno

[Faint, mostly illegible text, possibly a letter or comment, with some faint markings on the right side.]

[Faint, mostly illegible text, possibly a response or another comment.]

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>
Eastern Sierra-Inland Deserts Region
4775 Blvd Farm Road
Chino Hills, California 91709

GRAY DAVIS, Governor



June 17, 2002

Ms. Rachelle Huddleston-Lorton
Wildlife Biologist
Bureau of Land Management
Palm Springs-South Coast Field Office
P.O. Box 58-1260
North Palm Springs, CA 92258

Dear Ms. Huddleston-Lorton:

The California Department of Fish and Game (Department) appreciates the notification that the Bureau of Land Management (BLM) is proposing to designate Drop 31 as a possible Off-Highway Vehicle (OHV) open area. Due to the area's close proximity to the Orocopia Mountains, a known desert bighorn sheep range within the Sonoran metapopulation, the Department believes this action is inappropriate based upon the following information:

With an estimated population of 60 animals, the Orocopia Mountains bighorn sheep population is the largest existing deme within the Sonoran metapopulation. Over the last five years, it has declined from 80 to 60 animals. This deme is recognized as the only one within this metapopulation with sufficient numbers, over 50, for translocation to other demes should the need arise to supplement sheep populations in other ranges. Currently, all other existing demes within this metapopulation have less than 50 animals. Therefore, it is critical that the Orocopia Mountains deme be maintained at the viable level of over 50 animals. Additional environmental impacts imposed through the action of increased OHV activities will likely have a detrimental effect on this population. The Department cannot support activities within or adjacent to the Orocopia mountain range that may contribute directly or indirectly to a decline of this population. However, mitigation measures may be possible that would allow for the establishment of this OHV area, while at the same time supporting and increasing the population. These will be discussed at the end of the letter.

The above statements are supported by field observations on movement of sheep in the area. During the critical summer months, the Coachella Canal is utilized by Orocopia sheep as an alternative watering source and is essential to their survival. This dependency on the Coachella Canal has emerged due to the lack of access to dependable alternate watering sites, fragmentation from historic watering sites, and the loss of springs and tinajas. The installation of new dependable waters (guzzlers) would substantially reduce this reliance on the Coachella Canal. Trailing from the mountains to the canal is evident, and bighorn sheep are frequently observed watering at the canal

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Ms. Rachelle Huddleston-Lorton
June 17, 2002
Page Two

from Drop 24 north to the Mecca Hills. Radio telemetry data collected by the Department from 1994 through 1999 clearly shows that mountain sheep tend to utilize the south-west facing slopes closer to the canal as ambient temperatures rise. This movement away from winter habitat is seasonally predictable and appears to be related to the need for water.

During the initial investigation of the Orocopia Mountains by the Department (Weaver and Mensch 1971), three critical factors were identified that were causing impacts to sheep: (1) encroachment of human activity; (2) lack of access to safe and predictable water sources, and (3) unnatural and unhealthy reliance on the Coachella Canal for water. All three factors are still applicable and have not been alleviated, but enhanced due to increased human activities and the reluctance by BLM to allow the Department to install any further additional safe, accessible, and reliable water sources that are essential to alleviating this dependency on the Coachella Canal. Based on the above recommendations though, the Department, with the support of the BLM Palm Springs office did construct the "Fay Dee" guzzler near Drop 28, which is heavily utilized by sheep, evident from sheep sightings, beds, droppings, and trailing.

In 1986, the Department and BLM developed a habitat management plan for this area, the *Orocopia Mountains Habitat Management Plan* (1986) under the Sikes Act, that further identified and described the need for additional water within this range and proposed the construction of five new guzzlers. In the *Orocopia Mountain Bighorn Sheep Management Plan* (1995), the Department reaffirmed the critical need for access to safe and reliable drinking water away from the canal. The latter plan also stressed the need to increase the availability of summer habitat through the development of several guzzlers. One of the ultimate goals of the plan was to allow the sheep to use more of the range on a year-around basis by decreasing their dependence on the Coachella Canal.

In 1998 and 1999, the Department, along with BLM Palm Springs office, initiated the Environmental Assessment (EA) process and developed an EA to construct three additional guzzlers in the Orocopia Mountains. The purpose of the guzzlers would be to: (1) provide alternative water sources to the Coachella Canal, (2) mitigate for the loss of access to water sources in the Cottonwood, Little San Bernardino, and Eagle Mountains, (3) reduce the need to cross the railroad line in search of water during drought periods in the Chocolate and Chuckwalla Mountains, (4) provide new habitat for summer use, (5) ensure that this deme remains viable in the long term, (6) provide for recreational uses including viewing, education, and hunting, and (7) maintain a sheep deme from which potential translocations may occur to mountain ranges where they have been extirpated, such as the Palo Verdes, Little Mules, and Mules. The EA was never finished, and the Department was told that the body of the EA would be incorporated into the *Northern and Eastern Colorado Desert Coordinated Management Plan (NECO)*. The NECO Plan does address this and allows for the construction of four new Guzzlers in the Orocopias.

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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Ms. Rachelle Huddleston-Lorton
June 17, 2002
Page Three

In *Mountain Sheep Ecosystem Management Strategy in the 11 Western States and Alaska* developed by BLM (1985), under "Habitat Limiting Factors" on page 12, the text states that "the distribution on water sources" is one of the two most identified factors contributing to an unsatisfactory rating for bighorn sheep habitat conditions. Again on page 12, under "Population Limiting Factors", the text states that "harassment caused by human recreational activities such as off-road vehicle traffic" is one of the three most limiting factors having detrimental effects on mountain sheep populations.

The *California Desert Conservation Area Plan of 1980*, under the "Wildlife Element" page 30, states under the goals that the Plan will "(c)onsider the habitat of all fish and wildlife in implementing the Plan, primarily through adherence to and development of objectives dealing with habitats and ecosystems." The planned OHV proposal appears to violate this principle.

In the current draft of the NECO Chapter 2, page 30, under the "Goals of Desert Bighorn Sheep Conservation Strategy" it is clearly stated under sections a., b., and c. that maintaining and improving habitat and genetic variability within both this deme and the metapopulation is of utmost importance to ensure the long-term viability of the Sonoran Mojave Desert Bighorn Sheep metapopulation.

For 31 years the goal to develop additional water sources and improve habitat to alleviate the dependency of sheep on water at the Coachella Canal has never been accomplished. In the absence of developing additional water sources and improving the habitat, the Department feels that maintaining undisturbed access for sheep to the Coachella Canal during the critical summer months is crucial. Further disruption by increasing or encouraging OHV access in this area without actions to mitigate the impacts will likely contribute to additional physiological stress that could potentially be detrimental to this population.

Additionally, over the last few years, a significant increase in traffic along the Coachella Canal by the public, Border Patrol, undocumented aliens, and OHV users has been evident. Therefore, any additional increases in OHV traffic along the canal and increased noise levels may severely limit or prevent access to the canal by sheep. These existing impacts combined with the high probability of illegal access into the wilderness will further increase stress-induced impacts to this population.

In 2001, the Department (Ms. Nancy Andrew) verbally notified Mr. John Kalish at the BLM Palm Spring Office that increased illegal OHV traffic at No Name and Canyon Spring was limiting the use of these two water sources by sheep. She received the response that BLM did not have adequate resources to enforce existing closures within the Orocochia Mountains. Therefore, it appears that this OHV area will also be inadequately patrolled unless additional resources are provided. Harassment of sheep, intrusion into wilderness, and other factors which will limit sheep access to the canal will continue to go unchecked.

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PC 111

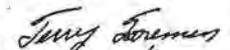
Ms. Rachelle Huddleston-Lorton
June 17, 2002
Page Four

Based upon the various planning documents currently in place, the consensus has been and remains that the dependency by Orocochia sheep upon the habitat and the accessibility to water along the Coachella Canal is critical and essential to the survival of this deme. Unless the goals of development of additional waters to redistribute the sheep away from the canal prior to the establishment of the OHV area, and assurances that sufficient enforcement staff are located in the area, the Department will have serious concerns about the proposal to make Drop 31 a recognized OHV area. Although the Department does recognize OHV activity as a viable form of recreation, the current body of published knowledge clearly demonstrates that OHV activity and desert bighorn sheep are not compatible from an ecosystem management standpoint. Therefore, the Department and BLM need to develop additional water sources, and BLM must increase enforcement presence prior to the establishment of the OHV area, or alternatively, we encourage the BLM to look at the other alternative sites that are currently being considered.

Although this letter primarily addresses impacts to sheep, a full consideration of other species that will be impacted needs to be addressed and fully disclosed. Any actions by the BLM that will limit access by sheep as well as other species to the Coachella Canal, their primary source of water, is of concern to the Department.

Thank you for the opportunity to respond on this issue. If you have any questions please feel free to contact Mr. Gerald P. Mulcahy, Associate Wildlife Biologist, at (760) 922-4686 or by e-mail at gmulcahy@dfg.ca.gov.

Sincerely,


Terry Foreman
Senior Biologist Supervisor

cc: Mr. Curt Taucher
Department of Fish and Game
Long Beach, CA

Mr. Alan Pickard
Department of Fish and Game
Bishop, CA

Dr. Vern Bleich
Department of Fish and Game
Bishop, CA

cc: continued on next page

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PC 117

*Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses*

Ms. Rachelle Huddleston-Lorton
June 17, 2002
Page Five

Mr. Gerald Mulcahy
Department of Fish and Game
Blythe, CA

Mr. James Davis
Department of Fish and Game
Sugarloaf, CA

Ms. Kim Nicol
Department of Fish and Game
Palm Springs, CA

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

James Kenna
Field Manager and
Elena Misquez,
Department of the Interior
Bureau of Land Management

Elena,

Below is a comment letter you may choose to include or not in the final record. I am not intimately familiar with the areas described but I am getting up to speed quickly. (I would welcome some cooperation with the BLM and other interests towards that end.) I have been involved with the CVMSHC-Plan and intend to continue researching some of the implications it has as well as to study it as it is implemented.

In regards to the *Santa Rosa and San Jacinto Mountains Trails Management Plan* I would especially like to be included in the "Public Outreach and Environmental Education" portion of the management plan implementation (2-20 of Draft). I am currently looking for opportunities to leverage my efforts through cooperating with other organizations. The synergies can benefit us all.

In regards to the plan, its salient features seem to make it a sound and fair plan. Unfortunately everyone cannot have exactly what they want, there are trade-offs. It calls for periodic review by a representative committee. It appears adaptive with the hard policy edges maintained by ESA and private economic considerations. The public is included in planning that occurs around these considerations. The public competes in a democratic process and mitigates the effects of both sides with a resulting compromise. A compromise is just a device that lets life continue as the argument goes on over time however.

I might be of help in this area. Another function of my job is to get and keep people involved in the ongoing processes taking place in management of California Deserts. This is done through creating awareness and educating individuals about the physical as well as political realities of the various issues. This is based on the premise that an ongoing inclusive discussion (informed decision making) is necessary and beneficial.

The plan calls for various restrictions from almost none to almost total exclusion of the public. The restrictions are based on current biological needs, cultural features, and human demands and needs as assessed by a variety of experts. It looks like a good start but that means it has displeased all parties to some degree!

Feel free to contact me.

Karl

Karl McArthur
UC Cooperative Extension ANR
Desert Natural Resource Advisor
777 E. Rialto Ave.
San Bernardino CA 92415-0730

September 5, 2002

Department of the Interior
Bureau of Land Management

Comments in regards to the Draft Santa Rosa and San Jacinto Mountain Trails Management Plan, and Draft Environmental Statement released June 7, 2002:

As I write this I realize all too well how difficult it is to balance competing demands in the California Desert. As populations and incomes continue to rise relative to a fixed or shrinking supply of outdoor recreation opportunities, recreation demands on California desert areas under BLM management can only be expected to increase. There will be painful trade-offs. There will be intergenerational trade-offs as well as trades between current uses. I would like to add my written comment into the record in favor of as much public access to the outdoors as possible based on human values of the experiences afforded. I would also like to commend the many public servants who work to make the management decision process inclusive and democratic.

From all of the public meetings I have attended it is clear to me that many people value California deserts. However, the value of just knowing the deserts exist, "existence value," is a small part of the larger value found in California's public desert areas. Most desert lovers value the opportunity to use and experience the deserts in some manner. Outdoor experiences are known to provide valuable pause and perspective. Wilderness places and the experiences they afford shape our humanity.

The resources involved have human value only in a human context. That context is in turn shaped by human use. Valuing the abstract idea of a desert experience is not the same as the value found in experiencing the real thing. The thought of a desert existing may not provide impetus to keep it alive in its natural condition. People need access to the wild places found in California's desert areas. If they do not have access they may not politically support its existence. They will forget its potential human value.

Certainly there are places and times when people need to be excluded. Many natural and historical resources are too fragile to risk to open access. Undoubtedly there is such a thing as overusing a resource as well. Increased human activity in less fragile portions of California deserts obviously increases the management burden. However, people who use and care about the desert are its best defense both in the wilds and in the political arena.

The current plan incorporates areas that can be managed for heavier use thus taking the burden off of more fragile environments. Possibly some metering scheme could be employed in other cases. There must be some way of providing for reasonable public access to public lands in a sustainable manner. There must also be continued access to the management process so that various stakeholder values can be reviewed and considered over time. The plan reflects a striving towards these social ends. Overall the plan appears to be balanced and adaptive.

Currently, the public desert is wholly claimed and "owned" by various segments of the larger public. Unfortunately many of the interests of the various "publics" involved are competitive to the point of being mutually exclusive. In many cases there are fundamental underlying value differences. Yet even those uses that are not competitive at a fundamental level become competitive with increased demands.

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Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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The situation has matured to the point that gain to any one group can only come from a loss in some other competing camp. The choice is not simply a decision of who will get what. The decision now involves comparing the values of what one group of individuals gains to what others lose.

Answers come seemingly slow in our time and only appear definitive in retrospect. They can come only with management innovations supported by research and education. New information must be incorporated into plans through an ongoing democratic process. Ironically, the most salient aspects of providing more desert per-person are outside of the manager's domain. The process may become even more painful as constraints of supply become more limiting under demands of a growing population. However, as long as the process is open, information from research and from the exchange between various stakeholders will continue to inform management decisions.

Humanity will be forever changed when wild outdoor places either cease to exist under asphalt, concrete and other manifestations of modern civilization, or are forever closed to public use. As humans we cope with paradox; of the individual within society, of death as part of life, and the concept of humanity within nature. The current process of route designation in the Santa Rosa and San Jacinto mountains, along with other aspects of current BLM planning, is a part of the larger continuing struggle with these human paradoxes.

It is important to keep as much of the desert open to as many people as possible without degrading its value. At various public meetings I have witnessed the fact that each decision is very personal to someone. I would like to acknowledge and complement the BLM efforts at balancing public values through an inclusive democratic process in the face of adversarial lawsuits that have rearranged organizational priorities on the public agenda (and have probably not been fully funded and / or have drained critical organizational funds). I also would like to thank you for allowing me to be a part of this process.

Sincerely,

Karl McArthur

PC 214

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

UNIVERSITY OF CALIFORNIA, RIVERSIDE

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

Mr. James Kenna
Bureau of Land Management
Palm Springs – South Coast Field Office
P.O. Box 581260
North Palm Springs, CA 92258-1260

Bureau of Land Management
P.O. Box 1728
Palm Desert, California 92261-1728
Telephone: (818) 341-3435

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BUREAU OF LAND MANAGEMENT
02 JUN 28 PM 12:59
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

Re: Draft San Jacinto Mountains Trails Management Plan

Dear Mr. Kenna,

Thank you for the opportunity to review the Draft San Jacinto Mountains Trails Management Plan. The "Proposed Preferred Alternative B" discusses new trail development on lands owned by the University of California, and managed as the Philip L. Boyd Deep Canyon Desert Research Center, a unit of the University of California Natural Reserve System. (See Section 2.2.2, Item V, New Trail Development, Page 18, and Section 4.2.2.2, Item V., New Trails Development, Page 48, "Criteria Matrix for Alignments of La Quinta Cove to Palm Desert Trail", Page 49, and "Alignment B – Between Eisenhower and Indio Mountains" and "Alignment C – West of La Quinta Cove", Page 50).

The University did not participate in the development of the Trails Management Plan, and was not consulted on proposed Alignment B and C. We were surprised to learn that Alignment C would be located across University land. Deep Canyon Desert Research Center allows research and teaching uses in a protected environment, but does not provide public access. Our policy explicitly prohibits recreational use.

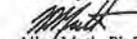
I had discussed Alignment B with the City of Palm Desert some time ago. It is, however, misleading to state that "UCR has indicated a willingness to accommodate (the) proposed trail." The "accommodation" that we discussed involved crossing a few hundred feet of land south of the Ironwood Golf Course to move the trail away from a green. We also discussed security measures for our research area, and alignment of the trail on the east and west side of Deep Canyon wash. All of that alignment would be on Ironwood property (except for the short deviation to the south of the green) until it connected to BLM land (Sec. 4 E1/2). My discussion with the City was *conceptual* and I indicated that at the appropriate time I would request that the University administration consider the trail crossing. I did not make commitments to accommodate the trail: that is not my decision to make. There are significant legal issues involved that would need to be discussed with the Riverside campus, Systemwide Natural Reserve System, and University Counsel.

Finally, Alignment C is not acceptable. The "various people" who "hike the trail several times a year" are trespassers, and they are escorted off of the property when they are encountered. We prosecute repeat offenders.

We recommend further exploration of Alternative A, which does not cross University lands, for the new Perimeter Trail connecting Palm Desert and La Quinta.

Please contact me at the letter head address, or by email (deepcanyon@mindspring.com) if you need additional information or clarification.

Sincerely,


Allan Muth, Ph.D.
Director

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



September 5, 2002

P.O. Box 1504
78-495 CALLE TAMPEGO
LA QUINTA, CALIFORNIA 92253

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(760) 777-7000

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Mr. James G. Kenna, Field Manager
United States Department of Interior
Bureau of Land Management
Palm Springs - South Coast Field Office
690 W. Garnet Avenue
P.O. Box 581260
North Palm Springs, CA 92258-1260

SUBJECT: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE DRAFT CALIFORNIA CONSERVATION AREA PLAN AMENDMENT (CDCA) FOR THE COACHELLA VALLEY AND DRAFT SANTA ROSA AND SAN JACINTO MOUNTAINS TRAILS MANAGEMENT PLAN

Dear Mr. Kenna:

The City of La Quinta is pleased to submit comments on the Draft Environmental Impact Statement (EIS) for these Draft California Conservation Area Plan Amendment (CDCA) for the Coachella Valley and Draft Santa Rosa and San Jacinto Mountains Trails Management Plan. The City has concerns regarding the Trails Management Plan and its limitation on outdoor recreational opportunities to La Quinta's residents and visitors.

The City appreciates the notion of not implementing action on the Preferred Alternative "B" with a Record of Decision until the Draft Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP) is completed; however this Trails Management Plan recommendation is premature. The CVMSHCP is scheduled for public release and review in January, 2003. The Draft CVMSHCP will be recommending a Trail's Plan. The CDCA Trails Plan/EIS will have a deleterious influence on any genuine discussion and evaluation of alternatives for the CVMSHCP Trail Alternatives by local communities and trail users.

The proposed Trails Management Plan Alternatives are substantially different than the alternatives developed by the Coachella Valley Association of Governments (CVAG) Trails Working Group and forwarded to the CVAG Project Area Group to be considered in the public review of the CVMSHCP. These proposed CDCA alternatives have not been reviewed by the very committee the Draft Plan declares as a part of its collaborative planning process.

While Preferred Alternative "B" gives consideration to allowing some existing trails to be open on a limited basis; Alternative "B" essentially cuts off all direct access to regional and state trails for La Quinta residents and visitors. The impact on the recreational opportunities for La Quinta residents and visitors has not been adequately addressed. The City of La Quinta desires to have direct access to the regional and state trail network.

On Trails Page 2-8 of the EIS, there is an extensive description of the data used, particularly Bighorn Sheep data, to develop the Trail Alternatives and Preferred Alternative "B". The Trails Working Group requested from responsible agencies this type of data as a basis for its trail planning efforts with no results. The lack of this special and geographic data was the frustration exclaimed at every Trails Working Group meeting from August 19, 1999 to November 8, 2001 from the City of La Quinta and others. The data described in the Draft EIS is not displayed or referenced anywhere in the Draft EIS. The Draft EIS fails to explain or disclose this critical data and its relationship to the central issues of trail use and Bighorn Sheep impact. Without disclosure of this data, the basis for Trail Management decision making and the Preferred Alternative "B" are without merit and cannot be adequately reviewed.

Finally, the proposed "New Trail" aligned over Eisenhower Mountain to connect a trail head in Palm Desert with the La Quinta Oasis trail head is inadequate, inaccessible and too difficult for most La Quinta residents and visitors to hike. A reasonably traversable trail, such as has been proposed by the City of Palm Desert and discussed numerous times with BLM staff, is an acceptable trail alignment which is only a moderately difficult hike.

Should you have any questions, please contact Fred Baker at 760-777-7065.

Very truly yours,

JERRY HERMAN
COMMUNITY DEVELOPMENT DIRECTOR

Fred Baker, AICP
Principal Planner

c. La Quinta City Council
Thomas P. Genovese, City Manager
M. Katherine Jenson, City Attorney

P:\FRED\BLM Nr. wpd

PC 010



Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



CITY OF PALM DESERT

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cityhall@ci.palm-desert.ca.us

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OFFICE OF THE CITY COUNCIL

July 25, 2002

U. S. Bureau of Land Management
Palm Springs - South Coast Field Office
690 West Garnet Avenue
P O Box 381260
North Palm Springs, California 92258-1260

Ladies and Gentlemen:

Re: Draft Environmental Impact Statement (E.I.S.) of the Santa Rosa and San Jacinto Mountains Trails Management Plan

First, let me extend compliments to all those who have worked both for a lengthy period of time and in an effective manner in crafting the draft E.I.S. After reading it several times, I believe that it is an excellent example of collaborative planning and integrating input from a variety of public use and interest groups. The following comments are intended not as criticism but as an attempt to further improve the planning effort. The comments refer to proposed Preferred Alternative B, which begins on page 10 of the Excerpts document.

Listed below are comments regarding sections of the Trails Management Plan.

Section 1 - Trail Use

- Regarding hard closures from January 15 through June 30, it should be noted that the data being used to force trail closures are incomplete, inconclusive, and in a majority of cases, the data have been accumulated by individuals or groups who may be thought of as self-serving in terms of their collection and/or reading of said data. I believe that there should be no hard closures without good, solid, independent data gathered by individuals or organizations without a vested interest in the outcome. That specifically relates to trails such as the Hahn Buena Vista Trail and the Dunn Road.
- Under Guidelines for Development of Perimeter Trails, the proposed Preferred Alternative suggests that hard closures will happen after nine years even if no perimeter trails have been built. I don't believe this would or should be acceptable to recreational users, as it allows agencies to simply stall on approval of alternative trails and in doing so, achieve a result that they might wish to have.
- The Preferred Alternative proposes the continuation of the Sheep Ambassador Program. Having watched, as an example at the Art Smith Trail, the Sheep Ambassador sit in a vehicle for days on end with next to no one approaching for trail information, and having talked with specific Sheep Ambassadors about their "usefulness," and knowing

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Response to Draft E.I.S.
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that this program was instituted not as the result of a BLM planning effort but as a court settlement component, this Sheep Ambassador issue needs to be cut out of the Preferred Alternative except as it might be done by volunteers. In an agency which is stretched incredibly thin, mandating this kind of program is financial foolishness and better and cheaper alternatives can and should be developed. The role and issues to be covered by any future Ambassador Program need to be expanded so that it is appropriate to the educational, cultural, and preservation and biological missions of the entire monument and its master plan.

- Regarding the annual review of the Trails Management Plan, the Trails Management Plan Review should also include input from the National Monument Advisory Committee.
- The plan needs to address the appropriate use of mountain bikes and specify on which trails they may and may not be allowed as a means of conveyance.

Section 2 - Cross-Country Travel

- No comments.

Section 3 - Camping

- The Preferred Alternative proposes a prohibition on camping in all Bighorn Sheep habitat from January 15 to September 30. The data presented for this are, again, weak and inconclusive, and there seems to be no rational reason to not allow camping along those trails and in those areas that are open, either on a daily basis or open in parts of the "closure period." The number of people camping in the Santa Rosa/San Jacinto Mountains is relatively small. Perhaps the use of a check-in permit might be appropriate to gather data in terms of camping intensity and use rather than begin with a blanket prohibition. Blanket prohibition is the most extreme method of controlling camping and does not have justification at this time.

Section 4 - Dogs

- No comments.

Section 5 - New Trail Development

- The proposed alternative notes no trails rising more than 200 feet below the toe of slope; 200 feet is an arbitrary number and may not fit with good trail planning. A better alternative would be to say, "not generally rise more than 200 feet above toe of slope."

CITY OF PALM DESERT

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- Perimeter trail areas need to be very specifically defined and noted on maps and agreed to by various local land use agencies so that future development or other activities do not preclude their eventual building.
- Funding for land easements, trail construction, and trail head construction needs to be folded into the Multiple Species Habitat Conservation Plan as part of the mitigation measures necessary for trails closures for biological reasons.
- New perimeter trails will be usable all year round, yet the construction of the new perimeter trails can only occur from July 1 to January 14; this does not evidence consistency. If the trail can be used all year round, its construction should be allowed all year round.
- The Preferred Alternative notes that the new trail linking La Quinta Cove and Palm Desert, once completed, would then close the Art Smith Trail seasonally. Rather than "would be closed," better wording would be "could be closed."
- Regarding the third alignment for the La Quinta/Palm Desert Connector Trail, it notes that it would be closed from January 15 through September 30. Again, no data are presented to justify such an extreme alternative, and at its very minimum, such a new trail should be under the same guidelines as the two-day-a-week use allowed within the Art Smith and the Boo Hoff Trails.
- Regarding the timing of the La Quinta/Palm Desert Trail, the route needs to be chosen and granted at least preliminary approval before the Multiple Species Habitat Conservation Plan can be concluded, and specific attention needs to be given to some of the assertions listed in terms of sheep use and conflicts for at least one, if not two, of the proposed alignments.

Section 6 - Trail Rerouting

- No comments.

Section 7 - Trail Decommission and Removal

- No comments

Section 8 - Murray Hill Facilities

- No comments.

Section 9 - Non-commercial, Non-competitive Organized Group Activities

CITY OF PALM DESERT



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- Prohibiting non-commercial, organized groups in seasonal trail areas would appear to have a direct and negative impact on Desert Riders trail activities. An example could be the annual ride on the Art Smith Trail. An alternative would be to have such organized activities allowed by permit only.

Section 10 - Non-motorized Commercial Recreation Activities

- No comments.

Section 11 - Motorized Commercial Recreation Activities

- The prohibition of motorized commercial recreation on large portions of the Dunn Road is simply not supported by good data and appears to be the private passion of a narrow interest group. While granting that parts of the Dunn Road need private landowner permission, there is no reason why the BLM should not, on a permit basis, allow commercial recreation without exception from October 1 through January 14, and perhaps, from January 14 on for a period on a one- or two-day-per-week basis. The original data from U.S. Fish and Wildlife regarding the disturbance to habitat is, for the most part in my reading of it, sheer bunk and should be treated as such. A few "experts" saying there's a problem does not make it so, and while there may ultimately be significant issues, those need to have data given to the agencies by people who do not have an ax to grind regarding these issues. Moving ahead without such data would certainly be poor planning by the BLM.

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Section 12 - Competitive Recreation Events

- The Proposed Alternative gives a year round prohibition in essential Bighorn Sheep habitat, and there does not appear to be any rationale given for an absolute prohibition. A permit system, with appropriate data gathering and checks and balances, can be instituted that would at least allow the opportunity for someone, for example for a hiking or running event, to propose such an event with all the attendant safeguards and data. Blanket prohibition not supportable.

Section 13 - Public Outreach and Environmental Education

- No comments.

CITY OF PALM DESERT

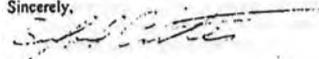


Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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U.S. Bureau of Land Management/Palm Springs-South Coast Field Office
Response to Draft E.I.S.
Page 5
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I would hope that the above comments can help to strengthen what is already, I believe, a very good Trails Plan for the Santa Rosa and San Jacinto Mountains Area, and I would hope that it is one in which we may find common ground so that we may move forward in finally adopting something and giving assurance to the public as well as to wildlife interests that we have found a balance that works for the future of the Coachella Valley.

Sincerely,



BUFORD A. CRITES
COUNCILMEMBER



CITY OF PALM DESERT



Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



CITY OF PALM DESERT

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September 5, 2002
Mr. Jim Kenna
Page 2

September 5, 2002

Mr. Jim Kenna
Field Manager
Palm Springs - South Coast Field Office
Bureau of Land Management
P.O. Box 581260
North Palm Springs, California 92256

Via Facsimile 251-4899

Dear Mr. Kenna:

The following comments are intended to help strengthen the draft Desert Conservation Area Plan for the Coachella Valley. Overall, this document appears to be an excellent effort to update the BLM's planning process and to provide for appropriate safeguards and use of our local public lands.

The following are comments for consideration in the draft plan:

- I suggest that an additional sentence be added to the paragraphs regarding the preferred alternative for land exchanges and sale. That sentence would "give priority to trades in which the traded lands will continue to have the same habitat and conservation values that they presently exhibit."
- Regarding Communication Sites and Utilities. Wind park development under the preferred alternative would be continued to be permitted "consistent with habitat conservation objectives using appropriate mitigation measures." Some language should be added that notes that in areas within the Coachella Valley Multiple Species Habitat Conservation areas that the burden of proof for new permits should be on the applicant and that any lack of an absolute affirmative finding would not allow for new permits to be designated.

PC 106

PC 080

- Regarding Motorized-Vehicle Area Designation. The preferred alternatives suggest working with the Off-Highway Motor Vehicle Recreation Division and the California Department of Parks and Recreation for a play area north of I-10 east of Dillon Road. The wording appears to be very general and I suspect that unless something that gives it some priority and some likelihood of attention is placed in the preferred alternative this "work" may never come to any fruition.
- Regarding the Dunn Road with the Motorized Vehicle Area Designation. As always the Dunn Road and its use will generate significant controversy. I believe that the data I have looked at over the years has never justified many of the existing restrictions on the Dunn Road and the biological opinion which is issued was done with a small group of "experts" who had predetermined much of their conclusion. I believe that the BLM should begin by finding an outside peer review of all of the actions that have been done by both the State and Federal agencies regarding Dunn Road use. As I noted before, the data and the conclusions rarely have been a good match and certainly some of "experts" appear to be primarily interested in their own narrow agendas, and their biological expertise needs to have significant questioning. As an example, the data on fragmentation of habitat by road use mostly refers to heavily utilized paved roads and to an area in Anza Borrego State Park which had significant heavy unrestricted use during the time in which the data were collected. None of this existed in the past on Dunn Road or at the present, or certainly in the future. I would suggest that the Dunn Road be open for limited commercial use on an all year basis and from both top and bottom subject to private land owner permission and again, that a new set of independent analyses be done on some of the past decisions and that outside input be gathered for any future biological opinions so that they meet at least surface tests of objectivity.
- Regarding Recreation Stopping, Parking, Vehicle Camping. The draft preferred alternative suggests that camping would be allowed within 100 feet from the center line of an approved route. The existing regulations appear to allow 300 feet in many areas and this seems an appropriate regulation. The only justification for change that I can find in the text suggests disturbance of soil. This may or may not be significantly

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PC 151

PC 096

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CITY OF PALM DESERT

September 5, 2002
Mr. Jim Kenna
Page 3

different on 100 feet vs. 300 feet, and certainly 300 feet in many areas allows one to get far enough from a route of travel to have the experience of desert solitude. Many washes, canyon and topographical changes allow a 300 feet camping regulation to truly give a person a back country kind of experience. Without much better justification than exists in the draft alternative, 300 feet certainly seems a better idea for users of the California desert.

PC 165

- Regarding Bighorn Sheep Recovery Strategy. I applaud the BLM's proposal to have any permits and research proposals on public lands to be subject to a minimum 30 day public review and comment period and perhaps that time that should be 60 days given how long it takes for people to find out that even such proposals exist. I also applaud BLM's proposal to work with Fish & Wildlife and Fish & Game to examine the research efforts and the direct negative impacts those efforts often appear to have on the species being studied. Certainly here again is a fine place to bring in outside people to look at these issues who do not have a set of predetermined biases regarding Bighorn sheep.

PC 203

I would add one additional comment regarding "health of the land." The plan amendment writes in very general terms in noting the negative consequences of many introduced pest plants. Having had an experience some years ago in which a local trails group had \$25,000 for tamarisk and fountain grass removal and tried to obtain an appropriate permit from the BLM and finally turned the money to other uses after four years of waiting for a permit. Somewhere in the plan amendment comments regarding the importance of plant infestations and removal of exotic and some type of streamlined permit process should be addressed.

PC 058

In closing again my thanks for the excellent effort that has gone into preparing this draft Environmental Impact Statement, and I think most of the amendments will be well received by the public and will have positive consequences for the long term health of our public lands.

Sincerely,



BUFORD A. CRITES
COUNCILMEMBER

CITY OF PALM DESERT



Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



RECEIVED
BUREAU OF LAND MANAGEMENT
02 SEP -5 PM 2:19
City of Palm Springs
Department of Planning & Building
1250 Canyon Way • Palm Springs, California 92262
PALM SPRINGS-SOUTH COAST COASL
RESOURCE AREA (91) 323-8233 • FAX (760) 322-8100 • TDD (760) 864-9121

September 05, 2002

Bureau of Land Management
James Kenna, Field Manager
690 West Garnet (PO Box 1260)
Palm Springs, 92258

Re: California Desert Conservation Area Plan Amendments and San Jacinto Mountains
Trails Management Plan

Dear Jim:

The City Council, at its September 04, 2002 meeting, adopted the attached comments (Exhibit A) regarding the proposed California Desert Conservation Area Plan Amendments (CDCA) for the Coachella Valley and the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan (Trails Plan). Based upon its comments, the City Council supports several elements of the CDCA and has concerns about the portions of the plan dealing with Dunn Road, Bighorn Sheep recovery, and trail use.

As presented, the CDCA and Trails Plan have utilized the Recovery Plan as the basis for the range of alternatives dealing with Dunn Road and trail use. As noted in the CDCA and Trails Plan, the preferred alternative (B) recommends seasonal trail closures for 75% of the Bighorn Sheep Critical Habitat. After reviewing the subject documents and Recovery Plan, there is insufficient information to support such a strong linkage between trail use and effects upon Bighorn Sheep. At a minimum, more study is needed before such a restrictive trails plan is considered. Hopefully, this will occur during the Coachella Valley Multi-Species Habitat Conservation Plan process.

Lastly, while the City does not support several components of the subject document, it does recognize the efforts of the BLM staff to bring more information forward for public review and comment. The BLM's efforts to bring trail users together to develop a range of ideas is a good example of the hard work put into this project.

If you have any comments or concerns, please give me a call.

Sincerely,

Douglas R. Evans
Director of Planning & Zoning

cc: Mayor and City Council
David Ready, City Manager

Post Office Box 2743 • Palm Springs, California 92263-2743

EXHIBIT A

CITY COUNCIL OF THE CITY OF PALM SPRINGS,
CALIFORNIA, COMMENTS AND RECOMMENDATIONS
ON THE CALIFORNIA DESERT CONSERVATION AREA
(CDCA) PLAN AMENDMENTS FOR THE COACHELLA
VALLEY AND DRAFT SANTA ROSA AND SAN JACINTO
MOUNTAINS TRAILS MANAGEMENT PLAN.

The City Council, at its September 04, 2002 meeting, adopted the following comments and recommendations to the Bureau of Land Management (BLM).

MOTORIZED VEHICLE AREA DESIGNATIONS: The City Council supports BLM Alternative B relative to motorized vehicle area designations within the City of Palm Springs. Closure of Windy Point and the Whitewater Preserve is supported. Additionally, the City supports BLM and State Department of Parks and Recreation efforts to develop an off-road vehicle area as an outlet for this form of recreation in a suitable and appropriate fashion.

DUNN ROAD: The City Council recommends that the BLM work with governmental agencies and private land owners to ensure that Dunn Road is available for governmental purposes such as law enforcement, fire protection, and code enforcement activities. The CDCA Amendment text should consider the development of a master right-of-way grant to all governmental agencies with legal authority as a means to expedite continued governmental services in this area.

The City's General Plan calls for the improvement of Dunn Road to provide access to private properties which may be developed in the future. BLM should consider this in its planning efforts.

Additionally, the BLM should further consider limited commercial jeep tours from the valley floor as a means to provide access to the National Monument. Tours could be limited to certain days of the week.

BIGHORN SHEEP RECOVERY: The City Council supports the BLM Alternative B provisions for continued and, more importantly, public review of Bighorn research, including capture and augmentation programs. The City has previously objected to the science used in preparation of the Recovery Plan and does not feel that sufficient information is available to support the Recovery Plan. Additionally, the City Council is concerned that capture/release and augmentation programs in the Santa Rosa and San Jacinto Mountains have not been fully evaluated and publicly reviewed. Release of captured or pen-raised Bighorn sheep in the San Jacinto Mountains may have an adverse impact upon the existing herd.

Specifically, the City Council is concerned that capture and release of Bighorn sheep from the northern Santa Rosa Mountains or pen-raised sheep from the Bighorn Institute could have an adverse impact. These Bighorn sheep have exhibited behaviors such as using urban landscapes for forage and water and seem to have adjusted to more human contact and acceptance than the existing Bighorn sheep in the San Jacinto Mountains area. The existing San Jacinto ewe group avoids urban landscapes, avoids human contact, and seems to stay at higher elevations. Adding Bighorn sheep with different behavior patterns may jeopardize the existing ewe group. These impacts have not been adequately addressed in the Draft Environmental Impact Statement CDCA Plan Amendments, and Recovery Plan.

PC 156
PC 162
PC 096
PC 180
PC 200

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

Page 2 of 2

Exhibit A

September 04, 2002

City Council Comments and Recommendations on the California Desert Conservation Area Plan Amendments for the Coachella Valley and Draft Santa Rosa and San Jacinto Mountains Trails Management Plan.

TRAIL USE: The City Council expresses concern regarding the proposed Santa Rosa and San Jacinto Mountains Trails Management Plan in that there is insufficient information to support the proposed restrictions and seasonal trail closures over such a wide area. As proposed, trails providing access to 75% of Bighorn Sheep Critical Habitat are to be seasonally closed from January 15 – June 30. The City Council recommends that, prior to BLM approval of the Trails Plan, additional information relative to the need to seasonally close trails be provided for agency and public review.

The City Council supports the year-round trail use listed in Alternative B provided the Skyline Trail is added to the list. This trail provides the only access to the Palm Springs Aerial Tramway Mountain Station, is not heavily used, and may not have a potential negative effect on Bighorn sheep. At a minimum, this trail needs to be studied further and open several days per week in a manner similar to the Art Smith Trail.

Additionally, the City Council supports the approval of construction of new perimeter trails described in Alternative B. These trails would connect the North Lykken Trail to the Pacific Crest Trail at Snow Creek. This perimeter trail connection would be consistent with the City's General Plan and complete a perimeter trail program in the San Jacinto Mountains.

The City Council also supports the proposed perimeter trail alignment from Rimrock Shopping Center to and around Cathedral Canyon Cove provided it is not used as a reason to restrict access to existing trails in the future.

Based upon the need for additional information, the City Council reserves the right to provide additional comments regarding the Santa Rosa and San Jacinto Mountains Trails Management Plan during the Coachella Valley Multi-Species Habitat Conservation Plan review process.

In summary, the City Council commends the BLM in developing a range of trail alternatives. However, the City Council expresses concerns about the trail closures that are proposed and recommends that more specific environmental analysis be provided as part of the Coachella Valley Multi-Species Habitat Conservation Plan review process prior to BLM final approval of the Trails Plan.

NOISE (WIND ENERGY): The City Council recommends that the BLM utilize the City of Palm Springs' wind energy noise standards for wind energy projects developed within the City of Palm Springs. The subject documents need to be revised accordingly.

PC 079

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



IMPERIAL IRRIGATION DISTRICT

ENVIRONMENTAL COMPLIANCE SECTION • P.O. BOX 937 • IMPERIAL, CA 92251
TELEPHONE (760) 482-9832 • FAX (760) 482-9996

GS-ECS

August 29, 2002

James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs - South Coast Field Office
690 W. Gamet Ave., P.O. Box 581260
North Palm Springs, CA 92258-1260

RECEIVED
BUREAU OF LAND MANAGEMENT
02 SEP -3 PM 5:04
PALM SPRINGS-SOUTH COAST
RESOURCES AREA

Subject: Imperial Irrigation District Response to the Draft California Desert Conservation Area (CDCA) Plan Amendment for the Coachella Valley, Draft Santa Rosa and San Jacinto Mountains Trails Management Plan, and Draft Environmental Impact Statement (EIS)

Dear Mr. Kenna:

The Environmental Compliance Section of the Imperial Irrigation District (District) has received one (1) copy of the above CDCA Plan and Draft EIS on July 17, 2002 for review. The District hereby provides these comments by the BLM's response deadline of September 5, 2002.

The District is very concerned that the District's existing north-south electrical transmission line was left out of the Electric Service discussion on Page 3-53. The District has an existing 230-kV transmission line passes through Imperial County and into Riverside County east of and roughly parallel to Highway-111. The District's north-south transmission facilities are critical District infrastructure to provide power for people living in the District's service area which includes all of the Imperial County and portions of Riverside County. We would like a specific clause and similar utility corridor treatment for maintenance/upgrades to our existing transmission lines in the proposed conservation areas.

Since the Draft CDCA Plan Amendment is not a combined Environmental Impact Statement/Environmental Impact Report (EIS/EIR), will the California Department of Fish and Game (CDFG) release a separate California Environmental Quality Act (CEQA) document? Without CEQA compliance, it is our understanding that the CDFG may not be in concurrence on compensation mitigation for species

Mr. James G. Kenna
Draft CDCA Plan Amendment/EIS
Page 2 of 2

included in the Draft CDCA Plan Amendment or with the Draft CDCA Plan Amendment itself.

Was an adaptive management strategy developed to provide flexibility to the Draft CDCA Plan Amendment? Was information used to develop the design of management goals published in a peer-reviewed format?

The Flat-tail Horned Lizard, *Phrynosoma mcallii*, was listed in Table 3-6: Special status species in the Coachella Valley, as having a status of "SP". There is no description in the following key as to what "SP" stands for. Please clarify.

These comments are intended to assist you in the continued protection of District interests as well as the protection and enhancement of wildlife and habitat areas in the Draft CDCA Plan Amendment planning area. We look forward to working with the BLM and the other planning entities associated with the Draft CDCA Plan Amendment.

If you have any questions regarding existing District transmission facilities, please contact me at (760) 482-9833 or at vbradshaw@iid.com.

Sincerely,

Vikki Dee Bradshaw

VIKKI DEE BRADSHAW
Environmental Resources Specialist

Cc: Board of Directors
Jesse Silva, General Manager
John Staffen, Power Department Manager
Tom King, General Services Department Manager

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Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



CALIFORNIA ASSOCIATION OF 4 WHEEL DRIVE CLUBS, INC.

NATURAL RESOURCES CONSULTANT

Jeri Ferguson
9835 Duncan Rd
Victorville, CA 92392
760-956-2783/jeriferg@aol.com

Bureau of Land Management
Jim Kenna, Palm Springs Field Manager
P.O. Box 581260
North Palm Springs, Ca 92258

Re: Draft EIS for the Coachella Valley

9-5-02

Dear Jim,

The California Association of Four Wheel Drive Clubs (CA4WDC) was founded in 1959 for the purpose of preserving and enhancing opportunities for Four Wheel Drive Use, including the ability to traverse from the most difficult trail terrain to the easiest historical touring routes. CA4WDC has provided The Bureau of Land Management input on trail system development, land management issues and preservation efforts throughout the state. We have over 5,000 families, businesses and clubs that we represent.

We would like to thank the BLM planning staff for not considering the total closure of all motorized vehicle routes/areas in the Coachella Valley. Vehicle access and OHV play is an integral part of family life and being able to explore the desert is an excellent way to experience the vastness, history and beauty.

2.1.2 Goals Common to all Alternatives

3. Maintain a network of motorized vehicle routes necessary to meet recreational and other needs while minimizing affects to air quality and other resource values.

Coachella Valley ACEC

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PALM SPRINGS-SOUTH COAST
RESOURCE AREA

In 1995 19 miles of routes were closed though the Coachella Valley ACEC designation, with over 33 miles of hiking and equestrian trails to be maintained.

Willow Hole Edom Hill Preserve, Indian Avenue Preserve, Thousand Palms are all closed to vehicles and we could not find any type of mileage records of routes closed in those areas and could only find information that there is 15 miles of hiking trails in Thousand Palms and not mileage records for the other areas.

Big Morongo Canyon ACEC

Most of the area was closed to vehicles. During the ACEC planning of this area we had fought very hard for the roads that were left open and now to have them proposed closed is not acceptable. We do not support any road closures in this area. There are not any mileage records of the routes closed during the route designation in the ACEC or how many miles of hiking trails are maintained.

White Water Canyon.

Public access into the ACES is restricted to a single paved road from interstate 10. Access from the south to dirt roads is only allowed by permission by the trout farm. Entire canyon is accessible on foot. There are not any mileage records of routes closed in this area or mileage records of the hiking trails in this area.

Monument

1-11 Off road vehicle controls are in place for Dead Indian Canyon, Carrizo Canyon and Martinez Canyon. The Martinez Canyon proposal has been modified by the cherrystem designation for Santa Rosa Mountains Wilderness in the California Desert Protection Act of 1994. The project design for Guadalupe Canyon is completed and scheduled for implementation in 2002

Numerous Routes have been closed due to the Monument designation or past route closures. We cannot find the mileage records of routes closed, but we are sure there are many miles. We do know there is a very large hiking trail system in this area and not sure of the mileage.

Summary of Routes Closures

It would seem that with only 71 miles of routes left open in the Coachella Valley on BLM land that we don't need any more closures. There needs to be some type of equality here. There are hundreds of miles of hiking trails but not a single motorized trail system proposed or planned. There are many people who cannot hike and need their vehicles for access to see the beauty of this part of the desert. So we not only feel that more closure is unacceptable and that there should be a backcountry touring route system set up throughout the area.

Open Areas

PC 139 140 139

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

4. Provide opportunities for Off-highway vehicle free-play in the Coachella Valley where compliance with the Clean Air Act, Clean Water Act, the Endangered Species Act and other environmental laws will be attained

The cost of hiring law enforcement rangers to effectively enforce these closures should not have been mentioned. Vehicle access and OHV use are part of FLPMA and total closure of this recreation would not be maintaining FLPMA.

PC
121

We would like to see alternative A be the preferred alternative with the growing use of OHV's and the closures that are happening all over southern California there need there needs to be some legal places for people to ride their OHV's in the Coachella Valley. Alternatives C and D are totally unacceptable since OHV use gets criticized all the time for doing illegal actions. We need to have legal riding ground for people to recreate.

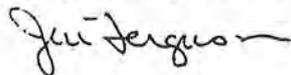
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Land Tenure

We would support the preferred Alternative if the purchase of the private lands in the proposed Open Areas would be address. When we propose open areas we need a plan to buy the private property so there are not issues with the landowners and OHV use. We do not need to be setting ourselves up for failure. Also the Open Area Criteria needs to be added to the Land Tenure: Acquisition Criteria.

PC
107
PC
129

Thank you for letting us comment on this planning process



Jeri Ferguson

CC: Kathleen Clarke, BLM Director
Congresswoman Mary Bono
Mike Pool, California State BLM Director
Linda Hansen, Desert District Manager, Acting
Dave Douglas, CA4WDC President
CA4WDC Board of Directors
OHV Leadership



Center for Biological Diversity

Protecting and restoring endangered species and wild places of North America and the Pacific through science, policy, education, citizen activism and environmental law.

CALIFORNIA WILDERNESS COALITION

Thursday, September 5, 2002

Jim Kenna, Field Office Manager
Bureau of Land Management, Palm Springs-South Coast Field Office
690 West Garnet Avenue, POB 581260
North Palm Springs CA 92258-1260
760.251.5499 fax

Jim,

Introduction

On behalf of the Center's over 7500 members in California and the nation, and the California Wilderness Coalition's over 3000 members, we submit the following comments with regard to the Draft Environmental Impact Statement (DEIS) for the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley and the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan.

Generally speaking, the Center would like to see the Plan Amendment better emphasize the protection of native plants and wildlife as a paramount obligation. This responsibility is acknowledged in the DEIS, which includes "the recovery of federal and state listed species" and "avoid[ing] future listings of sensitive species" as two of BLM's management goals. In particular, it is particularly important that the Plan Amendment comply with legal requirements to protect the endangered Peninsular Ranges bighorn sheep. The sheep were listed as endangered by the federal government in 1998; a recovery plan was completed by the U.S. Fish and Wildlife Service in October 2000; and critical habitat was designated for the species in February 2001. However, the alternatives listed in the Plan Amendment have various severe shortcomings in terms of fulfilling the BLM's obligations to the sheep under these provisions.

The CDCA lawsuit stipulation provisions should be continued through this plan, at a minimum. Unfortunatly and unacceptably, BLM seems intent on taking steps backward from this existing compromise agreement designed to aid endangered species recovery and reduce conflicts.

Additionally, we are concerned at BLM's arbitrary moving of big horn sheep lambing season from January 1 to January 15. This is inconsistent with the Sikes Act plan, Recovery plan and the scientific literature on the species. This is especially of concern because BLM compromises sheep recovery by jeopardizing the earliest born lambs, which have the highest survival rates. The plan provides no reasoning or substantiation for this apparently arbitrary and capricious modification to the lambing season dates. What is BLM's justification for cutting two weeks off the start of sheep lambing season?

Unless BLM corrects the flaws in this plan along the lines we suggest below, and complies with the Peninsular Ranges Bighorn Sheep recovery plan, it is highly likely the Center and other groups will be forced to seek relief in the federal courts. We believe that BLM's preferred alternative may jeopardize the survival of the Peninsular Ranges bighorn sheep.

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PALM SPRINGS SOUTH COAST
RESOURCE AREA

PC 029
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PC 166
PC 173

Failure to retire the Whitewater Canyon livestock grazing allotment
Closure of the grazing allotment at Whitewater Canyon would become permanent *only* under Alternative C. This failure is unacceptable, especially considering the permit for the Whitewater allotment is owned by conservationists wishing to permanently retire it. BLM's failure to retire allotments such as Whitewater, where the permittee has requested it, will derail future "win-win" allotment buy-out proposals. Conducting further studies on the suitability of livestock grazing there, as stipulated by the preferred Alternative A, is superfluous. Ample scientific evidence already shows that grazing is incompatible with the protection of desert tortoise, arroyo toad, and other sensitive wildlife; with the health of riparian areas; and with the preservation of ecologically sensitive public lands in general. Livestock harm wildlife, tramples burrows, compacts soil, fouls streamside areas, and alters vegetational composition. Considering that Whitewater Canyon contains critical habitat for the federally listed arroyo toad, it is hard to see how grazing could possibly continue there without violating the Endangered Species Act. The Whitewater allotment must be permanently retired now.

PC 080

No ORV's at Windy Point, no ORV open area or use of Dunn Road
The preferred alternative proposes an ORV open area at Drop 31, adjacent to existing wilderness. Illegal ORV trespass in to wilderness in this area is already a problem, and locating an open area here will only serve to make it much worse and harder to enforce. Drop 31 overlaps with established bighorn habitat and is a poor choice. The restrictions on ORV use under Alternative C are better. In addition to not designating Drop 31 as an open area, Alternative C provides the best range of route closures since it is the only alternative to even consider the contribution of ORV's to the severe air-pollution problems being experienced in the Coachella Valley.

PC 109 III

In addition, contrary to the preferred alternative, the Dunn Road should be entirely closed to recreational ORV use. One of the goals of the bighorn recovery plan is to "manage road use to reduce or eliminate habitat fragmentation or interference with bighorn sheep resource use patterns" (2-25). The Dunn Road is an illegal road, established by trespass, which passes through important bighorn habitat. Even though the lower portion of the road is more important for bighorn than the upper part, implementing different (and clearly unenforceable) management schemes for the two sections will invite non-compliance and frustrate enforcement. Existing recreational use does not legitimate ongoing use, and BLM has not justified any need for reopening the road other than for emergency or government vehicles. BLM also fails to address the fact that the road may not be accessed from the north, except by illegal trespass across private lands.

PC 150
PC 155
PC 134

We are unable to determine from the plan what BLM's intent is for ORV management in the Windy Point area. Clearly, all lands south of Hwy. 111 are closed to off-road travel by the act of congress which established the monument. Windy Point is also occupied habitat for the Coachella Valley fringe-toed lizard and should be kept closed, and aggressively enforced to end illegal ORV use in this part of the monument.

BLM's approach on the proposed ORV open area and Dunn Road, if not abandoned, will almost certainly land the agency back in court.

Failure to deal with wild horses and burros, cattle trespass in Palm Canyon
There is currently a herd of eight horses within Palm Canyon. The BLM acknowledges that these horses were illegally released freeze-branded horses, not wild horses under the legal definition, and that they are present within sensitive bighorn habitat. Yet it proposes (under the preferred Alternative B) to legitimate the horses' presence there through a land exchange with the Agua Caliente Band of Cahuilla Indians. It claims by spurious way of explanation that "there may be sentiments within the [tribe] to maintain these animals" (emphasis added).

PC 088

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

This is an unacceptable weakening of the BLM's responsibility towards the bighorn, particularly since one of the goals listed in the species recovery plan is to "reduce or eliminate wild horse populations from bighorn sheep habitat" and since wild horses have been found to prevent bighorn from coming to water holes (4-54). Alternative C, which would remove the animals, is the only suitable alternative.

PC 088

BLM also fails to adequately address the long-time problem of Bud Wellman's cattle frequently trespassing on public lands critical habitat far off the allotment in Palm Canyon. BLM must work closely with USFS to end this illegal use of public lands which threatens sheep recovery, and impound Wellman's cattle if they enter Palm Canyon.

PC 087

Failure to acknowledge Coral Reef Mountains sheep
Wildlife biologists acknowledge the presence of Peninsular Ranges bighorn sheep within this range of mountains bordering the Santa Rosa Mountains, yet the DEIS does not mention them and provides no management recommendations for the area. This would appear to be a serious omission.

PC 172

Mitigation and buffer zone failures
According to the bighorn recovery plan, the BLM should be using mitigation money to buy land in the urban-wilderness interface as a way of protecting important habitat for the sheep. This is critically important in areas like La Quinta, where real estate developments are being proposed right up to the base of the Santa Rosa Mountains. Over 18,000 acres of suitable bighorn habitat between Palm Springs and La Quinta has already been lost to urbanization and agriculture, according to the Fish and Wildlife Service. Yet there is no evidence of BLM having made the purchase of important tracts of land there a priority. Whatever plan is eventually adopted must do better in this regard.

PC 108

BLM's unsupportable socio-economic claims
With little to no justification, the BLM claims that Alternative C "would substantially restrict opportunities for future economic development of the BLM-managed lands" and goes on to support preferred Alternative B. Other than by not creating an ORV open area, it is unclear how Alternative C reduces anything but the short-term exploitation of land and natural resources. Elsewhere, the DEIS correctly argues that the "protection of land health through the implementation of the proposed Plan amendments will have positive long-term economic impacts." In its socioeconomic analysis, the BLM should consider more stringent conservation recommendations to be an economic benefit, not a cost.

PC 204
PC 205

BLM's unsupportable Trails Management Plan
Recreational opportunities are important, and our members enjoy hiking and camping in the Coachella Valley area. But certain goals sometimes preclude others, e.g. "multiple use" is not always possible on every acre of public land. This principle is acknowledged by the BLM when it states that:

Rarely do a wide variety of public uses occur on the same parcel of BLM-managed public land due to land use and resource conflicts. Generally, the BLM will designate certain public lands for one suite of compatible use and designate other lands for a different suite of compatible uses (DEIS 3-1).

Yet the DEIS and proposed Trails Management Plan do not always adhere to this philosophy. To protect bighorn sheep, large contiguous tracts of land must remain off-limits, and access to them must be restricted during the first nine months of each year. But, while most of the TMP alternatives propose limited restrictions on hiking and camping, the plan fails to adequately close trails through bighorn critical habitat, thus creating a significant step back in sheep conservation from BLM's current agreement embodied by the CDCA lawsuit stipulation.

Alternative B, the preferred alternative, would retain a voluntary system of seasonal trail closures despite high levels of documented non-compliance with existing closures. Rates of non-compliance on the Art Smith trail, which passes through bighorn habitat, were often in the 40-50 percent range – and this figure omits numerous hikers who were not questioned or spotted by survey-takers. These are unacceptable levels of non-compliance, and should not provide the basis for the continuation of the current system.

The BLM proffers the excuse that enforcement resources are not sufficient to institute a more stringent closure system, but this is not a valid excuse for failing to meet its conservation responsibilities for the bighorn.

Alternative B would also permit the use of the Art Smith and Boo Hoff trails two days a week just before and after lambing season (Jan. 15 to Feb. 15; May 1 to June 30). This is a compromise solution that will do little for the species while spurring further non-compliance. It cannot possibly meet the BLM's obligations under the species recovery plan. Considering that the BLM's monitoring to date has not prevented non-compliance rates from remaining so high, how will they possibly control such a system?

Finally, the TMP declares that there is scientific uncertainty over the cumulative effects of human recreation on bighorn populations. Considering that nine of the eleven studies cited concur that there is indeed negative impact, this is a peculiar interpretation. CDFG justified the closure of trespass trails on state lands in 2001 based on some of the same literature (see attached memo). Indeed, all 11 of the studies find negative impacts to sheep from improperly managed or ill-timed human recreation.

Conclusion: Make needed changes, or we'll likely see you back in court.
For the reasons listed above, the DEIS does fall far short of complying with the recovery plan for the Peninsular bighorn sheep and the Endangered Species Act; nor does it provide a sufficient range of alternatives under NEPA. However, Alternative C is the best of the four alternatives offered. It creates 23,631 acres of Areas of Critical Environmental Concern (ACECs), more than any other alternative. And it institutes considerable restrictions on grazing and ORV use, which are essential to safeguard biological diversity and visitor experience within the monument.

PC 166
PC 173

Only Alternative C (with the significant modifications detailed above) would adequately protect ecological resources within the planning area, and more specifically move the BLM towards compliance with the recovery plan for the Peninsular bighorn sheep, a plan to which it is a legally bound signatory.

PC 166
PC 173

We'd much prefer to support BLM on a solid conservation plan for the Coachella Valley, unfortunately what BLM currently offers as its preferred alternative is fully unsupportable.

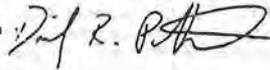
We sincerely hope BLM will take these comments seriously and follow our suggestions, otherwise we will likely be seeing BLM again in court soon to correct the serious flaws in this plan. Please keep us fully informed as this process evolves.

We welcome the opportunity to meet in Palm Springs with the State Director, District Manager, Field Office Manager, USFWS and CDFG to sincerely attempt to resolve our concerns. Please let us know if you are interested in such a meeting so we may schedule it at the earliest mutually convenient time.

Thank you,

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

Daniel R. Patterson
Desert Ecologist



/s/ Brendan Cummings
CBD Staff Attorney

/s/ Jonathan Cook
CBD Desert Conservation Intern

/s/ Jason Swartz
Conservation Associate
California Wilderness Coalition
2655 Portage Bay East, Suite 5
Davis CA 95616

cc: Mike Pool, BLM California State Director
USFWS
CDFG

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DANIEL R. PATTERSON, DESERT ECOLOGIST
POB 493 IDYLLWILD CALIFORNIA 92549
909.659.6053 x 306 TEL / 659.2484 FAX
DPATTERSON@BIOLOGICALDIVERSITY.ORG • WWW.BIOLOGICALDIVERSITY.ORG

State of California

The Resources Agency

Memorandum

To : Dee Sudduth
California Department of Fish and Game

Date: December 28, 2001

From : Department of Fish and Game - Kevin Barry Brennan

Subject: Emergency Closure of Carrizo Canyon and Magnesia Springs Ecological Reserves
and the Gate to the Art Smith trailhead parking lot from January 1 to June 30, 2002

Dead Indian Canyon and Carrizo Canyon previously supported a large sub-population, or deme, of peninsular bighorn sheep in the Northern Santa Rosa Mountains. This area once supported up to 30 animals but appears to have been extirpated in the 1980's. The area was recently re-colonized and now supports at least three ewes and 4 rams and a yearling ram.

Carrizo Canyon and Magnesia Springs Ecological Reserves are located in this portion of the species range. These Ecological Reserves were acquired by the State to provide protection for peninsular bighorn sheep, a federally endangered and state-listed threatened species. This same area was also established by the Department as the Santa Rosa Mountains Wildlife Area. This designation was recognized in the, "Santa Rosa Mountains Habitat Management Plan, a Sikes Act Project" (1980). This plan provided management goals and objectives for Department, and Bureau of Land Management, administered lands in the Santa Rosa Mountains. The Wildlife Area was to be managed for the *primary* benefit of bighorn sheep.

Two unauthorized trails trespass across lambing habitat on the Ecological Reserves and Wildlife Areas. Construction of these trails has occurred without the benefit of environmental review or the necessary state and federal approvals. The Art Smith Trailhead parking lot was also constructed on Department lands without authorization. There are not any records that would support the authorization of these trails and parking lot or their use; consistent with state law, regulation or policy. The department had previously committed to resolving these trespass issues within the plan in 1980 but little if any progress has been made.

These trespass trails have been listed in the recovery plan as trails that require management to reduce human impacts on bighorn sheep near water sources and during lambing season. Studies have shown (see additional comments enclosed) that human activities can disrupt normal behaviors of bighorn sheep and cause habitat abandonment. This position was supported in a letter dated Nov 20, 2001 from the Service to the Department. I concur with the Service on this issue and support the seasonal closure of Carrizo Canyon and Magnesia Spring Ecological Reserves from January 1 to June 30, for the protection of peninsular bighorn sheep during lambing season (see enclosures).



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Additional Comments on the Justification for Emergency Closures
of State Ecological Reserves and Wildlife Areas
for the Protection of Peninsular Bighorn Sheep

In 1974 the California Department of Fish & Game (Department) provided a population estimate of 1,171 bighorn sheep, in the peninsular ranges of California (Weaver 1975). The Santa Rosa Mountains once had the largest population of bighorn sheep in the state (Weaver and Mensch 1970). Carrizo Canyon and Dead Indian Canyon supported a large portion of the Santa Rosa Mountains population (Blong and Pollard 1968) and ewes and lambs were readily observed along the canyon walls up until the early 1980's (DeForge pers. comm). During the 1950's and 60's, naturalists and biologist warned of impending threats to the bighorns continued existence from real estate development, water diversions and human use (Tevia 1959, Blong 1967). In 1977 Department Wildlife Biologist Vern Bleich, commented on an illegally constructed trail trespassing upon state and federal lands in Dead Indian and Carrizo Canyons. This trail is now known as the Art Smith Trail. The Department and Bureau of Land Management subsequently agreed to resolve all know trespass issues, including trails, in the Santa Rosa Mountains Wildlife Habitat Management Plan, a Sikes Act Project (Sikes Act Plan) (USDI 1980).

