

# KERN COUNTY WOOL GROWERS ASSOCIATION

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September 2, 2003

United States Dept. of the Interior  
Bureau of Land Management  
California Desert District  
Mr. William Haigh, Project Manager  
West Mojave Interagency Planning Team  
22835 Calle San Juan De Los Lagos  
Moreno Valley, California 92553

RE: West Mojave Habitat Conservation Plan - Comments.

Dear Mr. Haigh:

The Kern County Wool Growers Association and its permittees have reviewed the West Mojave Plan DEIRIS for sheep grazing and offer the following comments:

Since the listing of the desert tortoise and Mojave Ground Squirrel, sheep grazers have been unable to graze over 600,000 acres of allotment in the West Mojave. In some allotments, sheep grazing has not been allowed nor occurred for over ten years. Yet no studies or assessments have been completed to show if these restrictions provided any benefits in the health and size of populations of the desert tortoise or Mojave ground squirrel.

We continue to object to the further reduction and elimination of sheep grazing, an authorized managed use on BLM land, without credible, scientific evidence of the harm to the species or habitat.

The document states that the Plan will monitor over 100 Endangered and/or sensitive species. However, the methodology of how this monitoring is to be done was not very clear. The methods used in monitoring should be science based and not strictly observations subject to interpretations. The monitoring plan should have objectives to why the monitoring is being done and why given parameters will be monitored. The method used should be clearly stated so the objectives could be reached. Most of the science involving endangered species is weak at best. The plan has an opportunity to use good science in monitoring these 100 Species. Also, these monitoring plans should be reviewed by scientists out of the agencies doing the work.

We strongly object to the provision for Voluntary Relinquishment of grazing use authorizations with an automatic elimination of the allotment for livestock use. Currently such an action requires an amendment to the CDCA with public notice and comment. While the individual permittee may have personal financial reasons for accepting money from a group to "Voluntary Relinquish" an allotment, the decision affects the entire industry. While this provision will serve to forward agendas to eliminated grazing from public lands, it is contrary to the BLM's mandate to provide for multiple use. At the very least, this provision should be modified to require that written notice of a proposed voluntary Relinquishment of a grazing use be sent to all authorized permittees of record in the West Mojave Plan with a 30 day comment period and appeal process.

Page 2-119. New Management Prescriptions.  
(LG-20)

Turnout of sheep in all allotments would not occur until 230 pounds (air dry weight) per acre of ephemeral forage is available. The Lessee would be required to remove sheep from the area or the entire allotment if production falls below 230 pounds per acre.

Page 2-120. Sheep grazing would be removed from those portions of the Mohave Ground Squirrel Conservation Area when the species-specific, maximum utilization levels set forth in Table 2-19 are met. Percentages in the third column refer to the percentage of new perennial growth that may be consumed before sheep would be removed from the allotment or portions thereof.

The question needs to be asked, then, on this shift of dietary levels, how measurement would take place?

It is recommended that Tables 2-18 and 2-19 on pages 2-120 & 2-121 be eliminated from the plan.

If such plan retains the above tables in the study, then methodology must be explained. The question must be answered. How are utilization levels going to be measured?

Were Sheep Grazers consulted before the establishment of MGS CA boundaries? Were maps presented to affected sheep grazing interests in satisfaction of the elements of Cooperation, Consultation and Communication? Is the primary intent the removal of all sheep grazing from the West Mojave, rather than the conservation of the Mojave Ground squirrel and the Desert Tortoise.

DWMAs. Were sheep grazers consulted prior to the establishment of DWMAs boundaries? Were maps presented to affected sheep grazing interests? We disagree that all sheep grazing allotments be concurrently eliminated from DWMAs. The sheep grazer has already been drastically reduced in available grazing forage acreage. Sheep grazing should not be completely eliminated from Goldstone, Graval Hills, Stoddard Valley West and Superior Valley Allotments. The Buckhorn Canyon, Cantil Common, Monolith Cantil and Shadow Mountain Allotments should not be partially eliminated. Enguh reduction has already taken place.

Kern County wool Growers Association, Page#3, Comments to West Mojave Habitat Conservation Plan.

MGS CA. Sound scientific proof should be required that MGS species are endangered before the government can initiate action on their behalf. The data must be empirical, field tested, and peer reviewed. Has research conducted by Dr. Phil Leitner in the Coso Region of the West Mojave satisfied the same results for all the West Mojave Region? Were results based on short term or long term studies?

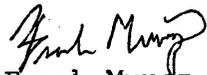
Anecdotal accounts of historical sheep grazing maintain that the MGS follows its own forage and does not rely on sheep grazing. This practice would seem to indicate compatibility, rather than competitive, especially during drought periods when no sheep are present.

The document should provide "Clear and convincing evidence" on the known and historic ranges of the species; the most recent population estimates and trends; threats to the species; and proof that the population decline is more than a normal fluctuation.

We don't believe that Sheep Grazing in the West Mojave merits the restrictions imposed by the document. We do not believe that sheep grazing in the West Mojave presents a threat to the species MGS or desert tortoise; nor is there "Clear and Convincing evidence" illustrating such.

How are the above comments consistent with the Bush administration's effort to work together, where possible, to achieve conservation through Cooperation, communication and Consultation?

Sincerely,



Frank Munoz  
Executive Secretary

CC: Francisco Iturriria  
President, KCWGA

William Haigh, Project Manager  
Larry Morgan, BLM, Moreno Valley, Ca.  
Anthony Chavez, BLM, Barstow  
David Sjaastad, Ridgecrest BLM

West Mojave Plan  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

September 7, 2003

We are writing in regards to the Draft Environmental Impact Report and Statement for the West Mojave Plan. We have the following comments:

1) Executive Summary page ES-1. The West Mojave Plan (Plan) is a habitat conservation plan and federal land use plan amendment that (1) presents a comprehensive strategy to conserve and protect the desert tortoise, the Mohave ground squirrel (MGS) and nearly 100 other sensitive plants and animals and the natural communities of which they are a part, and (2) provides a streamlined program for complying with the requirements of the California and federal Endangered Species Acts (CESA and FESA, respectively).

We believe that this plan does not adequately protect any of the above-mentioned plants and animals. Very few of the 100 other sensitive plants and animals have been studied in the context of this plan. We have many years of experience of destruction both of these referenced plants and animals as well as the natural communities of which they are a part.

2) 3.2.3.2 Mojave River

The water-bearing alluvial deposits of the Mojave River are a major source of ground water in the study area. Hard rock formations along the river divide the course river deposits into numerous subsurface basins. Water from the river recharges these basins.

Appendix F – Mojave River Wild and Scenic River Eligibility Report

Lands along the river are largely in private ownership.

Of the 100.5 river miles between Mojave Forks Dam and the Mojave Sink at the western boundary of the Mojave National Preserve 23.6 are managed by the BLM.

Water flow in the Mojave River is greatly reduced by groundwater pumping from presettlement and historical periods, and the Mojave River Basin is in severe overdraft.

From these comments it seems to us that the BLM needs to focus more effort on bringing the Mojave River back to life to help protect the 100 or more sensitive plants and animals in the Plan. There is no strategy in the Plan to assure that over pumping does not continue and that the responsible parties provide the water needed to assure existence of the riparian areas need for the plants and animals that are to be protected by the BLM.

3) Recreation Appendix T

Table T-1 dispersed around Barstow for the period October 1, 2000 to September 30, 2002 there were recorded 74,008 visits to target practice, 53,379 photography and 75,728 picnicking.

We see no record of persons killed or injured by gunfire. We believe that all shooting of guns is inconsistent with all other uses of the public lands in the Plan. Shooting should be restricted to specific area where safety can be assured for other users or potential users of the land. By allowing gun shooting in any area of the Plan other uses are restricted. We know we will not ride a horse or a cycle in an area where gunfire is authorized. We also do not trust the safety consciousness of a group of partying target shooters in the desert. Partying and guns do not mix.

4) Chapter 2 page 2-146

At this point in the new route implementation process, if no new funding for law enforcement is forthcoming, then all that can be done to obtain voluntary compliance has already taken place. Voluntary compliance would be slow in the beginning, but would increase over time (within the next 2-10 years).

It has not been demonstrated that there is adequate funding to implement the Plan. We believe that if adequate funding is not available at the time of adoption of the Plan the use of all motor vehicles should be severely restricted until such time as adequate funding is available to protect the 100 plus sensitive plants and animals. If users cannot comply with the route designations then close the area until they can self-police the problems or there is adequate funding for BLM law enforcement. Persons who violate the route designation should be tracked and repeat offenders should be barred from BLM property and prosecuted.

5) Chapter 2 page 2-153

The success of the West Mojave Plan's conservation strategy would depend, to a great degree, on the ability of the participating agencies to ensure that its measures are being properly implemented, that its strategies are effective and that the plan is flexible enough to adapt to the changing conditions and circumstances.

Our assessment is that the Plan does not provide adequate staffing of biologists and other technically trained personnel to monitor implementation of the Plan.

6) Chapter 2 page 2-113

Monitoring of grazing allotments resource conditions would be routinely assessed to determine if Public Land Health Standards are being met.

The cost to monitor minor grazing allotments far exceeds the benefit both to the rancher and to the taxpayer. The taxpayer subsidizes grazing in the desert. We are in the middle of a long-term drought. It is time to phase out all grazing and stop the taxpayer subsidization of the destruction of what little plant and water resources remain on the desert.

Grazing cattle and sheep often destroys riparian areas. These areas are too limited in number and too high in value to the protection of sensitive plants and animals to risk destruction during a low value grazing operation.

7) Chapter 2 page 2-42 2.2.3.3 Take Authorized by Incidental Take Permits  
Table 2-11

Burrowing Owl

Authorized Take

Take (eviction from burrows) allowed within city limits and in County urban areas. No direct taking (killing) of any owls.

Habitat Conserved

Acquisition of occupied habitat in Antelope Valley, along Mojave River, and possibly Brisbane Valley. Conservation must match take on an annual basis.

In order that conservation matches take there must be survey work done on each development project. We do not see the mechanisms to accomplish this in the Plan.

8) Comments specific to Juniper Sub Region

This sub region lies within a 5-30 minute drive of the fastest population growth area in San Bernardino County. It contains the Juniper Flats ACEC, which was established in 1980 by the California Desert Conservation Area Plan for protection of cultural sites, both prehistoric and historic. The management plan (1988) for the ACEC includes limited OHV use on designated open routes only. The Post Willow Fire management plan (1999) recognizes the dangers of unauthorized OHV travel on the sensitive cultural sites, and increased monitoring was to be a part of the plan. However, the proposed alternative for open routes in the ACEC increases the number of motor vehicle routes.

A route (J1299) not inventoried or mapped in the West Mojave Plan as published, has been approved in the Decision Record CDCA Plan Amendment Western Mojave Desert Off Road Vehicle Designation Project. This particular route (J1299) according to the Plan "provides important connectivity through BLM lands to USFS lands bypassing private property where trespass use has been an issue" (Decision Record, CDCA Plan Amendment Western Mojave Desert Off Road Vehicle Designation Project, PPA.2.2.2, Table 1-Proposed Specific Modifications of Designation Project Route Network, Map 69). This route in effect runs the length of the ACEC North-south, along the private property fence and within 10 feet of it, directly through a cultural site and the major

riparian habitat of the area called Cottonwood Springs. In addition, while the BLM constructed a fence and parking area to allow *only non-motorized* traffic to the important riparian area and cultural sites, this motorcycle route goes behind the fence and directly through the sensitive cultural/riparian area. It more or less parallels Juniper Flats Road, which provides connectivity with the USFS lands. Approval of this motorcycle route negates all the money and effort the BLM has expended in the Juniper Flats ACEC, and opens the cultural sites and riparian area to further vandalism and destruction. This action is in **conflict with the requirements of the National Historic Preservation Act to “protect identified significant cultural sites”** (as explained in Table 2-21 of the West Mojave Plan.

The Decision Record includes several routes that are now proposed closed because they direct illegal OHV traffic into private property, and riparian areas. Juniper Sub Region includes several parcels of private property which are surrounded by BLM lands, as well as adjacent private properties to the north, including what is know as Milpas Highlands.

It should be noted that all the proposed trails that did not exist on the previous maps (1985-87) have been created in direct conflict with the “*existing regulations (West Mojave Plan 2.2.6.4 Stopping, parking and camping) which state” no one may operate an off-road vehicle on public lands in a manner causing, or likely to cause significant, undue damage to or disturbance of the soil, wildlife, and wildlife habitat, improvements, cultural or vegetative resources or other authorized uses on public lands.*” By approving these illegal routes the BLM is rewarding illegal activity on public lands.

Arrastre Canyon includes several important riparian areas including springs and seeps. These are surrounded by hills with a thin, gravelly layer of soil, which are susceptible to excessive erosion. However, this area includes a very large number of newly designated open routes including routes along ridgelines, up steep hillsides, and through the riparian areas. In addition, the area has been subjected to repeated wildfires, the latest of which was the Willow Fire in 1999. Rehabilitation of the area is still underway. Weed infestation and wildfires are still significant threats.

The proposed trail network in Juniper Sub Region is inconsistent with the requirements of the **Code of Federal Regulations 43 CFR 8342.1** as explained in Table 2-21 of the West Mojave Plan:

*“-Trails shall be located in a manner to minimize impacts to the physical resources (i.e. soils, watershed, vegetation, air and other resources) .....*

*-Trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. Special attention should be given to protect endangered or threatened species and their habitats.*

*-trails should be located to minimize conflicts between off-road use and other existing or proposed recreational uses of the same neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors”.*

*The network of routes in Juniper sub region (many of which converge on riparian areas) also conflicts with requirements of Fish and Game Codes as explained in Table 2-21: "Establishes requirements protecting riparian habitat, particularly with respect to governing allowable levels of disturbance."*

**Redesign areas (West Mojave Plan 2.2.6.3)** *"Based upon various new and significant concerns (e.g. desert tortoise and other sensitive species habitat) eleven of the sub regions (includes Juniper) were selected for detailed designation updates.....Juniper sub region was selected because of the interests expressed by the local equestrian community".*

*"The first step in developing the 2002 route designations was to conduct a detailed field inventory in ten of the eleven sub regions". A foot note states: "The Juniper sub region was not subjected to a detailed field inventory due to time constraints and the availability of route inventory data that adequately met the needs of the more detailed designation update".*

Note the inconsistency between the two above noted comments from the Plan. It is apparent from fieldwork done by local citizens, property owners and interest groups that the BLM has not completed adequate fieldwork to properly determine legitimate routes of travel in Juniper Sub Region. This is the case even though the West Mojave Plan states that *"field inventories and the design of a route network compatible with sensitive resources was undertaken in the Middle Knob and Juniper Flats areas"* (2.2.6.1).

West Mojave Plan, Chapter 4.2.5.3.2 page 4-130 states *"Bureau of Land Management records indicate that no known cultural resources are directly impacted by open routes of Alternative A"*.

Based on personal fieldwork this conclusion can only be drawn because the BLM records and fieldwork are incomplete.

