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BUREAU OF LAND MANAGEMENT
WESTERN COLORADO DESERT ROUTE OF TRAVEL
DESIGNATIONS

PUBLIC HEARING
TUESDAY, APRIL 30, 2002
6:00 P.M. - 7:30 P.M.

EL CENTRO CITY COUNCIL CHAMBER
1275 MAIN STREET
EL CENTRO, CALIFORNIA

REPORTED BY:
JUDITH WICKLUND, CSR
CERTIFICATE NO. 11789

1 APPEARANCES:
2 MIKE TROST,
3 Facilitator
4
5 LARRY CAFFEY,
6 Operations and Recreation Branch Chief
7
8 LYNETTE ELSER,
9 Environmental Coordinator
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11 ARNOLD SCHOECK,
12 Project Lead
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1 EL CENTRO, CALIFORNIA

2 APRIL 30, 2002

3 6:00 P.M.

4

5 MR. TROST: Good evening, ladies and gentlemen.

6 Welcome to the Western Colorado Desert Route of Travel. My
7 name is Mike Trost. I'll be the facilitator this evening.

8 A little housekeeping. First, the bathrooms are
9 just out the door at the left, and there's also a drinking
10 fountain there.

11 On our agenda this evening we have about 30,
12 40 minutes of speaking. We'll have Larry Caffey, our
13 Operations and Recreation Branch Chief give the welcome.
14 And on our panel we'll have Arnold Schoeck who is our
15 Project Lead, and Lynette Elser who is our Environmental
16 Coordinator, give a presentation and then at that time we'll
17 go into public comments. Hopefully that will be 30, 40
18 minutes and then we'll finish up about 8:00 o'clock.

19 As it stands right now we have three speaker
20 cards. So our plan was five minutes each speaker, so if we
21 don't get any more speaker cards, we'll extend that time a
22 little bit.

23 Let's see, everybody that wants to speak this
24 evening, hopefully you filled out the speaker card. It's
25 this lime green one (indicating). And also when you -- if

1 you signed in this evening, you got a packet. And in that
2 packet you'll find a blue form. This is for written
3 comments that can be turned in this evening or turned in at
4 the El Centro office.

5 Let's see, and on the -- if you please, on the
6 speaker cards if you would print your name clearly for my
7 benefit, and also when you come up to speak this evening,
8 state your full name and spell it for the court reporter,
9 please, so we get your name accurate.

10 The public comment period for the Western Colorado
11 Desert Route of Travel was originally scheduled to end May
12 the 15th. Due to numerous requests from the public, the
13 comment period has been extended to May 31st. So from this
14 evening on you have about 30 days to get your comments in.
15 And that will make your comments part of the Administrative
16 Record.

17 There's a second meeting also scheduled in
18 San Diego. It's on May 2nd. It's at the Hilton on San
19 Diego Mission Valley. The hours on that meeting will be
20 6:00 p.m. to 8:00 p.m.

21 The purpose of these scoping meetings is to
22 solicit input from you, the public, on various alternatives,
23 potential impacts, and the extent of analysis that should be
24 addressed in the Western Colorado Desert Route and Travel
25 Plan.

1 So at this time I'd like to introduce Larry
2 Caffey, Operations and Recreation Branch Chief, El Centro
3 field office, for his presentation this evening.

4 Larry.

5 MR. CAFFEY: Good evening, ladies and gentlemen. Thank
6 you very much for taking the time to come out here. We're
7 very involved in this plan. It's very important. And we'd
8 like to encourage all of you to speak on this and tell us
9 how you're going to be heard and get your -- protect your
10 interest in protecting the public trust and the environment.

11 The purpose of scoping is initially environmental
12 assessment --

13 THE REPORTER: Excuse me, please speak up. I can
14 barely hear you. And the horn outside --

15 MR. TROST: We'll wait for that to shut off.

16 MR. CAFFEY: Anyway, thank you for coming to this
17 scoping meeting for the Environmental Assessment Plan
18 Management, California Desert Conservation Area Plan and
19 Plan for the Western Colorado Route of Travel in Imperial
20 County.

21 During this meeting we want to tell you about our
22 project and the anticipated schedule. But the main purpose
23 of the meeting is to hear from you.

24 Our current route designations are outdated so
25 this project is to update route designations. The scope of

1 this project --

2 THE REPORTER: I'm sorry. I'm not able to hear you.

3 MR. CAFFEY: Okay, the scope of this project does not
4 include non-BLM land or areas previously designated totally
5 open or closed to vehicle use. With that, these routes of
6 travel are used for access and for recreation and other
7 purposes.

8 We appreciate your participation in this project
9 and we would like your assistance in determining which land
10 and use alternatives we should consider for this project.

11 We want to know what roads you would like
12 designated as open, limited use or closed. We would like to
13 know what areas you would like available for camping and
14 parking. We would like to know what closure of natural
15 resources you are concerned about. We would like to know
16 what impacts you want analyzed in the Environmental
17 Assessment. We'd like to know what your concerns are for
18 this project.

19 Many of you are aware that BLM must manage many
20 conflicting uses of the land for development as planned.
21 This is one of their most challenging duties. Public
22 involvement in the development of this plan is very
23 important. Your participation is very important in
24 developing this plan and thank you for coming and
25 participating.

1 MR. SCHOECK: I would also like to welcome you. I want
2 to explain a couple of terms often confused. "Off-highway
3 vehicles" and "off-road vehicles" we use interchangeably at
4 different times. So the reason regulations -- or you hear
5 us talking and we're using one or the other, they're
6 interchangeable. In California most people use the term
7 "off-highway vehicle," and the other states, they use
8 "off-road vehicles."

9 Similarly, the term "routes of travel," in other
10 places people use the word "trails," meaning motorized
11 vehicle trails.

12 Then comes, you know, how did you arrive where we
13 are today and where are we going? Brief history of the
14 off-road highway -- off-road vehicle, off-highway vehicle
15 designations is that back in 1977 the president issued
16 executive orders that required land management agencies to
17 designate routes to travel throughout the lands that they
18 managed in order to avoid causing major vehicle impacts to
19 resources.

20 That resulted in regulations by the various
21 agencies, including ours. Those regulations include
22 off-highway vehicle trails. And we're talking about areas
23 that have been designated limited. That's why Larry said
24 "open areas" and "closed areas" for motor vehicles are not
25 part of the scope of this project. Because in an open area

1 you don't need a trail because you can drive wherever you
2 want, and a closed area is just restricted completely.