Peninsular bighorn sheep populations began to decline in the early 1980's. This decline followed years of poor lamb recruitment and survival in the San Jacinto and Santa Rosa Mountains (DeForge et al 1982). Only 400 animals remained in the peninsular ranges by 1992, the year the United States Fish & Wildlife Service (Service) proposed listing the species as endangered (USFWS 1992). The population reached a low point in 1996 of just 276 animals in the entire peninsular range. In March of 1998 bighorn sheep populations in the peninsular ranges were listed as an endangered species. Listing was warranted due to the continued decline of the species and the synergistic effect of development, disease, predation and recreation (USFWS 2000).

Bighorn sheep are often described as a wilderness species because populations do not persist well next to urban areas (Leopold 1933). Bighorn sheep population in the Sandia Mountains near Albuquerque, New Mexico and the Santa Catalina Mountains near Tucson, Arizona both became extirpated following years of anthropogenic disturbances (Etchberger et. al 1989, Krausman et al 1989, Krausman 1993, Krausman et al 1995 Krausman et al 2000). Contributing to their demise were real estate developments in sheep habitat (Krausman 1993) and subsequent increases in recreational use of sheep habitat by hikers and dog walkers (Schoenecker 1997).

In California, bighorn sheep within the Santa Rosa Mountains abandoned habitat around springs as a result of continued human disturbance and harassment (Blong 1967) and abandoned a lambing and watering area following a period of human activity (DeForge and Scott 1982). In the San Bernardino Mountains of California, bighorn sheep abandoned suitable habitat and remained out of sight of ski areas, developments and other human activities (Light and Weaver 1973). Human activities cause bighorn sheep to temporarily abandon a mineral lick in the San Gabriel mountains of California (Hamilton et al 1982). Habitat abandoned by bighorn sheep in the Santa Catalina Mountains of Arizona, was observed to have greater human disturbance than occupied habitat (Etchberger et al 1989). Bighorn sheep have generally not shown resilience to interactions with humans in their habitat (King and Workman 1986).

A number of studies have described the negative effects of human disturbance on normal behaviors of desert bighorn in the Southwest. In Southeastern Utah, researchers observed that

bighorn inhabiting areas with a history of human activity were more sensitive to disturbance than bighorn sheep in undisturbed areas (King and Workman 1986). Bighorn sheep reactions to the presence of humans resulted in the disruption of normal feeding behaviors, and ewes with 2 week old lambs were observed running several miles to avoid people (King and Workman 1986).

Bighorn sheep in Arizona were observed to be intolerant of hikers within 200 m of their position and exhibited greater flight response the closer the proximity to disturbances (Miller and Smith 1985). In Canyon Lands National Park, bighorn sheep responses were most severe to hikers during the spring months (Papouchis 1999). These disruptions caused habitat abandonment that resulted in an approximate 15% loss of available habitat. Researchers recommended that lambing habitat should be closed to all hiking during lambing season and trails should not be constructed in lambing habitat (Papouchis 1999).

What we have been able to ascertain from these studies is that bighorn sheep alter their behavior in response to human disturbance (USFWS 2000). These disturbances have resulted in extirpations, habitat abandonment and disruption of normal, breeding, feeding and sheltering behaviors. This range abandonment, and curtailed use of habitat from harassing activities represents a functional loss of habitat; reducing the amount of forage, water and living space available for recruitment and recovery of bighorn sheep. Ongoing research is studying the effects of recreational activities on bighorn sheep populations in the San Jacinto and Santa Rosa Mountains. In the interim, we do not have examples of human activities having neutral effects on bighorn sheep to base our management decision upon, or information that would support continuing trespass on Department lands managed for the benefit of bighorn sheep.

The Department has never authorized or designated the construction of trails on State Ecological Reserves or Wildlife Areas in the Santa Rosa Mountains. The Bureau of Land Management (Bureau) never received authorization from the State to construct the Art Smith trail and trailhead on Carrizo Canyon Ecological Reserve. Within the Sikes Act Plan (USDI 1980), vehicle entry was also prohibited along the entire length of both Dead Indian and Carrizo Canyons where the parking lot is located. The Bureau did not properly coordinate or consult with the Service and Department regarding this trespass and has displayed a history of willful intent to evade this issue. Examples include:

In an internal memo, Bureau realty agent, William M. Selman, encouraged Bureau management staff not to consult with State wildlife biologists on the construction of the Art Smith trailhead parking lot.

A wildlife biologist for the Bureau, Gavin Wright, admitted in an e-mail message, dated February 18, 2000, that the Bureau violated the Endangered Species Act when it failed to consult with the United States Fish & Wildlife Service on the construction of the Art Smith trail head and parking lot.

In March of 2000 a Bureau employee vandalized a Department lock and chain on a gate at Carrizo Canyon Ecological Reserve to provide recreationists parking access.

Most recently, the Bureau's Area Manger for the Palm Springs office issued a decision notice and Environmental Assessment for the continued use of the Art Smith trailhead without providing the opportunity for public comment or consulting with the Service and Department.

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This lack of consultation and coordination by the Bureau was noted in Service comment letter of February 7, 2001. As a result of these activities, an appeal has been filed by PEER against the Bureau. Legal action is now pending absent a response to this appeal.

On March 1, 2001 the Bureau supported the closure of the Art Smith trailhead in a signed Settlement Agreement, and any position to the contrary would represent a contemptuous action on the Bureau's part. As a matter of law, regulation and policy, the Department and Service has supported the closure and management of the Art Smith trail and parking lot. Caltrans has already posted "no parking" and "emergency parking only" signs outside of the parking lot and along highway 74 to relieve any concerns regarding traffic safety at this location. We must now follow up on our previous commitments and management responsibilities to close these areas to public access for the recovery of peninsular bighorn sheep.

The Department's authority and responsibility to properly manage endangered species and State Ecological Reserves are elucidated within the Fish and Game Code and the California Code of Regulations, Title 14. The Department has the jurisdictional responsibility to manage habitat for biologically sustainable populations of wildlife (Fish & Game Code, Sec. 1802). It is also the policy of the State to conserve and protect endangered species and their habitats and to acquire lands for habitat of endangered species (Fish & Game Code, Sec. 2052).

The Fish & Game Commission (Commission) has established the following policy on endangered species:

ENDANGERED AND THREATENED SPECIES: It is the policy of the Fish & Game Commission to: Protect and preserve all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates and plants and their habitats, threatened with extinction; or those experiencing a significant decline which, if not halted, would lead to threatened or endangered designation. The Department will work with all interested persons, agencies, and organizations to protect and preserve such sensitive resources and their habitats.

The Commission's policy regarding department lands is:

MULTIPLE USE OF LANDS ADMINISTERED BY THE DEPARTMENT OF FISH AND GAME: It is the policy of the Fish and Game Commission that: Lands under the administration of the Department be made available to the public for fishing, hunting or other forms of compatible recreational use and for scientific studies whenever such uses will not [emphasis added] unduly interfere with the primary purpose for which such lands were acquired.

Ecological Reserves were acquired for the protection of threatened and endangered species and public use of Ecological Reserves is to be compatible with the primary purpose of such reserves (California Code of Regulations, Title 14, Section 630). It is unlawful to enter upon Ecological Reserves except in accordance with commission regulations (Fish & Game Code, Sec. 1583). The Fish and Game Commission has granted the Department discretionary authority to control access on Ecological Reserves and Wildlife Areas (Title 14, Sec. 630 (a) (1)(10) and Sec., 550 (b)(1)(2)).

The Department had previously committed to resolving trespass trails in the Sikes Act Plan. The Department also agreed to recovery actions that seasonally limited trail use in sensitive habitat areas in the Recovery Plan. There has been a history of bighorn sheep populations declining

following increased human use of sheep habitat in situations similar to the one we are now facing in the San Jacinto and Santa Rosa Mountains. Despite early warnings and cautionary notes from wildlife biologists, a management response has not been realized as the decision has been deferred for decades. The Department made a commitment to the U.S. Fish and Wildlife Service to pursue the necessary authority to close the Art Smith trailhead and parking lot and we now know that we possess that authority. Given the well established policies and mandates the appropriate response by the Department should be to seasonally close the Ecological Reserves and Wildlife Areas. We know what the right thing to do is – now we just have to do it.

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THE PIONEER RIDING CLUB OF PALM SPRINGS
FOUNDED 1930
POST OFFICE BOX 4063 PALM SPRINGS CALIFORNIA 92263

September 3, 2002

James G. Kenna
Field Manager
Bureau of Land Management, Palm Springs-South Coast Field Office
United States Department of the Interior
690 West Garnet Avenue
P.O. Box 581260
North Palm Springs, California 92258-1260

Re: 1610P CA660.21, Draft Environmental Impact Statement Comments.
Replaces August 30, 2002 Comments.

Dear Manager Kenna:

On behalf of the Desert Riders approximately 120 person membership and the Desert Riders Trails Fund, Inc., we make the following comments regarding the Draft Environmental Impact Statement for the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley and the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan, dated June 2002.

Desert Riders

Desert Riders is a horse trail riding club that was organized in Palm Springs in 1930. Palm Springs then had a population of 1,040 and residents simply referred to it as "the village". By 1932 Desert Riders began to construct, maintain and improve trails in the Santa Rosa and San Jacinto Mountains. Tens of thousands of volunteer hours from Desert Rider members and hundreds of thousands of dollars of Desert Riders funds have been used to construct, improve and maintain the trails in the Santa Rosa and San Jacinto Mountains since 1932. This year, a number of the major trails are in disrepair and suffering from erosion because BLM has not allowed Desert Riders access to perform their annual maintenance.

Existing Land Use

Desert Rider regular use of the trails in the Santa Rosa and San Jacinto Mountains, as well as the construction, improvements and maintenance to trails preceded the Taylor Grazing

DON ABEL
Roundup Boss
LILLO KLEIN
Sirena Boss
BARBARA ADY
Buck Boss
PATTY WHITE
Top Wrangler
JAKE FLOWERS
HARVEY HOLTZ
Rigs Bosses
CHARLOTTE BIRKLE
Chuck Wagon Boss

Directors
BILL CORBETT
CAROLE GANS
BILL HILLMAN
KC JOHNSON
JOHN SCHOETTLE
CATHY WEISSMAN
CLARA BURGESS
(Emerita)

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Act of 1934. Those regular activities also preceded formation of the BLM in 1946. For over 70 years, thousands of tourists, boy and girl scouts, hikers and riders have safely enjoyed their public lands on trails financed, constructed, and maintained by Desert Riders. Forest Service personnel have used the trails for fire control and the County Sheriff for rescues and patrol. Desert Riders have earned consideration for their regular contributions to the public good. BLM has not required Desert Riders to have a permit in the past. However, that does not mean that Desert Rider annual rides of over twenty-five people and establishment of public right-of-ways does not become a grand fathered right.

Affected Environment - 3.9 Cultural Resources

Pursuant to Section 110 of the National Historic Preservation Act, BLM is required to identify and preserve historic properties. Historic Properties are those cultural resources which are found to be eligible for listing on the National Register of Historic Places. Historic properties include trails. You have received testimony perpetuated by court order to this effect and Desert Riders is willing and able to provide documentation of historical use of this resource.

The trails constructed, improved and maintained by Desert Riders are culturally significant to the settlement of the desert, to the Native American Cahuilla, and to the era in which Palm Springs was a mecca for cowboys and movie stars. A substantial number of trails on BLM managed lands carry the names of Desert Rider members (i.e. Art Smith, Boo Hoff, Lykken, Shannon, etc.). A number of published books recount the value of the Desert Rider trails. At least one book, "Favorite Trails of Desert Riders", approximately 240 pages in length, describes the trail locations, the history, the value of the trails to desert history, and cultural value to the Native American Cahuilla culture. Historical districts have been designated on less. Desert Riders contends that the trails are eligible for listing on the National Historic Register and should be preserved according to federal law.

Affected Environment - Desert Riders Trails Fund, Inc. Property off of Dunn Road

Desert Riders Trails Fund, Inc. owns property in the Santa Rosa Mountains located off of the Dunn Road. The property has been designated Critical Habitat for Bighorn Sheep. Desert Riders, like many other stakeholders, were adversely affected by BLM's settlement of the Center for Biological Diversity where BLM willingly closed Dunn Road and fostered the way for servient easement holders on Dunn Road to deny access to privately held easements. BLM neither consulted with stakeholders nor with property owners. BLM's secret settlement severely limited Desert Riders ability to access its property freely. BLM should diligently pursue reopening Dunn Road both for property owners and for limited use by visitors to the Santa Rosa/San Jacinto Mountain National Monument. The Chairman of the Trails and Access Committee for the Monument supports paving the Dunn Road for visitor access to the Monument. Desert Riders supports that proposal.

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Planning Criteria - Revised Statute 2477 (R.S. 2477) 43 U.S.C. Section 932:

On April 2, 2002 the Riverside Board of Supervisors adopted Resolution 2002-118 stating that the County and the public have acquired right-of-ways pursuant to R.S. 2477 in those certain ways provided by California State and Federal law. Although repealed by the Federal Land Policy and Management Act of 1976 ("FLPMA"), existing rights of way are exempt from repeal. Many of the trails proposed for closure are public right-of-ways established by Desert Riders existed on *federal* public land "not reserved for public uses" prior to 1976. All trails on the attached list except the Victor Trail, Hahn Trail, Bud Furer Trail and Clara Burgess Trail, were constructed or improved and maintained prior to enactment of the ESA.

The Collaborative Planning Process

BLM has lauded it's inclusion of stakeholders in the public process. However, to assure real public participation, BLM must look at the process implemented by the USFWS Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California because it is that recovery plan and designation of "Critical Habitat" for sheep that is the justification for trail closures and limiting access to the Santa Rosa and San Jacinto Mountains. Contrary to USFWS policy for adopting recovery plans (Federal Register, Volume 59, page 34272, July 1, 1994) Desert Riders was not identified as a stakeholder and consulted during the sheep recovery plan process. Desert Riders both owned property in the area designated "Critical Habitat" and since 1932, constructed, improved and maintained the majority of significant trail right-of-ways in the Santa Rosa and San Jacinto Mountains. This 70 year history of consistent construction, financing, and use of trails in the Peninsular Ranges makes Desert Riders substantial stakeholder in the public planning process.

In addition, Desert Riders, because of their regular use of the back-country trails since 1930 has valuable information about the historic prevalence and behavior of sheep that predate Dick Weaver. The failure to identify Desert Riders as a stakeholder and include them in consultation left the Peninsular Bighorn Sheep Recovery Team and Plan deficient.

Collaborative Process 5.5 Trails Plan Alternatives

BLM's primary justification for closing trails stems from the sheep recovery plan and the Center for Biological Diversity/Sierra Club lawsuit and settlement agreement. The Trails Plan "Alternative B" merely adopts the recovery plan recommendations. As here, Desert Riders is not truly a participant in the process, we are simply allowed to make comments to which BLM's only duty is to respond.

The "Alternatives" for the Trails Plan posited by BLM, are less alternatives than degrees of restrictiveness applied to the same proposition. There are no creative alternatives that would achieve the same goals. One such alternative would be to confine foot and equestrian travel to

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trails with no trail use between sunrise and sunset. This alternative allows trail use and periods of non-use permits full use of the habitat by sheep, which according to the Recovery Plan and published scientific literature are diurnal. Sheep can predict when there will be people present and where they will be present in the 844,897 acres currently designated as Critical Habitat. That and other alternatives were never considered. To ensure their compliance with the National Environmental Policy Act of 1969, BLM must take a critical look at its narrow development of "Alternatives" which offer no real options. Genuine compliance with NEPA would have provided a broader range of trail use alternatives.

BLM Biologist

It is BLM's duty as a multi-resource manager to review the integrity of the science set forth by USFWS for limiting multiple uses. BLM has made strides towards overseeing USFWS advocacies by hiring their own Bighorn Sheep Biologist, Rachelle Lorton-Huddleston. She has made monumental efforts to bring science objectivity into the sheep recovery. She can be commended for acknowledging evidence that local sheep can and do habituate to human activity. There are any number of biologists representing the state and federal governments that not acknowledge that ewes bringing their lambs down in desert neighborhoods to drink and eat foreign vegetation is behavior indicating that these desert bighorn sheep can and do habituate to humans. Most importantly, Rachelle does not discount the potential effects of her own research activities, which are forms of human disturbances, on sheep.

Rachelle's intellectual honesty is in stark contrast to other biologists findings in the sheep Recovery Plan that states that collaring, breeding in captivity, stalking, pursuing, and capturing sheep do not have a negative impact, USFWS Recovery Plan, page 40. The published literature has clearly revealed the deleterious effects of helicopter surveys in two ways: First, experimentally, Bleich et al. (1994) showed abandonment of areas during helicopter surveys and that "mountain sheep" did not habituate or become sensitized to repeated helicopter flight. Second, Martucci et al. (1992) demonstrated "severe metabolic acidosis due to helicopter supported capture and manual restraint during blood sampling". This has led to cases of capture myopathy, a permanently debilitating condition. Fatalities resulting from helicopter capture are approximately 1-2% of the captured animals. This is clearly "take" under the ESA. If trail use with no clearly demonstrated deleterious effect is subject to temporary or permanent closures, then both helicopter surveys and capture on BLM land should be banned until these sheep are no longer endangered.

Trails Plan Alternatives - Interpretation of Science

There are fundamental problems with the science supporting BLM actions. BLM continues to misconstrue studies by, among others, MacArthur et al. (1979 and 1982), Papouchis et al. (2000) and Krausman et al. (2000) cited for propositions regarding human interactions with sheep. For example, MacArthur et al. (1979) found using experimental disturbance that "in most

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trials with or without a leashed dog, heart rate responses were not detected until a person was within 50 meters of a ewe. Yet this citation is used in support of a generalized statement about bighorn sheep exhibiting elevated heart rates and demonstrating adverse reactions to humans. Although the Draft EIS acknowledges cardiac responses at a distance of 50-100 meters, the perception the Draft EIS perpetuates is that any human activity in sheep habitat will have a deleterious effect on sheep no matter what the distance. Desert Riders has asked bighorn sheep specialist Dr. Rob Roy Ramey II to prepare an analysis of human disturbance literature an analysis of which will be provided to you and CVAG prior to adoption of the trails plan. This analysis will detail the scientific inference used in each cited paper.

First, it appears that all alleged scientific information receives the same weight and credibility. In reference to the above-mentioned research, it is important to distinguish opinion and correlative studies from experimental studies that have been conducted to potentially disprove a hypothesis. Few of the studies fit into the latter "experimental" category of strong scientific inference. Krausman's approach is primarily correlative and secondly, opinion, yet correlation is not equal to causality and opinion is not science unless alternative hypotheses are articulated, as are the criteria for refutation. Krausman et al. (2000) does not fit the criteria of scientific study. It is opinion and interpretation without hypothesis testing. Indeed populations of desert bighorn sheep have disappeared simultaneously with population growth. Importantly, there are also populations of desert bighorn sheep that disappeared where no urbanization has occurred.

Second, when a researcher purposefully creates a "stressful" situation to cause a reaction, the outcome must be considered in the context of the artificial nature of the situation. This has important implications to the meaning of MacArthur and Papouchis sheep studies. Both researchers intentionally tried to obtain a reaction from sheep and did by directly approaching sheep. Papouchis did find that sheep grazed away from regularly used roads, but not that it created stress on sheep and there was no demonstrated population level effects on fitness. As sheep have demonstrated in Rancho Mirage, sheep will co-mingle with people and, occasionally, dogs to obtain food and water.

Personal Communications in Lieu of Science

Although not directly acknowledged in the Draft, personal communications supplied a significant amount of scientific justification for the sheep recovery plan, designation of Critical Habitat and trail closures. These alleged scientific citations perpetuate a mythology that human disturbance occurs and is deleterious even if humans undertake benign recreation activities in bighorn habitat. This mythology is not science and must be winnowed from the Draft EIS.

Researcher Activities are Human Disturbance

The Draft states that certain recreational human interactions are stressful to sheep

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sufficient to" ...suggest the possibility of contribution to population level effects.", Page 1-4 Draft EIS. The wording itself describes the tenuousness of the link between recreational activities and effect on sheep. Both USFWS and BLM are stretching to find even a scintilla of evidence to link on-trail recreational use and either sheep demise or sheep recovery. The peer-reviewed experimental literature demonstrates only a narrow corridor of potential physiologic or behavioral effect if people leave trails to approach nearby bighorn sheep (50 meters). There is no evidence to date, either direct or indirect to support sheep population level effects by on-trail use. Such an assertion is pseudoscientific and is in the realm of "belief" without experimental evidence.

If indeed the BLM chooses to accept the USFWS's selective review of scientific literature and "human disturbance" bias, BLM must look at researcher activity anew and make a determination as to whether that researcher activity is similar to another type of human activity being restricted or prohibited. One classic example is that "foot surveys are not typically considered a risky research activity..." especially if researchers remain lower than the sheep, do not surprise the sheep by appearing suddenly, and water sources are avoided (USFWS Recovery Plan Appendix D, page 197). This research off-trail activity is precisely the activity Papouchis et. al. (2000) studied and cited as causing stress to sheep, yet this activity is allowed while benign on-trail use is restricted or prohibited. There is a disconnection in the logical thinking here by both USFWS and BLM.

Additionally, numerous other highly stressful, activities associated with pursuit and capture are thought to have "no negative impacts", USFWS Recovery Plan, page 40. In order to rehabilitate public confidence in the proposed actions, BLM needs to devote a section of the EIS to researcher activities, gather the scientific studies point out where science is lacking and apply the same standards of evaluation to both recreational and invasive research activities. Without these same standards being applied, not only is NEPA being violated but equal protection of all persons under the law.

Science Missing From the EIS and Recovery Plan

A more ominous environmental change is upon both bighorn sheep and humans caused by global climate change. Both the Draft EIS and Recovery Plan ignore this very real threat to bighorn sheep recovery in the Peninsular Ranges. The Recovery Plan made no mention of geochemical change in the environment and its effects of bighorn nutrition. Both of these environmental changes are very real "emerging environmental threats" that have scientific evidence to support them, yet these documents implicitly assume a static, unchanging view of the "natural world". For both BLM and USFWS not to consider management action within the context of these very real environmental changes is both negligent and a violation of NEPA.

Conclusion

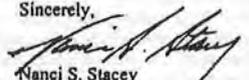
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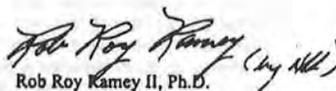
The trails in the Santa Rosa and San Jacinto Mountains have significant cultural value to the Native American Cahuilla culture and to the history of the Desert Cities, particularly Palm Springs. The use and development of trails by Desert Riders predates BLM. Public rights-of-way were established pursuant to R.S. 2477 should be recognized in accordance with federal law. Furthermore, when USFWS representative and recovery team member, Pete Sorensen, was asked by a National Monument Committee member in public meeting Saturday, April 6, 2002 what harm horseback riders riding on trails had on sheep, Sorensen's reply was that there was likely, none. Desert Riders requests that BLM modify its EIS and Draft Trails Plan accordingly to permit monitored trail through out the year and to make provision for trail rides with numbers greater than twenty-five which have been a tradition for Desert Riders prior to the existence of BLM.

Thank you for the opportunity to comment on the Draft EIS.

Sincerely,


Nancy S. Stacey
Executive Director
Desert Riders Trails Fund, Inc.

and


Rob Roy Kamey II, Ph.D.
Pro bono Science Advisor to
The Desert Riders

NASS/as

enc.

cc: Don Abel, President, Desert Riders
Gary Klein, President, Desert Riders Trails Fund

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Santa Rosa and San Jacinto Trails
Constructed, Improved, Used and Maintained by Desert Riders

Cahuilla Trails Improved and Maintained

1. Dripping Springs Trail
2. Vandevanter Trail
3. Palm Canyon Trail
4. Murray Canyon Trail
5. Andreas Canyon Trail
6. West Fork/Pelton Trail
7. Art Smith Trail
8. Boo Hoff Trail
9. Eagle Canyon Trail
10. Pond Trail

Trails Improved since the 1920's, 1930's and 1940's

1. Lykken Museum Trail
2. Maynard Mine Trail
3. Wildhorse Trail
4. Araby Trail

Trails Constructed by Desert Riders Prior to 1973

1. Alexander Trail - 1963
2. Garstin Trail - 1963
3. Shannon Trail - 1964
4. Henderson Trail - 1968
5. Coffman Trail - 1968
6. Berns Trail - 1971
7. Lykken Trail North - 1972

Trails Constructed by Desert Riders Prior to 1976

1. Victor Trail - 1974

Other Trails Constructed by Desert Riders

1. Hahn Trail
2. Bud Furer Trail
3. Clara Burgess

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Rocky Mtn News
8/21/02
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Denver biologists toss and turn over declining count of Mongolian sheep

By Jim Erickson

Rocky Mountain News

Several Denver area biologists will fly to Mongolia today to place tracking collars on argali sheep, relatives of the Rocky Mountain bighorn that are declining due to poaching and competition with goats.

Argalis are found throughout central Asia and can grow to be twice the size of a bighorn. Some males tip the scales at 400 pounds, with large, spiraling horns prized by big game hunters and practitioners of Chinese herbal medicine.

In Mongolia, the argali population has plummeted since the mid-1980s and is currently estimated at 17,000 to 18,000 sheep, said Richard P. Reading, director of conservation biology at the Denver Zoo.

The numbers are estimates, but the trend is real. They are declining rapidly, Reading said.

Reading and several other Denver area researchers want to test

the feasibility of capturing and re-locating argalis to boost Mongolian populations. The practice has been used on several thousand Rocky Mountain bighorns since the 1970s.

In the West, biologists often net bighorns from helicopters, then transport them by truck to Mongolia's Obshi Desert, the biologists will fly a "low-tech" approach: stalking the animals on foot and darting them with tranquilizers.

"We want to take something



An argali sheep. Several Denver researchers are flying to Mongolia today to study this sheep species, which is related to the Rocky Mountain bighorn.

that worked really well here and apply it here to get the sheep back into areas where they used to live because of poaching and competition with domestic sheep and goats," said Rob Roy Ranby of the Denver Museum of Nature & Science.

Ranby leaves for Mongolia today and is taking 13 radio-tracking collars with him. The collared animals will be tracked to determine how far they travel and what habitat they occupy. The expedition is sponsored by the museum, the Denver Zoo and the Mongolian Academy of Sciences. The International Sheep Hunters Association also

is providing funds. The game numbers pay up to \$100,000 for a single argali. Reading said.

"We're not hoping the large amount of money that is being generated by trophy hunting can be put toward conservation of the animal," he said. "The idea is to set aside protected areas and pay for rangers."

Transplanted sheep could then be moved into the protected areas to boost populations that are being restored, Reading said.

Argalis are listed as "threatened" on the endangered species list.

Erickson@RockyMountainNews.com or (303) 492-5123

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COMMENTS ON COACHELLA VALLEY PLAN/EIS

Attention: James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
690 West Garnet Avenue
Palm Springs, CA 92258-1260
Emiguez@ca.blm.gov

Re: Draft EIS for the Proposed California Desert Conservation Area Plan
Amendment for the Coachella Valley and the Proposed Santa Rosa and San
Jacinto Mountains Trails Management Plan

Dear Mr. Kenna:

This firm represents the San Diego Off-Road Coalition ("SDORC"), the Off-Road Business Association ("ORBA"), and the California Off-Road Vehicle Association ("CORVA"), each of which is committed to preserving public recreational opportunities in the Coachella Valley Planning Region of the California Desert Conservation Area (the "CDCA"). On behalf of SDORC, ORBA, and CORVA, we have reviewed the Draft EIS for CDCA Plan Amendments for the Coachella Valley (the "EIS") to determine whether it complies with the National Environmental Policy Act ("NEPA") and with the Federal Land Policy and Management Act ("FLPMA").

As we demonstrate below, the Coachella Valley EIS is defective in many respects and fails to satisfy NEPA and FLPMA. For example, the document does not clearly articulate a "preferred alternative" or discuss intelligibly that alternative's potential impacts on the environment. The reader is left to wonder what BLM has actually proposed and what will happen when the preferred alternative (whatever it may be) is implemented. In addition, the EIS continues the now-familiar pattern of making sweeping, unsupported statements regarding off-highway vehicle ("OHV") impacts on desert resources. The EIS also understates the effects that some Alternatives will have on public recreation in the Coachella Valley. Finally, the EIS fails

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to demonstrate that closing additional OHV routes and use areas is necessary to protect or aid in the recovery of any listed species, including the Desert Tortoise and the Peninsular Range Bighorn Sheep. Additional defects in the EIS are described in sections II and III of this Comment Letter.

I. NEPA AND FLPMA REQUIREMENTS

A. The National Environmental Policy Act (NEPA)

NEPA (42 U.S.C. sections 4321, *et seq.*) was enacted in 1969 to "declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality." 42 U.S.C. § 4321.

To meet this policy objective, NEPA imposes certain duties on federal agencies when they are contemplating taking a "major Federal action" that may have an impact on the human environment. A "major Federal action" is broadly defined and includes "[a]pproval of specific projects, such as construction or management activities located in a defined geographic area," as well as actions approved by permit or other regulatory decisions. 40 CFR § 1508.18(b) (4). Prior to taking such an action, the federal agency must prepare a report which evaluates the environmental consequences of that action. This report must "utilize a systematic interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment." 42 U.S.C. § 4332(A).

For smaller projects, the report may come in the form of an Environmental Assessment ("EA"), ultimately leading to a Finding of No Significant Impact ("FONSI"). 40 CFR § 1501.4. However, for larger projects, or for projects whose EA identifies potentially significant impacts, the federal agency must prepare a more thorough report, known as an Environmental Impact Statement ("EIS"). 40 CFR § 1501.4. In compliance with this requirement, BLM has prepared an EIS for the proposed Coachella Valley Plan.

Under NEPA, this EIS must describe the following: (1) the environmental impacts of the proposed action; (2) any adverse environmental effects which cannot be avoided should the proposal be implemented; (3) alternatives to the proposed action; (4) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and (5) any irreversible and irretrievable commitment of resources which would be

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involved in the proposed action should it be implemented. 42 U.S.C. § 4332(c). Measures that might mitigate the impacts of the proposed action must also be discussed in the report. 40 CFR § 1502.14(f). And where there is a conflict over how certain public lands are to be used, NEPA demands that the federal agency — in this case, BLM — “study, develop, and describe appropriate alternatives to the recommended courses of action.” 42 U.S.C. § 4332(E). Perhaps most important of all, the EIS “shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made.” 40 CFR § 1502.2(g).

The technical rigor with which the EIS is prepared is also dictated by statute. For example, 40 CFR § 1502.24 provides that federal agencies

“shall insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements. They shall identify any methodologies used and shall make explicit reference by footnote to the scientific and other sources relied upon for conclusions in the statement.”

Further, the agency cannot duck this obligation by claiming that the necessary technical evidence is incomplete or unavailable. In such situations, NEPA requires the following:

“(a) If the incomplete information relevant to reasonably foreseeable significant adverse impacts is essential to a reasoned choice among alternatives and the overall costs of obtaining it are not exorbitant, the agency shall include the information in the environmental impact statement.” 40 CFR § 1502.22(a).

If the cost to obtain the required information is “exorbitant,” the agency need not insert it into the document. However, in such situations, the agency must include the following in the EIS:

- (1) a statement that such information is incomplete or unavailable;
- (2) a statement of the relevance of the incomplete or unavailable information to evaluating reasonably foreseeable significant adverse impacts on the human environment;
- (3) a summary of existing credible scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts on the human environment; and

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- (4) the agency’s evaluation of such impacts based upon theoretical approach or research methods generally accepted in the scientific community. 40 CFR § 1502.22(b)(1).

Ultimately, the EIS must demonstrate that the agency has taken a “hard look” at the environmental consequences of the proposed action, and has given full consideration to alternatives and mitigation measures that would eliminate, avoid, and/or sufficiently reduce those impacts. If it fails to make such a demonstration, the EIS is legally inadequate and cannot support the proposed action.

As will be discussed below, the Coachella EIS fails to provide adequate scientific data with respect to the proposed “action” and its environmental impacts, especially as those impacts relate to public access and recreation. Further, the EIS fails to consider reasonable alternatives and mitigation measures that would allow BLM to meet its conservation goals without further restricting OHV use and the many recreational activities that depend on OHV access. As a result, the EIS is legally deficient and may not be used to support the proposed Coachella Plan.

B. The Federal Land Policy and Management Act (FLPMA)

As its name indicates, the FLPMA was enacted in 1976 to give the Department of the Interior, through BLM, the ability to set policy for and manage public lands owned by the United States Government, including those located in California. However, BLM was not to set policy and make management decisions on its own, but was to do so with input from the public. 43 U.S.C. § 1712(a) and (f).

Under the FLPMA, all BLM decisions must be guided by the “multiple use” and “sustainable yield” principles set forth in the statute’s “Congressional declaration of policy.” 43 U.S.C. §§ 1701(a)(7), 1732(a). The term “multiple use” means the “management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people” 43 U.S.C. § 1702(c). “Multiple use” also means a “combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values” *Ibid.* The FLPMA also requires that BLM protect the environment while also providing “for outdoor recreation and human occupancy and use” of the public lands. 43 U.S.C. § 1701(a)(8).

To discharge its duties under the FLPMA, BLM must prepare management plans setting forth the uses allowed on the various lands within BLM’s jurisdiction. These plans must

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be developed with public involvement and must be consistent with the terms and conditions of FLPMA. 43 U.S.C. § 1712(a). (Emphasis added).

When developing or revising a land use plan, BLM must observe the principles of multiple use and sustainable yield, and employ a "systematic interdisciplinary approach to achieve integrated consideration of physical, biological, economic, and other sciences." 43 U.S.C. § 1712(c). Further, BLM must make every effort to conform its land use plan with the land use plans of state and local governments. *Ibid.* Again, as we will demonstrate below, the Coachella Plan and its EIS fail to satisfy these basic requirements of the FLPMA.

II. GENERAL COMMENTS ON THE EIS

A. The EIS Fails to Evaluate and Disclose the Coachella Plan's Individual and Cumulative Impacts On Recreation

Although Plan Alternatives B and C propose to close numerous OHV routes and restrict activity on many others, the EIS fails to assess the impacts of these closures and restrictions on recreation. Incredibly, the EIS does not identify the name, length, and location of each OHV route and play area that will be affected by these alternatives. Worse, the EIS fails to evaluate how many OHV users will be affected by the closures and route "re-designations." Nor does the EIS examine where these displaced OHV users will go to fulfill their recreational needs once the proposed closures/re-designations go into effect.

But the most glaring defect of the EIS is its failure to analyze, disclose and mitigate the cumulative recreation impacts of the Coachella Plan, NEMO Plan, NECO Plan and the twelve "interim" closures BLM has implemented throughout the CDCA. The absence of an adequate cumulative impacts analysis constitutes a violation of NEPA and renders the EIS invalid as a matter of law.

Unfortunately, the cumulative loss of OHV recreation opportunities will have effects well beyond those experienced by disappointed OHV enthusiasts. Hikers, rock hounds, hunters and equestrians — all of whom use OHVs to access their preferred desert recreation areas — will also be adversely affected. Seniors, children, and persons with mobility problems also rely heavily on OHVs to visit areas of the desert that they cannot reach easily or safely on foot. With the Coachella Plan and the other closures implemented by BLM throughout the CDCA, these less mobile individuals will be effectively removed from many of the most interesting and beautiful parts of the California Desert. Again, this is an impact that the EIS completely ignores.

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Safety impacts also have escaped the attention of the EIS preparers. By shutting down OHV routes and thousands of acres of OHV recreation sites, the Coachella Plan will force more and more OHV users onto smaller and smaller areas, increasing the potential for accidents and other public safety problems. Given the incredible number of closures BLM has implemented (or intends to implement) throughout the CDCA, accidents and injuries in the few remaining open areas are sure to increase. Not only do the closures diminish the recreational and aesthetic experience of the families who visit the desert with their OHVs, it will inevitably lead to conflicts between users, the very thing that BLM is supposed to prevent. What BLM has proposed — through the Coachella Plan, NEMO Plan, NECO Plan and the various other desert closures — is a subtle but effective program to herd OHV users onto small "OHV ghettos," leaving the rest of the desert open only to those who engage in the kind of recreation preferred by BLM (namely, endurance hiking and backpacking). All of this is being done under the guise of the Endangered Species Act, even though the species targeted for protection — the Desert Tortoise and Bighorn Sheep — are not likely to benefit from the various land use plans or the proposed OHV route closures.

B. The EIS Proposes Inadequate Mitigation for the Coachella Plan's Impacts on Recreation

Because the EIS fails to meaningfully assess the Coachella Plan's impacts on OHV use and other recreational activities, it also fails to provide adequate mitigation for those impacts. Although Alternatives B and C of the Plan will close a multitude of OHV routes and use areas, the Plan includes no new routes to compensate for these losses. Nor does the EIS explain why alternative routes could not be identified and incorporated into the Plan. Given that FLPMA requires BLM to provide for OHV recreation, and given that NEPA requires BLM to develop and consider feasible mitigation measures to reduce all foreseeable impacts, the lack of mitigation for recreation losses constitutes a violation of both of these statutes.

III. SPECIFIC COMMENTS ON THE EIS

A. EIS Introduction

1. Purpose and Need

It is clear that this plan amendment for Coachella Valley is being driven by the settlement agreement struck by BLM and the Center for Biological Diversity ("CBD") to end their Endangered Species Act litigation in January, 2001. And for that reason, the proposed plan should only address those issues implicated in that litigation. CBD sued BLM for its failure to consult with the United States Fish and Wildlife Service (the "USFWS") regarding the existing CDCA Plan's potential effects on recently listed endangered and threatened species.

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such as the Desert Tortoise and the Peninsular Range Bighorn Sheep. Therefore, the "purpose" of the Coachella EIS should be to determine whether the current CDCA Plan creates unacceptable impacts on listed species found on BLM lands in Coachella Valley. Nothing more is required.

2. Recovery of Peninsular Ranges Bighorn Sheep

At page 1-8, the EIS correctly states that "[r]ecovery, or the arrest or reversal of the decline of an endangered or threatened species, is the cornerstone and ultimate purpose of the endangered species program." Please indicate how the proposed reduction in OHV use areas and trails in Coachella Valley will aid in the recovery of the Peninsular Ranges Bighorn sheep. Please identify the technical studies demonstrating that OHV use in the affected areas is currently having an adverse effect on the bighorn sheep.

3. Draft 2002 Coachella Valley PM10 State Implementation Plan.

Please identify the receptor sites that recorded the PM10 exceedance during the years 1999-2001. Further, please identify the causes, if known, of these exceedances. They seem anomalous given that Coachella Valley from 1993 to 1998 had no exceedances of the PM10 standard. Also, we note that the compliance strategies of the Draft Implementation Plan do not call for a reduction in OHV use. This indicates that OHV recreation is not a major source of PM10 in Coachella Valley. If quantitative data suggest a contrary conclusion, please identify and provide that data.

B. Alternatives

1. No Clear Preferred Alternative: At page 2-2, the EIS states that

"The BLM preferred alternative consists of an *amalgamation* of plan elements chosen from three alternatives (A through C). The preferred alternative for each plan element is highlighted in the "Summary of Alternatives" table and identified in the following narrative description of the alternatives." (*Emphasis added.*)

NEPA does not permit BLM to propose a preferred alternative that is an "amalgamation" of bits and pieces selected from other alternatives. Not only does such a "patch-work" alternative render the proposed action unintelligible to the reader, it frustrates one's attempt to properly assess the "preferred" alternative's impacts on the environment. Furthermore, the EIS makes no attempt to evaluate the "selected" plan elements as they interact with one another. In other words, each preferred "element" is analyzed individually, without integrating it into the melange of other preferred "elements." No one knows how these various

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elements will actually work together, or what their combined and interactive effect upon the environment may be. As a result, the EIS fails to meet the most basic requirement of NEPA, which is to describe the proposed action clearly and to assess its impacts on the human environment.

2. Alternative B: Table 2-6b (pg. 2-19) indicates that under Alternative B, three existing OHV use areas would be eliminated – Windy Point, Iron Door, and Indio Hills. However, the EIS does not provide a biological or natural resource justification for these closures. Please identify and provide the data, if any, demonstrating that closing Windy Point, Iron Door, and/or Indio Hills will result in benefits to protected species.

3. OHV Route Designations Under Alternatives B and C: According to Tables 2-7b and 2-7c, Alternative B would cause an additional 26 miles of OHV routes to be closed, and Alternative C would cause an additional 46 miles of OHV routes to be closed. However, the precise routes slated for closure under each of these two alternatives are not identified. This information is critical to determining (a) the need for the closures, and (b) the impacts of those closures on recreation. Without this data, the EIS is inadequate. Therefore, please identify the specific routes to be closed under Alternative B and Alternative C, and indicate what data support the need for such closures. Also, please indicate how many OHVs use the affected routes.

4. Recovery Strategy for Peninsular Ranges Bighorn Sheep: At page 2-25, the EIS indicates that as part of the bighorn sheep recovery strategy, BLM will manage road use to reduce "habitat fragmentation or interference with bighorn sheep resource use patterns." However, the EIS does not indicate which roadways – paved or unpaved – currently operate to fragment bighorn sheep habitat or interfere with sheep movements near key resources. Also, the EIS fails to identify the data which demonstrate that such fragmentation and interference are taking place in Coachella Valley. Finally, we note that predation management – particularly of mountain lions – is not listed among the recovery strategies "common to all alternatives." This is a significant omission, given that mountain lions kill a substantial number of bighorn sheep in Coachella Valley.

5. Effects of Research Activity on Bighorn Sheep: It is ironic that the research techniques currently employed by biologists studying the bighorn sheep – e.g., helicopter surveys, extensive human handling of lambs – disrupt the sheep more directly than any other human activity. One must question whether the data obtained from this kind of research has much value, since the sheep adjust their behavior, sometimes radically, in response to the scientists and their activities. Perhaps too much scientific intervention and management are hampering the bighorn sheep recovery effort. Certainly, highly disruptive activities such as low-altitude helicopter surveys affect the sheep more profoundly than do a few OHVs traveling

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slowly in the distance. Whereas bighorn sheep learn, over time, to avoid established travel routes, thereby diminishing unwanted contact or interference, such avoidance techniques are not available to the sheep when helicopters are monitoring them. The helicopters are expressly deployed to track the sheep, wherever they may wander or seek refuge.

6. **OHV Impacts on the Bighorn Sheep:** Under Preferred Alternative B, bighorn sheep recovery strategies include the following: "3. BLM will seek to reduce impacts resulting from all land uses including trail use, motorized vehicles, permitted uses, utility corridors, communication sites, a variety of casual uses, and research" Please identify where motorized vehicles are having a negative effect on bighorn sheep; and please provide all data to support that claim.

C. **Affected Environment**

1. **Chuckwalla Bench ACEC:** At page 3-1, the EIS indicates that the Chuckwalla Bench ACEC was established "for its exceptional desert tortoise densities, the highest in the Sonoran Desert, and as a rich relic representative of Sonoran Desert with a full compliment of wildlife and plant species, including several rare plants." However, the EIS fails to disclose that over the last 10 years, the Desert tortoise population in the Chuckwalla Bench ACEC has declined sharply due to shell disease. This information should be included, as it more accurately describes the existing conditions of the "Affected Environment."

2. **Potentially New or Expanded ACECs:** In section 3.1.2, the EIS describes three potentially new or expanded ACECs – Dos Palmas, Upper Mission Creek, and Coachella Valley. However, the EIS indicates that none of these three potential ACECs currently meets the "relevance" criteria set by 43 CFR 1610.7-2(a). Please indicate whether this means that BLM does not, at this time, intend to designate these three areas as ACECs as part of this amendment to the CDCA Plan. Also, please identify what steps BLM intends to take toward establishing ACECs in these locations in the future.

3. **Wild and Scenic River Designations:** The EIS's discussion of Wild and Scenic Rivers is hopelessly confusing and should be rewritten to answer two simple questions: (1) Are there rivers within BLM-controlled land that are eligible for Wild and Scenic River designation? and (2) if so, are any such rivers to receive that designation pursuant to this amendment to the CDCA?

4. **Proposed Plan's Impacts on R.S. 2477 Routes:** The EIS acknowledges that certain existing routes in the Coachella Valley Planning Area may be subject to "rights-of-way" granted under R.S. 2477. The EIS also recognizes that some of the trail closures proposed under the Coachella Valley Plan may affect existing R.S. 2477 routes. However, the EIS fails to

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identify the affected routes and further fails to analyze the potential conflict between the proposed closures and the rights of those persons/entities that have been granted permanent road access by R.S. 2477. This is important information that should be set forth in the EIS.

5. **"Essential" Bighorn Sheep Habitat:** At page 3-28, the EIS states that "[w]ithin *essential* Peninsular Ranges bighorn sheep habitat, there are 153 miles of primary trails . . ." (*Emphasis Added*) Please explain the distinction, if any, between formally-designated "critical" habitat and "essential" habitat.

6. **Current OHV Use in Coachella Valley:** At page 3-29, under the heading "Off-Highway Vehicle Use," the EIS states that

"There are four locations on federally owned public lands in the Coachella Valley which have historically received off-highway vehicle use, some for as long as 40 years. The four areas [Windy Point, Indio Hills, Iron Door, and Drop 31] cover about 3,800 acres and have become informally established by use rather than by design or by designation."

This statement suggests that OHV use in Coachella Valley is limited to these four locations, which is false. The EIS should include a full listing of the trails and use areas that serve OHV recreation – not just the four most popular sites.

7. **Air Quality Impacts Along Route Network:** At page 3-32, the EIS indicates that the route network on the floor of the Coachella Valley is "currently affected by the non-attainment status of the Coachella Valley under the Clean Air Act, in part due to dust emissions from unpaved routes and off-highway vehicle use." This statement is confusing. It fails to describe the manner in which the routes on the floor of Coachella Valley are "affected" by the entire air basin's non-attainment status for PM10. Nor does it explain what restrictions, if any, apply to these routes due to air quality concerns. Finally, the EIS does not describe quantitatively how much PM10 is emitted by OHVs using the affected route network on the floor of Coachella Valley. In order to support the air quality claims set forth in the EIS, BLM must obtain data showing what impacts, if any, OHVs have on the threshold velocity ("TV") for wind erosion. Without this information, the EIS is deficient.

8. **"Redundant" OHV Routes:** Also at page 3-32, the EIS states that BLM has closed or intends to close "redundant (or multiple) routes leading to the same location." Please identify these allegedly "redundant" routes and explain the criteria used to establish their redundancy.

9. **Declines in Bighorn Sheep Populations:** At page 3-40, the EIS indicates that over the last 26 years, the population of Peninsular Ranges Bighorn sheep has declined from

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1,100 animals to about 300. The EIS attributes that decline to a variety of causes – disease, automobile collisions, mountain lion attacks, exotic plant invasion, toxic plant ingestion, competition with cattle, habitat loss, degradation and fragmentation, and recreational disturbance. Missing from this list, however, is disturbance from research activities such as helicopter surveys and human handling. The list is also deficient for another reason: It makes no attempt to rank by severity the various causes of bighorn sheep mortality. For example, our review of the technical data suggests that mountain lion predation is a far more common cause of bighorn sheep mortality than toxic plant ingestion or recreational disturbance. Please provide data showing how many bighorn sheep have been killed by mountain lions versus those killed by motor vehicles and toxic plant ingestion. Also, how many acres of habitat do 1,100 bighorn sheep require? What level of habitat disturbance and fragmentation renders the habitat unsuitable for the sheep? In what way is the currently-available habitat inadequate to support a population of this size?

10. **Stabilization of Bighorn Sheep Populations:** At page 3-40, the EIS states that "in the last four years, the population has stabilized and appears to be increasing." Please identify and provide the data that support this statement. Also, please identify where in Coachella Valley population declines have been arrested and/or reversed, and by what means.

11. **OHV Contributions to PM10 Emissions:** At page 3-48, the EIS states that, based on 1995 air quality data, "man-made and natural dust causing activities, such as agricultural tilling in fields, construction and demolition operations, or driving on paved or unpaved roads account for 96%" of PM10 emissions in the Coachella Valley." However, the EIS fails to describe in quantitative terms the emissions created by each of these sources. Recreational users of Coachella Valley are especially interested to know how much PM10 is caused by OHVs traveling on unpaved roads. Please provide this information, complete with monitoring data.

12. **PM10 Levels From 1999 to 2001:** At page 3-49, the EIS indicates that from 1999 through 2001, the Indio monitoring site registered exceedances of the PM10 annual average standard. Please rank the contributing causes of these exceedances. Also, please indicate whether emissions from unpaved OHV routes contributed to the exceedances registered at the Indio monitoring station. Please identify those OHV routes. The EIS also states that "special monitoring at other sites confirmed that PM10 standards are exceeded throughout Coachella Valley." Please identify these other monitoring sites and provide the emissions data compiled at each one.

13. **PM10 Violations in Morongo Valley:** At page 3-50, the EIS claims that OHV use is a major cause of PM10 in the Mojave Desert Air Basin, including Morongo Valley. Please provide the data that support this claim.

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D. Environmental Effects of the Proposed Amendment

1. **Wild and Scenic Rivers:** Please explain why casual motorized-vehicle use along the Dry Wash route must be eliminated to protect the river values of BLM-managed lands in Palm Canyon. The EIS suggests that such values "could be threatened by uncontrolled motor-vehicle intrusion." Please provide evidence that current motor-vehicle use is degrading river values in Palm Canyon and requires more "controls." In addition, on page 4-27, the EIS claims that designation of BLM-managed river segments as Wild and Scenic Rivers would result in no substantive impacts on recreation; however, there is no data to back this up. In fact, the EIS states that "protective management" measures will likely be required at Whitewater Canyon, Mission Creek, and Palm Canyon. These protective management measures – as well as their impacts on recreation – should be clearly described in the EIS.

2. **Meccaocopia SRMA:** At page 4-13, the EIS indicates that a Recreation Area Management Plan ("RAMP") will be developed for the Meccaocopia SRMA. However, the EIS fails to disclose when such a RAMP will be developed or what restrictions, if any, will be imposed on OHV use in the SRMA while the RAMP is being prepared. The EIS implies that there is a need to control the current type and intensity of OHV use in and around the proposed SRMA, but this is not explained in the document. Therefore, please describe the effects of OHV use on the proposed SRMA and provide the data, that demonstrate those effects. In other words, please provide evidence showing a need for an SRMA at this location.

3. **OHV Use and Soil Erosion:** At page 4-25, the EIS states that OHV use causes soils erosion and must be properly regulated and monitored to reduce erosion impacts. On the next page, however, the EIS states that OHV routes in Coachella are "typically located within natural drainages or sand washes and are used on a very low frequency or level of intensity." This suggests that OHVs contribute minimally to any perceived soils erosion problem in Coachella Valley. To resolve the conflict between the two statements, please provide all data regarding OHV impacts on soils in the Coachella Valley.

4. **Land Health Standards and Air Quality:** At page 4-27, the EIS includes the following paragraph regarding Land Health Standards and air quality:

"Actions relating specifically to the management of recreation in accordance with regional land health standards developed in consultation with the California Desert Advisory Council are not specified (Alternatives A, B, and C). Where recreational activities adversely affect soils, native species, riparian/wetland and stream function, water quality, and air quality to the degree that such standards are not met or cannot be

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met, mitigation measures would be developed to reduce the impacts to acceptable levels. However, no recreational activities or recreation sites have been specifically identified as noncompliant with these standards, hence no changes in the management of such activities are proposed. Therefore, adoption of the regional land health standards proposed under these alternatives results in no adverse impacts to recreation." (*Emphasis added.*)

This is a startling statement – one which throws into question the need for any "Coachella" amendment to the CDCA plan at all. If no recreational activities or sites have been shown to violate established standards for "soils, native species, riparian/wetland and stream function, water quality, and air quality," there is no justification for the Plan's proposed reductions in recreation opportunities. The EIS admits this and states that no activities or sites have been identified as noncompliant with these standards, and that "no changes in the management of such activities are proposed." However, the EIS later contradicts itself, stating that "[c]hanges in recreational uses would be required in some instances to meet habitat conservation objectives (Alternatives B and C)." (EIS, at p. 4-28.) Such inconsistent statements make the EIS unintelligible. One cannot tell what is actually being proposed in terms of "changes" to the current palate of recreational opportunities in Coachella Valley. Nor can one discern the reasons for such changes. To cure this problem, each specific change must be set forth in the EIS, along with an assessment of its impacts on recreation. Further, the EIS should explain why each individual change is necessary. For example, the EIS should disclose which habitat conservation objectives, if any, are not being met as a result of OHV recreation. The EIS should also provide the technical data that demonstrate OHV use is a significant cause of noncompliance. Without this information, the EIS is inadequate.

5. **Plan's Impacts on OHV Recreation:** When discussing the Plan's impacts on recreation and motor-vehicle access (section 4.1.4 and 4.1.5) the EIS fails to identify a "preferred" alternative. As a result, one is left to wonder what BLM is actually proposing and what effects the Plan will have on OHV-related recreation. For example, the use restrictions contemplated under Alternatives B and C are drastic when compared to those set forth in Alternatives A and D. Nevertheless, the EIS does not bother to explain which of these four alternatives is the preferred one. This is a serious defect in the document and should be corrected. Indeed, one of the structural flaws of the EIS is its failure to (1) identify the specific recreational uses that will be affected by the Plan, (2) describe the proposed changes in detail, and (3) examine the impacts of each proposed change. Consequently, the EIS does not demonstrate that BLM has taken a "hard look" at such impacts, as required by NEPA.

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6. **Water Resources/Quality and OHV Use:** In section 4.1.7, the EIS discusses the Plan's impacts on Water Resources and Water Quality. As part of this discussion, the EIS states that the "Proposed amendment to the CDCA Plan would reduce the number and miles of available routes of travel for motorized vehicles to 60 miles from the current 133 miles, thereby reducing by more than half the miles available for this activity." This statement raises a variety of questions. First, which Alternative – A, B, or C – contemplates the closure of 73 miles of OHV routes? Why are such closures being proposed if the level of OHV use along these routes is relatively low and is not causing problems regarding habitat conservation, species recovery, air quality, water quality, and soils conservation? Why does the EIS constantly contradict itself on the issue of OHV route closures? On page 4-27, the EIS states that no recreational activity or site currently violates established standards for the management and protection of soils, water quality, air quality, habitat, or species, and that no changes to recreational activities are proposed. Then, just 19 pages later, the EIS discloses that more than half of the existing OHV routes will be closed. Such grossly inconsistent statements render the EIS worthless as an informational document.

7. **OHV Impacts on Soil and Biological Resources:** At page 4-51, the EIS claims that under Alternative B "1040 acres of public land in the Drop 31 off-highway vehicle open area would be exposed to accelerated soil erosion and native vegetation loss." However, the EIS includes no data to back up this claim. What evidence demonstrates that OHV use at Drop 31 is accelerating soil erosion? What plant surveys show that OHV use has damaged native vegetation in this area? The EIS goes on to state that "[u]nder Alternatives A and D, 3800 acres of public land would be available for open off-highway vehicle use, and would be exposed to accelerated soil erosion, native vegetation loss, crushing of native plants and animals, and crushing of burrows." Again, the EIS fails to support this statement with any data. Indeed, we are not aware that BLM or any other credible person or agency has studied the effects of OHV recreation in the "open" use areas of Coachella Valley. Site-specific data regarding net soil loss at OHV use areas should be compiled and analyzed. As a component of this analysis, BLM should compare soil loss at OHV areas to soil loss at "control" (i.e., low use) sites. This will ensure that the resulting data is reliable. In addition, any plant studies that compare vegetation in closed versus open OHV areas must be designed to allow replication.

8. **OHV Impacts on Bighorn Sheep and Other Sensitive Species:** As alluded to above, the EIS alleges that OHVs destroy many protected species that reside in the planning area – including the Desert Tortoise and the Coachella milkvetch. (EIS, at pg. 4-51.) The EIS also suggests that OHV use interferes with Bighorn sheep behavior and contributes to the spread of noxious weeds in Coachella Valley. Nowhere, however, does the EIS set forth the data that support these allegations. Instead, at page 4-51 the EIS cites two general studies regarding impacts on bighorn sheep; but neither is specific to Coachella Valley and cannot be used to support claims that OHV routes in Coachella are having a negative effect on the sheep.

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9. **Tamarisk Eradication and Bighorn Sheep Recovery:** Some of the studies cited in the EIS suggest that tamarisk have invaded many natural springs in the Coachella Valley, reducing the amount of drinking water available to bighorn sheep. These same studies indicate that diminished access to drinking water may be a leading cause of declines in sheep populations. In light of these findings, BLM should immediately begin removing tamarisk from these watering holes so that they can be reestablished for the benefit of the sheep. This seems a more direct and promising approach to species recovery than many of the other measures described in the Plan/EIS.

10. **Effect of Human Presence on Mountain Lion Predation:** At page 4-57, the EIS explains that "mountain lion predation on bighorn sheep can have a significant impact on small populations," such as those that reside in the Coachella Valley. However, the EIS does not discuss whether and to what extent humans who visit Coachella Valley (with or without OHVs) operate to deter mountain lion predation. That is, the EIS does not analyze whether reducing the "human presence" in the Coachella Valley will increase the number of mountain lion attacks on bighorn sheep.

11. **Ability of Bighorn Sheep to Recolonize Habitat:** At page 4-58, the EIS states that (1) bighorn sheep "are generally poor colonizers of available habitat because habitat use patterns are learned from experienced animals (Risenhoover 1988)," and (2) once ewes "discontinue use of a particular area, it may be difficult for inexperienced sheep to establish (sic) in this area." Elsewhere in the EIS, BLM also acknowledges that efforts to relocate bighorn sheep have met with little success. In light of these facts, why does the proposed Plan seek to reclaim more habitat for the bighorn sheep? If the sheep will not recolonize an area on their own, and if they will not thrive when forcibly relocated to new areas, how will the sheep benefit from proposed additions to their existing habitat? In short, it makes no sense to close long-established recreation areas for the benefit of the sheep if the sheep will not colonize them.

12. **OHV Use and Fugitive Dust:** At page 4-68, the EIS indicates that under Alternatives A and D, "2,360 acres of 'open' off-highway vehicle areas would generate PM10 emissions upwind of sensitive receptors, with average weekly usage ranging from 320 to 600 vehicles during the cooler months." Unfortunately, the EIS does not include monitoring data showing how much PM10 is actually resuspended as a result of OHV use in these "open" areas. Nor does the EIS identify the downwind "sensitive receptors" or indicate how close they are to the OHV sites. Without this information, and without a "wind-rose" to indicate the strength and direction of the prevailing winds, it is impossible to determine whether OHV use contributes significantly (or at all) to the PM10 levels registered at any sensitive receptor in Coachella Valley.

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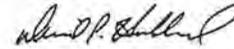
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V. CONCLUSION

As demonstrated above, the EIS is defective and inadequate as a matter of law. NEPA requires that the conclusions drawn in the EIS be supported by scientific/technical evidence; but the Coachella EIS includes almost no scientific/technical data at all. NEPA requires that the EIS disclose and evaluate the impacts of the proposed project; but the Coachella EIS fails to identify key impacts and poorly analyzes those impacts it does identify.

Sincerely,



David P. Hubbard

DPH/air

cc: Gale A. Norton, U.S. Secretary of the Interior
Mike Pool, State Director, Bureau of Land Management
Roy Denner, ORBA
Ed Waldheim, California Off-Road Vehicle Association
Julie Allen, San Diego Off-Road Coalition

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**Sierra Club
San Geronio Chapter**

Harold Hyslop and Ron Hernandez Committee
Tahquitz Group & San Marcos Group
San Bernardino Area, Group & Alamo Group
Moran Valley Group

RECEIVED
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02 AUG 30 AM 11:09
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

From:
Jeff Morgan,
Vice Chairman, Conservation Committee,
Sierra Club, Tahquitz Group.
August 30, 2002

1485 Via Escuela,
Palm Springs, CA 92252.
(760) 320-4610
Fax (760) 322-3185

Subject: Draft Environmental Impact Statement for the Draft CDCA Plan Amendment for the Coachella Valley and the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan.

The DEIS attempts to do several things in one document (The CDCA Plan and The Trails Management Plan) which are 2 separate issues that are only partially related. These issues are further complicated by the relationships to other plans, and it is my belief that these multiple issues should have been addressed in multiple documents. Accordingly I will address the issues separately.

The Trails Management Plan.

At this stage it is almost impossible to review the proposed alternatives as they are presented, due to the fact that negotiations are ongoing regarding endangered species with the Wildlife Agencies and that The Trails Management Plan is being prepared as an element of the CVMSHCP. The development of the CVMSHCP is still very much a work in progress and it may be months (or even years) before it is approved and adopted. There is a growing possibility that it may fail and not be adopted at all. Additionally the Agua Caliente Tribe are preparing their own MSHCP which may have different plans for trails use on their lands and lands to be acquired by the tribe from BLM.

If the CVMSHCP fails or is adopted in a weakened form (i.e. major cities withdrawing and no longer a part) or in a manner that it falls to live up to its name by not giving sufficient protection to species and habitat, it could be open to legal challenges that would probably prove to be terminal for the plan.

If the CVMSHCP is not completed or fails, the Trails Management plan defaults to a biological assessment. The biological opinion for that assessment has not been finalized and there has been no public review process.

The range of alternatives goes from minimal change (A) to do nothing (D), with the BLM preferred alternative (B). Many of these alternatives may not be in compliance with the PBS Recovery Plan and should be re-drafted.

The CDCA Plan.

Wild and Scenic Rivers: All eligible segments should be added to the National Wild and Scenic Rivers System. To leave them out when we have an opportunity include them at this planning stage is clearly wrong.

Areas of Critical Environmental Concern: The Upper Mission Creek area should be designated as an ACEC. This would provide a greater level of protection to this unique area and would link the existing Whitewater and Big Morongo ACECs preserving a regional wildlife corridor. Additionally, expansion of the Dos Palms ACEC should be the preferred course of action.

Communication/Utilities: Construction of new communication sites or windmills should not be permitted within conservation areas. Additionally new utility corridors should not be designated. Very careful study and assessment should be required for any new facilities to be located on BLM lands.

Grazing: The Whitewater Grazing Allowment has not had any use since 1999 and the lands are showing some recovery. To allow more time, 10 more years, and then reconsider grazing does not make any sense. This grazing allotment should be reeled now in its entirety. It should be noted that although the text in the Draft Plan shows Alternative 'A', as the preferred alternative the map (Fig. 2-8) shows Alternative 'C' (the entire allotment deleted) as the preferred alternative.

Motorized vehicle areas: There are currently no open OHV areas within the plan area. Any such current use is an illegal use. Given air quality, noise, existing and adjacent land uses, wilderness and wildlife issues, there may not be any suitable BLM lands for off highway vehicle use. Windy Point is not an option as it is within the boundaries of the Santa Rosa and San Jacinto Mountains National Monument which by law prohibits such use. Other areas such as Willow Hole/Edom Hill and Sky Valley have endangered species issues. Iron Door has adjacent private property rights problems and 'Drop 31' is adjacent to

existing wilderness lands. To hope to prevent OHVs from crossing over into the wilderness is a pipe dream. They already cross over on a regular basis and by designating the area a legal use area would only exacerbate the situation. More OHVs would just mean more problems.