According to Appendix T, Recreation, use of Juniper Sub Region is broken down to 18%-20% (2559 visits, 505 Visitor days in years 2000-2002) OHV, including cars, trucks and SUVs, and 80%-82% (11841 visits, 2119 visitor days in years 2000-2002) other recreation (camping, hiking, walking, running, horseback riding, hunting, nature study, photography, picnicking, cultural and wildlife viewing). However, when one looks at the proposed motor vehicle route maps, the emphasis is clearly on OHV travel. If this route map is to be adopted, the other activities will be squeezed out. Wildlife, nature viewing, hiking, horseback riding and so forth do not mix well with the noise and erosion caused by OHV traffic. Clearly, the proposed route network does **not comply with the requirements of FLMPA as explained in Table 2-21:**

*"to manage public lands on the basis of multiple use and sustained yield; resource values to be protected;.....provide for a balanced and diverse combination of recreational uses....."*

Juniper Sub Region involves approximately 16-20 miles of interface with the USFS, an agency that is preparing a Southern California Province Forest Plan (West Mojave Plan 1.5.3), including conservation programs for the San Diego Horned Lizard, short-jointed beavertail cactus, gray vireo (West Mojave Plan 2.2.4.8.2) and arroyo toad as well as motorized vehicle and recreational access. These are all conservation issues within the Juniper Sub Region, and the BLM and the Forest Service should therefore be working on compatible if not collaborative conservation plans. The Western Mojave Desert Off Road Vehicle Designation Project has 16 open routes of travel that enter the forestlands to the south, as well as several parallel routes. Some of these routes are redundant and lead directly into the area of Deep Creek, which is being considered for designation as a Wild and Scenic River.

In considering all of the available data, it is our opinion that extensive fieldwork in the Juniper Sub Region is necessary in order to develop a management plan that will continue to provide for multi-use and conservation of resources. Our strong recommendation is the adoption of a Separate Management Planning Unit for the Juniper Sub Region. This would allow for a collaborative effort with local cities, residents, and interested local groups. Pending completion of the collaborative effort, the "No Action" Alternative of the Route Designation Project should be implemented with an immediate increase in ranger patrol.

Initiation of a Separate Management Planning Unit would give the BLM as well as interested groups, city recreation departments, and residents a chance to come together, complete the necessary fieldwork, and provide solutions for appropriate access and recreation, that will sustain the health, diversity and productivity of this area for the use and enjoyment of present and future generations.

We look forward to your response regarding the above issues concerning the West Mojave Plan, the recommendation to adopt the area as a separate Management Planning unit, our request to implement the "no action" alternative pending completion of the collaborative planning effort, and increased ranger patrol.

Thanks you for the opportunity to comment on this plan and the work and efforts by all involved. We remain hopeful that the West Mojave Plan will be comprehensive, including the participation of the counties and cities, to insure the best possible Habitat Conservation Plan for the West Mojave, crafted with science that will protect the plants, animals and beauty of this desert.

Sincerely,



Mojave Group, Sierra Club  
Kim Floyd, Conservation Committee  
Carol Wiley, Chair

# Comments on West Mojave Plan

CHAPTER 2 page 2-112  
LG-1

BASED ON HOLECHECK, THIS IS NOT IN THE CALIFORNIA DESERT. THE MOST CURRENT INFORMATION IN THE CALIFORNIA DESERT ON 7 OF THE RANCHES MENTIONED HAVE UTILIZATION LEVELS AND STUDIES CURRENTLY ON RECORD IN THE BLM OFFICE SINCE 1986, WHICH RESOURCE CONCEPT HELPED DEVELOP UTILIZATION LEVELS AND AMPS. CURRENTLY RATTLESNAKE CANYONS TOP PORTION IS 50% BOTTOM PORTION AT 40%. THESE LEVELS ARE MAINTAINED AND ARE ON RECORD IN THE BLM OFFICE. THESE STUDIES WERE DONE IN NEW MEXICO NOT THE MOJAVE DESERT. RESOURCE CONDITIONS SHOULD BE CHECKED YEARLY BUT DUE TO FUNDING CANNOT BE DONE.

LG-3

Public lands have no rights attached to them. Federal grazing lands do.

Page 2114

2.2.5.3.1

THE BLM SHALL ISSUE 10 year permits in accordance with studies and the 3 C's with the rancher to achieve this.

Pg 2-115  
paragraph 3

Due to funding not available to monitor 7 ranches.

paragraph 2

It is impossible to an allotment into compliance within 1 month.

Public lands have no rights attached to them only Federal Grazing Lands have rights attached. Formal Consultation must be met with rancher.

LG-5

NOT Feasible it takes 1 day to call ~~for~~ BUM, 1 day for BUM to get to rancher. 2-3 days for rancher to find the carcass, unless you and the BUM have USGS (which ranchers usually do not have.) CLEARLY takes a week. AGAIN HERE IS A plan that was devised by people ~~then~~ other than ranchers. PLEASE address CDEA it has worked for 20 years.

Page 2116  
LG-9

THERE IS no possible way with

funding. BLM HAS TO ACHIEVE THIS GOAL. Realistic 3-5 years.

LG-10

Pilot KN03 of any livestock operation should only be retired by an act of Congress. To avoid confusion, the voluntary relinquishment of a grazing permit is best referred to as just that "relinquishment" not "retirement". A decision to foreclose livestock grazing is not permanent. It is subject to reconsideration, modification and reversal in subsequent land use plan decisions, only Congress may permanently exclude lands from grazing use.

Page 2-116

2.2.5.3.3.

LG-9 AGAIN NOT ENOUGH TIME TO COMPLETE.

2.2.5.41

LG-10

AGAIN ONLY AN ACT OF CONGRESS CAN PERMANENTLY EXCLUDE LANDS FROM GRAZING USE.

CHAPTER 4

pg 4-98

4.2.3.3.1.

2nd paragraph

~~Without~~ the species present  
how do you justify the recovery

pg 4-103

4.2.3.3.8

according to the TGA there  
is no such thing.

pg 4-268

4.8.3.1.

In 1986 the CINCA was signed  
off with all environmental groups. THE  
plan has worked and still is working.  
I like ALTERNATIVE G.

Jenny Wilder, 7323 SVL Box, Victorville, CA 92392  
760 243 3999, [JensOasis@aol.com](mailto:JensOasis@aol.com)  
Hiker, California Desert explorer and 30 year resident in the Victor Valley,  
California.

Comments on:

“Draft Environmental Impact Report and Statement for the  
West Mojave Plan”  
A Habitat Conservation Plan and California Desert Conservation Area Plan  
Amendment

Comments directed to:

West Mojave Plan  
22835 Calle San Juan De Los Lagos,  
Moreno Valley, CA 92553

September 5, 2003

## **INTRODUCTION:**

The human population in the Mojave Desert is exploding at an alarming rate, and the task assigned to the BLM to conserve the public lands for future generations is becoming ever more complex. However, the task becomes simpler if we do not lose sight of the future and a clear vision of what our public lands may hold in store for our grandchildren and their grandchildren. We must not let the complexities of the job of balancing recreational use; conservation and productivity blind us so that we no longer see the vision. What is the public vision for the lands in question? The various laws passed by the democratic process of the American People may give us a view into this window. These laws include protection of endangered species. The West Mojave Plan is a *“habitat conservation plan and federal land use plan amendment that (1) presents a comprehensive strategy to conserve and protect the desert tortoise, the Mohave ground squirrel (MGS) and over 100 other sensitive plants and animals and the natural communities of which they are a part, and (2) provides a streamlined program for complying with the requirements of the California and Federal Endangered Species Acts (CESA and FESA, respectively”*. (West Mojave Plan Chapter One, Introduction 1.1)

### **Laws to be taken into consideration are (West Mojave Plan 1.5.2):**

Federal Endangered Species Act  
California Endangered Species Act  
National Environmental Policy Act  
California Environmental Quality Act  
California Planning Statutes  
Federal Land Policy and Management Act  
National Historic Preservation Act  
California Desert Protection Act  
Clean Water Act  
Clean Air Act  
Wilderness Act  
Taylor Grazing Act  
Sikes Act  
Mining and Minerals Policy, and National Materials and Minerals Research and Development Acts  
Mining, Mineral Leasing, Material Disposal and Reclamation Acts  
Federal Executive Orders and Congressional Mandates

Loss or degradation of species habitat in urban areas, along and beyond the urban interface may lead to threatened extinction of the species, which, in my opinion, will ultimately include the human race as we know it today. It is for this reason, that conservation of the environment is such an important issue. If we allow all lands to be destroyed with urban growth, pollution and degradation there will be no chance for the survival of humans. What is happening to the tortoise, the ground squirrel, the burrowing owl, the eagle etc. and all the endangered plants, is a preview of what will happen to our grandchildren and their grandchildren.

All people who use public lands must be held accountable for their actions. The BLM, as manager of the public lands, has the responsibility of ensuring that all users are adequately educated about the public's vision for the land we use, so that we can make the choice to use the land appropriately. This education is indeed the most important single step to ensure responsible public use of public lands. Without education, people will do what they want, and cannot be effectively held accountable. Education of the public must use all available medium including schools, television, internet, kiosks, maps, brochures, businesses, various clubs and groups who regularly use the land etc.

The BLM has the responsibility of enforcing the rules and regulations that are set up to ensure that the users of public land carry out their activity within the parameters set forth to protect the public vision for the future condition of those lands, and the species within those lands.

### **ALTERNATIVES:**

I have studied the proposals to the best of my ability, and I appreciate the efforts of the BLM to put together comprehensive materials that the lay person may find of benefit. I found the overall layout, tables and charts as well as appendices of great assistance. Following are my conclusions, suggestions and questions regarding the West Mojave Plan.

#### **Economic Stimulus**

The West Mojave Plan is intended to provide an economic stimulus to communities in the West Mojave Desert by simplifying the process of complying with CESA and FESA and secondly to conserve natural communities and sensitive species. The Western Mojave Desert communities have found their own stimulus and the Victor Valley is the fastest growing community in San Bernardino County. There is no need for such a stimulus. Although I do not know the figures, it is visibly apparent that the Palmdale/Lancaster area has also found its own stimulus, because it has grown even more rapidly than the Victor Valley. Both areas suffer from rampant sprawl, without regard to the quality of life. Both areas could be better satisfied with smart growth plans, rather than attempts to speed growth and provide incentives to build more cheaply. Smart growth in these areas would include "infill" using already disturbed acres of desert within the city boundaries before undisturbed acres. Is economic stimulus *at any cost* really what the majority of people want?

#### **Water:**

Because of the huge growth in the Victor Valley, the level of water in the Mojave River Basin is dropping at an alarming rate. In minutes residents are gobbling up water that has taken thousands of years to accumulate. The lowered water table is placing stress on the once abundant and healthy Cottonwood trees along the river. They are now diseased and dying, even in Mojave Narrows Regional Park. More growth will only cause more problems. The West Mojave Plan explains quite well the importance of the Mojave River and the habitat currently along the riverbed. This is home to a number of species that the

West Mojave Plan hopes to protect (West Mojave Plan 2.2.4.4). The West Mojave Plan recognizes the groundwater criterion and a monitoring system for the water level in order to protect this important habitat. This criterion was derived from the Mojave Basin Adjudication of April 1993. *Does the BLM have any authority over this, and if so, what are the consequences when the rules are not followed, and who will enforce them? The single mitigation fee proposed to replace the more complex system that is now used needs more explanation.* In particular, how the average value of an acre will be determined and how changes of that value will affect the fee. Since the fee is to help provide habitat for the take on protected species, in my opinion that the fee should be more (doubled, tripled) if there is more than one species on that disturbed land. **BLM assisted fast growth will continue to reduce water levels in the Mojave River Basin, and will do nothing to preserve water in outlying riparian areas that are so necessary to the survival of all species. Water is the single most important commodity to humans and wildlife.** The residents in the Victor valley are relying on government officials to ensure that there is adequate water for the future. Wrightwood has already experienced what it is like to turn on the tap and have nothing happen.

#### Air:

Measurement of air pollution has become important because of the known adverse effect on human health. It logically follows that air pollution would also have adverse effects on the health of wildlife.

“Respirable Particulate Matter (PM<sub>10</sub>) is the most important air pollutant in the West Mojave planning area”. Nearly all of the planning area has recorded concentrations of PM<sub>10</sub> in excess of the national and state ambient air quality standards for PM<sub>10</sub> emissions. San Bernardino County desert area is a PM<sub>10</sub> “non attainment area”. Emission sources identified in the plan include construction/demolition, city and county unpaved roads travel and wind erosion, paved road entrainment, city and county disturbed areas and industrial activities. Four BLM open areas are within the non-attainment area and the West Mojave Planning area.

**We are already in trouble with poor air quality and BLM assisted streamlined growth will do nothing to help the area reduce the air pollution being created in the desert by human disturbances.**

My conclusion is that these two important factors (lack of water and air pollution) alone suggest that construction and human activity in the Mojave Desert should be **decreased, not encouraged**. I do not believe that anyone wants to see the Victor Valley shrouded with a blanket of smog, and grasping for water in the hot summer sun. Low impact, non-motorized recreation should be the emphasis. The West Mojave Plan objective to provide impetus for growth does not comply with many of the acts mentioned in my Introduction in **the West Mojave Plan 1.5.2**. However, alternative A is a “habitat conservation plan” presumably because it collects fees that will be used to conserve habitat. I found the explanation for this fee program too complex for a comment, other than “I sure hope it works”!

### **Route Designation:**

Multiple use and sustained yield are to be the emphasis under guidelines established by the Federal Land Policy and Management ACT (FLPMA) of 1976. The proposed Route Designation in the local areas that I have traveled and studied, do not embrace this objective. This is because routes less than 4 feet in width have been included on the maps, and most of the routes on the maps provided are this type of route. Didn't the CDCA specify that such routes should be forbidden? How many of these routes are included in the so called "access" network? In recognizing and including the miles of these routes as "access" the public is being blindsided. We look on the map; think that we can travel to an area only to find that the route is 2-3 feet wide and impassible with the family car or even jeep. By not identifying the nature of the authorized trails, the BLM is not promoting multiple use, but rather OHV and in particular motorcycle use.

Increased growth in the West Mojave will bring increased OHV traveling. This will include SUV and jeep type touring as well as use of motorcycles, ATVs etc. In general residents are getting tired of the noise and dust caused by "dirt bikes" (riders wear respirator type masks!) and there is a trend to use the family vehicle for touring the desert. This type of touring, which often includes nature study has less impact on the environment and should be the encouraged form of OHV experience outside the OPEN areas. I do not believe that the majority of residents prefer to have areas similar to OHV Open Areas as a future vision for the Mojave Desert.

Route designation, route maintenance, parking and staging areas should be the emphasis. Maps and informational pamphlets should indicate the type of trail that is open, and the preferred stopping/camping/parking areas, as well as resources of interest in the local area. Trails should not be allowed to destroy **cultural resources** before the site is adequately documented, and then only if there is no other alternative. The Mojave Desert is unique in its wealth of prehistoric sites which are not getting the attention they deserve. The West Mojave Plan lacks the necessary tools and incentives to preserve these sites for future generations.

Where are the staging areas? Why does the BLM not provide adequate maps with details such as which routes are usable by trucks and cars and horse trailers? It would take a person a month of Sundays to determine if there is indeed access to any of the recreational areas mentioned in the West Mojave Plan by families not intending to visit on a motorcycle.

**I am requesting that hiking and equestrian trailheads** be designated to promote multiple use. Such trailheads, with parking areas and facilities to allow for the orderly use by equestrians should be constructed at the following sites:

Tahiti Falls in Upper Arrastre Canyon, Cottonwood Mesa in Juniper Flats ACEC, trailhead with parking off Coxey Truck Trail at the boundary with the forest service, a site near Deep Creek and Hot Spring hiking trail, Lovelace Canyon, Grapevine Canyon, Dove Spring, Two-hole Spring, old Partin Mine/Terrace Springs, Vaughn Spring in Upper Rattlesnake Canyon.