3 When we do designate off-highway vehicle trails or
4 routes of travel, there are three types of designations to
5 consider. One is the route can be open. It can be limited
6 or specific purpose, and some examples are that there might
7 be a season that the route is open, a season that it's
8 closed.

9 There may even be a limitation on the type of
10 vehicles that we use. It could be a sport utility or any
11 type of vehicle or limited to just motorcycles, for example,
12 or dirt bikes.

13 And the third type of designation would include --
14 or possibly include the closed designation on the route.

15 Some of you who go back a long ways know that this
16 project has been going on and have probably heard the
17 acronym The ICMP which stands for The Intercoastal
18 Management Plan for motorized vehicles in the late '70s for
19 the California desert.

20 And I was applauding including part of the area
21 that we're talking here. When the California Desert Plan,
22 as it was amended, it included a large portion to route
23 travel designations and the procedures to be reviewed in
24 making those designations. It also called for periodic
25 reviews and updates of the designations that have been made

1 in the past.

2 The world is changing. Things change. And the
3 California Desert Plan was intended to be a living
4 document -- or a living plan, that it could adapt, maybe
5 slowly, but that this plan, that different decisions could
6 have changed to the changing conditions.

7 And part of that review of things is that several
8 years ago the California Desert District for the entire
9 district had a technical review team discuss, mostly from
10 people outside of the agency, discussions of various issues,
11 problems and of management of off-road vehicles. And that
12 information prefaces -- some of us were involved with it and
13 those comments and information are included. But -- and you
14 can get pictures of constant building and things that have
15 happened in the past. It's not like this is the first time
16 anything has been done.

17 The history of this particular project which is a
18 portion of California Desert includes over 20 different
19 plans and various California Desert Plan amendments over
20 time. That doesn't mean a particular piece of ground has
21 been covered by all 20 plans. But some have been -- have
22 quite extensive reviews over time.

23 But even so there are changes that are happening,
24 and we already knew back in 1994 that we were going to
25 probably have to do some kind of an update. With those

1 updates we started doing fieldwork and looking at the routes
2 that were out in the area, and we had proposed some
3 designations and had Environmental Assessment in 1995.

4 And at that time the project area included both
5 Imperial County, the western portion of Imperial County, and
6 eastern San Diego County. There were public meetings, four
7 public workshops in which people could look over the maps,
8 make comments to it. We have them in various places in
9 southern California. The maps are even in various
10 businesses for several weeks at a time giving people a lot
11 of opportunity to comment and look at them.

12 But as a result of the public comments we
13 received, we actually withdrew that particular proposal and
14 Environmental Assessment with it. There were enough points
15 that people raised that we thought gave it a reason to be
16 reconsidered and reviewed, and so we did withdraw it.

17 In 1997 we proposed again some new designations
18 and having Environmental Assessment with it. They have been
19 prepared by the Interdisciplinary Team from BLM. The
20 comments from other agencies -- and again we're dealing with
21 Imperial and San Diego County -- that was not very
22 controversial, but if you look at the comments that were
23 received, overall at the final document we only received 12
24 written comments which indicated this was not either -- we
25 did nothing that really disturbed an awful lot of people to

1 raise a lot of comments and questions.

2 The proposals were not implemented and they were
3 belabored for certain internal procedural problems, and
4 we'll not go into those at this point.

5 That brings us to where we are today and why is
6 there a need for a new environmental implemental if this
7 was done in 1997? Basically we have had some -- those
8 procedural changes have been revised and finalized.

9 The Peninsular Bighorn Sheep have been listed by
10 the U.S. Fish and Wildlife Service as an endangered
11 population, and they've also identified critical habitats,
12 part of which is in the project area. The flat-tailed
13 horned lizard is being reconsidered by U.S. Fish and
14 Wildlife Service as possibly a threatened species.

15 There have been since 1997 border-related issues
16 that have come up. There are safety issues that have come
17 up since then. And other agencies have changed that we
18 either deal with and use our land, or they're adjacent to
19 ours, have had changes in what they do and how they proceed.

20 And all these are reasons why it's not to take as
21 given what we've done in 1997. We need to look at new
22 changes.

23 The current review and update scope of the project
24 is restricted to Imperial County and that's because the
25 portion that was in San Diego County is under a different

1 Land Use Management Plan, you know, it's Eastern San Diego
2 County Management Plan.

3 People are getting confused because of the
4 different procedures, and so to simplify it for the general
5 public and even for some of our own employees, we're just
6 limiting to Imperial County and the California Desert
7 Conservation Area and its Plan.

8 The Eastern San Diego County Route Trail
9 Designations will be addressed in a few years when the
10 Eastern San Diego County Resource and Management Plan is
11 developed. It's a project that's been in the offing for
12 some years, and depending on the budget will be coming in a
13 few years.

14 In this project we're basically talking about
15 limited areas which represent about 450,000 areas of public
16 land involved, and we're talking approximately 1900 miles of
17 routes traveled that we're going to be reviewing the
18 designations that are on them.

19 The scoping -- and I want to point out that the
20 boundaries of the project, if you look at some of the maps
21 later on -- and some of you may have already -- is basically
22 on the east side of the eastern edge -- excuse me, western
23 edge of the Imperial Sand Dunes and the railroad. On the
24 north is Riverside County line. On the west side will be
25 the Imperial/San Diego County line. And on the south you

1 have the International Border with Mexico.

2 Now, the scoping phase, and it's been mentioned
3 and will probably be mentioned again, is we're looking for
4 issues, and likely identified issues and possible
5 alternatives for use. Give you some examples other than
6 what Larry said, issues that came up and that were used in
7 1997 or how vehicles are used. Please describe the types of
8 vehicles and how they use them, how they use a particular
9 trail or route of travel.

10 Rights-of-way, our designation doesn't affect
11 rights-of-way such as with the county in any way. They have
12 their own state laws -- state laws and ordinances and their
13 own planning procedures for what county roads and how
14 they're doing.

15 Now, we have in a few instances identified them as
16 routes of travel, and that was done for the purpose because
17 we can only spend money on federally-designated routes of
18 travel. So if we go ahead and designate private county
19 roads, it means we can use federal funds if we need to for
20 kiosks and some other signs, but in no way does that affect
21 really count. We would do that with their permission other
22 than the right-of-way.