Motor Vehicle Access/Route Designations: Currently The Dunn Road and all Access Routes are closed, primarily by locked gates, secondary by signage. Additional closures have been made by private landowners. The reasons for these closures are many, but mainly revolve around PBS issues. Use of the Dunn Road is considered to be a major factor in the decline of PBS (refer to The Recovery Plan). The best science to date indicates that the Dunn Road should remain closed until the PBS has recovered sufficiently to no longer an endangered species. The Dunn Road should remain closed with the exception that the access route from Pinyon should be open as far north of the BLM gate in Section 18 (or at a location to be determined by the Recovery Team). This portion of the road is not within the seasonal closure areas and would provide access to several trails in the area that are also not subject to seasonal closure. The BLM preferred alternative with portions of the road open north of the section 18 gate and between Royal Carizo and the common boundary of sections 32 and 33 would not be appropriate, given the current status of PBS. Additionally there should be no commercial use of the Dunn Road.

Other Roads: There are many spur roads and off-road routes that have been developed off the Powerline Road in the Big Morongo Canyon ACEC. These all should be blocked and closed to remain in compliance with existing regulation regarding ACECs. Additionally all roads in the Snow Creek and Windy Point area should be closed to help prevent illegal off-road vehicle use.

Wilderness: Wilderness issues were not addressed. There are many thousands of acres of wilderness quality lands in the Plan Area. Many of these lands are adjacent to existing and proposed wilderness areas in Joshua Tree National Park and should be considered as wilderness study areas or potential wilderness areas. Of particular interest is the Big Morongo ACEC area and the BLM owned lands adjacent to the southern boundary of Joshua Tree National Park.

Sincerely,

Jeff Morgan,
Vice Chairman,
Tahquitz Group Conservation Committee.

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RECEIVED
BUREAU OF LAND MANAGEMENT
02 SEP -9 PM 3:45
PALM SPRINGS-SOUTH COAST
RESOURCE AREA

September 5, 2002

Jim Kenna, Field Manager
BLM PS- South Coast FO
POB 581260
North Palm Springs, CA 92258

BY FAX – ORIGINAL BY MAIL

Re: Draft CDCA Plan Amendment for the Coachella Valley, Draft Trails Plan and DEIS

The following are Sierra Club comments on the BLM Draft EIS/CDCA Plan Amendment for the Coachella Valley/Santa Rosa & San Jacinto Trails Plan ("the Plan" or "the DEIS"). We hereby incorporate our earlier written or verbal comments on this amendment and its elements.

- The Plan as a whole is lacking in the requisite information on which to judge its various alternatives. BLM contends that this is not an "action level" plan and therefore specific information is not needed. We disagree. How can a reviewer possibly weigh the effects of proposed restrictions on camping near water source for Peninsular bighorn sheep (PBS) when their water source have not been mapped? How can a reviewer weigh the effect of BLM's habitat conservation areas when they clearly depend on the boundaries proposed in the upcoming Coachella Valley MSHCP? How can a reviewer judge the potential affects of proposed route designations and OHV areas on adjacent existing or proposed wilderness areas when neither the proposed open routes/areas or adjacent sensitive areas have not been adequately mapped? Maps and data are entirely missing for some issues, or for other issues are too large a scale and do not give adequate reference points to be understandable. Most importantly, information on interrelated habitat plans is not yet available.
- Initially, and throughout the Coachella Valley MSHCP planning process, BLM announced its intention to produce this Plan simultaneously with the Coachella Valley MSHCP ("CVMSHCP"). By its own admission, BLM has rushed forward to complete this plan ahead of schedule, simply to avoid having to perform route designations and close one road, the trespass road across BLM land from Royal Carrizo to the Dunn Road. In other parts of the California Desert, BLM has done route designations in the absence of a full Plan amendment for the area in the West Mojave. We object to BLM pursuing this Plan amendment prematurely; it is impossible to weigh its effects without the CVMSHCP information on which

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this amendment relies. Emails between Sierra Club and BLM regarding this issue are hereby incorporated by reference. Thus, BLM has now produced a Plan that is out of sync with the other interrelated habitat plan(s). It is unable to provide essential information on which to judge the effectiveness of this Plan.

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- As outlined above, the public does not have adequate information to review the proposed alternatives without reviewing them in context with the Coachella Valley MSHCP, which won't be released until next year. Many trail management actions are dependent on the CVMSHCP. More importantly, information on the proposed CVMSHCP reserve design, boundaries and implementation measures is needed in order to analyze the Plan's proposed route designations, special area designations, etc.
- Not only is it necessary to analyze the Plan in context with the MSHCP; it is essential to analyze it in context with the Agua Caliente Band of Cahuilla Indians ("ACBCI") HCP. Management of resources on BLM land does not occur in a vacuum. ACBCI lands constitute a large and integral part of the Peninsular ranges ecosystem in the Plan. See the Santa Rosa and San Jacinto Mtns National Monument map, herein incorporated by reference. Regarding Wild Horse and Burro Management, the Plan does propose coordination with the Tribe, but generally the Plan ignores Tribal lands and actions in its analysis.
- Under Conservation Objectives at 2-9 and 10, the Plan states that BLM lands were categorized based on habitat types and that objectives were established to meet the resource needs of each type. Only a map of "General Habitat Types" is given. The Plan gives no further elucidation as to what sensitive, threatened or endangered species are located therein, and where they are located, what percentage of historic habitat is represented, whether or not it is viable or fragmented, what the existing or proposed land uses are, etc. There are roughly two dozen species slated to be covered by the CVMSHSP. The Plan gives no the reviewer no specifics on which to judge its conservation objectives, special area designations, etc.
- The Plan states that conservation areas refers to special designations "within the conservation system approved by BLM in support of the CVMSHCP" [abbreviation added]. What does that mean? Is this "conservation system" the same, or is it more or less than the CVMSHC. Does the "Potential Coachella Valley Wildlife Management Area" coincide with the Fish & Wildlife Service proposed CVMSHCP reserve design, some smaller iteration, or neither? The Plan's language is ambiguous, and the text and maps are inadequate, and , again, CVMSHCP preferred preserve boundaries are not yet available.
- PP 2-29 and 2-30 are missing from a number of copies of this Plan. We had to request them. These pages contained the Plan Maintenance, Plan Implementation, and Policy and Management Guidelines. How many copies of the Plan were short?

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CALIFORNIA / NEVADA REGIONAL CONSERVATION DESERT COMMITTEE
Protecting the Desert

2

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(1) CHAIRMAN KIBBEY: You have kind of mixed a
(2) motion with a discussion. Can we back up and can we
(3) just — just a motion, please?
(4) MR. MORGAN: Yes. The motion is that we
(5) consider opening up the area by the Forest Service
(6) gate at the northern end of Section 29.
(7) CHAIRMAN KIBBEY: Do I have a second to that
(8) motion?
(9) MS. HENDERSON: Second.
(10) CHAIRMAN KIBBEY: We have a second by Terry.
(11) Any discussion on the motion? Barbara?
(12) MS. GONZALES-LYONS: I am just wondering if
(13) we can make recommendations on land that may or may
(14) not be within our sphere of making these decisions.
(15) If it's privately owned by an organization, how are we
(16) making comments to open it up when we don't even know
(17) what they want to do with it? I mean, we may make
(18) whatever comments we want and keep opening it up or
(19) putting a road here, putting it there. They may
(20) totally want it closed. And they own it. They can
(21) close it.
(22) CHAIRMAN KIBBEY: All we are doing is making
(23) comments —
(24) MS. HENDERSON: Recommendations.
(25) CHAIRMAN KIBBEY: — on Alternative B,

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(1) Motorized Commercial Recreation Activity. That's all
(2) we are doing is recommending that. Whatever people do
(3) or anything like that, whether BLM incorporates our
(4) recommendation or anything, that's up to BLM and up to
(5) the people on the property.
(6) MR. KENNA: One other point, if I may,
(7) Mr. Chairman.
(8) The other thing that's important here
(9) particularly regarding Barbara's point is that, as I
(10) indicated, that will go through an additional group.
(11) There's an EIR/EIS associated with the Multiple
(12) Species Plan that will come out in the fall, and the
(13) intent is that the trail planning process work across
(14) jurisdictions, including the nonfederal jurisdictions.
(15) All we have done in our part of this process is the
(16) coordination role for the entire group.
(17) And so that's why — and not just in this
(18) instance, but there are cases where perimeter trails,
(19) for example, may be proposed on land that there isn't
(20) even any BLM land, for example. The trails planning
(21) process is a little different animal than some of the
(22) parts of the Plan Amendment.
(23) CHAIRMAN KIBBEY: AI?
(24) MR. KENNA: I hope that helps.
(25) MR. MUTH: I am still confused, I don't

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[1] the second gate?

[2] MR. MUTH: The first gate. The second gate
[3] is where the corral is. At the end of the northern
[4] section of 29, the parking area there would be —

[5] MR. INGRAM: It's the old first gate.

[6] MR. MORGAN: The old first gate.

[7] CHAIRMAN KIBBEY: Where Jerry lives?

[8] MR. INGRAM: No. That's the second gate.

[9] The first gate.

[10] MR. MORGAN: All right. Most of the people
[11] don't know where Jerry lives, so I am saying the
[12] northern boundary of Section 29 where the road meets
[13] the northern boundary has a gate.

[14] CHAIRMAN KIBBEY: So the very first gate is
[15] where Bill is saying that's where it ought to end?

[16] MR. MORGAN: No. He is saying —

[17] MR. CRITES: Yes. That's what he's saying.

[18] MR. INGRAM: Asbestos mines is Section 28.
[19] Twenty-nine is right across the road. Section 29 is
[20] where Mike Dunn used to come up on the weekend, stay
[21] in the double-wide right there. That's 29.

[22] Twenty-eight is asbestos, the old mine.

[23] CHAIRMAN KIBBEY: Okay. We have a
[24] difference of opinion. And so for the Committee to
[25] make any comment on this, we would need a motion and a

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[1] vote. Otherwise, there would be no comment on this
[2] section.

[3] Do I have a motion?

[4] MR. MORGAN: I will make a motion that we
[5] still consider parking on the trailhead in that area.
[6] If nobody wants to go beyond the Forest Service gate
[7] at this time, that's fine, but it should be that
[8] Forest Service gate, because people — it just gets
[9] too far to walk when you have to walk an hour and a
[10] half to get to the trailhead. People won't go there.

[11] And I know that land is currently owned by
[12] the Friends of the Desert Mountains. They are
[13] cleaning it up. They are going to arrange to transfer
[14] it to the Forest Service at some stage in the future.

[15] But the gate, the second gate, which everyone
[16] seems to agree is the one there, is a defensible
[17] position for vehicles, off-road vehicles going
[18] through. There's a barrier. There's fencing.
[19] There's a fairly secure gate. I think that's a
[20] reasonable compromise situation. So I propose that we
[21] consider a parking area at that point that will allow
[22] access to the trails that go down there. That's the
[23] Indian Potrero Trail and the Dunn Road Trail. Both of
[24] those trails are outside of the Seasonal Closure Area.
[25] They will be open year-round.

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[1] staging area. So I just wanted to get that on the
[2] record.
[3] **CHAIRMAN KIBBEY:** Okay, Buford?
[4] **MR. CRITES:** That area, the — I think BLM
[5] and City of Palm Springs and the Forest Service and
[6] Friends of the Mountains and all of that spent the
[7] last four or five years trying to lower the amount of
[8] illegal trespass, off-roading, shooting, and
[9] everything else back there and have barely begun to
[10] make, I think, a significant positive dent in that,
[11] and a proposal like this would throw open a road into
[12] an area that is in the city limits of the City of Palm
[13] Springs but has no visitation in terms of patrols from
[14] there, no patrolling from either of the federal
[15] agencies.

[16] I think the opening of this is an invitation
[17] to a disaster in terms of what it would do to that
[18] area of the National Monument, which is not to say
[19] that under controlled situations people shouldn't go
[20] in, shouldn't hike, shouldn't do this and that, but
[21] this asks for a general improved graded road, packing
[22] area, et cetera, et cetera, which leads right to the
[23] heart of Palm Canyon, which leads right into the heart
[24] of other sheep habitat and everything else.

[25] I certainly couldn't find any support for

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[1] this at this time at all personally.

[2] **CHAIRMAN KIBBEY:** Other comment?

[3] I have a comment here from Bill Havert, who
[4] couldn't make today's meeting.

[5] He says, "I do not concur with the upper Dunn
[6] Road being improved all the way to the orchard to
[7] allow use of all types of street vehicles. I think
[8] that entails too much improvement. Street vehicles
[9] can make it to Section 29, T6S, R5E now" — wherever
[10] that is. That was my comment. I would leave it that
[11] way — "and provide a parking area and trailhead in
[12] Section 29, possibly even provide remote camping
[13] facilities. I would limit access beyond that to
[14] pedestrian, mountain bike, and equestrian."

[15] Jeff, you have the map there. Can you help
[16] us; what's he talking about?

[17] **MR. MORGAN:** This Section 29, the Friends
[18] section. This is a question for —

[19] **CHAIRMAN KIBBEY:** Buford? Yes.

[20] **MR. CRITES:** I could support making the
[21] parking area by the Forest Service a gate, and the end
[22] of Section 29, the north end of Section 29. It would
[23] increase the walk in terms of the trailhead by
[24] approximately 25 minutes, maybe a little bit longer.

[25] **CHAIRMAN KIBBEY:** Is that the first gate or

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(1) Wildlife would have no problem with that area since it
(2) is outside of the area that the sheep actually — just
(3) stopping at that point for a moment for discussion,
(4) since it was brought up, and perhaps Fish & Game would
(5) like to —

(6) MR. KENNA: I am not going to comment on a
(7) position that Fish & Game or Fish & Wildlife Service
(8) may or may not take, other than I think it's a
(9) reasonable thing to analyze.

(10) MS. CADY: Jim, we can't hear you back here.

(11) MR. KENNA: I am sorry.

(12) MS. HENDERSON: We can't hear him up here.

(13) MR. KENNA: I just — it's sort of like
(14) you — I don't know if you expect me to take a
(15) position on what the Fish & Wildlife Service and Fish
(16) & Game might do, but that seems inappropriate.

(17) CHAIRMAN KIBBEY: No, No.
(18) Yes? Al first.

(19) MR. MUTH: Just a point of clarification.
(20) Where is the essential sheep habitat line relative to
(21) the orchard? Where is that?

(22) CHAIRMAN KIBBEY: Jeff?

(23) MR. MORGAN: Jeff Morgan.

(24) I am looking at this map with the essential
(25) sheep habitat line, and it is approximately one-half a

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(1) mile before the end of the orchard where the access
(2) road to Dunn Road from Pinyon makes a right turn at
(3) the end of the orchard. The essential sheep habitat
(4) line is approximately one-half mile to the south of
(5) that point.

(6) MR. MUTH: South? Not north?

(7) MR. MORGAN: Not north. South.

(8) CHAIRMAN KIBBEY: So essential sheep habitat
(9) would then take in a small part of the orchard?

(10) MR. MORGAN: A small part, yes.

(11) CHAIRMAN KIBBEY: A small part of the
(12) orchard.

(13) Does that answer your question, Al?

(14) MR. MUTH: Yes.

(15) CHAIRMAN KIBBEY: Okay, Gary?

(16) MR. WATTS: Having been on a field trip and
(17) recognizing the value of those trails from a
(18) recreational standpoint, I have to put on my other hat
(19) here representing Fish & Game Department as well, and
(20) their feelings are pretty strong that they wouldn't be
(21) able to support this beyond a line, as Jeff just spoke
(22) to.

(23) So I couldn't support on behalf of Fish &
(24) Game the language unless there was an alternative such
(25) as it stopped at a critical line or trailhead or

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(1) MR. KENNA: I think that's a point well
(2) taken, and particularly in light of — I mean, there's
(3) certainly — at least we hope to see some National
(4) Monument funding dedicated to these trails issues both
(5) on the BLM and the Forest Service side.

(6) There also are a number of areas where other
(7) jurisdictions will be engaged and I don't know what
(8) their ability to contribute to trails construction on
(9) perimeter trails, for example, might be, but we would
(10) anticipate seeing some sort of a partnership and
(11) certainly in areas where there's substantial ownership
(12) by a city.

(13) CHAIRMAN KIBBEY: And since the cause of
(14) relocation of the trails is Fish & Game and Fish &
(15) Wildlife, it would be probable to believe that they
(16) would put in sizable amounts of funds for construction
(17) of the trails.

(18) MR. KENNA: I think I am going to duck that
(19) one.

(20) CHAIRMAN KIBBEY: My apologies again. I
(21) jumped Trail Rerouting and Trail Decommission and
(22) Removal in my haste to get to Murray Hill Facilities.
(23) So Trail Rerouting, were there any comments there?
(24) And Trail Decommission and Removal, any comments
(25) there?

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(1) All right. Then we get to the Murray Hill
(2) Facilities. And I think we are just suggesting you
(3) insert the word "permanently."

(4) MR. KENNA: Okay.

(5) CHAIRMAN KIBBEY: We just wondered whether
(6) we were going to see Jim up there every year carrying
(7) the tables up and down.

(8) MR. KENNA: That would be good for me as far
(9) as exercise.

(10) CHAIRMAN KIBBEY: Okay. And then we come to
(11) Noncommercial, Noncompetitive Organized Group
(12) Activities. Again, operating under Alternative B,
(13) Comments there?

(14) We will go on, then, to Nonmotorized
(15) Commercial Recreational Activities. This is on page
(16) ES-26.

(17) And then turning to ES-27, Motorized
(18) Commercial Recreation Activities, the ad hoc committee
(19) had a note, "MAC will probably be suggesting that the
(20) portion of Dunn Road from Highway 74 to the north side
(21) of the orchard be open for year-round use to provide
(22) opportunities to utilize two trails in the area."

(23) Stopping right at that point, the ad hoc
(24) committee and, also, the tour group when we toured the
(25) area was led to understand that Fish & Game, Fish &

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[1] now is you could be meaning to move it back and forth.

[2] Anything else under "New Trail Development"?

[3] MS. HENDERSON: Yes, Mr. Chairman.

[4] CHAIRMAN KIBBEY: Yes, Terry.

[5] MS. HENDERSON: Terry Henderson, La Quinta.

[6] Have we identified a funding for any of these

[7] trails? Is it going to be your budget?

[8] MR. KENNA: Well, I think it's most likely
[9] going to be a combination and it's going to vary from
[10] trail to trail to trail depending on the jurisdictions
[11] that might be involved in any specific area. Clearly,
[12] there will be parts of this where BLM lands are
[13] involved where we are certainly going to end up
[14] playing a role.

[15] MS. HENDERSON: Is the funding issue being
[16] addressed through the Multiple Species Habitat Plan?

[17] MR. KENNA: I don't think — and there may
[18] be others here in the cities that can correct me if I
[19] get out of bounds here, but my recollection is that
[20] was not included in the cost calculations for the
[21] Multiple Species Plan.

[22] But I would certainly defer to any of the
[23] other representatives from the cities who might know
[24] the details of the cost calculations better than I do.

[25] MS. HENDERSON: Well, Mr. Chairman, as the

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[1] Executive Director of the BIA, do you know if part of
[2] the development fee that is being associated with the
[3] Multispecies, is there going to be a percentage set
[4] aside of that for new trail development?

[5] CHAIRMAN KIBBEY: Not to my knowledge at
[6] this time.

[7] MR. KENNA: I don't think so.

[8] CHAIRMAN KIBBEY: The discussions which are
[9] still very preliminary as to the cost requirements of
[10] the Multispecies Plan basically around the cost of
[11] land. However, there will be an upcoming meeting
[12] where we will be talking about fees, and I'm sure at
[13] that time there will be areas such as you've suggested
[14] brought up as perhaps to be a portion of that fee.

[15] But at this time all figures that I've seen
[16] have been based entirely on the potential cost of land
[17] that might be involved within the area of the
[18] Multispecies Plan.

[19] MS. HENDERSON: Well, I would recommend as
[20] we go through the various working groups on — or with
[21] this proposal that we start to surface this funding
[22] issue, because the plan — and identifying the nine
[23] years, eight years, even if we want to go 15 or down
[24] to two, it's not going to matter if we don't know
[25] where the funds are going to come in from.

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(1) that, you might make some judgments there. And I
(2) think each individual probably might make those
(3) differently, but I think that's okay.

(4) MS. GONZALES-LYONS: Okay.

(5) CHAIRMAN KIBBEY: New trail development,
(6) page ES-25. "There was a question raised as to the
(7) July 1 to January 14 limit for trail construction,
(8) since those are perimeter trails and mostly not within
(9) the essential sheep habitat area."

(10) MR. KENNA: I think this was a comment we —
(11) or a question Buford asked earlier. And I think at
(12) this point we'd have to think about that in terms of
(13) the biology and the locations and — but I think what
(14) you are asking is there may be some areas where it
(15) might make sense to go ahead and continue construction
(16) outside of that time period.

(17) And I guess we need to take a look at that.
(18) I can't —

(19) CHAIRMAN KIBBEY: We are suggesting perhaps
(20) some additional verbiage might be necessary.

(21) MR. KENNA: Okay.

(22) CHAIRMAN KIBBEY: Buford?

(23) MR. CRITES: I hear Fish & Game's comment
(24) about noise, and you can do things that prohibit noise
(25) above X level. So if somebody is dynamiting or

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(1) running a bulldozer, that's one thing, but a lot of
(2) trail building isn't any noisier than some people
(3) taking a walk.

(4) MR. KENNA: I think your point is understood
(5) and taken, and I think what we need to do is go back
(6) and take a look at the underlying rationale for that
(7) and make sure that, you know, we are consciously going
(8) one way or the other and just not prepared to do that
(9) on the spur.

(10) MR. CRITES: The other issue is right now,
(11) the alternative suggests that you can't go higher than
(12) 200 feet. And that kind of blanket statement that's
(13) in there is probably not particularly good — if I
(14) were doing trails construction, you might want to say
(15) "generally should not" or something, but there may be
(16) places where going above 200 feet is less destructive
(17) of areas and is easier to build and better for hikers
(18) and everything else than some kind of flat line that
(19) you can't move above.

(20) MR. KENNA: Fair point.

(21) CHAIRMAN KIBBEY: Second comment. "Murray
(22) Hill Facilities: It is suggested the word
(23) 'permanently' be inserted prior to the word
(24) 'relocated' in the third line," once again, to better
(25) describe what you really want to do. The way it reads

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(1) probably what we should be using if we didn't use the
(2) right thing. Good point.

(3) **CHAIRMAN KIBBEY:** Other comments on dogs?

(4) **MR. MUTH:** Is that on your sheet.

(5) Mr. Chairman?

(6) **CHAIRMAN KIBBEY:** I am sorry?

(7) **MS. HENDERSON:** No. We only did trails on
(8) that.

(9) **CHAIRMAN KIBBEY:** We didn't do dogs.

(10) **MS. GONZALES-LYONS:** I just have a comment.

(11) **CHAIRMAN KIBBEY:** Yes, Barbara?

(12) **MS. GONZALES-LYONS:** On No. 3, it says "Dogs
(13) kept in vehicles." What do you mean by that?

(14) **MR. KENNA:** What page are we on?

(15) **MS. GONZALES-LYONS:** On ES-24, on dogs. You
(16) have, "The following are exempt from the prohibition
(17) of not having dogs." And they are, "Seeing-eye dogs;
(18) dogs assisting law enforcement; and dogs kept in
(19) vehicles."

(20) I mean — what do you mean by that? If I
(21) have a dog, I can take him up there as long as it's
(22) kept in the car, and if it gets overheated then the
(23) dog dies?

(24) **MR. KENNA:** Well, certainly, we are not
(25) trying to suggest that anyone should kill their dog by

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(1) leaving them in a vehicle, but I do think the intent
(2) is that if you are up there with a dog and you want to
(3) get out in the Monument, that as long as you leave the
(4) dog in the car — and presumably the dog owner would
(5) come back soon enough so that the dog would be okay,
(6) but — that that is permissible. The idea is to not
(7) have the dogs out into that habitat. So if someone
(8) sees a dog having stress — that's what happens here
(9) in the desert. I mean, it gets heated. The car
(10) temperature gets — what? — 10 degrees higher?

(11) **MS. GEORGE:** At least.

(12) **MS. GONZALES-LYONS:** Then the outside
(13) temperature — no one is going to be able to do
(14) anything for that dog because it's permitted to keep
(15) him locked in a car.

(16) **MR. KENNA:** Well, I mean, assuming we ran
(17) into a specific circumstance like that, I think we
(18) probably could figure out what to do, whether it would
(19) be, you know, getting ahold of a person — an official
(20) person if they were in the area, whether it was the
(21) BLM or highway patrol or whatever.

(22) Another option is, you know, I guess the risk
(23) is that, you know, if you took the dog out, there
(24) might be a violation involved. But I suppose if it
(25) were on balance the dog's life or something like

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(1) MR. KENNA: And if, in fact, the differences
(2) are not clear, which I think is the comment, we should
(3) clean that up..Is that right?
(4) CHAIRMAN KIBBEY: That's correct. Either
(5) change the wording, which would then match your map.
(6) and that's the area —
(7) MR. KENNA: Oh, okay. You are saying that
(8) we've got a map that's mismarked?
(9) MR. MORGAN: No.
(10) MR. KENNA: I guess I am not understanding
(11) what the issue is.
(12) CHAIRMAN KIBBEY: Well, you've got a map
(13) that shows purple, and it's called the Seasonal Trail
(14) Area.
(15) MR. KENNA: Okay.
(16) CHAIRMAN KIBBEY: But yet the area that you
(17) are talking about that would be closed or affected
(18) within that Seasonal Trail Area, by saying the
(19) "essential sheep habitat," you then extended that
(20) outside that Seasonal Trail Area.
(21) MR. KENNA: Okay. I understand the comment
(22) now. I wasn't connecting. Now I've got it.
(23) CHAIRMAN KIBBEY: We are just changing those
(24) words so that what you are trying to say matches your
(25) map.

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(1) MR. CRITES: I'd also at least suggest that
(2) within the Seasonal Trail Area, those trail areas that
(3) are open given times within that perimeter should have
(4) at least potential of camping, assuming they obey all
(5) the other BLM regulations, a quarter of a mile from
(6) water and so on and so on and so forth. But if you
(7) can walk through it, you ought to be able to sit down
(8) and take a nap.
(9) MR. KENNA: It's just that you should not
(10) take a nap.
(11) CHAIRMAN KIBBEY: He will need a rock to put
(12) his head on; right?
(13) Any other comments, then, on the camping
(14) section?
(15) Then we go on to dogs. Any comments on dogs?
(16) Yes, Larry?
(17) MR. GRAFTON: I think that you need to
(18) check. Under Alternative B, they have an exemption,
(19) seeing-eye dogs. I think there's terminology, and I
(20) can't remember if it's "companion dogs" or something
(21) else. There's other people who need to use animals
(22) for assistance. And I don't know what that
(23) terminology is, so —
(24) MR. KENNA: We can check that. I mean,
(25) you're right. Whatever it is in the regulation is

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(1) We will move on, then, to the ES-24,
(2) "Camping." We also have cross-country travel. Does
(3) any member have any comments concerning cross-country
(4) travel? The ad hoc committee did not.

(5) Jeff?

(6) MR. MORGAN: Yes. Cross-country travel is
(7) going to occur whether —

(8) UNIDENTIFIED: Louder, please.

(9) MR. MORGAN: Cross-country travel is going
(10) to occur in the Santa Rosa Mountains whether you like
(11) it or not. There are hundreds, maybe thousands of
(12) people out there who just go to climb specific peaks,
(13) Sheep Mountain, Haystack Mountain, whatever. There
(14) are lists of them they share between themselves. They
(15) have organizations that list them.

(16) And the prohibition of cross-country travel
(17) should, I believe, keep it reasonable for everyone,
(18) the participants in these activities be the same as
(19) the Seasonal Area Closures. In other words, if you
(20) are closing the trails in that time, you should also
(21) close it to cross-country travel in that time. But
(22) when the trails are open, the cross-country areas
(23) should be open so those people can go in and do what
(24) they do anyway.

(25) That's just a comment.

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(1) MR. KENNA: Okay. We can take a look at
(2) that. I am not ready to pronounce on the biology of
(3) that on the spot.

(4) CHAIRMAN KIBBEY: Anything else on
(5) cross-country trails?

(6) Okay. Under "Camping," the ad hoc committee
(7) suggests that we change the word "essential sheep
(8) habitat" to "Seasonal Trail Area." There's a large
(9) area of the Monument outside the designated Seasonal
(10) Travel Area.

(11) Did I say "travel"? I meant "trail."
(12) You've got an accompanying map, Jim, that
(13) shows —

(14) MR. KENNA: Right.

(15) CHAIRMAN KIBBEY: — the Seasonal Trail
(16) Area. And we just felt that what you were talking
(17) about was truly designated within the Seasonal Trail
(18) Area, not the entire essential sheep habitat.

(19) MR. KENNA: Right. The two things are
(20) geographically different, if I am remembering the
(21) mapping correctly, and I think there's a deliberate
(22) attempt in the Seasonal Trail Area — it actually is,
(23) smaller than the essential habitat.

(24) CHAIRMAN KIBBEY: That's correct. That was
(25) the notation.

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(1) other proposal orders that go across similar areas
(2) where the owners of that property aren't even aware of
(3) it? I see some agreement over there from our
(4) neighbors in Indian Wells.

(5) So this is a serious issue. If you are going
(6) to want definition of where the trails are going to
(7) be, this is a problem.

(8) CHAIRMAN KIBBEY: Buford? Let's let Jim
(9) comment first.

(10) MR. CRITES: I would just add to that
(11) comment.

(12) CHAIRMAN KIBBEY: You are just going to
(13) expand; right?

(14) MR. CRITES: Right. Because I think it's a
(15) misidentification.

(16) CHAIRMAN KIBBEY: Were other people involved
(17) in this?

(18) MR. KENNA: Yes. I mean, to go back to the
(19) process that led to the development of this, it grew
(20) out of the Multiple Species Plan, and all of the
(21) cities, all of the — you know, certainly the
(22) university were involved. But this particular set of
(23) trails, the three alignments between Palm Desert and
(24) La Quinta, that really was at the very, very, very
(25) tail end of the process. And I do acknowledge that,

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(1) you know, the groups had pretty well thinned out at
(2) that point.

(3) So you're right. I mean, it's a fair
(4) criticism to say that there's still work to be done
(5) with Indian Wells and with the Research Center.
(6) That's a fair criticism.

(7) CHAIRMAN KIBBEY: Buford?

(8) MR. CRITES: I'd also add, I think, that the
(9) alternative that was referred to that day as skirting
(10) the edge of UC ended up coming out in the Plan as
(11) identified as a canyon that goes right through UC.
(12) Coyote or whatever it is.

(13) MR. MUTH: No. That was a third
(14) alternative. It did go through Coyote Canyon and
(15) right on down. But they also identified the trail
(16) that we had discussed at Ironwood and — as another
(17) alternative as well as one going through the Living
(18) Desert. Those were the three alternatives. That was
(19) not a misidentification.

(20) MR. CRITES: Okay.

(21) CHAIRMAN KIBBEY: Comment well taken?

(22) MR. KENNA: Yes. I think we do understand
(23) that there's work to be done there still.

(24) CHAIRMAN KIBBEY: Now are we done with
(25) trails?

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[1] MR. KENNA: I guess at that point I will
[2] just take that as a comment.
[3] CHAIRMAN KIBBEY: Okay. Executive Summary
[4] page ES-24, "Camping."
[5] MR. CRITES: Oh, Mr. Chairman?
[6] CHAIRMAN KIBBEY: Yes, Buford?
[7] MR. CRITES: It might be of value to see if
[8] we have any other comments from the Committee on the
[9] trails use component.
[10] CHAIRMAN KIBBEY: That went without saying.
[11] I said anytime —
[12] MR. CRITES: I am just saying, just sort of
[13] formally say, "Anything else on the trails anybody
[14] else wants to" —
[15] CHAIRMAN KIBBEY: Anything else on the
[16] trails that anyone else would like to input that we
[17] didn't go to on trails?
[18] MR. CRITES: Yes.
[19] CHAIRMAN KIBBEY: Yes, sir, Buford?
[20] MR. CRITES: Yes. Perhaps by not
[21] mentioning, it's mentioned. But I think on trails
[22] use, the issue of where or where not would mountain
[23] bikes be allowed ought to be addressed. And I know
[24] that by not addressing it in some ways that addresses
[25] it, but that, in a lot of parts of the U.S. and the

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[1] Western United States, is a significant issue between
[2] hikers and equestrians and all the rest of that. And
[3] I know part of that, also, are city issues and
[4] everything, but it needs to be in here.
[5] MR. KENNA: I think that's a reasonable
[6] request.
[7] CHAIRMAN KIBBEY: Would that be under — we
[8] have to jump ahead, but we have a section here,
[9] "Motorized Vehicles" —
[10] MR. CRITES: Well, that's not motorized,
[11] Mountains bikes, bicycles.
[12] CHAIRMAN KIBBEY: I am sorry, I
[13] misunderstood.
[14] MR. CRITES: No. Not motorcycles. And I
[15] think it would go in that first section.
[16] CHAIRMAN KIBBEY: Yes, Allan?
[17] MR. MUTH: Centering on a parochial issue,
[18] one of the trails —
[19] CHAIRMAN KIBBEY: You need to speak up. She
[20] can't hear you.
[21] MR. MUTH: One of the proposed trails is
[22] dead on arrival for crossing from Palm Desert to
[23] La Quinta because it went right through the middle of
[24] our Research Center. We were never approached by
[25] anybody to talk about this. How come? Are there

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(1) once it was — I mean, to deal with the issues that
(2) you are talking about.

(3) MR. GRAFTON: But this document is part of
(4) the multispecies, is it not?

(5) MR. KENNA: It is the BLM contribution. It
(6) is the Plan Amendment to the BLM California Desert
(7) Conservation Area Plan.

(8) MR. GRAFTON: Another issue —

(9) CHAIRMAN KIBBEY: Let me just jump in real
(10) quick. There's a white Cherokee Jeep, 3 CAL 415, in
(11) the parking lot. The alarm is going off. So that's
(12) an alarming situation.

(13) Please go ahead.

(14) MR. GRAFTON: Since we are talking about
(15) the — I guess it's the Executive Summary — this one?

(16) CHAIRMAN KIBBEY: Are you going to talk
(17) about the Executive Summary?

(18) MR. GRAFTON: On page 13, you identify the
(19) Eisenhower Mountain Trails as being Palm Desert.
(20) They're not. They are in the City of Indian Wells.
(21) Correct that.

(22) MR. KENNA: Page 13.

(23) MR. GRAFTON: And on page 50, you list me as
(24) the Chief City Planner. I thank you for the
(25) promotion, but I'm not. I am a Senior Planner.

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(1) MR. KENNA: My apologies and
(2) congratulations.

(3) CHAIRMAN KIBBEY: Or is that condolences?

(4) MR. GRAFTON: That's all.

(5) CHAIRMAN KIBBEY: We will then continue with
(6) the ad hoc. Barbara?

(7) MS. GONZALES-LYONS: Yes. I just have a
(8) couple questions or concerns.

(9) On the cultural/native aspects that you have
(10) on Alternative A and C, you have B is the same as A
(11) and C or —

(12) CHAIRMAN KIBBEY: What page are you
(13) offering?

(14) MS. GONZALES-LYONS: The Executive Summary,
(15) 36.

(16) CHAIRMAN KIBBEY: You are getting ahead of
(17) us. Can you wait till we get there?

(18) MS. GONZALES-LYONS: Oh. I am sorry. All
(19) right. I will wait, then.

(20) CHAIRMAN KIBBEY: All right. Thank you.
(21) Still on page ES-23, "Trail Use," fifth
(22) bullet. There was doubt expressed that the Sheep
(23) Ambassadors were worth the expense and should perhaps
(24) be discontinued — should not be continued? Same
(25) difference.

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[1] just that as well. We will move as quick as we can
[2] move and, you know, try and get these trails
[3] identified and ideally built.

[4] **CHAIRMAN KIBBEY:** Terry? No? Anyone else?

[5] We will continue. Oh, sorry, Larry.

[6] **MR. GRAFTON:** Question. Larry Grafton, City
[7] of Indian Wells.

[8] This is a NEPA document?

[9] **MR. KENNA:** Correct.

[10] **MR. GRAFTON:** So you need an EIS statement
[11] for the NEPA process?

[12] **MR. KENNA:** This larger one is, uh-huh.

[13] **MR. GRAFTON:** Some of these trails are on
[14] private land, which would be then subject to CEQA.

[15] **MR. KENNA:** That's correct. That was the
[16] other part of the process that I think I referenced
[17] earlier.

[18] **MR. GRAFTON:** Because looking at some of
[19] your proposals for these trails, I mean, I hate to
[20] tell you this, but this draft environmental impact
[21] statement is really lacking in any detail, without any
[22] of the potential impacts of these new trails.

[23] And I am concerned that you are even saying
[24] that you are going to build these trails without
[25] having a lot of study into what's going on there.

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[1] **MR. KENNA:** No. I am not trying to say that
[2] we are going to build any specific trail. I am not
[3] trying to make a predictional statement at all. I am
[4] just trying to articulate intent, I think, of the
[5] alternatives. And the intent of the alternatives is
[6] to try and get peripheral trails in place where trail
[7] closures are also planned.

[8] **MR. GRAFTON:** I think you need to state
[9] that. Because my opinion from these documents is that
[10] there will be certain trails that will be built. So
[11] if your intent is basically just saying, "We are going
[12] to look for other alternatives," that's one thing.

[13] But when you start saying, "We are looking at Corridor
[14] A, B, and C," that's a totally different realm.

[15] **MR. KENNA:** Well, yeah. I think you're —
[16] this is probably part of the disconnect between the
[17] federal process and the multiple species planning
[18] process relative to trails.

[19] I think that in our federal process, at the
[20] resource management planning level, which is the level
[21] this document is at, we would not do the detail or
[22] specific stuff that you are talking about.

[23] However, that being said, we recognize that
[24] it needs to be done. So any specific trail alignment
[25] probably would have a subsequent NEPA document on it

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(1) this, the "City of X" doesn't like this, and Fish &
(2) Game has a legitimate issue with something, and the
(3) end result is we don't have anyplace.

(4) And we could end up with lots of corridors
(5) and zero perimeters unless we have some kind of
(6) blessing that somewhere within this it's going to
(7) happen.

(8) MR. KENNA: I think there are two things
(9) there. And, one, I think you want to make sure, if I
(10) heard right, that these aren't just straw dogs, that
(11) they are real. And that's a fair comment.

(12) And I think, you know, certainly to the
(13) degree I can speak for, at least to BLM, our intent is
(14) certainly to make sure that they're not.

(15) That being said, you know, there are a lot of
(16) players in the trails planning process, and so we want
(17) to get it as precise as we can. But there's going to
(18) be a point where we can't carry it a whole lot further
(19) and get to a decision that there are going to be some
(20) details of engineering and this and that with the
(21) number of trails and the number of areas affected that
(22) we will have to go to the next step in the process.

(23) CHAIRMAN KIBBEY: Jeff?

(24) MR. MORGAN: Yes, Jim. Nine years is a heck
(25) of a long time. In the last nine years, I think

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(1) there's been 15 golf courses in the valley and it
(2) probably won't be any different in the next nine
(3) years. And if you don't identify where these trails
(4) go now, you might come back in two or three years and
(5) say, "Oh, that's where we wanted a trail," but now
(6) they are all playing golf.

(7) You have to do something now before the
(8) development occurs. Otherwise, you will not be able
(9) to do it at a later day. So even if you don't build
(10) them for nine years or twenty years, I believe you
(11) have to identify them now and seek rights-of-way or
(12) purchase the land and go through the stages before
(13) it's too late.

(14) MR. KENNA: I would agree that there is a
(15) sense of urgency in this and that, you know, what I
(16) think we are attempting to do with the nine years —
(17) and we can take a look at that, I guess, as well,
(18) but — is to make sure that we are not writing a plan
(19) that then we turn around and say, "Well, this was
(20) supposed to have happened a year ago and it isn't done
(21) yet." I think we are trying to be very realistic. I
(22) would love to have it all in place in much shorter
(23) periods of time, as I'm sure you would.

(24) And I think we are working diligently on it
(25) and I know members of your group are involved in doing

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(1) MR. KENNA: I think I understand the point.
(2) And I think probably this is a good opportunity to
(3) express one other concept that I think is relevant to
(4) these comments in general, and that is that what we
(5) have out there right now is the BLM analysis for the
(6) federal side of the Multiple Species Plan and that,
(7) obviously, for this kind of a Trails Plan to work,
(8) given all the multiple jurisdictions, we need the
(9) Multiple Species Plan side that is non-federal to come
(10) along with it.

(11) This is not expected to be the last hurrah.
(12) This was our attempt to sort of benchmark where the
(13) process is at this point. And I think that some of
(14) those comments — you know, there may well be some
(15) tweaking of alternatives in the process with the local
(16) jurisdictions.

(17) CHAIRMAN KIBBEY: Terry?

(18) MS. HENDERSON: Did I hear you, Jim, just a
(19) few seconds or minutes ago agree that the new trail —
(20) the perimeter trails should or could be identified for
(21) adoption of this plan?

(22) MR. KENNA: I guess I didn't quite go that
(23) far. I don't think I did.

(24) MS. HENDERSON: Well, that's what the record
(25) is going to show.

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(1) MR. KENNA: I think what I did say is I
(2) think it makes all kinds of sense to try and do things
(3) on as concurrent of a basis as possible during the
(4) course of that nine years so that the trails are being
(5) put in place.

(6) What we did do in this effort thus far is we
(7) have identified those areas where a perimeter trail is
(8) needed or should be placed and there is a subgroup
(9) that has been working out of the trails working group
(10) that is looking to identify specific trails. In
(11) addition, BLM staff have also been working on trying
(12) to identify specific trail alignments.

(13) How close we will be able to call those by
(14) this fall when the local side of the multiple species
(15) planning process is completed, I can't give you a
(16) precise answer on it yet, but we are taking a hard run
(17) at it.

(18) CHAIRMAN KIBBEY: Buford?

(19) MR. CRITES: Buford Crites, Palm Desert.

(20) But if you can't list a specific location,
(21) you need to be able to list a specific corridor in
(22) which it will happen. One of the worst things we
(23) could do in this whole process is, "Hey, here's a
(24) place for a perimeter trail," and a year and a half
(25) down the road, y .. know, Fish & Wildlife don't like

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(1) at this time of those trails, for lack of a better
(2) word, of concern were not set forth, then perhaps the
(3) land would be utilized by some other use and then
(4) block the possibility of a trail.

(5) MR. KENNA: Yes. I think that's a
(6) reasonable comment as well. I think it's, again,
(7) asking for some clarification in terms of the thought
(8) process underneath the item.

(9) And that's a good comment. We can do that.

(10) CHAIRMAN KIBBEY: Did the nine years have
(11) some significance?

(12) MR. KENNA: Well, I think it was an attempt
(13) to take into account the practical realities of
(14) working on the scale of the Monument and the number of
(15) areas that were identified with perimeter trails, and
(16) to acknowledge the fact that it's going to take some
(17) time to put all this in place and to put some sort of
(18) a schedule and an order to that.

(19) And I think that's about the size of it.
(20) But, you know, I probably would defer to staff if they
(21) have other ideas that I miss.

(22) CHAIRMAN KIBBEY: Bob, you had a comment?

(23) MR. BROCKMAN: Yes. I think it might be
(24) useful to clarify that these comments relate to
(25) Alternative B in the matrix, for those people that

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(1) might have read some of this, and it was in
(2) Alternative B where I think the nine-year comment came
(3) up.

(4) And the concern amongst, I think, all of us
(5) was that there needs to be a replacement trail that
(6) goes with a trail closure, not at the end of nine
(7) years, but as you go all the way through the period.

(8) MR. KENNA: Sort of a concurrent approach,
(9) I think that makes sense.

(10) CHAIRMAN KIBBEY: That's a good point, Bob.

(11) Thank you. These are all in reference to
(12) Alternative B.

(13) Buford?

(14) MR. CRITES: Adding to Bob's comment, I
(15) think the existing Option B or Alternative B notes
(16) that park closures would happen in nine years, period.
(17) In nine years, they'd go into effect. And I think
(18) there's concern or would be concern in the recreation
(19) community that we could have a lot of planning and a
(20) lot of this and a lot of that and at the end of nine
(21) years a lot of these trails aren't constructed and the
(22) other trails will go away, and that there needs to be
(23) a guarantee of an alternative — I don't care if it
(24) takes two months or 20 years — before park closures
(25) hit.

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[1] We have already heard that perhaps that
[2] wasn't the reason. And, Jim, maybe you might want to
[3] comment on that.

[4] MR. KENNA: Yes. I think that's probably a
[5] fair comment and does need clarification in answer to
[6] the first part.

[7] In answer to the second part, which is, I
[8] think, what was the intent, I do think there was
[9] intent to at least set up the opportunity where there
[10] was the option to look at the differences or if there
[11] are differences between when trail users are present
[12] and when they're not. And having this sort of an on
[13] again/off again approach would give that opportunity
[14] as well.

[15] CHAIRMAN KIBBEY: So our feeling or belief
[16] would be that there be a little bit of explanation as
[17] to why the two days, because if it hit us, who —

[18] MR. KENNA: I agree.

[19] CHAIRMAN KIBBEY: — basically think we
[20] understand this whole thing, and mixed us up, maybe a
[21] couple words to explain why two days doesn't look
[22] ridiculous.

[23] MR. KENNA: That's a helpful comment.

[24] CHAIRMAN KIBBEY: On trail use, the second
[25] bullet, I thought perhaps — "Explain that the free

[1] permit requirement is to increase education and
[2] provide a system for monitoring trail use."

[3] That was the explanation that came out of our
[4] discussions as a reasonable use. And then perhaps if
[5] that's the case, you would also expand on the
[6] explanation.

[7] MR. KENNA: I think that's also helpful.

[8] CHAIRMAN KIBBEY: By the way, anytime that a
[9] Committee member wishes to jump in here, please do.
[10] This is the representation from your ad hoc committee.
[11] But, certainly, it is just that, a recommendation.
[12] And I just thought it would be helpful if we had Jim
[13] up here to explain some of these that we weren't too
[14] sure about.

[15] Trail use, fourth bullet. "The question
[16] arose concerning the 'nine years' target date.
[17] Perhaps an explanation should be part of this
[18] paragraph. And if the nine years is necessary, then
[19] perhaps the paragraph might be changed to read,
[20] 'Within nine years, Seasonal Trail Area closures will
[21] be phased in, as new perimeter trails are
[22] constructed.' Finally, it is suggested that the 'new
[23] permit trails' be identified as a part of this plan."

[24] The concern that brought up that last
[25] sentence was that if some identification wasn't made

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(1) MS. WATLING: I am sorry — the fire crews
(2) in particular coordinate very well. And I encourage
(3) that too. But we have a big four-wheel-drive fire
(4) engine that BLM sent up with a crew of six that really
(5) supplements our little crew of three and volunteers.
(6) So it's kind of there. I don't know if it's
(7) formalized, but at least they are all looking at the
(8) same issues and working together on them.
(9) MR. WATTS: Well, to bring up fire as a big
(10) example, in parks we have certain areas where we would
(11) not be opposed to letting things burn. There are
(12) other areas, such as cultural sites, that we would go
(13) to great lengths to protect from fires. Things of
(14) that nature.
(15) And so we know that. We have that in our
(16) plan. I think the Monument needs to have that same
(17) type of approach overall so that we all know what each
(18) other is doing in the event of a fire that escapes
(19) boundaries; we have a good, coordinated response with
(20) everybody that has a piece of the pie dealing with it.
(21) CHAIRMAN KIBBEY: Any other comments?
(22) Questions?
(23) Thank you, Connell.
(24) Next item is the discussion concerning the
(25) recommendations by the ad hoc committee on the Plan

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(1) Amendment, BLM Plan Amendment, and Trails Plan.
(2) And, Jim, if you might make yourself
(3) available at the podium if there's any questions,
(4) comments, since this is your baby.
(5) As directed at our last meeting, the work
(6) groups met and discussed the BLM draft trail plan, and
(7) then on July 30th representatives from those
(8) committees met at my call and discussed the various
(9) portions of the Plan and how they might affect their
(10) committee. And then after chatting a bit about that,
(11) we then decided to go down piece by piece, square by
(12) square, as it were, and make recommendations.
(13) The recommendations, then, as set forth in
(14) the memorandum to the Monument Advisory Committee
(15) which you find at your desk before you dated July
(16) 30th, "Subject: Recommendations on BLM draft Santa
(17) Rosa - San Jacinto Mountains Trail Management Plan"
(18) refer to the Executive Summary.
(19) Executive Summary, page ES-23, concerning the
(20) trail use, if you look to the first bullet, and
(21) suggested that there be some explanation as to the
(22) reason for the two days per week schedule, and it was
(23) suggested by one of the Committee members — it was
(24) meant to evaluate the impact of human activity on the
(25) sheep.

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- (1) PRESENT
- (2)
- (3) MONUMENT Advisory Committee (MAC):
- (4) FRANK BOGERT, former Mayor, City of Palm Springs
- (5) ROBERT BROCKMAN, Director of Community Development, City of Rancho Mirage
- (6) BUFORD CRITES, Councilmember and former Mayor, City of Palm Desert
- (7) BARY FREET, Palm Springs Fire Chief, resident of Cathedral City
- (8) BARBARA GONZALES-LYONS, Vice Chair, Tribal Council, Agua Caliente Band of Cahuilla Indians
- (9) LARRY GRAFTON, Senior Planner, City of Indio
- (10) WELLS
- (11) TERRY HENDERSON, Councilmember, City of La Quinta
- (12) EDWARD KIBBEY, Committee Chairman, Building Industry Association
- (13) BOB LYMAN, Regional Office Manager, County of Riverside
- (14) JEFFERY MORGAN, Sierra Club, Local Conservation Organization
- (15) ALLAN MUTH, University of California, Riverside, Deep Canyon Research Center
- (16) ROB PARSONS, General Manager for the Palm Springs Aerial Tramway, Winter Park Authority
- (17) RUTH WATLING, Chair, Pinyon Community Council
- (18) WILLIAM (GARY) WATTS, District Superintendent, California Department of Parks and Recreation
- (19)
- (20)
- (21)
- (22)
- (23)
- (24)
- (25)

- (1) STAFF:
- (2) DANELLA GEORGE, Designated Federal Official, National Monument Manager
- (3) CONNELL DUNNING, Community Planner, Bureau of Land Management, Palm Springs/South Coast Field Office
- (4) JIM KENNA, BLM Field Manager, Palm Springs/South Coast Field Office
- (5) EDDY KONNO, California Department of Fish & Game
- (6) LAURIE ROSENTHAL, USDA Forest Service, District Ranger, San Jacinto Ranger District
- (7)
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Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

In The Matter Of:

*Santa Rosa & San Jacinto Mountains
National Monument Advisory Committee*

*Hearing
August 3, 2002*

*Gillespie Reporting & Document Management, Inc.
3333 Central Ave.
Suite D
Riverside, CA 92506
(909) 682-5686 FAX: (909) 682-4990*

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Word Index included with this Min-U-Script®

(1)
(2)
(3) SANTA ROSA & SAN JACINTO MOUNTAINS
(4) NATIONAL MONUMENT
(5) ADVISORY COMMITTEE
(6)
(7)
(8)
(9)
(10) REPORTER'S TRANSCRIPT
(11) OF
(12) PROCEEDINGS
(13)
(14) MEETING LOCATION: PALM DESERT CITY HALL
City Council Chambers
(15) Palm Desert, CA
(16) DATE AND TIME: Saturday, August 3, 2002
8:59 a.m. to 3:07 p.m.
(17)
REPORTED BY: DIANE L. MARTIN, CSR, RMR
(18) CSR No. 8268
(19) JOB NO.: 59344DLM
(20)
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(23)
(24)
(25)

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Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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July 30, 2002

MEMORANDUM TO MONUMENT ADVISORY COMMITTEE

Subj: Recommendations on BLM Draft Santa Rosa and San Jacinto Mountains Trails Management Plan

As agreed on at our last MAC meeting, representatives of our four work groups met this date as an Adhoc Group and agreed upon the following recommendations to the subject plan:

Executive Summary, Page ES-23

Trail Use, first bullet: Explain that the reason for the two days per week schedule is to evaluate the impact of human activity on the sheep.

Trail Use, second bullet: Explain that the free permit requirement is to increase education and provide a system for monitoring trail use.

Trail Use, fourth bullet: The question arose concerning the "nine years" target date. Perhaps an explanation should be part of this paragraph. If the nine years is necessary, then perhaps the paragraph might be changed to read "Within nine years, Seasonal Trail Area closures would be phased in, as new perimeter trails are constructed". Finally, it is suggested that the "new perimeter trails" be identified as a part of this plan.

Trail Use, fifth bullet: There was doubt expressed that the Sheep Ambassadors were worth the expense and perhaps should not be continued.

Executive Summary, Page ES-24

Camping: Change the words "essential sheep habitat" to "Seasonal Trail Area". There is a large area of the Monument outside the designated Seasonal Trail Area.

Executive Summary, Page ES-25

New Trail Development: There was question raised as to the July 1 to January 14 limit for trail construction, since these are perimeter trails and mostly not within

the essential sheep habitat area.

Murray Hill Facilities: It is suggested that the word "permanently" be inserted prior to the word "relocated" in the third line.

Executive Summary, Page ES-27

Motorized Commercial Recreation Activities: MAC will probably be suggesting that the portion of Dunn Road from Highway 74 to the north side of the orchard be open for year around use to provide opportunities to utilize two trails in the area. It will further be suggested that this portion of Dunn Road be improved to allow use by all types of street vehicles. Additionally, we would suggest that language be added that would prohibit through-travel on the remainder of Dunn Road.

These are suggestions of the work groups and in no way are meant to limit discussion by members of MAC at their meeting on August 3, 2002.

Respectfully Submitted:

Ed Kibbey
Adhoc Group Chair

PC 160
RECOMMENDATION MODIFIED
BY ADVISORY COMMITTEE,
SEE AUGUST 3, 2002 HEARING
TRANSCRIPT

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(6,2002 DAC report.pg. 2)

The current effort to designate driveable trails in several planning areas was discussed. Instead of providing valid evidence that certain trails must be closed due to evidence of environmental impacts on those trails, the BLM is taking the approach of closing all dirt roads and trails to vehicle use unless the users have identified them as trails that need to remain open and they are closing some of those if alternate routes are available. Many members of the DAC expressed concern about the proliferating trail closures since access for all public land users is being denied. Included among the dissenters were representatives from the cattle industry, the mining industry, the filming industry, County Boards of Supervisors, the OHV communities, and even the wildlife protection community.

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The question of money was raised. None of the plans address the cost to implement their recommendations. The Desert District Manager indicated that she has used up this year's budget already and there are several more months to go in this fiscal year. To implement all of the new management plans and monitor the result would take several times the staff currently available and no increased budget is anticipated if anything, BLM appropriated funds are being cutback. So the end result of attempting to implement these unrealistic plans will be that implementation schedules will not be met and the environmentalist groups will sue the BLM once again for failing to implement plans.

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Does any of this matter to the California Desert District BLM? The answer is a resounding NO! Not one single element of any of the new Desert Management Plans addresses even maintaining status quo for public land users. Certainly, there is no mention of expanding public use opportunities. Instead, a single solution policy is being applied across the board that can only be described as Management by Closure!

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The unfortunate result of this management by closure philosophy, that ignores input from a majority of desert interest groups, is that more and more litigation will follow.

These interest groups are banding together, with California businesses that are being impacted by continuous management by closure, to halt this unfair and illegal process.

Litigation by enviro-extremist groups has been so effective in directing BLM policies that other interests are left with no alternative.

A last hope proposal was offered to the BLM at the meeting to avoid expanding litigation costs. It was proposed by recreation representative Denver that, if the BLM can get the environmental groups that sued the desert district to put up some money, the other interest groups will match that amount. The money would be used to perform a serious scientific study of the California Desert Tortoise. Law suits would stop, the Desert Tortoise Recovery Plan would be updated, and plans would incorporate the results of the study. If the environmental groups are serious about saving the tortoise, they should jump at this offer. We'll see!

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JUNE, 2002 CA DESERT ADVISORY COUNCIL MEETING REPORT

(1) **REPORTER'S CERTIFICATE**
 (2)
 (3) I, Judith W Gillespie, a certified shorthand
 (4) reporter, do hereby certify that the foregoing pages
 (5) comprise a full, true and correct transcription of the
 (6) proceedings had and the testimony taken at the hearing in
 (7) the hereunbefore-entitled matter of June 29, 2002
 (8) Dated this 19th day of July, 2002, at
 (9) Riverside, California
 (10)
 (11)
 (12)
 (13)
 (14)
 (15) Judith W Gillespie, CSR No 3710
 (16)
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By
Roy Denner, Recreation
Representative

The California Desert District Advisory Council (DAC) is aboard of 15 individuals who have interests in the California desert. This Council, appointed by the U.S. Secretary of the Interior, established under Federal law, is supposed to advise the Bureau of Land Management (BLM) on the management of the 10 million acre California desert district.

At a DAC meeting held in El Centro during December, 2001 several significant recommendations were made by the DAC, to the BLM, on a vote of 10 in favor to 2 opposed. Those recommendations were as follows:

In the Imperial Sand Dunes Recreation Area Management Plan, the Northern & Eastern Colorado Management Plan (NECO), and the Northern Mojave Management Plan (NEMO), the BLM should include a provision to mitigate impacts on land users just like it mitigates impacts on the environment. For example, if an area needs to be closed to public use because of significant impacts on an endangered species, another area should be opened or expanded to compensate for the closure. Because of the lack of recent scientific studies of the status of the Desert Tortoise & the species that is driving the decisions included in the new plans & implementation of the NECO & NEMO plans should be delayed until new studies can be completed. BLM biologist reporting at the meeting admitted that no good scientific data exists to support BLM planning actions, which consists solely of closures of public lands to public use. Similarly, cattle grazing restrictions should not be implemented until further studies of the Desert Tortoise are complete. OHV areas recommended for closure in the NECO Plan, with no evidence of OHV impact on species, should remain open. A recent DAC meeting was held in Barstow on June 28th & 29th, 2002. At that meeting, it was reported that none of the DAC recommendations will be implemented. No sound scientific evidence or rational analysis was provided to support these decisions.

When the person responsible for drafting the NECO Plan was confronted with & "You must have overwhelming evidence of OHV impacts in the OHV areas you are closing to ignore the DAC's recommendation with a vote of 10 to 28" Is that true? The answer was & "no" 7. The BLM has done no environmental studies in those areas.

It was reported by the BLM that the new Coachella Valley Plan, currently being developed, treats 31 species, THAT ARE NOT ON ANY ENDANGERED SPECIES LIST, as if they were already listed since & they might someday be threatened or endangered. & 7 In the entire 1.2 million acre Coachella Valley (the Palm Springs corridor along Hwy. 10) there is not a single place that a kid can ride his/her dirt bike legally after school. All OHV areas have been closed!

PC 022
PC 131 025

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11: aside for conservation purposes, as I understand it — and
12: correct me if I'm wrong, Jim. And today, there is not a
13: single place in the entire Coachella Valley where a kid can
14: ride his dirt bike after school. And I just have to wonder
15: what those kids are doing with their time after school
16: instead of using up their energy on the side of a hill
17: somewhere.

18: And finally, I find it absolutely ludicrous
19: that major land management plans are being made based on 31
20: species that might some day be listed? I mean, that
21: certainly draws a real picture of where the BLM stands
22: relative to the environmental issue versus the public use
23: issue.

24: MR. KENNA: Well, two things. One, they are
25: still using their motorcycles. They haven't stopped, and
26: that is something we are trying to address, and we just
27: haven't figured out how. And I agree with you that that
28: needs to happen because what's happening now is we have got
29: private landowners and some of the others really up in arms.
30: And that's not fair either, to put them in that position.
31: So I agree with you. We are trying to work on it. The
32: state has agreed that it's an area that needs to be
33: addressed. We don't have agreement from State Parks yet,
34: but actually Fish and Game has taken the lead on that.

35: MEMBER DENNER: The closure of Windy Point

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PC 131

PC025

PC 133

1: could have been delayed until the problem was solved. That
2: would have taken away a lot of the impact.

3: MEMBER FERGUSON: Yeah, but, Roy, that was
4: congressionally done by Mr. Clinton, so —

5: CHAIRPERSON KEMPER: One at a time, please.

6: MR. KENNA: I think Jeri's point is right.

7: For us to make a decision inconsistent with federal law is
8: probably not where we ought to go. But the other thing is
9: in terms of the species coverage list, it was actually
10: developed by CVAG. And it's those species that the cities
11: and county want to be covered for. And in that process,
12: they will get a section 10-A permit, which means that they
13: will be able to, with whatever survey requirements happen,
14: they will be able to issue building permits that cover those
15: species without going through consultation again with the
16: Fish and Wildlife Service. And that's the purpose from
17: their standpoint. It helps streamline their permitting
18: processes, and they see that as a positive. So if you can
19: understand it from the city and county's perspective, I
20: think it will make more sense.

21: CHAIRMAN KEMPER: Any other comments? Thank
22: you, Jim.

23: MR. KENNA: I also apologize. I'm going to
24: have to leave. One of my employees is getting married this
25: afternoon, and I told her I would be there.

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PC 133

1: there and also the closure in Indio Hills. I would like to
2: know how you propose — and I understand Drop 31, but that's
3: also 15 miles south, almost. I'm going to assume it's close
4: to 15 miles east or whatever of where these traditional uses
5: are at. And how do you propose to get the local community
6: to start using Drop 31 as an OHV area?

7: MR. KENNA: I'm not sure that that is what
8: we are going to need to do. I don't think that Drop 31 will
9: address the motorcycle-out-the-back-door kind of user. It
10: doesn't see that. It currently is a camping area with
11: three-wheelers and four-wheelers in the wash. That's the
12: kind of use it's gotten for a long time, and I would
13: anticipate that that would continue.

14: I don't — I agree with you that Windy Point
15: displaces some users. The primary user base there is out of
16: Orange County, has been, and one of our difficulties has
17: been it's largely Spanish-speaking. And so we tried to put
18: rangers out there that speak Spanish when we can. And we
19: are trying to work with the state on a new area. The area
20: that we are looking at right now is north of — it's not
21: federal. There just aren't any options that will allow us
22: to meet the PM-10 air quality requirements that the valley
23: has to meet to get us highway funding for those interchanges
24: freed up and to meet the permitting requirements for Fish
25: and Wildlife Service for both the cities, county, and us.

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PC 124

1: I don't think there is anything there, to be
2: quite honest. But the options are very limited. Where most
3: of the use occurs right now — as you indicated is
4: correct — it's trespass use on private lands and also on
5: Indian land. And particularly around Iron Door is probably
6: where it's most concentrated. Those issues, while they
7: won't be BLM issues, I suspect that the local jurisdictions
8: will have to take a pretty hard look at those, given the
9: vacant or disturbed vacant lands requirements in the state
10: implementation plan in order to get the air quality stuff
11: addressed.