Public use monitoring of these sites is also necessary, and a schedule for implementation, as well as regular monitoring to protect associated resources.

I am just learning about regions neighboring my residence. As I learn more, I am becoming increasingly concerned about the condition of and future health of public lands in the surrounding desert and mountains. Routes are proliferating at an alarming rate, cattle grazing continues to make its mark on the landscape, natural vegetation and wildlife, yet overgrazing seems to be commonplace. Riparian areas are generally ignored by the BLM and left to be destroyed by erosion caused by cattle and OHVs. The BLM has access to information regarding these riparian areas, but for some unknown reason it is buried and obscured by the misguided effort to establish excessive motorcycle trails in the region. Off road motorcycle traffic should be *very limited* in areas outside the OPEN OHV areas created for this kind of recreation.

### **Juniper Sub Region**

**Because of the problems listed below I am requesting that this entire sub region be given serious consideration for a separate management planning unit using a collaborative effort together with the local community, residents, interested groups and individuals. I also request that the “no action” alternative of route designation be adopted in the interim so that a real multiple use system may be developed.**

This small region is adjacent to the largest growing area in San Bernardino County. It is known to contain numerous cultural sites, riparian areas, and sensitive species (birds, reptiles, plants). The region contains pockets of private land with several residences as well as several miles of adjacent land that is being rapidly developed with housing. A coordinated planning effort initiated in 1996 addressing route proliferation problems and private landowner interface issues was halted before finalization with the BLM stating that the planning effort would be adequately and finally addressed in the WEMO plan. What was the “vision” for the area of this coordinated effort? The Route Designation Plan that was published in May 2003 did not address those issues raised by the local residents, and several routes have been closed in an amendment because of protests by the landowners. The BLM did not follow proper procedure for involving the public in this region. This same amendment added a route (J1299) that travels the length of the Juniper Flats ACEC, enters an important cultural site, and continues within 10 feet of a private fence to Cottonwood Springs which is an important riparian area. This route was not listed or mapped on the original public documents, but never the less has been included in the Route amendment as authorized. It is less than 4 feet in width, and is an illegally created motorcycle route.

The currently proposed web of routes that have been illegally created by motorcycle users will ensure that the region continues to deteriorate, with irreparable damage to hillsides, drainages, and loss of wildlife, and cultural sites. This web of routes increases the chance of recurring fires and maximizes the potential for non-native invasive plant species to spread.

Numerous inconsistencies in the descriptions of the routes and region in general indicate that the area is not well known to the current BLM employees. Documented (West Mojave Plan, Appendix T 2000-2002) visits to the area indicate 20% OHV (including SUV), and 80% other, yet the emphasis is placed on OHV. Documented use of trails by the equestrian community is being negated by acceptance of horse trails as motorcycle trails, which are now being authorized as legitimate. Documented cultural sites are being ignored, and unprotected from route proliferation. Pro-OHV ranger patrol has been ineffective in preserving the biological resources in the area. Routes converge on riparian areas (some of which do not show up on the maps), climb steep hills and follow the ridge tops of hills with shallow, gravelly soils. Arrastre Canyon contains so many of these routes that they are too numerous to count, and extremely difficult to identify in the field. Some of the proposed open routes are mere rabbit trails or washes that were overgrown in the spring of this year. I was able to document some of these routes during this comment period; however, there are still numerous routes yet to be explored. The results of my documentation follow.

I am amazed at the responses for my protest letter on the Route Designation Plan that I received for the few routes that I suggested be closed to motorized traffic in Arrastre Canyon. I am restating the facts of those routes, and including a supplemental page which includes a larger scale portion of the maps.

My protest (reference to trail location from the Code of Federal Regulations 43 CFR 8342.1):

*"Map 69, Square #32 (Arrastre Canyon). The following routes all converge on a spring, clearly marked on the map-J1074, J1078, J1011, J1008A, and J1008 (or otherwise unspecified route). No motor vehicle routes should go through this area because it is a location frequented by wildlife.....and provides habitat for multiple species. The area contains numerous different species of plants. The routes mentioned are NOT 'located in a manner to minimize impacts to the physical resources' and are NOT 'located to minimize harassment of wildlife or significant disruption of wildlife habitat.....' The location of these routes also clearly ignores the State Fish and Game Codes to protect riparian habitat. ..."*

**Response received:**

**J1008A change from open to closed.** The closure of this route will remove motorized use from directly impacting the spring and its associated riparian habitat.

**J1008 is not in the area of referenced spring or its habitat,** but will be closed north of J1001 (Power line Road) due to issues related to trespass.

*I have now marked this route on the enlarged scale portion of the map, and provided an arrow to the location that I referenced in my protest letter. . Note that the scale of this map is provided and is approximately one **half mile** to one inch. J1008 leads to the riparian area and to J1002F as well as an undesignated loop trail (green), and to J1008A as well as J1074. Since there are so many trails in this square ¼ mile of riparian*

*habitat, it is difficult to know which number belongs to which trail. All should be closed to motorized traffic within at least ½ mile of the habitat boundary.*

**J1074 will remain designated as Open.** This route is approximately .5 miles away from the spring and its associated riparian habitat. The closure of J1008A will remove motorized use from directly impacting the spring and its associated riparian habitat.

*Perhaps I referenced this route when in fact it may be J1011. I have now denoted the route with an arrow on the enlarged map. It is the green line leading into the riparian area from the North east.*

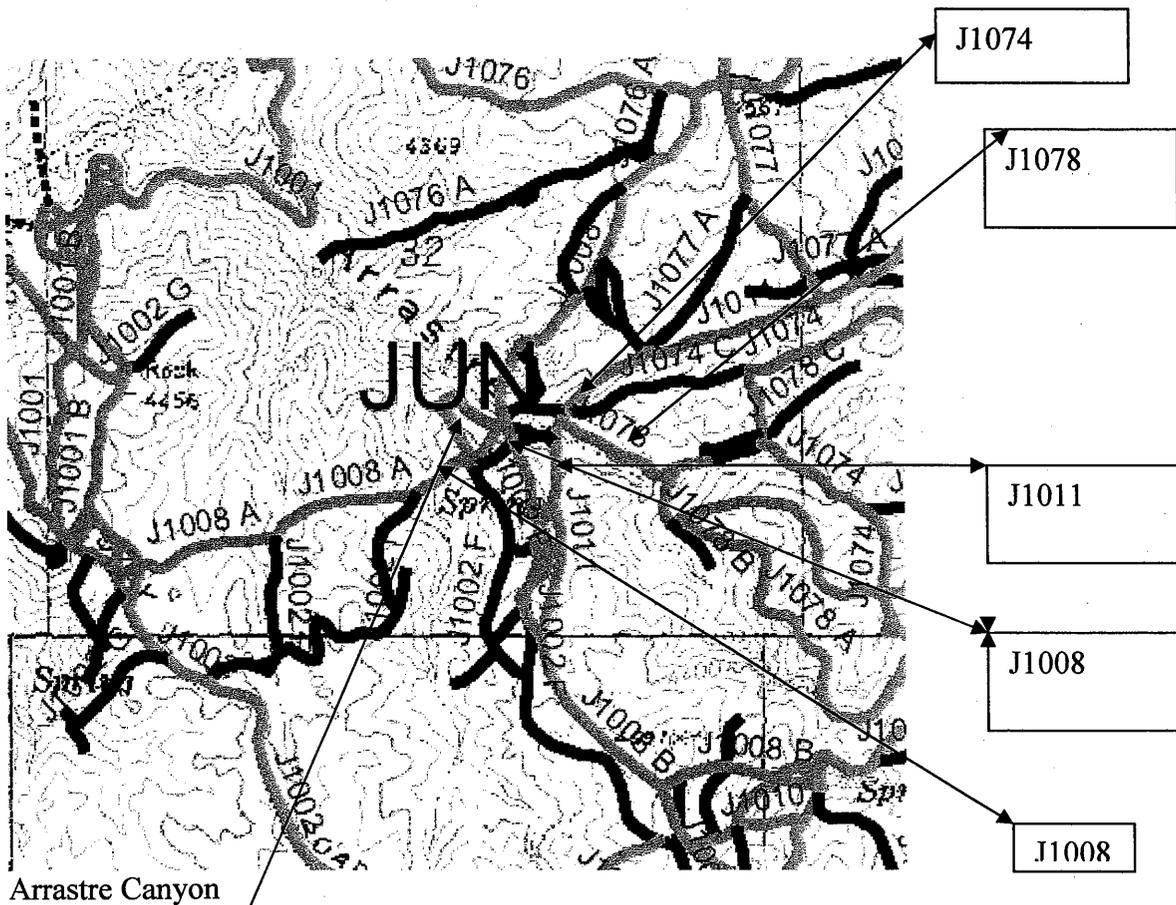
**J1078 will remain designated as Open.** This route dead ends approximately 0.5 miles away from the spring and joins another route that leads motorized traffic away from the spring and its associated riparian habitat. The closure of J1008A will remove motorized use from directly impacting the spring and its associated riparian habitat.

*I have placed an arrow to that portion of J1078 which is within the riparian area and in fact follows the blue line on the map designating water. For this reason J1078B (possibly the red line) and J1078A should be closed to motorized traffic. These routes follow too closely from one spring to the other, and along the natural drainage of area. The section of J1078 that leads to J1078A should therefore also be closed, and shouldn't the dead ending of a route be closed? What purpose does it serve?*

**J1011 shall remain designated as Open.** This route is approximately .5 miles away from the spring and its associated riparian habitat. The closure of J1008A will remove motorized use from directly impacting the spring and its associated riparian habitat.

*There are two routes leading into the riparian area from the south. These are parallel green routes with connecting routes within .5 miles of the riparian habitat. One of these routes is J1011 and the other could be J1002F (although I think this is the red line), or J1008B.*

**Note:** See enlarged map on following page. **There are actually three riparian areas encountered as one follows J1008A** from west to east. I have placed large blue dots on the enlarged map for ease of identifying these habitats. The **main riparian habitat is the Arrastre canyon itself**, and I have enlarged the blue line on the map with a highlighter for ease of identifying it (the proposed trail network overshadows these natural features on this route designation map).



*My protest:*

*“Map 69, square #4 (Arrastre Canyon). The following routes all converge on a second spring marked clearly on the map- J1010F, J1008B, J1008 and an unnumbered route (possibly J1013, or J1012...). J1078A also comes very close to this spring. There should be no motorized routes in this vicinity because the area is frequented by wildlife, and provides habitat for a variety of species.....The location of these routes also clearly ignores the State Fish and Game Codes to protect riparian habitat...”*

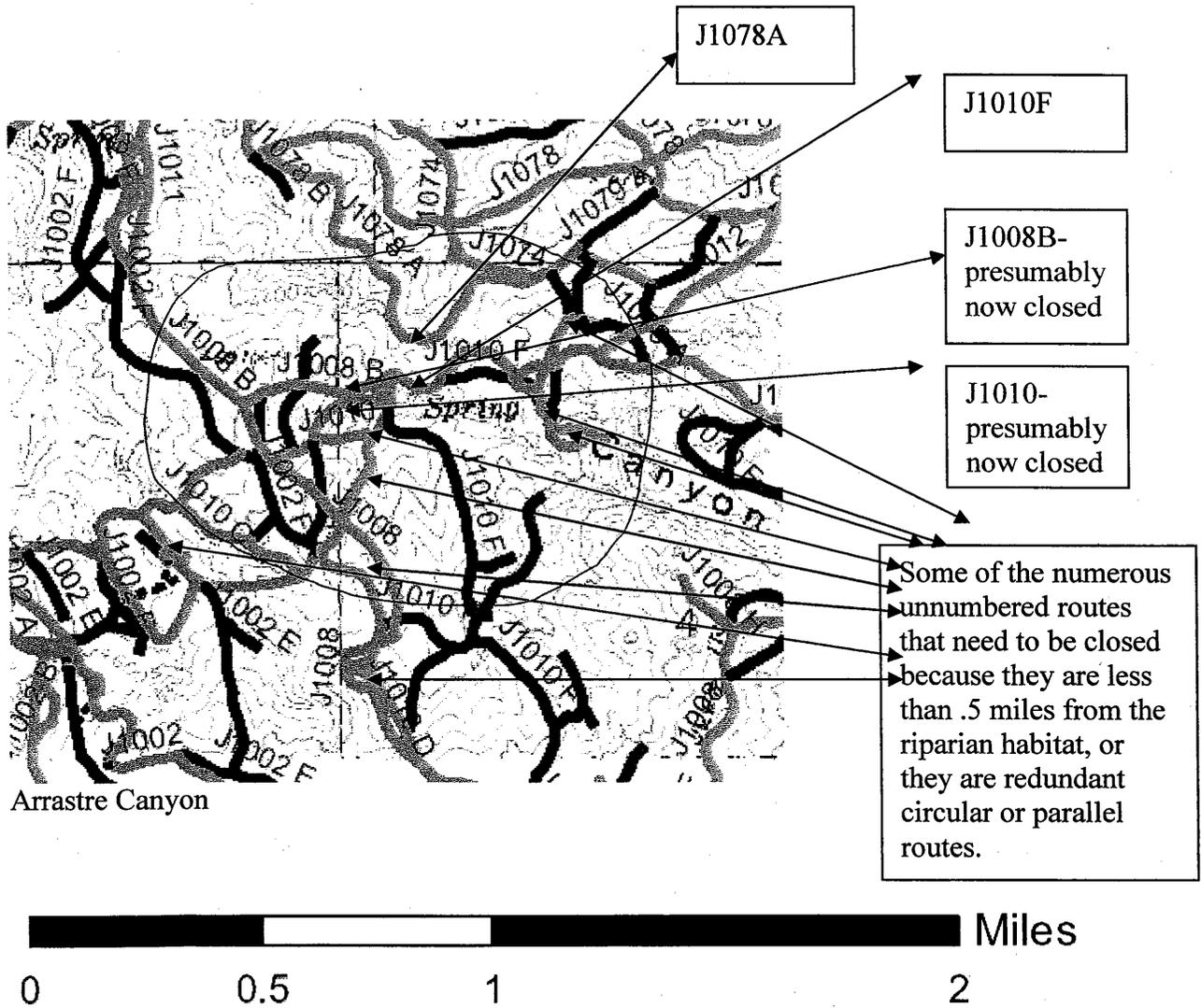
Response received:

**“Route J1010F was already designated as Closed and will remain designated Closed. Route J1008B shall be changed in designation from Open to Closed on that portion located east of the intersection with J1008.**

Route J1008 is not in the area of the referenced spring or its habitat, but will be closed north of J1001 (the Power line Road) due to issues related to trespass.

An unnumbered route, possibly J1013, or J1012: **Route J1010 shall be changed in designation from Open to Closed on that portion located west of the junction with J1012. Route J1012 will remain designated as Open.** This route dead ends and joins route J1010 at a location that is sufficiently distant to not significantly impact the spring or its riparian habitat. The closure of that portion of J1010 described above will remove motorized use from directly impacting the spring and its associated riparian habitat.