23 Remember, then, we're talking about off-highway
24 vehicles. We're talking about use by the general public.
25 And we're looking for a transportation system. It's part of

1 the transportation system, how we get to different places.
2 Sometimes just driving toward them is a need just in itself.

3 Likewise, we have routes that go across private
4 landowners' property. And we have to respect their
5 interests. And routes that would go through a private
6 landowner that does not want a route through, there's no way
7 legally we can keep it open. So we're -- but routes can be
8 realigned so they can get things done. But we do listen to
9 the concerns of the private landowners.

10 Safety is another important issue and we -- for
11 example, we had some routes where the Navy flew over certain
12 areas and they mentioned to us that -- because they had
13 items fall off of a plane, in fact sometimes quite
14 regularly, and at the speeds that they travel, a nut or a
15 bolt is just as deadly as being shot with a bullet. So
16 there's some -- obviously, that's more extreme, but there
17 are safety issues that exist out there.

18 What is going to be happening is we're going to
19 be taking your comments and comments that are being prepared
20 by other agencies, because we will be going to various
21 agencies such as Anza-Borrego and other state parks and
22 other irrigation landowners and getting their input to be
23 consistent with them. So the interdiction of this
24 interdisciplinary team looking at the routes and the
25 different criteria, and we're going to want to go to

1 consultant agents with other agencies such as U.S. Fish
2 and Wildlife Service, as we're legally required.

3 We're looking that we'll have the proposal and EA
4 available sometime in the summer, maybe late summer, and a
5 Decision Record in January of 2003. And with that I'd like
6 to introduce Lynette Elser, the Environmental Coordinator
7 who will talk on the process and -- especially from the
8 Environmental Policy Act.

9 MS. ELSER: My name is Lynette Elser. I'm the NEPA
10 coordinator for BLM. NEPA stands for the National
11 Environmental Policy Act. The National Environmental Policy
12 Act requires that federal agencies follow a certain process
13 when they began to plan different projects.

14 Some of you have been involved in our project with
15 the Imperial Sand Dunes. That project has a very different
16 eco process than the project for the route of travel. The
17 NEPA process for the sand dunes required writing an
18 Environmental Impact Statement, and that's because that
19 project to be determined may have significant impact on the
20 human environment.

21 On the other hand, the project for the route of
22 travel, we believe at this point in time that it won't have
23 a significant impact on the human environment. So we are
24 just going to do an Environmental Assessment. So I'm going
25 to go through the steps of the process, but remember, it is

1 a different process from the other projects that some of you
2 are working with us on.

3 We published a Notice of Intent to do an
4 Environmental Assessment on March 25th in the Federal
5 Register. We mailed the newsletters out on April 13th. We
6 also placed legal ads on April 28th in the Imperial Valley
7 Press, the Yuma Daily Sun, and the San Diego Union Tribune.
8 We had a press release that went out in April also.

9 We're now beginning the public scoping period. It
10 was originally scheduled to end on May 17th, but because the
11 public has asked us to extend this scoping period, we have
12 now extended it to May 31st. You still have a month left in
13 the scoping process to provide us with your comments. After
14 we receive your comments, we're going to consider them and
15 we're going to write an Environmental Assessment.

16 This part of the NEPA process is very different.
17 The Environmental Assessment that we write is the final
18 Environmental Assessment. There is not a draft. When we
19 release the Environmental Assessment it will also have a
20 Plan Amendment and an unsigned Decision Record. We are
21 expecting to release these documents in the summer of 2002.

22 After we release the documents there is a 45-day
23 period that is a protest or a public comment period. During
24 that time we will accept your comments, and those comments
25 will not result in a revised Environmental Assessment but

1 rather they will be considered before we sign the Decision
2 Record. The Decision Record will also have a summary of the
3 contents of those comments.

4 The Decision Record for an Environmental
5 Assessment is a FONSI. Stands for Findings of No
6 Significant Impact. If we do find that there is a
7 significant impact in our Preferred Alternative, then we
8 would not be able to complete this process and we would have
9 to start all over and do an Environmental Impact Statement.
10 We're expecting to be able to sign a FONSI by January 2003.

11 When you do provide us comments during the scoping
12 period, there are several different ways to comment. You
13 can send us comments in writing or by e-mail, and you've
14 been given the address in the handouts you were given at the
15 door. You can also provide your comments here tonight
16 orally, or you can hand in written comments tonight.

17 We are unable to accept comments by fax, and
18 that's because our fax machine doesn't have the capacity to
19 accept public comment and allow us to continue with our
20 regular business. We also cannot accept comments by the
21 phone. We don't have the ability to translate those
22 comments into a written document that would have accuracy.

23 When you do comment, comment on what alternatives
24 you'd like us to consider. These are very beneficial types
25 of comments to us. Also tell us which routes you would like

1 us to designate as open, limited or closed and what you use
2 the specific routes for. Tell us the specific limitations
3 on routes that you would like designated as limited. What
4 are the limitations that you would want?

5 Tell us what uses you would like us to include in
6 this Environmental Assessment, such as parking or camping.
7 Tell us the natural and cultural resources you're concerned
8 about. Let us know what impacts you would like us to
9 analyze and tell us what cumulative impacts you would like
10 us to consider.

11 And remember, the scope of this project is
12 limited to BLM-managed lands and Imperial County that are
13 west of the sand dunes and that are not classified as open
14 or closed.

15 And I'm going to turn it back over to our
16 facilitator.

17 MR. TROST: Thank you, Lynette.

18 Now we've arrived at the public comment period.
19 If you wish to make an oral comment this evening, you must
20 fill out one of these lime green speaker cards. At the
21 present I have four.

22 We'll go over a few of the ground rules. And
23 they've attached it to your speaker card, but I just want to
24 reiterate what it says: Speaker must address the panel;
25 speakers are to provide comments on the issues opposed and

1 possible alternatives; questions cannot be answered; all
2 speakers must respect time limits; please respect other
3 people's comments and point of view; please be aware your
4 time is not transferrable; please address comments towards
5 the issues, not individuals and groups; and hold applause,
6 if any, until the end of the speaker's time.