12: So it's a tough problem. There isn't going to
13: be an easy solution. You know, the cities, if you look at
14: it from their perspective, are also facing tremendous
15: pressures in terms of development and housing in order to —
16: where to put these people. The building industry feels like
17: they have taken the brunt of things thus far. That and the
18: agriculture industry. And they are basically saying that
19: particularly in terms of the air quality issue, they expect
20: the federal agencies to step up and start doing their part.
21: That message came through pretty loud and clear.

22: MEMBER FERGUSON: The OHV community has — I
23: mean, it may not be an issue because it's on private
24: property or state land is where the people are ending up
25: going. But it is a direct impact from BLM closures. And

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[1] This is sand and gravel. We currently have
[2] production off of federal lands at about 600,000 tons a
[3] year. We have about 33 million tons in reserve, so 30-year,
[4] plus, of supplies. We also have private supplies coming on
[5] line. Our judgment, given our options, is to build our
[6] reserves system so that we have plenty of supply and we
[7] won't be in the situation that L.A. and Orange County are
[8] in.

[9] Here is the annual implementation information
[10] and just the general costs that we are looking at for the
[11] federal side of the plan. Issue was raised previously about
[12] what will that cost, and these are estimates of what that
[13] generally will run.

[14] So in summary, if you are going to remember a
[15] few things, this is a multi-jurisdictional planning effort.
[16] It's not just BLM. There is an exceptional level of
[17] inclusiveness over a long period of time. There are a
[18] number of high profile issues and areas involved in the
[19] valley. And that we believe we can deliver both
[20] conservation and infrastructure to support the cities and
[21] their development needs over time. We are committed to
[22] delivering the results that we agreed to with the cities and
[23] county. And we have lawsuit issues, but we have tried to
[24] limit the effect of that to the schedule. And we believe
[25] that we have come up with a way to provide for everything.

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[1] from sand and gravel and energy generation to recreation and
[2] open space.

[3] **CHAIRMAN KEMPER:** Before we start on
[4] questions, I'm going to ask that the other managers that are
[5] giving reports being prepared to stay within their time
[6] limits.

[7] **MR. KENNA:** My apologies.

[8] **MEMBER FERGUSON:** First, all the presenters,
[9] you guys are doing an excellent job with the Power Point.
[10] It would be real helpful if we could have copies of that.

[11] **MR. SANCHEZ:** I will get copies.

[12] **MEMBER FERGUSON:** I haven't had a chance — I
[13] mean, I have glanced through the Coachella plan and I have a
[14] lot of concerns. I understand the Windy Point closure on
[15] not only — regardless of the fringe-toed lizard issue, I
[16] also understand that because it's a monument, that vehicle
[17] travel has to stay on designated trails, which isn't going
[18] to happen in the sandy area.

[19] So that aside, you have displaced a lot of
[20] people out of there and not given them a lot of places to
[21] go. So what has happened now is there has been a lot of
[22] intrusion throughout the private property and the Coachella
[23] Valley preserve.

[24] Now, I know that there is a lot of uses out at
[25] Iron Door, and the preferred alternative is the closure out

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(1) but PM-10 is a much, much larger part of it in the Coachella
(2) Valley, given the current issues with EPA and highway
(3) funding and so on.

(4) Route designation: There is complete route
(5) designation. It's pretty limited. There is not a lot of
(6) route mileage that you can work with in the Coachella
(7) Valley.

(8) Trail management is probably the biggest
(9) public issue. And then there is a series of permitted uses
(10) that I will quickly run through.

(11) All right. What you see here is just — I
(12) told you about all the areas that have existing protection
(13) on them. The wilderness areas are the yellow. This is the
(14) National Monument. These are the existing ACEC areas.
(15) Chuckwalla Bench. This is the fringe-toed lizard reserve.

(16) This one shows the route categories and the
(17) OHV areas that were under consideration. As I indicated,
(18) the options in Coachella Valley are very limited. This is
(19) Windy Point up at this end of the valley. There is a small
(20) area in Indio Hills. There is another one down here and
(21) this would require withdrawal revocation because it's
(22) currently under Bureau of Reclamation down at Iron
(23) Door. And then Drop 31, which is a traditional use area
(24) particularly on weekends, local use picnicking and
(25) three-wheeler use in the washes, that sort of thing out of

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(1) the areas around north end of Salton Sea, plus there is some
(2) destination OHV use, similar to Glamis, where it has
(3) vehicles affiliated with camping.

(4) MR. DANNA: Jim, you have gone over 15.

(5) MR. KENNA: I will try and wrap this up.

(6) These are the trail issues: It has mainly to
(7) do with bighorn sheep. We work very closely with the hiking
(8) and equestrian groups, as well as with the biologists. We
(9) have hammered out a consensus alternative with the county
(10) and cities.

(11) One thing before we leave this. You can see
(12) the development area on the photo. And remember, we are
(13) 318,000, and we are going to put almost double that in this
(14) valley in the next 20 years.

(15) This is a wild horse and burro site. It's
(16) joint with the Agua Caliente band, and we are working on
(17) reducing or eliminating the horses there. This is an
(18) exchange area with the tribe. This is the Whitewater
(19) allotment. It has been in rest for three years now.
(20) although we have not seen a lot in the way of results given
(21) the drought conditions and so on. It will continue in rest
(22) These are wind energy sites, and the wind energy will remain
(23) more or less the same, and we will not have wind energy in
(24) the National Monument, which is basically south of Highway
(25) 111.

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11: The other part of this that I also emphasized
12: is that there is a lot of capacity built in to do
13: implementation. There are a number of strong partnerships
14: that already exist. Tribal agreements are in place. We
15: have advisory and management committees, both Federal, the
16: National Monument, and a number of local ones as well
17: Friends groups in place that help with the various things in
18: certain spots, and that we have a history of the doing
19: multi-jurisdictional acquisition projects.
20: The community objectives in terms of what
21: brought everybody to the table and has made this, I think, a
22: pretty good collaborative process in its execution is that
23: there is a desire on all parties, by all parties to make
24: sure that we have coordinated conservation and planning
25: decisions so what we decide on the Federal level makes sense
26: with the city it happens to apply to.
27: The second thing, everybody wants to walk away
28: with some certainty whether they are the conservation
29: community or the building community. And the third thing is
30: that we meet a Section 7 consultation. The cities and the
31: county meet the NEPA permit in order to streamline the
32: Endangered Species Act process.
33: This is just a summary, and I won't dwell on
34: it. The formal part of the process is down here, but this
35: process has been so long-running and so open with so many

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11: local meetings and jurisdictions and everything from city
12: councils to the Association of Government meetings that I
13: think almost no one is surprised by the outcomes.
14: Here is the incentives and desired outcomes
15: that if you look at it from a general public standpoint, the
16: most common one is concern, one way or the other, about
17: quality of life, open space. There is a lot of ecotourism
18: in the valley already. And then looking at some of the
19: urban interface issues, one of the mayors is fond of saying
20: "We don't want Coachella Valley to be one of those places
21: that used to be a nice place to live," and with due respect
22: to a few folks here, I think he is referring to L.A.
23: Species conservation: These are some of the
24: high profile ones that are involved in the planning process.
25: And then there are certain land use things that have to be
26: addressed in order for the communities in the valley to
27: function.
28: So here are the major issues: There is a land
29: tenure issue. This has a couple of aspects. One is the
30: reserve assemblage, but the other aspect to it is cost.
31: Cost to the local jurisdictions, to the counties, to the
32: cities. And that's one reason why they were very adamant
33: about federal participation.
34: OHV-use areas, probably the driving and most
35: high-concern issue in this case. Species are part of it,

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only plan in town. Most obvious one people usually pick up on is there is an ongoing National Monument planning process, but there are several other processes which have to be met that are also concurrently going on. There is a State Parks planning process for the State Park at the top of the tram, which is also part of this. The Aqua Caliente band is doing their habitat conservation plan in their consultations with Fish and Wildlife Services concurrently. There is currently a number of planning efforts going on around Salton Sea restoration down at this end of the valley. We have to integrate with the Four Forest Plan that's going on in Southern California. Hopefully, this gives you some idea of some of the complexity involved. We also have an overlap area with NECO that runs basically from Dillon Road to the east. Time frames and schedules. We are on a very aggressive time frame. This is the one place where the lawsuit has affected the plan. We have tried very, very hard to make sure that the contents of the planning process, particularly given the close relationships we have with local government was not affected, but it did affect the timing of the federal component of the process. We will have to complete it by the end of the year. That's why you see this very, very aggressive schedule. The plan is now out in draft. It will be open to comment until September

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the 5th. Here are the scheduled public meetings. July 22 is in Palm Desert, and there is a news release out on the table if you want to — you don't have to write these down. You can pick them up. We are going to have public meetings at all sites right in the middle of the valley to start. Up at the Palm Springs end of the valley on Tuesday, and on Thursday, we will be down at the IID board room down at the very south end. One of the things that I tried to emphasize in our briefing back in DC is that there is an awful lot of the history in this valley of involving problems together. We were one of the first areas in the early eighties to address a listed species issue and its direct effect on development in the valley with the Coachella Valley fringe-toed lizard. The local jurisdictions, in combination with the state and federal agencies, hammered out a solution, which resulted in the fringe-toed lizard reserve. And that sort of set a pattern that is very active in the valley. We have a joint sites act plan in the mountains with Fish and Game. Then the National CV area designation came along in 1990, which was secretarial. And these are all pretty much grass roots efforts. And it's the same set of jurisdictions and interests that work together to solve problems

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(1) about 38 percent. We've got nine cities involved. We are
(2) looking to cover 31 species. And the concept behind this is
(3) to make sure we are covering species that prospectively
(4) might be listed. There are nine listed species in the
(5) planning area, and then under the state law, we will be
(6) covering 26 natural communities.

(7) The ownerships, again, are broken down a
(8) little bit here. This sort of reinforces, I think, what you
(9) saw in the prior map. The reserve acreage that is being
(10) discussed most intensively is really about the 100,000 or
(11) 200,000 acres in the valley floor where the development
(12) pressures are the most intense.

(13) If you look at it purely from a BLM
(14) standpoint, the public land acres that BLM brings to this
(15) planning process is 283,000 out of the 1.2 million. The BLM
(16) planning area is slightly larger, simply because of some
(17) things we needed to pick up in terms of the California
(18) Desert Conservation Area that aren't strictly in the valley.
(19) Example would be the remainder of Whitewater ACED and the
(20) allotment.

(21) Urban interface is a big deal for us. We are
(22) affected not just by the growth that's going on right there
(23) in the valley, but we have a lot of people, as you know,
(24) that come to the Coachella Valley for tourism purposes. We
(25) have a high volume of folks. And we live right next door.

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(1) just over the hill, to 24 million people.

(2) The agreement to do joint planning, which was
(3) the BLM commitment to work directly with the cities and
(4) county was initiated in 1996, which started the monthly
(5) meetings that have all been public. All of the interim
(6) products have been public drafts and aired at those
(7) meetings. So it's been a very, very open process.

(8) The lead agency in the process has been
(9) Coachella Valley Association of Governments. And in my
(10) mind, they have done a masterful job. If you look at it
(11) from a BLM standpoint, the Coachella Valley historically has
(12) always been an area with a high level of conservation
(13) designation in the valley. Most recently the national
(14) monument, which passed by law and actually was a locally
(15) generated bill that came out of this planning process.
(16) There are five ACECs, all of course within the valley, and
(17) four wilderness areas. So if you take the total of the
(18) existing special areas already within the valley, remember
(19) that our total planning acreage is 283,000. The BLM's
(20) existing and special areas are already 250,000,
(21) approximately. The decision areas for other resources are
(22) fairly narrow and limited.

(23) Thus one, I think — just wanted to talk a
(24) little bit about the overlaps and relationships to other
(25) plans. In this case, it's very complex. We are not the

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11) you who were at the meeting in Desert Hot Springs when we
12) went over this before. But I think for others it will be
13) very important foundation material.

14) And a little bit look at the schedule. Talk
15) about the partnership and the way things were developed in
16) this way. They are similar in some respects to what you
17) heard for West Mojave, although in some ways I would say
18) even more so. We spent almost — although not formally, we
19) spent almost six years in a quasi-scoping type of framework
20) with monthly meetings that were public, working side-by-side
21) with the cities and the county. And basically, we are all
22) working off of the same plan.

23) Public participation as a result was also very
24) intensive. We will give a brief overview of some of the
25) major issues and decisions and talk a little bit about what
26) the cost and implementation looks like

27) Just for context, we are involved in six
28) habitat conservation planning processes in Palm Springs and
29) South Coast. Most of them are on the South Coast side, so I
30) won't spend a lot of time with you folks on those. But in
31) general, they always involve a relationship with local
32) governments where we are trying to jointly develop a cross-
33) jurisdictional plan to make sure the decisions work. We
34) have two in San Diego County. One in Western Riverside
35) County. And this is a Coachella Valley Plan. We also have

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11) one in a small area in San Bernardino County.

12) A little bit about land ownership. The color
13) you see here, this is the BLM land. This is Joshua Tree
14) National Park. This is San Bernardino National Forest.
15) There are state lands, the blue color right here, blue color
16) here, blue color here. What I also pointed out back in DC
17) is not only do you see — you might assume that everything
18) that is state is under a single jurisdiction, and it's not

19) We have State Parks land. We have fish and —
20) land managed by Fish and Game. And we also have University
21) of Riverside research center that's in the planning area.

22) Similarly, this color, which is tribal, represents five
23) different tribes involved in the planning process

24) The bottom line is — and hopefully this
25) conveys it — it's a very complex set of ownerships and
26) partnerships involved in this planning process. BLM is one
27) of those, and we are not in this by ourselves.

28) Here is some factual information that puts
29) things in context. First of all, if you look at the total
30) county, this is the acreage. But if you look at the plan
31) acreage across the way, and the plan itself is a little over
32) a quarter of the total county. You make a similar
33) comparison, population at the county level, if you look at
34) Coachella Valley. It's 318,000 now; 20-year projection is
35) 600,000. Population growth rates from 1990 to 2000 are

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11) if the closure of the wilderness is even protecting the
12) species

13) And again, I'm going to go back to what Randy
14) said. Here we have closures for years and years and years,
15) and we are still being — the motorized access community is
16) still being dinged for the desert tortoise declining. And
17) yet there aren't any reports or proof of that

18) **CHAIRMAN KEMPER:** Okay Dick, can we move on
19) with the presentation? Thank you very much

110) **MR. KENNA:** I'm Jim Kenna. I'm the field
111) manager in Palm Springs

112) Before I launch into Coachella, and I don't
113) want to belabor the argument, but I do hope people will look
114) at what was done in the final relative to routes. Most of
115) the comments — and I think Jeri, we were or tried very hard
116) to be very responsive and added routes and moved routes from
117) closed to open. And I hope people will take a look at that.
118) Look at the fact that there is over — a route network of
119) over 5,000 miles in the desert. And we did try to look at
120) things. And I do think we —

121) **MEMBER DENNER:** The net result is still a
122) reduction in routes

123) **MR. KENNA:** I don't mean to argue with you
124) I hope people will take a look at that. And Jeri, I hope
125) you will remember our trip out to Rice Dunes and the

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11) conclusions we made on-site with you and Ed. My purpose
12) really is to talk —

13) **MEMBER FERGUSON:** It wasn't me by myself.

14) **CHAIRMAN KEMPER:** If I can take just a
15) minute. Let's allow the District Manager to give his
16) presentation. We will have an opportunity for comments and
17) questions, but I will believe it will go a lot more orderly
18) and a lot quicker if we allow him to give his presentations
19) and then make comments or ask questions.

110) **MR. KENNA:** I will focus mostly on Coachella
111) Valley. You got a little bit of sense of the types of
112) issues going on in the Coachella Valley when I did my field
113) manager report yesterday.

114) It's a different sort of area than most of the
115) desert. We were talking about that at dinner last night.
116) So hopefully, what I can do in the course of this briefing
117) is give you some sense of what the differences are and how
118) they are being addressed.

119) Here is kind of where we are going. The
120) briefing that we gave back in DC looked — a pretty good
121) overview of land ownership because it's much more complex
122) than the rest of the California desert. The planning area
123) itself, I will give you a little bit of context in setting
124) information, a factual review that should give you a
125) foundation. And some of this will be a repeat for those of

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<p>U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT CALIFORNIA DESERT DISTRICT ADVISORY COUNCIL REPORTER'S TRANSCRIPT OF PROCEEDINGS VOLUME II LOCATION: Barstow College Gymnasium Barstow, California DATE AND TIME: Saturday, June 29, 2002 8 a.m. to 3 p.m. REPORTED BY: JUDITH W. GILLESPIE, CSR, RPR CSR NO. 3710 JOB NO. 5925BJG</p>	<p>INDEX</p> <table border="0"> <tr><td>(i)</td><td>INDEX</td><td></td></tr> <tr><td>(ii)</td><td>AGENDA ITEM:</td><td>PAGE</td></tr> <tr><td>(iii)</td><td>RECONVENE MEETING</td><td>264</td></tr> <tr><td>(iv)</td><td>SELECT NEXT MEETING DATE, LOCATION, TOPIC</td><td>264</td></tr> <tr><td>(v)</td><td>DISTRICT PLANNING EFFORTS</td><td>264</td></tr> <tr><td>(vi)</td><td>CROWNECO</td><td>265</td></tr> <tr><td>(vii)</td><td>KENNA-COACHELLA</td><td>310</td></tr> <tr><td>(viii)</td><td>THOMSENWECO</td><td>300</td></tr> <tr><td>(ix)</td><td>PLAN IMPLEMENTATION (FACILITATED DISCUSSION)</td><td>304</td></tr> <tr><td>(x)</td><td>COUNCIL INVOLVEMENT IN FUTURE PROJECTS</td><td>413</td></tr> <tr><td>(xi)</td><td>PUBLIC COMMENT</td><td>379</td></tr> <tr><td>(xii)</td><td>MEETING SUMMARY</td><td>427</td></tr> </table>	(i)	INDEX		(ii)	AGENDA ITEM:	PAGE	(iii)	RECONVENE MEETING	264	(iv)	SELECT NEXT MEETING DATE, LOCATION, TOPIC	264	(v)	DISTRICT PLANNING EFFORTS	264	(vi)	CROWNECO	265	(vii)	KENNA-COACHELLA	310	(viii)	THOMSENWECO	300	(ix)	PLAN IMPLEMENTATION (FACILITATED DISCUSSION)	304	(x)	COUNCIL INVOLVEMENT IN FUTURE PROJECTS	413	(xi)	PUBLIC COMMENT	379	(xii)	MEETING SUMMARY	427
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<p>(i) APPEARANCES</p> <p>(ii) MEMBERS PRESENT</p> <p>(iii) ELENE ANDERSON WILLIAM A. BETTERLY HOWARD J. BROWN DENNIS CASEBER SHERI DAVIS ROY DENNER JERI FERGUSON RON KEMPER (CHAIRPERSON) WALLY LEMORISER JOH MCQUISTON RANDY RISTER PAUL SMITH</p> <p>(iv) STAFF PRESENT</p> <p>(v) LINDA HANSEN TONY DANNA GREG THOMSEN MOLLY BRADY JIM KENNA ED LARUE LARRY LAPPE MIKE POOL DORAN SANCHEZ HECTOR VILLALOBOS</p>	<p>(i) Barstow, CA Saturday, June 29, 2002</p> <p>(ii) PROCEEDINGS</p> <p>(iii) CHAIRMAN KEMPER: At this time I would like to go on the record. And I know it's not on the agenda, but I guess let's do the Pledge of Allegiance. (Pledge of Allegiance recited.)</p> <p>(iv) We are open for discussion for the time being for the next meeting. And if it be the Council's pleasure, maybe we could not only talk about that, but the rest of the calendar for the rest of the year might be helpful.</p> <p>(v) MS. HANSEN: I just would like to suggest to the Council that because of the timing of doing things like Federal Register notices and the logistics of putting these meetings together, I think the earliest time that you should look at is about -- no sooner than 90 days in advance of this date. It takes 60 days to get the paperwork done. And that would give you an appropriate, then, timing for notification to the public. So I would just suggest you start with that as your earliest.</p> <p>(vi) CHAIRMAN KEMPER: You are suggesting September. Does anybody have conflicting dates from the -- let's say from the middle of September to the end of</p>
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1 anyone else would like to speak. If not, I think
2 we will go ahead and close this formal portion of
3 our meeting.

4 We will stay for a while and be available
5 to answer any questions you may have. And, again,
6 on behalf of Jim Kenna, myself, Rachelle, and BLM,
7 we would like to thank you for taking the time to
8 be here and provide your input. For me, I know it
9 only makes the document better, and we do it for
10 you as public servants and want to do the best we
11 can.

12 So thank you.

13 (The hearing was adjourned at 6:35 p.m.)

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1 R E P O R T E R ' S C E R T I F I C A T E
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3

4 I, Diane L. Martin, a Certified Shorthand
5 Reporter, No. 8268, for the State of California,
6 do hereby certify:

7 That the said proceedings were taken down by
8 me in stenotype at the time and place therein
9 stated and was thereafter reduced to printing
10 under my direction.

11 In witness whereof, I have hereunto
12 subscribed my name this 30th day of July,
13 2002.

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18 
19 DIANE L. MARTIN, CSR No. 8268
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1 If you look on page 2-7, there's a little
2 bit in here that I wanted to talk about. Being a
3 local water well and pump contractor, working with
4 the aquifer and pumping systems on a daily basis,
5 I'd like to make a few comments on our declining
6 water levels. And I can relate to this a little
7 bit.

8 Let's see. I am just trying to find a
9 well close to where we're standing here.
10 Jefferson and Avenue 58 is as close as I can get
11 to this building. In 1992, the water level was
12 130 feet. And in the year 2000, it was 175 feet.
13 That's a 45-foot drop.

14 And if we go up to White Water Canyon,
15 four years ago, it was 50 feet. And about two
16 weeks ago, it was about 85 feet.

17 And if we go back right up here next to
18 the wilderness area boundary, in 1985, we had a
19 water level of 159 feet. And this year, in March,
20 we had a water level of 205 feet. That's a
21 46-foot drop.

22 And this is right in the area of the CVWD
23 recharge area. So they are pouring it in, but
24 it's still being pumped out. And I know that this
25 has a lot to do with, I guess, La Quinta being

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1 expanded. Because I know this was mentioned in
2 their impact report. You guys had a letter in
3 there. And this is a lot of work. And yet it
4 seems to me that there should be a book three
5 times this size on what little information I have
6 here on this one page.

7 So I think with the area growing larger
8 and larger, you know, it's going to affect the
9 wilderness areas and how the animals act. And,
10 you know, plus, we are lightening up the sides of
11 the mountains. And I don't see how that got
12 through, but it did.

13 But anyway, you know, there's -- you are
14 talking about stream channel size, appropriate
15 soils for geology and landscape and maintaining
16 the stream courses and water courses. And as all
17 these stream courses get covered up with
18 development, the areas up against the mountains
19 are more pervious and recharge has a hard time
20 getting into our groundwater.

21 So that's what I wanted to say. Thank
22 you.

23 MS. MISQUEZ: Thank you,
24 Mr. McKeever.

25 I have no more pink. I don't know if

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1 traffic going through there. And the ewes will
2 get back away and get in safe predicaments.

3 Another thing is you can't expect your
4 lambs to survive when you are protecting the
5 cougar, who has to go home and feed its baby
6 cougars. There has to be a balance in everything,
7 and especially so in this field. Otherwise, it
8 doesn't work. You are going to have one
9 species -- you are going to try to protect the one
10 species and it won't work. You just really have
11 to have a balance.

12 As to closing these places, the Indians,
13 if you will remember, tried to close off Tahquitz
14 Canyon. Remember they went down and they closed
15 off and got all the hippies out of there and they
16 said, "That's it. We have had enough problems.
17 We are going to close it off." And they did for
18 many years.

19 Well, the homeless went back in there and
20 -- because no one was there to go in and see this
21 beautiful canyon and say, "You know what they're
22 doing?" This went on for years before the Indians
23 found out. And that was that the homeless were
24 lugging in cement and cementing in the wonderful
25 Indian canyons that were in there. And that went
13

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1 on for years, because nobody took the time to go
2 in and see.

3 And so it's not always wise to completely
4 shut out the public. If you wanted horseback
5 riders to maybe apply for certain licenses, so to
6 speak, so that you know who they are and so forth,
7 I think it would be a good idea. Most of us just
8 want to go up and see what the area is like, and
9 if we ride it over and over and over a period of
10 time, we know if somebody has been up in that
11 canyon, we know if something has been disturbed,
12 if plants have been taken. You send a person in
13 there just periodically, they won't know that.

14 This is just food for thought. Maybe
15 good common sense. Unfortunately, it's
16 disappeared these days. But that's what I would
17 like to say.

18 Thank you.

19 MS. MISQUEZ: Thank you, Ms. Smith.

20 Mr. McKeever, would you like to come up?

21 MR. MCKEEVER: Jesse McKeever, 82550
22 Avenue 60, Thermal.

23 I kind of got off base here a little
24 bit. But I am impressed with your hours of
25 studies here.

14

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1 grows all the way around. We down here say it
2 only grows on the north side. But up there, it
3 grows all the way around. But they would mark the
4 north side of that tree, that little tree, so that
5 when they planted it -- guess what? -- it was
6 planted the north side -- the way it started was
7 the way it was planted around their cabin.

8 They used to -- they would watch
9 animals. They watched a wolf pack one time come
10 down and slaughter the caribou. They never
11 interfered. They just watched this, and they
12 waited to see if perhaps the wolf families would
13 come along, the infirmed would come along and
14 clean up the kill, but it never happened.

15 They had the time to just go and sit on
16 the mountainside and watch. And it never
17 happened. And it was strictly a sports kill. And
18 a lot of things like that that we city people
19 don't really understand or would try to interfere
20 with.

21 And as Gayle pointed out, there are
22 things that man creates when they are trying to
23 study these animals. I've been an animal lover
24 all my life, been around horses all my life. And
25 it's interesting the communication that you can

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1 get if you just sit and take the time and are
2 aware. And I know that in these modern times we
3 don't have that kind of time. But you also cannot
4 sit in an office and do it in theory and out of a
5 book. It just doesn't work that way.

6 Let's see. I was getting down to --
7 okay. Closing areas. This is not always a good
8 idea, to keep people out. Because when you keep
9 the good people out, such as your horseback riders
10 who just meander along and do not go up and rope
11 the deer or goats or whatever, they are just out
12 to enjoy the landscaping, they observe. And most
13 of those people have a cell phone. And if you
14 allowed them to go into these areas and be your
15 scouts and report back on things, you would be so
16 much better off than trying to hire it done.

17 You can't, in those mountains, cover
18 everything. I've ridden them all. I am 72 years
19 old. I have lived here since '76. I rode these
20 mountains 15 years before that. So I know what
21 I'm talking about. They're big. There's
22 crevices.

23 And by the way, no lamb is going -- or no
24 ewe is going to lamb by a trail. Just doesn't
25 happen. The smell is there. They are aware of

12

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1 observe." Science journals are full of study
2 documentation, so-called instrument effects.
3 "Wind tags induced ruddy ducks to spend
4 less time courting and more time sleeping. Ear
5 tags on white-footed mice kept them from grooming
6 away their ticks. Mallards wearing one-ounce
7 radio transmitters rested and preened more,
8 started their nests later, and laid fewer and
9 smaller eggs."

10 Scientists have an obvious interest in
11 reducing the number of animals that are either
12 killed or injured in the process of study. All
13 too often we neglect one of the major options that
14 we have, and that is to leave the animals alone
15 and let the humans try and live in harmony with
16 the endangered species.

17 Okay. On the various selections with
18 regards to the proposals by BLM, there is a page
19 on trails, page 4-21, with regards to trail
20 rerouting. I am blessed with the position of
21 being the Trails Commission Board Member for
22 District 4 in Riverside County. I would very much
23 appreciate being onboard with any and all trail
24 issues with regards to BLM, endangered species,
25 multi-species habitat, biodiversity, et cetera,
9

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1 only because I would like us to work harmoniously
2 together to map out either existing routes, such
3 as the Boohoff, or alternate routes that are
4 perhaps right now just pencilled in.

5 Thank you.

6 MS. MISQUEZ: Thank you, Ms. Cady,
7 B. Mangan Smith?

8 MS. SMITH: Oh, my goodness, I
9 haven't written my speech yet.

10 MS. MISQUEZ: Would you like someone
11 else to go first?

12 MS. CADY: Ad-lib, Betty. You're good
13 at that.

14 MS. SMITH: Like Gayle, I am from
15 Vista Santa Rosa. My name is Betty Mangan Smith,
16 82470 Avenue 54, Vista Santa Rosa.

17 Why do I feel I'm qualified to get up
18 here and speak to you people? Well, I worked for
19 four summers up in the heart of British Columbia
20 with the Canadian Guides. And I consider them
21 probably the best environmentalists I've ever
22 known. When they went out to get a tree, a
23 sapling, and bring it back to their cabin, they
24 would always mark it on the north side. And up
25 there in Canada, of course, you know, the moss
10

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1 MS. CADY: Good evening. My name is
2 Gayle Cady, spelled C-a-d-y. I live at 82831
3 Avenue 54 in Vista Santa Rosa.

4 This is my second response meeting to the
5 report that was issued by BLM and my third meeting
6 on basically similar subjects. I frequently talk
7 about the bighorn sheep issue, because, obviously,
8 that's a major issue with regards to trail access
9 for those of us that enjoy riding horses and/or
10 hiking.

11 This evening, however, I brought a new
12 article. This one is from Juneau, Alaska, and it
13 reads, "Studied to Death? Wildlife Research Often
14 has a Lethal Side."

15 This photograph, for those of you that
16 can't see, like myself, is a picture of a
17 helicopter chasing down some reindeer, elk,
18 whatever, moose, in the Alaska area.

19 Now, I just highlighted a few things.
20 One thing I must say, I have the absolute utmost
21 respect for those of you that have gone through
22 school and learned your profession. I am not
23 trying to say anything against the profession of
24 the biologists or anything. All I'm trying to do
25 is explain that maybe what we are all doing to

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1 preserve endangered species may or may not be the
2 exact, perfect way to do it.

3 Anyway, a few things: The methods that
4 you use are set by the philosophy that you have.
5 If you think it's okay for an individual,
6 endangered species to die once in a while,
7 unfortunately, things like that, thought patterns
8 can turn into a self-fulfilling prophecy.
9 Wildlife researchers often underestimate the
10 effect they have on their subjects. This is from
11 a gentleman who teaches biology at the University
12 of Colorado. Wild animals are living on the
13 edge. They are trying to get food and water.
14 They are trying to survive. They cannot tolerate
15 stress.

16 Some of the things that have happened
17 when collars were attached to some animals, maybe
18 it's hot and maybe they were perspiring and the
19 collars began to itch, so they rubbed, and they
20 get sores, they get infected. In this particular
21 article, it talks about a polar bear that that
22 happened to.

23 Okay. Moving right along here -- okay.
24 It says, "Ethical issues aside, intrusive research
25 can change the behavior that scientists hope to

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- The 2000 Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California, made specific recommendations for seasonal trail closures in the Coachella Valley area in order to promote recovery of PBS. Plan fails to analyze a full range of alternatives for Trails Management. Specifically, there is no Recovery Plan Alternative for trails. BLM contends that the Recovery Plan is only a guidance document and that it is not necessary to reflect its recommendations as written. However, the Recovery Plan represents years of works by PBS biologists having decades of experience, and it is very specific on the subject of recreational trails around the Coachella Valley. Therefore, Sierra Club and the wildlife agencies have repeatedly requested that there be a Recovery Plan alternative that follows the Recovery Plan accurately. Instead, the Plan proposes a watered down version of the current condition (Alt A), a watered-down version of the Recovery Plan (Alt B), and then makes a quantum leap to a "shut everything down" version (Alt C), and then gives No Action (Alt D). This leaves the reviewer with an "all or nothing" type of choice regarding recreational trails in PBS habitat. Moreover, the reviewer receives no accurate idea of what the Recovery Plan actually recommends, or how its specific recommendations would compare with the altered versions presented in the Plan.
- At 1-15 and 16, the document fails to name the Recovery Plan as one of the policy documents guiding this Plan/DEIS.
- The Plan's discussion of the Sikes Act Plan is not informative. The Plan purports to fulfill the Sikes Act Plan objectives, yet the Sikes Plan called for removing trespass roads and trails. The Dunn Road was built in trespass, and BLM sued Mike Dunn regarding this trespass in the 1970s. Yet the Plan proposes to maintain this trespass road. This inconsistency has to be analyzed.
- The Plan also alludes to certain "modifications" of the Sikes Act Plan it proposes. What are these modifications? The Plan needs to spell that out.
- The Plan needs to report that the monitoring data gathered during the two seasons of voluntary closures demonstrates that the voluntary closures do not work. Data has shown that there is a high percentage of disregard of these voluntary closures. On busy trails, such as Art Smith, large numbers of trail users continue to disregard the voluntary closures and continue to recreate in prime lambing and parturition habitat during the lambing season. The environmental analysis fails to acknowledge this fact and to analyze its probable impact to PBS if it continues to occur. We hereby incorporate Sheep Ambassador and law enforcement ranger records by reference; however, the Plan should provide this information, or at least an objective summary of it, to the public for review.
- The Plan's information about the current required voluntary closures is incomplete. Closure of Cathedral Canyon itself, in addition to Cathedral Canyon Trail, is required by the Stipulation among BLM and Sierra Club/Center for

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Biological Diversity/PEER ("Stipulation"). The Stipulation also calls for hot season closures, and advisories. The Plan needs to be accurate in its presentation of the existing situation, which will remain in force until the completion of the CVMShCP.

- In the event that the CVMShCP is not completed, at 2-25 the Plan asserts that the 1/01 (as revised 2/01) Biological Assessment (BA) will be the default activity level plan. It is our understanding that the Biological Opinion (BO) for that assessment has not been finalized, and furthermore there has been no public review of the above. Also, the Plan differs dramatically from the BA. If the Plan is to propose this BA as the default, it must include the BA and its BO and fully analyze them for public review and consistency with the Recovery Plan, this Plan and other interrelated plans.
- We concur that proposed trails restrictions should apply to areas, not specific trails. However, BLM's trails inventory is not complete. For example, omitted trails/routes include: Cedar Creek, Bullseye Rock; Mad Women Springs; Garnet Ridge; Toro Canyon; Agua Alta Canyon; Martinez Mountain, Sheep Mountain; Onion Springs.
- The Plan needs to provide better maps. For instance, where is the "second gate" on Dunn Road in Section 5? Where in Section 13 is the Bear Creek closure? Where, precisely, are the dog-permitted areas in PBS habitat? How do they differ from the temporary BLM dog closures and dog permitted areas currently in effect? Where, precisely, are the proposed new OHV areas, and how do they interface with sensitive areas such as wilderness? Also, potential new perimeter trail alignments should be mapped so they can be reviewed (for certain new trails and connectors in La Quinta, Palm Desert, Rancho Mirage, Cathedral City, Palm Springs new perimeter trails the "Ad Hoc" trails committee has provided them and will continue to provide them to BLM as they become available)
- The Plan fails to propose an effective process to deal with avoiding human intrusion too close to water source for PBS. For instance, the Plan proposes to prohibit camping within 1/4 mile of water sources. What if the water source is 1/4 mile below campers, within full view of campers? The Plan needs to identify water sources and do a comprehensive view shed analysis to determine whether trails or potential camping areas, etc. need to be further removed from water sources so that PBS do not avoid crucial heat stress season waters.
- All non-commercial, non-competitive, non-special use permits should be self issued at trailhead or made available by internet, phone or fax. If the intent is, as the Plan asserts, to use this information for monitoring and adaptive management, then BLM should make it as convenient as possible to obtain a permit. If the permits are inconvenient to obtain, BLM will not receive nearly as accurate information.

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- At the southern (top) end of the Dunn Road, the ideal place to physically control vehicles is at the existing southerly BLM gate which was carefully sited in a defile in S.16 precisely for the purpose of controlling motorized vehicles just two years ago. Now, however, the Plan proposes to allow vehicles miles north of this control point. The DEIS fails to analyze the feasibility of controlling vehicles beyond this new limit. If it proves infeasible to control access at this new point, the Plan's proposal would perpetuate Dunn Road impacts to PBS and other resources, including cultural resources. The Plan needs to address this.
- The Plan fails to justify continued motorized use on the upper Dunn Road. We hereby incorporate CDCA lawsuit, Dunn Road closure and appeals, etc. by reference. The Plan fails to fully analyze the benefits of closing Dunn Road permanently north of the gate in Section 16. Instead, the preferred alternative proposes perpetuating Dunn Road, giving rights of way, permitting recreational motorized use, etc. This flies in the face of PBS recovery.
- The Plan proposes to defer full CEQA/NEPA review of the proposed new perimeter trails until some uncertain future time, to be completed by local jurisdictions. This undermines the foundation for seasonal closure of the sensitive trails areas, since the preferred alternative actually conditions the seasonal closures on the construction of new perimeter trails. Either the Plan or the CVMSCHP must do full environmental review of the archeological, scenic, and any other impacts that are not covered by the BO for the Plan, impacts that could potentially be caused by new trails. Also, a cost analysis and implementation plan to ensure that these new trails come on line timely should be incorporated into the Plan.
- The Plan's proposal and timeline for implementing the new perimeter trails is too open-ended and protracted. It stretches out nine years, without any certainty that the new trails will actually come to fruition. Meanwhile, PBS would continue to be subjected to intrusion into sensitive lambing and water source areas at sensitive times.
- The Plan's phasing of the seasonal closures vis a vis the construction of new perimeter trails is inequitable. For example, the preferred alternative proposes that the trails in Cathedral City be seasonally closed upon completion of trails around Palm Desert. Where does this leave the citizens of Cathedral City? The phasing should coordinate the closure of trails in one city with the opening of new trails serving that city, not one 15 minutes away. This underscores the need for a funding and implementation plan for new perimeter trails. The implementation, phasing and sequence proposed in the Plan does not serve either PBS or trails users, and needs complete revision.
- The Plan fails to analyze the potential beneficial impact of new perimeter trails as avoidance barriers between more sensitive PBS habitat and the urban interface. Urban impacts have shown to be harmful and often deadly to PBS in recent years.

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- As noted above the Plan fails to give locations and extent of proposed summer heat stress closures for PBS. Moreover, the Plan proposes that such closures be deferred pending the construction of new trails. Given the extreme low numbers of PBS and the water stress on them exacerbated by two years of drought, the Plan needs to analyze the alternative of making summer heat stress closures immediate.
- The Plan fails to consider historic PBS lambing and use areas. The Plan ignores the fact (as outlined in the listing) that PBS numbers are extremely low and that additional habitat for lambing, forage, etc. will be needed to accommodate the expanded population necessary for the long term recovery of PBS. Instead, the Plan simply takes the data points where PBS have been sighted recently and draws a line around them to protect that area only. This leaves much infrequently used but historically important PBS habitat, wide open to heavy recreational use. This proposal fails to ensure that adequate historic habitat will be unavailable for lambing, water season and other sensitive activities. This approach does not accommodate recovery of PBS. We hereby incorporate the PBS listing by reference.
- The "existing perimeter trail area" in the Murray Hill complex includes important water/ historic lambing areas. The plan to remove redundant trails in the Murray Hill complex is vague and needs definition. Since Eagle Canyon is in this complex and contains a permanent oasis with water, the Plan needs to analyze and alternative in which all trails within the immediate Eagle Canyon watershed and view shed are closed seasonally, upon construction of new perimeter trails.
- With regard to wild horse herd management areas (HMAs), the Plan asserts at 4/50 that it will eventually reduce the herd in the Palm Canyon HMA, presumably after the Agus Caliente Tribe takes it over as proposed. However, this assertion is contradicted by the discussion of the preferred alternative, wherein it is acknowledged that there may be support within the Tribe for maintaining the herd.
- With regard to advancing the knowledge of how non-motorized trail use affects PBS, BLM has been less than cooperative. Thus far, BLM has opposed allowing wildlife agencies to conduct manipulated studies of trails use and its effects on PBS on public lands (see various drafts of BLM 1/01 and 2/01 BA and supporting documentation). Since BLM opposes manipulative studies, wildlife agencies have not been able to conduct research on the impacts of trails to PBS, because hikers and riders could not be sent into PBS habitat at times and places appropriate for observing controlled interactions. It is nearly impossible to conduct research on the effect of trails on wildlife without the ability to manipulate trail users. BLM needs to unambiguously agree to allow manipulated trails use research if it truly wants hard data on the effects of trails use on PBS. The Plan fails to do so.

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- The Plans asserts that 7000 visitors would be displaced annually by restriction of jeep tours on Dunn Road. This assertion needs firm foundation. Desert Adventures and its predecessor, Red Jeep Tours, were obligated to pay certain moneys to BLM based on use numbers. The Plan needs to make that data available. We hereby incorporate the Desert Adventures/Red Jeep Tours files by reference. Further, if it proves that 7000 people a year used this road that bisects the northern Santa Rosas and runs through sensitive lambing areas, this could easily explain the abandonment of much of the northern Santa Rosas by PBS in recent decades, and why the Dunn Road should be closed permanently. PC 153
- The Plan asserts that closure of Windy Point, Iron Door, etc would "displace" OHV users where free play has become "informally established." Since when did illegal use become "informal?" Since when did enforcing the law become depriving someone of their rights? Does BLM really have to sacrifice an area in order to justify enforcing the existing limited use areas? The Plan performs no analysis of impacts to adjacent existing or proposed Wilderness or of the "magnet effect" of creating an open area and the mayhem that generally follows. Nor does the plan analyze whether or not opening an area in the extreme east of the Valley will stop problems in sensitive habitat areas such as the Coachella preserve or Windy Point at the extreme west of the Valley. Nor does the Plan analyze the effect of its route designations or motorized vehicle area designations on existing or proposed wildernesses or Joshua Tree National Park in general. We are enclosing herewith a map of the conservation organizations preferred potential wilderness for Joshua Tree National Park. The Boxer bill proposals are available on the internet and elsewhere. PC 114 129 112 125
- Contrary to the Plan's assertion, we have found areas in the adjacent Mecca and/or Orocoopia Wildernesses where OHV users have intruded from the Drop 31 area. The Plan does not state any specific credible management plan to stop these existing intrusions, much less to prevent the far larger future potential intrusions that would occur if Drop 31 is legitimized as an open area. PC 113
- The Mecca and Orocoopia Wildernesses are conspicuous by their absence in the proposed areas requiring VRM at 2-5. Also, Joshua Tree National Park is in the NECO Plan and has not been assigned either. PC 037
- The Coachella Valley is in gross non-compliance with PM 10 dust standards, and Plan asserts it will cut down on particulate dust emissions. In that regard, the Plan does propose to control OHV use at an area close to the Indio monitoring station. This is all very well and fine, but elsewhere in the Coachella Valley the Plan would increase emissions. How does the Plan justify its proposal for an ATV open area at Drop 31 and free play area at Dillon Road in this regard? Isn't this a violation of the SIP, and potentially other laws? What about the dust emissions caused by MUC designations, route designations, and other special recreational designations affecting Joshua Tree National Park's Class I air? PC 072 071

7

- There is not a preferred alternative given in the text or the summary for the Route Designations. Nor does the analysis examine what routes existed as of the 1980 Plan and which have been abandoned or are new. Only the map at 2-10b purports to represent the preferred alternative. No specific routes are identified. Although we commented on BLM's earlier route inventory (incorporated by reference), neither we nor the public reviewing this Plan have any notion of which routes are proposed open and which are proposed closed at this juncture. How can we weigh the merits of the alternatives without such information? PC 135 005
- What is the status of the Whitewater allotment? Has it been acquired for conservation? The Plan needs to answer this question. It also needs to substantiate its claim that closure of part of the Whitewater grazing allotment would eliminate 248 AUMS a year. It is understanding that this is the number of AUMS that are permitted, but that the actual use has been far lower. The Plan needs to provide hard data on the current status and prior actual use of this allotment. PC 084 085
- In its proposal to install additional water sources for desert (not PBS) bighorn sheep in the area of the Coachella Canal, the Plan fails to address the direct, indirect and cumulative impacts of these water developments on the recovery of desert tortoise and other sensitive species. It fails to address safety issues, potential predation, affects on wilderness, etc. It fails to analyze other potential alternatives, such as removal of tamarisk from existing waters. It relies on consistency with the NECO Plan, which is also grossly deficient in this regard. It relies on a yet-to-be-completed CDFG Plan, thereby piecemealing the analysis of the proposed action. PC 101
- In general the Plan is confusing. For instance, it states that the preferred alternatives are highlighted in the Summary. We find no such highlighting. Just finding the preferred alternative for an issue such as route designations can be a challenge, when it is neither in the text nor the Summary. Plan maps are on a very large scale, with few reference points and scant information. The MUC map and discussion is confusing and be inconsistent with the Motorized Vehicle Area designation and the upcoming CVMSHCP for the Whitewater/ Snow Creek area, a key regional wildlife corridor. This corridor was called out by Michael Soulet as "the place where northern and southern California meet" [biologically]. PC 223 500 003 005
- The Plan's analysis of Alternatives A, B and C impacts on PBS recovery is grossly inadequate. For instance, simply "limiting disturbance" to PBS may not be enough. Does the Plan provide protection for enough undisturbed habitat to permit survival and recovery of PBS? Does it have adequate mechanisms to adapt to needed changes? Furthermore, the Plan's proposed Trails Management Committee is dominated by local jurisdictions. Very likely their decisions about trails would mimic their historic attitude about development in PBS habitat, that is, consistently approving intrusions into habitat (witness the need for six Sierra PC 167

8



Whitewater Trout Company

9160 Whitewater Canyon Road Box 549
Whitewater, California 92282
Fishing (760) 325-5570 • Stocking (760) 320-7875 • FAX (760) 320-8141

September 4, 2002

United States Department of the Interior
Bureau of Land Management
Palm Springs-South Coast Field Office
690 West Garnet Avenue
PO Box 581260
North Palm Springs, CA 92258-1260

Gentlemen:

On Wednesday, August 28, we were notified by an interested party of your plans regarding Whitewater Canyon as outlined in your "Draft Environmental Impact Statement" for the Draft California Desert Conservation Area, Plan Amendment for the Coachella Valley. We have not received any direct notices of any kind regarding this study, despite the fact that any changes would have a major impact on our business and on the established eco-systems in this part of the canyon.

Nevertheless, after reading the statement, we are assuming that whatever action is taken, that the diversion that has existed on Section 15 since April 9, 1932 will not be effected. The area serviced by the diversion has developed an eco-system that is entirely dependent on this water, as is the very existence of the Whitewater Trout Farm. Since a stated goal is to "Maintain Hydrologic Conditions", satisfaction of this goal would require the continuance of the diversion to protect and maintain the established "Riparian/Wetland and Stream Function"

A direct response will be appreciated.

Sincerely yours,

Paul D. Adelizi

Paul D. Adelizi
Farm Manager



EXTRAORDINARY RAINBOW TROUT FOR ALL PURPOSES SINCE 1939

PC 070

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

RECEIVED
BUREAU OF LAND MANAGEMENT
02 JUL 17 AM 8:36
PALM SPRINGS-SOUTH COAST
RESOURCE AREA
45 Pheasant Drive
Ridgefield, CT 06877
10 July 2002

James G. Kenna, Field Manager
Bureau of Land Management
Palm Springs-South Coast Field Office
690 West Garnet Avenue
P.O. Box 581260
North Palm Springs, CA 92258-1260

Dear Mr. Kenna,

As a part-time resident of Idyllwild, I would like to submit the following comments with regard to the Draft Environmental Impact Statement (DEIS) for the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley and the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan.

Generally speaking, I would like to see the Plan Amendment better emphasize the protection of native plants and wildlife as a paramount obligation. This responsibility is acknowledged in the DEIS, which includes "the recovery of federal and state listed species" and "avoid[ing] future listings of sensitive species" as two of BLM's management goals. In particular, it is particularly important that the Plan Amendment comply with legal requirements to protect the Peninsular Ranges bighorn sheep. The sheep was listed as endangered by the federal government in 1998; a recovery plan was completed by the U.S. Fish and Wildlife Service in October 2000; and critical habitat was designated for the species in February 2001. However, the alternatives listed in the Plan Amendment have various shortcomings in terms of fulfilling the BLM's obligations to the bighorn sheep under these provisions.

Grazing

Closure of the grazing allotment at Whitewater Canyon would become permanent *only* under Alternative C. Conducting further studies on the suitability of livestock grazing there, as stipulated by the preferred Alternative A, is superfluous. Ample scientific evidence already shows that grazing is incompatible with the protection of desert tortoise, arroyo toad, and other sensitive wildlife; with the health of riparian areas; and with the preservation of ecologically sensitive public lands in general. Livestock kills wildlife, tramples burrows, compacts soil, fouls streamside areas, and alters vegetational composition. Considering that Whitewater Canyon contains critical habitat for the federally listed arroyo toad, it is hard to see how grazing could possibly continue there without violating the Endangered Species Act.

PC 166
PC 173
PC 029

PC 083

ORV use

The preferred alternative, Alternative B, proposes an OHV open area at Drop 31. This overlaps with established bighorn habitat and is a poor choice. The restrictions on ORV use under Alternative C are better. In addition to not designating Drop 31 as an open area, Alternative C provides the best range of route closures since it is the only alternative to properly consider the contribution of ORV's to the severe air-pollution problems being experienced in the Coachella Valley.

In addition, contrary to the preferred Alternative B, the Dunn Road should be entirely closed to recreational ORV use. One of the goals of the bighorn recovery plan is to "manage road use to reduce or eliminate habitat fragmentation or interference with bighorn sheep resource use patterns" (2-25). The Dunn Road is an illegal road, established by trespass, which passes through important bighorn habitat. Even though the lower portion of the road is more important for bighorn than the upper part, implementing different management schemes for the two sections will invite non-compliance and frustrate enforcement. Existing recreational use does *not* legitimate ongoing use, and BLM has not justified any need for reopening the road other than for emergency or government vehicles.

Wild horses and burros

There is currently a herd of eight horses within Palm Canyon. The BLM acknowledges that these horses were illegally released freeze-branded horses, not wild horses under the legal definition, and that they are present within sensitive bighorn habitat. Yet it proposes (under the preferred Alternative B) to legitimate the horses' presence there through a land exchange with the Agua Caliente Band of Cahuilla Indians. It claims by spurious way of explanation that "there *may be* sentiments within the [tribe] to maintain these animals" (emphasis added).

This is an unacceptable weakening of the BLM's responsibility towards the bighorn, particularly since one of the goals listed in the species recovery plan is to "reduce or eliminate wild horse populations from bighorn sheep habitat" and since wild horses have been found to prevent bighorn from coming to water holes (4-54). Alternative C, which would remove the animals, is the only suitable alternative.

Coral Reef Mountains

Wildlife biologists acknowledge the presence of Peninsular Ranges bighorn sheep within this range of mountains bordering the Santa Rosa Mountains, yet the DEIS does not mention them and provides no management recommendations for the area. This would appear to be a serious omission.

Mitigation and buffer zones

According to the bighorn recovery plan, the BLM should be using mitigation money to buy land in the urban-wilderness interface as a way of protecting important habitat for the sheep. This is critically important in areas like La Quinta, where real estate developments are being proposed right up to the base of the Santa Rosa Mountains. Over 18,000 acres of suitable bighorn habitat between Palm Springs and La Quinta has already been lost to

PC 109

PC 150

PC 155

PC 088

PC 172

PC 108

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urbanization and agriculture, according to the Fish and Wildlife Service. Yet there is no evidence of BLM having made the purchase of important tracts of land there a priority. I hope that whatever plan is eventually adopted will do better in this regard.

Socio-economic factors

The BLM claims that Alternative C "would substantially restrict opportunities for future economic development of the BLM-managed lands" and goes on to support preferred Alternative B. Other than by not creating an OHV open area, it is unclear how Alternative C reduces anything but the short-term exploitation of land and natural resources. Elsewhere, the DEIS correctly argues that the "protection of land health through the implementation of the proposed Plan amendments will have positive long-term economic impacts." In its socioeconomic analysis, the BLM should consider more stringent conservation recommendations to be an economic benefit, not a cost.

Trails Management Plan

Recreational opportunities are important, and I enjoy hiking and camping in the Coachella Valley area myself. But certain goals sometimes preclude others, e.g. "multiple use" is not always possible in every area. This principle is acknowledged by the BLM when it states that

Rarely do a wide variety of public uses occur on the same parcel of BLM-managed public land due to land use and resource conflicts. Generally, the BLM will designate certain public lands for one suite of compatible use and designate other lands for a different suite of compatible uses (DEIS 3-1).

Yet the DEIS and proposed Trails Management Plan do not always adhere to this philosophy. To protect bighorn sheep, large contiguous tracts of land must remain off-limits, and access to them must be restricted during important parts of the year. But, while most of the TMP alternatives propose limited restrictions on hiking and camping, the plan fails to adequately close trails through bighorn critical habitat.

Alternative B, the preferred alternative, would retain a voluntary system of seasonal trail closures despite high levels of documented non-compliance with existing closures. Rates of non-compliance on the Art Smith trail, which passes through bighorn habitat, were often in the 40 percent range – and this figure omits numerous hikers who were not questioned or spotted by survey-takers. These are unacceptable levels of non-compliance, and should not provide the basis for the continuation of the current system.

The BLM proffers the excuse that enforcement resources are not sufficient to institute a more stringent closure system, but this is not a valid excuse for failing to meet its conservation responsibilities for the bighorn.

Alternative B would also permit the use of the Art Smith and Boo Hoff trails two days a week just before and after lambing season (Jan. 15 to Feb. 15; May 1 to June 30). This is a compromise solution that will do little for the species while spurring further non-compliance. It cannot possibly meet the BLM's obligations under the species recovery

plan. Considering that the BLM's monitoring to date has not prevented non-compliance rates from remaining so high, how will they possibly control such a system?

Finally, the TMP declares that there is scientific uncertainty over the cumulative effects of human recreation on bighorn populations. Considering that nine of the eleven studies cited concur that there is indeed negative impact, this is a peculiar interpretation.

Conclusions

For the reasons listed above, the DEIS does not adequately comply with the recovery plan for the Peninsular bighorn sheep, nor does it provide the best possible range of alternatives under NEPA. However, Alternative C is the best of the four alternatives offered. It creates 23,631 acres of Areas of Critical Environmental Concern (ACEC's), more than any other alternative. And it institutes considerable restrictions on grazing and ORV use, which are essential to safeguard biological diversity within the monument.

Only Alternative C (with the significant modifications detailed above) would adequately protect ecological resources within the planning area, and more specifically move the BLM towards compliance with the recovery plan for the Peninsular bighorn sheep, a plan to which it is a legally bound signatory.

Thank you for the opportunity to comment on this document. Please place me on the mailing list for this planning process.

Sincerely,


Jonathan Cook

PC 108

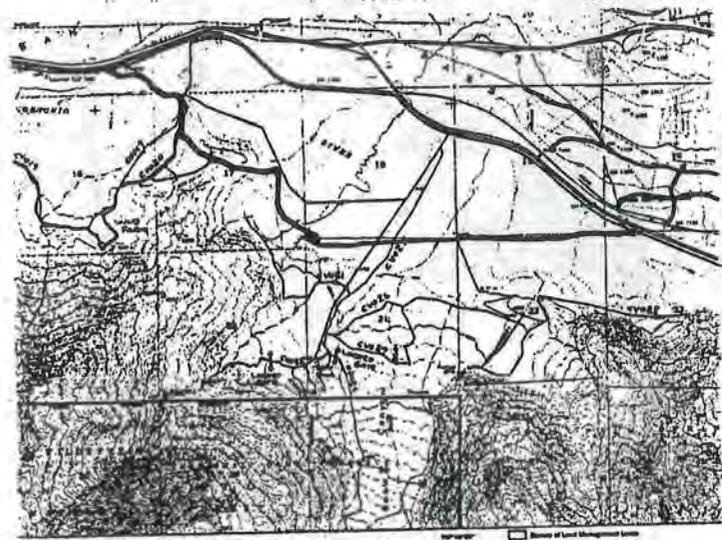
PC 204

PC 205

PC 166
PC 173

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PC 173

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
 Appendix F – Public Comments and Responses



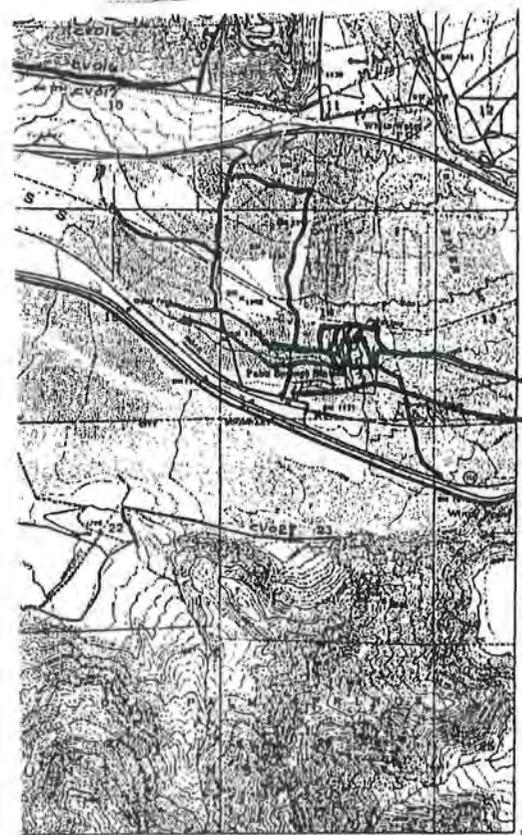
*Motorized
Travel routes*

ATV TRAILS

Scale: 0 100 200 300 400 500 FEET
 0 0.1 0.2 0.3 0.4 0.5 MILES

WHITE W.
33:

- Bureau of Land Management Lands
- California Desert Conservation Area Boundary
- Coachella Valley Multiple Species Habitat Conservation Plan/National Conservation Commission Plan Boundary
- Santa Rosa and San Jacinto Mountains National Monument Boundary
- Northern and Eastern Colorado Desert Conservation Plan Boundary
- BLM Area of Critical Environmental Concern Boundary
- BLM Watershed Boundary
- Joshua Tree National Park Boundary



*CUOIG
CONSTRUCT
WIND FARM*

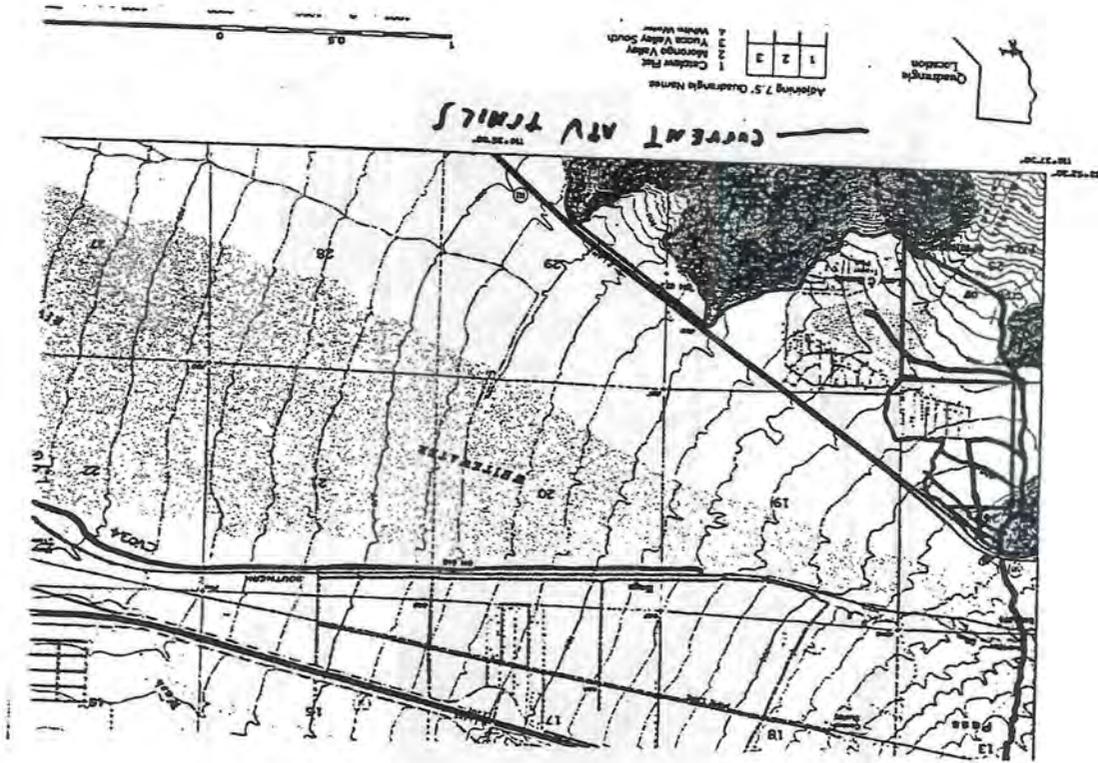
*81m
OFFSHORE
RENEWABLE
ENERGY
TRIAL AND
CRITICAL
TRAILS*

- Bureau of Land Management Lands
- California Desert Conservation Area Boundary
- Coachella Valley Multiple Species Habitat Conservation Plan/National Conservation Commission Plan Boundary
- Santa Rosa and San Jacinto Mountains National Monument Boundary
- Northern and Eastern Colorado Desert Conservation Plan Boundary
- BLM Area of Critical Environmental Concern Boundary
- BLM Watershed Boundary
- Joshua Tree National Park Boundary
- Coachella Valley Preserve Boundary
- Incorporated Route of Travel

WHITE WATER, CALIF.
 33116H6

Prepared by Ingrid Johnson
 Bureau of Land Management
 Public Range Resources Planning Office
 October 25, 2001

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses

09-03-02

Stephen Mascaro
P.O. Box 23-1148
Encinitas, Ca. 92023-1148

James G. Kenna
Field Manager
Bureau of Land Management
Palm Springs South Coast Field Office
P.O. Box 581260
North Palm Springs, Ca. 92258

Re: Comments on the Draft California Desert Conservation Area Plan Amendment for the Coachella Valley, the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan, and Draft Environmental Impact Statement (EIS)

Dear Mr. Kenna,

I have reviewed the Draft Plan/EIS and have noted a couple of issues I wanted to address. I am one of the owners of Section 35 T1SR3E SBM located up the Mission Creek's main channel and as an adjoining landowner, I am very interested in any changes in land classifications on BLM land near my property.

The Route Designation Proposals Table D-2 shows Route CV029 with a closure of 1.1 miles of road. I further reviewed a portion of map #4, which shows a gate in the western part of section 17 T2SR4E SBM (please see the enclosed map marked BLM MAP #4) this gate does not exist. The gate is actually located further west on Route CV029 approximately 1 mile at the west side of section 18 T2SR4E SBM (please see exhibit "A"). The portion of Route CV029 located between Highway 82 and the existing gate at the west side of section 18 (approximately 2 1/2 miles) is a Riverside County Maintained Road. This county road is essential for access to my private property located up Mission Creek. The fact that County of Riverside maintains this portion of the road is another advantage that I would not want to jeopardize.

