

Subject: DEIR/S

This is in regards to the speed limit proposed on Dual Sport events. Chapter 2.2.6.4 Take Avoidance Measures, Speed Limits (MV-2) allows for the Basic Speed Law (38305) of the 2001 Vehicle Code. Yet permitted Dual Sports events have a speed restriction on them. There is no need for this when all other licensed vehicles are allowed to travel in these areas under the Basic Speed Law. All Dual Sport bikes are licensed through the DMV and are road legal and there for should be allowed to travel the same speeds all other licensed motor vehicles. The post event reports indicate there have been no tortoises taken and little to no habitat destruction. So if there is no depletion of tortoises and little to no habitat destruction they why is there a speed limit restriction being proposed?



Anthony Delmage  
4580 W. 135<sup>th</sup> St.  
Hawthorne, CA 90250

Mark Gigas  
1116 Superior Avenue  
Ventura, CA. 93004  
Tel: (805)647-3836  
markgigas@aol.com  
AMA # 169399

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

September 11, 2003

**RE: Comments on the Proposed West Mojave Plan (WEMO)**

As an active member of the American Motorcycle Association and the Ventura Motorcycle Club, and as an avid off-road enthusiast and frequent visitor to our public lands in the Western Mojave, I make relevant comments on the proposed WEMO plan.

I favor responsible use and reasonable management of our public lands, and that the democratic process of creating a fair and representative plan that incorporates the interests of all involved parties is essential to employ to ensure this end. I am making my opinion known. I want my vote to count!

In my opinion, in the case of the proposed WEMO plan, this democratic process has failed. Moreover, the collective intelligence, or lack thereof, that the tenets of this document are based upon, is outdated, inconclusive, and lacks due diligence. Creating a fair and representative plan, based on bad data and uninformed assumptions, is absolutely negligent, and unequivocally irresponsible. Please see the comments and suggestions listed below:

**Respect Interim Route Closures** - Trails and competition routes that have been temporarily closed, should be reopened. For example, the "C" routes in the Spangler Open Area should be put back into the open inventory. Additionally, the Barstow to Vegas corridor has been deleted simply because it was deleted in NEMO. This corridor needs to be put back into the open inventory. I have never had a chance to ride from Barstow to Vegas but would like to someday!

**Mitigate Loss of Route Closures** - the Freemont Recreation Area described in Alternate E, should be created, and should be connected to the Spangler and El Mirage open areas using existing routes. How about expansion of opportunities rather than complete closure!

**Reopen Duplicate Route Closures** - Duplicate routes are indiscriminately closed without regard for the differences in terrain or degree of difficulty. These routes must be reopened.

**Responsible Protection of the Desert Tortoise** - The current proposal for setting up the Desert Wildlife Management Areas (DWMA) is based upon outdated tortoise studies from the 1970's and '80's. The assumptions made from those studies can no longer be relied upon. Respiratory disease and the predatory habits of the raven, a bird that is not indigenous to the area, need to be studied so a comprehensive and effective plan can be put into place. In general, smaller and better-funded DWMA's would be more manageable, have higher degree for success, and would open more land for the responsible use of off road enthusiasts.

Thank you, and I trust that these comments will be taken into account during the final WEMO decision making process. Please call me at 805 647-3836, or email me at markgigas@aol.com, if you have any questions, comments, or feedback.

Sincerely,

*Mark Gigas*  
MARK GIGAS

BLM California Desert District Office  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

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To Whom It May Concern:

The WEMO plan is the most extensive habitat conservation plan ever developed. I would like to request additional public meetings in the Los Angeles basin where most of the users of the California Desert Conservation Area reside. I would also like to request an extension of the comment period. I ask for these as per Section 5.5 of the Memorandum of Understanding "Role of BLM: Public Participation- Assume lead responsibilities for ensuring adequate public participation by public land users and interest and for overall public participation in the planning effort".

I would like to respectfully insist on a complete survey of the existing routes. The BLM has relied on the 1985-87 survey for its inventory of routes in 11 of the 21 sub regions described in the plan. The 85-87 survey contains no single track trails in the 11 sub regions. Single-track trails do exist even if the BLM has failed to list them.

All routes listed as open in the route inventory should be programmatically approved for dual sport and other noncompetitive events.

I would like to request specific language pertaining to the reopening of the "C" routes surrounding the Spangler Open Area. These C routes are not on most maps because the area they are in is shown with only the routes surveyed in 1985-87. The BLM closed them with the interim closures, thus I expect these routes to be opened upon the signing of this plan.

Please return the Johannesburg triangle back to the open area. The triangle was part of the open area when it was included in the Rand plan. The BLM found no tortoises and it was dropped from the Rand ACEC. I request that the plan leaves the eastern Rands open. The boundary would be R44 to R46 to R43 then south to the boundary. Much of this area excess 20% grade thus, is unsuitable for tortoise habitat.

The number and acreage of the proposed DWMA's (Desert Wildlife Management Areas) is excessive. The proposed tortoise head start area in the Fremont Valley is in an area more suited for recreation as the habitat has been previously impacted by motorized recreation. If you cannot make Fremont Valley an OHV park, then please label it a recreation area and save it for the future.

The Proposed Action, Alternative A, includes the Johnson to Parker and Johnson to Stoddard race corridors. It also states that no races will be permitted outside of the open areas. The plan must include specific language assuring that race will be permitted to use these corridors.

I respectfully demand the reinstatement of the Barstow to Vegas corridor. The Desert Vipers have submitted a workable course map each year along with their permit application. A study done in 1974 states soil compaction problems following the '74 race, yet goes on to site heavy rains the week prior to the race, and admitted could be the cause of the soil compaction they noted.

I request specific language allowing dual sport and enduro events on all existing open routes in the DWMA's.

All existing routes should be considered open unless marked closed.

Sincerely,

*Chris T. Shea*

Steering Committee  
Of the BLM  
Ridgecrest Resource Area  
300 Richmond Road  
Ridgecrest, CA 93555

WMP Team and San Bernardino County Planning  
Bureau of Land Management  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

Dear Reader:

The Steering Committee of the BLM Ridgecrest Resource Area, hereafter Steering Committee, requests a 90 day extension of the comment period for the draft of the WMP. The Steering Committee is a diverse body of user groups, conservation groups, community groups and government representatives. The request for the 90 day extension was a special action by a motion to a quorum of the Steering Committee, and the action was unanimously supported to request an extension for 90 days.

Consideration on your part is appreciated. We have an objective to complete our review of this draft and want to see an acceptable plan implemented.

Sincerely,

Robert Strub

Robert Strub, Chairman

9/12/03

September 12, 2003

Robert Strub  
P.O. Box 36, Trona, CA 93592 (760)372-4944

Public comment WMP Ridgecrest 7-17-03 outline **revised a third time** But not submitted at Ridgecrest. I waited until 29 Palms.

Re: West Mojave Plan  
Habitat Conservation Plan and California Desert Conservation Area Plan  
Amendment Vol. 1

Reference: All from the Draft EIS EIR WMP dated May 2003  
2.2.2, (HCA-28), (HCA-29), Figure 2-1, and Table 4-35

**Observations:**

1. The WMP is the largest Habitat Conservation Plan to date.
2. The WMP is the most complex to date.
3. The boundaries are determined by the south west corner of the California Desert Conservation Area and then to the east by China Lake, Fort Irwin, and 29 Palms
4. The growth in population of man is highest at the southern end and there is no growth at the northern end.
5. Over ninety percent of the population in the West Mojave Plan is in the southern half.
6. The value of unimproved land to the south is over ten times that in the north where there is no growth.