7 Okay, we might as well get right into it. We will
8 start off with five minutes. First speaker, when you get
9 down to 30 seconds left, I'll hold up this card. This will
10 give you a heads up that it's time to start wrapping it.
11 After everybody has spoken and it looks like we may have
12 extra time, we'll go ahead and go back around again.

13 If you wish to have more comments, you'll have an
14 opportunity. We'll take like a five-minute recess and you
15 can fill out another card, and then you can have more
16 comments that are entered in the Administrative Record.

17 So we'll go ahead and start. This is the speaker
18 waiting area. Since there's four, I can probably just call
19 you out of the crowd.

20 So we'll start with Terry Weiner.

21 MS. WEINER: Thank you. My name is Terry Weiner. I'm
22 here as Conservation Coordinator of the Desert Protective
23 Council.

24 I'd like to postpone my comments. I didn't
25 realize you had maps hanging in the back to look at, and I'm

1 really hampered by not at least looking at those. So may I
2 follow the next four speakers so I have a chance to look?

3 MR. TROST: Sure. Great.

4 MS. WEINER: Okay, thank you.

5 MR. TROST: Okay, next up will be Elaine Quintana.

6 MS. QUINTANA: Good evening. My name is Elaine
7 Quintana. I'm a resident of El Centro, California. I'm
8 also a member of the County Council of the Green Party of
9 Imperial County.

10 I would like to go on record by saying that I
11 would like the area that's on your maps to be closed, no
12 routes of travel to off-road vehicles. Why? I'll be brief.
13 I think -- first of all, when I -- when I travel, say,
14 through Arizona, one of the most pleasant drives that I have
15 is looking at the Saguaro on the side of the road, looking
16 at the desert view on the side of the road. And I think
17 that is so beautiful, that makes the drive through Arizona a
18 really pleasant drive. And it -- and you can do that all
19 through Arizona.

20 In Imperial County, however, driving from Yuma to
21 San Diego, we are slowly seeing the destruction of the
22 desert. The beautiful ocotillo -- we don't have Saguaro
23 here but we do have ocotillos -- are being destroyed by
24 these vehicles. And I think eventually they should be
25 designated as endangered because eventually the desert in

1 this western part of the Imperial is being destroyed by so
2 many off-road vehicles.

3 Also I would like to speak on behalf of the
4 animals that live in this part of the desert, the bighorn up
5 in the mountains being one endangered, as you said. The
6 lizard, another one that's threatened, as you said. But
7 there are many other animals that also live in the desert
8 from, you know, the snakes to -- to the rats that live out
9 there. I think they have a right to a habitat. They have a
10 right to feel secure and safe in their environment as we do
11 in ours. And I think we need to respect that.

12 I would like to see more emphasis on conservation
13 of the desert in your plans. Maybe the areas -- you have
14 some camping areas out there and I think it's all right to
15 have roads going to them but I think beyond that, I think
16 maybe routes that would allow people to walk would be okay.
17 But I would like to go on record as saying closed to
18 off-road vehicles, to motorcycles, to bikes, to any of those
19 types of motorized vehicles.

20 Thank you.

21 MR. TROST: Thank you.

22 Preston J. Arrow-weed.

23 MR. ARROW-WEED: My name is Preston J. Arrow-weed.

24 Well, the concern I have is this off-road
25 vehicles. And I think -- oh, I'm also a Quechan tribal

1 member, an early tribal member. I'm also a part of Kumeyaay
2 from Imperial Valley. My grandmother lived here in Imperial
3 Valley along the New River, and part of my family once lived
4 here.

5 And they don't say much and I think just hear
6 Signal Mountain which is Eagle Mountain to the Kumeyaay, my
7 ancestors, and we call it Aviespri (phonetic), that is very
8 important to them. And that faces the north to where all
9 the life came from a long time ago. It overlooks everything
10 from the north to the east, south and west. South of that
11 mountain is also the road to the other world when we pass
12 and leave, after we do our rites of passage, which are very
13 important again.

14 All the surrounding -- there are many roads that
15 lead there where they once lived. Whether they lived in
16 San Diego or down in this area of El Centro or Brawley, they
17 all went in that direction. We did. And we also went
18 scattered -- went in different directions and then we lived
19 by the Colorado. My grandmother lived there and that's
20 where I come from. My grandfather -- my great grandfather,
21 a Kumeyaay of this area.

22 I am familiar with their stories. And what I'm
23 really afraid of is the -- some of the destruction that
24 could be done, whether it's -- I think even limited. At
25 times they go overboard. I don't think -- I wish the

1 Quechan people were here with me. Many of them think these
2 things are not possible, what happens. They just assume no
3 one could do this, but it does happen and I happen to be
4 living here and I'm here today.

5 I'd also like to see -- the story about that
6 little lizard, for instance. That lizard is very, very
7 important to my people. To my people that little lizard was
8 also a beginning of the creation. That little lizard was
9 there when we received the torch from the woman which is a
10 big blue fly who ignited the fire. And with that torch he
11 lit the four corners of the fire where our creator laid and
12 they cremated him. And he is the one that did it and he is
13 very, very important to the Hokan people -- the Quechan and
14 Hokan people.

15 The Hokan people are a language group of the
16 Mojave, Quechan, Kumeyaay and Cocopah people. And we are --
17 the Hokan people, we all share the same creation story. I
18 wish the Hokan people were here today, that I can address
19 them and you so that you know and they will know how
20 important this area is to us, and all of the animals are a
21 very important part of it, too.

22 If you have deer over here, you have snake over
23 here, you have every living thing. They are important, but
24 I don't think we have the time to name off all of the
25 reasons why they are important. But since you mention that

1 little lizard, I thought I would tell you. And I believe
2 that maybe if we had more input from the Hokan tribe -- and
3 I am glad that I was here to say what I could to save that
4 lizard and other things. It's very important to us.

5 And we have songs that talk about the cremations,
6 the rites of passage that were done here a long time ago.
7 There was a time also where they did it as part of a
8 deceased person wanting -- going east in their burial. They
9 are all over here.

10 I'm not saying -- I don't want to be unfair. I
11 just want to make you aware of the things that are important
12 to the Hokan people or the Kumeyaay. And therefore we
13 should negotiate and we should think and we should find a
14 way, a solution to this, because from what I've seen it's
15 all your way or nothing.