In the Multiple Use Classification & Visual Resource Management under Alternative A, B & C the southern half of Section 1 T2SR3E SBM becomes a Limited Use & VRM Class 2 Area. This makes little sense because my existing right away goes through the southwestern corner of this parcel. This existing road is in use and requires periodic grading & maintenance. This area of section 1 has also been a popular place for parking & camping. In addition, the Southern California Edison's high voltage utility lines go through the eastern half of section 1, with the needed access for repairs and maintenance & allowing for any expansion the above classification sounds like it missed the mark. Class M for Moderate use & a VRM Class 4 would allow the current uses to continue while still conserving desert resources.

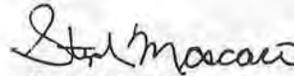
Another of my concerns is Fire Management under Alternatives B & C the land around my property will be designated a Category B which will severely limit prescribed burns.

Prescribed burns would have helped this area tremendously during the past Verbania Fire. Because of the increased public access allowed by the Wildland Conservancy, the BLM should be more open to all fire preventive practices. The delays caused by BLM in getting approvals for California Division of Forestry (CDF) crews to enter BLM Wilderness almost allowed the Verbania Fire to burn through the entire area to the city of Morongo Valley.

One issue I am having a hard time fully understanding is the Potential Upper Mission Creek Area of Critical Environmental Concern. Table 3-2 on page 3-5 does not seem to match the information provided on Figure 2-6a or 2-6b. Figure 2-1 through 2-12 shows Hwy 82 to far east, which makes it tough to identify the particular sections involved in these areas on the maps. Using Table 3-2 on page 3-5, it identifies Sections 2 & 11 T2SR3E SBM as potential breeding habitat for the Southwestern Willow Flycatcher, Least Bell's Vireo, Yellow Breasted Chat, Yellow Warbler, and Summer tanager. I have driven through and hunted this area for over 30 years and I have not noticed the above-mentioned species. Section 2 is a dry wash with an occasional surface stream & section 11 has a small dry wash with gradual sloping hills that have a southeastern exposure. The vegetation is such that I believe it to be a very remote change that this area is indeed a breeding area. If Table 3-2 was actually referring to the south half of section 1 & all of section 12 T2SR3E SBM then I agree in part that section 12 has a possibility of breeding habitat even after suffering a small fire from a lightning strike several years ago. The south half of section 1 has a couple small southern facing canyons and in my opinion is not breeding habitat.

In looking through all the different alternatives, I must agree that Alternative D is the best choice at this time. A lot more work needs to be completed in preparing the Final EIS along with weeding through all the inconsistencies found in the Draft EIS. It is my opinion, that much more actual physical groundwork needs to be done before reclassifying any areas.

Sincerely,


Stephen Mascaro

PC 056

PC 051

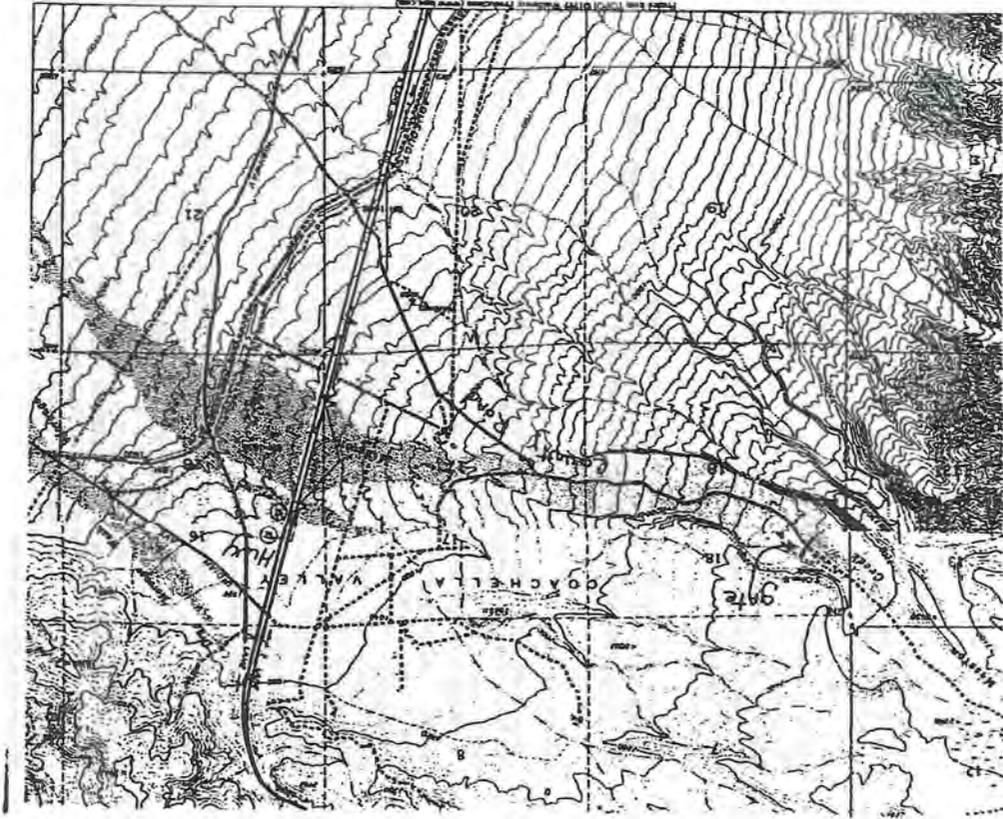
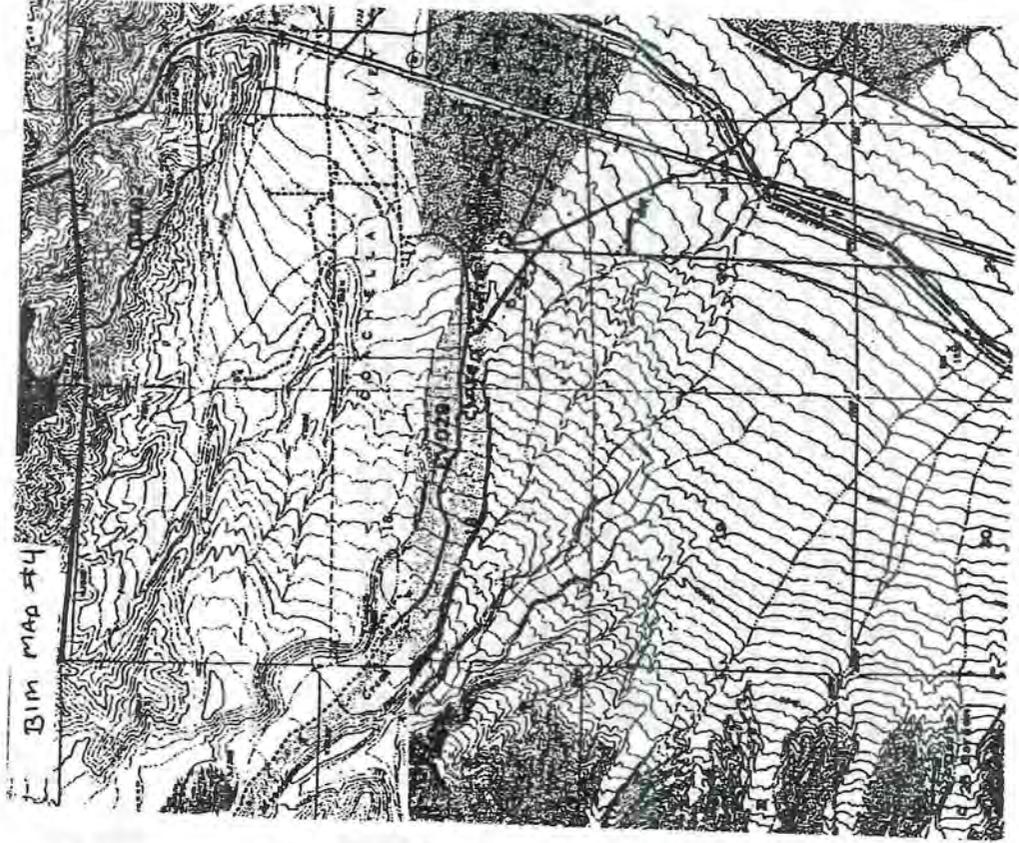
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PC 139

PC 036

PC 056

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
Appendix F – Public Comments and Responses



Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

PUBLIC MEETING
FOR
DRAFT BLM/EIS PLAN

REPORTER'S TRANSCRIPT OF PROCEEDINGS

LOCATION: City of Palm Desert
Council Chambers
73-510 Fred Waring Drive
Palm Desert, California

DATE AND TIME: Monday, July 22, 2002
6:00 p.m. to 6:50 p.m.

HOSTED BY: Elena Misquez

REPORTER BY: KATHY BAUERNFEIND, CSR
CSR NO. 11921

GILLESPIE REPORTING AND DOCUMENT MANAGEMENT INC.
3333 Central Ave. Ste. D, Riverside, CA 92506 • 909-882-6636 • Fax 909-882-4990
Email: grdm@earthlink.net



1 Palm Desert, CA Monday, July 22; 2002
2 P-R-O-C-E-E-D-I-N-G-S
3
4
5 MS. MISQUEZ: Kayla Thames? Please state your
6 name.
7 MS. THAMES: My name is Kayla Thames, and I am
8 the production specialist with the California Film
9 Commission. Thank you for the opportunity to comment and
10 give input to the draft plans today.
11 The California Film Commission is mandated to
12 attract, retain, and facilitate film production in the
13 State of California for the benefit of the state and
14 local economies. The film industry is a 32
15 billion-dollar industry that employs approximately
16 500,000 Californians. The industry is comprised of many
17 different types of film-making activities from
18 full-length feature films to student films, music videos,
19 commercials, still photography, and many others in
20 between. Still they all share something in common, and
21 that is the need to access public lands in California in
22 order to work.
23 As the BLM moves forward with this Draft
24 California Desert Conservation Area Plan Amendment for
25 the Coachella Valley, the Draft Santa Rosa and San

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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1 Jacinto Mountains Trails Management Plan, and the Draft
2 Environmental Impact Statement, the CFC asks that the BLM
3 be mindful of the impact and importance of filming to the
4 state and its local communities. In this capacity we
5 would like to consider any and all effects that the BLM
6 draft proposal would have on the film production
7 community, the local jurisdiction, and California
8 citizens that derive financial benefits from this
9 industry.

10 Under current federal law, use of federal lands
11 by a film production company is considered a commercial
12 use. This categorization limits filming on federal lands
13 because most other types of commercial operations that
14 occur under this category have a far greater impact.
15 Filming is an environmentally clean, short-term, and
16 noninvasive business and should be categorized as such.
17 The amount of film production from California has an
18 enormous impact on jobs and revenue in the state, and CFC
19 offers its assistance to work with the BLM in California
20 to address the needs of this important and often
21 overlooked and misunderstood industry.

22 I'm just going to end by saying that one of my
23 favorite commercial photographers, Ansel Adams, believed
24 that photography is and should be a democratic art form,
25 and that people are drawn to national parks and

3

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PC 206

PC 207

1 wilderness to find inspiration and beauty in nature,
2 believing the idea that exposure to the beauty of God's
3 creation enlightens and uplifts the soul.

4 MS. MISQUEZ: Thank you, Ms. Thames. If I
5 mispronounce your name, my apologies. Mr. Ralph Sargent.

6 MR. SARGENT: My name is Ralph Sargent, and I
7 represent a group of people that live out here in the
8 desert, Desert Side Tracks, a four-wheel drive club. I'm
9 the president of Desert Side Tracks, a four-wheel drive
10 club locally here in the desert. And we spend a lot of
11 our time on the weekends and in the evenings out
12 trail-riding or going to the mountains and such as that.

13 And as we watched over the past few years things
14 happening with the land closures and such, just with this
15 draft, we're seeing this happening, more and more access
16 to people has been limiting. And for most people, I mean
17 for young individuals they can get out and they can hike,
18 but as people grow older, as most of us are here, we all
19 experience we can't get into these areas without a
20 motorized vehicle. And I would hope to see out of this
21 whole plan that these trails per se would stay open so
22 that we can continue to be exercising our right, really,
23 to go out into our land and enjoy it.

24 I know there is an issue with -- we see
25 off-roaders as far as motorbikes and quads and stuff,

4

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PC 140

PC 211

Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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1 they tend -- some, not all, but some tend to go out and
2 go across the desert and not even have any consideration
3 of the habitats. Our club, though, we believe in
4 education. Anybody that comes and joins our club or
5 associates with us, we continue to educate them on proper
6 trail etiquette and such, that I think that's really
7 necessary. And I think maybe that's where I say the
8 government per se, not just BLM or the state or anybody,
9 has failed. They don't educate the community as far as
10 off-roading goes and how the proper way to do it. Or
11 even here locally we have no open area per se to go and
12 enjoy those things. So my hope would be to see them open
13 an area and designate it, and two, at the same time the
14 trails here locally in the desert and mountains would
15 remain open for us so we have access to it. Thank you.

16 MS. MISQUEZ: Thank you, Mr. Sargent. Mr. Jim
17 Fitzpatrick.

18 MR. FITZPATRICK: Good evening, my name is Jim
19 Fitzpatrick. I'm director of Government Production
20 Affairs for the Motion Picture Association, which is
21 basically several major studios. Kayla Thames has
22 already spoken about most of the economic impact
23 situation, so I won't bore you with rephrasing how
24 important that is, but I might say that the studios have
25 always taken a position that we believe in conservation.

5

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PC 211

PC 131

PC 208

1 We believe in preserving what's there. We think that as
2 a commercial venture, the way BLM designates us, with
3 mining and grazing and everything else, that we've always
4 thought that was a little unfair because of the temporary
5 nature of what we do. We don't dig holes.

6 I'm not sure that some of you remember, but as
7 far as back in this last 10 decade, Buggy, there is a lot
8 of other pictures that were filmed here. I myself,
9 before I wore a suit and tie, did four different TV
10 movies and a series and I actually lived here in
11 Cathedral City for six months with PS I love you.

12 So going back to 1989, I would say the economic
13 activity that I was involved in, involved quite a long
14 trend and all the desert areas. Not just Palm Desert,
15 not just Palm Springs, but Thermal, all the way up to Sun
16 Fair, and as far south as El Centro. We believe that it
17 is important for all to consider us as a player.

18 It's often not mentioned that we are an economic
19 and commercial activity that generates a lot of income,
20 does not leave things behind. In fact, often leaves
21 things better than they were and has been responsible for
22 actually doing some major clean-ups in the national
23 forest and other public lands where prior to that people
24 wouldn't -- no one was concerned with the clean-up of the
25 area. We need to make it look pristine so that we can

6

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PC 208

PC 208

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1 film, that's what draws us to the area. So I just would
2 like to have that considered.

3 And also, to -- in the CDCA, a particular note
4 to us as appendix D, the motorized vehicle access. We
5 can accommodate most any kind of road or -- I won't speak
6 to the trails, just to the CDCA in terms of roads, dirt
7 roads, etcetera. If it's a location that we need to film
8 at, and it doesn't lend itself to bringing 40-foot
9 trailers and large rigs, we will downsize if it's
10 something that people really want to go to, and we will
11 accommodate whatever vehicles are necessary to get to
12 that pristine location. So with that in mind, I just
13 want to say thank you very much for having us. We drove
14 all the way down here from Encino, but we thought it was
15 important enough to make sure you heard our comments.
16 Thank you.

17 MS. MISQUEZ: Thank you, Ms. Gayle Cady, would
18 you please come up.

19 MS. CADY: Good afternoon. My name is Gayle
20 Cady. I live at 82831 Avenue 54 in the new community of
21 Vise Santa Rosa. This afternoon I would like to mainly
22 discuss the issue of the trail systems and the Santa Rosa
23 and San Jacinto Mountains with regards to the bighorn
24 sheep issues. I have with me this evening two articles
25 from the Desert Sun. One is dated May 22, 2002, entitled

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1 "Bighorn not sheepish in water quest." Shown here, as you
2 may all have seen, is a picture of several different
3 sheep in front of one of our country clubs instead of in
4 the cliffs of our mountains.

5 Additionally, the second is dated April 5th of
6 2002. It's entitled "Mirada unveils habitat group."
7 This is a picture of Jim DeForge with the Bighorn
8 Institute, Representative Mary Bono, and Mirada project
9 director Chuck Strother. The main meat of this
10 particular article -- I'll just read you a couple of
11 excerpts from it. The developers are paying more than
12 \$1.5 million for sheep recovery and research efforts,
13 money they are required to pay in exchange for gaining
14 approval on the development.

15 That sounds really, really, really great.
16 However, it goes on to say, we're not questioning that
17 the area where they are going to build their development
18 historically is the best sheep habitat in the community.

19 That means, at least from my point of view, that
20 as long as you have sufficient money, you can live and
21 build and develop wherever you wish.

22 Additionally, although he wishes the Mirada were
23 never built because it sits on some of the best bighorn
24 habitat in the valley, Bighorn Institute Executive
25 Director Jim DeForge said he appreciates the developer's

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1 effort to be a good neighbor.

2 This doesn't sit well with me at all. I feel
3 that if we are going to be responsible individuals in our
4 community with regards to the bighorn sheep, we should
5 allow the sheep to be in their best historical habitat
6 and stop the madness of building in the mountains.

7 I can appreciate the motion picture industry
8 being concerned about access to the mountains, both in
9 the San Jacinto and the Santa Rosa Mountains. Just for
10 factual information. I have here some statistics from
11 the Horse Industry Directory of 2002 that I acquired as a
12 member of the American Horse Council in Washington D.C.
13 The equestrian industry contribution to the United States
14 is greater than motion picture services, railroad
15 transportation, furniture and fixture manufacturing,
16 tobacco product manufacturing, and is only slightly
17 smaller than the parallel and other textile manufacturing
18 industries. There are 6.9 million horses in the United
19 States, both commercial and recreational horses. 725,000
20 are involved in racing, while 1,974,000 and 2,970,000 are
21 used in showing and recreation respectively. 1,262,800
22 are used in other activities, such as farm/ranch work,
23 rodeo, polo, police, etcetera.

24 By their own admission, with all their respect
25 to bighorn sheep experts, having read this report, having

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1 read and reviewed the bighorn report, having perused
2 other information with regards to the bighorn sheep and
3 their habitat, a couple of things come to mind. One, the
4 potential effects of aerial sampling and the condition
5 and perhaps reproductive success of large mammals.
6 Capture indisputably does cause stress and habitat
7 displacement to bighorn sheep. They go on to say that
8 the sheep have few if any long-term effects.

9 Secondly, research tells us that ewes are more
10 sensitive to the disturbance during the lambing season.
11 The last time I checked, the developments in the
12 mountains and the hills are pretty permanent. They are
13 there year-round. To me, that would be a definite
14 disturbance to the ewes. Causes of land mortality are
15 poorly understood. Capturing, collaring, monitoring
16 bighorn lambs provides cause-specific mortality data.
17 Lambs are more subject to stress when captured. When you
18 capture a lamb, they stress out like any wild animal. I
19 personally have not worked with lambs. I have personally
20 worked with cattle, with horses, with ostrich and other
21 birds, and dogs and cats of course. My personal
22 experience has been that once you traumatize an animal,
23 whether that animal is of the human species or the animal
24 four-legged species, that particular individual is
25 traumatized forever. Maybe not to the degree that the

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1 animal was traumatized at the moment, but it never fully
2 recovers.

3 Additionally, once you drench a wild animal with
4 the human scent and then proceed to collar the animal,
5 frequently -- I have no data to support this -- but
6 frequently the mother, in this particular case the ewe,
7 might very well reject that baby. I've experienced this
8 with cattle, I've experienced this with horses, neither
9 of which were wild animals.

10 I might suggest an alternative to some of the
11 plans presented by the agencies that are here today. And
12 that is to perhaps reevaluate the value and/or the
13 injurious effect on hiking and riding horses in the
14 mountains of our community. Specifically, I live in the
15 eastern Coachella Valley, again, in a community Vista
16 Santa Rosa. Vista Santa Rosa is a 20-square mile area, a
17 newly formed community. We are essentially equestrian,
18 agriculture, and rural. We are trying very hard, very
19 diligently to keep it that way. We are bordered by one
20 of the largest conglomeration of horses and horse
21 activity in the country. The county employs 38,000
22 people in the horse industry. We have in Riverside
23 County, the largest group of horses in the state. There
24 is a Coachella Valley Park and Recreation, desert museum,
25 hiking, equestrian, and handicapped-provided project

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1 going in at the entrance of Lake Cahuilla and south along
2 the base of Santa Rosa Mountains. There is really
3 nowhere else for the hiker and/or the equestrian person
4 to enjoy the beauty and awesome area that the Lord has
5 created for all us.

6 Additionally, to my knowledge, and I have heard
7 this repeatedly, a nonpredatory four-legged herd animal,
8 as in a sheep and/or a horse, is not afraid of a
9 nonpredatory four-legged herd animal. I can assure you
10 that the equestrians that I know, the hikers that I know,
11 in the mountains and on flat land, have no desire to
12 disturb the sheep. Probably more than anyone else, we
13 want to preserve the resources that are here for us to
14 enjoy.

15 So in closing, I would like to ask for, again,
16 to reconsider the Boo Hoff Trail, reconsider opening a
17 year-round access to the Boo Hoff Trail and the area
18 around Lake Cahuilla, Martinez Canyon, Cactus Springs,
19 Guadalupe. This is a prime, prime beautiful area that
20 will be well taken care of by those of us that live in
21 the community. Thank you.

22 MS. MISQUEZ: Thank you, Ms. Cady. Mr. Will
23 Lewis, will you please come up.

24 MR. LEWIS: Hello, my name is Will Lewis and I'm
25 also a member of the Desert Side Tracks, 4x4 club, and we

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1 are a local club here that supports the conservation and
2 enjoyment of nature around here in the valley and in the
3 Coachella Valley. I think a lot of the focus here is
4 on -- appropriately so, on the conservation of the
5 environment. And I think we need to realize why we're
6 conserving the environment. Not only because it is a
7 wonderful thing, because we want to have it for our
8 future family to enjoy. And a lot of people that are
9 involved in the nature around us here get to see and get
10 to enjoy it; the people that are involved in outdoor
11 activities, such as hiking, equestrian, trail-riding, 4x4
12 events, respectively.

13 And a lot of trend I see lately, a lot of land
14 closures for national parks, where they are set aside
15 only to preserve animals and such. I believe that if
16 you -- this trend continues, we will not only see the
17 land closure, but also see extreme decline in the
18 interest of outdoor activities such as hiking, etcetera.
19 We have to realize the people who support these type of
20 outdoor events and areas, people of the core supports of
21 all these areas, are the people that contribute and they
22 are the ones that -- they are included in the activities,
23 they are the ones that partake in most of these
24 activities. Those are the people you need to listen to.
25 A lot of the voices that are being spoken in the

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1 community are those who often speak in public forum.
2 However, I think a lot of the voices of the
3 people who really enjoy these areas are not being heard.
4 And either because they are not involved in the public
5 forum such as this, but they need to be heard and they
6 need to be realized that these outdoor areas need to
7 remain open so that we can teach our children, so they
8 can experience these things, so they can develop a love
9 for nature and develop something that they really learn
10 to respect. And if they can't see that area, if they
11 can't enjoy it the way it was intended, then there is no
12 way they can learn that, and truly learn to respect the
13 nature. Thank you.

14 MS. MISQUEZ: Thank you, Mr. Lewis. Greg
15 Mottino?

16 MR. MOTTINO: Mottino.

17 MS. MISQUEZ: Thank you, sir.

18 MR. MOTTINO: Good evening. My name is Greg
19 Mottino. I live in La Quinta and I'm also a member of
20 the Desert Side Tracks 4x4 club. As the other members
21 already spoke, they touched quite a few areas and I'm not
22 going to go over those same issues. One item that was
23 mentioned -- that Ralph mentioned was, with this new
24 proposed plan, that the areas are becoming less and less
25 accessible and closing down more and more areas. I feel

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1 that in the long term as far as what Ralph said, people
2 are getting older, myself, I'm in the wheelchair, I'm
3 unable to hike in these areas, and these areas are
4 beautiful. I enjoy them thoroughly. And the only way
5 that I can get into these areas is by a vehicle. And I
6 really do enjoy that kind of activity. And with these
7 proposed closures, there is going to be less access for
8 people in my condition. So again, I just want to voice
9 my concern that there is always a balance on these
10 issues. And closing everything --

11 MS. MISQUEZ: Can you speak up, please.

12 MR. MOTTINO: I just want to reiterate that with
13 this proposal that more areas are going to be closed,
14 that I think it should be reconsidered and strike a
15 balance and keep these areas open so people in my
16 condition would be able to see these areas by use of a
17 wheelchair. Thank you.

18 MS. MISQUEZ: Thank you, Mr. Mottino. Terry
19 Kay, would you please come up.

20 MR. KAY: Good evening. My name is Terry Kay
21 and I live in Sun City, Palm Desert. I didn't intend to
22 come here and make any comment, but I would like to ask a
23 question if I can, if somebody could answer a question
24 for me. Can I try it and see if you want to take it?

25 MS. MISQUEZ: We'll give it a shot.

15

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1 MR. KAY: This document, the Draft Environment
2 Impact Statement, indicates it's prepared by the
3 Department of Interior and Nova -- Terra Nova Planning
4 and Research in Palm Springs. Was Terra Nova the major
5 contributor to the text that I see in here?

6 MS. MISQUEZ: No.

7 MR. KAY: Who was the major contributor of the
8 text?

9 MS. MISQUEZ: BLM staff.

10 MR. KAY: BLM staff, it wasn't contracted out.

11 MS. MISQUEZ: Not all of it, no.

12 MR. KAY: Some of it was.

13 MS. MISQUEZ: Some of it was.

14 MR. KAY: I intend to take a better look at
15 this, but my concern, living where I do, in Sun City,
16 we're at the eastern edge of the lizard preserve, and
17 when I bought there six years ago, I was informed of the
18 wind condition, but I wasn't informed that the sand liked
19 to move as much as it does. And I wasn't informed that
20 the lizards like to have fresh sand. And I'm thinking
21 now that the preserve will enlarge itself to include Sun
22 City because all that sand is moving into Sun City and
23 I'm starting to see lizards where I live now.

24 So what I would like to suggest in this report,
25 some consideration be given to the people in this valley,

16

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1 put up some kind of barrier so the sand stays with the
2 lizards where they like to have it and not in the
3 community where we don't like to have it. That's my
4 major concern about the sole operation. Keep the sand
5 where it belongs and let us get along without it. Thank
6 you very much for the opportunity.

7 MS. MISQUEZ: Thank you, Mr. Kay. Ms. Nancy
8 Madson, please.

9 MS. MADSON: My name is Nancy Madson and I live
10 in Thousand Palms. Specifically, in the zone B section
11 that was subject to some restrictions, a proposal to
12 restrict building a couple years ago. And we defeated
13 this proposal to restrict development in Thousand Palms.
14 We filled this room. And now it seems like this intended
15 proposal to restrict development in Thousand Palms,
16 although it got defeated, it is -- they are going about
17 it roundabout. The wild life agencies are getting what
18 they wanted, but just in a different way.

19 And this gentleman from Sun City, it's my
20 opinion that the preserve is in the wrong place. If
21 anybody is driven around the valley, the majority of the
22 blow sand is south of Highway 10 with the exception of
23 the part on the east part of the preserve that's blowing
24 into Sun City. And I've read some of the reports on file
25 in Riverside regarding this issue, the bureau of

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1 land -- wait, excuse me. I forget.

2 I read two studies that say that more sand is
3 going to be blowing out into Sun City than will ever blow
4 into it from the other end. And what they are planning
5 on doing, I likened to putting a Band-Aid on a cancerous
6 mole. Not only is it not doing any good, but you're
7 doing harm in that you're not doing the right thing. And
8 any proposal now to buy up property in Thousand Palms
9 area could devalue property so people won't build, and
10 to restrict development in that area is not a solution.
11 You could raise all of Thousand Palms and you're not
12 going to get the sand blowing into the preserve that is
13 blowing out on the other end.

14 And I've always maintained that there is a way
15 to maintain the preserve within its own boundaries. To
16 move the -- physically move the sand, put up barriers at
17 the east end and move that sand back around so that sand
18 keeps blowing within the preserve and being fresh dunes
19 all the time, rather than carving the residents and
20 land-owners, developers in the Thousand Palms area.
21 Thank you.

22 MS. MISQUEZ: Thank you, Ms. Madson. Rachella,
23 do you have any more names? Did anyone else want to
24 speak that has not had a chance to speak?
25 Mr. Fitzpatrick?

18

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1 MR. FITZPATRICK: I have a question.
2 MS. MISQUEZ: Yes, sir.
3 MR. FITZPATRICK: And I guess I forgot to
4 mention, it has -- I've been doing this three and a half
5 years, and I've seen a lot of closures, military bases
6 closed, and some other environmental and even some for
7 preserving wild life. What I never see in studies is a
8 follow-up study so that the conclusions that are
9 projected in this, what you think is going to happen --
10 or not you but whomever -- that two or three years after
11 this has been implemented, if it indeed will be, that
12 someone is then following up saying is this really true,
13 is this really -- are we improving this? Because there
14 are cases like this I can cite where that's not been the
15 case at all. And I think, you know, while science -- no
16 one is disputing the value of science and science is
17 good, but it's science of the moment. Historically the
18 sand has been here a lot longer than we have, so have the
19 animals, but the point is, three years from now are sheep
20 going to improve? For example, I remember when they --
21 MS. MISQUEZ: Would you like to come up?
22 MR. FITZPATRICK: Personally this doesn't have
23 to be on the record. But I remember when I was filming
24 here years ago and they were building up in Morongo and
25 everybody said it's going to destroy the bighorn sheep.

19

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1 The sheep used to come out and feed on the grass and
2 drink the water and everything. Suddenly there was sheep
3 all over the place, you had to be careful. We couldn't
4 even film one day because the sheep weren't moving where
5 we wanted to film. So I just -- but everybody said back
6 in the late '80s, or mid-'80s, this would be the demise
7 of the sheep if we build this hotel. I just would like
8 to see a follow-up and have someone follow up and say, is
9 this really going to happen or is it not? Has it really
10 happened the way we expected it to, and if not, what's
11 going on now that all the people have been cleared away.
12 Okay. Thanks.
13 MS. MISQUEZ: Very good comment.
14 MS. MADSON: Off the record --
15 MS. MISQUEZ: I'll have you come up. Would you
16 like to come up?
17 MS. MADSON: Can I say something off the record?
18 MS. MISQUEZ: Of course.
19 (Discussion off the record.)
20 MS. MISQUEZ: Shall we bring this to a close?
21 You're welcome to stay and ask us questions, but we will
22 go ahead and bring this to a close. Some of you coming
23 from a distance, I'm sure you would like to get home.
24 Again, on behalf of BLM, thank for taking the time to be
25 here. Again, it should be in the final EIS. We'll

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1 include the transcript of this public hearing. Thank
2 you.
3 (The proceeding was concluded at 6:50 p.m.)
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1 R E P O R T E R ' S C E R T I F I C A T E
2
3 I, Kathy Bauernfeind, a certified shorthand
4 reporter, do hereby certify that the foregoing pages
5 comprise a full, true and correct transcription of the
6 proceedings had in the herinbefore-entitled matter of
7 July 22, 2002.
8 Dated this 1st of August, 2002, at Yucca Valley,
9 California.
10
11
12
13
14 *Kathy Bauernfeind*
15 Kathy Bauernfeind, CSR No. 11921
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BUREAU OF LAND MANAGEMENT

PUBLIC MEETING

TUESDAY, JULY 23, 2002

PALM SPRINGS DESERT MUSEUM
LECTURE HALL
101 MUSEUM DRIVE
PALM SPRINGS, CALIFORNIA 92262

REPORTED BY: SONJA CHERNICK, CSR
CSR NO. 11504

JOB NO.: 59289

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A P P E A R A N C E S

FOR THE BUREAU OF LAND MANAGEMENT:

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MR. GOMSI	14

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1 PALM SPRINGS, CALIFORNIA; TUESDAY, JULY 23, 2002
2 2:12 P.M.
3 -000-
4
5 MS. MISQUEZ: Good afternoon. Some of
6 you know me already, I know, but my name is
7 Elena Misque. I'm the associate field manager
8 for the Bureau of Land Management Palm
9 Springs/South Coast field office.
10 I've been in the valley about 10 years.
11 And before I recently became the associate field
12 manager, I had been the planning environmental
13 coordinator. That's why I had a big hand in the
14 preparation of the document we're going to discuss
15 today.
16 With me today is Sonja from Gillespie
17 Reporting and Glen Norton who greeted you as you
18 came into the door. Glen is one of our park
19 rangers who patrols the Santa Rosa and San Jacinto
20 Mountains and also some of our wilderness areas.
21 This is the public hearing for the Draft
22 Coachella Valley California Desert Conservation
23 Area Plan Amendment, the Draft Santa Rosa and San
24 Jacinto Mountains Trails Management Plan and the
25 Draft Environmental Impact Statement for both of

4

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1 those plans. That's this document here, which it
2 looks like you all have copies of that.

3 What was omitted, and with our apologies,
4 was Table 2-4 from the document. And we have
5 copies of those available for you at the table. I
6 see a couple of you have that already, which is
7 excellent.

8 The purpose, of course, of today's
9 meeting is to accept oral comments on both of
10 these documents. So far I just have Jeff signed
11 up to speak. But like I said, maybe we can do
12 this in more conversation style, as long as Sonja
13 can hear and record what you have to say.

14 I just want to give you a little
15 background about how your comments will be
16 incorporated into these two documents. It's a
17 little confusing in that we put an apple and an
18 orange together in one basket.

19 The California Desert Conservation Area
20 Plan Amendment is analogous to a general plan for
21 a city. So it doesn't include site-specific type
22 projects, but it provides overall land use
23 allocation for the public lands. And it only
24 applies to the federal lands.

25 The Santa Rosa/San Jacinto Mountains

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1 Trails Management Plan is a much more specific
2 level plan, looking much more in detail as to
3 which trails will be available what time of year.
4 So it's much more detailed.

5 And for efficiency we've included them
6 both in the same draft EIS. When it comes to the
7 final, though, they will be separated, and I'll
8 explain how.

9 We hope to have the final Environmental
10 Impact Statement for the Coachella Valley
11 California Desert Conservation Area Plan out in
12 October.

13 The Santa Rosa/San Jacinto Mountains
14 Trails Management Plan is actually part of the
15 Coachella Valley Multispecies Habitat Conservation
16 Plan. That plan is due to come out, I understand,
17 sometime in the fall or it could be early winter.

18 But you will see this plan again, the
19 trails plan, in the Multispecies Plan when it goes
20 out for draft review. So it will go through two
21 rounds of draft review and comment.

22 The California Desert Conservation Area
23 Plan Amendment, the comments are due
24 September 5th. And you may submit them, of
25 course, in writing, fax, e-mail. Be sure to pick

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1 up a copy of this news release for the details of
2 where and when.

3 That's all I have as an introduction,
4 unless you have some questions, or if you want to
5 just begin comments.

6 Jeff, would you like to begin? Would you
7 like to come down and provide us your comments?

8 MR. MORGAN: Can everyone hear me from
9 here?

10 MS. MISQUEZ: Well, for Sonja's sake, we
11 would surely appreciate it if you would --

12 MR. MORGAN: You want me to come down?

13 MS. MISQUEZ: Yes, sir. Thank you.

14 MR. MORGAN: My name is Jeffrey Morgan.
15 I'm a resident of Palm Springs, California. I'm
16 here representing the Sierra Club today. A couple
17 of introductory comments. I'll just go right into
18 them.

19 As the draft Environmental Impact
20 Statement tends to through one document (i.e.,
21 CDCA Plan Amendment for the Coachella Valley) and
22 the Santa Rosa and San Jacinto Mountains Trails
23 Management Plan, which are two separate issues,
24 they are only partially related. These issues are
25 further complicated by the relationship to other

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1 plans.

2 It is our belief that these multiple
3 issues should have been addressed in two different
4 formats or two different drafts. So I'm going to
5 address trail issues individually or separately
6 from the CDCA Plan.

7 I'll start now with the Trails Management
8 Plan. At this stage it is almost impossible to
9 review proposal alternatives as they are presented
10 due to the fact that they are subject to
11 negotiations that are ongoing with regard to the
12 wildlife agencies regarding endangered species.

13 And the Trails Management Plan is being
14 prepared as an element of the Coachella Valley
15 Multispecies Habitat Conservation Plan.

16 Progress and development of the habitat
17 plan is at best still very much a work in
18 progress, and it may be months or even years
19 before it is adopted. There is the strong
20 possibility that it may fail completely and not be
21 adopted at all.

22 Additionally, the Agua Caliente band of
23 Cahuilla Indians are preparing their own plan
24 which may have vary, very different plans for
25 trail use.

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1 If the Coachella Valley Multispecies
2 Habitat Conservation Plan fails or if adopted in a
3 weakened form (i.e., major cities drop out of it,
4 the county drops out of it), in a manner that it
5 fails to live up to its name by not giving
6 sufficient protection to species and habitat, it
7 could be wide open to legal challenges that would
8 probably prove to be terminal for the plan.
9 That's the Coachella Valley Multispecies Habitat
10 Plan.

11 If the plan is not complete and fails,
12 the Trails Management Plan defaults to a
13 biological assessment. The biological opinion
14 from that assessment has not been finalized and
15 there has been no public review process for that.

16 Additionally, for all the trails, there
17 should be a recovery plan alternative. And that's
18 the Peninsula Bighorn Sheep Recovery Plan.

19 The range of alternatives presented goes
20 from minimal change, "A", to do nothing, "D", with
21 a preferred alternative, "B". Many of these
22 alternatives may not be in compliance with the PBS
23 recovery plan and should be redrafted. We will be
24 making more specific comments via letter prior to
25 the date the comment periods ends, which we

9

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1 believe is September 5th, 2002.

2 That was the trails. This is just
3 general comments on the CDCA Plan in general.
4 Specifics comments I'll go through one at a time.

5 Wild and scenic rivers. We believe all
6 eligible segments should be added to the national
7 wild and scenic river system. To leave them out
8 when we have the opportunity (i.e., this new
9 plan), is clearly not -- I can't read my own
10 writing here -- not the way to go.

11 ACECs. We believe the Upper Mission
12 Creek area should be designated as an ACEC. This
13 would provide a greater level of protection and
14 preservation in this unique area, unlike the
15 existing Whitewater and Big Morongo ACECs,
16 preserving an important corridor for wildlife, a
17 regional wildlife corridor. Additionally, we I
18 believe the Dos Palmas area should be enlarged.
19 That's the ACEC area Dos Palmas.

20 Communications and Utilities.
21 Construction of new communication sites or
22 windmills should not be permitted within the
23 conservation areas. Utility companies should not
24 be permitted also in conservation areas. And of
25 all areas, careful study and assessment should be

10

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1 required for any new facilities on BLM lands.
2 That takes in visual resources also.

3 Now we're getting there. Grazing. The
4 Whitewater grazing allotment has not had any use
5 since 1999, and the lands are showing some
6 recovery. To give them more time, 10 more years,
7 then reconsider grazing doesn't make sense. The
8 grazing allotment should be retired now it its
9 entirety.

10 It should be noted that although text in
11 the plan shows Alternative "A" as the preferred
12 alternative, on the map, Figure 2-H shows
13 Alternative "C", the entire allotment deleted as
14 the preferred alternative. So I guess you guys
15 must have thought about it at one time.

16 MS. MISQUEZ: Thank you.

17 MR. MORGAN: That is our position on
18 grazing. We will be following up on that very
19 strongly.

20 Motorized vehicle areas. There are
21 currently no open off-highway vehicle areas within
22 the plan area. Any such use is an illegal use.
23 Given air quality, noise, existing land uses,
24 wilderness and wildlife issues, there may not be
25 any suitable public lands for off-highway use

11

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1 available.

2 Windy Point is not an option as the area
3 is in the Santa Rosa and the San Jacinto Mountains
4 National Monument, which by law prohibits such
5 use. Other areas such as Willow Hole and Edom
6 Hill have ESP problems. That's endangered species
7 problems.

8 Iandora (phonetic) has adjacent land use
9 and PH-10 problems, and the Drop 31 is adjacent to
10 an existing wilderness area. To hope to prevent
11 off-highway vehicles from crossing over into the
12 wilderness is a pipe dream.

13 Far further study will need to be
14 conducted prior to opening the Drop 31 area in
15 regards to the adjacent wilderness before any
16 off-highway vehicle use in that area should be
17 considered. Generally, we don't think there is
18 anywhere suitable in the plan area for off-highway
19 vehicles.

20 Dunn Road and Dunn Road access routes.
21 Currently the Dunn Road and all access routes are
22 closed primary by locked gates, secondary by
23 signage. Additional closures have been made by
24 private landowners. The reasons for these
25 closures are many and myriad, but mainly revolve

12

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1 around the Peninsula Bighorn Sheep issues.
2 Use of the Dunn Road is considered to be
3 a major factor in the decline of Peninsula Bighorn
4 Sheep in the Santa Rosa Mountains. Refer to the
5 recovery plan which is available from our official
6 U.S. Fish and Wildlife.
7 The best science today indicates that
8 Dunn Road remains closed until PBS have recovered
9 sufficiently to be no longer endangered. Dunn
10 Road and connecting routes should remain closed
11 with the exception: The access from pinions as
12 far north as the gate in Section 16 be open for
13 public use. This portion of the road is not
14 within any of the closed areas regarding Peninsula
15 Bighorn Sheep and will provide access to trails
16 that are not subject to seasonal closures.
17 The BLM preferred alternative and
18 portions of the road north of Section 16 and
19 between Royo Cariso (phonetic) and the common
20 boundary between Section 32 and 33, I think that's
21 correct, would not be appropriate, given the
22 current status of the Peninsula Bighorn Sheep.
23 Additionally, we believe there should at this time
24 be no commercial use (i.e., jeep tours).
25 We suggest you refer to the recovery plan

13

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1 and consult with Fish and Wildlife and Fish and
2 Game regarding Dunn Road yet again.
3 Other roads. There are many spur roads
4 off the power line route. I guess you call it
5 kick-through trails in the Big Morongo ACEC. Many
6 of these little spur roads have been informally
7 developed in that area. These should be blocked
8 and closed and just keep the traffic on the power
9 line route where it's supposed to be. That's our
10 views on that one.
11 Another factor here, we don't seem to
12 have any wilderness issues addressed in this,
13 especially new wilderness areas and wilderness
14 study areas. There are several areas within this
15 plan area that are suitable wilderness lands,
16 especially in the Big Morongo ACEC. They should
17 be considered and brought into the plan as part of
18 the planning process. Thank you.
19 MS. MISQUEZ: Thank you. We appreciate
20 your comments.
21 Would anyone else like to provide
22 comments? Yes, sir. Would you please?
23 MR. GOMSI: I didn't sign up. Can I make
24 comments?
25 MS. MISQUEZ: Of course. Of course.

14

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1 Sonja has your name?
2 MR. GOMSI: Yes.
3 MS. MISQUEZ: Okay. Why don't you come
4 down.
5 MR. GOMSI: Sure. Well, thank you for
6 letting me address this fine big audience here.
7 This is quite a document here. You should be
8 proud of this document here. I'm not sure all
9 that's in here. I haven't read it, but it's big.
10 A lot of stuff in here.
11 I'm Don GomsI with the Coachella Valley
12 Mosquito and Vector Control District. I'm here
13 just to address some cojoining factors that might
14 interface with BLM open space endangered species
15 and the vector control community.
16 We have several diseases here in the
17 Coachella Valley that are spread by vectors.
18 Vectors are insects or rodents which spread
19 diseases.
20 One of them would be Hanta Virus spread
21 by rodents. Another is Arena Virus spread by
22 rodents also. Those are both wild rodents in the
23 area.
24 While I'm not saying control the rodents,
25 I'm saying we might want to have some educational

15

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1 program in conjunction with trails and with BLM
2 and maybe posters or something like that letting
3 people know what to look out for and health
4 symptoms and those kinds of things.
5 Other factors that might interface with
6 us is mosquito breeding. Anywhere there's water
7 there will be mosquito breeding. I'm looking at
8 the plan here and I'm seeing wetland areas,
9 riparian habitats and wild rivers and wild and
10 scenic rivers.
11 Here we have ongoing almost every year
12 Western Equine Encephalitis. There are very few
13 human cases coming down with that, but it is an
14 ongoing disease we have here.
15 A new one coming up is West Nile Virus.
16 It's over on the east coast. It's making its way
17 into Texas as we speak right now. That one
18 affects -- many birds die from it. It affects
19 horses. Horses either die or are put down. And
20 there are some human deaths -- 13 to 18 deaths
21 over in New York. I forget the number.
22 They are anticipated to hit California
23 next year. And when it does come here, we have
24 large horse shows and the like with people. So we
25 need to take precautions for that.

16

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1 And with these waterways, we need to look
2 at ways to possibly manage some of the water, if
3 there's going to be mosquito breeding in those
4 areas and if they're going to be there enough
5 where people can get impacted, and just be aware
6 of that.

7 So again, I'm not saying control or wipe
8 out the whole environment. But we need to be
9 aware that there are human issues out there. You
10 know, I think maybe in a future plan some of those
11 things might want to be addressed inside there.

12 One of the other things is sand and
13 gravel mining is an area that does cause mosquito
14 breeding because sand and gravel mines
15 occasionally fill up with water, and the water
16 stays there for some time if they have a solid
17 bottom.

18 So if they're going to approve those
19 types of sand and gravel mines and they're near
20 any habitation of people, they need to be aware of
21 that and prepare for that in the future.

22 Those are the only things I wanted to
23 mention, and just let the group know that vector
24 issues are alive and well in the Coachella Valley.

25 MS. MISQUEZ: May I ask a question?

17

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1 MR. GOMSI: Sure.

2 MS. MISQUEZ: What can BLM do to help
3 manage and control mosquitos and these types of
4 diseases on the public lands?

5 MR. GOMSI: There's a variety of things
6 that can be done with water management issues.
7 Weed management. Sometimes weed management helps
8 out the wildlife, helps mosquito fish better.
9 Sometimes choked waterways aren't always the best
10 waterways.

11 There's a variety of things. I'm not the
12 total expert on all these types of matters. But I
13 would love to have a dialogue. We have an
14 entomologist that works with us. He worked with
15 UC Riverside and UC Davis researchers. If there
16 are some issues, I'd love to be able to comment on
17 them and have our staff have an input.

18 MS. MISQUEZ: Okay. Thank you. I
19 appreciate your comments. Maybe if I could get
20 your business card before you go today, I'd
21 appreciate that.

22 Are there other comments? No? Then I
23 think we can bring this to a close. You're
24 welcome to stay and ask any questions. Glen is
25 available. He has walked the trails quite a bit

18

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Coachella Valley California Desert Conservation Area Plan Amendment / FEIS
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1 and knows a lot about Bighorn sheep. So he can
2 certainly help you with that.

3 I can answer any questions you may have
4 about the CDC plan portion of it. On behalf of
5 Jim Kenna, the field manager, and myself and Glen
6 and the BLM staff, we appreciate your taking the
7 time to be here. Your input is very important to
8 us. Have a good evening. Bye.

9 (The meeting concluded at 2:35 p.m.)

10 --o0o--

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1 REPORTER'S CERTIFICATE

2
3 STATE OF CALIFORNIA)
4) ss.
5 COUNTY OF RIVERSIDE)

6 I, Sonja Chernick, a Certified Shorthand
7 Reporter within and for the State of California,
8 hereby certify:

9 That the said meeting, taken down by me in
10 stenotype at the time and place therein stated,
11 was thereafter reduced to typewritten by
12 computer-aided transcription under my direction,
13 and is an accurate transcription of the oral
14 proceedings in this matter, to the best of my
15 ability.

16 I further certify that I am not in any way
17 interested in the event of this action and that I
18 am not related to any of the parties thereto.

19 DATED THIS 8TH DAY OF AUGUST 2002.

20
21 Sonja Chernick
22 Sonja Chernick, CSR No. 11504
23
24
25

20

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CERTIFIED COPY

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IN RE: PUBLIC MEETING TO)
GATHER PUBLIC COMMENT ON THE)
DRAFT CALIFORNIA DESERT)
CONSERVATION AREA PLAN)
AMENDMENT FOR THE COACHELLA)
VALLEY, THE DRAFT SANTA ROSA)
AND SAN JACINTO MOUNTAINS)
TRAILS MANAGEMENT PLAN, AND)
DRAFT ENVIRONMENTAL IMPACT)
STATEMENT (EIS) RELEASED FOR)
PUBLIC REVIEW JUNE 7, 2002.)
-----)

REPORTER'S TRANSCRIPT
OF
PROCEEDINGS

MEETING LOCATION: IMPERIAL IRRIGATION DISTRICT
Board Room
81-600 Avenue 58
La Quinta, CA

DATE AND TIME: Thursday, July 25, 2002
6:13 p.m. to 6:35 p.m.

REPORTED BY: DIANE L. MARTIN, CSR, RMR
CSR No. 8268

JOB NO.: 59J01DLM

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P R E S E N T

U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Palm Springs/South Coast Field Office
BY: ELENA MISQUEZ, Associate Field
Manager
JIM KENNA, Field Manager
RACHELLE HUDDLESTON-LORTON,
Wildlife Biologist
690 W. Garnet Avenue
P.O. Box 581260
North Palm Springs, California 92258
(760) 251-4800

PUBLIC SPEAKERS:

GAYLE CADY, Page 7
BETTY MANGAN SMITH, Page 10
JESSE MCKEEVER, Page 14

2

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1 La Quinta, CA Thursday, July 25, 2002

2 P R O C E E D I N G S

3
4 MS. MISQUEZ: Good evening, everyone.
5 I would like to go ahead and get the meeting
6 started.

7 My name is Elena Misquez. I am the
8 Associate Field Manager for the Bureau of Land
9 Management, Palm Springs/South Coast Field
10 Office.

11 With me this evening is Jim Kenna, our
12 Field Manager; Rachelle Huddleston-Lorton, who is
13 our wildlife biologist; and Diane Martin, with
14 Gillespie Reporting, who will be recording your
15 comments and our meeting today.

16 This is, of course, the public hearing to
17 listen to your comments and concerns about the two
18 plans that we have out and available for public
19 review. They are both provided in this document.
20 This is, of course, the Draft Environmental Impact
21 Statement analyzing the Coachella Valley
22 California Desert Conservation Area Plan
23 Amendment; and, also, the Santa Rosa and San
24 Jacinto Mountains Trails Management Plan.

25 Now, these documents, of course, are 3

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1 available in the back at the door if you don't
2 have one. It's available for 90-day public
3 review. It closes September 5th. If you would
4 like to receive a copy of the final document when
5 it comes out, please make sure your name and
6 address is on the green sheets in the back.

7 Let's see. I will give a little short
8 description of how your comments will be used this
9 evening. As I said, we have two separate plans
10 being offered to the public for review and
11 comment. The first one, the Coachella Valley
12 California Desert Conservation Area Plan is
13 analogous to a general plan for a city or the
14 county. So it provides general land use
15 allocation decisions, you know, and general land
16 uses.

17 The Trails Plan, of course, is much more
18 specific as to which trails, when they would be
19 opened or closed, or seasonally opened and closed,
20 and dog uses, and a variety of other factors that
21 we need to consider in trail use, in providing
22 trail use while still protecting the bighorn sheep
23 and other species. Because we have two separate
24 plans, when we go out with the final environmental
25 impact statement, that will contain, of course, 4

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1 the transcripts from these meetings, it will
2 contain any letters or e-mails or faxes that we
3 receive, and comments on both of those plans.

4 However, the final EIS will contain the
5 Coachella Valley California Desert Conservation
6 Area Plan in a more -- it will incorporate those
7 public comments and probably with some adjustments
8 to the document itself, perhaps, but the Trails
9 Plan is actually part of the Coachella Valley
10 Multi-Species Habitat Conservation Plan. We
11 provided that Trails Plan in this document because
12 we wanted to benchmark the progress that's been
13 made through the many months of negotiations
14 between the cities, BLM, the Fish & Wildlife
15 Service, and Fish & Game.

16 So the Trails Plan will reappear when the
17 Coachella Valley Multi-Species Habitat
18 Conservation Plan is available for public review.
19 And I believe it's either late fall or perhaps
20 early winter is when they are targeting to send
21 that out. So that's when you will see that. And
22 then any changes made to the Trails Plan as well
23 as relative comments will be reflected there.

24 Any questions on just the process? The
25 plans? Is that pretty clear, the difference

5

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1 between the two plans?

2 Okay. Good.

3 So I guess without much ado, I'd like to
4 get into the public comment portion of this
5 evening. If you would like to speak this evening
6 -- I must say, I only have one speaker, and many
7 more are welcome -- we ask that you please sign in
8 on the pink form in the back -- I see another one
9 coming. And this will help, of course, our court
10 reporter to get your name right.

11 Since we are not overwhelmed by a number
12 of people, we are not going to impose necessarily
13 a time limit on you, so we just ask that you be
14 considerate of the audience.

15 And I think without much further ado, I
16 think we will get started. And before we do, I
17 just want to say on behalf of BLM, myself, Jim,
18 and Rachelle, we appreciate you taking the time to
19 be here and provide us your comments. Your input
20 is very important to us.

21 So shall we -- Gayle, would you be so
22 kind to start us off?

23 MS. CADY: Sure.

24 Do I go up there?

25 MS. MISQUEZ: Yes, please.

6

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[1] know where Jerry lives, but —
[2] MR. CRITES: Across the street from the pig.
[3] MR. MUTH: Is that where the pig lives?
[4] MR. CRITES: Across the street from the pig.
[5] MS. WATLING: Ruth Watling.
[6] There will be a great fear if you put parking
[7] in there for public access from the community members.
[8] It won't go over easily.
[9] MR. KENNA: Thank you.
[10] CHAIRMAN KIBBEY: Any other comments on the
[11] motion?
[12] All in favor of the motion, say, "Aye."
[13] (Vote.)
[14] CHAIRMAN KIBBEY: Any opposed, "Nay"?
[15] (Vote.)
[16] CHAIRMAN KIBBEY: Well, let's do hands,
[17] then.
[18] Opposed? One, two, three, four, five
[19] opposed. All those for the motion? One, two, three,
[20] four, five, six.
[21] The motion passes.
[22] MR. CRITES: Count the noes again. There
[23] were six opposed.
[24] CHAIRMAN KIBBEY: There were six opposed?
[25] All right. Let's try it one more time.

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[1] All right. Let's go for the ayes; all right?
[2] Everyone in favor of the motion, please hold your hand
[3] up and keep it there. One, two, three, four, five,
[4] six.
[5] Everybody agree with that vote? Six for.
[6] All those opposed, please raise your hand.
[7] One, two, three, four, five.
[8] MR. CRITES: Six. One, two, three, four —
[9] six.
[10] CHAIRMAN KIBBEY: And I being the tie
[11] breaker vote in favor of the motion. The motion
[12] passes.
[13] MS. HENDERSON: Mr. Chairman, before we move
[14] on to the next item here, might I ask — in a broader
[15] picture here, how this motorized section is affecting
[16] the tours that are currently — well, maybe they
[17] aren't currently operating. Is there any window here
[18] for that kind of a private enterprise to continue,
[19] maybe not where it is currently, but some other
[20] location? Have we accommodated that?
[21] MR. KENNA: Well, first answer is no. Tours
[22] are not currently operating.
[23] Second part of that is there is opportunity
[24] to consider that type of use in parts of the Monument.
[25] However, currently, there are private land constraints

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(1) that make that relatively impractical.

(2) MS. HENDERSON: You mean for a connector
(3) trail or just there are parts here, here, and here.
(4) but they may not connect?

(5) MR. KENNA: No, I mean that the motorized
(6) tours, there are private landowners that will not let
(7) such a tour across.

(8) CHAIRMAN KIBBEY: Wait a minute. That's it?

(9) MS. HENDERSON: Well, I still want to —
(10) well, I heard him say that there is an opportunity for
(11) that except — so then there isn't an opportunity?

(12) MR. KENNA: Well, I mean, the plan that we
(13) are doing is for a long time. And whether there ever
(14) will be an opportunity is another question, and it
(15) does look to a — it is a narrow opportunity because
(16) it basically is a situation where there would be
(17) constraints on the opportunity. So it would be more
(18) limited than it has been at any time in the past. But
(19) it is not totally excluded under this Plan Amendment.

(20) CHAIRMAN KIBBEY: Buford?

(21) MR. CRITES: I think what Jim perhaps is
(22) overly polite in describing is a private individual, a
(23) guy named Jim Blixseth, whose interest in sheep does
(24) not extend to not having a golf course in his yard,
(25) who bought both land at the bottom and near the top of

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(1) the Dunn Road and then has refused to allow BLM access
(2) across that land that he now owns and refuses to allow
(3) anyone to have access for, as an example, Desert
(4) Adventures or any of those groups.

(5) My personal bias is they probably brought
(6) more people to the Monument in terms of people who'd
(7) never see it any other way and gave them information
(8) and a love for the desert than anything we've done.

(9) But be that as it may, one individual has, in
(10) essence, ended the entire public opportunity in that
(11) area.

(12) MS. HENDERSON: I appreciate that
(13) information, but that sounds like a link in a chain.
(14) Is there some portion of the chain that can exist
(15) without that link?

(16) MR. KENNA: In a practical sense at this
(17) point anyway, probably not.

(18) MS. HENDERSON: Well, he didn't buy the
(19) whole mountain.

(20) MR. CRITES: He bought both ends of the
(21) chain.

(22) CHAIRMAN KIBBEY: Terry, you can walk around
(23) his property, but you can't drive around his property.
(24) Some very rough, rugged hills right there.

(25) MS. HENDERSON: Right.

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[1] CHAIRMAN KIBBEY: The second portion, then,
[2] returning to Motorized Commercial Recreation
[3] Activities, page ES-27, we would suggest that language
[4] be added that would prohibit through travel on the
[5] remainder of Dunn Road, the remainder then being from,
[6] according to the motion that we passed, the Forest
[7] Service gate to the bottom.

[8] MR. KENNA: Okay.

[9] CHAIRMAN KIBBEY: No comment required. We
[10] just would suggest that that might be considered.

[11] MR. KENNA: I think I understand the
[12] comment.

[13] CHAIRMAN KIBBEY: Okay. So then we get to
[14] Competitive Recreation Events. Any comments there?

[15] Going on to Motorized Vehicle Use of Trails.
[16] Comments there?

[17] And ending with Public Outreach. Any
[18] comments there?

[19] Unless any Committee member has further
[20] comments, that would then complete the Committee's
[21] recommendation to BLM on their Draft Trails Plan.

[22] MR. BOGERT: Can I ask one question?

[23] CHAIRMAN KIBBEY: Yes, sir, Frank?

[24] MR. BOGERT: It seems like we have been
[25] universally talking about Plan B. Has there ever ever

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[1] been any official approval of Plan B?

[2] MR. KENNA: No. At this point, what is out
[3] there is BLM had to do an environmental impact
[4] statement and that had to include both the range of
[5] alternatives and a preferred alternative. What, in
[6] effect, has happened is we have taken the status of
[7] the preferred alternative at the time we issued the
[8] document, we have done an EIS analysis on that, and
[9] that's out there.

[10] But as I indicated, there is still the draft
[11] EIR/EIS related to Coachella Valley Multispecies Plan
[12] that then will bring the local jurisdiction's part of
[13] the process together with what is going on on the
[14] federal side. And the decision point for that is
[15] probably, I would say, early next year. It's a guess.

[16] MR. BOGERT: Thank you.

[17] CHAIRMAN KIBBEY: And, Frank, in response
[18] to — as far as the ad hoc committee is concerned —
[19] and I erred in not saying this, the earlier discussion
[20] of the ad hoc committee agreed that B was generally
[21] the accepted alternative as far as the committees were
[22] concerned. So that's the one we addressed, was
[23] Alternative B.

[24] Thank you very much, Tim.

[25] I hope that that's what you wanted from us.

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[1] MR. BROCKMAN: Mr. Chairman?

[2] CHAIRMAN KIBBEY: Yes, sir.

[3] MR. BROCKMAN: Do you need a motion on the
[4] ad hoc committee's recommendations on all the other
[5] items?

[6] CHAIRMAN KIBBEY: If it's the pleasure of
[7] the Committee. My feeling was that we were providing
[8] input to the BLM and by stepping through each one of
[9] the sections, we were giving that representation of
[10] the Committee's beliefs and that would end it.

[11] But if you wish to make a motion, certainly
[12] the Chair is open to that.

[13] MR. BROCKMAN: I would move that with the
[14] exception of the one that we have already voted on —

[15] CHAIRMAN KIBBEY: I think the correct
[16] motion, then, would be the ad hoc committee's
[17] recommendation as amended?

[18] MR. BROCKMAN: Yes.

[19] CHAIRMAN KIBBEY: Do we have a second for
[20] that?

[21] MR. BOGERT: Second.

[22] CHAIRMAN KIBBEY: I have a second from
[23] Frank. Comment? Discussion?

[24] All those in favor, signify by saying, "Aye."

[25] Any opposed? The motion passes.

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[1] Thank you, Bob.

[2] Okay. Let's see. We are now rushing ahead
[3] to, "Recommendations by the Committee Regarding
[4] National Monument Plan Issues/Concerns/Opportunities
[5] for Development of Draft Plan Alternatives."

[6] It says the Chair of the Committee has this
[7] little job. I don't know.

[8] What's expected of me, Connell?

[9] MS. DUNNING: This time was allotted at the
[10] end of this meeting to provide for recommendations
[11] similar to what Gary provided earlier; your ability to
[12] just say individually some recommendations that you
[13] have. And it's also my time to provide for you a
[14] little bit of framework which we have already
[15] discussed a little bit about how we are going to get
[16] your input in the future.

[17] So we could start with if you have any
[18] individual recommendations just from what you've heard
[19] so far, potential solutions, creative methods of
[20] addressing some of the problems, some of the
[21] inconsistencies that have come forward.

[22] I could also provide — in this time frame,
[23] I'd also like to provide and have a little bit more
[24] discussion about where each different issue area can
[25] be pulled into the working groups that we already have

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(1) established. Some of them don't quite fit. But I
(2) think they can fit.

(3) So I want to make sure that we have kind of
(4) an understanding among all of us which areas we could
(5) address that have been brought forth by the public in
(6) those working group areas.

(7) CHAIRMAN KIBBEY: Let's begin, then, with
(8) the first portion of Connell's statement, and that is
(9) does any individual Committee member have a suggestion
(10) as to either process or area of concern that has not
(11) been touched on or maybe they want to expand upon it?

(12) Start over here.

(13) MR. LYMAN: Bob Lyman. I think that one of
(14) the comments that we made earlier today is we wanted
(15) some starting point. As we went through this document
(16) on the trails, that was the starting point and
(17) everybody was able to return comments, look at it, be
(18) able to begin packaging things.

(19) And I think that's kind of the direction we
(20) need to — we are kind of at that ethereal stage here.
(21) And I think everybody had that document and was able
(22) to move forward with it. And I think that's something
(23) if we are going to continue and get this plan in
(24) place, we've got to have something to look at.

(25) MS. DUNNING: Would you feel comfortable

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(1) brainstorming in the working groups and then having
(2) the output of that brainstorming coming back and then
(3) having that to discuss at this level?

(4) MR. LYMAN: I have no problem with that.

(5) Just so we have some sort of tangible starting point.