Given the six observations previously made the single land value for a mitigation fee mentioned in 2.2.2.2 on page 2-32 is not flexible enough. The assumption that the mitigation fee does not take into account the actual value will not do.

I would like to make two proposals that be implemented with in the Implementation Structure shown in Figure 2-1 on page 2-31. I do not want these proposals to eliminate the mitigation measures in the Draft EIS/EIR for the WMP. I want them to act in addition to the existing mitigation proposals in the Draft EIS/EIR of the WMP when calculating mitigations for developments or projects in areas where (A) land values are at the extremes and where (B) rural communities show evidence a declining population. These two proposals are not to reduce the protection of existing habitat where that proposed disturbance makes up more than one percent of all remaining habitat for a specific species that is listed by the State or Federal government.

**A. Relative Effective Mitigation Buffer**

I made a proposal at the last California Desert District Advisory Board meeting in Riverside and I would like to incorporate that as an alternative to be considered. Simply the mitigation would not be less than 1/10 the value of the appraised value of the unimproved land and not be more than 10 times the value of the appraised

value of the unimproved land. Recently 600,000 acres was purchased for \$60,000,000. This is a value of \$100 an acre. The mitigation for that \$100 and acre piece of land would be \$3,850. These numbers are from Table 4-35 on page 4-83. This would be a relative mitigation ratio of 38:1 . This is to high. There are also parcels of land that have a value of \$10,000 per acre. This is typically in a city with a 0.5:1 mitigation ratio proposed. Here the mitigation fee would be \$385. This would be a relative mitigation ratio of 1:26 . The difference in the ratios of 38:1 in comparison to 1:26 is nearly 1,000:1 . This is to high a difference in the effective mitigation ratios. The difference by design of the proposed mitigation ratio of 0.5:1 in comparison to 5:1 is 10:1. I do not want to see a relative difference of 1,000:1 . I want to see a maximum difference of effective mitigation of 100:1 . This can be accomplished by making a floor of 0.1:1 of the appraised value and a ceiling of 10:1 of the appraised value. Not all land values are the same. The lands to the north of the DWMA's will be negatively impacted by the development cap of 1% over the next 30 years.

**B. Population Base Year Factor**

Population refers to the population made up of people in a rural community. The population base year should be made and compared to the year the mitigation fee is being proposed. That base year should be the date the ESA was passed or the year the species was listed. This would only apply to rural communities that had a population of people less than that in the base year. The purpose would be to avoid taking of a community in a death by a thousand cuts. There is a primary mandate to the BLM by President Bush to protect rural areas. This should not be ignored. If the base year was made 30 years ago, when the ESA was passed, and the population in 2010 was half of what it was in the base year, then the mitigation would be half of what it is proposed to be in this draft. This would only apply to rural areas of less than 10,000 and more than 100 in population in the base year. The stated purpose of the WMP is to protect the endangered species listed in the plan. The purpose is not to remove rural communities from DWMA's and HCAs. Given the mitigation ratio of 5:1 in the plan which is located only in unincorporated areas and not in cities for the tortoise and the MGS, a device is needed in the plan to protect rural areas from removal.

Robert Strub  
P.O. Box 36  
Trona, CA 93592

WMP Team and San Bernardino County Planning  
Bureau of Land Management  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

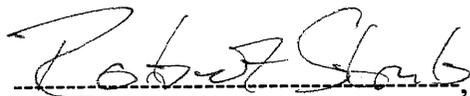
Dear Reader:

During the public review period of the draft of the WMP I made public oral comments asking for two changes. The first was to reduce the differences in the mitigation fees between urban and rural areas. I asked for a floor and a ceiling. This was relative to their actual values set by an appraiser versus a uniform value assumed in the plan. I want to leave my comments unchanged on that comment.

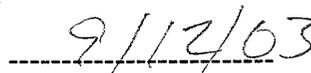
The second change asked for a safety net for rural areas that were reduced in population. A question asked of me by Randy Scott was what boundary would be set to define this area where the population was reduced. After review of this question with some of the members of the Mojave Desert Mountain RC&D which is formed under the USDA, the boundary selected was a preexisting one of school districts and in particular the smallest unit of a school district which is the elementary school district sub boundaries. In very small school districts these are sometimes the same as the whole district.

I want to thank you for allowing me the opportunity to comment on the draft and to participate in the super group. I learned many things and met some wonderful people. Good luck on finishing the process. The above comments were important to me from the beginning. I raised the issue and found no support, so I decided to bide my time and make a comment when the opportunity came again.

Sincerely,



Robert Strub



September 12, 2003

I have used the desert for about 27 years for recreation such as exploring, camping, hunting and horseback riding and would like to continue these activities.

I do not believe the tortoise can be helped unless disease management and Rarion control are implemented.

I would also like to see enhanced Recreation opportunities implemented as these are public lands.

I would like to bring <sup>to</sup> your attention that trails in the Old Mountains have been covered by someone moving rocks, cactus and brush onto well used trails making the trails disappear. This is a very dangerous practice that needs to be stopped.

I do not want to see the West Mojave turn out as the East Mojave has. In the East Mojave many corrals and water tanks have been destroyed or

removed which damages hunting  
and horse camping, I pay for  
hunting licenses and it would  
seem that these fees should be  
used to develop hunting areas  
not to destroy water sources.

I am also on a member  
of ETI councils and I'd like to see  
more horse camps developed. I'm  
sure we would donate labor  
to establish more horse camp  
sites.

Our lands must remain  
open for public use and we must  
establish desert control and Rangeland  
control to save the desert to today.

Thank you

David L. McPart

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Sept. 6th, 2003

William Haigh  
Bureau of Land Management  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

Comments re: Draft Environmental Impact Report and Statement for the West Mojave Plan  
-2003

Dear William Haigh,

Butterbred which is internationally designated as an IBA (important bird area) deserves special protection. Any disturbance including - but not limited to - development of windpower and off road vehicle use needs to be eliminated.

As a member of the Santa Monica Bay Audubon Society (SMBAS) and a long time "user" of the Butterbred area for the purpose of bird watching and general observation of nature I affirm support for Alternatives A, and D, especially the Implementation for heavier fines for violations against motorized encroachments of trails and roads in closed areas of the ACEC. Bikers and off road vehicle drivers pay no attention to small signs (they should be large with permissible routes clearly defined) and continually cut fences erected to keep them out.

You will receive an official and more detailed letter by our organization to which I fully subscribe.

Sincerely



Maja S. Block  
11826 Navy St.  
Los angeles, CA 90066-1118  
Tel: (310) 398-6785

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

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

To Whom It May Concern:

My name is Seth Carreon and I wish to comment on your West Mojave Plan (WEMO). I am an OHV enthusiast and I am an active member of various environmentally conscience organizations.

It saddens me deeply to hear that the WEMO's solution to environmental protection is to close public land. In my opinion, land closure should be a policy of last resort, especially after one considers the many economically-viable alternative solutions. One particular solution, not addressed in WEMO, is public participation within the plan itself. Specifically, OHV volunteer participation.