16 From what I have heard from people who had to
17 leave, that they want everything and they will not give --
18 don't want to talk about it. All I hear is money, money,
19 money, money, how much money they can make. But what is the
20 price of the life that's been lost when you are careless?
21 What is that price? Whoever's father is lost has only lost
22 his dear ones, and I think you have to think of all that.
23 Money isn't everything. Yes, it is at times, but yet the
24 price that we pay to destroy everything going on in this
25 world.

1 And now I thank you for letting me speak.

2 MR. TROST: Thank you.

3 Carl Studer. Would you spell your last name for
4 us, please.

5 MR. STUDER: My name is Carl Studer, S-t-u-d-e-r. I am
6 not affiliated with any group. I am not paid by any group.
7 I am not paid by any organization. I'm simply a taxpayer, a
8 lifelong, lifetime resident of Imperial county. My
9 grandparents were also living in this county a long time
10 ago. They also enjoyed the area, as I do. I crank it out
11 in the desert as often as I can.

12 It's a little bit difficult to comment
13 specifically about these plans. This is the first time I've
14 seen these maps. I tried to get on the Internet last night
15 and find out a little bit more about what's going on.
16 Generally I oppose any closures of the desert.

17 When the Desert Protection Act was put into
18 effect, Barbara Boxer and Diane Feinstein, I think, the
19 impression I got was they assured everybody that these
20 closures were going to be really ironclad closures, they
21 were going to protect parts of the environment for future
22 generations and that's all that was going to be taken.

23 Seems like every time we turn around we're coming
24 to a meeting to try and protect what little bit of area is
25 left -- usable area is left in the desert. Everybody keeps

1 throwing out statistics, environmental groups that, "Well,
2 they still have 14," you know, "zillion acres left." That's
3 not true.

4 For most people who enjoy getting out into the
5 desert, and most of the way -- the only way you can really
6 get out and enjoy the desert, an unpopular opinion, but you
7 got to cover some ground.

8 It's not like the forest where animals are
9 plentiful in a combined area. You're going to see animals,
10 you're going to see changing landscape. Like the lady says,
11 you have to drive across Arizona to see enough of it. Most
12 of the desert is like that. You got to cover some territory
13 in order to see what's out there. It just doesn't -- it's
14 not every five feet.

15 I don't understand the rhyme or reason on the
16 maps I saw. I'm pretty familiar with the desert areas,
17 particularly the ones out in Superstition. It appears that
18 a bunch of the branch closures there are on main roads. I
19 don't know what the rhyme or reason for it is.

20 So many of those things are isolated. You got a
21 closed area, you got an open road, you got a closed road and
22 an open road. You're getting it so confused for the
23 off-roading public that we don't know where we're safe to
24 tread anymore.

25 Some of it, I get a real distinct feeling that

1 it's kind of like a trap. We want to put this little pocket
2 over there so we can see violations and then we can go out
3 there and say, "Oh, this area is being violated so we better
4 close bigger areas now so they won't violate that area."

5 Be honest about it. If you want to close the
6 area, close the area. Be upfront about it so that people
7 can come out in forums like this and discuss it.

8 The other thing is, instead of having one of these
9 things all the time, I think it would be easier for
10 everybody involved to bunch them all, get all your deals,
11 all your packets together so that everybody who's interested
12 will come in and comment about it.

13 It's easier for somebody that's a paid person
14 employed by an organization to come to these things. That's
15 their job. But I'm a citizen. I've got other things to do
16 and one of them is trying to get out -- find time to get out
17 and enjoy the desert.

18 I think that BLM itself is doing -- is doing
19 itself a disservice trying to come in with so many of these
20 complicated -- I don't know what you'd call it. You're
21 trying -- you're trying to complicate the whole thing.
22 You're trying to put so many closed areas, limited use
23 areas, all -- all in a little hodgepodge.

24 I think we need to go back -- myself even -- and
25 look at some of the things you've done in the past. Simply

1 designating wilderness areas hasn't solved the problem. I
2 had occasion here a few months ago to go into the Julian
3 Wash area legally and that place is a disaster.

4 The wild burros have gone in there. I would not
5 be surprised if they haven't run out any -- all the bighorn
6 sheep that may have existed out there. The bottom of those
7 washes are so overrun they look like the bottom of the
8 commercial feed locker with all the manure and trash on
9 there. They're running back and forth. There's so many of
10 them terracing the roads over there.

11 Didn't see that kind of problem with people going
12 in there, keeping those burros a little bit shier, you know,
13 and dispersing them more. Some of those wilderness areas
14 create problems. You're going to create the same kind of
15 problems out here with the Plan the way I see those maps.
16 At least please try and leave it open.

17 MR. TROST: Thank you.

18 Terry Weiner.

19 MS. WEINER: Hi. My name is, once again, Terry Weiner,
20 W-e-i-n-e-r. I'm here for the Desert Protective Council
21 tonight. I'm a Conservation Coordinator.

22 Boy, Lynette in her informing us of the NEPA
23 process mentions that we should do an input on alternatives.
24 I personally haven't received or seen any documents that
25 list what the alternatives are at this point. And we would

1 like to submit that you should do an EIS on this project
2 because of the cumulative impacts.

3 And I know that you mentioned we have to address
4 the human impacts -- human impacts on the human element, but
5 I think NEPA is supposed to address impacts to the resources
6 as well. And I don't think the EIA is going to address all
7 the issues.

8 I understand about people's desire to have access
9 to the desert, and we definitely want people to go out to
10 the desert and enjoy it. But one of the scoping issues we
11 need to address is how many miles of roads are necessary to
12 have access to the recreational areas? How many parallel
13 routes are necessary?

14 I'd like to submit that very many fewer than are
15 on the ground now are necessary for access. In fact, I'd
16 like to recommend that 18- or 24-mile -- 18-to-24-mile
17 routes for townships is enough routes to get where you're
18 going, either to rockhounding sites or to a campsite.

19 I understand from the BLM itself that the
20 proliferation of routes in the Yuha and the West Mesa
21 area since 1994 even have been considerable. In fact, I
22 believe the figure I quoted is there's 40-percent route
23 proliferation in the West Mesa area and 75 percent route
24 proliferation in the Yuha Desert, and that's unacceptable.

25 The flat-tailed horned lizard is a very rare

1 species these days, and I think it's unconscionable to wait
2 until it's listed as endangered before we try to protect it.