(6) MS. DUNNING: Right. I just wanted to
(7) capture your brainstorming.

(8) CHAIRMAN KIBBEY: Jeff? Any comments?

(9) Nothing?

(10) Bob?

(11) MR. BROCKMAN: Only to say that the planning
(12) work group did review the matrix that was prepared for
(13) our meeting about three weeks ago. And our comments
(14) follow very closely along with Gary's earlier today in
(15) terms of trying to consolidate fees, in terms of some
(16) uniformity in signs, and a number of other management
(17) practices.

(18) So I will leave it at that. But we did have
(19) very much the same feelings as Gary expressed earlier.

(20) CHAIRMAN KIBBEY: Bary?

(21) MR. FREET: Nothing.

(22) (Mr. Bogert exited the meeting.)

(23) CHAIRMAN KIBBEY: Bye, Frank.

(24) Barbara?

(25) MS. GONZALES-LYONS: No. Just that our

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(1) committee is going to try and work out the same matrix
(2) and come back with that information.

(3) **CHAIRMAN KIBBEY:** Buford?

(4) **MR. CRITES:** No.

(5) **CHAIRMAN KIBBEY:** Terry?

(6) **MS. HENDERSON:** Well, I did have a concern
(7) that we are even going to this particular discussion
(8) right now given that I thought I heard Barbara
(9) prepared to give us some report from her work group
(10) regarding the cultural aspects which started on
(11) page 36 and she was pulled away. And I thought she
(12) was going to wait until after we did trails, which
(13) we've done. And then I thought we would hear from
(14) Barbara and what her group has potentially — the
(15) point that it's reached.

(16) I would agree that it would be nice to have
(17) that in writing, and I think we will by September 15
(18) for our next meeting, but I wanted to hear what
(19) Barbara had to say about the cultural aspect of this
(20) Plan. It sounded like she had comment.

(21) **MS. GONZALES-LYONS:** On this Plan?

(22) **MS. HENDERSON:** It sounded like she had
(23) something to tell us.

(24) **MS. GONZALES-LYONS:** If you don't mind?

(25) **CHAIRMAN KIBBEY:** No. To be truthful, I had

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(1) forgotten.

(2) **MS. GONZALES-LYONS:** I thought we would have
(3) another study session on that portion of it.

(4) **CHAIRMAN KIBBEY:** That referenced something
(5) in the Trails Plan, was it, or —

(6) **MS. GONZALES-LYONS:** No. It was the Trails
(7) Plan. And then —

(8) **CHAIRMAN KIBBEY:** What page was that?

(9) **MS. GONZALES-LYONS:** It's ES-36, I believe.

(10) **MS. HENDERSON:** Thirty-six or thirty-seven?

(11) **MS. GONZALES-LYONS:** Thirty-six. And they
(12) only have two alternatives. One alternative is called
(13) "Motorized Vehicles" in the cultural/native aspects
(14) and in the Trail Plan.

(15) And one, it says, "Allow the motor vehicles
(16) to go and let erosion happen as it happens."

(17) The next alternative is, "Close the roads and
(18) don't allow erosion to happen." I think there should
(19) be an alternative to those two. You know, you just
(20) can't close or keep it open. There's other
(21) alternatives, like rerouting of trails in the cultural
(22) areas, you know, maybe covering up cultural
(23) significant areas so that when the trails go through,
(24) it's not going to erode it.

(25) I think there could be other alternatives

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(1) other than one extreme to the other.

(2) **CHAIRMAN KIBBEY:** My understanding is that
(3) ES-36 is on the CDCA Plan and these have to do with
(4) roads, not trails.

(5) Is that correct, Danella?

(6) **MS. GEORGE:** Correct. But we'd asked for
(7) the Committee to provide recommendations on the CDCA
(8) Plan and the Trails Plan.

(9) **MS. GONZALES-LYONS:** Right.

(10) **MS. GEORGE:** From our last meeting of June,
(11) was to provide both to the CDCA Plan Amendment and the
(12) Trails Plan.

(13) **CHAIRMAN KIBBEY:** We didn't do that because
(14) our understanding was we were to be speaking only to
(15) the Trails Plan.

(16) **MS. GEORGE:** If you go back to the minutes
(17) of the last meeting, it's in there.

(18) **MS. GONZALES-LYONS:** And so they don't have
(19) any aspect within the trails at all about the culture.

(20) **CHAIRMAN KIBBEY:** Jim, does this have to do
(21) with trails in the Monument?

(22) **MR. KENNA:** Well, I think it probably is
(23) some of both. And maybe if we just, I think, grab
(24) what I think the essence of the comment is — and I
(25) think her comment is well taken — that there are

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(1) going to be situations where we really only have kind
(2) of one or the other.

(3) And most of that will have to do with the
(4) roads in the CDCA Plan Amendment itself, where we are
(5) pretty much either going to close them and
(6) rehabilitate them or we are going to keep them as part
(7) of some sort of an ethical point. One or the other.

(8) And most of that, if you look at it relative
(9) to the Monument, there are some routes in the vicinity
(10) of Snow Creek, and the area that we have been talking
(11) about at the upper end of Dunn road, there are some.
(12) Those are the two areas in the Monument. Most of the
(13) rest of it is either — like into the Martinez Canyon
(14) or very, very rugged and roadless, basically.

(15) So I think the universal things that we might
(16) do on roads is not that big. And so there, it might
(17) be pretty much an either/or. And we are generally
(18) going to try and err on, you know, having a decent
(19) road network but protecting the resources in that
(20) case.

(21) **MS. GONZALES-LYONS:** But aren't there
(22) alternatives for, like, either removal of those areas
(23) or covering them up?

(24) **MR. KENNA:** And in some of the route
(25) designations and pro- — proposed to Coachella Valley

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(1) Plan Amendment, there are some where we are just not
(2) going to have a road there anymore. And the area that
(3) comes to mind where I think most of that is is right
(4) around the — between Snow Creek and Windy Point. But
(5) in respect of the trails, then, besides the motor —
(6) the trails, there's no aspect in here about culture
(7) dealing with the trails.

(8) **CHAIRMAN KIBBEY:** No.

(9) **MR. KENNA:** And if I understand your
(10) comment, what you want to make sure is that the
(11) rerouting option is there for trails based on a
(12) cultural concern just as it would be for a biological
(13) concern. Which I think that's a good comment.

(14) **MS. GONZALES-LYONS:** Yes.

(15) **CHAIRMAN KIBBEY:** Did we blow it? Were we
(16) supposed to give you also information — or comments
(17) on the CDCA portion of it, not just the trails?

(18) **MR. KENNA:** Well, I think comments on the
(19) CDCA portion of it would also be helpful at this point
(20) in time that — where we are in the process, I think
(21) it's really, you know — the overlap of the Monument
(22) Area and the CDCA Plan Amendment, the biggest chunk of
(23) that is related to trails and Bighorn sheep recovery
(24) issues and actions.

(25) **CHAIRMAN KIBBEY:** That was my understanding.

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(1) **MR. KENNA:** So I don't think —

(2) **CHAIRMAN KIBBEY:** I apologize.

(3) **MR. KENNA:** "Blow it" might be an extreme
(4) description.

(5) **MS. GONZALES-LYONS:** Another comment —

(6) **CHAIRMAN KIBBEY:** Yes, ma'am?

(7) **MS. GONZALES-LYONS:** — dealing with the —

(8) what is it? — the Coachella Valley Multispecies
(9) Habitat Conservation Plan. Your plan proposes that a
(10) lot of this is, I guess, coexisting or connected to
(11) each other, that you are looking for the Multispecies
(12) Plan to be approved and done before certain issues are
(13) dealt with within your plan. What happens if that
(14) doesn't go forward?

(15) **MR. KENNA:** Well, no. Actually, it's the
(16) reverse. We have a deadline to finish the Plan
(17) Amendment for the CDCA Plan Amendment. It has to be
(18) done by the end of this calendar year. That will
(19) almost certainly be ahead of the Multiple Species
(20) Plan.

(21) And so the Federal contributions to the
(22) Multiple Species Plan will be pretty well described by
(23) the time that the decision comes out on the nonvehicle
(24) side.

(25) The exception to that will be the trails

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[1] component, because for us under the BLM planning
[2] system, that doesn't have to occur at a Resource
[3] Management Plan, which would be kind of the equivalent
[4] of a General Plan level. For us, that's an activity
[5] plan level decision. And so we will be able to delay
[6] the final record of decision to close that loop
[7] together with the local jurisdictions.

[8] MS. GONZALES-LYONS: But if it isn't
[9] approved, then it wouldn't matter because your Trail
[10] Plan would still be implemented?

[11] MR. KENNA: Well, there's a lot of this
[12] Trails Plan that the — the only way a Trails Plan is
[13] going to work in the mountains is if there's a
[14] multijurisdictional approach. And so, I mean, it's
[15] conceivable that BLM could do a Trails Plan on some
[16] trails, but we wouldn't really be managing the system
[17] of trails and a system of opportunities and looking
[18] systematically at the biological and cultural
[19] resources and how they are affected just by virtue of
[20] the land pattern that we have in the mountains.

[21] And so I for a long time certainly have been
[22] an advocate that it's important for all of us to
[23] figure it out together.

[24] MS. HENDERSON: Mr. Chairman, does the
[25] Multispecies Habitat Plan have a logo?

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[1] MR. CRITES: Yes. A dollar bill.

[2] CHAIRMAN KIBBEY: A big dollar bill.

[3] I did read the entire plan and personally had
[4] no problems or questions with all of the CDCA plan.
[5] Of course, I had heard most of it presented by you
[6] guys at one forum or another, so I was pretty aware of
[7] it, familiar with it.

[8] Does anyone else have any comments, then, on
[9] the other part, the CDCA Plan and — it talks about
[10] all sorts of interesting things and, in fact, covers
[11] one of the comments we had earlier about finding a
[12] place for off-road vehicles to do their thing.

[13] So if anyone else had any comments on the
[14] CDCA plan, please — yes, sir?

[15] MR. CRITES: Did BLM bring along their
[16] proposed road changes? A suggestion had been made for
[17] you guys to bring along some maps that you —

[18] CHAIRMAN KIBBEY: There are maps in here.

[19] MR. CRITES: They are absolutely useless.

[20] You can't tell on that scale.

[21] CHAIRMAN KIBBEY: Well, you didn't say they
[22] had to be useful.

[23] MR. CRITES: I apologize. Did BLM per
[24] chance as requested bring along the larger scale maps
[25] where people could see the road impacts that are

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(1) proposed?

(2) MR. KENNA: Hold on. I'll check.

(3) CHAIRMAN KIBBEY: You had one that you
(4) showed CVAG, at CVAG.

(5) MR. KENNA: You are correct. And it appears
(6) that we left them back at the office. My apologies.
(7) But if there is anyone who wants to see those maps,
(8) we'd be happy to make them available and set up a
(9) personal session and walk you through them.

(10) MS. HENDERSON: Does that include the maps
(11) identifying the trails clearly named? Because there
(12) was confusion over some of those too. In fact, some
(13) of them I don't think were named.

(14) MR. KENNA: I think we are talking about two
(15) different sets of maps at this point. The maps that
(16) Buford is referring to are the route designation maps
(17) that show where the road closures would be, and the
(18) map you are referring to is a different map. I think
(19) we do have a version — I know we have had this
(20) discussion before — that has color coding and names
(21) with it based on your comments that we can get to, we
(22) will check on that.

(23) MS. HENDERSON: Thank you very much.

(24) MS. GEORGE: To follow up — well, Danella
(25) George.

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(1) To follow up with what Jim said, after — I
(2) think you have asked for it at two different meetings
(3) and, yes, we have had maps made and they do have the
(4) trails' names on them and they show the seasonal
(5) closures and we actually have them to bring on Monday
(6) for our meeting with Barbara and we will get one to
(7) you.

(8) MS. HENDERSON: Thank you.

(9) CHAIRMAN KIBBEY: Then continuing past Terry
(10) to Gary. Any comments?

(11) MR. WATTS: No.

(12) CHAIRMAN KIBBEY: Al?

(13) MR. MUTH: Al Muth. I would just like to
(14) comment. I concur with Bob's comments about needing
(15) something in hand to look at. For instance, with the
(16) public scoping comments, yes, I read them. Do I have
(17) time to sit down and classify each of those comments,
(18) put them into categories, and propose alternatives
(19) based on those kinds of comments? No.

(20) And I think — I've got a real job, believe
(21) it or not, and that ain't it. So we do need something
(22) in hand.

(23) MS. DUNNING: Okay. So this would be the
(24) point, then, to talk about — since you do have real
(25) jobs, and I recognize that — just to further clarify

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[1] REPORTER' S CERTIFICATE
[2]
[3]
[4] STATE OF CALIFORNIA)
[5])SS.
[6] COUNTY OF RIVERSIDE)
[7]
[8] I, Diane L. Martin, a Certified Shorthand
[9] Reporter, do hereby certify that the foregoing 230
[10] pages comprise a full, true, and correct transcription
[11] of the proceedings had and the testimony taken at the
[12] hearing in the hereinbefore-entitled matter.
[13] Dated this 16th day of August, 2002, at
[14] Riverside, California.
[15]
[16]
[17]
[18]
[19] Diane L. Martin, CSR
[20] CSR NO. 8268
[21]
[22]
[23]
[24]
[25]

RESPONSES TO PUBLIC COMMENTS

In the following section, the “public concern statements” (PCs) are presented in bold text, and the response is in normal text. Each public concern statement identifies the individual submitting the comment, unless the respondent requested that confidentiality be preserved, as well as the organization he/she represents, if any. This will facilitate tracking the public concern statement back to the original letter or source.

Many comments refer to section numbers of the document. The reader should note that section numbers have changed from the Draft Environmental Impact Statement to the Final Environmental Impact Statement. The current section numbers are referenced in the following responses.

DOCUMENT PRESENTATION

PC 001: The CDCA Amendment for the Coachella Valley, and the Santa Rosa and San Jacinto Mountains Trails Management Plan are only partially related and further complicated by the relationship to other plans. Therefore, they should have been addressed in separate documents. (J. Morgan / Sierra Club)

Response: This Final Environmental Impact Statement only addresses the CDCA Plan Amendment for the Coachella Valley. The Trails Management Plan will be addressed in a separate environmental impact statement. Please refer to section 1.6.4 of this Final EIS for a description of how the trails management plan will be addressed, and its relationship to the CDCA Plan Amendment for the Coachella Valley and the Coachella Valley Multi-Species Habitat Conservation Area Plan.

PC 002: Identification of the preferred alternative whenever specific alternatives are referenced in Chapter 4—Environmental Consequences was not consistently done, thereby requiring the reader to refer to Table ES-1 or Chapter 2 to determine which alternative is preferred. (L. Hanf / U.S. Environmental Protection Agency; D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The Final Environmental Impact Statement has been revised in response to this comment.

PC 003: A reviewer cannot judge the potential effects of proposed route designations and OHV open areas on adjacent existing or proposed wilderness areas when neither the proposed open

routes/areas nor adjacent sensitive areas have been adequately mapped. Maps and data are entirely missing for some issues, or for other issues they are too large a scale and do not give adequate reference points to be understandable. It is not clear where the proposed new OHV open areas are located. (J. Taylor / Sierra Club)

PC 004: The document does not identify the name, length, and location of each OHV route and vehicle play area that will be affected by the alternatives. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

PC 005: The document fails to identify a preferred alternative for route designations in Section 2.1.3.17, Motorized-Vehicle Access: Route Designations, or in the summary. Only Figure 2-10b purports to represent the preferred alternative. No specific routes are identified, nor can it be determined which routes are proposed open and which are proposed closed. (G. Black / California Department of Fish and Game; J. Taylor / Sierra Club)

Response: Each route of travel was listed and described in Appendix D, Table D-2 of the Draft Environmental Impact Statement, including the route number, length, map location, and designation under each alternative. For the Final Environmental Impact Statement, routes closed under previous planning efforts, as well as routes not available for public use in accordance with right-of-way grants (for example, wind farm areas) and effective closures by other land owners, now appear in Tables D-2 and D-3; closure decisions for these routes are not changed. Routes for which decisions will be made under the CDCA Plan Amendment for the Coachella Valley appear in Table D-4 of Appendix D. A set of USGS 7.5-minute topographic maps depicting each route and alternative designations was made available for review by the public during the public comment period. This process is more fully described in Section 3.5. Sierra Club and California Association of 4 Wheel Drive Clubs were provided with a set of route inventory maps.

The proposed OHV open areas under Alternative A are described in Chapter 2, Section 2.4.16, Motorized-Vehicle Area Designations (see legal descriptions). The OHV open areas are also depicted in Figure 2-10a.

Special area designations are depicted in Figures 2-6a, 2-6b, and 2-6c. Relating these special areas to the OHV open area maps (Figure 2-10a) and the route designation maps (Figures 2-11a, 2-11b, 2-11c, and 2-11d) does require some interpretation on the part of the reviewer. During development of the Draft EIS, the BLM attempted to combine maps (such as special area designations, motorized-vehicle routes,

and motorized vehicle area designations) and found the maps to be “too muddy” for interpretation. A larger scale, color map with these overlays is available on the internet and upon request.

RELATIONSHIP TO OTHER PLANS / COORDINATION

Please refer to the bighorn sheep topic heading for comments and responses regarding the *Recovery Plan for the Peninsular Ranges Bighorn Sheep*.

PC 006: A reviewer cannot assess the effects of BLM’s habitat conservation areas when they clearly depend on the boundaries proposed in the upcoming Coachella Valley Multiple Species Habitat Conservation Plan. (J. Taylor / Sierra Club)

PC 007: In Section 2.1.3.6, Habitat Conservation Objectives, it is not clear what BLM meant upon stating that conservation areas refer to special designations “within the conservation system approved by BLM in support of the Coachella Valley Multi-Species Habitat Conservation Plan (CVMSHCP).” It is not clear whether this “conservation system” is the same, more or less than the CVMSHCP conservation areas. (J. Taylor / Sierra Club)

Response: For the purposes of this plan amendment, the “conservation areas” are a product of the joint efforts under the CVMSHCP, as they apply to BLM-managed public lands. The EIS has been modified to clarify what BLM means by “conservations areas.” Please refer to the Glossary and Section 2.4.6. The conservation objectives proposed in Section 2.4.6 (Section 2.1.3.6 in the Draft EIS) would apply to all BLM-managed lands which fall within the approved CVMSHCP conservation area boundary. Pending completion of the CVMSHCP, the BLM shall utilize the proposed conservation boundary which has been agreed to by both the US Fish and Wildlife Service and the Coachella Valley Association Governments to date.

PC 008: Instead of rushing forward to complete the CDCA Plan Amendment for the Coachella Valley ahead of schedule, BLM should pursue its completion simultaneously with the Coachella Valley Multiple Species Habitat Conservation Plan. It is impossible to assess the Plan Amendment’s effectiveness without the CVMSHCP information on which the amendment relies, and without essential information from other interrelated habitat plans that is not yet available, including the Habitat Conservation Plan being developed by the Agua Caliente Band of Cahuilla Indians. (J. Taylor / Sierra Club)

Response: Nearly all of the biological information used to develop the CDCA Plan Amendment was developed as part of the CVMSHCP planning

effort. This information is now summarized in Appendix E of the CDCA Plan Amendment. The BLM is not required to wait for information that is currently unavailable (40 CFR 1502.22). While ideally the CDCA Plan Amendment and CVMSHCP would be completed concurrently, please refer to Section 1.6.3 for an explanation why the CDCA Plan Amendment is now on a shortened schedule.

PC 009: Generally, the CDCA Plan Amendment for the Coachella Valley ignores Tribal lands and actions in its analysis. (J. Taylor / Sierra Club)

Response: The BLM consulted with local Tribes during the development of the CDCA Plan Amendment. The BLM is not aware of any other land management plans being developed by Tribes within the planning area other than the Tribal Habitat Conservation Plan being developed by the Agua Caliente Band of Cahuilla Indians. BLM-managed public lands adjoin Agua Caliente lands in a number of locations. BLM's CDCA Plan Amendment was developed in close coordination with the Agua Caliente Band of Cahuilla Indians, in order to facilitate consistency in land uses and habitat protection across the Coachella Valley. Furthermore, the Tribe and the BLM operate under a Cooperative Management Agreement and actively seek to find ways to engage in activities that improve land management compatibility, effectiveness and efficiency. Specific examples of these efforts include cultural survey, management of the wild horse Herd Management Area and control of tamarisk.

The Morongo Band of Mission Indians informed the BLM that they plan to develop a habitat conservation plan in conjunction with Western Riverside County's planning efforts. Preliminary discussions have also occurred with the Torres Martinez Desert Cahuilla Indians concerning possible wetland restoration projects at the mouth of the Whitewater River. Tribal consultation and coordination efforts are addressed in Sections 1.6.2 and 2.2.

PC 010: Given that the draft Coachella Valley Multiple Species Habitat Management Plan, scheduled for release and public review in January 2003, will include recommendations regarding a trails plan, identification of a preferred alternative for the Trails Management Plan by the BLM at this time is premature. This will have a deleterious influence on any genuine discussion and evaluation of CVMSHCP trails plan alternatives by local communities and trail users. (J. Herman, F. Baker / City of La Quinta)

Response: BLM's intent in presenting the draft Trails Management Plan was to benchmark progress made to date and to provide the public with a clear indication of the alternatives under discussion to represent the trails management portion of the overall sheep recovery strategy. There will be an additional opportunity for the public to again submit comments when the Coachella Valley Multiple Species Habitat Conservation Plan is released for review, and BLM will also participate in that process. The proposed preferred alternative identified in the Draft Santa Rosa and San Jacinto Mountains Trails Management Plan was developed collaboratively with the local communities and trail users through the Trails and Bighorn Sheep Working Group. In addition, the U.S. Fish and Wildlife Service and California Department of Fish and Game collaborated on the proposed preferred alternative. The proposed preferred alternative does not establish the final course of action for the BLM or any city participating in the Coachella Valley Multiple Species Habitat Conservation Plan.

PC 011: As the Santa Rosa Mountains Wildlife Habitat Management Plan: A Sikes Act Project was jointly developed by the California Department of Fish and Game and BLM, any amendments or updates need to be agreed to by both agencies. The Department has not yet agreed to update the Sikes Act Plan through the Coachella Valley Multiple Species Habitat Conservation Plan. The Department considers the Sikes Act Plan active and any updates should be done through the mechanism outlined in the plan itself. Management of the area will continue with the same emphasis stated in the plan. Further, such management must be consistent with the 1985 Cooperative Agreement for the Santa Rosa Mountains Wildlife Area 3, which identifies Peninsular Ranges bighorn sheep as the primary emphasis species of the cooperative agreement. (G. Black / California Department of Fish and Game)

Response: We concur the needed modifications to the Sikes Act Plan do require approval by both agencies and the process for making the modifications is described in Section V. of the Sikes Act Plan. Section 1.5, Relationship to Other Plans, has been clarified in this regard. BLM is committed to managing for recovery of bighorn sheep populations and will work with California Fish and Game toward that goal. However much of the implementation of the existing Sikes Act Plan has been completed, has been affected by changes in law or conditions on the ground, or will need to be updated based on changes in the CDCA plan. A review is also needed for agreements which apply to the area recently designated as the Santa Rosa and San Jacinto Mountains National Monument, and to ensure consistency with this plan amendment. Both the Sikes Act Plan and the agreement

were prepared prior to listing of bighorn sheep in the Peninsular Ranges and prior to designation of wilderness areas and the National Monument. Reviews and updates would be conducted jointly with California Department of Fish and Game.

PC 012: The CDCA Plan Amendment proposes to maintain the Dunn Road, which was built in trespass, despite the Sikes Act Plan calling for removal of trespass roads and trails. This inconsistency should be analyzed. (J. Taylor / Sierra Club)

Response: BLM initiated trespass proceedings soon after it was discovered the “Dunn” road was under construction without proper authorization. On December 10, 1971, “Partial Summary Judgment Amending Judgment of March 12, 1969,” was entered in U.S. District Court enjoining the defendants (American Land Company, etc., et al., builders of the road) and all others acting with them, or for them from crossing over, traversing, and/or in any manner using the surface of the road constructed by the defendants, over the National Resource lands under jurisdiction of the BLM, and/or in any manner conducting any further road construction on these lands. The defendants appealed from this Partial Summary Judgment.

Pending the outcome of that appeal, the BLM and American Land Company, et al., entered into a “Stipulation for Settlement on the Issue of Damages Only and Order Hereon,” which was approved by the Court on February 23, 1973.

On June 17, 1975, the Court entered “Final Judgment” for the purpose of compromise settlement of the issues raised in United States of America v. American Land Company, etc., et al. (Civil No. 68-1119-FW, U.S. District Court, Central District of California). This Final Judgment granted, in part, America Land Company the right to proceed with the construction of Dunn Road, subject to numerous conditions, and the right to access public lands to fulfill those conditions.

In summary, the matter regarding the trespass nature of Dunn Road was addressed by U.S. District Court and resolved in 1975. As such, the Dunn Road is not currently in trespass.

PC 013: The CDCA Plan Amendment alludes to certain modifications of the Santa Rosa Mountains Wildlife Habitat Management Plan: A Sikes Act Project, but fails to identify them. (J. Taylor / Sierra Club)

Response: The needed modifications to the Sikes Act Plan do require approval by both agencies and the process for making the modifications is described in Section V. of the Sikes Act Plan to become a final joint plan. Section 1.5, Relationship to Other Plans, has been clarified in this regard. Much of the existing Sikes Act Plan has been completed, has been affected by changes in law or conditions on the ground, or will need to be updated based on changes in the CDCA plan and recent designation as the Santa Rosa and San Jacinto Mountains National Monument. These changes would be developed jointly with California Department of Fish and Game, and may be subject to further environmental and public review depending on their significance. Because the Sikes Act Plan is an “activity level” plan for BLM, it would be updated outside the scope of the CDCA plan amendment process, in much the same manner the original Sikes Act Plan was created.

PC 014: In Section 2.1.4, Plan Maintenance, a discussion should be included regarding how the trails plan will be implemented should the Coachella Valley Multiple Species Habitat Conservation Plan not be completed. (G. Black / California Department of Fish and Game)

Response: With or without the CVMSHCP, BLM will continue efforts to develop a multi-jurisdictional trails management plan for the Santa Rosa and Jacinto Mountains as proposed in the *Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California*. Given the land ownership and jurisdiction situation in the mountains, a multi-jurisdictional approach has a much greater chance of effectively managing recreation and, thereby contributing to the recovery effort for bighorn sheep and providing better public service. In the interim, BLM will continue to coordinate with the local jurisdictions, State and Federal agencies, and private interest groups to manage the public lands in bighorn sheep habitat, utilizing the best available scientific information.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) AND FEDERAL LAND POLICY AND MANAGEMENT ACT (FLPMA) COMPLIANCE

PC 015: The Plan Amendment states that the BLM preferred alternative consists of an amalgamation of plan elements chosen from three alternatives (A through C). The National Environmental Policy Act does not permit BLM to propose a preferred alternative in such manner. This failure to clearly describe the proposed action is a violation of NEPA. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The Coachella Valley California Desert Conservation Area Plan Amendment is not one proposal, but many proposals (called plan elements) packaged together to reduce duplication and paperwork (40 CFR 1500.4 (o)). The NEPA regulations require that agencies “Identify the agency’s preferred alternative or alternatives, if one or more exists, in the draft statement, and identify such alternative in the final statement...” (40 CFR 1502.14(e)). A description of BLM’s preferred alternative for all plan elements is provided in the Executive Summary.

PC 016: The Environmental Impact Statement makes no attempt to evaluate the selected plan elements of the preferred alternative as they interact with one another, i.e., each preferred element is analyzed individually without integrating it into the mélange of other preferred elements. As a result, the EIS fails to meet the most basic requirement of NEPA, which is to describe the proposed action clearly and to assess its impacts on the human environment. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Many of the plan elements are independent of one another relative to the impact analysis. Some plan elements are inter-related, such as the proposed air quality management strategy and the motorized vehicle route and area designations. The alternatives for each of these plan elements are designed to track closely with one another, such that Alternatives A, B and C of the air quality management strategy (ranging from less to more stringent air emission controls, respectively) correlates with the motorized vehicle route and area designation Alternatives A, B and C (ranging from fewer to more route/area closures, respectively). With this correlation built into the array of alternatives presented in Chapter 2, the impact analysis indeed does consider the impact of the preferred alternative as a whole, along with the other alternatives. Chapter 4 has been slightly reorganized in order to better clarify this correlation.

PC 017: The Environmental Impact Statement fails to identify the specific recreational uses that will be affected by the Plan Amendment, describe the proposed changes in detail, and examine the impacts of each proposed change. Consequently, it does not demonstrate that BLM has taken a hard look at the impacts as required by NEPA. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Primary recreation activities and their relevant use levels within the planning area are described in Section 3.4, Recreation. Impacts to

recreation from proposed management prescriptions under each alternative are analyzed in Section 4.4, Recreation. Impacts to motorized-vehicle recreation are specifically addressed in Section 4.5, Motorized-Vehicle Access.

PC 018: In all areas, careful study and assessment should be required for any new facilities on BLM lands, including an assessment of impacts to visual resources. (J. Morgan / Sierra Club)

Response: Proposed projects are evaluated in accordance with applicable laws, regulations and policies (Section 1.6.2, Laws, Regulations and Policies), and land use plan decisions. Assessments of impacts to visual resources are undertaken when preparing environmental reviews in accordance with the National Environmental Policy Act.

PC 019: The Plan Amendment fails to adequately consider the cumulative effects of its proposed actions because it considers only the actions proposed on BLM lands, not the vast acreages of private lands checkerboarded with federal lands in the Coachella Valley. (J. Taylor / Sierra Club)

Response: The public and private land decisions, in a growing area like the Coachella Valley with complex land ownerships and jurisdictions, are inherently interdependent. The development of this plan amendment, in coordination with these local jurisdictions and agencies, using common scientific and linked planning processes, helps ensure well-considered public decisions designed to deliver the natural, social, economic, and cultural values intended. Section 4.17, Cumulative Impacts, addresses impacts to non-public lands.

PC 020: The Environmental Impact Statement fails to analyze, disclose, and mitigate the cumulative recreation impacts of the Coachella Valley Plan, Northern and Eastern Mojave Desert (NEMO) Plan, Northern and Eastern Colorado Desert (NECO) Plan, and the twelve interim closures BLM has implemented throughout the California Desert Conservation Area. Among the cumulative impacts overlooked is safety. By closing vehicle routes and OHV open areas, OHV users will be forced onto smaller areas, thereby increasing the potential for accidents and other safety problems. Further, these closures will diminish the recreational and aesthetic experiences for OHV users, and will inevitably lead to conflicts between users. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Under the Proposed Plan, BLM has not proposed to close public lands designated as “open” through the CDCA Plan (1980) or subsequent amendments. There are no designated OHV open areas within the planning area. Under the Proposed Plan, a total of 26 miles of routes on public lands would be additionally designated “closed” to protect sensitive natural or cultural resources, and reduce PM10 generation in the Coachella Valley (70 miles of routes are already closed or unavailable for use per prior CDCA Plan amendments, rights-of-way, activity plans, or actions by other parties; these closures would not be changed under the Proposed Plan). Out of the total 73 miles of currently available routes on public lands (excluding the NECO Plan overlap area), 47 miles would remain open to accommodate recreation use. There are also hundreds of miles of routes, and several thousand acres of OHV open areas on nearby public lands outside the planning area (see Section 3.4, Recreation: Regional OHV Opportunities).

Given these opportunities and present use levels, there is no evidence of crowding or safety issues in the Coachella Valley due to OHV management by the BLM. Issues of perceived crowding may be attributed to social issues and personal choice; OHV users seeking solitude and remote locations will find ample opportunities on public lands or by avoiding holiday weekends. Users seeking social settings with larger crowds can also find those opportunities by choosing locations or dates known to attract more users. The BLM encourages safety by communicating and enforcing State motor vehicle regulations and by working cooperatively with industry and OHV groups to train and educate users on the proper handling and use of ATVs, motorcycles, and other OHVs.

PC 021: As the Federal Land Policy and Management Act of 1976 requires BLM to provide for OHV recreation, the lack of mitigation for recreation losses constitutes a violation of the Act. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

PC 022: The BLM fails to provide adequate mitigation for impacts to OHV use and other recreational activities. For example, if an area or route needs to be closed to motorized-vehicle access because of significant impacts to an endangered species, another area should be opened or expanded, or another route opened, to compensate for the closure. Further, the BLM does not explain why alternative routes could not be identified and incorporated into the Plan Amendment. (R. Denner / California Desert District Advisory Council; D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: In Section 102(a)(8) of the Federal Land Policy and Management Act of 1976, Congress declares that it is the policy of the United States that “the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and will provide for outdoor recreation and human occupancy and use.” Further, in Section 601(a)(4) of the Act, Congress found that “the use of all California desert resources can and should be provided for in a multiple use and sustained yield management plan to conserve these resources for future generations, and to provide present and future use and enjoyment, particularly outdoor recreation uses, including the use, where appropriate, of off-road recreational vehicles.”

The Coachella Valley CDCA Plan Amendment addresses and provides for outdoor recreation uses, including the use of off-highway vehicles where appropriate, consistent with FLPMA. FLPMA does not require that loss of recreation opportunities in furtherance of its provisions be mitigated. However, BLM is working with State and local governments and agencies to identify appropriate lands in the planning area and in western Riverside County that could be acquired through purchase or exchange to meet demands for OHV free-play opportunities. BLM is also proposing design of an area in the vicinity of Drop 31 to accommodate vehicle-based recreation. Each of these efforts are intended to address recreation demand.

PC 023: Given that the National Environmental Policy Act requires BLM to develop and consider feasible mitigation measures to reduce all foreseeable impacts, the lack of mitigation for recreation losses constitutes a violation of the Act. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: BLM is required to use all practicable means, consistent with the requirements of the National Environmental Policy Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment (40 CFR 1500.2). In designating areas and routes for use by off-highway vehicles, such areas and routes shall be located, in part, to minimize damage to soil, watershed, vegetation, air, or other resources of the public lands (43 CFR 8342.1(a)). In Chapter 2, Alternatives, of the Environmental Impact Statement, BLM includes

appropriate mitigation measures not already included in the proposed action or alternatives, as indicated in 40 CFR 1502.14(f). Chapter 4, Environmental Consequences, also includes discussions about means to mitigate adverse environmental impacts not fully covered in Chapter 2 as required in 40 CFR 1502.16(h).

Avoiding or minimizing adverse impacts to one element of the environment could result in new or additional adverse impacts to another element. As an example and pertinent to the public concern statement, PM10 dust levels rose sufficiently from 1999 to 2001 in the Coachella Valley such that the region is designated a “serious” non-attainment area for PM10. Should the region continue to fall short of Federal PM10 standards, the U.S. Environmental Protection Agency could impose more stringent regulations or sanctions on local jurisdictions. Man-made and natural dust-causing activities, such as agricultural tilling in fields, construction and demolition operations, and driving on paved and unpaved roads account for 96% of the emissions (per monitoring reported in the 1996 Coachella Valley State Implementation Plan, South Coast Air Quality Management District). Responses to Public Concern statements (PCs) 073, 074 and 075 provide additional discussion regarding the generation of PM10 by vehicular activities in particular.

Hence, while prohibitions on vehicular access to certain unpaved routes on public lands in accordance with the Proposed Plan would contribute to reducing PM10 levels in the Coachella Valley, such restrictions result in some level of adverse impact to OHV recreation assuming the routes to be closed are used for recreational purposes. Mitigation of these impacts to OHV recreation by providing other or additional routes for use on public lands in the Coachella Valley would (1) be contrary to reducing PM10 levels, and (2) require the development of new roads on public lands or the opening of routes already closed under previous plan amendments for the protection of resource values.

Through the CDCA Plan Amendment for the Coachella Valley, BLM has endeavored to balance the need for reduction of PM10 emissions and protection of habitats for sensitive wildlife species with the needs of the public for motorized and non-motorized recreation. Relative to motorized recreation, BLM does not propose to close all routes on public lands, though doing so would further contribute to reducing PM10 levels in the Coachella Valley. Under the Proposed Plan, 47 miles of routes, out of the total 73 miles of currently available routes on public lands within the planning area (excluding the NECO Plan overlap area), would be open to travel to meet the need for off-highway vehicle travel and access. This is in addition to the hundreds of miles

of routes and OHV opportunities on public lands outside the Coachella Valley planning area (Section 3.4, Recreation: Regional OHV Opportunities). The BLM has also made efforts to cooperate with Riverside County and the State to pursue options to acquire appropriate lands to develop OHV play areas or parks in areas where such uses would not substantially impact sensitive species or other natural or cultural resources. In a broad sense, BLM has proposed actions to maintain a balance between the need to “preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice,” and “permit a wide sharing of life’s amenities” (Title I, Sec. 101 of NEPA).

PC 024: Earlier written or verbal comments between Sierra Club and BLM regarding the Plan Amendment, including electronic mail messages, are incorporated by reference. (J. Taylor / Sierra Club)

Response: The relationship of the comments to the alternatives and analysis in the DEIS cannot be assessed without some specific information regarding subject and content (40 CFR 1503.3). Public comments received during the six-year public scoping period were considered in the development of the Draft Coachella Valley CDCA Plan Amendment and DEIS (40 CFR 1501.7).

PLANNING CRITERIA / CONSIDERATIONS

PC 025: The CDCA Plan Amendment for the Coachella Valley unreasonably addresses 31 species that are not on any endangered species list as if they were already listed and they might someday be threatened or endangered. (R. Denner / California Desert District Advisory Council)

Response: Of the 31 Special Status Species addressed in the CDCA Plan Amendment for the Coachella Valley, 10 are listed under the Federal Endangered Species Act (1973) as threatened or endangered, and one was proposed for listing at the time the plan was prepared. The remaining 20 species are Special Status Species that are being addressed in the Coachella Valley Multiple Species Habitat Conservation Plan and are considered species at risk for extinction as the human population increases in the Coachella Valley. BLM is required to prevent future listings whenever possible (BLM Manual 6840) and is taking steps to address the conservation needs of these species in this Plan Amendment. Similarly, local governments are seeking to design a conservation plan to address all the special status

species in order to provide greater certainty for conservation and land uses in the valley over the long term.

PC 026: Since the Plan Amendment is being driven by the settlement agreement struck by BLM and the Center for Biological Diversity to end their Endangered Species Act litigation, the proposed plan should only address those issues implicated in that litigation, i.e., the purpose should be to determine whether the current CDCA Plan creates unacceptable impacts on listed species found on BLM lands in the Coachella Valley. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The planning process was initiated in 1996, well before any lawsuit activity. The relationship of this Plan Amendment to the Center for Biological Diversity, et al. lawsuit settlement is addressed in Section 1.6.3.

PC 027: The CDCA lawsuit stipulation provisions (Center for Biological Diversity et al. v. BLM, Case No. C-00-0927 WHA, U.S. District Court, Northern District of California, San Francisco Division), at a minimum should be continued through this plan. (D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: The alternatives and analysis in the plan amendment are based on issues developed through public scoping, input from a Science Advisory Committee and other scientists, interdisciplinary staff review, coordination and consultation with local governments and Tribes, and an orderly process conducted over a six year period. In contrast, the lawsuit stipulations were developed quickly as short term, interim measures through a settlement process, and may not be appropriate as proposed planning decisions. The relationship of this Plan Amendment to the Center for Biological Diversity, et al. lawsuit settlement is addressed in Section 1.6.3.

PC 028: Section 3.8.1, Native Biological Resources—last paragraph on page 3-39, needs to be revised to reference all State listed threatened and endangered species within the CDCA planning area because not all State listed species occur in this area. (G. Black / California Department of Fish and Game)

Response: The Environmental Impact Statement has been revised to reflect the suggested addition.

PC 029: The CDCA Plan Amendment for the Coachella Valley should better emphasize the protection of native plants and wildlife as a

paramount obligation. This responsibility is acknowledged in the Draft Environmental Impact Statement, which includes the recovery of federal and state listed species and avoiding future listings of sensitive species. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: The CDCA Plan Amendment for the Coachella Valley emphasizes the protection of native plants and wildlife by the following.

1) Habitat Conservation Objectives for 8 habitat types are established. In each of these habitat types, additional disturbance/habitat loss would be limited to 1% of the total area. This is consistent with the goals of the Coachella Valley Multiple Species Habitat Conservation Plan and illustrates BLM's commitment to conservation in the Coachella Valley.

2) Chapter 4, Environmental Consequences, addresses the impacts of the alternatives to 31 sensitive species, 10 of which are listed under federal or state law, and one that is proposed for listing under the Federal Endangered Species Act.

3) Under the Proposed Plan, future development of industrial uses on BLM managed lands would be restricted to areas already designated for such use, i.e., existing windparks, communication sites, and sand and gravel mining. This would prevent additional development in sensitive areas and would provide protection for listed species while also preventing future listings.

4) The monitoring and adaptive management program described for the Coachella Valley Multiple Species Habitat Conservation Plan would be adopted by BLM and implemented concurrent with the CVMShCP, thus ensuring a consistent approach across the landscape and providing a feedback loop to indicate whether conservation goals and objectives are being achieved.

PC 030: The document should include a statement that the boundary of the Santa Rosa and San Jacinto Mountains National Monument includes lands owned by the California Department of Fish and Game and California State Parks, and the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 does not alter or have jurisdiction over the management of these lands or those owned by other non-federal jurisdictions. (G. Black / California Department of Fish and Game)

Response: Section 1.5, Relationship to Other Plans, states that the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 created a 272,000-acre national monument establishing the management direction for BLM and Forest Service managed public lands. Through the National Monument Management Plan, management prescriptions will be developed that are applicable only to BLM and Forest Service

lands. Although this Plan will be developed in coordination with California Department of Fish and Game and California State Parks, management actions will not be applicable to lands managed by the State. Section 1.5 has been revised in response to this comment.

PC 031: A discussion regarding how plan goals common to all alternatives were developed is lacking. (G. Black / California Department of Fish and Game; V. Bradshaw / Imperial Irrigation District)

Response: Section 2.2 has been revised to provide additional explanation.

PC 032: Section 3.2.1, Coachella Valley Roadways—Rail Service, should include the old Kaiser Mine/Eagle Mountain railroad that is now active and proposed to transport trash from Highway 111 to the Eagle Mountain landfill. (G. Black / California Department of Fish and Game)

Response: Section 3.2.1 has been revised to reflect the status of the Eagle Mountain railroad right of way.

PC 033: Without California Environmental Quality Act (CEQA) compliance, California Department of Fish and Game may not concur on compensation mitigation for species addressed in the CDCA Plan Amendment. (V. Bradshaw / Imperial Irrigation District)

Response: This CDCA Plan Amendment has no jurisdiction over private or State lands, only BLM-managed Federal lands. As such, BLM is not required to seek concurrence from CDFG on compensation mitigation for species addressed in the CDCA Plan. Nonetheless, BLM will continue its commitment work cooperatively with CDFG on acquisition of sensitive habitats.

PC 034: In Section 1.6, Planning Criteria, the Plan Amendment fails to cite the Peninsular Ranges bighorn sheep recovery plan as one of the policy documents guiding the Plan Amendment and Environmental Impact Statement. (J. Taylor / Sierra Club)

Response: The Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California (USFWS 2000) is cited in Section 1.5, Relationship to Other Plans, of the Draft Environmental Impact Statement. BLM acknowledges and explains therein that certain recommendations identified in the Recovery Plan are directly related to the Plan Amendment. Further, Section 2.4.20, Recovery Strategy for Peninsular Ranges Bighorn Sheep, indicates that the alternative recovery strategies were based on guidance provided in the Recovery

Plan. Both Sections of the CDCA Plan Amendment also recognize that recommendations in the Recovery Plan are advisory and exempt from review under the National Environmental Policy Act.

HABITAT CONSERVATION OBJECTIVES

PC 035: Other than a map of general habitat types, the section of the CDCA Plan Amendment addressing conservation objectives (pages 2-9 and 2-10) provides no further information regarding which sensitive, threatened, or endangered species occur within the habitat types, where these species are located, what percentage of historic habitat is represented, whether or not the habitat is viable or fragmented, and what existing or proposed land uses occur or would occur within these habitat types. Specifics on which to judge conservation objectives, special area designations, and so forth are lacking. (J. Taylor / Sierra Club)

Response: Species accounts have been added in Appendix E. Additional information on habitat types, species distribution, and conservation objectives has been provided in the Final Environmental Impact Statement.

MULTIPLE USE CLASSES / VISUAL RESOURCE MANAGEMENT (VRM)

PC 036: Under Alternatives A, B and C, the southern half of Section 1, T2S R3E would be designated as Limited Use and Visual Resource Management Class 2. These designations are inappropriate because of the presence of an existing right-of-way, the use of a road that requires periodic grading, the use of the area for parking and camping, and the presence of Southern California Edison's high-voltage utility line that requires maintenance. Multiple Use Class M (Moderate Use) and VRM Class 4 would allow the current uses to continue while still conserving desert resources. (S. Mascaro)

Response: Multiple-Use Class L (Limited Use) areas are managed to provide lower-intensity, carefully controlled multiple use of resources while ensuring that sensitive values are not significantly diminished. Rights-of-way, graded roads, motorized recreational uses along approved routes, and energy transmission facilities are not prohibited in Class L areas.

The Visual Resource Management (VRM) system is an analytical process that identifies, sets, and meets objectives for maintaining

scenic values and visual quality. VRM classes describe the different degrees of modification desired in the basic elements of the landscape. In determining the appropriate VRM class for a particular area, consideration is given to cultural modifications, or existing facilities, as well as characteristics of the natural setting. In other words, current uses of public lands (such as rights-of-way, graded roads, and energy transmission facilities) are integrated into the determination of a VRM class; these existing uses would not be disallowed based upon designation of any particular VRM class. Once the VRM class has been determined, the VRM process is generally employed to analyze effects and design mitigation to meet VRM class objectives when *new* uses of the public lands are proposed.

PC 037: The Plan Amendment fails to assign Visual Resource Management classes to the Mecca Hills and Orocopia Mountains Wilderness Areas, and Joshua Tree National Park. (J. Taylor / Sierra Club)

Response: The eastern portion of the planning area for the Coachella Valley CDCA Plan Amendment overlaps the planning area for the Northern and Eastern Colorado Desert Coordinated Management Plan (NECO Plan) which did not assign Visual Resource Management (VRM) classes to public lands. Likewise, the Coachella Valley CDCA Plan Amendment does not assign VRM classes to public lands in the overlap area.

Notwithstanding, all wilderness areas (including the Mecca Hills and Orocopia Mountain Wilderness Areas) are automatically managed in accordance with VRM Class 1 guidelines. Where VRM objectives have not been approved through a resource management plan and when a project for use of the public lands is proposed, interim objectives are established using the guidelines set forth in BLM Manual Section 8410. VRM Class 1 is applied to all wilderness areas.

BLM has no jurisdiction for managing visual resources on lands managed by the National Park Service in Joshua Tree National Park. Therefore, VRM classes are not proposed for Park lands through BLM's Coachella Valley Plan.

NATIONAL WILD AND SCENIC RIVERS

PC 038: The document does not clearly indicate whether rivers on BLM lands are eligible for Wild and Scenic River designation. If there are eligible segments on public lands, it is not clear whether they will be designated as Wild and Scenic Rivers pursuant to the Plan

Amendment. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

PC 039: All eligible segments should be added to the National Wild and Scenic River System. (J. Morgan / Sierra Club)

Response: Section 2.4.1, Wild and Scenic Rivers, Figure 2-1, and Appendix B, Wild and Scenic Rivers, identify river segments on BLM-managed lands that have been determined eligible for potential designation as National Wild and Scenic Rivers. Section 3.1.3, Wild and Scenic Rivers, indicates that once eligibility has been established, a determination of a river segment's suitability or non-suitability as a Wild and Scenic River is required. River segments determined eligible for designation may or may not be deemed suitable for designation. If suitability determinations are not made through the resource management planning process, as is the case with river segments determined eligible through the Coachella Valley Plan, a separate Environmental Impact Statement is required as part of a separate reporting package (and plan amendment) to make the suitability determinations. In the interim, eligible rivers are managed to protect their Outstandingly Remarkable Values. Designation of suitable river segments as National Wild and Scenic Rivers is made by Congress.

PC 040: Section 4.1.1.2, Wild and Scenic Rivers—Peninsular Ranges Bighorn Sheep Recovery Strategy, does not explain how Alternatives A, B and C would help conserve outstanding remarkable wildlife values in Palm Canyon related to Peninsular Ranges bighorn sheep. Also, no explanation is provided in Chapter 2. (G. Black / California Department of Fish and Game)

Response: An eligibility determination for designation as a Wild and Scenic River status requires the free-flowing characteristics and outstandingly remarkable values of the stream channel be protected on BLM-managed lands pending completion of a suitability determination. In the interim, activities would not be approved that would adversely impact Peninsular Ranges bighorn sheep. The Final Environmental Impact Statement has been strengthened to clarify this matter.

PC 041: An explanation of the differences between Wild and Scenic River designations of “wild” versus “recreational,” and “wilderness” versus “non-wilderness” should be provided. (G. Black / California Department of Fish and Game)

Response: Appendix B, Wild and Scenic Rivers, describes the differences between wild river areas, scenic river areas, and recreational river areas as referenced in Table 2-1, Section 2.4.1, under the column

heading “Tentative Classification.” The reference to “wilderness” and “non-wilderness” in Table 2-1 under the column heading “Length (miles, BLM lands only)” indicates the total length of river segments in designated wilderness (in this instance, the San Geronio Wilderness Additions) and the length of river segments outside designated wilderness (“non-wilderness”).

PC 042: Segments of the main stream in Palm Canyon that continue onto the Agua Caliente Reservation may not be eligible or suitable for recommendation as a Wild and Scenic River. It is the intent of the Agua Caliente Tribe to manage streams in Palm Canyon consistent with both the Indian Canyons Master Plan and the Cooperative Management Agreement with the BLM. (M. Park / Agua Caliente Band of Cahuilla Indians)

Response: BLM would agree that management by the Agua Caliente Band of Cahuilla Indians has been supportive of maintaining the values of streams in Palm Canyon and appreciates the cooperative approach the Tribe has taken. Eligibility determinations made through the Coachella Valley Plan for potential designation of National Wild and Scenic Rivers are applicable only to BLM-managed lands. Contiguous river segments on non-public lands would be addressed through a subsequent suitability determination in coordination and collaboration with the local landowners. A separate Environmental Impact Statement (and plan amendment) would be required to make the suitability determinations. BLM management efforts will continue to be developed and implemented in consultation and coordination with the Indian Canyons Master Plan, the Tribal Habitat Conservation Plan and the Cooperative Management Agreement.

PC 043: The document suggests that the Wild and Scenic River values of BLM-managed lands in Palm Canyon could be threatened by uncontrolled motor-vehicle intrusion, yet does not provide evidence that current motor-vehicle use is degrading these values, thereby requiring more controls, including the elimination of casual motorized-vehicle use in Dry Wash. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: One of the identified Outstandingly Remarkable Values in Palm Canyon is the presence of archaeological sites significant to the Cahuilla Indians. Sites that are eligible for listing on the National Register of Historic Places occur within Palm Canyon and are adjacent to or bisected by existing routes. Uncontrolled motor-vehicle intrusion increases the risk of erosion, access by looters, breakage and displacement of artifacts, and disruption of archaeological sites.

Vehicle tracks, which originated from the Dry Wash road, have been observed to lead to and across significant archaeological sites in Palm Canyon.

PC 044: Data are not provided to substantiate the claim that no substantive impacts on recreation would result from designation of BLM-managed river segments as Wild and Scenic Rivers. Further, the document states that protective management measures will likely be required at Whitewater Canyon, Mission Creek, and Palm Canyon. These protective measures and their impacts on recreation should be clearly described in the Environmental Impact Statement. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Section 4.4, Recreation, states that *determinations of eligibility*, not *designation*, of certain BLM-managed river segments as Wild and Scenic Rivers would result in no substantive impacts to recreation. Suitability determinations and associated Environmental Impact Statements to be prepared at a later date will address potential impacts consequent to the designation of Wild and Scenic Rivers.

Section 2.4.1, Wild and Scenic Rivers, references Appendix B for a description of protective management measures pending suitability determinations. Table B-3, Appendix B, identifies such measures.

PC 045: As the plan addresses wetland areas, riparian habitats, and wild and scenic rivers, consideration should be given to the potential for mosquito breeding in those areas and the spread of diseases such as Western Equine Encephalitis and West Nile Virus. (D. Gomsil / CV Mosquito and Vector Control District)

Response: This comment has been addressed and included in the Plan in Table 2-8: Policy and Management Guidance for Plan Implementation, located in Section 2.6, Plan Implementation.

WILDERNESS

PC 046: The identification of potential new wilderness areas and wilderness study areas is not addressed despite there being many thousands of acres of wilderness quality lands within the planning area. Of particular interest is the Big Morongo Canyon Area of Critical Environmental Concern and BLM lands adjacent to the southern boundary of Joshua Tree National Park. (A map was provided to BLM identifying a proposed wilderness boundary

**encompassing public lands in the Big Morongo Canyon ACEC.)
(J. Morgan / Sierra Club)**

Response: Inventory of potential wilderness areas was not identified by the public as an issue during the six-year scoping process for the CDCA Plan Amendment. Future plan amendments may include inventories for potential wilderness.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN (ACECs)

PC 047: The Upper Mission Creek area should be designated as an Area of Critical Environmental Concern to provide a greater level of protection and preservation to this unique area. It would link the existing Whitewater and Big Morongo ACECs thereby preserving a regional wildlife corridor. (J. Morgan / Sierra Club)

Response: The portions of the proposed ACEC known to provide important wildlife habitat meeting the relevance criteria are already within designated wilderness. As a result, they already receive a high level of conservation emphasis. Connectivity between public lands at Big Morongo ACEC and the San Gorgonio Wilderness already exists under present designations; the public lands within the expanded ACEC proposal (Mesa Wind Park vicinity) are not expected to significantly improve or enhance connectivity.

PC 048: The Coachella Valley Preserve is in the wrong place as the majority of blow sand is south of Interstate 10 with the exception of the east part of the Preserve where sand is blowing into Sun City. Two studies show that more sand will blow into Sun City from the Preserve than will ever blow into it from the other end. Therefore, restricting development in Thousand Palms is not the solution to get more sand into the Preserve. (N. Madson)

Response: Sand transport to the Preserve, located west of Washington Street and north of Interstate 10, results from both fluvial processes (by water) along the alluvial fans as well as Aeolian processes (by wind)

along the toe of fans within the wind corridor. The main preserve is located immediately downstream of the Thousand Palms Canyon mouth and receives a significant amount of fluvial sediments during summer and winter storms (U.S. Army Corps of Engineers 1996). Although the majority of blow sand is deposited south of Interstate 10, fluvial, or water-born, sediment transport continues to supply the Preserve with sand.

BLM has not proposed to restrict development in Thousand Palms because BLM does not make decisions related to private land.

PC 049: To maintain sand within the Coachella Valley Preserve and keep it from blowing into Sun City, barriers should be put up on the east side. Collected sand should then be transported to the west side where it can blow into the Preserve and create fresh dunes. (N. Madson; T. Kay)

Response: There are no BLM-managed lands in that part of the Preserve. However, this issue is being addressed in the Coachella Valley Multiple Species Habitat Conservation Plan.

PC 050: More physical groundwork needs to be done before reclassifying any areas. (S. Mascaro)

Response: Land use classifications proposed in this Plan Amendment are based on existing classifications or as changes consistent with changing conditions and/or circumstances. Resource specialists working for BLM, Riverside County, or other Federal, State, and local agencies have recommended these proposals based on their work and familiarity with the resources and issues in these areas.

PC 051: Regarding the potential Upper Mission Creek Area of Critical Environmental Concern, Table 3-2 on page 3-5 does not match the information provided in Figures 2-6a or 2-6b. In particular, the table identifies Sections 2 and 11 as potential habitat for the Southwestern willow flycatcher, Least Bell's vireo, yellow breasted chat, yellow warbler, and summer tanager, yet these do not appear in Figure 2-6b as included in the potential ACEC. Further, it is unlikely that these sections constitute breeding areas given their vegetative composition: Section 2 is a dry wash with an occasion surface stream, and Section 11 has a small dry wash with gradual sloping hills with a southeastern exposure. If Table 3-2 was actually referring to the south half of Section 1 and all of Section 12, it is possible that Section 12 could be breeding habitat, but the south half of Section 1 has a couple of small

southern facing canyons and does not constitute breeding habitat. (S. Mascaro)

Response: The Final EIS has been revised to correct Table 3-2. Surveys conducted in 2000 indicate that this area is probably not suitable breeding habitat for Least Bell's vireo and southwestern willow flycatchers, although it may provide migratory habitat. The document has been revised accordingly.

PC 052: In Section 2.1.3.16, it is proposed that the expanded area of the Dos Palmas Area of Critical Environmental Concern be designated "closed" to motorized vehicles under the preferred alternative. This conflicts with the preferred alternative in Section 2.1.3.8 where it is proposed that existing ACEC boundaries remain unchanged. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised in response to this comment. In Section 2.4.16, the reference to the expanded area of Dos Palmas ACEC has been deleted from the Proposed Plan. Under the Proposed Plan, Big Morongo Canyon ACEC and Dos Palmas ACEC would remain closed to casual motorized-vehicle access.

PC 053: Section 3.1.1, Existing Land Use Designations, should disclose that over the last 10 years the desert tortoise population in the Chuckwalla Bench Area of Critical Environmental Concern has declined sharply due to shell disease. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Tortoise populations have declined during the last ten years in the Chuckwalla Bench ACEC. Chuckwalla Bench ACEC is in the overlap area of the Northern and Eastern Colorado Desert Coordinated Management Plan (NECO Plan) and decisions in that region were developed through the NECO planning process. The Coachella Valley Plan does not propose any management decisions for the Chuckwalla Bench ACEC beyond maintaining those developed through the NECO Plan amendment. Chapter 3 has been revised in the Final EIS to reflect this information.

PC 054: The Plan Amendment indicates in Section 3.1.2, Potential Areas of Critical Environmental Concern, that none of the three potential ACECs (Dos Palmas, Upper Mission Creek, and Coachella Valley) currently meet the relevance criteria set by 43 CFR 1610.7-2(a). It is not clear whether the BLM does not, at this time, intend to

designate these three areas as ACECs as part of this Plan amendment. The steps BLM intends to take toward establishing ACECs in these locations in the future should also be identified. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Whereas Section 3.1.2, Potential Areas of Critical Environmental Concern, indicates that relevance cannot be established at this time for BLM-managed lands within the potential Upper Mission Creek ACEC and potential Coachella Valley ACEC (Subsections 3.1.2.2 and 3.1.2.3, respectively), it states that relevance cannot be established at this time for the potential Dos Palmas ACEC *expansion area* (Subsection 3.1.2.1), not the existing Dos Palmas ACEC. Section 2.1.3.8 (Draft EIS), Special Area Designations, describes under “Preferred Alternative (A)” that existing ACEC boundaries would remain unchanged. This proposal is carried forward into the Proposed Plan (see Section 2.4.8).

Section 3.1.2 indicates that relevance cannot be determined at this time for these three areas because field surveys to verify the presence of identified species have not been conducted. Should future field surveys indicate the species’ presence, BLM may reconsider relevance and importance determinations. If relevance and importance are established in accordance with 43 CFR 1610.7-2(a), designation of these areas as ACECs would require an amendment to the CDCA Plan.

WILDLIFE HABITAT MANAGEMENT AREAS (WHMAs)

PC 055: It is not demonstrated that the potential Coachella Valley Wildlife Habitat Management Area coincides with the U.S. Fish and Wildlife Service’s proposed CVMSHCP reserve design. The Plan Amendment’s language is ambiguous and the maps are inadequate in this regard. (J. Taylor / Sierra Club)

Response: The proposed Coachella Valley Wildlife Habitat Management Area does coincide with the reserve design proposed in the Coachella Valley Multiple Species Habitat Conservation Plan, as developed by the Coachella Valley Association of Governments in coordination and consultation with the U.S. Fish and Wildlife Service and California Department of Fish and Game.

FIRE MANAGEMENT

PC 056: The designation of public lands around Section 35, T1S R3E, as Fire Management Category B will severely limit prescribed burns. Due to increased public access in this area, BLM should be more open to all fire preventative practices. (S. Mascaro)

Response: Under category B, prescribed fire may be utilized as a resource management tool in very select situations (Section 2.4.7, Fire Management). The use of fire is not precluded.

PC 057: Section 4.1.8, Biological Resources—Fire Management Categories, should acknowledge that a program to remove non-native grasses may be accomplished without prescribed burns, and that non-native grasses are considered a threat to desert communities as they provide flash fuel for fires in communities that are not adapted to fire. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised accordingly.

EXOTIC WEEDS AND PESTS

PC 058: The Plan Amendment writes in very general terms in noting the consequences of many introduced pest plants. The plan should elaborate on the effects of exotic plant infestations and the importance of their removal, and address some type of streamlined permit process to accomplish this. (B. Crites / City of Palm Desert)

Response: BLM concurs with the importance of addressing the adverse effects of exotic plant infestations. The literature on the effects of noxious and invasive plants is voluminous and well known. The effects of specific weeds vary greatly depending upon the species, cause of invasion, soil type, and the native community it has invaded. Few dispute the negative effects, and vegetation treatments for exotic plants were the subject of BLM's statewide Environmental Impact Statement and Record of Decision in 1988. That policy is currently under review nationwide and is expected to be the subject of additional future analysis. Under existing BLM guidance, weed control projects are normally handled at the activity level. "Streamlining" is normally accomplished by addressing environmental analysis and required consultation through a "programmatic" approach. This approach has been applied in some cases, especially for tamarisk control. However,

the process for formulation and approval of weed treatment projects needs to be carefully considered in terms of methods, objectives and potential unintended effects. A permit is not required in all cases, but coordination regarding noxious weed removal projects is taking place among BLM, other agencies, Indian tribes and non-governmental groups to eradicate noxious weeds.

PC 059: The potential environmental consequences of spreading tamarisk through seeds that are picked up where tamarisk is planted along railroad tracks as a windbreak needs to be addressed relative to the proposal to transport trash from Highway 111 to the Eagle Mountain landfill via the old Kaiser Mine/Eagle Mountain railroad line that is now active. (G. Black / California Department of Fish and Game)

Response: The CDCA Plan Amendment for the Coachella Valley does not contain decisions relevant to the Eagle Mountain landfill project.

PC 060: The last paragraph in Section 3.8.2, Exotic (Non-native) Weeds and Pests, should include major pest species found in the area, such as fountain grass, tamarisk, aquatic turtles, centrarchid fish (in certain ponds), and apple snails. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to reflect this additional information.

CULTURAL RESOURCES

PC 061: Pursuant to Section 110 of the National Historic Preservation Act, BLM is required to identify and preserve historic properties. Historic properties are those cultural resources found to be eligible for listing on the National Register of Historic Places. Historic properties include trails. Certain trails in the Santa Rosa and San Jacinto Mountains that have been constructed, improved, and maintained are culturally significant to the settlement of the desert, to the Cahuilla Indians, and to the era in which Palm Springs was a mecca for cowboys and movie stars. Hence, they are eligible for listing on the National Register of Historic Places and should be preserved according to federal law. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: The trails in the Santa Rosa and San Jacinto Mountains have not been formally evaluated for eligibility for listing on the National Register of Historic Places (NRHP). The National Register Criteria for

Evaluation can be found at 36 CFR 60.4. Properties are evaluated according to the quality of their significance in American history, architecture, archaeology, engineering and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- (a) are associated with events that have made a significant contribution to the broad patterns of our history; or
- (b) are associated with the lives of persons significant in our past; or
- (c) embody the distinctive characteristics of a type, period or method of construction, that represent the work of a master, that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (d) have yielded or may be likely to yield information important in prehistory or history.