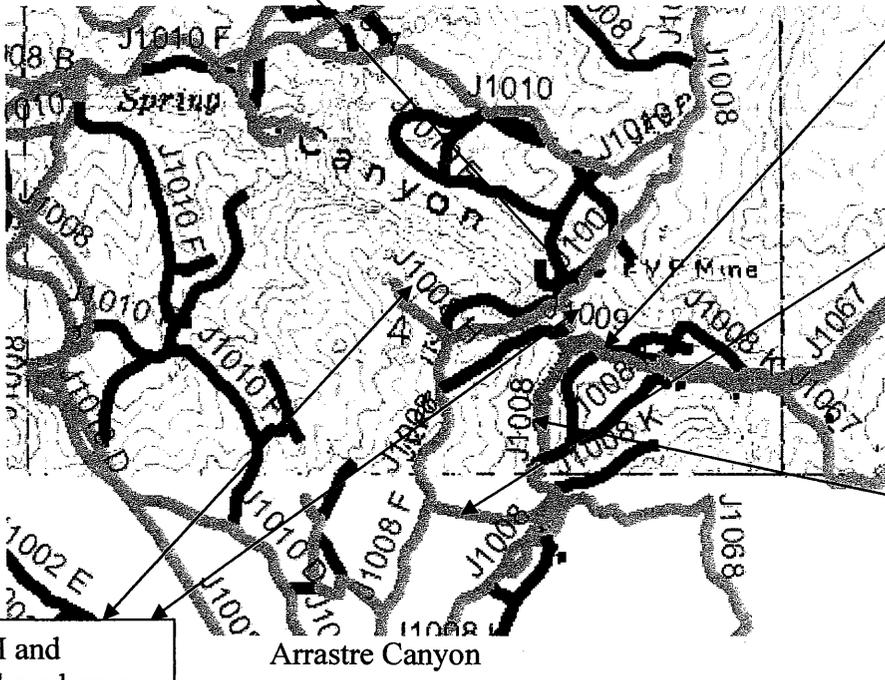
Route J1078A shall remain designated as Open due to its distance from the spring and the closures listed above which should adequately address the impacts described in your letter of protest.”



The blue circle indicates approximately .5 mile radius around the spring and its associated riparian area. All motorized access trails in within this circle should be designated as closed, and especially those that diverge on the area. This includes J1010C, J1008, and J1010D.

Below is another enlarged map containing an unmarked, however very significant riparian area. Following is a photo taken of this area in August 2003. The following routes should be closed to motorized traffic to protect the riparian area, and the species that it serves

J1008 – this section crosses a very important riparian area that should be closed to motorized traffic.



J1067 leading into riparian area should be closed

J1008 connecting route should be closed

J1008 –this section curves around following the riparian area

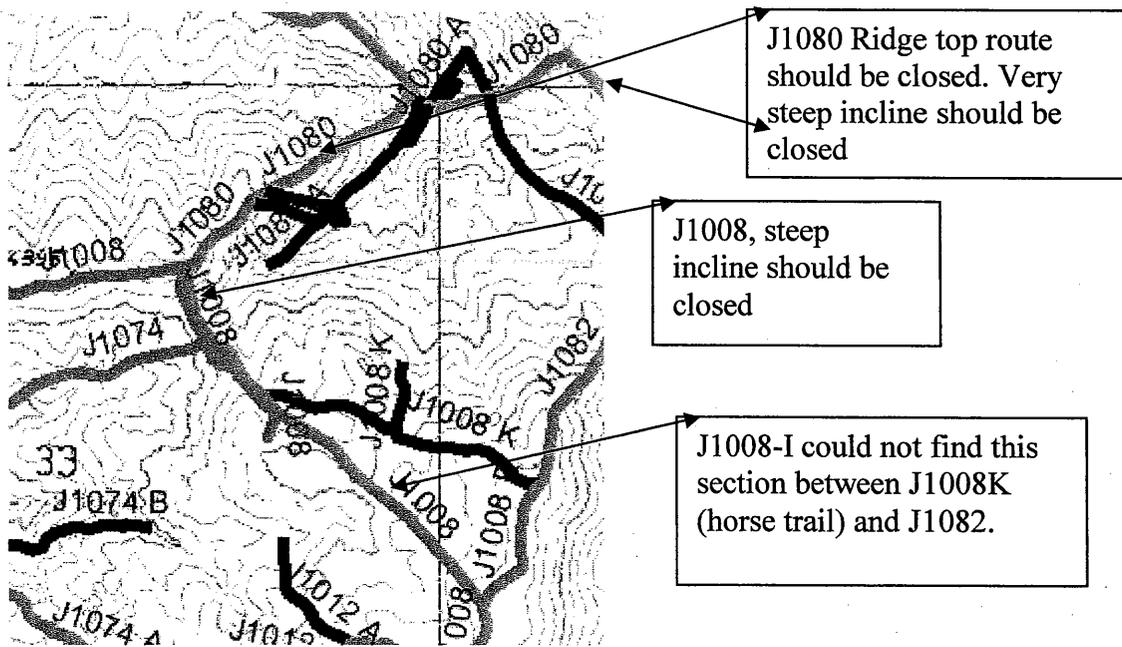
J1008H and unnumbered spur should be closed





Riparian area by the VP Mine in Arrastre Canyon (facing generally north east) Photo courtesy of Jenny Wilder taken in August, 2003

West Mojave Plan 4.2.1.2 states that “Intense OHV use in steep areas yields large increases in water erosion as well as mechanical displacement of soil. ....Most desert soils are much more susceptible to wind erosion after disturbance than in an undisturbed condition (BLM 1980). Wind erosion occurs whenever bare, loose, dry soil is exposed to wind of sufficient speed to cause soil movement. This process would be accelerated whenever the natural equilibrium of the soil is disturbed. ....In general, erodibility increases with increasing sand content and decreases with clay content. ....” In Arrastre Canyon, the hills are almost entirely a thin layer of loose gravel and sand.



Above is an example of some routes in Arrastre Canyon that should be closed due to steep and eroding hills.

The number of proposed Open motor vehicle trails in Arrastre Canyon leaves little room for Equestrian or Hiking trails. If this is to be a safe, multi use area, some trails must remain open to only horse or foot traffic. Otherwise, unsafe conditions will continue to exist, and hikers, photographers, birders and horseback riders, as well as wildlife will be excluded from the area due to noise, air pollution, and disturbance of quiet, erosion and fear of being run over. Three OPEN areas for OHV recreation within a half hours travel time of Juniper Sub Region provide ample opportunity (267,590 acres) for OHV including motorcycle recreation: Johnson Valley (188,190 acres), Stoddard Valley (54,400 acres) and El Mirage (25,600 acres).

**Juniper Sub Region documentation contains the following information:**

West Mojave Plan, Appendix T, 2000-2002 visits indicate that use of the area is predominately other than OHV use. These other uses include camping, hiking, walking, running, horseback riding, hunting, nature study, photography, picnicking, viewing wildlife and viewing cultural sites. Hang gliding is also mentioned in the ACEC management plan. Undocumented uses may include star gazing, birding, and rock climbing.

**San Diego Horned Lizard habitat** is known to exist in this region. (West Mojave Plan 4.8.2.7.3)

**Gray Vireo Habitat** has been recognized to exist in the area (West Mojave Plan, 4.2.2.6.6, 4.8.2.6.6)

**Cultural Resources:** Table 3-64 “Numerous sites have open trash middens, evidence of cooking, tool manufacture, hunting, and plant/animal processing. An occupied rock shelter is also present. Early historic remains are related to homesteading and mining. Scientific use.” (Apparently none of the numerous proposed routes will affect the cultural resources. **Has the archeologist been notified of these proposed routes?**)

**West Mojave Plan, Appendix R (R.2.8)**

Bird survey of 2001 detected **61 species of birds in Grapevine canyon** and **73 species in Arrastre Canyon**. Mountain and California quail were abundant breeding game birds, and the canyons were used extensively by **neotropical migrants**. Tracks were seen of **mountain lions** in upper Arrastre Canyon, and **badger, deer and bobcat** were observed in the two canyons. Several species of **reptiles** were also observed (Laymon, 2001).

**Table 4-45 General Impacts of Route Designations on Motorized Vehicle Access (Alternative A)** states the following:

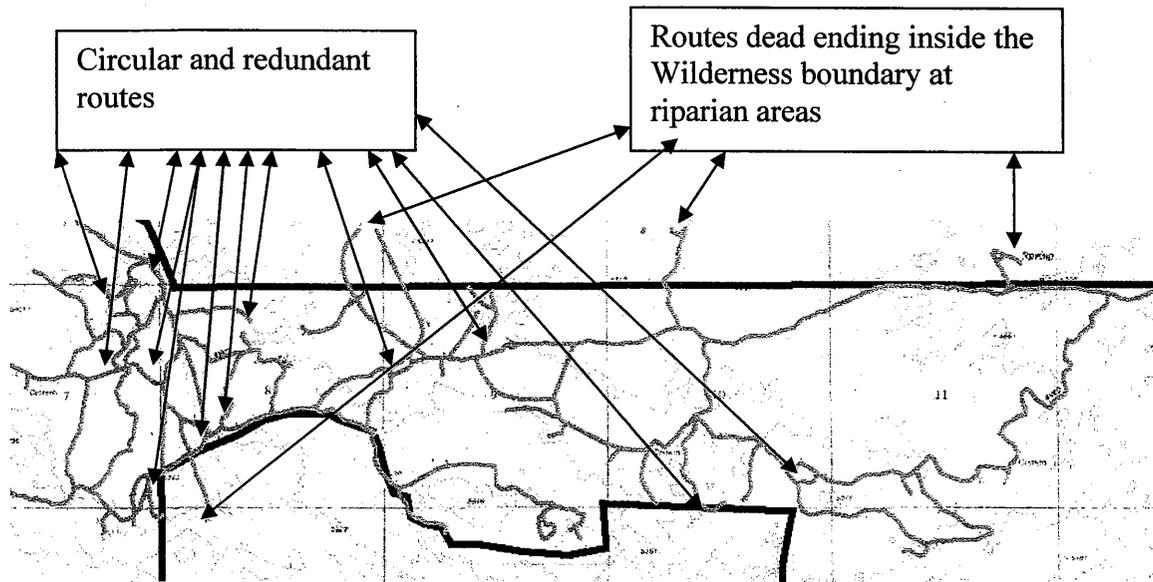
Sub Region miles open	Direct impacts of Route Designations on access opportunity	Indirect impacts of route designations on access opportunity	Notes
Juniper 152	Subregion is relatively small, with a viable route network serving recreational opportunity.	Subregion serves as a staging area for visitors from the Apple Valley wanting to recreate in the San Bernardino Mountains. One route of access would be through the Grapevine Canyon Area of this subregion into the Coyote Flat area of the San Bernardino National Forest, while another would be from the Juniper Flats area in the subregion into the Deep Creek area of the San Bernardino National Forest via the pack trail	Good equestrian access from the Apple Valley to the San Bernardino National Forest through the Grapevine Canyon area, as well as into the Deep Creek area via the Pack Trail.

Does this mean that Deep Creek (a proposed Wild and Scenic River) will be opened up to motor vehicle traffic? Moreover, does it mean that the pack trail will be taken over by motor vehicles? If so, are these choices wise ones?

West Mojave Plan, Alternative A discussion, Table 4-44 indicates there is minimal impact on Equestrians; however, this is not what is happening. Motorcycles are taking over equestrian trails and those trails that have been so widened are now popular for ATV and jeep touring. People on horseback (and hikers) are limited in trail riding because of the noise, erosion, air pollution and fear of being run over.

### **Bighorn Mountain Wilderness**

This is an important Wilderness area where one can experience a rare ecological transition with mule deer, mountain lion, bobcats, golden eagles, and resident and migratory birds. However, trail proliferation is also present between the two sections of wilderness, and open routes dead end within the Wilderness boundaries at springs and riparian areas. These dead ends should be avoided and riparian areas protected. Circular and redundant routes should be closed. These routes are not numbered; does this mean that a field survey has not been completed?



Portion of Map 74 showing corridor between two sections of Wilderness (scale approx 1" = 1 mile)

### **Mojave Narrows Regional Park:**

The West Mojave Plan mentions the park as a Habitat area. I have serious concerns about the health of this habitat. The fence on Yates Road has been cut for almost two years, and OHV tracks abound within the park to the surface water. Horse trails have also proliferated in the last two years, especially around the surface water area by the Narrows. Indeed the whole section of river from the Victor Valley College to the Narrows at Hwy 18 is more of a motorway than a habitat area for sensitive species. There is a virtual road crossing the river from Riverside Drive on the Apple Valley side (close to Yucca Loma Road), and the end of Yates road on the Victorville side by Spring Valley Lake. Apparently the park has been suffering from a lack of funds to adequately patrol, sign and repair the boundary fence in order to protect this vital habitat.

West Mojave Plan 3.1.3.4 states: "This oasis provides habitat for many West Mojave target species, particularly birds. The concentration of species at this location makes the Mojave Narrows Regional Park a biological hotspot, where **17 sensitive species** are found together. The park is owned by the state Wildlife Conservation Board and is

operated by San Bernardino County Department of Regional Parks. It comprises 850 acres, with 450 acres devoted to habitat.”

### **Holding people accountable:**

The West Mojave Plan includes many measures that would maintain and improve the quality of habitat on public lands, and help to restore numbers of endangered species. However, without adequate patrolling and with no consequences for breaking the law and rules, compliance will continue to be minimal. The West Mojave Plan did not address this issue in depth as it should, and the only reference I found was an obscure one about “citations”. **I ask that the BLM to respond by giving me the information about citations and other consequences for breaking the rules.**

Sometimes government agencies themselves that do not follow the laws set up by the people. What are the consequences for those agencies that lack the knowledge, resources or desire to abide by the rules?

### **Education:**

Section 2.2.7 of the West Mojave Plan describes a comprehensive strategy for educating the public on conservation and resource protection for the desert. With this program in place voluntary compliance will increase considerably, and multi-use will have fewer conflicts. Adequate funding should be immediately released for this part of the program. One target group that is missing, however, is **gun clubs**. Target shooting in the desert presents a safety hazard for other users, and the BLM should be aware of, approve or eliminate as appropriate, map and monitor all places used for target practice on BLM managed lands. Another area that seems to need more attention is in the education of the BLM staff in all the district offices. It is important that information about places of interest provided in pamphlets also be available on maps, and that the BLM staff is knowledgeable about the places of interest within their jurisdiction. **The front desk person should be especially knowledgeable** about where the places of interest are and where more information is available (pamphlets, maps, other employees etc.).

### **Money:**

Funding is vital to the success of the West Mojave Plan. However, usually this seems to be one of the main problems. There are several different sources of funds, and the main one should definitely be public funds made available through the West Mojave Plan. However other sources of funds (especially for special areas/projects) should not be overlooked. This can be individual contributions, fundraising, or volunteer work. Volunteers may be use in a number of ways in order to reduce the cost of implementing the plan. Volunteer groups may include youth groups such as Boy/Girl Scouts, Service hours for high school students, 4H groups, etc. In addition there are many volunteers available through outdoor groups such as Sierra Club, Hunting Clubs, OHV Clubs, and

not so “outdoor” groups such as large local businesses and Historical Societies. When the issue is a local one, people tend to become interested and involved.

**Preferred Alternative:**

Alternative D seems to contain more elements in line with conservation of species and ecosystems than the other alternatives. Alternative D protects the tortoise, requires surveys for burrowing owls, it provides a corridor for movement of Big Horn sheep and it would result in fewer residual impacts on other species and cultural sites. There would be less of an impact on air quality than with the other alternatives. In addition, it preserves more of the Mojave Desert as intact ecosystems for the benefit of future generations. The restrictions placed on motorized recreation, such as closure of biologically sensitive areas to green sticker vehicles and quarantines in the event of droughts, could be used as an opportunity for educational outreach. Many off road vehicle enthusiasts could benefit from the added advantage of pride in “America the Beautiful”, by knowing that they are not contributing to the destruction of important habitat. The anticipated negative effects on “spill over” areas could be mitigated with additional educational outreach. Costs needed to restore the destruction caused by mining operation access are a necessary cost of mining. Why should the public bare these costs? If miners are allowed to destroy public lands, why not allow everyone else to do the same? Alternative D appears to be more in line with the vision provide by the American people through the various acts that have been passed in more recent years.