Much of WEMO language centers on controlling OHV activities. However, WEMO should consider that OHV enthusiasts can also be a potential resource; cost-effectively augmenting the BLM's environmental protection goals. Many OHV enthusiasts want to help the environment, including the desert tortoise. OHV enthusiasts can and should be an integral part of the BLM's plan, not the antagonist. In other words, OHV enthusiast should be written into the plan itself, not just comment on it. The BLM should and can:

- Establish an OHV environmental restoration volunteer incentive program; e.g., allow OHV volunteers greater access to limited use areas; provide BLM store discounts to OHV volunteers, etc.
- Provide OHV enthusiasts with information regarding how they can help endangered species; how to recognize an endangered species; what to do if an OHV enthusiast encounters an endangered species.
- Solicit OHV clubs to participate in habitat restoration
- Solicit OHV clubs to participate in OVH road designation and recommended disposition (although I strongly disagree that closing roads is effective)
- Construct unobtrusive tortoise barriers around wilderness areas
- Establish a BLM sponsored volunteer organization
- Institute a carrion clean-up and disposal plan that may to help reduce the raven's food source (and population accordingly) thus promoting tortoise recovery.
- Allow raven hunting during the OHV off-season within established boundaries.

Sincerely,

A handwritten signature in black ink, appearing to read 'Seth Carreon', written over the word 'Sincerely,'.

Seth Carreon

September 5, 2003

259

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

The closures are based on 85-87' route designation without an adequate survey. I have been on several mapping projects with CA4WDC where the BLM maps we were reviewing were far from what was in the area. There were routes that were proposed open that were over grown, routes that were proposed closed that were designated with BLM route numbers, and routes proposed closed in an OPEN area, etc. During this mapping we have found that the inventory of existing routes is inadequate.

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?

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,

  
118 N. Kodiak St. Unit D  
Anaheim, CA 92807

September 4, 2003

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

Dear Sirs,

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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,  


Kerrie Graham  
844 E. Wisteria Court  
Ontario, CA 91761

September 3, 2003

261

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 some modifications. I have listed those modifications below:

- Make the "Open unless posted closed" policy consistent throughout
- Start a Species Conservation Measures with respect to tortoise disease and predator control as discussed in Alternative F
- Complete the inadequate 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

There are many people of CA4WDC that have gone and mapped many of the areas in this plan. It is my understanding that they have found and documented that the route inventory is incomplete. It should not be up to the public to have to do the work that should have been done by the BLM. Routes should have been survey on the ground, not by using maps based on the 85-85' route designation.

In addition, the review period for this draft is way too short considering the huge area that needs to be looked at to make sure that all the routes are included. And the comment period always seems to be during the hottest time in the desert. When temperatures are in excess of 100 degrees and it is unsafe to go out a map these areas.

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.

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 putting the responsibility on the user instead of the BLM. This policy is in the process of being challenged by a lawsuit in the EI Dorado USFS.

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Sincerely,

*D Kent Olsen*  
*D Kent Olsen*

280-F W. Montecito Ave.  
Sierra Madre, CA 91204

September 5, 2003

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

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Sincerely,



Jesse E. May

4432 Vangold Ave.  
Lafayette CA 94511

Ladies and/or gentlemen,

I am writing to comment on the "West Mojave Plan". I have been camping in the southern California desert since I was a toddler. My parents took us camping hundreds of times while I was growing up and those memories are still with me to this day. Now that I am an adult, my family and I also enjoy camping in the desert at least 15 weekends per year. We enjoy our public lands responsibly and we leave our camp areas cleaner than when we arrived.

It appears that once again you are contemplating closing large areas of land to accommodate the desert tortoise. Virtually all responsible research regarding the decline in numbers of the tortoise confirms that human use of our desert public lands, including motorized recreation, have little or no impact on the tortoise. Overpopulation of the desert raven and respiratory disease are the main issues affecting the tortoise population. Closing more of our public lands will not significantly benefit the desert tortoise and it will severely impact thousands of southern California families who enjoy motorized recreation in our desert areas.

I have several specific concerns with the plan as proposed. They are as follows:

- The comment period of 90 days is not sufficient for everyone who would like to be heard to have that opportunity. Please extend the comment period for a more reasonable amount of time.
- Duplicate or parallel routes should not be closed without considering the impact on trail users. There may be several ways to get to a particular destination, but some may be far too challenging or difficult for my wife and son to navigate, while providing a stimulating challenge for me. There does not seem to be any logic to closing routes simply because they are parallel nor will these closed routes benefit the tortoise in any way.
- The "C" routes in the Spangler open area were supposed to have been closed on a temporary basis. These routes should be reopened.
- I am particularly opposed to the fencing recommendations in the DEIR/S. Fencing in the desert areas is dangerous, unnecessary and it provides excellent perch sites for the ravens who are preying on the tortoise.
- Bringing the raven population under control will do more to help the desert tortoise than any public land closures could ever hope to accomplish. Allow hunters/shooting enthusiasts to help reduce their numbers.
- How about a captive breeding program to help replenish tortoise populations.

In summary, over the past three decades we have seen millions of acres of our public lands placed off limits to recreation of virtually all kinds. Responsible use of our public lands is a fundamental right of all Americans and should not be infringed on except in the case of extreme circumstances. The decline in numbers of the desert tortoise does not justify the closure of our public lands nor do these closures provide

much help in replenishing the tortoise population. They just rob American families, particularly those of us who enjoy motorized recreation, of our right to enjoy our public lands. Most of these desert areas are not used by anyone else for any other purpose. They are not particularly scenic or unique or pristine. But we love these areas anyway and we use them responsibly. Please keep our concerns in mind as you finalize WEMO.

Please add my name address to the BLM mailing list.

Thank You,

Don Brunson  
242 Culview Ct.  
Simi Valley, CA 93065

August 31, 2003

Attn: West Mojave Plan

The West Mojave Plan has done considerable studies on the Desert Tortoise and the Mojave Ground Squirrel, and has a great amount of concern for their welfare. This study has not addressed the impact on the human family though!

Yes, the Motorized Recreational Community is a family affair! In this age of electronic communication, the value of quality family time, of community, I believe, has to be given equal consideration.

No definitive decisions should be made, September 12, 2003! I believe further studies should be done to truly see the sociological impact this will have on the family.

Growing up as a member of a Motorized Recreational Community I have only fond memories of family rides, and quality time around the campfire. I have been fortunate to be able to do the same with my family today. This opportunity would be lost to the next generation.

The majority of families who will be affected reside in Los Angeles, Riverside, San Diego and Orange Counties. We did not even have the opportunity to attend a public hearing or meeting!

To not have the opportunity to be educated on what your plans were is totally unacceptable!

The preservation of our environment and the protection of the Desert Tortoise, and the Mojave Ground Squirrel are all important, and they seem to be your priority...have you truly looked at the human impact? The BLM already has 1.15 million acres for tortoise recovery...it has designated 6.4 million acres as "critical habitat".

The establishment of one large Desert Wildlife Management Area, as proposed by ALT. E of the WEMO Plan, should be adopted until further studies are completed in the following areas...

1. The sociological affect on the family unit.
2. Implementation of a BLM Head Start Program for captive breeding to replenish the desert tortoise.