The issue of integrity is the first consideration, and trails that have been substantially altered may not retain the qualities which would support a determination of eligibility.

Until the trails can be formally evaluated, they are protected in two ways. Any specific federal undertaking, such as re-routing or maintenance of a trail on federal lands, is subject to analysis under NEPA and the National Historic Preservation Act (NHPA). In addition, the State Protocol Agreement of 1998 between the California State Director of the Bureau of Land Management and the California State Historic Preservation Officer states that “for management purposes, [the] BLM may assume the eligibility of a cultural resource or group of resources for inclusion in the National Register of Historic Places.” Federal agencies are responsible for the preservation of historic properties which are owned or controlled by the agency and are required to treat eligible sites with the same respect as sites already listed on the National Register. Potential impacts to the trails, which are brought to the agency’s attention, will be evaluated for whether they constitute an adverse effect to the properties.

MINERAL RESOURCES / GEOLOGY / SOILS

PC 062: Attention should be paid to mosquito breeding where water occurs in sand and gravel mines. (D. Goms / CV Mosquito and Vector Control District)

Response: There are three active sand and gravel mines on BLM land in the planning area. The maximum depth of mining at all of these mines is

planned to be above the local groundwater table, so that water will not be exposed in the open pits. For example, the mining plan for the A-1 Aggregates sand and gravel mine located on Dillon Road in the west Berdoo Canyon area indicates a maximum pit depth of 90 feet. The depth to groundwater at this mine site, based on an onsite water well, is at a depth of 360 feet. In addition, the sand and gravel materials exposed in the pits are permeable with high infiltration rates. This condition will result in little if any standing water after periods of precipitation. Therefore, mosquito breeding is not anticipated to be an issue at the sand and gravel mines in the planning area. Also, see Policy and Management Guidance for Plan Implementation, located in Section 2.6: Plan Implementation.

PC 063: The first sentence of the second paragraph of Section 4.1.3, Soils, Geology, Mineral and Energy Resources—Motorized-Vehicle Route Designations, should be clarified. (G. Black / California Department of Fish and Game)

Response: This sentence states that utilities and communication sites are generally not considered sensitive receptors for noise or other impacts associated with motorized vehicle use areas. This sentence means that noise from motorized vehicle use areas is not expected to impact utility and communication sites or people at those sites, in comparison with sensitive receptors such as residential areas or nursing homes.

PC 064: In Section 4.1.7, Water Resources/Quality—Sand and Gravel Mining, BLM indicates that additional mitigation measures may be required to minimize impacts to water resources and hydrologic processes in the event that sand and gravel mining facilities are developed within conservation areas. BLM should be more specific about the types of mitigation measures that would potentially be considered. (L. Hanf / U.S. Environmental Protection Agency)

Response: Example mitigation measures have been incorporated into Section 2.6 of the document. Mitigation measures that may be required to minimize impacts to water resources and hydrologic resources from sand and gravel mining operations in a conservation area would be developed on a site-specific basis, in order to be responsive to the nature of the mining project. Some specific types of mitigation measures that might be applied for water resources and hydrology would include setting maximum pit depth above maximum anticipated groundwater levels, location of mining pits outside of active watercourse channels, and/or reduction of pit slope angles on active alluvial fans to reduce upstream headcutting and erosion.

PC 065: In Section 4.1.3, Soils, Geology, Mineral and Energy Resources, the indication that OHV use causes soils erosion and must be properly regulated and monitored to reduce erosion impacts conflicts with the statement that OHV routes in the Coachella Valley are typically located within natural drainages or sand washes and are used on a very low frequency or level of intensity. Data regarding OHV impacts on soils in the Coachella Valley should be provided. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The referenced citation under Section 4.1.3, Soils, Geology, Mineral and Energy Resources: Motorized Vehicle Area Designations (Section 4.3 in the Final EIS), reads “As with other activities with the potential to induce soil erosion and associated impacts, such activities as off-highway vehicle use shall be properly regulated and monitored to reduce potential impacts to acceptable levels” (emphasis added). OHV routes occur on a variety of soils in the Coachella Valley. “The most recently laid sediments in the region are alluvial (stream-deposited) and eolian (wind-deposited) sediments. Eolian deposits are silty sand and fine and medium-grained sand fractions that are transported by strong, sustained winds emanating from the San Gorgonio Pass” (Section 3.3.1, Soils and Geology) indicating that this common type of soil in the Coachella Valley is easily transported and is susceptible to erosion.

Passage of motor vehicles does disturb and displace soil, and thus has the potential to induce soil erosion, particularly on Aeolian sediments which have high potential to be eroded. The statement under Section 4.3 correctly indicates that OHV use has the potential to induce soil erosion and BLM has the obligation under 43 CFR 8342.1 to “minimize damage to soil, watershed, vegetation, air or other resources of the public lands.”

PC 066: In Section 4.1.8, Biological Resources: Motorized-Vehicle Area Designations, the document claims that under Alternative B 1,040 acres of public land in the Drop 31 OHV open area would be exposed to accelerated soil erosion and native vegetation loss, but does not include data supporting this claim. Site-specific data regarding net soil loss at OHV use areas should be compiled and analyzed, including a comparison of soil loss at OHV areas to soil loss at low use sites (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: “The most recently laid sediments in the region are alluvial (stream-deposited) and eolian (wind-deposited) sediments. In the vicinity of the Salton Sea, they consist of fine clay that is probably lacustrine (lake) in origin” (Section 3.3.1, Soils and Geology). The fine clay “mud-hills” at Drop 31 do show evidence of erosion where current OHV use, particularly hill climbing, is occurring. Designating this site as an OHV open area is expected to attract additional use that would not be confined to established trails, and that additional use would accelerate soil erosion. Thus Drop 31 is proposed for managed vehicle recreation use using a designated trail system under the Proposed Plan, rather than designation as an OHV open area. This represents a change from the preferred alternative in the Draft Environmental Impact Statement.

PC 067: In Section 4.1.8, Biological Resources: Motorized-Vehicle Area Designations, the document claims that under Alternatives A and D 3,800 acres of public lands would be available for open OHV use, and would be exposed to accelerated soil erosion, native vegetation loss, crushing of native plants and animals, and crushing of burrows, but does not include data supporting this claim. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: See previous response (PC 066). Motor vehicle use disturbs and displaces soil and has the potential to increase erosion, crush vegetation, and crush animal burrows. The predominant soils in the Coachella Valley are wind blown or lacustrine deposited sediments, and are easily eroded. Designating sites as OHV open areas is expected to attract additional use, and that additional use would accelerate soil erosion, and impacts to native animals and vegetation. Areas receiving existing OHV use illustrate the effects described.

WATER RESOURCES / QUALITY

PC 068: Section 3.7, Water Resources/Quality—Surface Water, should acknowledge that surface water is present seasonally at some springs, and that surface water is present in palm oases and artificial ponds at Dos Palmas. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised accordingly.

PC 069: Groundwater levels are dropping throughout the Coachella Valley despite efforts to recharge the aquifers. BLM discusses stream

channel size, appropriate soils for geology, and maintaining water courses on page 2-7. BLM should acknowledge that as these water courses get covered up with development, recharge of the groundwater becomes more difficult. (J. McKeever)

Response: Covering water courses with facilities or developments that do not allow percolation can make groundwater recharge more difficult. However, most recharge of Coachella Valley aquifers occurs on the upper reaches of alluvial fans and drainages, or in areas with percolation ponds, such as in the Whitewater River channel west of Palm Springs. Natural rainfall levels at the Coachella Valley floor are quite low.

PC 070: Since a stated goal is to maintain hydrologic conditions, it is assumed that the water diversion that has existed in Section 15 (T2S R3E) since April 9, 1932, which has established an ecosystem that is entirely dependent on this water, will not be affected. (P. Adelizi / Whitewater Trout Company)

Response: The subject water diversion is located on public lands within the San Geronio Wilderness Additions, established by the California Desert Protection Act (Public Law 103-433, October 31, 1994). Subject to valid existing rights, each wilderness area designated under Section 102 of the Act shall be administered in accordance with the provisions of the Wilderness Act (CDPA, Section 103). Section 4(D)(7) of the Wilderness Act (Public Law 88-571, September 3, 1964) states, "Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws."

The subject water diversion also occurs on a public land river segment determined eligible for potential designation as a National Wild and Scenic River (see Section 2.4.1, Wild and Scenic Rivers, Figure 2-1, and Appendix B, Wild and Scenic Rivers). Section 13(b) of the Wild and Scenic Rivers Act (Public Law 90-542, October 2, 1968) states, "The jurisdiction of the States and the United States over waters of any stream included in the national wild, scenic or recreational river area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the national wild and scenic rivers system shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws."

The Coachella Valley Plan does not address adjudication of water rights under State water laws, and does not propose removal or modification of the subject water diversion.

AIR QUALITY

PC 071: Establishment of OHV open areas at Drop 31 and near Dillon Road would violate the State Implementation Plan to reduce PM10 levels in the Coachella Valley. (J. Taylor / Sierra Club)

Response: The proposed CDCA Plan Amendment and Technical Appendix C, Air Quality, were reviewed by staff at the South Coast Air Quality Management District (SCAQMD), including those portions which address provisions of facilities for OHV use. As cited in the Draft Plan Amendment, Drop 31 was proposed for location downwind from sensitive receptors. Operation and management would be coordinated with SCAQMD. While establishment of an OHV open area at Drop 31 is not incorporated in the Proposed Plan, vehicle recreation in the area would continue. Subsequent consideration of alternative OHV use areas will comply with the Coachella Valley PM10 State Implementation Plan of 2002, in consultation with SCAQMD.

PC 072: The Plan Amendment does not address dust emissions caused by Multiple-Use Class designations, route designations, and other special recreational designations affecting Joshua Tree National Park's Class I air. (J. Taylor / Sierra Club)

Response: Section 4.10 of the CDCA Plan Amendment clearly states that activities permitted under the Plan will need to demonstrate compliance with the Coachella Valley PM10 State Implementation Plan, performance criteria and control strategies. Many of these criteria and strategies are set forth in Appendix C, Air Quality, of the Plan, and include site watering, chemical stabilization, fencing, revegetation, track-out prevention methods, and other control strategies and methods. Section 4.10 of the Plan clearly states that lands with a Multiple-Use Classification are subject to review and compliance with NEPA, the Federal Clean Air Act and the Coachella Valley PM10 State Implementation Plan. Required management strategies and methods are expected to preclude significant impacts to Joshua Tree National Park and other nearby lands. The proposed CDCA Plan Amendment and Technical Appendix C, Air Quality, were reviewed by staff at the South Coast Air Quality Management District (SCAQMD).

PC 073: The Plan Amendment does not identify the receptor sites that recorded the PM10 exceedance from 1999 to 2001, nor does it identify the causes of these exceedances. Further, the compliance strategies of the Draft Implementation Plan do not call for a reduction of OHV use, thereby indicating that OHV recreation is not a major source of PM10 in the Coachella Valley. If quantitative data suggest a contrary conclusion, it should be provided. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Section 3.10.2, Coachella Valley Portion of the CDCA Planning Area, identifies the two monitoring stations maintained by the South Coast Air Quality Management District in the valley. These are located in Palm Springs near the Palm Springs Airport and in the City of Indio within the urbanized areas of the that city. Sensitive receptors are basically areas where people will be affected which are intended to be represented by the monitoring sites referenced above.

There is a clear correspondence between disturbance of fluvial and aeolian deposited sand and soils and increased levels of fugitive dust (PM10) from these source areas. On-going disturbance of these soils brings finer materials to the surface; these finer materials are then easily transported by wind. The net effect of recent temporary closures has been an unquantified reduction in fugitive dust from these areas. The consideration and proposed management of Drop 31 as compared with alternative sites clearly show concern for fugitive dust generation from OHV use areas and the need for effective control, including their location downwind of sensitive receptors.

PC 074: Section 3.5, Motorized-Vehicle Access: Motorized-Vehicle Route Designations, fails to describe the manner in which routes on the floor of the Coachella Valley are affected by the entire air basin's non-attainment status for PM10, nor does it explain what restrictions, in any, apply to these routes due to air quality concerns. Further, the document does not describe quantitatively how much PM10 is emitted by OHVs using the affected route network. BLM must support the air quality claims set forth in the Environmental Impact Statement with data showing what impacts, if any, OHVs have on the threshold velocity for wind erosion. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: As set forth in Section 3.5 of the Plan, a variety of analyses were conducted in assessing the inventory of routes on public lands, including a review of USGS topographic mapping, digital BLM mapping, digital imagery/aerial photography, and ground truthing of

digital route network coverage. BLM also consulted with the South Coast Air Quality Management District (SCAQMD) on associated air quality issues. Unpaved roads, including those motorized-vehicle routes located on BLM lands occurring on the valley floor, have been the subject of SCAQMD concern and management for several years. These routes have been included in fugitive dust assessments by the SCAQMD for more than a decade and are explicitly addressed with management strategies in the 2002 PM10 State Implementation Plan for the Coachella Valley.

Restrictions to the use of these routes are also set forth in Appendix C of the Draft CDCA Plan Amendment, which identifies applicable Coachella Valley Best Available Control Measures (BACM) that must be applied to unpaved roads. These include application of dust suppressants, signage and speed control devices, paving and other control methods. The SCAQMD has estimated that speed limit controls on unpaved roads can reduce fugitive dust emissions from this source by 50 percent (see footnote no. 5 of Appendix C). Also please see the response to the previous comment (PC 073).

PC 075: The Environmental Impact Statement in Section 3.10.2, Air Quality: Coachella Valley Portion of the CDCA Planning Area, fails to describe in quantitative terms the emissions created by each of the sources listed, including how much PM-10 is caused by OHVs traveling on unpaved roads. Monitoring data relative to PM-10 caused on OHVs should be furnished. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The South Coast Air Quality Management District has prepared inventories of PM10 sources in the Coachella Valley. The 1995 inventory indicates that off-road vehicle use directly generates approximately 0.02 tons of PM10 emissions per day in the form of vehicle emissions. This represents about 7.7% of "Other Mobile Sources." PM10 emissions associated with entrained dust on unpaved roads and from windblown dust off of unpaved roads are estimated to be substantially higher. Emissions generated by the entrained dust on unpaved roads are estimated to generate approximately 5.44 tons per day on an annualized average basis. Windblown dust generated from unpaved roads is estimated to be 4.21 tons per day on an annual average basis, while individual 24-hour emissions from this source are as high as 307.3 tons per day. These numbers represent 8.6% and 13.3% of the total of "stationary sources." Both direct mobile emissions and indirect point source and area source emissions associated with off-road vehicles and unpaved roads constitute a substantial contribution to overall PM10 emissions. (Source: Final

2002 Coachella Valley PM10 State Implementation Plan: A Supplement to the 1996 Coachella Valley PM10 Attainment Redesignation Request and Maintenance Plan. Prepared by the South Coast Air Quality Management District, June 25, 2002)

PC 076: In Section 3.10.3, Air Quality: Current Regulatory Status in Coachella Valley, the document indicates that the Indio monitoring site registered exceedances of the PM-10 annual average standard from 1999 through 2001. The contributing causes of these exceedances should be ranked, it should be indicated whether emissions from unpaved OHV routes contributed to these exceedances; routes contributing to the exceedances should be identified. The other sites at which special monitoring occurred to confirm that PM-10 standards are exceeded throughout the Coachella Valley should be identified, and emissions data from each site should be provided. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Please see the response to the previous comment (PC 075). The contributing causes categorized in 1996 have been used in the 2002 Coachella Valley PM10 State Implementation Plan (SIP). Please see Table 3-1 of the Final 2002 Coachella Valley PM10 SIP (Source: Final 2002 Coachella Valley PM10 State Implementation Plan: A Supplement to the 1996 Coachella Valley PM10 Attainment Redesignation Request and Maintenance Plan. Prepared by the South Coast Air Quality Management District, June 25, 2002). Contributions to PM10 exceedances of State and Federal standards from individual routes are not provided and are assumed to be impractical. The monitoring sites used are the Indio Station in the urbanized area of Indio and the Palm Springs Station at the Palm Springs Airport. A table with PM10 data sets for the Indio and Palm Springs monitoring stations has been added at the end of Appendix C, Air Quality.

PC 077: The Environmental Impact Statement does not include monitoring data showing how much PM10 is resuspended as a result of OHV use in OHV “open” areas under Alternatives A and D, nor does it identify the downwind sensitive receptors and indicate how close they are to the OHV sites. The document should also provide a “wind-rose” to indicate the strength and direction of the prevailing winds. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The Proposed Plan does not designate an OHV open area in the Coachella Valley and concentrated areas of vehicle-based recreation

on public lands are generally located downwind at the east end of the valley. Sensitive receptors can be generally characterized as urbanized areas where population densities place a meaningful population at risk of exposure to harmful levels of PM10. The Drop 31 site was selected due to the lack of downwind sensitive receptors. Future consideration of potential OHV open areas will consider potential exposure of sensitive receptors to fugitive dust. Prevailing wind directions are well understood in the Coachella Valley, but do vary to some degree depending upon the location within the valley and the time of year. On an annualized basis and consistent with the geomorphic conditions in the Coachella Valley, prevailing winds are generally from the northwest.

PC 078: In Section 3.10.4, Air Quality: Morongo Valley Portion of the CDCA Planning Area, data should be provided to support the claim that OHV use is a major cause of PM10 in the Mojave Desert Air Basin. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: As discussed in Section 3.10.4 of the Plan, the Morongo Valley portion of the CDCA Plan Amendment area is located in San Bernardino County and falls under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The region, including the subject portion of the planning area, is designated as a "non-attainment area" for PM10. The Mojave Desert Planning Area Federal Particulate Matter (PM10) Attainment Plan of 1995 cites the major contributions to PM10 emissions as being unpaved road travel, off-highway vehicle use, wind erosion of unpaved roads and disturbed soils, and construction and demolition activities. As with the Coachella Valley Plan, categorization of emission sources is on a regional basis. It should be noted that the Proposed Plan does not change the current situation regarding motorized-vehicle access in this area.

COMMUNICATION SITES AND UTILITIES

PC 079: BLM should utilize the City of Palm Springs' wind energy noise standards for projects within the City. (D. Evans, City Council / City of Palm Springs)

Response: BLM generally requires wind energy right-of-way grant holders to comply with County of Riverside standards pertaining to noise for projects within the County (Section 18.41(d)(12): Commercial Wind Energy Conversion Systems Permits, Standards and Development Criteria, Noise). These standards are not substantially different from those of the City of Palm Springs as described in Title 11, Chapter

11.74: Noise Ordinance. However, right-of-way grant holders for public land uses are required to comply with local ordinances as a condition of their grant. Therefore, whichever of the two standards is most restrictive would be applicable to wind energy projects within the City of Palm Springs.

PC 080: The preferred alternative should reflect that in areas within Coachella Valley Multiple Species Habitat Conservation Areas, the burden of proof for new permits should be on the applicant and that any lack of an absolute affirmative finding would not allow for new permits to be assigned. (B. Crites / City of Palm Desert)

Response: Applicants for public land uses are required to fully explain the purpose and need for the proposed project. Although many applicants are required to reimburse the BLM for the costs of processing their applications, the burden for fully analyzing the proposal, under the National Environmental Policy Act and applicable regulations, and making a final decision on the project rests with BLM. For these proposals, BLM will thoroughly analyze the need for each project, any feasible alternatives and all impacts. As BLM is the decision-making agency, the burden for analyzing proposals cannot be shifted from the BLM to the applicant.

PC 081: The Imperial Irrigation District's existing north-south electrical transmission line was omitted from the discussion in Section 3.14—Electric Service. (V. Bradshaw / Imperial Irrigation District)

Response: The Final Environmental Impact Statements has been revised to reflect that additional electrical transmission lines, including 230 and 115 kilovolt (kV) lines, carry power from the 500 kV system located in the northern end of the planning area south to power users throughout Coachella and Imperial Valleys.

PC 082: Maintenance and upgrades to existing transmission lines should be allowed in the proposed conservation areas. (V. Bradshaw / Imperial Irrigation District)

Response: The right-of-way grant holder has a right to maintain their authorized facilities in accordance with their plan, and to ensure use of their facility for the purposes for which it was constructed. Any changes to their facility, including upgrades, would require a right-of-way grant amendment application. These amendments necessitate a full review to assess project need and alternatives, as well as analyze and mitigate impacts. Under the regulations pertaining to management of all public lands, there is no assurance that proposed upgrades to existing facilities would be authorized by the BLM. In addition, there

are no provisions for BLM to provide a blanket authorization of all proposed upgrades to transmission facilities as requested in this comment.

LIVESTOCK GRAZING

PC 083: Closure of the grazing allotment at Whitewater Canyon would become permanent only under Alternative C. Conducting further studies on the suitability of livestock grazing there, as stipulated by the preferred alternative, is superfluous. Scientific evidence shows that grazing is incompatible with the protection of sensitive wildlife, health of riparian areas, and preservation of ecologically sensitive public lands in general. Considering that Whitewater Canyon contains critical habitat for the federally listed arroyo toad, it is hard to see how grazing could continue without violating the Endangered Species Act. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: Compatibility of livestock grazing use with other natural resource objectives is generally a question that requires site-specific assessment. Livestock grazing was identified and carried out as an appropriate use of public lands within the Whitewater Canyon allotment under the CDCA Plan. The results of land health assessments conducted in 1999 found that much of the allotment was meeting land health standards, but also identified some problems. Based on its assessment, BLM discontinued grazing use of the allotment in 1999. In evaluating the allotment under this plan amendment, BLM appropriately considered a full range of alternatives including continuation of livestock grazing and complete elimination of such use in this area. Regardless of the alternative selected in the plan amendment, livestock grazing, like other land uses, would be required to occur only in locations, and in a manner, which fully complies with the provisions of the Endangered Species Act based on formal consultation with the U.S. Fish and Wildlife Service.

Chapter 2, Alternatives, has been revised in the Final Environmental Impact Statement to include relinquishment of the allotment, removal of the allotment designation, and emphasis on areas of habitat for listed species.

PC 084: The Plan Amendment does not indicate whether the Whitewater grazing allotment has been acquired for conservation. (J. Taylor / Sierra Club)

Response: Livestock grazing is authorized on public land based on a permit or lease with terms and conditions, and it is governed by grazing regulations. When the revised grazing regulations of 1995 were challenged in the Supreme Court (Public Lands Council, et al. v. Babbitt, et al., 98-1991, decided 5/15/00), the Department of the Interior chose not to pursue a defense of conservation non-use (struck down in Federal District Court and not reversed in the Court of Appeals) that would have allowed permittees and lessees to file for non-use for conservation purposes on grazing allotments. Therefore, the current grazing regulations, as affirmed by the Court, do not allow for conservation non-use.

PC 085: The Plan Amendment must substantiate the claim that closure of part of the Whitewater grazing allotment would eliminate 248 Animal Unit Months (AUMs) per year since actual use has been far lower. The document should provide data on the current status and prior actual use of the allotment. (J. Taylor / Sierra Club)

Response: AUM reductions from a reduced grazing alternative are based on a change in the active preference allocated under the CDCA Plan and the permit or lease, not on the actual use during any given year. The CDCA Plan Environmental Impact Statement analyzed only the total livestock carrying capacity of grazing allotments. Grazing capacities are normally set by Ecological Site Inventories conducted over a period of several years (usually 5) while grazing use is occurring. That data, combined with utilization data on key forage species, and compiled for each range site within the allotment. Unless utilization studies indicate consistent overuse of key forage species at a particular stocking rate (i.e., no more than 50% grass spp., 40% browse spp. normally) active AUMs usually remain set. The reductions in active use throughout the 1990s reflect changes in the ranchers' operations and not the total grazing capacity or active preference for the allotment. AUM reductions based on changes in the allotment boundary were based on loss of Federal acreage from the allotment and not a reduction in estimated forage production and availability.

PC 086: The Whitewater grazing allotment should be retired now in its entirety. To reconsider grazing after another 10 years pass does not make sense. (J. Morgan / Sierra Club)

Response: The Taylor Grazing Act directed the Department of the Interior to delineate grazing allotments and allocate forage on public lands for livestock use. This allotment, like all others, was created under this authority and mandate. Grazing use can be reduced or eliminated in the following three ways: (1) The Secretary can cancel *permits* and

leases if the operator persistently overgrazes, loses control of base property, fails to use the permit, or fails to comply with grazing regulations. (2) The Secretary can, consistent with land use planning under 43 USC 1712, withdraw lands from grazing altogether and devote it to a more valuable or suitable use. (3) In the event of range depletion, the Secretary has a separate authority not to take areas of land out of grazing use altogether as above, but reduce the amount of grazing use allowed on that land by suspending AUMs of grazing use "in whole or in part" and "for such time as necessary."

Since range depletion has not been noted on the Whitewater Allotment, this planning effort follows the second authority of the Secretary noted above. Consistent with the National Environmental Policy Act and land use planning guidance, whether all, part or none of the Whitewater Canyon Allotment should be withdrawn from grazing has been analyzed. Based on the BLM assessment, extended rest and recovery is needed. The Proposed Plan has also been modified.

PC 087: BLM fails to adequately address the frequent trespassing of cattle on public lands in Palm Canyon. (D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: This is not a planning issue as livestock trespass is covered under existing guidance and regulation, both Federal and State. It is the owner of the livestock who is responsible for livestock trespass on any lands he/she does not own, control, or lease.

Trespass is not "frequent." Cattle drift from higher elevations into Palm Canyon has been a larger concern for the BLM and the Agua Caliente Band of Cahuilla Indians. But in the last year, herd size on the National Forest has been reduced and fencing has been improved. Monitoring by Tribal rangers continues on a very regular basis and communication with the Forest Service permittee is good. If further problems develop, we expect them to be detected and resolved.

Timely documentation is important when trespass cases are initiated. Any trespass case would generally document the number of livestock and the location on the parcels of public lands, with brands, ear tags, or other identifying markings. Without positive livestock identification on the public land parcels, BLM cannot effectively pursue trespass. However, the present cooperative approach does seem to be effective.

WILD HORSE AND BURRO PROGRAM

PC 088: BLM acknowledges the herd of horses in Palm Canyon were illegally released freeze-branded animals, not wild horses under the legal definition, and are present in sensitive bighorn sheep habitat. Yet under the preferred alternative, BLM proposed to legitimize the horses' presence through a land exchange with the Agua Caliente Band of Cahuilla Indians. This is an unacceptable weakening of BLM's authority towards bighorn sheep, particularly since one of the recovery plan goals is to reduce or eliminate wild horse populations from bighorn sheep habitat, and since wild horse have been found to prevent bighorn sheep from coming to water holes. Alternative C, which would remove the animals, is the only suitable alternative. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition; G. Black / California Department of Fish and Game)

Response: Land exchange with the Agua Caliente Band of Cahuilla Indians is authorized by the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106-351). The proposed land exchange is not predicated upon the resolution of horse management issues. These are being addressed jointly by the BLM and the Agua Caliente Band of Cahuilla Indians.

During the summer of 2002, the remaining feral horses were removed from Palm Canyon in a cooperative effort between the Agua Caliente Band of Cahuilla Indians, BLM, and Desert Riders. It has been reported by the Tribe that the single wild horse is no longer alive.

PC 089: Section 4.1.8, Biological Resources—Wild Horse and Burro Program, should clarify how transferring public lands to the Agua Caliente Tribe would result in the eventual removal of the branded horses. The Tribe is not bound by this Plan and may decide to maintain the horses. (G. Black / California Department of Fish and Game)

PC 090: In Section 4.1.8, Biological Resources—Wild Horse and Burro Program, the assertion that the herd in the Palm Canyon Herd Management Area will be reduced, presumably after the Agua Caliente Tribe acquires lands as proposed, contradicts BLM's acknowledgement in Section 2.1.3.15, Wild Horse and Burro Program, that there may be support within the Tribe for maintaining the herd. (J. Taylor / Sierra Club)

Response: Horse management issues are being addressed jointly by the BLM and the Agua Caliente Band of Cahuilla Indians. During the summer of 2002, the remaining feral horses were removed from Palm Canyon in a

cooperative effort between the Agua Caliente Band of Cahuilla Indians, BLM, and Desert Riders, which would render this comment moot. BLM agrees the Tribe is not bound by this plan. However, the BLM and the Tribe have a very cooperative working relationship on issues within the National Monument.

PC 091: In Section 3.1.7, Wild Horse and Burro Herd Management Areas, the last sentence on page 3-17 indicates that only four branded animals would be removed and the remaining animals would fall under the Act. This contradicts the statement on page 2-16 (Section 2.1.3.15) that only one of these horses qualifies as a wild horse under the Act. (G. Black / California Department of Fish and Game)

Response: During the summer of 2002, all the remaining feral horses were removed from Palm Canyon in a cooperative effort between the Agua Caliente Band of Cahuilla Indians, BLM, and Desert Riders. The status of the horses is no longer an issue.

PC 092: The removal of illegal animals should be included as part of the preferred alternative. (G. Black / California Department of Fish and Game)

Response: During the summer of 2002, all the remaining feral horses were removed from Palm Canyon in a cooperative effort between the Agua Caliente Band of Cahuilla Indians, BLM, and Desert Riders. The status of the horses is no longer an issue.

PC 093: Section 4.1.1.6, Wild Horse and Burro Management Areas, and Section 4.1.8, Biological Resources—Wild Horse and Burro Program, should acknowledge that there is potential competition for resources between Peninsular Ranges bighorn sheep and wild horses, especially as forage and water become scarce. (G. Black / California Department of Fish and Game)

Response: This issue is discussed in Sections 4.1.6 and 4.8 of the Final EIS.

PC 094: The document should acknowledge that the Agua Caliente Tribe will continue to review field conditions in the Palm Canyon area and will monitor for the presence of additional horses on the Reservation. If additional horses are discovered, they will be managed in compliance with the Tribal Habitat Conservation Plan to be released in Autumn 2002. (M. Park / Agua Caliente Band of Cahuilla Indians)

Response: During the summer of 2002, all the remaining feral horses were removed from Palm Canyon in a cooperative effort between the Agua Caliente Band of Cahuilla Indians, BLM, and Desert Riders. BLM agrees that the Tribe continues to monitor field conditions and would note if additional horses were discovered. BLM also acknowledges both the role of the Tribal Habitat Conservation Plan and BLM's cooperative working relationship with the Tribe on issues within the National Monument.

RECREATION

PC 095: Section 3.4, Recreation, should include a commitment by BLM that any new trails or trail alignments will not be implemented without permission from affected landowners and without proper environmental documentation. (G. Black / California Department of Fish and Game)

Response: The development of new trails or trail alignments on both BLM and non-BLM lands will be addressed through the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and its associated Environmental Impact Report / Environmental Impact Statement. The CDCA Plan Amendment for the Coachella Valley does not propose such specific actions on private lands. Site-specific projects on BLM-managed public lands, including trails, are not implemented without appropriate environmental analysis and BLM does work with adjacent landowners if they are affected by a project.

PC 096: BLM should consider limited commercial jeep tours from the valley floor as a means to provide access to the Santa Rosa and San Jacinto Mountains National Monument. (City Council / City of Palm Springs; B. Crites / City of Palm Desert)

Response: The Proposed Plan would provide for motorized commercial recreational access on public land portions of Dunn Road during the fall months (Section 2.4.17, Motorized Vehicle Route Designations). Such activities would be designed to avoid conflicts with bighorn sheep recovery through consultation with the U.S. Fish and Wildlife Service. Use of non-Federal lands, necessary to conduct vehicle tours on Dunn Road from the valley floor, would be subject to permission of private landowners.

PC 097: Section 2.1.3.17, Motorized-Vehicle Access: Route Designations—Alternative D, and Section 4.1.5, Motorized-Vehicle Access, should reflect that no commercial use currently occurs on Dunn Road. Further, it should be stated that the CDCA Plan

Amendment will provide future direction on its use. (G. Black / California Department of Fish and Game)

Response: Section 3.5, Motorized-Vehicle Access, indicates that commercial jeep tours were a permitted use on Dunn Road until June 2001 when lawsuit requirements and denial of access by a private landowner eliminated the use. Under the Proposed Plan, motorized commercial recreational access on public land portions of Dunn Road could occur during the fall months (Section 2.4.17, Motorized Vehicle Route Designations). Such activities would be designed to avoid conflicts with bighorn sheep recovery through consultation with the U.S. Fish and Wildlife Service. Use of non-Federal lands would be subject to permission of private landowners.

PC 098: Section 3.4, Recreation—Hunting, it should be acknowledged that hunting is not permitted with the State game refuge that encompasses a large part of the Santa Rosa and San Jacinto Mountains, and that hunting is not permitted in the Coachella Valley/Thousand Palms Preserve. (G. Black / California Department of Fish and Game)

Response: Section 3.4, Recreation, has been revised to reflect that the State does not permit hunting in the Santa Rosa Mountains State Game Refuge and the Coachella Valley/Thousand Palms Preserve.

PC 099: In Section 3.4, Recreation—Off-Highway Vehicle Use, descriptions of the Windy Point, Indio Hills, Iron Door, and Drop 31 areas should include the current multiple-use class designations. A location and description of the Iron Door area should be included. The description of the Drop 31 area should indicate that it is in close proximity to the Dos Palmas Area of Critical Environmental Concern, and that OHV use and camping occur as far south as Drop 28. (G. Black / California Department of Fish and Game)

Response: Section 3.4, Recreation, has been revised to reflect this comment.

PC 100: Section 3.4, Recreation, falsely suggests that OHV use in the Coachella Valley is limited to Windy Point, Indio Hills, Iron Door, and Drop 31. The document should include a full listing of the trails and use areas that serve OHV recreation, not just the four most popular sites. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: A complete list of existing routes and alternative proposals for their designation is provided in Appendix D, Motorized Vehicle Access. An

expanded description of existing OHV opportunities has been added to Section 3.4, Recreation.

PC 101: The Plan Amendment fails to address the direct, indirect, and cumulative impacts on the recovery of desert tortoise and other sensitive species resulting from installation of additional water sources for desert bighorn sheep as part of the overall Meccacopia Special Recreation Management Area management strategy. Further, the Plan Amendment fails to analyze other potential alternatives such as removal of tamarisk from existing waters. (J. Taylor / Sierra Club)

Response: In the late 1980s, the California Department of Fish and Game and the BLM conducted research on the effects of guzzlers on desert tortoise and other wildlife species. They found that fiberglass tanks trapped more wildlife than other water facilities. Since then, the design of guzzlers has changed substantially. The Lesicka guzzler design is used for bighorn sheep where a large tank is buried in the ground, usually in a defile where runoff can be collected and piped into the tank which then feeds a trough which is at ground level. Troughs are constructed with escape ramps to provide exit for sheep, tortoises, and other wildlife species.

Tamarisk eradication continues to be a priority for the BLM Palm Springs Field Office. Field reconnaissance of springs in the area of the proposed Meccacopia Special Recreation Management Area during September 2002 revealed no infestations of tamarisk at this time.

PC 102: The Environmental Impact Statement fails to disclose when a Recreation Area Management Plan (RAMP) will be developed for the proposed Meccacopia Special Recreation Management Area (SRMA), nor does it describe the restrictions, if any, that will be imposed on OHV use in the SRMA while the RAMP is being prepared, though it is implied, but not explained, there exists a need to control OHVs in and around the proposed SRMA. The effects of OHV use on the proposed SRMA should be described, and the supporting data, should be provided. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Preparation of a Recreation Area Management Plan (RAMP) for the Meccacopia Special Recreation Management Area (SRMA) is dependent on funding and prioritization of tasks for the BLM Palm Springs-South Coast Field Office. Indicating a date in this Plan Amendment for initiating development of the RAMP would be speculative, thereby setting expectations that may not be fulfilled.

However, BLM's intent is to initiate preparation of the RAMP as soon as funding is available and priorities are established.

No interim measures regarding management of off-highway vehicles pending completion of the RAMP are identified in the Proposed Plan. Management of OHVs will be consistent with this Plan Amendment and management prescriptions set forth in the Northern and Eastern Colorado Desert Coordinated Management Plan (NECO Plan). Information regarding approved OHV use will continue to be provided on-site during periods of increased visitor use (e.g., holidays), depending on staff availability. Law enforcement patrols in the area will continue.

A partial strategy for managing the SRMA is incorporated in the Proposed Plan (Section 2.4.18, Special Recreation Management Area). The impacts of designating the SRMA on recreation are described in Section 4.4, Recreation: Special Recreation Management Area. The effects of OHV use on resource values within the proposed SRMA are addressed in the NECO Plan. Development of the RAMP will include management actions for motorized-vehicle use; environmental review in accordance with the National Environmental Policy Act will address impacts to the human environment resulting from the proposed management actions.

PC 103: Evidence showing a need for the Meccacopia Special Recreation Management Area should be provided. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Special Recreation Management Areas (SRMAs) are designated where significant public recreation issues or management concerns occur. Section 3.4 Recreation: Off-Highway Vehicle Use indicates the Drop 31 area, which is included within the boundary of the proposed Meccacopia SRMA, is used as an off-highway vehicle use and camping area, and that use levels in the region around the Orocopia and Mecca Hills Wildernesses can reach as high as 2,000 to 3,000 people on busy weekends. Section 3.4 also acknowledges that there is some risk of vehicle intrusions into the wilderness areas. These circumstances are sufficient to indicate there are significant public recreation issues and management concerns in the region.

PC 104: In Section 4.1.4, Recreation: Land Health Standards and Air Quality, the Environmental Impact Statement indicates that no recreational activities or recreation sites have been specifically identified as noncompliant with regional land health standards for soils, native species, riparian/wetland and stream function, water

quality, and air quality, hence no changes in the management of such recreational activities are proposed. If such is the case, there is no justification for the Plan Amendment’s proposed reductions in recreation opportunities. Contrary to this assessment, however, it is stated in the same Section under “Habitat Conservation Objectives” that changes in recreational uses would be required in some instances to meet habitat conservation objectives identified under Alternatives B and C. Due to this inconsistency, one cannot ascertain what is actually being proposed in terms of changes to the current palate of recreational opportunities in the Coachella Valley, not can one discern the reasons for such changes. Therefore, each specific change must be identified in the Environmental Impact Statement along with an assessment of its impacts to recreation, and explain why each individual change is necessary. The document should also provide the technical data that demonstrate OHV use is a significant cause of noncompliance. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The statements in Section 4.4, Recreation: Land Health Standards and Air Quality, that no recreational activities or recreation sites have been specifically identified as noncompliant with land health standards, hence no changes in the management of such activities are proposed, and that adoption of the regional land health standards results in no adverse impacts to recreation are in error. Analysis in Section 4.8: Biological Resources: Motorized-Vehicle Route Designations, and responses to Public Concern Statements (PCs) 073, 074 and 075 relating to generation of PM10 by off-highway vehicles, indicate that vehicular activities may adversely affect land health for native species and soils. Section 4.1.8 (Section 4.8 in the Final EIS) has been revised accordingly. This revision does not change the Proposed Plan regarding actions that affect motorized-vehicle access and recreation.

LAND TENURE: EXCHANGE AND SALE CRITERIA / ACQUISITION CRITERIA

PC 105: The California State Lands Commission (CSLC) owns numerous State School Land parcels within the planning area. Criteria for discretionary purchases of land are described in Section 2.3.10. An exchange of lands owned by the CSLC with the federal government would be considered on a case-by-case basis after appropriate appraisals of the surface and mineral estates are completed, and if it is determined that the exchange of these lands would be in the State’s best interest. CSLC would not be in

a position to donate its school lands to the federal government as it has fiduciary responsibilities to the California State Teachers' Retirement System in the management of State School Lands. (D. Sanders / State Lands Commission)

Response: BLM acknowledges the State's need to meet goals and fulfill responsibilities related to State School Lands. Any exchanges involving State School Lands would be the result of a process that included appropriate appraisals, assessment of effects, and determinations by the State and the BLM that the exchange was in the public interest. Generally, exchanges are handled based on their individual merits on a case-by-case basis.

PC 106: The preferred alternative for land exchanges and sales should give priority to trades in which the traded lands will continue to have the same habitat and conservation values that they presently exhibit. (B. Crites / City of Palm Desert)

Response: Land exchanges and sales are discretionary actions that require decisions that balance public interests. Under the criteria presented in the Proposed Plan in Section 2.4.9, benefit to habitat and conservation values is considered and would be an important factor affecting the priority for an exchange.

PC 107: Open area criteria needs to be added to the land acquisition criteria. (J. Ferguson / California Association of 4 Wheel Drive Clubs)

Response: A discussion addressing acquisition to enhance recreation opportunities has been added to Section 2.4.10, Land Tenure: Acquisition Criteria.

PC 108: According to the bighorn sheep recovery plan, the BLM should be using mitigation money to buy land in the urban-wilderness interface to protect important bighorn sheep habitat. Yet there is no evidence of BLM having made the purchase of important tracts of land between La Quinta and Palm Springs a priority despite the loss of suitable habitat in this area to urbanization and agriculture. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: BLM acquires sensitive habitat when funding is available and there are willing sellers, and coordinates closely with other agencies and non-profit groups which are active in acquiring bighorn sheep habitat. A coordinated acquisition program is well established and has been active for years, involving BLM, Coachella Valley Mountains

Conservancy, California Wildlife Conservation Board, Friends of the Desert Mountains and the Agua Caliente Band of Cahuilla Indians. BLM has received Land and Water Conservation Funding for acquisition of habitat in the Santa Rosa and San Jacinto Mountains National Monument. Approximately 15,000 acres have been purchased within critical bighorn sheep habitat since 1990 by BLM and habitat acquisition continues to be a high priority for BLM. Both BLM and partner acquisitions have included lands at the urban interface.

MOTORIZED VEHICLE AREA DESIGNATIONS

PC 109: Designation of the Drop 31 Off-Highway Vehicle (OHV) open area is inappropriate as it may contribute directly or indirectly to a decline in the existing Orocopia Mountains bighorn sheep deme of the Sonoran metapopulation. Published knowledge clearly demonstrates that OHV activity and desert bighorn sheep are not compatible from an ecosystem management standpoint. In the absence of developing additional water sources to improve the availability of summer habitat, maintaining undisturbed access for sheep to the Coachella Canal during the critical summer months is crucial. Further disruption by encouraging or increasing OHV access in this area without actions to mitigate the impacts will likely contribute to additional physiological stress that could potentially be detrimental to this population. The installation of new dependable waters (guzzlers) would substantially reduce this reliance on the Coachella Canal. (J. Cook; T. Foreman / California Department of Fish and Game; D. Patterson / Center for Biological Diversity, California Wilderness Coalition; G. Black / California Department of Fish and Game)

Response: Chapter 4, Environmental Consequences, has been amended to address this issue. Drop 31 is not designated as an OHV open area under the Proposed Plan, a revision of the preferred alternative as described in the Draft Environmental Impact Statement. The Proposed Plan retains wildlife watering areas and adds measures to manage for trail-based vehicle recreation opportunities.

PC 110: The area and route designation criteria at 43 CFR 8342.1, particularly the requirement to minimize harassment of wildlife or significant disruption of wildlife habitats with special attention being given to protect endangered or threatened species and their habitats, appear to limit BLM's ability to establish an OHV open area at Drop 31 absent mechanisms to avoid impacts to bighorn sheep. Such mechanisms include the establishment of new water sources and increased law enforcement presence. The

desert bighorn sheep is designated as a Species of Special Concern by the California Department of Fish and Game, as well as a Fully Protected Species by the California legislature (G. Black / California Department of Fish and Game)

Response: Surveys conducted during 2002 at Drop 31 did not detect any threatened, endangered, or proposed species. Impacts to desert bighorn sheep have been further addressed in the expanded Chapter 4 impact analysis. Development of additional water sources is identified as part of a management strategy to be addressed through a Recreation Area Management Plan for the Meccacopia Special Recreation Management Area (see Section 2.4.18). Law enforcement will continue to be provided on a regular basis.

PC 111: BLM's lack of adequate resources to enforce existing closures within the Orocopia Mountains has resulted in increased illegal OHV traffic at No Name and Canyon Springs, thereby limiting the use of these water sources by bighorn sheep. The Drop 31 OHV open area will also be inadequately patrolled unless additional law enforcement resources are provided by BLM. Harassment of bighorn sheep, intrusion into wilderness, and other factors that limit sheep access to the Coachella Canal will continue to go unchecked. (T. Foreman / California Department of Fish and Game; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: The designation of Drop 31 as an OHV open area has not been carried forward into the Proposed Plan. The Proposed Plan has been modified to reduce potential for adverse effects while being responsive to recreation users. However, off-highway vehicle activities in the area will likely continue at current levels. BLM law enforcement rangers patrol the area on a routine basis, as circumstances allow, and issue violation notices to unauthorized individuals entering wilderness via motorized vehicle. BLM also stations personnel at the Drop 31 area during busy periods, depending on staff availability, to provide information to visitors about available recreation opportunities and restrictions applicable to motorized-vehicle use.

PC 112: The Plan Amendment fails to include an analysis of impacts to adjacent existing or proposed wilderness from the establishment of a new OHV open area, or of the attraction of OHV users to an open area and the resulting impacts. (J. Taylor / Sierra Club)

Response: The establishment of an OHV open area at Drop 31 under the preferred alternative of the Draft Environmental Impact Statement is not carried forward as the Proposed Plan. Impacts to wilderness

(Mecca Hills and Orocopia Mountains Wildernesses) from designation of the Meccacopia SRMA (which includes the Drop 31 area) are addressed in Section 4.1.3, Wilderness: Special Recreation Management Area. Analysis in the same Section under Motorized-Vehicle Area Designations has been revised to reflect the modified proposal. An analysis of impacts to biological resources resulting from OHV designations, including impacts to such resources in wilderness, is included in Section 4.8, Biological Resources.

PC 113: The Plan Amendment does not identify a specific credible management plan to stop existing and future motorized-vehicle intrusions into the Mecca Hills and Orocopia Mountains Wildernesses from the Drop 31 area. (J. Taylor / Sierra Club)

Response: Decisions to open or close an area to off-highway vehicle use are made in a land use plan or amendment to an existing land use plan. Specific management actions pertaining to vehicular intrusions into adjacent areas are typically proposed through activity level plans and through deployment of law enforcement rangers. Specifically, the Recreation Area Management Plan (RAMP) for the Meccacopia Special Recreation Management Area will address the concern identified in the comment and will continue to place priority on preventing vehicle intrusions into wilderness.

PC 114: The Plan Amendment does not analyze the effects of its motorized-vehicle area or route designations on existing or proposed wilderness areas or Joshua Tree National Park. (J. Taylor / Sierra Club)

Response: There are no proposed OHV open areas adjacent to Joshua Tree National Park, hence there are no expected impacts to Park resources. Joshua Tree National Park contains an extensive route network open to "street-legal" vehicles, including OHVs, and these routes are managed in conformance with the Park's general management plan. A number of these routes continue onto BLM-managed lands. They are generally signed at the park boundary with regulations regarding the use of OHVs (i.e., the Park is closed to ATVs and other non-street legal OHVs). BLM does work closely with Joshua Tree National Park on issues related to vehicle access and illegal dumping.

Motorized vehicles are prohibited in designated wilderness except where access is required to enjoy private property, to facilitate activities associated with valid mining claims or other valid occupancies, to fulfill fish and wildlife management responsibilities under jurisdiction of the California Department of Fish and Game, or to accomplish certain administrative and law enforcement operations,

including fire suppression and search and rescue operations. Under the Proposed Plan, no routes in wilderness would be available for casual motorized use. There are no wilderness study areas proposed through the Coachella Valley CDCA Plan Amendment.

Also see response to PC 072 regarding the effects of PM10 generation by OHVs.

PC 115: The California Desert Conservation Area Plan (1980) states that the BLM will consider the habitat of all fish and wildlife in implementing the Plan, primarily through adherence to and development of objectives dealing with habitats and ecosystems. The Drop 31 OHV open area proposal appears to violate this principle. (T. Foreman / California Department of Fish and Game)

Response: The proposal to designate Drop 31 as an OHV open area under the preferred alternative of the Draft Palm Amendment is in conformance with the CDCA Plan (1980). Chapter 4, Environmental Consequences, addresses the impacts of such designation on the habitat of all fish and wildlife. However, Drop 31 is not designated as an OHV open area under the Proposed Plan, a change from the preferred alternative in the Draft Environmental Impact Statement.

PC 116: The California Department of Fish and Game needs to develop additional water sources, and BLM must increase enforcement presence prior to the establishment of the Drop 31 OHV open area, or alternately, look at the other alternative sites that are currently being considered. However, it would not be possible to locate the waters outside of wilderness, due to the narrow distance between the Drop 31 area, the wilderness boundary, and the intrusion by humans into the area. Therefore, additional waters should be included wherever needed. (T. Foreman / California Department of Fish and Game; G. Black / California Department of Fish and Game)

Response: Chapter 4, Environmental Consequences, has been revised to address this issue. Although Drop 31 is not designated as an OHV open area under the Proposed Plan, current levels of OHV use in the area are likely to continue. Recreation use is well established on both public and private lands in the Drop 31 vicinity; management is proposed to enhance compatibility with wildlife and wilderness values. BLM would work with Riverside County and the OHV Recreation Division of the California Department of Parks and Recreation to establish an OHV recreation area in the southeastern portion of the Coachella Valley (in or adjacent to Section 22, T5S R8E). This site is Riverside County land, is adjacent to the county landfill, and contains

desirable terrain for OHV recreation and is conveniently located off Interstate 10. An OHV play area at this location would serve as an outlet and opportunity for local off-highway vehicle users.

As identified as part of the overall management strategy for the proposed Meccacopia Special Recreation Management Area under the Proposed Plan (Section 2.4.18, Special Recreation Management Area), additional water sources with limited vehicle access would be constructed and maintained to discourage bighorn sheep from using the Coachella Canal and to minimize conflicts with off-highway vehicle users. Development of water sources inside wilderness areas would be consistent with limits and guidelines established in the Northern and Eastern Colorado Desert Coordinated Management Plan (NECO Plan). Also per the NECO Plan, additional guzzlers in wilderness may be considered upon completion of the relevant meta-population plan by the California Department of Fish and Game. Wildlife water sources outside wilderness could be developed based on analysis and approval of site specific proposals developed in consultation with California Department of Fish and Game.

PC 117: A full consideration of species other than bighorn sheep that will be impacted by the Drop 31 OHV open area needs to be addressed and fully disclosed. (T. Foreman / California Department of Fish and Game)

Response: Chapter 4, Environmental Consequences, has been expanded to more fully address this issue. However, the designation of Drop 31 as an OHV open area has been modified in the Proposed Plan.

PC 118: In Section 4.1.8, Biological Resources: Motorized-Vehicle Route Designations, it is alleged that OHVs destroy many protected species in the planning area, and that OHV use contributes to the spread of noxious weeds, yet the Environmental Impact Statement does not provide data to support these allegations. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Off-highway vehicle use can impact vegetation and sensitive species in the California Desert Conservation Area. In the Coachella Valley, vegetation at Windy Point and the Coachella Valley Preserve has been impacted by unauthorized OHV use, including host plants (*Tiquilia palmeri*) of the Coachella Valley grasshopper, a covered species under the CVMSHCP. At Drop 31, vehicle use in the wash may contribute to lack of age-class diversity in desert wash woodland vegetation either by vehicles crushing young plants or due to soils effects. Two special status lizards (Coachella Valley fringe-toed lizard and the flat-tailed

horned lizard) are also susceptible to direct mortality from vehicles. The flat-tailed horned lizard freezes in place when threatened; its cryptic coloring helping to hide it from predators, a strategy which is obviously less effective with an approaching vehicle than with an avian predators. The Coachella Valley fringe-toed lizard may dive into the sand to escape from a threat. Similarly, this may be an effective escape mechanism when dealing with predators but it is less effective when dealing with vehicles.

Where plant communities are affected, extreme temperatures, intense sun, high winds, limited moisture and the low fertility of desert soils make natural recovery of the desert very slow after disturbance (Bainbridge and Virginia 1990). Conditions suitable for plant establishment occur only infrequently and irregularly, and it may take hundreds of years for full recovery to occur without active intervention. The impacts of off-highway vehicles have been documented (Webb and Wilshire 1983) and include destruction of soil stabilizers, soil compaction, reduced rates of water infiltration, increased water and wind erosion, and destruction of vegetation (Vollmer 1976). Noxious weeds may also be spread when seeds cling to tires of vehicles that are used in different areas (Lovich and Bainbridge 1999).

In summary, vehicle use can cause adverse impacts and the intent of management is then to avoid significant adverse impacts while allowing reasonable access to public lands.

PC 119: In Section 4.1.10, Air Quality—Motorized-Vehicle Area Designations, BLM should identify the elements it will consider in determining whether a carrying capacity determination is warranted if the Drop 31 area becomes “enormously popular.” It would also be useful to adopt a specific schedule for monitoring use and associated impacts at the Drop 31 area. (L. Hanf / U.S. Environmental Protection Agency)

PC 120: BLM should identify whether it considers additional NEPA analysis to be necessary to set management parameters for the Drop 31 area based on its best estimate of potential use. (L. Hanf / U.S. Environmental Protection Agency)

Response: The proposal to designate Drop 31 as an OHV open area under the preferred alternative in the Draft Environmental Impact Statement has been modified in the Proposed Plan. Specific actions to manage recreation use in the Drop 31 area would be addressed through the Recreation Area Management Plan (RAMP) for the Meccacopia Special Recreation Management Area (SRMA). Part of the overall management strategy for this SRMA is included in Section 2.4.18, Special Recreation Management Area. The RAMP would address

carrying capacity, monitoring, enforcement, and other issues as appropriate, and would be subject to review in accordance with the National Environmental Policy Act.

PC 121: Vehicle access and OHV use are provided for in the Federal Land Policy and Management Act of 1976. Total prohibition of this recreational activity is inconsistent with FLPMA. (J. Ferguson / California Association of 4 Wheel Drive Clubs)

Response: In Section 102(a)(8) of the Federal Land Policy and Management Act of 1976, Congress declares that it is the policy of the United States that “the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and will provide for outdoor recreation and human occupancy and use.” Further, in Section 601(a)(4) of the Act, Congress found that “the use of all California desert resources can and should be provided for in a multiple use and sustained yield management plan to conserve these resources for future generations, and to provide present and future use and enjoyment, particularly outdoor recreation uses, including the use, where appropriate, of off-road recreational vehicles.”

Total prohibition of OHV use is not proposed under any of the alternatives considered in this Plan Amendment. Such an alternative was considered but not analyzed in detail (Section 1.4, Alternatives Considered and Not Analyzed in Detail). The alternatives in the Final Environmental Impact Statement range from a maximum of 73 miles of routes open to OHV use on public lands within the planning area (Alternative D) to a minimum of 27 miles of routes open to OHV use (Alternative C), excluding the NECO Plan overlap area and routes currently not available for public access (see Appendix D, Tables D-2, D-3 and D-4). The Proposed Plan would designate 47 miles of routes as open on public lands and 26 miles of routes as additionally designated closed (70 miles of routes are currently closed per prior plan amendment decisions or are not available for public use; these closures would not be changed under the Proposed Plan). Although the Proposed Plan does not designate any public lands in the Coachella Valley as OHV open areas, FLPMA requires only that BLM provide for the use of off-road recreational vehicles where appropriate. BLM has accomplished this through the CDCA Plan with designation of certain routes on public lands as “open” for OHV use.

The Proposed Plan to manage vehicle recreation at Drop 31 and the joint efforts with Riverside County are both directed at providing effective and environmentally appropriate outlets for the OHV use and demand in the Coachella Valley. However, suitable public land options are limited.

PC 122: The Environmental Impact Statement does not provide a biological or natural resource justification for closure of Windy Point, Iron Door, and Indio Hills under Alternative B. Data should be provided that demonstrate these closures will result in benefits to protected species. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Chapter 4, Environmental Consequences, has been expanded to more fully address this issue.

PC 123: Not one single element of any of the new Desert Management Plans addresses even maintaining status quo for motorized-vehicle access by the general public. There is no mention of expanding public use opportunities. Instead, a single solution policy is being applied across the board that can only be described as management by closure. (R. Denner / California Desert District Advisory Council)

Response: Alternative D is the “no action” alternative. Under this alternative, the “status quo” for motorized-vehicle access by the general public would be maintained. If Alternative D is selected, BLM would be opting not to change any of the decisions outlined in the California Desert Conservation Area Plan (1980, as amended) at this time, and to continue with the current management strategy. Under Alternative D there would be 73 miles of routes open on public lands for general public use and 70 miles of routes remaining closed to protect resources, private property, or public safety within the planning area, excluding the NECO Plan overlap area. The 70 miles of closed routes are comprised of 25 miles of routes closed under existing plan amendment decisions (see Appendix D, Table D-2), and 45 miles of routes currently not available for use that would be closed under all alternatives (see Appendix D, Table D-3). Alternative A is designed to maximize and expand OHV recreation opportunities. Under Alternative A, four OHV open areas are proposed for designation.

PC 124: BLM’s closure of Windy Point has displaced a lot of OHV use, but alternate sites to accommodate the displaced use have not been provided. As a result, intrusions have occurred on private property and the Coachella Valley Preserve. The preferred

alternative would also close Iron Door and the Indio Hills sites, and designate Drop 31 as an open area. Given the distance between Drop 31 and the traditional use areas being closed, BLM should identify how it proposes to get the local community to start using Drop 31 as an open area. (J. Ferguson / California Desert District Advisory Council)

PC 125: The Plan Amendment asserts that closure of Windy Point, Iron Door, and other areas would displace OHV users where free play has become “informally established.” Such informal use is actually illegal use. (J. Taylor / Sierra Club)

Response: The proposal to designate Drop 31 as an OHV open area under the preferred alternative in the Draft Environmental Impact Statement is modified in the Proposed Plan. Indio Hills and Iron Door are not currently designated as open areas under the CDCA Plan; public lands in these locations are designated as OHV “limited” use areas in accordance with 43 CFR 8342.1.

The BLM recognizes the challenge of providing appropriate OHV opportunities in the Coachella Valley. Under this Plan Amendment, all available public lands within the planning area were studied to determine their suitability for providing OHV free-play areas. None of the four proposed OHV open areas under Alternative A are carried forward as open areas into the Proposed Plan due to conflicts with sensitive resource values, other designations (such as the Santa Rosa and San Jacinto Mountains National Monument), or other management concerns. While Drop 31 will provide some opportunities and accommodate some user needs for camping and trail-based touring, it cannot reasonably accommodate displaced use from sandy areas like Windy Point and Iron Door because the physical site characteristics are different, as is the type of use.

BLM is working with Riverside County, Coachella Valley Association of Governments, and the OHV Division of the California Department of Parks and Recreation to identify available and appropriate lands to provide an effective outlet for other types of users through future purchase or exchange that would meet this demand.

PC 126: The document fails to evaluate how many OHV users will be affected by area closures and route designations, not does it examine where these displaced OHV users will go to fulfill their recreational needs. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Impacts to OHV users, including estimated numbers of users affected, are evaluated in Section 4.4, Recreation, and Section 4.5, Motorized-Vehicle Access. Impacts to recreation and OHV use from the proposed actions under each alternative are analyzed. A summary of existing OHV areas and opportunities within 100 miles of the Coachella Valley has also been included in Section 3.4, Recreation.

PC 127: There are currently no OHV open areas within the plan area. Any vehicular free-play activities on BLM lands constitute illegal use. Given air quality, noise, existing land use, wilderness, and wildlife issues, there may not be any suitable public lands for OHV use. Windy Point is not an option as the legislation establishing the Santa Rosa and San Jacinto Mountains National Monument prohibits such use. Other areas such as Willow Hole/Edom Hill and Sky Valley have endangered species issues. Iron Door has adjacent land use and PM10 problems, and Drop 31 is adjacent to a wilderness area. Any hopes of preventing off-highway vehicles from entering the wilderness from the Drop 31 area are unrealistic. Generally, there is no place within the planning area that is suitable for off-highway vehicles. (J. Morgan / Sierra Club; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

PC 128: The Plan Amendment does not analyze whether establishing an OHV open area in the Drop 31 area will stop problems in sensitive habitat areas such as the Coachella Preserve or Windy Point at the opposite end of the Coachella Valley. (J. Taylor / Sierra Club)

Response: The proposal to designate Drop 31 as an OHV open area under the preferred alternative in the Draft Environmental Impact Statement is modified in the Proposed Plan. Impacts resulting from designation of open areas on public lands are described under Alternative A in Section 4.4, Recreation: Motorized-Vehicle Area Designations. Although BLM would not designate an OHV open area through this CDCA Plan Amendment, it is working with Riverside County, Coachella Valley Association of Governments, and the OHV Division of the California Department of Parks and Recreation to identify available and appropriate lands for future purchase or exchange that would meet the demand for vehicular free-play opportunities. The establishment of a new OHV open area in the Coachella Valley would provide a legitimate riding area and potentially reduce conflicts at preserves and other sensitive areas.

PC 129: Acquisition of private lands in the proposed OHV open areas must be addressed to avert contentious issues arising with landowners regarding OHV activities. (J. Ferguson / California Association of 4 Wheel Drive Clubs)

Response: Under the Proposed Plan, no OHV open areas would be established on public lands. However, proposed management at Drop 31 would allow for vehicle-based recreation and acquisition of interspersed private lands from willing sellers would improve management, avoid conflicts, and help maintain public recreation access and opportunities. BLM is also working with Riverside County, Coachella Valley Association of Governments, and the OHV Division of the California Department of Parks and Recreation to identify available and appropriate lands for future purchase or exchange that would meet the demand for vehicular free-play opportunities. Analysis of impacts to proposed acquired lands or adjacent private lands when no specific proposal for an OHV open area has been identified by the parties herein cited is beyond the scope of this document.