3 So the EIS -- or the EIA should address -- should
4 list, first of all, their lawsuits -- all the desert
5 lawsuits that are now -- that the BLM is faced with in
6 these desert areas and address how the stipulations --
7 court-ordered stipulations are going to be addressed in this
8 Plan.

9 I also have understood from others -- I think this
10 is ringing too much (indicating).

11 MR. TROST: Yes. Back up a little bit.

12 MS. WEINER: That CDCA plan, from what I understand,
13 requires that all routes created after 1980 are not legal
14 routes. We need to see -- and I know there have been aerial
15 surveys and I've been told that they're not very good -- but
16 we still need to see, the people, what was on the ground
17 prior to 1980, and also what has been put on the ground
18 since 1982 when other aerial surveys that you have in your
19 office -- we need to see these because any routes that have
20 been formed after that date, from what I understand and from
21 several people who have studied the CDCA, they are not
22 legal, and you cannot just tell us you're going to throw out
23 this plan and do something alternative.

24 So the flat-tailed horned lizard is -- I believe
25 that's some of the management areas in your conservation

1 strategy agreement which is a deal that you have with other
2 agencies to protect the flat-tailed horned lizard in hopes
3 it will not become endangered and have to be listed.

4 But even if the Fish and Wildlife Service decides
5 not to list it as threatened at the end of this year, you're
6 still going to need to figure out how you're going to
7 conserve the lands for these species. And I'd like to see
8 how -- the management area overlay to these areas that we're
9 talking about.

10 And as far as routes to ride, you've got places --
11 Ocotillo Wells has I don't know how many hundreds of miles
12 of routes, and it's pretty close by this area. It's
13 60,000-plus acres of open routes that go every which way in
14 the desert.

15 And you know, Elaine has a good point. How much
16 is too much when it comes to, you know, the resources that
17 are irreplaceable? And again, the bighorn sheep, it's not
18 just addressing travel in their critical habitat, but travel
19 west of their habitat has impacts too.

20 Those are the main things.

21 Also, I understand that this isn't desert tortoise
22 critical habitat but tortoise have been seen in parts of
23 this area and this is another species, as far as a statement
24 of really crashing all over areas of the desert, and I think
25 that the BLM El Centro needs to take pains to make sure that

1 we're not having more impacts out there.

2 When you walk out in the ground in the Yuha Desert
3 area, indeed the flat-tailed horned lizard Land Management
4 Area, you can't go five steps without running into a tire
5 track.

6 MR. TROST: Your time is up.

7 MS. WEINER: What?

8 MR. TROST: Your time is up.

9 MS. WEINER: Oh, I'm sorry.

10 MR. TROST: You'll get another chance.

11 MS. WEINER: We're going to submit written comments.

12 Thank you.

13 MR. TROST: Bob Ham.

14 MR. HAM: My name is Bob Ham, County of Imperial. I'd
15 first like to comment briefly -- I got here a little bit
16 late but I heard a statement talking about the 1997 plan and
17 it was, I guess, a presumption made that because there was
18 not a lot of attendance or comments, that maybe everything
19 is not controversial.

20 And you know, sometimes it's difficult to get
21 people out commenting. Tonight you also mentioned that you
22 have an issue with -- dealing with the neighbors -- the
23 Annual Ride of the Desert State Park. Well, tonight they're
24 having their hearing on a proposed general plan so some of
25 the -- that document is getting ready for review.

1 So while people are getting ready to comment on
2 that, and also the other proceeding that you have going on
3 simultaneous with it -- so I have gotten a lot of e-mails
4 from people that would like to have been down here in
5 Imperial County talking about these issues, but they're
6 putting out fires that they are involved in in some other
7 issues and most of the attention is to that. I just thought
8 I'd point that out.

9 In terms of things that you need to consider in
10 this planning process, there is some mineral deposits,
11 industrial mineral sand and gravel that at one time were
12 drawn in the side of the Peninsula Bighorn habitat. I think
13 that has been an adjustment.

14 But the county relies on some of these sand and
15 gravel deposits for road building purposes. There's also
16 private -- one, maybe two private companies that -- their
17 very livelihood and our ability to continue to build roads
18 in this area is going to be dependent on having routes with
19 access to them.

20 I'd also like to point out and I believe you
21 should consider ways of going through. To reiterate, this
22 county's interim made an RS 2477 assertion on historic
23 routes of travel, and I believe you should consider that and
24 honor that assertion.

25 I do believe you will hear -- I was going to

1 comment briefly on the rock collecting, but I see that Jim
2 Strain is here to set you straight on some of the routes of
3 travel, that you need to be concerned on that.

4 Another issue here that's been very important for
5 people coming in, buying goods and services, staying in the
6 motels in Imperial County, have been the fund-raisers that
7 are held out in this region. And I really think it would be
8 not good for the environment, not good for public safety to
9 be violating people that go there.

10 If you don't consider that they need to be able
11 to rest these routes -- they need to rotate them around.
12 They cannot run an entire season over the same course or it
13 becomes rutted out. It becomes unuseful to travel. It
14 becomes unuseful as a race course. And it takes a great
15 deal longer to recover.

16 And I think you -- also, if you're closing
17 additional routes, remember what happened at Glamis. As you
18 closed down one more sand dune and there are fewer places
19 for people to recreate, you begin to get conflict. You need
20 to be looking at anything you close. Recreation is one of
21 the socioeconomic activities that has to be mitigated. If
22 you're taking areas out of use for recreation, then you got
23 to mitigate it somehow and find a replacement.

24 Those are my main concerns, but the County will
25 have some formal written input throughout the process. I do

1 think it's great, too, that you, in view of all the things
2 that are going on, May 31st at a minimum to extend this
3 period. I thought it was May 17th. I couldn't get around
4 to even begin to look at these maps by May 17th.

5 MR. TROST: Thank you.

6 Jim Strain.

7 Anybody else wish to speak? I could take more
8 speaker cards.

9 MR. STRAIN: My name is Jim Strain. I'm here
10 representing Imperial County -- the California and American
11 Federation Realty Office Society. We're rockhounds,
12 dedicated to protecting the species and we're immediately
13 involved with scientists. We work with school classes,
14 museums, youth groups and senior citizen groups. The
15 average age of our group statewide in California is about
16 sixty-four-and-a-half, but most people get involved when
17 they retire.