Thank you for the information made available and the opportunity to comment on the WEST MOJAVE PLAN. I hope that some of my comments may be of use in the final decision, and I look forward to your response to my questions, and suggestions.

Dear Sirs:

Sept. 8<sup>th</sup>, 2003

I'm writing to you in response to the proposed WEMO(West Mojave) Plan. I am a 44 yr old desert motorcycle rider, and have been riding since the age of 9. I have enjoyed riding and camping in the deserts for 35 yrs, and am saddened by the closures, and restrictions proposed by the BLM. During those years, I and many other riders have also been practicing sound conservation measures, with the hope of passing on the many desert traditions to my son, and his son. The California deserts are a fantastic place to learn about nature, and yes ride motorcycles. These two items have never been in conflict with each other, because many of us riders have learned long ago to balance out the two, so that we may enjoy riding there, and be able to return time after time, to enjoy all that these lands have to offer.

As a motorcycle rider, and resident of California, I'm asking you to re-consider some of the proposals offered in the latest WEMO Plan.

1. The present comment period is just ninety days. For this plan to be just and fair, more time is needed to verify the science and rational before we close off such enormous tracts of land.
2. Most recreational users of the West Mojave Desert reside not in Mojave, but in the L.A. basin area. I would think that those people should be heard, and that could be accomplished with the simple addition of 2-3 meetings in the L.A. area. Volume wise, these are the largest users of the West Mojave Desert area, any unintentional exclusion of this demographic, spoils the democratic process.
3. After some research on my part, it appears that the desert tortoise is still not fully recovering, even in areas that have been restricted, and fully closed off to all forms of recreation for many years. Route closure, and motorized recreation bans have not "fixed" the issue. Before we continue to restrict desert use, we need to take the time to do it right, let's make sure we are using good science, not just biased speculation.

I'm asking you to do the right thing for all parties involved, let's do this the right way. The deserts of California have been a multiple use area for decades, as it should be, for all the people.

Sincerely,  
Louis S. Schilling  
Political Liaison Officer  
Rattlers Motorcycle Club of Southern California.

September 9, 2003

Bureau of Land Management  
California Desert District Office  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

131  
also sent via  
e-mail to  
BLM web site

RE: West Mojave Plan ("WEMO") - Comments from Jeffrey A. Thompson

Dear Sirs;

As a frequent visitor to the West Mojave, I feel compelled to comment on the West Mojave Plan.

I have been visiting the California desert since my youth, having crossed it with my older brother in his Jeep 30 years ago. Over the last 15 years, my wife and two children have been regularly coming with me to the West Mojave, where we camp, ride off-highway motorcycles, and enjoy the solitude of the desert and our friends. While I have ridden organized off-road dual sport motorcycle events, I have been involved in several other forms of recreation. Under my leadership, my son's Boy Scout troop has tail-gate camped in the area several times, introducing numerous families to the wonders of the West Mojave. We have rock climbed in the "New Jac City" area north of Lucerne valley, and my son and I have even backpacked the length of nearby Surprise Canyon twice, including once with a group of 19.

Having reviewed the West Mojave Plan, I am writing this letter to communicate my comments to your office prior to the September 12<sup>th</sup>, 2003 deadline. My comments are listed below (please note that the order does not indicate relative importance of any of my comments - I expect that all of them will be given equal consideration):

1. I must insist that the comment period be extended. This is for one main reason: the weather. Given that the document on which we are to comment was not released until the start of the summer months, anyone attempting to review the document and assess its accuracy via an on-the-ground survey would be forced to visit vast expanses of an extremely inhospitable environment during the oppressively hot summer months. Since nearly half of the sub regions have NOT been surveyed for over 15 years, and there are clear indications (i.e.: no single track routes identified) that these earlier surveys are completely inadequate, an extensive on-the-ground survey is essential. Unfortunately, undertaking such a task during the summer months would entail a level of risk that few people would be willing or able to undergo. I am not making this point in a vacuum -- an acquaintance of mine tragically lost his son to heat stroke this summer in the California desert. I am certain many people, besides me, were intimidated away from involvement in the comment period for this reason. In scheduling the comment period during summer, you have effectively prevented anyone from serious consideration of the plan and its possible inadequacies. The only remedy is to extend the comment period into the cooler months. An undertaking of this size cannot be rushed, regardless of the reasons.
2. I must insist that you add additional public meetings, specifically in the metropolitan Los Angeles & Orange County areas, as the overwhelming majority of people who visit the West Mojave reside in these two counties. Additional scoping meetings were added to the overall process in 2002, including one in Pasadena (July 7, 2002). Clearly, this same level of public access is warranted for the public comment period. Further, these additional public comment periods must be held during evening hours or weekends, in order to accommodate people who have to work Monday - Friday making a living, and cannot afford to take time off.

3. In my many visits to the West Mojave, I have always seen numerous ravens. Any plan to recover the desert tortoise population must reduce or eliminate the raven population. These non-native desert interlopers are known to eat small, still-soft-shelled tortoises, and are undoubtedly responsible for most of the preventable tortoise losses. I strongly urge you to institute a bounty for ravens or other aggressive methods to significantly reduce or eliminate their population in the West Mojave. Further, I must insist that you NOT implement the fencing recommendations as listed in the DEIR/S. I have worked on volunteer projects to install "raptor poles" at several semi-wilderness locations in the Orange County area. These poles are erected as perches for predatory birds, so that the birds can, in turn, use this advantage to more effectively hunt and eliminate the population of ground-dwelling species. Fences in the West Mojave will only provide perches for the ravens, making tortoise hunting substantially easier for them.
4. As has been done successfully with California Condors, the BLM must institute a captive breeding program for desert tortoises. This will help offset further losses until the raven population can be brought under control, as well as jump-start the tortoise population recovery, which has no doubt suffered from the current drought conditions.
5. As a scientist and educator practicing in the legal arena, I have to point out that much of the documentation in support of the DEIR/S has not been published in recognized, peer-reviewed scientific journals, and amounts to the nothing more than the unsubstantiated personal opinions of the writers. The allegation that route closures and motorized recreation bans will help the tortoise population recover is, therefore, completely without proof. The BLM cannot deny people access to any form of recreation without a clear showing that that form of recreation causes environmental harm, and that harm cannot be mitigated by means other than denial of access. In fact, BLM-approved dual sport motorcycle off-highway rides through the area have logged in excess of 1.4 million miles without a single tortoise loss.
6. I insist that all routes be considered open unless posted as closed. Any other option would artificially deny access to recreational opportunities without valid justification. Further, since only 11 of the 23 sub-regions were actually surveyed in detail, any policy other than open unless posted closed will be a de facto closure of all single track trails in the other 12 areas, as the outdated, inadequate surveys of these areas do not include any single track trails (which have the least impact on a given area). Further, I must insist that these 12 incompletely surveyed areas must be properly surveyed prior to further movement of this Plan, and that the public comment period must be reopened once this has been accomplished.
7. Alternative E creates a Fremont Recreation Area. I strongly urge you to establish this area to serve as at least a partial mitigation for the route closures and resulting loss of recreational opportunities elsewhere in the plan. As additional partial mitigation, this area must be connected to both the El Mirage and Spangler open areas. This should be accomplished using existing routes, thereby avoiding any loss of habitat.
8. The National Environmental Policy Act (NEPA) requires the DEIR/S to provide a clear basis for choice among the options presented. The West Mojave DEIR/S fails to meet this requirement. I must insist that the number of routes not be reduced unless an on-site examination reveals that a specific route is causing deleterious changes that cannot be mitigated by means other than closure of that route. Providing this option, I believe, will go a long way towards fulfilling the requirement to offer a clear basis for choice among the options presented.

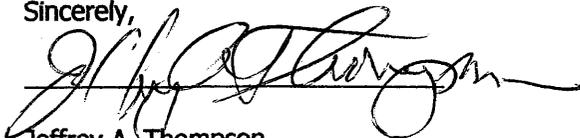
West Mojave Plan Comments  
Jeffrey A. Thompson

9. My personal knowledge of how much I spend, my conversations with local business owners, and the number of people I see engaged in similar activities when I am in the West Mojave leads me to believe that the contribution made to the West Mojave economy by motorized recreation is substantial, and quite possibly the primary contribution. Unfortunately, this impact is obviously grossly underestimated by the Study of Economic Impacts. Closures will certainly diminish recreational opportunities, and the resulting impact on local economies cannot be properly assessed without accurate estimates.
10. NEPA mandates the devotion of "substantial treatment to each alternative considered in detail so that reviewers may evaluate their relative merits." The West Mojave Plan fails to do this, specifically by not including any indication of an analysis to support the proposed closures of open routes in Areas of Critical Environmental Concern or in areas of higher tortoise density. There is nothing in the Plan indicating the procedures to be used for determining route closures, nor is there any justification provided for closure, as presented in Alternatives A through E.
11. Of the alternatives for Desert Wildlife Management Areas (DWMAs), I strongly believe that one large DWMA, created by combining the acreage from both the Superior-Cronese and the Fremont-Kramer DWMAs (totaling over 700,000 additional acres) is more than sufficient for the desert tortoise and other wildlife. The BLM has already closed off over 1 million acres for tortoise recovery, along with over 6 million additional acres designated as critical habitat. Without clear evidence that creation of any more DWMAs will improve tortoise recovery, there is no reason to create more. Enough is enough.
12. Routes that either parallel or duplicate other routes were closed in the Route Designation. This is unacceptable, and I must insist that all routes closed for this reason be reopened, as there was no indication that any consideration was given to the level of challenge or other factors. This is especially true when families travel the desert via motorcycle or ATV motorized recreation – parallel routes often provide one path with a degree of difficulty to match the most skillful members of the group (usually fathers and older sons), and additional ways which are negotiable by the younger members and their mom.

Please be aware that this letter also serves as my formal request to be included on the Bureau of Land Management's mailing list for all future correspondence related to the West Mojave Plan. In addition, I wish to be notified of any and all other opportunities to comment on any future planning processes (including scoping) that the BLM may conduct in California.

Thank you for your time in reading my comments.

Sincerely,



Jeffrey A. Thompson  
3801 Scottsdale Drive  
Irvine, CA 92606-1829  
(949) 559-9677  
[jthompson178@cox.net](mailto:jthompson178@cox.net)

FROM THOMAS REYNOLD

132

The Mechanic  
355 W. Arrow Hwy.  
Glendora, CA 91740

TO WHOM IT MAY CONCERN  
THIS LETTER IS ABOUT (WEMO)  
AND MY CONCERNS ABOUT CLOSURE  
OF THE DESERT AND MY RIGHTS  
TO (RACE) + RIDE MY BIKE IN (IT.)  
I AM VICE PRES. OF SO. CAL. M.C.  
ABOUT 100 MEMBERS OF A DESERT RACING  
CLUB + WE NEED THE LAND OPEN TO  
RIDE + (RACE) THE DESERT  
MY KID'S KYLE ZACH + MYRIAH NEED IT  
ALSO IF THE LAND IS CLOSED THEY  
WILL NOT SEE + BE ABLE TO RIDE IN (IT.)  
ALT ER LOCK'S LIKE THE BEST PLAN  
AND WE NEED MORE TIME TO MAKE  
ALL THE PLANS

THIS LETTER IS SHORT BUT  
I HOPE YOU GET MY POINT

DISTRICT 37 RIDER # 079  
AMA MEMBER # 402693

THOMAS R. REYNOLD

THANK  
YOU  
///  
4

To: BLM & whom it may concern.

I recently attended a meeting regarding the West Mojave Plan (WEMO). I would like to comment on some of the items discussed.

I have always enjoyed driving out to the desert and having the feeling of wide open country. Recently using Highway 395 this has been spoiled by the installation of fencing and cattle crossings at dirt roads. These fences are unsightly appear to be very expensive to install. At this meeting the discussion came up about the installation of fencing 4, one thousand square mile Desert Wildlife Management Areas (DWMAs). My understanding was that each area would cost 14 million dollars. In this time of budgetary restraints this seems to be particularly absurd.

Even if the money were no big deal, to fence off desert in this manner is very offensive to me.

What ever happened to, "THE LAND of the FREE and the BRAVE." This fencing idea looks like it would be interesting to NBC news when they broadcast "THE FLEECING OF AMERICA."

Regarding this closure to help the tortoise recover is not substantiated. Some of the closures seem to be made up of information which is questionable and designed to keep the public off "PUBLIC LANDS". I have riding in desert since "1963" and feel that the tortoise and all other plant life and wildlife with the exception of the raven has remained basically the same. The increase in ravens, (who have been known to eat anything they can including young tortoise), has been unbelievable

cont...

page 3

cont.

in the last 15 or 20 years!

Another item discussed was that access to "Public Lands" is to be considered "CLOSED" unless stated "OPEN".

This is ludicrous and paramount to making all of Southern California a national park. It am beginning to think that is the final goal! To shut the public off all public lands.

I understand the BLM does not have an up to date inventory of routes in 12 of the 23 sub-regions. It should be done, as almost 20 year old information can't be relied upon.

Point to point events have been approved by the courts. Such as the Johnson to Parker corridor. The "APPROVED BY THE COURTS" corridors should be inserted so they can be used in conjunction with the open areas.

The Barstow to Vegas corridor was accidentally left off the NEMO inventory list, it should be reinstated on the list.

In the Spangler open area the closure of the "C" route was to be temporary. This has been an "on again", "off again" for approximately 5 years, it is getting very tiresome!

In closing I feel that the BLM should have a decent attitude toward off-road people. Not just take away right-of-way and try to fence us out. After all we are the Public TOO!

Please include me on your mailing list.

Sincerely

Lyle Taylor  
Member of  
District 37

33754 Sierra Vallejo Rd.  
Agua Dulce, CA 91390-4709.

Comments Relative to  
 West Mojave Plan  
 by  
 Quail Unlimited Chapter Number 457  
 P. O. Box 778  
 Ridgecrest, California 93555  
 Jim McVay, Past Chairman  
 George Mason, Chairman  
 David Fischer, Habitat Co-Chairman  
 Larry Boyer, Habitat Co-Chairman

Background

Quail Unlimited is a non-profit, conservation oriented organization that is dedicated to the construction and maintenance of habitat necessary to insure survival of upland game birds and other wildlife. Here in the mountain and desert areas surrounding Ridgecrest, California, activities of the organization are primarily concerned with construction and maintenance of water sources. Quail Unlimited volunteers construct and/or maintain guzzlers, springs, and wells for benefit of all wildlife. Guzzlers are cisterns consisting of a rainfall collecting surface and a storage tank. Over 130 guzzlers exist in the Ridgecrest area. Guzzler construction by or for the California Department of Fish and Game (CDFG) dates back as far as the 1950s. Quail Unlimited, Chapter 457 is a designated agent of the CDFG for the restoration and maintenance of upland game habitat.

The Bureau of Land Management (BLM), Department of the Interior has the responsibility for management of mountain and desert lands, including those of interest to Quail Unlimited, Chapter Number 457, and for the protection of our rights to access.

Introduction

The purpose of this document is to provide written comments relating to the latest BLM maps outlining proposed road closures in the mountain and desert areas around Ridgecrest. The maps document the intended road closures as required by the rules for implementing the West Mojave Plan for administration of public land being administered by the BLM.