PC 130: A place for out-of-town and local OHV needs to be found in the Coachella Valley, whether by acquisition at Iron Door or through another solution. Drop 31 is not a remedy to the problem of illegal intrusions when traditional use areas are closed. Alternatives C and D are unacceptable since OHV use is frequently criticized for illegal actions. (J. Ferguson / California Desert District Advisory Council; J. Ferguson / California Association of 4 Wheel Drive Clubs)

PC 131: In the entire 1.2 million-acre Coachella Valley, there is not a single place that dirt bikes can be legally used as all OHV areas have been closed. BLM should open and designate such an area. (R. Denner / California Desert District Advisory Council; R. Sargent / Desert Side Tracks)

PC 132: Unless some priority is identified and some assurance is provided to work with the Off-Highway Motor Vehicle Recreation Division and the California Department of Parks and Recreation in establishing an OHV open area north of Interstate 10 east of Dillon Road, this “work” may never come to fruition. (B. Crites / City of Palm Desert)

Response: Land ownership, rates of urbanization and conflicts with other resource values or designations in the planning area limit OHV recreation opportunities in the Coachella Valley, and they are likely to become more constrained. Identification of appropriate outlets for this demand affect both opportunities for recreation and the effectiveness of conservation measures. The public lands addressed through this Plan Amendment include about 28% of the total land base in the Coachella Valley (about 330,000 acres of public land out of a total of about 1.2 million acres) and about 75 percent of these BLM-managed public lands are in designated wilderness, National Monument or Areas of Critical Environmental Concern. The currently available route

network on these public lands totals 73 miles of routes, excluding the NECO Plan overlap area within which many more miles of routes are available for use. Under existing management (Alternative D), these 73 miles of routes are open and 70 miles are not available for use. The 70 miles of closed routes are comprised of 25 miles of routes closed under existing plan amendment decisions (see Appendix D, Table D-2), and 45 miles of routes currently not available for use that would be closed under all alternatives (see Appendix D, Table D-3). Under the Proposed Plan, 47 miles of routes would remain open and 26 miles of routes would be additionally designated closed to meet resource protection objectives. Both street-legal vehicles and “green sticker” or non-street legal vehicles (such as ATVs) may use open routes on land managed by BLM. In addition to these routes, there are hundreds of miles of routes open to street-legal vehicles in Joshua Tree National Park, San Bernardino National Forest, and Anza-Borrego Desert State Park, all within close proximity to the Coachella Valley. A summary of existing regional OHV areas and opportunities is included in Section 3.4, Recreation.

In addition, BLM is proposing some focused recreation opportunities at Drop 31 and is currently working with Riverside County, Coachella Valley Association of Governments, and the OHV Division of the California Department of Parks and Recreation to identify available and appropriate lands for future purchase or exchange that would meet the demand, and provide an appropriate outlet for, vehicular free-play opportunities. Currently, no designated OHV open areas occur within the planning area.

PC 133: The closure of Windy Point could have been delayed until alternate sites for OHV activities were identified. (R. Denner / California Desert District Advisory Council)

Response: Temporary closure of Windy Point to OHV activities pending the Record of Decision for this Plan Amendment was in response to the Center for Biological Diversity, et al. lawsuit settlement (Case No. C-00-0927 WHA, U.S. District Court, Northern District of California, San Francisco Division; see Section 1.6.3 relative to this matter).

PC 134: BLM’s intent for OHV management in the Windy Point area cannot be determined. (D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: Windy Point is within the boundary of the Santa Rosa and San Jacinto Mountains National Monument. The Act creating the monument was signed on October 24, 2000 (Public Law 106-351). In accordance with Section 5 of the Act, use of motorized vehicles in the

National Monument shall be permitted only on roads and trails designated for use of motorized vehicles, except where or when needed for administrated purposes or to respond to an emergency. BLM's intent is to manage the Windy Point area in accordance with the Act and consistent with the Coachella Valley Multiple Species Habitat Conservation Plan. The Proposed Plan in Section 2.4.16, Motorized Vehicle Area Designations, identifies that Windy Point south of Highway 111 would be designated "closed" to vehicular access.

MOTORIZED-VEHICLE ROUTE DESIGNATIONS—EXCLUDING DUNN ROAD

PC 135: The Plan Amendment does not examine what motorized-vehicle routes existed as of the 1980 California Desert Conservation Area Plan, and which routes have been abandoned or are new. (J. Taylor / Sierra Club)

Response: The process for route inventory is described in Section 3.5, Motorized-Vehicle Access. Each route is described in Appendix D, Motorized Vehicle Access, and is depicted on USGS 7.5-minute topographic maps that were available for review during the public comment period. As the basis for determining which routes would be proposed for designation as "open," BLM used criteria at 43 CFR 8342.1. In furtherance of these criteria, current maintenance and use, access to private property, valid and existing rights, and compatibility with resource management objectives were considered. Route designations were proposed based on these criteria, not the status of vehicle routes in 1980.

PC 136: The Environmental Impact Statement fails to assess the impacts of route closures and restrictions on recreation under Alternatives B and C. The number of OHVs using the affected routes should be identified. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The number of OHV users on affected routes is addressed in Section 4.10, Air Quality: Motorized Vehicle Route Designations. This analysis is carried into Section 4.5, Motorized-Vehicle Access, for the Final Environmental Impact Statement.

PC 137: Several All-Terrain Vehicle trails crossing public lands in the Snow Creek/Windy Point area are not depicted on BLM's 7.5-minute route inventory quadrangles. Some of these trails are used on a daily basis in conjunction with the use of private property in Section 14, T3S R3E. (Exhibits depicting the missing

**trails were furnished by the individual submitting the comment.)
(S. Harris / Off Road Rentals)**

Response: These routes have been added to the route inventory and are addressed in Appendix D, Table D-4.

PC 138: The gate depicted on route CV029 in Section 17, T2S R4E (BLM 1:24,000 route inventory maps) does not exist, thereby resulting in an inaccurate characterization of the currently closed section of the route. The gate is actually located further west on Route CV029 (exhibits depicting the actual location were furnished by the individual submitting the comment). (S. Mascaro)

Response: The designation proposal for CV029 has been modified to reflect the correct location of the closed gate (see Appendix D, Tables D-3 and D-4).

PC 139: With only 71 miles of routes available for motorized use on BLM lands in the Coachella Valley, additional closures are not warranted. While there are hundreds of miles of hiking trails available, not a single motorized trail system is proposed or planned. This inequity is not acceptable. BLM should establish a backcountry touring route system throughout the area. (J. Ferguson / California Association of 4 Wheel Drive Clubs)

PC 140: Vehicular access is increasingly being limited. As people grow older, motorized vehicles are necessary to access the desert. Trails should remain open so vehicle users can continue to exercise their rights to access the land and enjoy it. (R. Sargent / Desert Side Tracks; J. Ferguson / California Association of 4 Wheel Drive Clubs; K. McArthur / University of California Cooperative Extension)

PC 141: For seniors, children, and persons with mobility problems, the only way to see the desert is by vehicle. With the proposed closures, there will be less access for such people. The Environmental Impact Statement ignores this impact. Proposed closures should be reconsidered and a balance struck so wheelchair-bound people can see desert areas. (G. Mottino / Desert Side Tracks; D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The public lands addressed through this Plan Amendment include only 28% of the total land base in the Coachella Valley (about 330,000 acres of public land out of a total of about 1.2 million acres). The available route network on these public lands totals 73 miles of routes (revised from the Draft EIS), excluding the NECO Plan overlap area

within which many more miles of routes are available for use. Under existing management (Alternative D), these 73 miles of routes are open and 70 miles are not available for use. The 70 miles of closed routes are comprised of 25 miles of routes closed under existing plan amendment decisions (see Appendix D, Table D-2), and 45 miles of routes currently not available for use that would be closed under all alternatives (see Appendix D, Table D-3). Under the Proposed Plan, 47 miles of routes would remain open and 26 miles of routes would be additionally designated closed to meet resource protection objectives. Both street-legal vehicles and “green sticker” or non-street legal vehicles (such as ATVs) may use open routes on land managed by BLM. In addition to these routes, there are hundreds of miles of routes open to street-legal vehicles in Joshua Tree National Park, San Bernardino National Forest, and Anza-Borrego Desert State Park, all within close proximity to the Coachella Valley. A summary of existing regional OHV areas and opportunities is included in Section 3.4, Recreation.

PC 142: In Section 3.5, Motorized-Vehicle Access: Motorized-Vehicle Route Designations, the alleged “redundant” routes should be identified and the criteria used to establish their redundancy should be explained. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: In identifying redundant routes, the following definition was used: A redundant route is one whose purpose is apparently the same, or very similar to, that of another route, inclusive of providing the same or very similar recreation opportunities or experiences. Identifying redundant routes requires that judgments be made relative to the uses and purposes of certain routes.

Table D-4 of Appendix D, Motorized-Vehicle Access, identifies redundant routes that would be closed under the Proposed Plan.

PC 143: The Plan Amendment should indicate what data support the need for route closures identified under Alternatives B and C. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Section 4.8 describes the impacts of motorized-vehicle route designations on special status species and habitat, and has been strengthened in the Final Environmental Impact Statement.

PC 144: Instead of providing valid evidence that certain routes must be closed due to evidence of environmental impacts, the BLM takes

the approach of closing all dirt roads to vehicle use unless the users have identified them as routes that need to remain open. (R. Denner / California Desert District Advisory Council)

Response: BLM has identified motorized-vehicle routes occurring within sensitive habitats (e.g., occupied desert tortoise habitat, Coachella Valley fringe-toed lizard habitat, flat-tailed horned lizard habitat, etc.) and has proposed a number of conservation measures to provide for protection and recovery of these species. One of these measures includes proposals to close certain routes in these sensitive habitats. BLM has not proposed to close all dirt roads, rather, in accordance with the Proposed Plan, BLM would designate 47 miles of routes on public lands in the Coachella Valley as “open” and 26 miles as additionally “closed” to protect sensitive species and habitat (excluding the NECO Plan overlap area). Table D-4, Appendix D, identifies the routes so designated, their lengths, and their map locations; these designations are depicted in Figure 2-11b. Routes currently not available to public access total 70 miles; these routes would not be available for use under the Proposed Plan (see Appendix D, Tables D-2 and D-3). Chapter 4, Environmental Consequences has been expanded to more fully address this issue.

PC 145: Informally developed spur routes off the powerline route through Big Morongo Canyon Area of Critical Environmental Concern should be closed and blocked to remain in compliance with existing regulation regarding ACECs. Traffic should be limited to the powerline route. (J. Morgan / Sierra Club)

Response: The suggested decision is already in place. Under the CDCA Plan Amendment and Record of Decision (4/98), the Big Morongo Canyon ACEC was “closed to public motorized use in Big Morongo Canyon ... The powerline access road in Little Morongo Canyon, ... commonly known as ‘Kickapoo Trail,’ will remain open year-round to motorized vehicle travel. The side canyons off Kickapoo Trail and all other existing routes are closed to motorized vehicle use and shall be rehabilitated or used for administrative purposes only.” This designation would remain in effect under the Proposed Plan. Rehabilitation of hill climb routes will be undertaken when weather and soil conditions are favorable to promote vegetative growth.

PC 146: All roads in the Snow Creek and Windy Point areas should be closed to help prevent illegal OHV use. (J. Morgan / Sierra Club)

Response: Routes on public lands in these areas were inventoried and decisions made according to resource management objectives. Many routes in these areas are on private land and not subject to BLM’s

jurisdiction. However, most routes on BLM-managed lands in these areas, particularly those east of Snow Creek Road, would be closed under the Proposed Plan. Appendix D, Motorized-Vehicle Access, and Figure 2-11b describe and depict these proposed closures.

PC 147: In Section 4.1.5, Motorized-Vehicle Access—third sentence of last paragraph on page 4-36, the statement, “No new areas would be unavailable for general public access, . . .” should be clarified. (G. Black / California Department of Fish and Game)

Response: Section 4.1.5 (Section 4.5 in the Final EIS) has been clarified in response to the comment.

PC 148: On April 2, 2002, the Riverside Board of Supervisors adopted Resolution 2002-118 stating that the County and the public have acquired rights-of-way pursuant to R.S. 2477 in those certain ways provided by California State and Federal law. Although repealed by the Federal Land Policy and Management Act of 1976 (FLPMA), existing rights-of-way are exempt from repeal. Many of the trails in the Santa Rosa and San Jacinto Mountains are public rights-of-way that were established prior to 1976 by virtue of their having been constructed or improved and maintained. (N. Stacey, R.R. Ramey II / Desert Riders)

PC 149: The Environmental Impact Statement fails to identify which routes may be subject to rights-of-way granted under R.S. 2477, and fails to analyze the potential conflict between the proposed closures and the rights of persons/entities that have been granted permanent road access by R.S. 2477. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Revised Statute 2477 (R.S. 2477) is addressed in Section 3.2.2, R.S. 2477 and Rights-of-Way Issues. No R.S. 2477 rights of way were identified that would affect route designation in the Coachella Valley Plan Amendment. The intended connection between R.S. 2477 and trails management is unclear; however trails management issues will be addressed through the CVMSHCP.

MOTORIZED-VEHICLE ROUTE DESIGNATIONS—DUNN ROAD

Commercial activities on Dunn Road are also addressed under “Recreation.”

PC 150: Contrary to the preferred alternative, Dunn Road should be entirely closed to recreational OHV use as it passes through important bighorn sheep habitat. One of the goals of the bighorn sheep recovery plan is to manage road use to reduce or eliminate

habitat fragmentation or interference with bighorn sheep resource use patterns. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition; J. Taylor / Sierra Club)

PC 151: The prohibition of motorized commercial recreation on large portions of the Dunn Road due to bighorn sheep disturbances is not justified since it is not supported by good data and is based on conclusions that are inappropriately drawn from other areas. As an example, the data on fragmentation of habitat by road use mostly refers to heavily utilized paved roads and to an area in Anza Borrego Desert State Park that had significant heavy unrestricted use during the time in which the data were collected. None of this existed in the past on Dunn Road. (B. Crites / City of Palm Desert)

Response: BLM does not manage all portions of Dunn Road. Since BLM can make decisions only for lands under its jurisdiction, route designations apply only to BLM-managed portions of the road. In accordance with the preferred alternative of the Draft CDCA Plan Amendment, as well as the Proposed Plan herein described, Dunn Road would be closed to casual recreation use year-round (Section 2.4.17, Motorized Vehicle Route Designations). Commercial recreation use could be allowed during the fall months subject to private landowner permission and consultation with the U.S. Fish and Wildlife Service (also Section 2.4.17).

According to *The Principles of Conservation Biology* (Meffe and Carroll 1997), habitat fragmentation is considered to have two components: (1) reduction of the total amount of a habitat in a landscape, and (2) apportionment of the remaining habitat into smaller more isolated patches. Dunn Road does neither of these. Sheep are not prevented from moving from habitat on one side of Dunn Road to the other. BLM staff have observed bighorn sheep on and adjacent to Dunn Road. During the time when Desert Adventures was operating jeep tours on the road; their staff reported sheep sightings in this location as well. Motorized administrative and commercial use on Dunn Road would be limited to levels and areas where and when such activities would not conflict with bighorn sheep recovery. Such use is not expected to jeopardize bighorn sheep or hamper recovery efforts (USFWS 1999).

PC 152: The Plan Amendment fails to fully analyze the benefits of closing Dunn Road permanently north of the gate in Section 16, T6S R5E. (J. Taylor / Sierra Club)

Response: Analysis in Chapter 4, Environmental Consequences, has been expanded to more fully address this issue.

PC 153: The Plan Amendment fails to provide evidence that 7,000 visitors would be displaced annually by restricting jeep tours on Dunn Road. (J. Taylor / Sierra Club)

Response: BLM records indicate that Desert Adventures Jeep Eco-Tours, while under permit from BLM for use of public land portions of Dunn Road, served the following number of visitors from 1995 to 1998:

1995	7,817 visitors
1996	9,810 visitors
1997	11,383 visitors
1998	10,953 visitors

On an annual basis, visitors on Desert Adventures tours averaged 9,990. Of these, records indicate that about 3,000 visitors annually took a Dunn Road tour during the fall months, and 7,000 during the remainder of the year. Since motorized commercial use of Dunn Road would be limited to the fall months under the Proposed Plan, about 7,000 visitors would be displaced on an annual basis. This information is included in Section 3.5, Motorized-Vehicle Access: Motorized Vehicle Route Designations.

PC 154: Alternative A would allow commercial use of Dunn Road, thereby increasing impacts to biological resources since non-commercial use is the existing condition. This contradicts the statement made in Section 4.1.8, Biological Resources—Motorized-Vehicle Route Designations: Alternative A, that “existing impacts to biological resources would continue.” (G. Black / California Department of Fish and Game)

Response: Under Alternative A, 73 miles of motorized-vehicle routes on public lands within the planning area (excluding the NECO Plan overlap area) would remain open, that is, would be designated “open.” Thus, existing impacts to biological resources would continue. Under the same alternative, as well as the Proposed Plan herein described, Dunn Road would continue to be available for administrative use; thus, the existing impacts to biological resources would continue. Although motorized commercial use of Dunn Road would be *allowed* during the fall months, the Record of Decision for the CDCA Plan Amendment does not *authorize* such activities. There is no current application and private landowner permission is currently unavailable. Any future commercial use would be (1) controlled through issuance of a Special Recreation Permit for commercial activities on Dunn Road, (2) contingent on permission being granted by private landowners to

traverse their lands, and (3) subject to consultation with the U.S. Fish and Wildlife Service.

Some difference in the *potential* for commercially operated public jeep tours, and any associated effects from them, exists between alternatives. However, unknowns about the nature of permitted activity and the conditions of sheep populations at that time, make it difficult to assess impacts. It is clear that operations, and thus effects, would be more limited than those previously permitted, and that they would not be expected to jeopardize sheep or hamper recovery efforts (FWS, 1999).

PC 155: Even though the lower portion of Dunn Road is more important for bighorn sheep than the upper part, implementing different management schemes for the two sections will invite non-compliance and frustrate enforcement. Existing recreational use does not legitimize ongoing use, and BLM has not justified any need for reopening the road other than for emergency or government vehicles. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: Under the Proposed Plan, all portions of Dunn Road on public lands would be designated “closed” to casual motorized-vehicle access, i.e., the road would be used only for administrative purposes such as flood control, law enforcement, search and rescue, and fire control, as well as controlled levels of permitted uses such as research and commercial recreation, subject to permission of private landowners for use of non-federal lands (Section 2.4.17, Motorized Vehicle Route Designations). Different management schemes for the upper and lower portions of the road are not proposed through this Plan Amendment.

Use of public land portions of Dunn Road for limited research and motorized commercial recreation would require issuance of a permit by BLM, subject to consultation with the U.S. Fish and Wildlife Service in accordance with Section 7 of the Endangered Species Act. Both activities would be designed to avoid conflicts with bighorn sheep recovery; motorized commercial recreation would be confined to the fall months (Section 2.4.17). BLM does acknowledge, however, that denial of landowner permission to cross private lands on the lower reaches of Dunn Road would restrict commercial jeep tours to the upper reaches of the road (Section 4.5, Motorized-Vehicle Access). Since such access would require passage through locked gates and conditions of use would be dictated by stipulations issued as part of the Special Recreation Permit, if approved, non-compliance would not be anticipated.

The Dunn Road has never been an open route. Gated access was implemented soon after its establishment, although the gate was on private land at the time.

PC 156: Development of a master right-of-way grant should be considered to ensure that all governmental agencies with legal authority can access Dunn Road for such purposes as law enforcement, fire protection, and code enforcement. (D. Evans, City Council / City of Palm Springs)

Response: Under the Proposed Plan, legal access for use of Dunn Road may be provided to agencies through a right-of-way grant with terms and conditions based upon a biological opinion (Section 2.4.17, Motorized Vehicle Route Designations). Nothing in the Plan would preclude development of a master right-of-way grant to address access for various governmental agencies with law enforcement, fire protection, and code enforcement responsibilities on lands accessed by Dunn Road.

PC 157: Section 3.5, Motorized-Vehicle Access—Motorized-Vehicle Route Designations, should include the names of public agencies applying for right-of-way permits on Dunn Road. (G. Black / California Department of Fish and Game)

Response: Right-of-way applications for Dunn Road have been received from Riverside County Flood Control and Water Conservation District, and Coachella Valley Mountains Conservancy.

PC 158: BLM fails to address the fact that Dunn Road may not be accessed from the north except by illegal trespass across private lands. (D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: Access to Dunn Road from the north at Cathedral City Cove is via BLM-managed public lands (East ½ Section 5, T5S R5E); no trespass across private land is involved at this location. BLM acknowledges that the West ½ of Section 5, T5S R5E, in which a portion of Dunn Road occurs, is private property and no trespassing is allowed as posted. Nevertheless, decisions made through this Plan Amendment address public lands only; BLM does not purport to make decisions for non-public lands.

PC 159: Dunn Road and connecting roads should remain closed until Peninsular bighorn sheep are no longer listed as endangered, except for the portion of Dunn Road from Pinyon Flat to the gate

in Section 16 (T6S R5E). This portion of the road is not within any area that is closed to protect bighorn sheep and will provide access to trails that are not subject to seasonal closures. Portions of the road north of Section 16, and between Royal Carrizo and the common boundary of Sections 32 and 33 (T5S R5E) should be closed. (J. Morgan / Sierra Club)

PC 160: Dunn Road should remain closed to motorized vehicles. Non-motorized access to the Dutch Charlie and Potrero Canyon Trails can be gained from a parking area at the boundary of Sections 20 and 29 (T6S R5E). (Santa Rosa and San Jacinto Mountains National Monument Advisory Committee)

Response: Under the Proposed Plan, public land portions of Dunn Road, the Dry Wash route, and the access route from Royal Carrizo would be closed to motorized vehicles, except for administrative and permitted access until bighorn sheep populations are recovered. To facilitate management of motorized vehicles between the referenced gate and Pinyon Flat, BLM would close public land portions of Dunn Road at this location. Access to trails in this area may be available via foot and horseback from a parking facility near the gate at the boundary of Sections 20 and 29, T6S R5E, though such decisions are not made through this plan amendment.

PC 161: The Plan Amendment proposes to allow vehicles north of the gate in Section 16, T6S R5E, but fails to analyze the feasibility of controlling motorized vehicles north of this control point and the potential impacts to Peninsular Ranges bighorn sheep and other resources, including cultural resources. (J. Taylor / Sierra Club)

Response: Only vehicles for administrative use and under permit (e.g., Special Recreation Permit issued for motorized commercial activities) would be allowed on public land portions of Dunn Road. Access through the referenced gate would require a key issued by BLM.

Habitat along the upper Dunn Road, from Pinyon Flat to the Dry Wash route, is not an area that has historically been used by bighorn sheep. The U.S. Fish and Wildlife Service bighorn sheep location database, containing more than 20,000 data points from more than four decades of research and monitoring, indicates that although the occasional ram may move through this area, it is not an area critical to the recovery or persistence of this population.

PC 162: Dunn Road should be open to allow landowner access to private property. The City of Palm Springs General Plan calls for improvement of Dunn Road to provide access to private properties which may be developed in the future. (N. Stacey, R.R.)

Ramey II / Desert Riders; D. Evans, City Council / City of Palm Springs)

Response: Private landowners do not hold a valid existing right to use public land portions of Dunn Road. If these landowners held a valid existing right, they would not need a Federal Land Policy and Management Act (FLPMA) right-of-way to continue that use. Mathilda B. Williams and Jack F. Brown, 124 IBLA 7 (1992). Any valid existing right to continued use of Dunn Road must be created by either the exercise of Secretarial discretion or by a Federal statute granting that right. 88 I.D. 909, 912 (1981). The exercise of Secretarial discretion would involve the issuance of some form of authorization to use Dunn Road, such as a right-of-way under Title V of FLPMA. BLM records do not indicate that any authorizations have been granted subsequent to a 1975 Final Judgment of U.S. District Court, Central District of California (United States of America v. American Land Company, etc., et al.; Civil No. 68-1119-FW, June 17, 1975) for use of the public land portions of Dunn Road except for a Special Recreation Permit issued to Desert Adventures, Inc. (a.k.a. Desert Adventures Jeep Eco-Tours) for use of the road in connection with its commercial jeep tour venture.

Under the Proposed Plan, legal access to landowners needing to use public land portions of Dunn Road may be provided through a right-of-way grant with terms and conditions based on a biological opinion issued by the U.S. Fish and Wildlife Service. Temporary landowner access may be authorized by permit. Improvements to public land portions of Dunn Road would also require authorization by BLM, subject to review in accordance with the National Environmental Policy Act and Section 7 consultation under the Endangered Species Act.

PC 163: Dunn Road should be open for limited use by visitors to the Santa Rosa and San Jacinto Mountains National Monument. Further, it should be paved to facilitate visitor access. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: Dunn Road crosses both private and public land. Under the Proposed Plan, public land portions of Dunn Road would be closed to motorized vehicles, except for administrative and permitted access. BLM has no jurisdiction to make decisions applicable to the non-public portions of the road, though access across these private lands would be necessary to enable use of the road by visitors to the National Monument.

Although Dunn Road as currently configured and with current use levels does not fragment bighorn sheep habitat (also see the response to PCs 150 and 151 regarding fragmentation), paving the road and

opening it for use by visitors to the National Monument may, in fact, result in fragmentation and reduced use by bighorn sheep as visitor use increases. The lower section of Dunn Road passes near traditional lambing and rearing habitat in Cathedral Canyon and increased use could impact these sheep.

PC 164: A description of the current maintenance activities on Dunn Road should be included in Section 3.5, Motorized-Vehicle Access—Motorized-Vehicle Route Designations. (G. Black / California Department of Fish and Game)

Response: BLM has not undertaken maintenance activities on public land portions of Dunn Road other than maintenance of signs, gates, barricades and minor manual work. Desert Adventures Jeep Eco-Tours previously conducted road maintenance in conjunction with their permitted activities, but since expiration of their Special Recreation Permit in June 2001, public land portions of the road have not been maintained. Whether private landowners have maintained portions of the road on their lands is unknown, but it is unlikely.

STOPPING, PARKING AND VEHICLE CAMPING

PC 165: Changing the distance one can camp adjacent to a route from the current limit of 300 feet to 100 feet from the centerline of a route as proposed has not been sufficiently justified. This change constrains opportunities to experience desert solitude. (B. Crites / City of Palm Desert)

Response: Chapter 4, Environmental Consequences, has been expanded to further discuss the impacts resulting from the change.

PENINSULAR RANGES BIGHORN SHEEP—GENERAL

The Draft California Desert Conservation Area Plan Amendment for the Coachella Valley includes alternative recovery strategies for Peninsular Ranges bighorn sheep. The proposed Recovery Strategy for Peninsular Ranges bighorn sheep emphasizes restoration of public lands and coordination of conservation efforts with the U.S. Fish and Wildlife Service, California Department of Fish and Game, local jurisdictions, and non-government organizations to promote recovery of bighorn sheep. A combination of habitat improvement projects, management of land uses to avoid, reduce, or mitigate disturbance, and excluding bighorn sheep from the urban environment is proposed. The *Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California (USFWS 2000)* was used in the development of this strategy. References to the Recovery Plan are in

parentheses.

The purpose of including the draft trails management plan with the Draft CDCA Plan Amendment for the Coachella Valley is to “benchmark” the progress made to date through negotiations with the local jurisdictions and wildlife agencies, as well as to provide a clear indication to the public of the alternatives under discussion which would make up the Trails Management Plan component of the larger strategy.

While several comments received by BLM pertain to the recovery strategy identified in Section 2.1.3.20 of the Draft Coachella Valley CDCA Plan Amendment (Section 2.4.20 in the Final EIS), many more relate specifically to actions identified in the draft trails management plan. As BLM will not be making decisions at this time for the trails management plan as it pertains to public lands, responses are herein provided only to comments regarding the recovery strategy. Comments submitted by September 5, 2002 that relate to specific actions identified in the trails management plan will be used to refine the array of alternatives for the draft CVMSHCP. Responses to these comments, as well as any new comments submitted during the public comment period for the draft CVMSHCP, will be provided at the conclusion of that comment period.

PC 166: It is particularly important that the CDCA Plan Amendment comply with legal requirements to protect the Peninsular Ranges bighorn sheep. The alternatives listed in the Plan Amendment have various shortcomings in terms of fulfilling the BLM’s obligations to bighorn sheep under these provisions. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: The BLM is required to consult with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act on any action it authorizes, funds, or carries out, to ensure that these actions are not likely to jeopardize the continued existence of any listed species, or result in adverse modification of critical habitat, using the best available scientific and commercial data. BLM requested initiation of Section 7 consultation with the U.S. Fish and Wildlife Service on August 6, 2002 relative to this Plan Amendment; the Service has indicated it will provide a Biological Opinion by December 21, 2002.

PC 167: The Plan Amendment’s analysis of impacts from Alternatives A, B and C on recovery of Peninsular Ranges bighorn sheep is inadequate because simply “limiting disturbance” may be insufficient. Further, it fails to address whether enough undisturbed habitat is protected to permit survival and recovery, and whether adequate mechanisms are available to adapt to needed changes. (J. Taylor / Sierra Club)

Response: The Recovery Strategy for Peninsular Ranges bighorn sheep establishes goals and objectives that will guide BLM in managing bighorn sheep habitat to reduce disturbance, improve water quality and availability, provide information to the public, exclude bighorn from urban areas along the urban-wildland interface, and undertake other actions designed to facilitate recovery of bighorn sheep in the Peninsular Ranges. BLM is obligated under the Endangered Species Act (ESA) to ensure that actions funded, authorized, or permitted by BLM do not result in the adverse modification of designated critical bighorn sheep habitat, and to consult with the U.S. Fish and Wildlife Service under section 7 of the ESA on projects occurring within critical habitat.

PC 168: The Plan Amendment must have clearly defined goals that ensure long-term recovery for Peninsular Ranges bighorn sheep, and identify milestones by which certain actions must be successfully completed. (J. Taylor / Sierra Club)

Response: The Recovery Strategy has been reformatted and revised to improve clarity of goals and objectives which are intended to promote long-term recovery of bighorn sheep (see Section 2.4.20). However, BLM cannot guarantee or ensure long-term recovery for Peninsular Ranges bighorn sheep because (1) BLM does not manage all the land in the Santa Rosa and San Jacinto Mountains within bighorn sheep habitat, and (2) Fish and Wildlife Service and California Department of Fish and Game are very involved in managing the wildlife species, while BLM manages land uses and the habitat on public lands. However, BLM does work cooperatively with California Department of Fish and Game, U.S. Fish and Wildlife Service, and private researchers to gather information and monitor bighorn sheep.

PC 169: The document should recognize that while bighorn sheep are known to enter the urban interface and become habituated to human activity, it is not a desired condition and considered detrimental to the recovery of wild sheep populations. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to reflect this comment.

PC 170: Item 1(g) of Section 1.5, page 1-9, should be revised to read, "except for peripheral trails located at or near the edge of urban areas . . ." (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to reflect this comment.

PC 171: The document should cite that the Peninsular Ranges bighorn sheep were listed as rare by the California Fish and Game Commission in 1971 and that the designation was changed to threatened under the California Endangered Species Act in 1984. In addition, the species is designated as Fully Protected by the California legislature. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to reflect this comment.

PC 172: Wildlife biologists acknowledge the presence of Peninsular Ranges bighorn sheep in the Coral Reef Mountains, yet the Draft Environmental Impact Statement does not mention them and provides no management recommendations for the area. This would appear to be a serious omission. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: The Peninsular Ranges Bighorn Sheep Recovery Strategy identified in the Proposed Plan applies to all BLM-managed public lands in the Santa Rosa and San Jacinto Mountains, including the Coral Reef Mountains.

PC 173: The Draft Environmental Impact Statement does not adequately comply with the U.S. Fish and Wildlife Service's recovery plan for the Peninsular Ranges bighorn sheep. Only Alternative C with significant modifications would move the BLM towards compliance with the recovery plan, to which it is a legally bound signatory. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: Recovery plans provide useful guidance and information for consideration in the planning process. BLM utilized the Recovery Plan extensively as described in Section 1.5. The Recovery Strategy for bighorn sheep in the proposed plan was developed using recommendations in the Recovery Plan. BLM also continues to collaborate with California Department of Fish and Game, U.S. Fish and Wildlife Service, U.S. Forest Service, Agua Caliente Band of Cahuilla Indians, and private researchers in recovery efforts.

Recovery plans also assist in coordinating land use planning processes of management agencies at the federal, state and local level. Recovery plans recommend reasonable actions to promote

recovery and/or protect listed species, based upon the deliberations of a group convened by the Fish and Wildlife Service. However, recovery plans do not analyze alternatives, assess relative impacts, provide for interdisciplinary input, or allow for public participation like the public land use planning processes do. Recovery plans are not intended to be land use decision documents and they do not obligate cooperating or other parties to undertake specific tasks. The role of the recovery plan and its relationship to the views, official positions, or approval of any individuals or agencies involved in the plan formulation, other than that of the U.S. Fish and Wildlife Service is explained on page ii of the Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California (USFWS 2000). In summary, recovery plans create no legal obligation to implement, comply with, or conform to recommendations.

PC 174: In describing the relationship of the CDCA Plan Amendment to the recovery plan for the Peninsular Ranges bighorn sheep, it is unclear which activities are to be addressed through the plan amendment and which are subject to additional project level consultation with the U.S. Fish and Wildlife Service. Several activities listed on page 1-8 that are applicable to the plan amendment are also listed on page 1-10 as activities that will require project level consultation. (G. Black / California Department of Fish and Game)

Response: The Recovery Plan recommendations listed on page 1-8 of the Draft Environmental Impact Statement are applicable to the Plan Amendment in that these items are each addressed in the alternatives for Peninsular Ranges bighorn sheep recovery strategy. Page 1-9 lists recommendations that are applicable to the Draft Trails Management Plan, decisions for which will be made in the Coachella Valley Multiple Species Habitat Conservation Plan. The list of recommendations listed on page 1-10 in the Draft EIS would apply to project-level activities and as such, each proposed project level activity would require separate environmental review and consultation with the USFWS. The overlap between the lists of recommendations on pages 1-8 and 1-10 indicates that BLM may make a decision as a plan amendment to continue to actively pursue land acquisition *and* each land acquisition would require separate environmental review and Section 7 consultation with USFWS.

PC 175: Although the recovery strategy for Peninsular Ranges bighorn sheep indicates BLM will manage road use to reduce habitat fragmentation or interference with bighorn sheep resource use patterns, it does not indicate which roadways (paved or unpaved) currently operate to fragment habitat or interfere with movements near key resources. Also, the document fails to identify the data

which demonstrate that such fragmentation and interference are taking place in the Coachella Valley. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The Martinez Canyon “cherrystem” route, Dunn Road, and routes in the Snow Creek area constitute the only roads on BLM-managed lands in bighorn sheep habitat for which route designations would be applicable. It is unlikely that these routes result in habitat fragmentation or changes in resource use given that (1) vehicle use is generally low on these routes, and (2) access to Dunn Road and the road to the Desert Water Agency facility in Section 33, T3S R3E, is controlled by locked gates (also see response to PCs 150 and 151 regarding fragmentation).

Bighorn sheep location data indicate that ewes and lambs use the area adjacent to the lower Dunn Road near Cathedral City Cove. Thus, it is important to manage use of this segment of the road to prevent disturbance to these sheep. Although BLM cannot manage the entire length of the Dunn Road because the public land ownership pattern is intermittent (sections of the Dunn Road cross private land), public land portions of the road would be closed to casual use under the Proposed Plan. Motorized-vehicle access along the route into Martinez Canyon would be continued under the Proposed Plan, but could proceed no further than the end of the “cherrystem” established through designation of the Santa Rosa Wilderness Additions by Congress. Access to the Desert Water Agency facility in Snow Creek would remain closed to casual vehicle use under the Proposed Plan; other routes in the Snow Creek area would also be closed to motorized vehicles.

In summary, the Proposed Plan continues management that is avoiding habitat fragmentation.

PC 176: Since the Plan Amendment in Section 2.1.3.20, Recovery Strategy for Peninsular Ranges Bighorn Sheep, proposes the Biological Assessment as the default activity level plan if the Coachella Valley Multiple Species Habitat Conservation Plan is not completed, the Plan amendment must include the Biological Assessment and its Biological Opinion, and fully analyze them for public review and consistency with the Peninsular Ranges bighorn sheep recovery plan, the Plan amendment, and other interrelated plans. (J. Taylor / Sierra Club)

Response: Biological opinions are the regulatory purview of the U.S. Fish and Wildlife Service and are not subject to public comment, although they

are public documents available for review. BLM land use planning has placed alternatives before the public in a very open process, has utilized the recovery plan in preparing and analyzing the alternatives and has been careful to illustrate relationships to other plans. BLM will ensure the final trails management plan is consistent with this Plan Amendment.

The CDCA Plan (1980) had undergone public review prior to a final decision being issued in 1980. The 1980 Plan has also undergone amendments, which also were subject to public review. Bighorn sheep populations in the Peninsular Ranges were listed in 1998, and consultations on projects in bighorn sheep habitat were initiated. In January 2001, BLM submitted a biological evaluation to the U.S. Fish and Wildlife Service requesting initiation of Section 7 consultation under the Endangered Species Act. The results of this consultation on the existing land use plan were intended to cover management of public lands under the 1980 Plan as amended and implemented. The Biological Opinion based on the January 2001 submittal has not yet been received. However, the BLM is now also in formal consultation on this Plan Amendment. All consultation at the land use plan level is scheduled for completion in December 2002.

While the management direction is established by the Proposed Plan, the project and activity level details of how to implement the interagency trails management plan, called for in the recovery plan, will be subject to further consultation with the U.S. Fish and Wildlife Service. These details are currently in final preparations for a public review draft through the CVMSHCP. BLM continues to provide for management of recreational trail use consistent with bighorn sheep recovery until the interagency plan is complete. Section 3.8.1 has been modified to explain how trails are being managed pending completion of the interagency plan.

PC 177: Peninsular Ranges bighorn sheep should be allowed to occupy their best historical habitat. Development in the mountains should be stopped. (G. Cady)

Response: BLM has no jurisdiction regarding the development of private lands in bighorn sheep habitat, other than to address any proposals for such related infrastructure elements as access roads, utility lines or communications sites on public lands.

PC 178: It appears that all alleged scientific information receives the same weight and credibility. It is important to distinguish between opinion and correlative studies from experimental studies that have been conducted to potentially disprove a hypothesis. Few

of the studies cited relative to Peninsular Ranges bighorn sheep fit into this latter “experimental” category of strong scientific inference. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: BLM must rely upon and use the best available scientific analysis, data, and applicable evidence in addressing management actions relative to bighorn sheep. This means that correlative studies, experimental studies, and professional experience and opinion may be used, to the extent they are available, in the analysis of alternatives. The inherent complexity of ecology and wildlife science makes conducting rigidly controlled experimental studies in a natural setting difficult. BLM has attempted to refine the Chapter 4 impact analysis to illustrate what is fact and what is opinion.

PC 179: Although not directly acknowledged in the Draft plan, personal communication supplied a significant amount of scientific justification for the Peninsular Ranges bighorn sheep recovery plan, designation of critical habitat, and trail closures. These alleged scientific citations perpetuate a mythology that human disturbance occurs and is deleterious even if humans undertake benign recreation activities in bighorn habitat. This mythology is not science and must be winnowed from the Draft Environmental Impact Statement. (N. Stacey, R.R. Ramey II / Desert Riders)

PC 180: Sufficient information is not available to support the Peninsular Ranges bighorn sheep recovery plan. (D. Evans, City Council / City of Palm Springs)

Response: Although the Recovery Plan for bighorn sheep in the Peninsular Ranges was used to develop the array of alternatives for the Bighorn Sheep Recovery Strategy, it was not the sole source of information. BLM staff biologists used a large body of peer-reviewed scientific literature and did contact a broad cross-section of field biologists and scientists with credentials in bighorn sheep management and recovery in order to develop the basis for the sheep strategy.

PC 181: Both the Draft Environmental Impact Statement and Peninsular Ranges bighorn sheep recovery plan ignore the threat of global climate change to bighorn sheep recovery. Geochemical change in the environment and its effects on bighorn nutrition are supported by scientific evidence, yet both documents implicitly assume a static, unchanging view of the natural world. For both BLM and U.S. Fish and Wildlife Service not to consider management action within the context of these very real environmental changes is both negligent and a violation of the National Environmental Policy Act. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: Chapter 3, Affected Environment of the Final Environmental Impact Statement have been revised to reflect this comment.

PC 182: Section 4.1.8, Biological Resources—Peninsular Ranges Bighorn Sheep Recovery Strategy: Alternative A, item 4, should provide more explanation about how information can be misinterpreted and by whom. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to clarify this issue.

PC 183: Predation management, particularly of mountain lions, is not listed among the Peninsular Ranges bighorn sheep recovery strategies that are common to all alternatives. This is a significant omission given that mountain lions kill a substantial number of bighorn sheep in the Coachella Valley. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The Final Environmental Impact Statement has been revised accordingly.

PC 184: The document does not discuss whether and to what extent humans who visit the Coachella Valley, with or without OHVs, deter mountain lion predation on Peninsular Ranges bighorn sheep, and conversely, whether reducing the human presence in the Coachella Valley will increase the number of mountain lion attacks on bighorn sheep. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: There are no studies that address whether human recreation deters or prevents mountain lion predation on bighorn sheep, or whether reducing human presence in sheep habitat results in increased lion predation on sheep.

PC 185: Section 4.1.8, Biological Resources—Peninsular Ranges Bighorn Sheep Recovery Strategy: Alternative B, item 4, should indicate how mountain lions known to have killed sheep will be identified. (G. Black / California Department of Fish and Game)

Response: Predator control and management is the regulatory purview of the California Department of Fish and Game. BLM proposes to make public lands available for predator control if proposed by U.S. Fish and

Wildlife Service and the California Department of Fish and Game. Section 4.1.8 (Section 4.8 in the Final EIS) has been expanded to address this comment.

PC 186: In Section 3.8.1, Native Biological Resources, the document cites a number of causes that have resulted in the decline of Peninsular Ranges bighorn sheep, but fails to rank these causes of bighorn sheep mortality by severity. Data should be furnished that shows how many bighorn sheep have been killed by mountain lions versus those killed by motor vehicles and toxic plan ingestion. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Section 3.8.1 has been revised to address this comment.

PC 187: The Plan Amendment does not identify where motorized vehicles are having a negative effect on Peninsular Ranges bighorn sheep, nor does it indicate how the proposed reduction in OHV use areas and trails in the Coachella Valley will aid in the recovery of these bighorn sheep. The document should identify the technical studies demonstrating that OHV use in the affected areas is currently having an adverse effect on the bighorn sheep. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: There are two routes where vehicle use potentially could impact on bighorn sheep: the Martinez Canyon “cherrystem” route and Dunn Road. Dunn Road is routed through historic and occupied lambing and rearing areas in Cathedral Canyon; uncontrolled vehicle use would negatively impact sheep in this location. However, BLM proposes to designate Dunn Road as “closed” to motorized vehicle use (except for authorized and permitted uses) under the Proposed Plan, hence these impacts are not likely to be realized. Vehicle access to the Martinez Canyon “cherrystem” is limited to high clearance, four-wheel drive vehicles given the nature of the wash route. Rams largely use this area and vehicle traffic is low enough to limit any serious impacts to sheep in this area. This access route would be designated “open” under the Proposed Plan.

PC 188: Section 3.4, Recreation, makes reference to essential Peninsular Ranges bighorn sheep habitat, but does not explain the distinction, if any, between this and formally-designated critical habitat. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The definition of essential habitat has been added to the glossary in the Final Environmental Impact Statement.

PC 189: The Environmental Impact Statement should describe how many acres of habitat 1,100 Peninsular Ranges bighorn sheep require, what level of habitat disturbance and fragmentation renders the habitat unsuitable for bighorn sheep, and in what way is the currently-available habitat inadequate to support a population of this size. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: The Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California (USFWS 2000) addresses the habitat needs of bighorn sheep. Habitat loss represents a serious threat to Peninsular bighorn sheep because they occupy a narrow band of lower elevation habitat that represents some of the most desirable real estate in the California Desert. About 18,500 acres (or 30 square miles) of suitable bighorn habitat has been lost to urbanization and agriculture within the range of the three ewe groups that occur along the urban interface between Palm Springs and La Quinta. BLM, U.S. Fish and Wildlife Service, California Department of Fish and Game and others are committed to acquiring private land from willing sellers in bighorn sheep habitat to ensure that as the population recovers, there is adequate habitat for the expanding population.

PC 190: Despite indications in the Environmental Impact Statement that bighorn sheep are poor colonizers of available habitat because habitat use patterns are learned from experienced animals (Risenhoover 1988); that once ewes discontinue use of a particular area, it may be difficult for inexperienced sheep to establish in the area; and that efforts to relocate bighorn sheep have met with little success, the proposed Plan amendment seeks to reclaim more habitat through closure of long-established recreation areas, an action that makes no sense. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: BLM proposes no motorized-vehicle area closures through this CDCA Plan Amendment that are predicated on Peninsular Ranges bighorn sheep recovery. Seasonal area closures for non-motorized activities in the Santa Rosa and San Jacinto Mountains will be addressed through the Coachella Valley Multiple Species Habitat Conservation Plan.

PC 191: Regarding the statement in Section 3.8.1, Native Biological Resources, that the Peninsular Ranges bighorn sheep population

has stabilized in the last four years and appears to be increasing, data supporting this statement should be provided. Also, locations in the Coachella Valley where population declines have been arrested and/or reversed should be identified, and the means of such change should be described. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: According to surveys conducted by the California Department of Fish and Game, bighorn sheep populations in the Peninsular Ranges appear to be increasing at a modest rate. Overall rates of increase since 1996 are approximately 16%.

PC 192: Failure to identify Desert Riders as a stakeholder and include them in consultation during development of the bighorn sheep recovery plan resulted in a deficient plan. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: Preparation of Recovery Plans is the regulatory purview of the U.S. Fish and Wildlife Service as authorized under the Endangered Species Act.

PENINSULAR RANGES BIGHORN SHEEP—RESEARCH AND MONITORING

PC 193: Capture indisputably causes stress to and habitat displacement of bighorn sheep. The potential effects of aerial sampling and the condition and reproduction success of large mammals should be considered. (G. Cady)

Response: BLM acknowledges that capture and handling cause stress to bighorn sheep. The Recovery Strategy for Peninsular Ranges bighorn sheep described under the Proposed Plan addresses use of helicopters for survey and capture and seeks ways to reduce research-related stress and disturbance as well as other types of human disturbance.

PC 194: The list of causes for population decline of Peninsular Ranges bighorn sheep is missing disturbance from research activities such as helicopter surveys and human handling. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: Although research, monitoring, and handling do have an indisputable impact on bighorn sheep, these activities rarely result in mortality (an average 1-2% capture-related mortality), thus are not included in the

list of factors causing the decline of bighorn sheep in the Peninsular Ranges.

PC 195: Causes of bighorn sheep lamb mortality are poorly understood. Capturing, collaring, and monitoring these lambs provide cause-specific mortality data. However, lambs are subject to stress when captured like any wild animal. Once traumatized, the individual is traumatized forever and never fully recovers. Additionally, once drenched with the human scent and collared, the mother might reject the lamb. (G. Cady)

Response: Experience in the Peninsular Ranges indicates that ewes do not reject lambs that have been handled in the course of research. During a 4-year lamb mortality study, the Bighorn Institute and California Department of Fish and Game reported zero lambs being rejected by their mothers after capture and handling. However, it is true that lambs are stressed by capture and handling. The duration and long-term effects of this stress are not known.

PC 196: If the BLM chooses to accept the U.S. Fish and Wildlife Service's selective review of scientific literature and "human disturbance" bias, BLM must look at researcher activity anew and make a determination as to whether the researcher activity is similar to another type of human activity being restricted or prohibited. For example, claiming that off-trail foot surveys are not typically considered a risky research activity, despite research citing such activity as causing stress to sheep (Papouchis et al., 2000), while suggesting that benign on-trail use should be restricted or prohibited indicates a disconnection in logical thinking by both the USFWS and BLM. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: BLM has addressed research activity in the Recovery Strategy for Peninsular Ranges bighorn sheep in the Plan Amendment, and will continue to seek and promote alternative methods for monitoring and research that are non-invasive and that substantially reduce or eliminate research-related stress to bighorn sheep.

PC 197: Published literature has clearly revealed the deleterious effects of helicopter surveys in two ways. First, experimentally, Bleich et al. (1994) showed abandonment of areas during helicopter surveys and that "mountain sheep" did not habituate or become sensitized to repeated helicopter flight. Second, Martucci et al. (1992) demonstrated "severe metabolic acidosis due to helicopter supported capture and manual restraint during blood sampling." This has led to cases of capture myopathy, a permanent debilitation condition. Fatalities resulting from helicopter capture

are approximately 1-2% of the captured animals. This is clearly “take” under the Endangered Species Act. If trail use with no clearly demonstrated deleterious effect is subject to temporary or permanent closures, then both helicopter surveys and capture on BLM land should be banned until these sheep are no longer endangered. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: BLM and California Department of Fish and Game jointly manage bighorn sheep on public lands in that BLM manages the habitat and CDFG manages the animals. To this end, the two agencies entered into a Master Memorandum of Understanding in 1984 to facilitate interactive management activities. Per this MMOU, the CDFG agreed to “annually submit, by July 1, to the Bureau, a list of wildlife transplants and reintroductions proposed for public lands for the period beginning 12 months after submission. Such transplants or reintroductions must be approved by the Bureau’s State Director and the Department’s Director prior to implementation. Emergency situations may necessitate relocations to public lands. These will require the same approval authority as described above.”

BLM remains committed to reducing all types of disturbance to bighorn sheep, in coordination with California Department of Fish and Game. The Proposed Plan addresses this in the Recovery Strategy for Peninsular Ranges bighorn sheep. Specific trail decisions will be made in the Coachella Valley Multiple Species Habitat Conservation Plan. However, the decisions made in the plan amendment that are relevant to research permitting and monitoring will be applicable regardless of the specific, detailed decisions made in the Trails Management Plan and the Coachella Valley Multiple Species Habitat Conservation Plan.

PC 198: Research techniques currently employed by biologists studying the Peninsular Ranges bighorn sheep, e.g., helicopter surveys and extensive handling of lambs, disrupt the sheep more directly than any other human activity. Highly disruptive activities such as low-altitude helicopter surveys affect the bighorn sheep more profoundly than do a few OHVs traveling slowly in the distance. Perhaps too much scientific intervention and management are hampering the recovery effort. (D. Hubbard / San Diego Off-Road Coalition, Off-Road Business Association, California Off-Road Vehicle Association)

Response: BLM has addressed the impacts of research and monitoring in the Recovery Strategy for Peninsular Ranges bighorn sheep in the Proposed Plan.

PC 199: To rehabilitate public confidence, BLM needs to devote a section of the Environmental Impact Statement to researcher activities, gather the scientific studies that point out where science is lacking, and apply the same standards of evaluation to both recreational and invasive research activities. Without these same standards being applied, the National Environmental Policy Act and equal protection of all persons under the law are violated. (N. Stacey, R.R. Ramey II / Desert Riders)

Response: BLM has rigorously addressed the issue of bighorn sheep research on public lands in the Draft and Final Environmental Impact Statements. The intent is to provide guidelines, in addition to the mandatory permit requirements under the CDCA Plan (1980), for reviewing and approving research permits, and to provide a mechanism for more effective sharing information obtained through research via permit stipulations. The potential impacts of non-motorized recreation on Peninsular Ranges bighorn sheep will be addressed through the trails management plan element of the Coachella Valley Multiple Species Habitat Conservation Plan.

PC 200: Capture/release and augmentation programs in the Santa Rosa and San Jacinto Mountains have not been fully evaluated and publicly reviewed. Release of bighorn sheep captured from the northern Santa Rosa Mountains or pen-raised bighorn sheep from the Bighorn Institute into the San Jacinto Mountains may have an adverse impact upon the existing sheep due to different behavior patterns. The captured and pen-raised bighorn sheep have exhibited behaviors such as using urban landscapes for forage and water, and seem to have adjusted to more human contact. Conversely, the bighorn sheep in the San Jacinto Mountains avoid urban landscapes and human contact, and seem to stay at higher elevations. (D. Evans, City Council / City of Palm Springs)

Response: Capture and release programs are the regulatory purview of the U.S. Fish and Wildlife Service and California Department of Fish and Game. However, captures and releases on BLM-managed public lands are subject to review in accordance with the National Environmental Policy Act, consultation with USFWS, and authorization by BLM. No data are currently available to test the comment's hypothesis concerning behavioral differences between captive-reared and wild-reared sheep.

PC 201: In Section 2.1.3.20, preferred alternative regarding a recovery strategy for Peninsular Ranges bighorn sheep, item 5 should mention that an environmental assessment was prepared by BLM that addressed bighorn sheep research. The analysis should not focus solely on helicopter use and direct handling. An analysis

should be provided comparing different research methods to methods using helicopters or direct handling. All research proposals, not just helicopter and direct handling methods, should be evaluated by the same criteria, i.e., on the basis on less intrusive techniques, the value of the data obtained, and the costs. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to reflect this comment.

PC 202: BLM must allow manipulated trail use research to acquire hard data regarding the effects of trail use on Peninsular Ranges bighorn sheep. The Plan Amendment does not allow wildlife agencies to conduct such studies on public lands. (J. Taylor / Sierra Club)

Response: The Proposed Plan does not prohibit manipulative trail use studies, rather it provides criteria for assessing all research proposals on a case-by-case basis.

PC 203: Regarding the requirement identified in the bighorn sheep recovery strategy to have permits and research proposals on public lands be subject to a minimum 30-day public review and comment period, this period should be increased to 60 days given the time it takes for people to learn about such proposals. (B. Crites / City of Palm Desert)

Response: The Final Environmental Impact Statement has been revised to allow BLM the flexibility of extending the public comment period on controversial research proposals.

SOCIO-ECONOMIC VALUES / ECONOMIC DEVELOPMENT

PC 204: Although the BLM claims that Alternative C would substantially restrict opportunities for future economic development of the BLM-managed lands, it is unclear how this alternative reduces anything but the short-term exploitation of land and natural resources, other than by not creating an OHV open area. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: Table ES-2, Effects of Coachella Valley CDCA Plan Amendment Alternatives (Executive Summary), summarizes the socioeconomic impacts to future economic development of BLM-managed lands, including reduction of long-term supplies for sand and gravel,

constrained energy generation, diminishment of communications site availability, and displacement of OHV use to non-Federal lands. The Plan Amendment does not identify these impacts as short-term.

PC 205: The DEIS correctly argues that the protection of land health though implementation of the proposed plan amendments will have positive long-term economic impacts. In its socioeconomic analysis, the BLM should consider more stringent conservation recommendations to be an economic benefit, not a cost. (J. Cook; D. Patterson / Center for Biological Diversity, California Wilderness Coalition)

Response: Simple, direct correlations between economic benefit or cost and a general concept of more stringent conservation measures cannot be established. Evaluation of the benefits or costs of management measures is generally affected a complex combination of factors which can vary depending on the economic sector affected. The DEIS evaluates the application of the proposed land health standards and the air quality management strategy in Section 4.15, identifying both benefits and costs.

PC 206: The BLM should be mindful of the impact and importance of filming to the state and its local communities, and consider the effects of the plan on the film production community, the local jurisdiction, and California citizens that derive financial benefits from this industry. (K. Thames / California Film Commission)

Response: The Final Environmental Impact Statement has been revised to reflect that the areas available to film permitting are not affected, but filming would be subject to conservation and environmental requirements in the Proposed Plan. Identification of sites on public lands for commercial filming activities is on a project-by-project basis, dependent on each project's story line and the director's vision of how and where it should be captured on film. Film locations on public lands and the extent to which such locations would be utilized are not always predictable. Thus the specific effects of these projects would be addressed under project-level environmental assessment. By this method, BLM has processed, and will continue to process, applications for film permits in accordance with 43 CFR Part 2920.

PC 207: Under current federal law, use of federal lands by a film production company is considered a commercial use. This categorization limits filming on federal lands because most other types of commercial operations have a far greater impact. Filming is an environmentally clean, short-term, and noninvasive

business and should be categorized as such. (K. Thames / California Film Commission)

PC 208: Motion picture studios have always believed in conservation. It is unfair for BLM to designate the film industry as a commercial venture along with mining, grazing, and other commercial activities because of the temporary nature of filming activities. Film companies often leave sites in better condition due to a need to make an area look pristine for a film. (J. Fitzpatrick / Motion Picture Association)

Response: Commercial film production on public lands requires the issuance of a permit in accordance with 43 CFR Part 2920. Terms and conditions required for permitted filming activities are determined on a site-specific, case-by-case basis, and are commensurate with the level of potential impacts to resource values, public health and safety. Categorizing film production as a commercial activity, when applicable, does not in itself restrict the activity.

PC 209: It appears that the proposed plan would restrict development in Thousand Palms. Residents defeated a proposal a couple of years ago to restrict development, and now it seems like the imposition of restrictions is being approached in a different manner. (N. Madson)

Response: The BLM does not propose to limit development of private land in Thousand Palms or anywhere else. BLM can only propose management decisions for Federally owned lands.

INFORMATION AND EDUCATION

PC 210: Many voices of the people who enjoy the public lands are not being heard. (W. Lewis / Desert Side Tracks)

Response: Throughout the planning process for the Coachella Valley Plan, BLM has strived to create an open planning process, such that opportunities for public input were not limited to the minimum requirements set by the BLM planning regulations and National Environmental Policy Act. This planning process has also been deliberately designed to engage and involve local government, State agencies, other Federal agencies, and Indian tribes to a very high level, and has utilized numerous planning meetings open to public participation that included briefings and draft documents. Information about the collaborative planning process is contained in the Executive Summary under “The Collaborative Planning Process.”

PC 211: Some OHV users ride across the desert without consideration of wildlife habitats. Government in general has failed to educate the public on proper trail etiquette and the proper way to go off-roading. (R. Sargent / Desert Side Tracks)

Response: BLM continues to participate in the *Tread Lightly!* program, which endeavors to foster responsible driving on public and non-public lands. In the California Desert Conservation Area, BLM has widely-distributed brochures about this program. Principles of the *Tread Lightly!* program are included in BLM's Desert Access Guides, which have been purchased by thousands of individuals using the back country of the California Desert. In addition, these Desert Access Guides explain the "rules" of back country use, whether use is via motorized vehicle, horseback, or foot, and address safety issues to be considered by the traveler. BLM has also worked cooperatively with the vehicle industry to promote the safe use of vehicles and proper use of the desert area.

PC 212: There should be educational programs alerting people to the spread of disease by insects and rodents in the Coachella Valley. (D. Gomsy / CV Mosquito and Vector Control District)

Response: This comment has been addressed and included in the Proposed Plan in Table 2-8: Policy and Management Guidance for Plan Implementation, located in Section 2.6: Plan Implementation.

PC 213: Outdoor areas need to remain open so our children can experience and learn what they have to offer, thereby developing a love and respect for nature. If they cannot access these areas, they cannot learn to respect nature. (W. Lewis / Desert Side Tracks)

Response: Under the Proposed Plan, BLM would provide a motorized-vehicle access network that reaches most public land areas in the Coachella Valley where open roads currently exist. The open access network under the Proposed Plan is depicted in Figure 2-11b. Generally, all public lands with few exceptions are open to entry on foot or horseback, thereby providing opportunities to learn about and appreciate the natural environment.

IMPLEMENTATION AND MONITORING

PC 214: There should be follow-up after implementation of the plan to determine whether the predicted outcomes were realized, and if not, what has occurred. (J. Fitzpatrick / Motion Picture)

Association; K. McArthur / University of California Cooperative Extension)

Response: Section 2.6, Plan Implementation, includes a summary of the more pertinent laws, regulations and policies relative to the CDCA Plan, as amended. In accordance with BLM planning manual guidance, BLM shall monitor and evaluate the continued effectiveness of the CDCA Plan, as amended, in meeting the goals and objectives of the Coachella Valley Multiple Species Habitat Conservation Plan and other multiple uses in the Coachella Valley. Monitoring activities and adaptive management actions are open to public review and participation.

PC 215: The CDCA Plan Amendment does not address the cost to implement the recommendations. To implement the plan and monitor the results would take several times the staff currently available. As no increases in budget are anticipated---if anything, BLM appropriated funds are being cut back---implementation schedules will not be met and BLM will once again be sued for this failure. (R. Denner / California Desert District Advisory Council)

Response: BLM will include costs of implementing the Coachella Valley Plan in its budget requests. Annual funding allocations for such implementation will determine implementation strategies and priorities. Whether lawsuits regarding BLM's efforts to implement the Plan will be filed is unknown, and does not constitute rationale for formulating the final Plan.

PC 216: BLM should provide for additional law enforcement ranger patrol in the Drop 31 area to reduce human intrusion into bighorn sheep habitat. (G. Black / California Department of Fish and Game)

Response: Allocation of law enforcement resources is outside the scope of the Proposed Plan. Deployment of BLM law enforcement staff is based on the distribution of human use, and compliance and other resource protection and public safety issues. The Drop 31 area is routinely patrolled by BLM rangers.

PC 217: It is not clear whether an adaptive management strategy has been developed to provide flexibility. (V. Bradshaw / Imperial Irrigation District)

Response: Section 2.2, Plan Goals Common to All Alternatives, states that a common goal is to develop an overall strategy for managing the public lands which is adaptable over time based on the results of resource

monitoring to achieve the other identified goals. Based on changing conditions observed through monitoring activities, BLM can undertake different courses of action, when necessary, to achieve the established goals.

PC 218: The Final Environmental Impact Statement should identify specific elements of other alternatives that will be considered as fallback options if management objectives are not being met during a reasonable time frame. (L. Hanf / U.S. Environmental Protection Agency)

Response: BLM Land Use Plans are strategic in nature, and are designed to provide a clear management direction. BLM land use plans are prepared in accordance with the planning regulations at 43 CFR 1610 and NEPA. Any change in the management strategy outlined in the land use plan must be addressed through a plan amendment process, again following the 43 CFR 1610 regulations and NEPA.

Subsequent actions that directly affect the public lands and resources must be in conformance with the approved land use plan. If activities affecting the public lands and resources are not in conformance with the conservation objectives or land health standards outlined in the Proposed Coachella Valley CDCA Plan Amendment, BLM has the authority to impose emergency closures or to issue “stop work” orders. In other words, BLM’s fallback options are already built into its operational mandate and regulations.

EDITORIAL

PC 219: Although text shows Alternative “A” as the preferred alternative, Figure 2-8 shows Alternative C as the preferred alternative with the entire Whitewater grazing allotment deleted. (J. Morgan / Sierra Club)

Response: The Proposed Plan is Alternative A. The Final Environmental Impact Statement for livestock grazing has been revised (see Section 2.4.14).

PC 220: In Section 2.1.3.5, the description of multiple-use classes for OHV open areas under the preferred alternative does not match Figure 2-3(a) which indicates that Windy Point, Indio Hills, and Iron Door are classified as Multiple-Use Class “I” (Intensive Use). (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to correct this oversight.

PC 221: In Table 3-6, there is no description regarding the meaning of “SP” as pertains to the Flat-tailed Horned Lizard. (V. Bradshaw / Imperial Irrigation District)

Response: The Final Environmental Impact Statement has been revised to correct this oversight.

PC 222: In Section 4.1.8, page 4-57—third paragraph, line 9 should read “California Department of Fish and Game. (G. Black / California Department of Fish and Game)

Response: The Final Environmental Impact Statement has been revised to correct this error.

PC 223: The Plan Amendment states that the preferred alternative is highlighted in the summary, yet no such highlighting is apparent. (J. Taylor / Sierra Club)

Response: The shading in Tables ES-1 (Summary of CDCA Plan Amendment Alternatives) and ES-2 (Summary of Trails Management Plan Alternatives) used to identify the preferred alternative apparently did not reproduce sufficiently dark to be visible in some copies of the Draft Plan Amendment and Environmental Impact Statement. The Proposed Plan is more clearly identified in Table ES-1 of the Final Environmental Impact Statement (FEIS). Table ES-2 is not carried forward into the FEIS as the trails management plan will be addressed through the Coachella Valley Multiple Species Habitat Conservation Plan. Table ES-2 is now summarizes the effects of the Coachella Valley CDCA Plan Amendment alternatives.