3. The impact on the Desert Tortoise by Ravens...the main predator of the young Desert Tortoise! Ravens are NOT indigenous to the said area!
4. Education! The inclusion of the Motorized Recreational Community, with any concerns, or possible plans you may be addressing that would impact our community. This information could be included with vehicle registration!
5. A complete study of the economic impact should be done! The DEIR/S recommendation of fencing, at a cost of 14 million dollars per DWMA, sounds ridiculous! The California State economy does not support expenditure like this; the fence's value is truly questionable! I ask you, to what end, except for providing a designated food site and perch for the many ravens! A greater value would be derived by educating the public and expanding the Tortoise Head Start Program!
6. D-37 Dual Sport has compiled 1.4 million miles of travel without the loss of a single Desert Tortoise! Here you have documented successful cohabitation!

All decisions should be made only after a complete study of the above 6 items. Example: of the 23 sub-regions only 11 were fully surveyed! The others relied on a 1985-1987 survey, which contained no single-track trails.

Language should be inserted to allow for:

1. The Johnson to Parker, and Johnson to Stoddard Race Corridors Continued use.
2. Barstow to Vegas Corridors placed back into the Route Inventory.
3. Re-open the "C" Routes at the Spangler Open Area.
4. All duplicate or parallel routes that were closed in Route designation should be returned to open status!

Please include my name to your BLM mailing list.

Thank You,

*Kevin Allen*

9930 Owensmouth Ave #2

Chatsworth CA 91311

August 31, 2003

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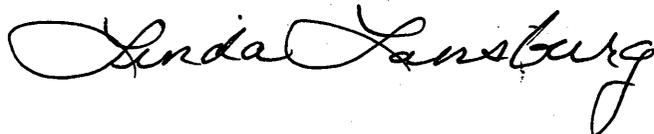
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4. All duplicate or parallel routes that were closed in Route designation should be returned to open status!

Please include my name to your BLM mailing list.

Thank You,



Members  
Mike Ahrens  
Sheri Ahrens  
Ciegi Ahrens  
Casey Ahrens  
Lucerne Valley, CA  
Matt Battaglia  
Beth Battaglia  
Covina, CA  
Andy Cunningham  
Barbara Cunningham  
Redlands, CA  
Rich Enoch  
Phyllis Enoch  
Highland, CA  
Dave Frederick  
Linda Frederick  
Moreno Valley, CA  
Steve Gardiner  
Anaheim, CA  
Keith Graham  
Sandy Graham  
Alta Loma, CA  
Kerrie Graham  
K.C. Graham  
Ontario, CA  
Steve Hastings  
Pomona, CA  
John Hively  
Sharon Hively  
Yorba Linda, CA  
Ron Hughes  
Ginger Hughes  
Kevin Hughes  
Nicole Hughes  
West Covina, CA  
Heinz Leuschner  
Ontario, CA  
Ray Leuschner  
Rosemead, CA  
Bill Martin  
Tammy Martin  
Samantha Martin  
Alexis Martin  
Alta Loma, CA  
Jesse May  
Cheryl May  
Amanda May  
Eric May  
Long Beach, CA  
Kory Merrill  
Joanne Merrill  
Kody Merrill  
Riverside, CA  
Kent Olsen  
Sierra Madre, CA  
Gail Pipal  
Sierra Madre, CA  
Rick Schaffer  
Suzy Schaffer  
Long Beach, CA  
John Snell  
Tracey Snell  
Amanda Snell  
Riverside, CA  
Robert Taylor  
Wanda Taylor  
Amy Taylor  
Rebecca Taylor  
Robert Taylor, Jr.  
Glendora, CA  
Jeff Taylor  
Anne Taylor  
Holly Taylor  
Shane Taylor  
Katie Taylor  
Tustin, CA  
Clint Wright  
Temecula, CA



# Desert Dawgs 4WDC

1916 W. Lufkin St.  
West Covina, CA 91790



September 6, 2003

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

Dear Sirs,

I am writing you on behalf of the Desert Dawgs 4WDC's 55 members, in regards to the West Mojave (WEMO) Plan. We are a member club of the California Association of Four Wheel Drive Clubs, Inc. and we have concerns about the Draft Environmental Impact Statement. We 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

The closures are based on 85-87' route designation without an adequate survey. Our club members have been on several mapping projects with CA4WDC where the BLM maps we were reviewing were far from what was in the area. There were routes that were proposed open that were over grown, routes that were proposed closed that were designated with BLM route numbers, and routes proposed closed in an OPEN area, etc. During this mapping we have found that the inventory of existing routes is inadequate.

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 some of our members 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 owner's land be used instead. In fact, why should we the users 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, we are 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 we are requesting that the "OPEN unless posted close" policy continue to be practiced. Please, place our club name and address on any future notices on this process.

Respectfully,

Ginger Hughes, Desert Dawgs 4WDC President

September 4, 2003

267

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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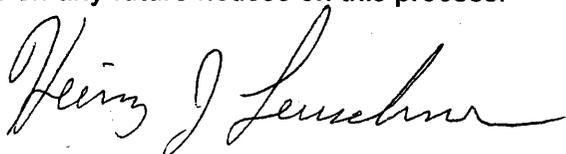
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Sincerely,



HEINZ J. LEUSCHNER

844 E. Wisteria Court  
Ontario, CA 91761

To Whom it May Concern,

After attending the Palmdale meeting enabling the public to comment on the Mojave Desert Plan, I was struck by several things. One was the comprehensive scope of the plan, the enormous area it encompasses, and all the hard work and compromise that was needed to create it. If it is to succeed as a blueprint for the future, it must effectively deal with conservation, growth, animal habitat, property owners rights , recreational needs, agriculture, mining etc. A lot of varied interests . Although I've always practiced conservation, I'm also a business owner (I own the Jawbone Canyon Store, 20 miles north of Mojave). In the past year I've spoken to hundreds of recreationists and off roaders who stop at our store. The complaint is usually the same. While there are more and more motor cyclists, dune buggies, jeeps, quads, there are fewer places to use these vehicles, especially close to the L.A. area. Green sticker purchases have gone up because of unprecedented vehicle sales, yet we're more likely to see an area closed (like the Rand Mountains) than we are to see new areas opened. Where are our fees going? They seem to be going towards more policing of areas that are definitely becoming more crowded. The Rands were closed due to a lawsuit brought against the BLM which I believe stated critical tortoise habitat was being destroyed by off road vehicle use. At the Palmdale meeting I attended, it seemed people crafting this plan were focusing on this perceived problem in several areas of the Mojave Desert. Tortoise habitat being threatened by off road vehicle use, yet when I had a chance to speak to the biologist who was there to answer questions, I discovered desert tortoise populations were suffering losses in almost all areas of the Mojave, several which were areas closed to off road vehicles. So in other words, whether it's due to predators, disease, highway vehicles or other means, the tortoise population is declining, and closing off the entire desert might not stop it. The gentleman I spoke to , who had worked for 2 years on the study, also was candid when I asked him what exactly can be done to reverse this decline. He basically said we're (the biologists who've spent over 2 years documenting this problem) not really sure. Apparently, in this entire study area, there's only one spot where the turtle population is doing okay, and they're not positive why its just there, and not in the other areas studied.