Three Quail Unlimited members were on the West Mojave Plan Global Positioning System (GPS) Teams:  
 David J. Fischer, Ridgecrest resident since 1950,

Larry Boyer, Ridgecrest/Inyokern resident since 1946, and  
Danny Zurn, Ridgecrest resident since 1954.

These three individuals alone represent approximately 162 years of desert living and experience. They joined the West Mojave Plan GPS teams to (1) protect the sportsman's right of vehicular access to upland game areas and (2) protect Quail Unlimited's right to vehicular access for wildlife habitat maintenance. Maintenance of habitat without vehicular access is not feasible.

At several of the BLM review meetings, various speakers have stated that the West Mojave Plan is needed to show habitat mitigation. This mitigation plan would then allow developers in heavily populated areas to easily get through environmental impact studies with less effort. In essence, developers would not be required to petition for approval to the California Department of Fish and Game (DFG) with habitat mitigation plans. Our membership does not agree that by satisfying these bureaucratic requirements, closure or removal of access to large portions of desert land is justified. When access is denied it affect Quail Unlimited (QU) Members, hunters, and others who use the desert for recreational purposes. Such a justification is akin to "robbing Peter to pay Paul" and has nothing to do with protecting the habitat. Potential development should be monitored on a case-by-case basis to insure that the environment will truly not be impacted.

QU members feel that we cannot endorse the West Mojave Plan if the BLM continues down the same old path of closing 60% to 70% of the existing roads. The proposed plan is grossly inadequate and appallingly unfair to the sportsmen and the public. The needs of the Human Species is absent from consideration in this plan. Alternate (A) is the only plan without more than 50% of the roads being closed.

Members of our organization have reviewed the reports intended to provide justification for closure of most of the mountain and desert roads near Ridgecrest. In addition, our members have conducted a detailed examination of the maps listed below and related study documents:

El Paso #4(1/2) South (2 of 2) Sub Region

Red Mountain South (3 of 3) Sub Region

Red Mountain East (2 of 3) Sub Region

### Comments

Roads. Quail Unlimited members feel that only 10% or less of the roads should be closed. We have driven over most of the roads and they all lead to a destination such as a scenic area, a recreational

area, a hunting area, a guzzler or spring. Every one of the roads serves as a firebreak. Firebreaks are very important if we have a range fire on a high vegetation year. There are examples of this in many areas of the desert (see enclosed pictures.)

A big problem which must be stopped is designating Areas of Environmental Concern (ACEC) and using that as an excuse for closing roads. There is no reason to close a road since it has already impacted the area. Future impact can be reduced or eliminated by establishing road corridors.

Quail Unlimited does not want limitations on roads to guzzlers and springs. We have had several joint meetings with the BLM and the California Department of Fish and Game. An agreement was reached to not close or limit vehicle access to guzzlers and springs. If vehicle access is limited, Quail Unlimited will be required to get an access permit from BLM. We will have to fight for access each time BLM personnel change and are replaced by personnel with different priorities and policies. The existing Memorandums of Agreement between Quail Unlimited National and the BLM and U.S. Forest Service need to be honored.

Red Mountain West (1 of 3) Sub Region. Upon completion of a detailed review of the latest version of the West Mojave Plan, Quail Unlimited, Chapter 457 has concluded that the various reports do not justify closing over 60% of the existing roads and motorcycle trails.

Rather than actually formulating a program that will insure survival of the Desert Tortoise and Mojave Ground Squirrel, road closures are being proposed to satisfy litigation initiated by environmentalist groups. Some, if not all cases, are resolved by road closure agreements without going to court (caving in without a fight.) These court/environmentalist imposed closure agreements are used as excuses and are not fair to sportsmen or the general public.

If the premise is made that survival of both the Mojave Ground Squirrel and the Desert Tortoise can be guaranteed by denying vehicular access to the general public, the thousands of acres in the Ridgecrest area that have already been closed by implementation of the Wilderness Protection Act will insure survival of both species. These wilderness areas include the Black Mountain Wilderness, the Owens Peak Wilderness, the Golden Valley Wilderness and Bright Star Wilderness. The Desert Protection Act also implemented expansion of the Death Valley National Park and the Red Rock Canyon State Park. In addition, large areas of the Naval Air Weapons Station, China Lake, also in the Ridgecrest area, are closed to vehicular traffic. Both the Mojave Ground Squirrel and Desert

Tortoise inhabit the wilderness areas, Red Rock Canyon State Park, and large areas of unused land on the Naval Air Weapons Station, China Lake.

The closure of more roads to the general public will not insure survival of either species. Conversations with professional biologists have indicated that intervention by man, such as that with the California Condor, will be required to save these creatures. A summary of these conversations, with comments, follow for each of the two species.

Desert Tortoise. The demise of the Desert Tortoise in the Ridgecrest area has resulted in the most part from the following factors:

- a) Killed by predatory ravens (both young and eggs.)
- b) Drought
- c) Killed by vehicles on state or county paved roads.
- d) Killed by wild/domestic dogs.
- e) Killed by an upper respiratory disease (more about this later.)
- f) Removed from the desert as pets.
- g) Removed from the desert as a food source by immigrants from Asian countries.
- h) Some are shot by insensitive persons.
- i) Trampled by grazing sheep. Our members found a 5 to 7 years old tortoise killed this way.

Some local families have raised Desert Tortoises as pets in their backyards for over fifty years. These families adopted the pets before it was illegal to do so. Experience has shown that when these reptiles have adequate food, water, and shelter, survival is assured. These reptiles have produced offspring during every year of captivity.

Biologists have also stated that scientific evidence indicates that the Desert Tortoise has in many cases died of an upper respiratory disease that most likely was introduced by human contact, such as release of a "pet shop" tortoises.

Both scientific evidence and common sense indicates that the native Desert Tortoise will die upon contracting the disease. However, the virus does not affect the domesticated Desert Tortoise. When a biologist was asked to explain why the domesticated tortoise was not affected by the virus, he gave the explanation that the general good health (unstressed condition) of the tortoise was key to resistance and survival. He also stated that air quality might also be a factor in survival. With the increased rainfall for the year 2002-2003, our

members have spotted 18 tortoises in high access area. How have they survived if access is the problem?

Now, what do the biologists want to do? Some of the biologists in the Ridgecrest area would like to conduct a meaningful experiment that would consist of gathering eggs from domesticated Desert Tortoise nests, and relocating the eggs into an area that will insure the best possible chance for survival. These efforts would most likely be paid for by a funding grant, either from local, California, or Federal Government agencies. From our experience, artificial rainfall may be required. In any event, real research programs offer a better alternative than simply denying vehicle access to public lands.

Mojave Ground Squirrel. So far as we know, this animal is no longer on the Federal "Endangered Species List". However, we understand it is on the California list. We attended a presentation held jointly with the BLM, the California DFG and the City of Ridgecrest, where we were informed that the range of the creature is limited to about a 40-50 mile circle around Ridgecrest.

The BLM has classified the Ridgecrest sub-region as non-critical habitat for the Desert Tortoise. But now the BLM is reclassifying this area as a Mojave Ground Squirrel (MSG) Management Area. What facts have led to establishing the MGS Management Area?

A scientific approach to the survival of the MGS is needed. So far as we know, a baseline population for the MGS has not been established. In engineering management, plans are formulated and milestones are established to insure progress. We were able to place men on the moon using these methods. Why can't similar methods be used to save the MGS? We don't see a scientific approach being taken, rather, a political attempt is being made to keep people and vehicles out of the desert.

No one seems to have an immediate answer for survival of the MGS, as its greatest enemy appears to be lack of rainfall. (Maybe guzzlers will be part of the answer.) The MGS is a rodent whose survival is driven by rainfall and has a characteristic hibernation of about 8 months each year. Apparently, if there is a lack of food for the creatures, they simply go back in their holes/dens and wait until the rains do come and then come out to eat. The only MGSs that our

members have seen (either dead, "road kill," or alive) have been on or near the Naval Air Weapons Station, China Lake, south and west of the Supersonic Naval Ordnance Research Track (SNORT). The area containing the animals is very seldom visited by man, however paved roads do cut through part of the area.

Our members have seen no Mojave Ground Squirrels in the area where additional roads are to be closed. We do see hundred of Antelope Valley Ground Squirrels in these areas, however. The desert environment does not appear to stress the Antelope Valley Ground Squirrels in any way. Our question for the persons who desire to close the desert to vehicles is: "Why is the Antelope Valley Ground Squirrel having no difficulty surviving in areas with vehicular access?"

#### CONCLUDING COMMENTS.

1) The maps that we have reviewed propose to close roads that have historically offered the best upland game hunting in the State of California. There are about 130 man-made or natural water sources in the areas. Sportsmen need access to roads and trails in these areas to locate game birds. The upland bird coveys are too widely spaced to allow hunting without the aid of vehicles.

2) We believe that a maximum of 10% of the roads and motorcycle trails could be closed. These are roads that closely parallel each other and will not result in the complete closure of large land areas.

3) Access to areas of the desert, for hunting or recreation, or maintaining guzzlers more than one mile from a road is both not feasible and is dangerous. One cannot carry enough water when hunting for birds that are widely scattered in a desert environment. Hunting for game birds without vehicles can mean many very long non-productive hikes.

4) The economic impact of the road closures would be devastating in our area as it will limit hunting, off-road vehicle use, rock hounding, prospecting, camping, and professional and amateur movie making. Out-of-town desert visitors spend millions of dollars each year in our local communities patronizing motels, gasoline stations, tire shops, food markets, cafes, motorcycle shops, sporting goods stores, movies, drug stores, outdoor equipment stores, and other local businesses.

5) Roads to all water sources, natural and man-made, must be kept open with no restrictions to allow both hunting and maintenance of water sources.

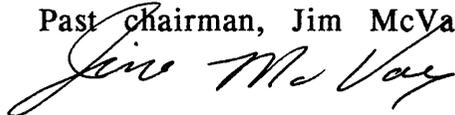
6) The proponents of the West Mojave Plan appear to be restricting vehicular access in the Ridgecrest area in order to allow unrestricted building in the more heavily populated desert areas.

If you have questions, feel free to contact by phone:

George Mason, 760-375-8856

David Fischer, 760-375-9431

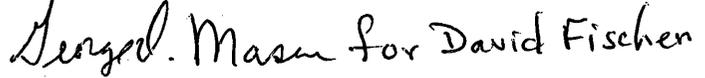
Past chairman, Jim McVay



Chairman, George Mason

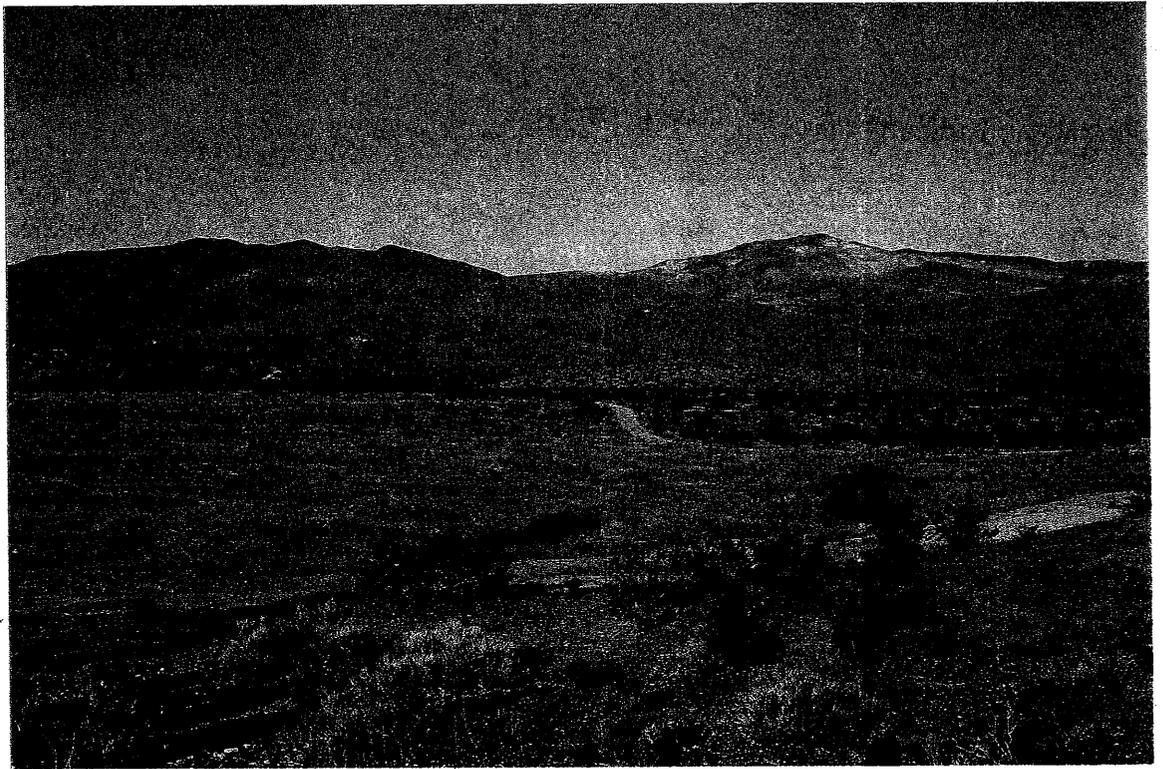
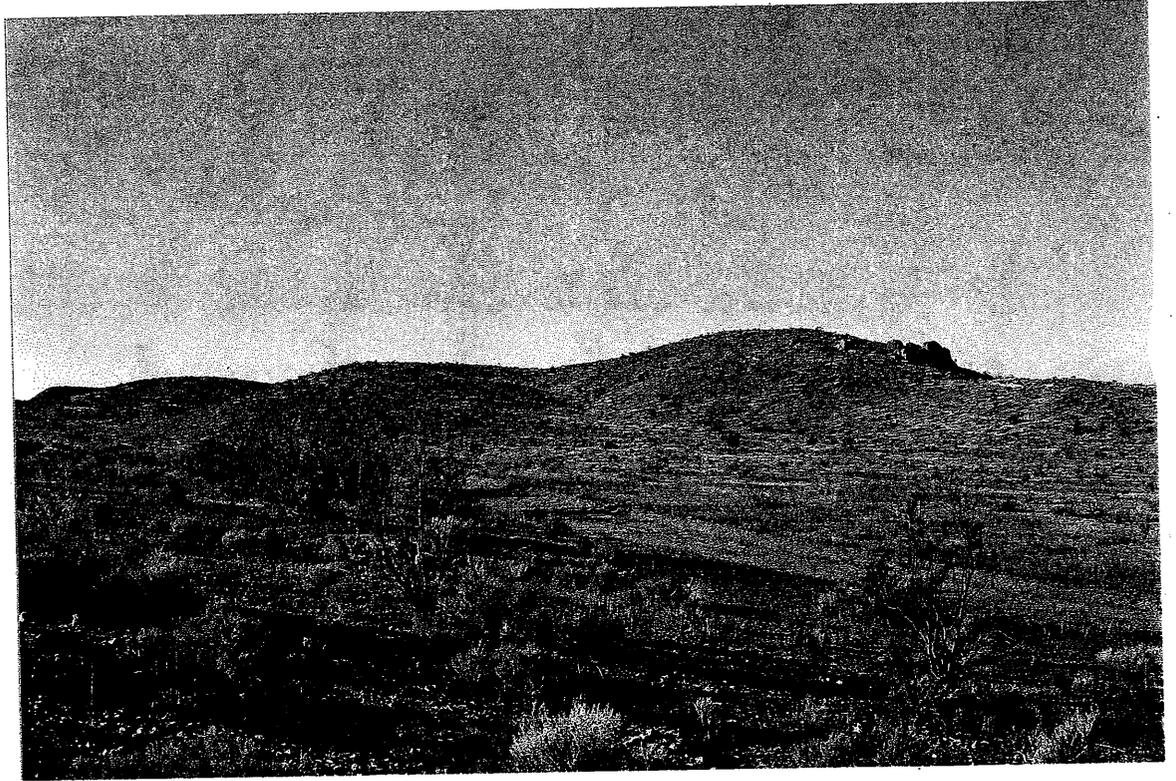