18 We're quite concerned primarily because of that
19 fact, and also the fact that a lot of our people are
20 handicapped. Any time a road is actually deleted -- if it
21 totally eliminates access to many of our people -- if you go
22 back to, say, 30 years ago, since that time about 25 percent
23 of the areas we had available to us have been lost by the
24 creation of national parks or lost by the national parks, in
25 the creation of the national preserve, which, by the way,

1 we're supposed to have access, but as you know it's being
2 managed by the park and that access is being denied even
3 though it's promised to us.

4 Of course we lost quite a bit of room created this
5 year because of the fact that a lot of our people can't walk
6 that far. And we lost about 8 percent of these total areas
7 to -- the additional land -- additional lands given to the
8 state parks and the special areas -- additional military
9 lands and also the ACEC. So basically we're talking about
10 42 percent of the area we had available some 30 years ago.

11 In addition, the roles being reviewed which is
12 completed would be good if even more of our people go in.
13 Our initial role, first of all, is to try to teach our
14 upcoming generation how to care for our desert when they use
15 it. We take these youth groups out consistently and teach
16 them how to respect the desert, private areas and public
17 lands both. We teach them how to respect the artifacts
18 which are there and the paintings and archeological so that
19 they can recognize them, so that they can leave them alone.

20 And all these things we will continue to do so.
21 But unfortunately when the land is being limited -- a
22 mineral deposit exists that exists, and we cannot take them
23 out and see a deposit if we can't get to it. It's been
24 increasingly difficult over the years.

25 We ask that you consider -- we're going to submit

1 in writing some comments about some of the routes and why we
2 feel they should be available. And we ask you to consider
3 those.

4 I want to thank you for coming, too, and listening
5 to us because sometimes decisions are made and we have no
6 input. We appreciate the opportunity.

7 Thank you.

8 MR. TROST: Let's take a short recess. Make it five
9 minutes, no more than five minutes, and then if you want to
10 have another go-around. And at that time we'll finish up
11 and have our closing statements.

12 So make it five minutes, and try to get right back
13 here.

14 (Recess taken.)

15 MR. TROST: Do we have any more first-time speakers?

16 Ms. Massey.

17 MS. MASSEY: Thank you. My name is Susan Massey,
18 M-a-s-s-e-y. I'm from Holtville and I'm here just as a
19 concerned citizen and teacher, but also as a member of the
20 Green Party of Imperial County. And I think people have
21 spoken very eloquently so far and I just kind of want to
22 speak for the sheep because I had a very, very beautiful
23 experience as a teacher with my students.

24 A few years ago I took a bunch of teenagers from
25 my class from high school up to Anza-Borrego. I realize it

1 is not in your area, but when I think of any threat to the
2 sheep I remember this experience. The kids were teenagers,
3 they're more interested in socializing than they are in
4 maybe appreciating some of the beauties of the desert that
5 I have learned to appreciate.

6 But we were going down to the -- Palm Canyon. We
7 were coming back and I was bringing up the rear. The other
8 kids had gone ahead and I was bring up the rear with the
9 stragglers, keeping them moving so they were -- myself and
10 three students. They were going along, talking, doing their
11 thing, and suddenly we came to face-to-face with a sheep.
12 And we were like the distance I am from this gentlemen
13 (indicating). And the sheep looked at us and we looked at
14 it, and it was a great moment. And the rest of the way back
15 the kids were just like quiet. They were overwhelmed by
16 this experience.

17 And I think that, you know, they're a great
18 treasure that we have. I'm originally from Pennsylvania but
19 I've lived here 22 years and I think I'm qualified to say
20 something. And I think they're a great treasure that -- and
21 I hate to think that we wouldn't do everything possible to
22 protect them and have them here for future generations.

23 MR. TROST: Thank you.

24 Elaine Quintana. Would you spell your last name
25 for the court reporter, please.

1 MS. QUINTANA: Elaine Quintana, Q-u-i-n-t-a-n-a. And I
2 just have one additional comment to make, and that is that
3 I'd like to, as a taxpayer, remind you that you're not
4 charged with recreation. That's not your job. I think your
5 job primarily is to maintain public lands, to concern
6 yourself -- so I don't think that you should be made to feel
7 guilty because you're closing -- as part of your job closing
8 up lands in order to conserve them, in order to protect
9 them. I don't think you should feel guilty about that.

10 I think the reverse of that. I think you should
11 feel good about closing areas that they need to be closed in
12 order to protect the environment. Thank you.

13 MR. TROST: Thank you.

14 Preston Arrow-weed.

15 MR. ARROW-WEED: Thank you again. I think I would just
16 follow what she was saying, and I was going to say something
17 like that. But she just -- many Americans are Quechan
18 people as in my tribe. We are White Shoulder by the Bureau
19 of Indian Affairs and Sheriff's Department. Of course we
20 know Reclamation has taken over the water. They are taking
21 care of that. And also BLM takes care of the land that we
22 once occupied, so we are no longer the stewards of the
23 lands.

24 BLM is now the stewards of the land. And we only
25 hope that you do the right thing. It is your job to do it.

1 Because if I was in charge and we were the steward, you know
2 what I'm going to say, but we share that too. And that's
3 how we got in trouble because we shared too much long ago.

4 A gentlemen also talked about certain things out
5 there that he was trying to teach. I've done that for the
6 last 10 or 15 years, teaching from the stories and some
7 things about the area, but I taught at home on a reservation
8 which is 60 miles from here, telling them about certain
9 areas.

10 There are many places out here that I've seen,
11 that Mr. J. VonWarlive (phonetic), archeologist from
12 Imperial Valley who's retired, he had called me up here and
13 another friend of mine come here. He came up here to do
14 some consulting with him because he found it but he wanted
15 to know what it meant. So we are out there trying to piece
16 together the creation story of what he had found and what is
17 out here.

18 And that's what we've done. Many times we've done
19 that. And I went out with Mr. Ed Collins once -- I went
20 out -- well, sort of like an expedition. It was very well
21 handled. And we went in Jeeps, went over certain roads. We
22 were careful about what we were doing because we knew what
23 we were doing. Because if you don't know what you're doing
24 you're going to run into something you wouldn't even know
25 and probably wouldn't care because you don't know what it

1 is.