So, with this massive 4 inch thick study under our belts, we still don't exactly know how to reverse this trend. Why, then, do the powers that be, usually in response to an environmental lawsuit, want to fence off more desert to people, when there is no data to support this will change things for the tortoise. I love wild animals, and I believe that we need to protect their habitat. But at what cost? I wonder if it wouldn't be prudent to remove tortoises from areas of declining populations to areas more favorable to them. What I do know is that fencing people into smaller areas and then ticketing those who stray from unreasonable confines is not an acceptable answer. I believe that people, especially future generations (my kids and their kids) should be put first in this plan.

During this meeting, the business climate for the future in this area was discussed. Where my business is located, the towns of Mojave and California City are close by. I don't think anyone would argue that many businesses in these towns get a tremendous benefit from the millions spent there annually by thousands of off roaders traveling through. How would these small towns replace this income if more areas are closed?

In closing, I find the off road community to be filled with caring, intelligent people who are hoping for a future in the Mojave desert where thoughtful programs are being managed not just for animals. but for the thousands of people who recreate here and willingly pay, through their taxes, for this type of study.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Spencer', written in a cursive style.

Scott Spencer  
Owner Jawbone Canyon Store

Nate Sciacqua  
P.O. Box 1116  
Weldon, CA 93283

269

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

**RE: Comments on the Proposed West Mojave Plan (WEMO)**

As an active member of the American Motorcycle Association and the Dirt Diggers Motorcycle Club, as an avid off-road enthusiast and frequent visitor to our public lands in the Western Mojave, I would like to comment on the proposed WEMO plan.

I recognize the need to ensure responsible use and management of our public lands, and that the democratic process of creating a fair and representative plan that incorporates the interests of all involved parties is essential to employ to ensure this end.

However, in the case of the proposed WEMO plan, this democratic process has failed. Moreover, the collective intelligence, or lack thereof, that the tenets of this document are based upon, is outdated, inconclusive, and lacks due diligence. Creating a fair and representative plan, based on bad data and uninformed assumptions, is absolutely negligent, and unequivocally irresponsible. Please see the comments and suggestions listed below:

- **Respect Interim Route Closures** – Trails and competition routes that have been temporarily closed, should be reopened. For example, the "C" routes in the Spangler Open Area should be put back into the open inventory. Additionally, the Barstow to Vegas corridor has been deleted simply because it was deleted in NEMO. This corridor needs to be put back into the open inventory.
- **Mitigate Loss of Route Closures** – the Freemont Recreation Area described in Alternate E, should be created, and should be connected to the Spangler and El Mirage open areas using existing routes.
- **Reopen Duplicate Route Closures** – Duplicate routes are indiscriminately closed without regard for the differences in terrain or degree of difficulty. These routes must be reopened.
- **Responsible Protection of the Desert Tortoise** - The current proposal for setting up the Desert Wildlife Management Areas (DWMA) is based upon outdated tortoise studies from the 1970's and '80's. The assumptions made from those studies can no longer be relied upon. Respiratory disease and the predatory habits of the raven, a bird that is not indigenous to the area, need to be studied so a comprehensive and effective plan can be put into place. In general, smaller and better-funded DWMA's would be more manageable, have higher degree for success, and would open more land for the responsible use of off road enthusiasts.

Thank you, and I trust that these comments will be taken into account during the final WEMO decision making process.

Sincerely,



Nate Sciacqua

September 5, 2003

270

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

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Sincerely,



TAMMY MARTIN

6073 Cameo St.  
Alta Loma, CA 91701

**PLANNING DEPARTMENT**

**TED JAMES, AICP, Director**

2700 "M" STREET, SUITE 100  
BAKERSFIELD, CA 93301-2323

Phone: (661) 862-8600

FAX: (661) 862-8601 TTY Relay 1-800-735-2929

E-Mail: [planning@co.kern.ca.us](mailto:planning@co.kern.ca.us)

Web Address: [www.co.kern.ca.us/planning](http://www.co.kern.ca.us/planning)



**RESOURCE MANAGEMENT AGENCY**

**DAVID PRICE III, RMA DIRECTOR**

Community & Economic Development Department

Engineering & Survey Services Department

Environmental Health Services Department

Planning Department

Roads Department

271

September 11, 2003

West Mojave Plan

22835 Calle San Juan Dr Los Lagos

Moreno Valley, CA 92553

County of San Bernardino

Land Use Services Department

385 N Arrowhead Avenue

San Bernardino, CA 92415-0182

City of Barstow

Planning Department

220 East Mountain View Street, Suite A

Barstow, CA 92311

**RE: Draft Environmental Impact Report and Statement (Draft EIR/S) for the West Mojave Plan**

The Kern County Planning Department has actively participated in the formulation of the Draft West Mojave Plan. The West Mojave Plan addresses the management of 3.6 million acres of public land administered by the BLM and 2.8 million acres of private lands. The West Mojave Plan is being prepared collaboratively with local, state and federal agencies. It is the intent of the collaborators that the West Mojave Plan serve as a habitat conservation plan for this area. All public lands are within the California Desert Conservation Area, and the study area lies within the borders of Kern, Inyo, Los Angeles and San Bernardino Counties. The proposed Habitat Conservation Plan will facilitate issuance of programmatic incidental take permits by the California Department of Fish and Game and the United States Fish and Wildlife Service to participating cities and counties. Kern County Planning Department is a NEPA Cooperating Agency with the Bureau of Land Management on the public lands management plan and a CEQA Responsible Agency (as defined by Section 15096 of the State CEQA Guidelines) for the Habitat Conservation Plan.

The Kern County Planning Department will continue to participate in the development of the West Mojave Habitat Conservation Plan that will provide for multiple uses on public lands and streamline permitting for compliance with endangered species regulations on private land. This streamlined approach is intended to provide for economic development in the desert areas of eastern Kern, including the implementation of the Kern County General Plan update, the Mojave Specific Plan, and permitting of extractive industries and energy development

The Kern County Planning Department appreciates the opportunity to provide the following comments:

### **DESERT TORTOISE RECOVERY PLAN:**

The Desert Tortoise Recovery Plan was approved in 1994. Although the plan includes a provision for a three or four year review, to date the plan has not been reassessed. Habitat Conservation Plans are required to be based on the most current science and the West Mojave Team has spent significant time and money since 1996 to research the desert tortoise and the other species in the plan. Kern County through its participation on the QuadState County Government Coalition and various OHV stakeholder groups have called for the required promised review.

On August 18, 2003, Steve Thompson, Manager of the California/Nevada operations office of U.S Fish and Wildlife Service, provided testimony before the Subcommittee on National Parks, Recreation, and Public Lands, U.S. House of Representatives regarding the desert tortoise recovery plan. His submitted written statement includes the following information on the schedule of this review. " [The] .... Service is conducting a formal review of the 1994 recovery plan. In March 2003, we initiated an assessment of the 1994 plan by forming an Assessment Committee comprised of scientists with expertise in desert tortoise biology, ecology and disease, along with scientists who will review the monitoring techniques to address concerns raised by the recently completed GAO report. The Committee will reassess the recovery plan to gather and evaluate existing and new information on the status and trends of desert tortoise populations and recommend changes to the recovery plan based on new information. This assessment process is open to involvement from interested parties through participation in the MOG and DMG monthly meetings. The Committee will submit a report with its recommendations to the MOG and DMG for consideration by January 2004. These groups will use this new information to revise the recovery plan, which will take approximately one year."