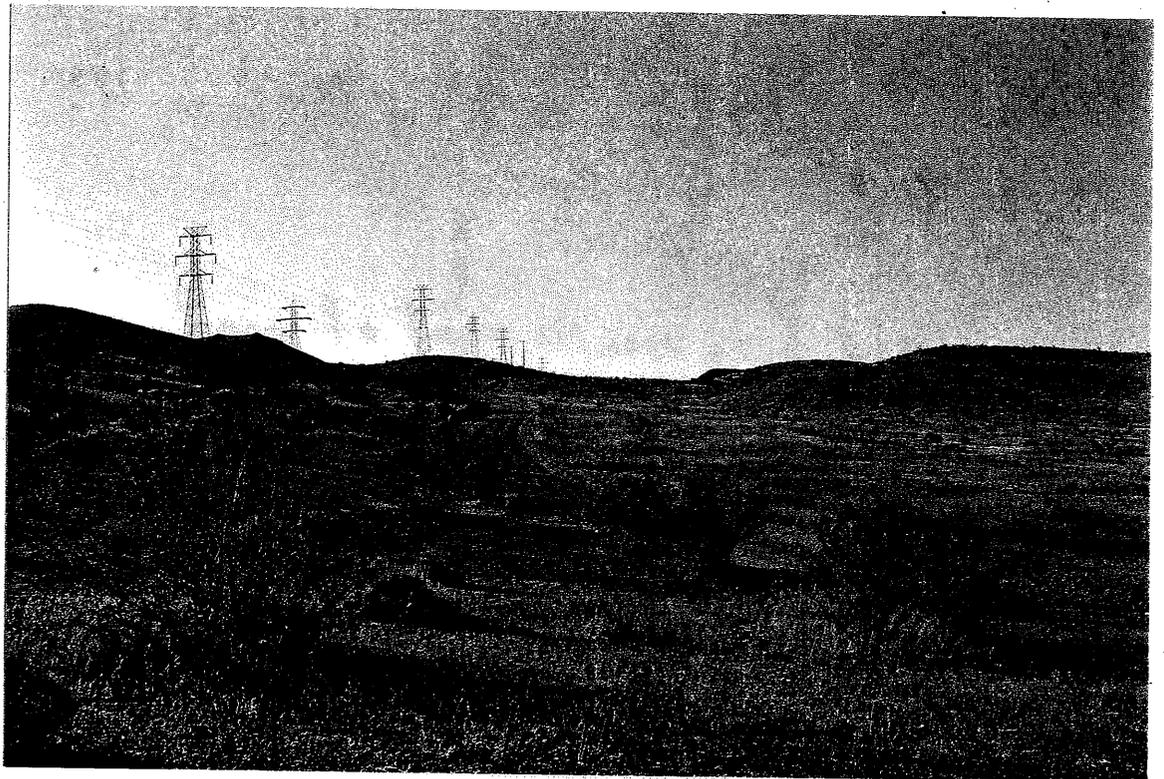
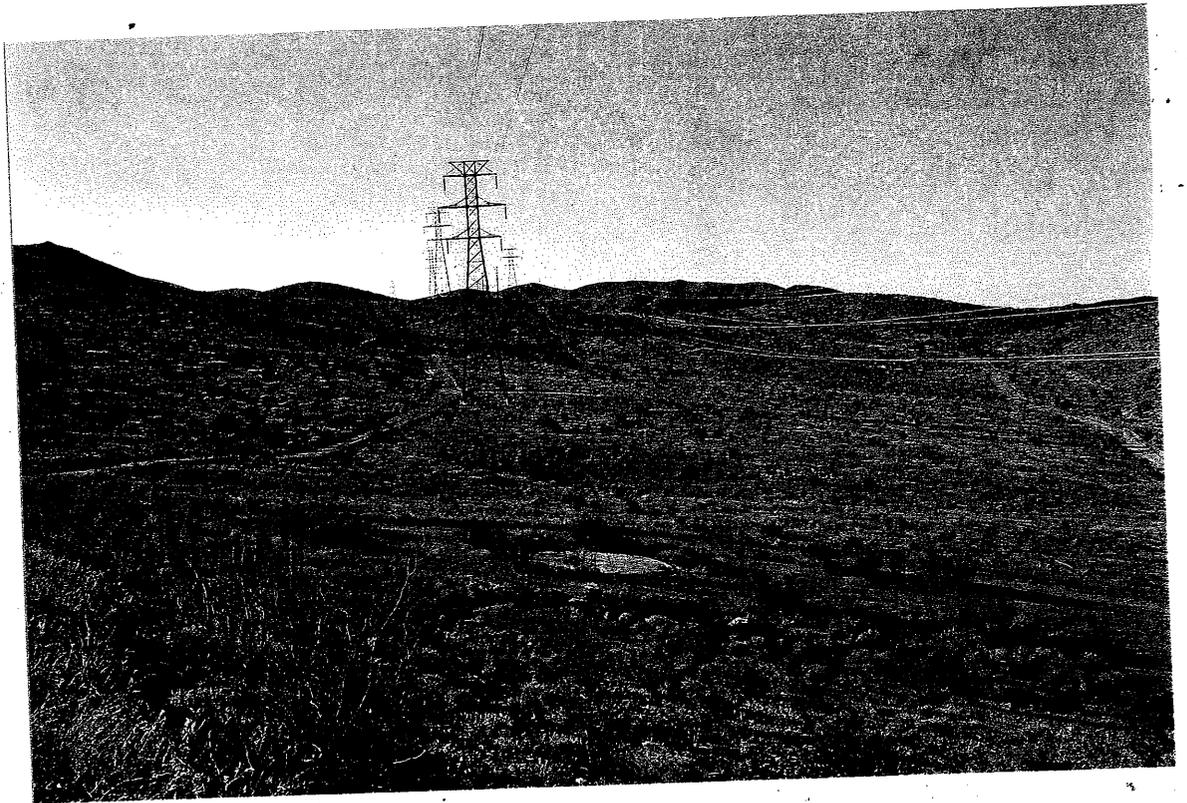
Habitat Co-Chairman, David Fischer



Habitat Co-Chairman, Larry Boyer







Edward Drenten  
11136 Allegheny St.  
Sun Valley, Ca

West Mojave Plan  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

September 5, 2003

Re: West Mojave Plan (WEMO)

The following expresses my concerns regarding the practices and procedures surrounding the Route Designation and Plan Amendment of the 1980 West Mojave Management Plan.

The root of my concern is the lack of public disclosure and due process regarding the changes that have been made and those that are being proposed. It is paramount that the period for public comment be extended. This is the first step in facilitating a true representative sample of the concerns encompassing this action. A ninety day period is too short a timeframe for the public (all parties concerned, not selective samples) to digest a document of this magnitude, ground truth maps and verify sources quoted in the DEIR/S.

Compounding this facet of retrieving an accurate sample and representation of public comment is that no public meetings were held in the Los Angeles Basin. This is, as I know it to be, where the preponderance of most recreational riders of the West Mojave reside. It is imperative, if there is to be a truly representative sample of public comment, that at least two meetings be held in the Los Angeles basin.

On a related basis, of the twenty-three sub regions only eleven were fully surveyed. The other twelve relied on the 1985-1987 survey that did not inventory any of the existing single-track trails. The BLM must be held to the same reporting requirements as any other government monitored entity and this deception (intentional or not) in the available inventory of single track trails parallels recent financial irregularities. As the SEC has taken action to ensure an independent analysis is made of the books and records of publicly held companies (this would include an independent analysis of inventory), the BLM must be subject to the same scrutiny. Else, once again the public suffers because of insufficient controls to mitigate misuse by special interest parties who may have the power to override policy and procedure. My peers and myself demand a complete (independently validated) survey (inventory).

The appropriate action to take at this venue is; to open all routes unless signed closed, reopen the "C" routes at the Spangle Open Area (this closure was meant to be temporary and the routes should be placed back into the inventory), and open all duplicates or parallels closed in the in Route Designations. As noted above, no consideration was given as to user preference or degree of difficulty. In consideration for the losses incurred, the Fremont Recreation Area as described in Alt E should be created to mitigate the recreational losses incurred. This area should also be connected to Spangler and El Mirage open areas using existing routes.

It is my understanding, and consistent with the pattern exhibited above, that the DEIR/S violates the National Environmental Policy Act by failing to "provide a clear basis for choice amongst options." Alt A through E offer the same redesign networks in tortoise critical habitat and 'adopt existing designated networks elsewhere.' Alt. G provides for no change to existing network. The following two options are requested:

1. Do not reduce the number of routes until closures are determined on a case by case basis and that any proposed closures are supported by a site specific analysis (quantifiable) to determine detrimental effects, if any. Consider other mitigating measures, besides closure, prior to closure and as a part of the site-specific analysis. This process must be documented.
2. Route networks should be developed to provide for at least two alternatives, selected from existing routes. The alternatives proposed do not provide an opportunity for choice.

**Res Ipsa Loquitur**

The impending void of documented analysis or data to support the Various proposals, i.e. Alt. A through E in the effort to reduce open routes in ACESs and in higher density tortoise population areas is a cause for grave concern. The DEIR/S violates NEPA by failing to "devote substantial treatment to each alternative considered in detail so that reviewers may evaluate their comparative merits." There is no documentation provided in the administrative record indicating the methodology or analysis used to determine which routes would be closed, showing location or identification of routes to be closed and no scientific justification for closure. Enron in the open desert?

Finally, and unfortunately, I have to assume, as exhibited by the lack of consideration given to due process as noted above, that those in authority over the processes and procedures impacting this significant action either have not or do not desire to consider the social, moral and economic impact of their actions.

The availability and use of this acreage provides those of us who accept our responsibilities with ethics and honor an environment to perpetuate the fundamentals of quality family and social living. In my case, and that of many others I know, this venue provides an opportunity to:

Spend time as a family camping and enjoying the outdoors

Spend time with friend's building and encouraging social values in our youth

Providing an opportunity for our youth to enjoy the benefits of their labors

(our rides are predicated on a commitment to excellence, i.e. school grades, they also work to pay for their own parts, tools, etc need to ride).

Note: If a commensurate level of ethics, integrity, and commitment to excellence were exhibited in the schoolwork that my children perform (as exhibited by the project under discussion) – they would fail. What example has your commitment to public service set for them?

Thank you in advance for your attention to these matters.

Respectfully,  
Edward Drenten

A handwritten signature in black ink, appearing to be 'E. Drenten', with a long horizontal line extending to the right.

Cc: Bill Howell  
D-37 WEMO Coordinator  
9598 Meadow Street  
Rancho Cucamonga, CA 91730-5656

West Mojave Plan  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

Dear Sir or Madam:

September 8, 2003

I wanted to share a story with you about a little boy and his family. Their father an avid desert motorcycle racer from the fifties, would take them to the desert and teach them to ride. Years later that boy and his two brothers are now teaching their children to ride. I can't describe the feeling of seeing my son riding in the same area of California City that my brothers and I rode in twenty years before. I want my children and their children to have the same experience, to ride with the wind in their face and put the throttle on full. Our family respects the desert and we teach our children that we must respect nature.

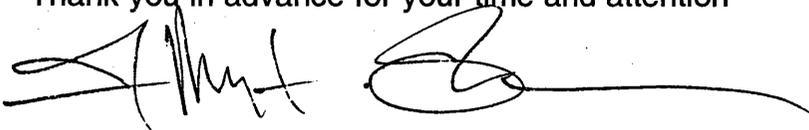
Now this story may have an unhappy ending, the WEMO Plan is in need of adjustments. We are asking for you to extend the 90-day comment period. We want to be knowledgeable about all of the issues regarding this plan and 90 days is just not long enough. Also we are requesting that public meetings be held in the LA area. We are interested and want our comments to be heard.

We are also requesting that signs are only put up when a route is closed, not when a route is open. Our son, whom is eight, started riding when he was five, BEFORE HE COULD READ. The desert would start to look like the descent into hell on MR. Toad's Wild Ride with all of the signs it would take to mark all routes.

Now we do not claim to be tortoise experts, but we have been informed that the BLM could implement a "head start" program of captive breeding to replenish the tortoise population. Also the raven population must be brought under control for the recovery program to be successful. And fencing will only provide a perch site for ravens. Please reconsider desert riders, desert visitors, dual sport riders, basically humans as the only reason the tortoise population is decreasing.

Also may we ask to be placed on the BLM mailing list

Thank you in advance for your time and attention



Jeff Owen and The Owen Family  
845 N Frederic Street  
Burbank, CA 91505

Three generations of desert riders and racers  
Roy, 78, Checkers MC, Jeff, 33, Checkers MC, and Henry, 8, future Checker

Proud members of Checkers MC

Gabelich, September 8, 2003

TO:

West Mojave Plan  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

FROM:

Stephen A Gabelich  
2172 W. Paseo Del Mar  
San Pedro, CA 90732

CC:

D-37 WEMO Coordinator  
9598 Meadow Street  
Rancho Cucamonga, CA 91730-5656

To whom it may concern:

Children and Senior Citizens Appreciate California's Desert

My name is Stephen Gabelich and I have been an OHV enthusiast for over 35 years. During that time, I have enjoyed exploring California's beautiful deserts with my extended family and countless other families. In all that time, I have never met an OHV individual that did not appreciate the desert's beauty and biological diversity. For many of us, OHV exploration is the only practical/possible means for us to see many of the very special places distributed throughout the desert (e.g., scenic over looks, historical sites, natural land features, abandoned mines, remote hiking trail heads, etc). Many of these sites (and the routes leading to them) are undocumented and are not reflected in your route inventory.

Many OHV enthusiasts are young children and senior citizens. For these people in particular, hiking 15+ miles to many of these destinations is not an option; OHV travel (e.g., ATVs, Jeep etc.) is the only option they have. The WEMO plan does not appear to take this into consideration. Moreover, the WEMO plan also does not appear to take into consideration people with disabilities in general. The "Americans with Disabilities Act" sets clear guidelines regarding many things, including transportation. Desert OHV routes have many purposes; one of these purposes is to provide transportation options to-and-from the aforementioned points of interest and private property scattered within BLM land boundaries. This should be considered in your plan.

WEMO Plan does not adequately involve other Federal Agencies

Interaction with Federal Agencies (e.g., Fish and Wildlife Service) responsible for evaluating an "Endangered Species" status, in particular, needs to be included in your plan. In many cases, the basis for endangered species status is decades old, never reviewed, and possibly incorrect. Yet, the BLM is tasked (burdened) to manage land predicated on potentially outdated or inaccurate information, possibly spending millions

Gabelich, September 8, 2003

of taxpayer dollars unnecessarily. The BLM needs to pressure the Fish and Wildlife Service to do its job required by law.

WEMO does not include a method to "re-open" or "re-evaluate" closures.

My concern is that once public land is closed, it's closed forever. What if the basis for closing a particular area becomes obsolete? What if, for example, scientific studies indicate that the desert tortoise is: not endangered, not affected by OHV participation, or not populating a particular area? Public lands should not be closed arbitrarily due to obsolete, incomplete, or non-existent data. Closure of public lands should never be permanent. Any planned closure of public lands should include a plan for periodic review.