2 Basically the way some people are -- if you don't
3 know what you're looking at, you're going to step on it,
4 you're going to destroy it, whatever. And so many of those
5 things I saw out there, not everybody is aware of that.
6 When we went out there it was well-organized, and we had an
7 archeologist and I went with them and even they were very,
8 very careful. But I don't think everybody is.

9 And I don't think that it should be open to
10 everyone to just go cruising all over the place. And I
11 guess you will have to get archeological help -- an
12 archeologist to go through that again. But I think you
13 should get native American monitors, someone who is well
14 aware of it, to look at it with them and agree with whatever
15 is out there and to accept what they say.

16 I know Mr. J. VonWarlive is very strong in
17 preserving some of these areas. And there are areas that
18 have not been discovered either, because there are times
19 they have looked at one site and just right next to it there
20 was another one. Or somehow the wind blew and something
21 came out and they found another one. But that happens.
22 They're all over the place. We have to be very careful out
23 there.

24 I went with Mr. VonWarlive and they were about to
25 destroy a place -- and different places I've seen destroyed.

1 There was nothing we can do because it's too late and no one
2 has ever really tried to do anything about it. No one
3 took the -- didn't have the foresight to say, hey, let's do
4 this, or whatever. And I think that if we did that
5 beforehand, then we might see these things and protect it as
6 much as we can.

7 And I think that the most important ones that are
8 right there by Ocotillo, I seen that out this way, too, up
9 north of here. It's an old fish -- fish traps out there
10 I've seen. And I think there's pottery and certainly things
11 that have been found -- the whole thing's been found. They
12 could be crushed. But that is sitting up there, nobody is
13 able to go there so naturally they're safe until somebody
14 goes off the road and either finds it or destroys it.

15 And I think that's a part of history that's
16 destroyed. I think what the Quechan people say is that's a
17 page torn out of history and just thrown away and we'll
18 never know what happened. Because from that we can learn so
19 much.

20 And I think Imperial County also has a story as
21 old as the eldest living race of people and very few people
22 know about this area. Because I recently talked to some
23 people who said "We didn't know this area existed." And I
24 think Imperial County should be proud that they are living
25 on a land that was occupied by an ancient race of people who

1 lived here a long, long, long time ago, and some of them are
2 still here.

3 Thank you.

4 MR. TROST: Thank you.

5 Terry Weiner.

6 MS. WEINER: Terry Weiner, Desert Protective Council.

7 Thank you for allowing us to come back up.

8 I really wanted to mention the cultural and
9 archeological resources out there and Preston has done a
10 very good job of that. But from what I understand, most of
11 these areas haven't even been surveyed and, therefore, how
12 can you designate open routes when you don't even know what
13 you might be impacting, even directly or indirectly. So
14 that is something you got to look at in the EIS.

15 I know it will take a long time to do these
16 surveys and I know it may be problematic, but there are
17 certain lawsuits that demand that you have this deadline --
18 the deadline of early January to complete the route
19 designation, but perhaps that could be worked out, extended
20 if they understand -- litigants understand that you're
21 really trying to do something positive in the meantime.

22 And we absolutely, absolutely want you to stop
23 races in the desert in the limited use areas. All desert
24 racing, if it has to be there at all it should be kept in
25 the open areas or Ocotillo Wells. It's absolutely a wrong

1 use of the very fragile land.

2 And as far as a county, that's a horrifying thing
3 that was said about the county making an RS 2477 assertion.
4 Yes, we have. We -- Desert Protective Council, along with
5 any number of other groups, have written very strong letters
6 asking BLM to withdraw that proposed rule which is also
7 known as 67 FR 8216. This will make it easier for the BLM
8 to give away federal lands, including rights-of-way to
9 certain counties and fractures of land areas that are still
10 habitat areas that still have some integrity. It is
11 absolutely illegal. So don't let that enter into this
12 document at all.

13 Thank you.

14 MR. TROST: Thank you.

15 Are there any more speaker cards?

16 UNIDENTIFIED SPEAKER: You know what, I can't speak up.
17 I can't speak.

18 MR. TROST: Okay.

19 UNIDENTIFIED SPEAKER: I'll just send in written
20 comments.

21 MR. SCHOECK: I'd like to thank everyone for those of
22 you that remained throughout the meeting and those who were
23 here before. Before you go I would also like to recognize
24 and thank the City of El Centro for making the chambers
25 available for us and this meeting, in addition to the

1 various meetings that have happened over the years in our
2 routes of travel back in '95 or '97, which we are still
3 concerned about. Those comments are still valid.

4 Our part of the partnership with the public, that
5 we have these meetings and we ask for comments in order to
6 get exposed to other issues that we may have missed or
7 sometimes you may have a difference in importance than
8 those, so we're very much interested in what you have to
9 say. We realize some people are intimidated by public
10 speaking. That's why you can send written comments or
11 e-mail messages to us.

12 There's also another opportunity for addressing
13 issues and potential alternatives to the eventual
14 Environmental Assessment, and that will be on Thursday, May
15 2nd in San Diego at the Hilton San Diego Mission Valley.
16 That will be 901 Camino del Rio South and that will be from
17 6:00 p.m. to 8:00 p.m., just like this meeting was.

18 And again I want to reiterate that the scoping
19 period comments will be accepted all the way through and
20 including May 31st of this year. So there's still an
21 additional month to deal with that.

22 And again I would like to thank you for the
23 comments and for your respect in obeying the rules and the
24 other speakers.

25 And with that, have a pleasant evening.

1 MR. TROST: Without being our official, on-the-record
2 meeting, I would inform you that the presenters will be
3 available after the meeting to maybe speak one-on-one, not
4 on the record, on some of the maps or some questions you
5 might have.

6 Thank you for coming. Have a safe trip home.

7 Good night.

8 (The proceedings were adjourned at 7:30 p.m.)

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REPORTER'S CERTIFICATE

STATE OF CALIFORNIA, COUNTY OF IMPERIAL

I, Judith Wicklund, CSR No. 11789, a Certified Shorthand Reporter in and for the state of California, County of Imperial, do hereby certify:

That said proceedings were taken before me at the time and place therein stated and was thereafter transcribed into print under my direction and supervision; and I hereby certify that the foregoing is a true and accurate transcript of my shorthand notes of the proceedings.

I further certify that I am in no way interested in the event of these proceedings and that I am not related to any of the parties hereto.

WITNESS my hand this _____ day of _____, 2002.

Judith Wicklund, CSR
Certificate No. 11789