To the extent the West Mojave Plan is based on the recommendations of the 1994 Desert Tortoise Recovery Plan, the EIR/EIS should acknowledge the recommendations that are clearly from the Recovery Plan that may change after the revision is completed. A clear statement of the process the West Mojave Plan and Habitat Conservation Plan will utilize to address these revisions needs to be included in the plan.

### **MOHAVE GROUND SQUIRREL**

The Planning Department continues to be supportive of the use of sound science based on peer reviewed information to formulate conservation programs for the Mohave Ground Squirrel.

## **EXECUTIVE SUMMARY**

### **BIOLOGICAL GOALS AND OBJECTIVES**

#### **E.4..1 Desert Tortoise**

**Page ES-4** The biological goals appear to correlate with recommendations of the Desert Tortoise Recovery Plan (1994) yet the connection is not clear. What is the relationship between the formulation of the biological goals and the recommendations of the Desert Tortoise Recovery Plan?

**Page ES-5 and ES -6** Alternatives F - No DWMA – Aggressive Disease and Raven Management is considered not to meet the criteria for any of the biological goals as it fails to establish a DWMA. Yet failure to aggressively manage ravens and research the causes and spread of disease will doom any DWMA's established. Please clarify the provisions in the Proposed Action – Habitat Conservation Plan for addressing disease and ravens.

**Page ES-6 and ES -7** Goal 3 - It appears that the connectivity between DWMA's in Goal 3 was based on a recommendation from the Recovery Plan and biological advisors that now appears to be considered by the West Mojave Plan team to be not appropriate due to concerns regarding spread of disease. The document should clearly recommend that this Goal be modified or deleted as it applies to the Habitat Conservation Plan.

## **CHAPTER 2 - ALTERNATIVES**

### **Alternative A: Proposed Action : Habitat Conservation Plan**

#### **Page 2-17 Biological Transition Areas (BTA)**

The second bullet point states that the BTA's would be a "band of land one to two miles wide." Kern County participated in the formulation of these mapped BTAs. Each BTA is to be the size needed to accomplish the purpose and in some locations may be less than one mile or wider than two miles.

#### **Page 2-17 Special Review Areas (SRA)**

It is our understanding that the plan includes no Special Review Areas within Kern County.

#### **Page 2-21 Rand Mountain – Fremont Valley Management Plan**

The Rand Plan is located in Kern County adjacent to recently deannexed lands from the City of California City and a county maintained road. The proposal for a visitor use permit program should include acknowledgement that the details of the permit program will be developed in consultation with the Kern County Planning Department and the Kern County Sheriff's Department, as well as affected stakeholders.

## **Page 2-28 Allowable Ground Disturbances (AGD)**

Please clarify that in regards to private land in the HCA under the provisions of the Habitat Conservation Plan, the prohibition on “new ground disturbance includes any clearing, excavating, grading or manipulation of the terrain “ would apply only to those activities for which the Kern County Planning Department has a permitting process. Building permits and grading permits do not, routinely, apply to certain agricultural activities such as clearing of land, brush cutting or disking.

## **Page 2-32 Mitigation Fee**

Please clarify what amount of the parcel is used for calculation of fees on parcels less than one acre, between one to 2 ½ acres, and greater than 2 ½ acres.

## **Take Authorized by Incidental Take Permits**

### **Page 2-43 Alkali mariposa lily**

The Alkali Mariposa Lily Conservation Areas includes a portion of the Rosamond Specific Plan adjacent to the boundaries of Edwards Air Force Base. Under the Habitat Conservation Plan this area would be subject to the 1 % Allowable Ground Disturbance limit for incidental take , a biological plant survey and make ministerial building permits subject to a 5:1 compensation ratio. While the Planning Department has reviewed the conceptual boundaries of this HCA with the West Mojave Team, a more detailed, parcel by parcel review with a definitive boundary will be required before recommendation and consideration by the Board of Supervisors can be made. Staff notes the concerns of the Rosamond Community Services District in regards to construction of their planned tertiary sewer plant.

### **Page 2-43 Barstow woolly sunflower**

The North Edwards Conservation Areas includes a portion of the community of Boron. Under the Habitat Conservation Plan this area would be subject to the 1 % Allowable Ground Disturbance limit for incidental take, a biological plant survey and make ministerial building permits subject to a 5:1 compensation ratio. While the Planning Department has reviewed the conceptual boundaries of this HCA with the West Mojave Team, a more detailed, parcel by parcel review with a definitive boundary will be required before recommendation and consideration by the Board of Supervisors can be made.

### **Page 2-44 Desert cymopterus**

The North Edwards Conservation Areas includes a portion of the community of Boron. Under the Habitat Conservation Plan this area would be subject to the 1 % Allowable Ground Disturbance limit for incidental take, a biological plant survey and make ministerial building permits subject to a 5:1 compensation ratio. While the Planning Department has reviewed the conceptual boundaries of this HCA with the West Mojave Team, a more detailed, parcel by parcel review with a definitive boundary will be required before recommendation and consideration by the Board of Supervisors can be made.

**Page 2-43 Bendire's thrasher**

Please clarify why there is no listing for authorized take in Kern County on private lands, yet there is habitat conserved in Kern County in the southern Kelso Valley.

**Page 2-43 Kelso Creek monkeyflower**

The document should acknowledge the recent acquisition of private land acreage in the Kelso Valley in Kern County for conservation of this plant.

**Page 2-46 Mohave ground squirrel**

Please define the term "resident squirrel". Does this mean that accidental "take" of a squirrel outside the MGS CA area would not be covered if the squirrel was not occupying the project site? Staff notes that no other species has this term applied.

**Take Avoidance Measures**

**Page 2-75 Yellow-Eared Pocket Mouse**

Did the recent acquisition of private land acreage in the Kelso Valley in Kern County provide any benefit for this species?

**Page 2-93 Alkali Mariposa Lily**

The Kern County Engineering and Survey Services Floodplain Management Department should be included in any review of hydrological studies for the Rosamond Lake Basin outside the Edwards Air Force base boundaries.

The table on page 2-43 states that take will be allowed on private land outside the conserved areas, yet only the City of Lancaster is specifically discussed. Please clarify the requirements for take on Kern County private lands outside the HCA.

**Page 2-95 Barstow woolly sunflower**

Staff notes that 92% of the North Edwards Conservation Area is private land and the boundary is interim. Determination of the final boundaries appears to be a function of private development proposals providing biological surveys for presence or absence and mitigation until the final boundaries are determined. Plant surveys are more sensitive to timing of survey than animals and birds and this restriction can more readily delay development processing. The proposed Habitat Conservation Plan should include a funded program for surveys by the Implementation

Team with permission of the property owners to better define the boundaries of the HCA. Such a program should include, with assistance from the Planning Department, education of the Boron community and businesses on the advantages of the Habitat Conservation Plan and a large-scale survey.

#### **Page 2-105 Reveal's buckwheat**

The Authorized Take table on page 2-47 states that “no take is anticipated, but allowed on private lands outside the Middle Knob proposed ACEC.” Yet this discussion refers to the Jawbone Butterbrecht ACEC and Jawbone Canyon. Please clarify the location of this plant, what ACEC is affected and what recommendations apply to private lands.