WEMO plan does not appear to address travel SAFETY

Safe desert exploration requires planning and a clear understanding of available routes. The desert is diverse, and plans to explore it often change fortuitously because of its diversity; this is part of why we enjoy it so much. Also, the navigability of routes continuously changes with time, sometimes very unexpectedly due to many factors including flash floods. For decades, OHV participants have not relied on printed maps exclusively because historically they have been incomplete or lack sufficient detail. Rather, OHV participants often use a combination printed maps (often from more than one source) and personal knowledge to get to their destinations. To my knowledge, the BLM does not intend to force individuals to acquire (purchase?) updated maps every time route availability changes (man made or otherwise). Trails provide options. The BLM's plan to close parallel paths will limit these options, possibly to the point that safe remote desert travel is compromised. At the very least, safety factors such as route alternates, should be considered in your plan.

A Policy of "Closed unless posted Open" is bad for many reasons

- **"Open unless posted Closed"** is necessary to avoid confusion and promote **SAFE** travel especially in times of emergency.
- A Policy "Closed unless posted Open" is indiscriminate; contrary to balanced management; and will deny access to several poorly documented cherished points-of-interest.
- A Policy "Closed unless posted Open" is logistically unpractical, especially at BLM land boundaries. Numerous trails transition from non-BLM land (e.g., National Park, private property, city, etc) to BLM land. These land boundaries are not marked. People can enter BLM land from these areas not knowing they are in violation. Enforcement will be challenging and costly.

Road Closure Decision Making Metrics are Unclear and Incomplete

Gabelich, September 8, 2003

The purpose of the WEMO document, as I understand it, is to establish a land management policy and procedure (more specifically, OHV trail management). In the past, BLM attempted to make balanced management decisions. However, WEMO decision making process regarding road closures is clearly not balanced and does not take into consideration the principle users of the desert. For example, facts/questions like: "Why is the road there?"; "How often is it used?"; "When is it used?"; "Is there good visibility i.e., maneuvering room to avoid obstacles" etc. need consideration. It is my concern that many cherished roads will be closed on a whim to meet quotas.

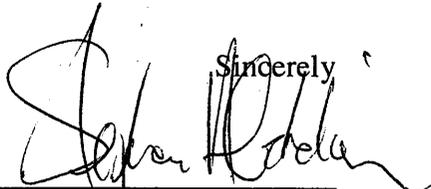
Why close roads if you can't measure things like: usage, environmental impact, or management success? Besides, the cause-effect relationship regarding OHV participation and the dessert tortoise population, for example, has not been studied. In over 35 years, I have yet to meet a single person aware of an incident where desert tortoise was killed, injured, or even seen by an OHV participant (anecdotal, documented, or otherwise). OHV desert tortoise encounters rarely happen. Tortoises are far more likely, in my opinion, to be killed at dusk by passing motorist on Interstate 14. And that too is rare. How can you close roads if you don't know that it's doing any good?

Please do not close washes

I do not believe closing washes accomplishes your species protection goals. Environmental disruption in washes due to natural causes is far more catastrophic than any impact OHV use may have. Every time it rains, the wash fill with raging water erasing all evidence of OHV use and probably kills hundreds of slow moving animals in the process. To say that OHV use is damaging wash-ecosystems does not make sense if one considers the "whole ecological picture".

Finally,

Please give all of us more time to review this plan. It's a huge document with huge implications.

Sincerely  


---

Stephen Gabelich  
2172 W Paseo Del Mar  
San Pedro, CA 90732  
sagabelich@raytheon.com

September 5, 2003

138

BLM  
West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

Dear Sirs,

I am writing you in regards to the West Mojave (WEMO) Plan. I am a member of the California Association of Four Wheel Drive Clubs, Inc. and I have concerns about the Draft Environmental Impact Statement. I support Alternative G – **NO ACTION** with the following modifications:

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There are many historical, mining, and archeological areas that can no longer be accessed. There are, also, wildlife water sources that will not longer be maintainable.

Since then I have looked at the maps from the Draft EIS and have noticed and have help document their discrepancies: open routes with no way to get to them, parallel routes that are closed in the BLM, but left open on Private Property, open routes that head into Private Property and then end at the BLM property line. Why should a Public Lands route be closed and a private land owners land be used instead. In fact, why should I the user be burdened with the response of justifying these openings with such a short review time? And, is it coincidental that the 90 days response always seems to be in the middle of the summer with temperatures in excess of 100 degrees?

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In closing, I am recommending the above alternative because of the Draft EIS discrepancies in route designation and lack of a complete inventory of those routes, bad science and obsolete tortoise plans, and I am requesting that the "OPEN unless posted close" policy continue to be practiced. Please, place my name and address on any future notices on this process.

Sincerely,  
*JOHN G. HIVELY*  
*John P. Hively*

19812 Burleigh Dr.  
Yorba Linda, CA 92886

BLM  
West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

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Sincerely,

*M. S. Sawyer*

Mr. Ken Baez  
6864 Glacier Drive  
Riverside, CA 92506

September 9, 2003

Mr. William Haigh  
Bureau of Land Management  
California Desert District Office  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

Subject: West Mojave Plan – Draft Environmental Impact Report and Statement

Dear Mr. Haigh

As an Environmental Scientist Professional with the State of California Environmental Protection Agency and avid offroad recreation enthusiast, I am concerned that scope of all the alternatives described in the West Mojave Plan focuses on the elimination of some of the most well established recreational trail systems in the Southern California. I have reviewed the Plan and have some general and specific comments that should be addressed prior finalizing the plan.

As an offroad recreation enthusiast I have enjoyed the desert of California for over twenty years and have introduced over 20 members of my immediate family to the aesthetic value and recreational opportunities the desert offers. I will continue to share this valuable resource with friends and family for as long as possible and continue to protect my public lands from unnecessary closures.

General Comments

The plan is too long and technical for the average affected person to review within the comment period of 90 days. I would recommend extending the comment period at least 120 days, with additional public meetings to explain the plan to the affected users of the areas with in the region of influence. The meetings should held in the populated areas of San Bernardino, Riverside, Los Angeles and Orange Counties. The meetings should be advertised in the local newspapers and public announcements with radio stations. The objectives of the NEPA and CEQA processes include community outreach and meaningful public participation. It seems that the West Mojave Plan EIR/EIS is so voluminous that requires additional explanation to a group of users that are not scientists or planners.

The objectives of the plan are too general for area described as the affected environment within the region of influence. The plan is too broad in scope by trying to accommodate the need for a habitat conservation plan and serve as the federal land use plan. The area the plan covers is over 9 million acres in size and is simply too large of an area for a generic plan to adequately address the multiple use of the area.

### Specific Comments

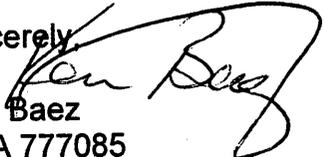
The West Mojave EIS/EIR preferred alternative describes four DWMA's for the desert tortoise and would encompass up to 1.7 million acres. These DWMA's give no specific rationale for their makeup and/or design. There is no scientific evidence that requires this large of an area to promote desert tortoise recovery. According information provided by studies conducted by various researchers an area of 1,000 square miles is sufficient to sustain a population of 10,000 desert tortoises, which has also been identified as the number necessary to recover the desert tortoise populations and remove it from the endangered species listing. It is imperative to focus mitigation efforts to restore the populations to delist the species. I therefore support the Alternative E, with effective multidiscipline mitigation monitoring program to ensure the program effectiveness.

BLM should explore more programs that focus on increasing populations by captive breeding supplemented with a raven population eradication program.

Eliminate fencing programs that promote perches for the raven.

Due to time constraints I am not able complete my comments for timely inclusion. However, if the commenting period is extended please inform me so that more comprehensive comments can be provided. If you have any questions to these comments please contact me at 818 551 2962, or 909 369 1814.

Sincerely,

  
Ken Baez  
AMA 777085  
District 37  
Novice V61

Elizabeth 141  
Marshall  
20220 Semano Rd  
Apple Valley Ca -  
91301

I Elizabeth Marshall am against  
Cattle grazing in West Mojave Region.

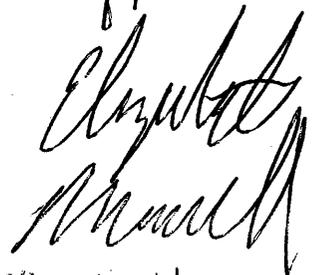
Reasons why are the following,

First, allowing grazing destroys  
the landscape.

Second, grazing destroys the  
local wildlife.

And Third weather is too dry  
& hot for grazing.

Sincerely,



Elizabeth  
Marshall

September 9, 2003

West Mojave Plan  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

To Whom It May Concern:

My name is Larry Ensign. I am writing to you today to express my concerns regarding the new West Mojave Plan options.

First a little background information about myself. I live in Orange County and am an avid off-road motorcyclist. I am an Engineer by profession, I have a family, my wife and 2 young boys ages 3 & 6. I am 41 years of age. My family and I enjoy camping and motorcycle riding and during the months of September thru June we regularly make weekend trips to the desert with our RV. As an addition to this I am an active member of the Training Wheels Motorcycle Club (TWMC) and am currently the Club Presidente. TWMC is D-37 chartered club. Our club consists of approximately 130 families all of which enjoy off road motorcycling. I take great pride in being a member of TWMC as we are a responsible off-road motorcycle club. We do our best to comply with the rules set for us and be a responsible organization taking care of the desert we all enjoy. As an example of this I would like to highlight how last February 2003 after our club outing at El Mirage, the BLM ranger there commended us for leaving the camp area cleaner than when we found it.

At this point you may be asking yourself what all this has to do with the WEMO plan. Well my points were two fold. First I wanted you to understand who I am and that I am not just some uneducated motorcycle rider and second it is my opinion that the off-road motorcycle clubs are the most responsible organizations when it comes to taking care of the desert. These clubs are run by middle aged and senior individuals who are not going to be recklessly abusing the desert, or its inhabitants, as is often portrayed. These individuals pass on this etiquette to their fellow club members and that is one big way in which responsible use of the desert spreads. **Therefore I think it is imperative that the authors of the Draft Environmental Impact Report and Statement (DEIR/S) and the BLM work closely with the motorcycle clubs and there parent organizations to reach real solutions for the environmental concerns of the Mohave Desert today.** Off road Motorcyclists probably make up the largest user group of the Mohave Desert, we want to keep the desert nice. Closing areas means no body can enjoy it.

With this said, I would first like to respectfully request that the comment period for the WEMO plan be extended. This plan is the largest land use management plan ever written and 3 months is not enough time for this plan to be reviewed. Furthermore this plan has been presented for comments during the hottest months of the year when the majority of the motorcyclist take a break and it is not currently on their minds. It kind of appears that the BLM is trying to sneak one by the land users while they are looking the other way. Second, although I personally attended one of the public hearings, I had to drive a significant distance because there were no hearings held in the L.A. and Orange County areas. Lets face it; many of the users of the Mohave Desert come from this area. It is the closest area available for residents of these areas to recreate; yet no public hearings were held in these areas.

West Mojave Plan Letter  
Larry Ensign  
1 of 2

September 9, 2003

The Desert Tortoise recovery continues to be one of the main concerns of environmental organizations including motorized recreationalists. I have listened to David Hubbard the lawyer for D-37, CORVA, and ORBA speak, read articles from both viewpoints off the internet, and in my opinion motorized recreationalists have nothing to do with the desert tortoise being an endangered species. The evidence shows that the spread of the Upper Respiratory Tract Disease and Raven Predation are the main reasons for the Desert Tortoise being an endangered species. The current plan hasn't been working, thus we need to re-evaluate and implement a new plan. Please consider some of the options proposed by the motorized recreationalists such as creating a breeding program for the Tortoise and controlling the raven population. And whatever you please do not put up fences, this will just be a waste of money only to provide perches for ravens to wait for unsuspecting Tortoises.

In closing I would like to state that I am against more land closure and I would personally prefer that none of the current WEMO plan options be approved. However I do understand that there are issues and I believe we can resolve them by working together. I want my kids to be able to enjoy the desert as I have and I don't want to be packed into the same old place with thousands of others. We go to the desert to get away from the crowds. Additionally, I would like to state that there are many more points I would like to discuss but I need more time to adequately review and comment on these items thus please consider extending the public comment period. Thank you for time and consideration.

Sincerely  
Larry Ensign



*P.S. PLEASE ADD ME TO THE BLM'S MAILING LIST.*

BLM  
West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

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In closing, I am recommending the above alternative because of the Draft EIS

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Sincerely,

*M. Granger*

September 5, 2003

144

BLM  
West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

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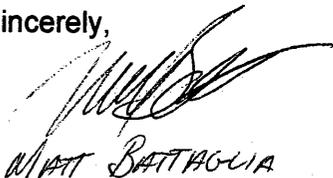
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Sincerely,



MATT BATTAGLIA

1246 N. Citrus Ave. #4  
Covina, CA 91722

September 5, 2003

145

BLM  
West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

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Sincerely,



Phyllis Enoch  
27646 7th Street  
Highland, CA 92346

September 3, 2003

146

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22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

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STEVE HASTINGS

201 Arcana Ct.  
Pomona, CA 91767

September 5, 2003

147

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1246 N. Citrus Ave. #4  
Covina, CA 91722

Elisabeth Battaglia

September 5, 2003

148

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West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

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Since then I have looked at the maps from the Draft EIS and have noticed and have help document their discrepancies: open routes with no way to get to them, parallel routes that are closed in the BLM, but left open on Private Property, open routes that head into Private Property and then end at the BLM property line. Why should a Public Lands route be closed and a private land owners land be used instead. In fact, why should I the user be burdened with the response of justifying these openings with such a short review time? And, is it coincidental that the 90 days response always seems to be in the middle of the summer with temperatures in excess of 100 degrees?

The "closed unless posted open" policy that is being proposed is not consistent with what is currently being used and will only confuse people, because they are use to the "open unless posted closed" policy. This is, again, putting the responsibility on the user instead of the BLM. This policy is in the process of being challenged by a lawsuit in the El Dorado USFS.

In closing, I am recommending the above alternative because of the Draft EIS discrepancies in route designation and lack of a complete inventory of those routes, bad science and obsolete tortoise plans, and I am requesting that the "OPEN unless posted close" policy continue to be practiced. Please, place my name and address on any future notices on this process.

Sincerely,



Bill MARTIN  
6073 Cameo St.  
Alta Loma. CA 91701

September 4, 2003

149

BLM  
West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

Dear Sirs,

I am writing you in regards to the West Mojave (WEMO) Plan. I am a member of the California Association of Four Wheel Drive Clubs, Inc. and I have concerns about the Draft Environmental Impact Statement. I support Alternative G – **NO ACTION** with the following modifications:

- Implement the Species Conservation Measures with respect to tortoise disease and predator control discussed in Alternative F
- Implement a consistent "Open unless posted closed" policy
- Complete the unfinished route inventory and analysis prior to designating any routes as closed

The tortoise plans that are being used are obsolete. They are, also, based on bad science. It is a known fact that predators and respiratory disease kill the majority of the tortoises

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Sincerely,



Ray Leuschner  
2441 Falling Leaf Ave.  
Rosemead, CA 91770-3129

150  
September 6, 2003

BLM  
West Mojave Plan  
22835 Calle San Juan de Los Lagos  
Moreno Valley, CA 92553

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Sincerely,



Ginger Hughes  
1916 W. Lufkin St.  
West Covina, CA 91790