#### **Public Livestock Grazing Program**

##### **Page 2-107**

The grazing program should acknowledge the pending policy changes under the BLM's consideration such as the Working Landscape” Grazing Policy and related regulation changes. The stated goals of these proposed regulatory changes are to promote citizen-based stewardship of the public lands. The potential policy changes would provide more options and flexibility for resource managers, ranchers, conservationists, and others to work in partnership to achieve healthier Western rangelands. How would the grazing standards and prescriptions change if these regulatory changes occur?

#### **Voluntary Relinquishment of Cattle and Sheep Allotments**

##### **Page 2-121**

The Planning Department continues to object to the proposed changes to the BLM CDCA plan to provide for voluntary relinquishment of cattle and sheep allotments on public lands without public notice or input. Grazing allotments on public lands, in conjunction with use of private land, form the basis for the business of sheep and cattle grazing. Elimination of the public notification portion of the process is detrimental to the long-term future of sheep grazing in the desert areas of Kern and San Bernardino County. Without public notification grazing interests are not informed of the relinquishment, which is often prompted by economic incentives by preservation interests, and have no opportunity to provide a counter-offer or indicate interest in the license for the allotment. Impacts to the industry-wide property interest is not acknowledged in this proposed policy change, as the total number of allotments continues to decline each year through conservation restrictions, new management prescriptions and anti-grazing efforts. The Planning Department particular objects to use of conservation goals as a justification for the elimination of public notification, analysis and comment on relinquishment of allotments. Implementation of the conservation goals of the West Mojave Plan must continue to include the public, not exclude them. This proposal should be removed from the proposed action on public lands or 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 an appeal period.

**Public Land Motorized Vehicle Access Network Page 2-124**

The Bureau of Land Management is proposing to adopt an amendment to the CDCA Plan that establishes a network of motorized vehicle access routes as a component of the CDCA. The proposed network would provide access to nearly three (3) million acres of public lands within the western Mojave Desert. The BLM has been on an accelerated schedule to complete the route designation for the western Mojave Desert region due to the agency's obligations to fulfill a lawsuit settlement agreement. In March 2000, the BLM was sued by the Center for Biological Diversity and other parties alleging that the BLM violated the federal Endangered Species Act by not initiating Section 7 consultation with the U. S. Fish and Wildlife Service on the effects of the CDCA Plan on a number of threatened and endangered species. Subsequently, the BLM entered into a settlement agreement and consent decree with the plaintiffs in February 2001 agreeing to finalize route designations in the Western Mojave area by June 30, 2003. In a notice dated May 15, 2003, the BLM announced its intent to adopt the proposed route network as described in the environmental assessment on the West Mojave Off Road Vehicle Designation Project. The BLM took action on June 30, 2003 after taking public comment, including objections from the City of Ridgecrest and rejecting protests from OHV groups and San Bernardino County. In Kern County, the plan acknowledges the 1985-1987 BLM route designation process that was adopted but never fully implemented and establishes the El Paso Collaborative Access Planning Area. This collaborative process for the El Paso and South of Ridgecrest sub region will commence a year long effort for local stakeholders, in collaboration with Kern County Planning, the City of Ridgecrest and BLM to identify and ground truth a route system for proposed designation.

The proposed route designation process should be amended to:

- Clearly acknowledge the county's RS 2477 rights
- Implement, monitor and enforce the existing mid-1980 before new and more stringent use restrictions are adopted.
- Delay route designation or provide for amendments to the decision, until the Desert Tortoise Recovery Plan review is completed by the U. S. Fish and Wildlife Service as it may have a significant effect on the approach used in the route designation project.
- Incorporate changes that result from the current comment and review for the Draft Environmental Impact Report and Statement (Draft EIR/S) for the West Mojave Plan.

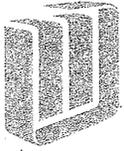
The Kern County Planning Department appreciates the opportunity to participate in the public comment environmental review of the West Mojave Plan.

Yours truly,



Lorelei H. Oviatt, AICP  
Supervising Planner

cc: Ted James, Planning Director  
Supervisor McQuiston  
Supervisor Maben



**MWD**  
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

September 12, 2003

Mr. William Haigh, Bureau of Land Management  
WEST MOJAVE PLAN  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

Dear Mr. Haigh:

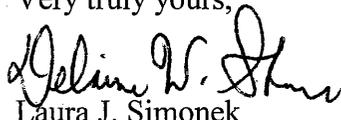
Draft Environmental Impact Report and Statement for the West Mojave Plan

The Metropolitan Water District of Southern California (Metropolitan) has received a copy of the Draft Environmental Impact Report and Statement (DEIR/S) for the West Mojave Plan (Plan). The United States Bureau of Land Management (BLM) is the Federal lead agency and the county of San Bernardino (County) and city of Barstow (City) are the California co-lead agency for this project. The project location is portions of San Bernardino, Inyo, Kern and Los Angeles Counties. The Plan is a habitat conservation plan and federal land use plan amendment that presents a comprehensive strategy to conserve and protect the desert tortoise, the Mohave ground squirrel, and nearly 100 other sensitive plants and animals and the natural communities of which they are a part, while providing a streamlined program for complying with the requirements of the California and federal Endangered Species Acts (CESA and FESA, respectively). The planning area includes 3.2 million acres of public land and 3.0 million acres of private land.

Metropolitan will be providing detailed comments on this DEIR/S, as a potentially affected public agency, by no later than September 19, 2003.

Our contact will be Dr. Martin Meisler of the Environmental Planning Team at (213) 217-6364.

Very truly yours,

(f)   
Laura J. Simonek  
Manager, Asset Management  
and Facilities Planning Unit

LIM/rdl  
(Public Folders/EPU/Letters/12-SEP-03B.doc -- William Haigh)

BLM California Desert District Office  
22835 Calle San Juan De Los Lagos  
Moreno Valley, CA 92553

03 SEP 22 PM 2:02

To Whom It May Concern:

The WEMO plan is the most extensive habitat conservation plan ever developed. I would like to request additional public meetings in the Los Angeles basin where most of the users of the California Desert Conservation Area reside. I would also like to request an extension of the comment period. I ask for these as per Section 5.5 of the Memorandum of Understanding "Role of BLM: Public Participation- Assume lead responsibilities for ensuring adequate public participation by public land users and interest and for overall public participation in the planning effort".

I would like to respectfully insist on a complete survey of the existing routes. The BLM has relied on the 1985-87 survey for its inventory of routes in 11 of the 21 sub regions described in the plan. The 85-87 survey contains no single track trails in the 11 sub regions. Single-track trails do exist even if the BLM has failed to list them.

All routes listed as open in the route inventory should be programmatically approved for dual sport and other noncompetitive events.

I would like to request specific language pertaining to the reopening of the "C" routes surrounding the Spangler Open Area. These C routes are not on most maps because the area they are in is shown with only the routes surveyed in 1985-87. The BLM closed them with the interim closures, thus I expect these routes to be opened upon the signing of this plan.

Please return the Johannesburg triangle back to the open area. The triangle was part of the open area when it was included in the Rand plan. The BLM found no tortoises and it was dropped from the Rand ACEC. I request that the plan leaves the eastern Rands open. The boundary would be R44 to R46 to R43 then south to the boundary. Much of this area excess 20% grade thus, is unsuitable for tortoise habitat.

The number and acreage of the proposed DWMA's (Desert Wildlife Management Areas) is excessive. The proposed tortoise head start area in the Fremont Valley is in an area more suited for recreation as the habitat has been previously impacted by motorized recreation. If you cannot make Fremont Valley an OHV park, then please label it a recreation area and save it for the future.

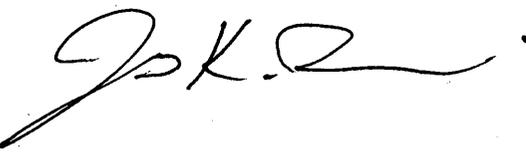
The Proposed Action, Alternative A, includes the Johnson to Parker and Johnson to Stoddard race corridors. It also states that no races will be permitted outside of the open areas. The plan must include specific language assuring that race will be permitted to use these corridors.

I respectfully demand the reinstatement of the Barstow to Vegas corridor. The Desert Vipers have submitted a workable course map each year along with their permit application. A study done in 1974 states soil compaction problems following the '74 race, yet goes on to site heavy rains the week prior to the race, and admitted could be the cause of the soil compaction they noted.

I request specific language allowing dual sport and enduro events on all existing open routes in the DWMA's.

All existing routes should be considered open unless marked closed.

Sincerely,



JAMES K. FURNISH

274  
(SCC # 251)

Subject: DEIR/S

The Study of Economic Impacts, pages 4-96 and 4-97 greatly underestimates the economic benefits derived from motorized recreation. The Motorcycle Industry Council estimates motorized recreation contributes six billion annually to the California economy. Chapter 3.4.4.4, Economic Contribution of OHV Recreation and Table 3-55 offer no dollar estimates. This is important to estimate the impact on local and state economies due to diminished recreational opportunity. I myself spend thousands of dollars a year on items associated with motorized recreation. Things like, a forty thousand dollar truck, a fifteen thousand dollar trailer, a six thousand dollar motorcycle, riding gear, food, fuel, gas, motorcycle parts, tires, and other high-ticket items associated with motorized recreation. By shutting down these areas less people will have the opportunity to enjoy motorized recreation, which mean less money, put into the local and state economy. This is the last thing that this state needs is less money being put back into the economy. Please reconsider the impact the your proposals are going to have for thousands of people who enjoy motored recreation as well as the businesses that provide services for this industry.

  
Anthony Delmage  
4580 W. 135<sup>th</sup> St.  
Hawthorne, CA 90250

**GERALD E. HILLIER**  
**PUBLIC LAND USERS SERVICES**  
**P.O. Box 480**  
**San Bernardino, CA 92402**  
**Phone (909) 683-5725 / Fax (909) 683-8544**  
**e-mail: ghillierplus@msn.com**

September 22, 2003

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

RE: Comments on West Mojave HCP

Dear Mr. Haigh:

On September 10<sup>th</sup> I submitted comments on behalf of San Bernardino County as regarding the West Mojave Draft HCP.

Over the past weekend I had an opportunity to attend the California Desert District Advisory Council meeting in Ridgecrest. At that meeting there was a comprehensive presentation on the new Bureau of Land Management initiative, Sustaining Working Landscapes. Upon hearing that proposal and its integration with BLM programs regarding public land management, I am disappointed that the program was not integrated into the West Mojave Draft HCP and Environmental Impact Statement (EIS) produced by the Bureau during the summer. I do recognize that some of the program does require the regulatory changes that are currently undergoing review, however, several of the concepts would not require the regulatory changes could easily be incorporated into the HCP. To the extent possible the initiative should logically become part of BLM's Preferred Alternative (Alternative A).

While these additional comments are submitted after the September 12<sup>th</sup> conclusion of the comment period, I would appreciate your consideration of them as you, the Bureau, and cooperators complete work on the final HCP. Had I known of the initiative and its breadth, I would have incorporated reference to them in the comments that I submitted September 12<sup>th</sup>. The comments below will make specific reference to the organization of my September 10<sup>th</sup> comment letter.

1. At point 8, page 5, of my comments, I speak of the livestock users disproportionately bearing the burden of the West Mojave plan implementation. I would add to that comment that there are opportunities as were presented to the Advisory Council last week, for development of a pilot program that would include range management initiatives so as to lessen the impact of species protection while maintaining an economically viable use of the public land within the West Mojave. Specifically I refer to the potential elimination of the sheep allotments in former category 1 and 2 areas, e.g. Kramer Hills, Gravel Hills, etc. They might well be incorporated into a rotational arrangement where sheep could be allowed to graze at least some years thus reducing use on the Category 3 lands where such sheep are currently relegated, and potentially causing harm with concentration.

Further, for the remaining cattle allotments a rotation plan could be viewed in a pilot context so as to provide at least some spring use at lower elevation ranges. I would encourage your reconsideration of this point as you move toward the final HCP.

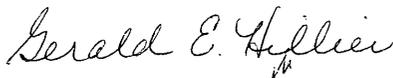
2. At points 23, 24 and 25, on page 6 of my comments, I made specific reference to the biological opinion for sheep grazing (prepared by Fish and Wildlife Service) and the Avery work regarding the 230 pounds. However, what I neglected to add, explicitly, and I was reminded to add by the Sustaining Working Lands presentation, was that we object to the out-right cancellation of the sheep allotments that have historically existed since at least the 1950s. The Biological Opinion led to suspended use but did not abolish the allotments. The BLM Preferred Alternative moves toward cancellation. We believe that a proposal or an alternative should be put forward in which the allotments might not be used in the same pattern as individual allotments in the past, but in which a rotation grazing management system might be developed under a pilot program and use of the range and improvement of it for tortoise habitat might be integrated into a positive outcome for all.

I made this proposal verbally in testimony and a statement at the Advisory Council Meeting. The purpose of this letter is to document and formalize the comment that I made at that meeting.

3. Point 52, appearing on page 10 of my September 10<sup>th</sup> comment again makes reference to a range management alternative. I firmly believe that this may well be possible and should be presented as an alternative within a final EIS and Habitat Conservation Plan.

The Council took under consideration an August 21, 2003, proposal from a Technical Review Team (TRT) composed of Advisory Council members that looked at the Sustaining Working Lands proposal. The Council considered four proposals, one of which included the pilot project concept and another including the endangered species act mitigation. The full Council adopted both concepts. For the West Mojave HCP to move toward implementation, the options for considering the implementation of such proposals will be severely limited since the number of allotments and the grazing use thereon will be severely diminished. I heartily encourage the BLM to reconsider the Sustaining Working Lands concepts as presented by the Washington office and to integrate the advice given by its District Advisory Council at the September 20<sup>th</sup> meeting.

Yours truly,



Gerald E. Hillier  
Federal Lands Consultant to the County

GEH:vh

cc: Dennis Hansberger, Chairman, Third District Supervisor  
Bill Postmus, First District Supervisor  
Mike Hays, Director Land Use Services  
Randy Scott, Division of Advance Planning  
Cong. Jerry Lewis  
Cong. Buck McKeon  
Ted James, Kern County Planning Director  
Jon McQuiston, Kern County Supervisor and Local Government representative on the BLM Desert District Advisory Council  
Wally Leimgruber, Imperial County Supervisor and Local Government representative on the BLM Desert District Advisory Council  
Steve Quarles  
Linda Hansen, District Manager, CDD  
Ron Kemper, Chairman of the District Advisory Council