

**DECISION RECORD  
CDCA PLAN AMENDMENT**

**WESTERN MOJAVE DESERT  
OFF ROAD VEHICLE  
DESIGNATION PROJECT**

June 2003

A handwritten signature in black ink, appearing to read "Mike Pool", written over a horizontal line.

Mike Pool  
California State Director  
Bureau of Land Management

A handwritten signature in black ink, appearing to read "Linda Hansen", written over a horizontal line.

Linda Hansen, District Manager  
California Desert District  
Bureau of Land Management

# **DECISION RECORD CDCA PLAN AMENDMENT**

## **WESTERN MOJAVE DESERT OFF ROAD VEHICLE DESIGNATION PROJECT**

### **DR.1 SUMMARY**

The Western Mojave Desert is located in Kern, Inyo, Los Angeles and San Bernardino Counties in southern California and offers outstanding recreational opportunities for off-highway vehicle (OHV) touring in the California Desert District. BLM provides motorized vehicle access, where appropriate, for commercial and recreational purposes, and to access private property, in a manner that is compatible with the western Mojave Desert's many sensitive cultural and natural resources. Numerous important historical sites and habitat for several sensitive or endangered plant and animal species are present in the area, including but not limited to the threatened Desert Tortoise, the endangered Lane Mountain milk vetch, and the California-listed Mohave ground squirrel. The type and level of OHV use is managed to create an environment that promotes the health and safety of visitors and employees, and alleviates conflict between nearby residents and recreational users.

The proposed amendment to the California Desert Conservation Area (CDCA) Plan would adopt a network of motorized vehicle access routes as a component of the CDCA Plan. This network would provide access to nearly 3 million acres of public lands within the western Mojave Desert.

Since 1980, when the CDCA Plan was adopted, BLM has taken a number of steps to designate a network of motorized vehicle routes on public lands within the western Mojave Desert. The most far-reaching designation effort took place in 1985 and 1987, and encompassed most of the study area. Other significant route designations occurred both before and after 1985-1987 as part of site-specific planning efforts, primarily in connection with the preparation of various Area of Critical Environmental Concern (ACEC) plans, the Rand Mountains – Fremont Valley Management Plan and the “pilot” designation process for the Ord Mountain Planning Unit<sup>1</sup>.

Since these designations were accomplished, however, several regulatory changes have taken place that relate to the western Mojave Desert. These include the listing of a number of species as either threatened or endangered by the United States Fish and Wildlife Service (USFWS), such as the threatened Desert Tortoise (April 2, 1990), the endangered Lane Mountain milk vetch (October 6, 1998), the threatened Inyo California Towhee (August 3, 1987), the endangered Cushenbury milk vetch (August 24, 1994), the endangered Cushenbury buckwheat (August 24, 1994), the endangered Cushenbury oxytheca (August 24, 1994) and the threatened Parish's daisy (August 24, 1994). The western Mohave Desert is also home to the only known population of the California listed (threatened) Mohave ground squirrel.

The purpose of the Western Mojave Desert Off Road Vehicle Designation Process is to update the existing designations to reflect these changes, and to adopt the revised network as a component of the CDCA Plan through this plan amendment.

---

<sup>1</sup> In addition, in 2001, as stipulated by court order, BLM implemented an interim route closure within the Fremont, Kramer, Red Mountain, Newberry/Rodman and Superior subregions and at Edwards Bowls and the Helendale/Silver Lakes area. These closures were to remain in effect until the issuance of a record of decision regarding route designation in the West Mojave.

Accordingly, the existing network of designated motorized vehicle access routes was reviewed and, where necessary, revised. The following steps were taken:

- **Redesign Area -- Tortoise Critical Habitat:** Because most of the existing network was designated prior to the listing of the desert tortoise, the network was extensively revised within desert tortoise critical habitat. This involved field surveys to map existing vehicle routes, and the design of a route network that would provide motorized vehicle access, where appropriate and compatible with tortoise conservation.
- **Redesign Area -- Other Sensitive Locales:** Field inventories and the design of a route network compatible with sensitive resources was undertaken in the Middle Knob and Juniper Flats areas.
- **Retention of Existing Route Network Elsewhere:** In all other areas, the existing motorized vehicle access network has been retained (excepting certain minor revisions and corrections, discussed below). These areas include the remaining portions of the 1985 and 1987 networks, the ACEC networks, the Rand Mountains – Fremont Valley Management Plan network and the Ord Mountain network.

That portion of the route network located outside of the redesign area was reviewed to ensure its continued compliance with federal regulations (specifically, 43 CFR 8342). In some cases, minor adjustments were necessary. These adjustments included but were not limited to the following:

- *North Searles Sub Region:* Route designations were updated to take into consideration changing visitor use patterns. To allow loop tours of the area by day users (e.g. picnickers), some new short routes were added. The addition of these short routes is intended to minimize some route proliferation through sensitive resources that is occurring as a result of the public's effort to create looping opportunities.
- *El Mirage Sub Region:* Route designations were altered to address land use conflicts between private property owners and public recreationists on BLM lands. Route designations were also altered to address new information regarding desert tortoise distribution.
- *Black Mountain ACEC:* Route designations were altered to reflect new route information gathered during the 2001 field inventory of the adjoining Fremont and Superior sub regions. Along the mountainous western boundary of this ACEC a few routes previously designated closed were re-designated as open. These minor alterations would create a route system or "network" that would have fewer dead-ends and greater inter connectivity between routes (e.g. more looping route opportunities).
- *Edge-matching Designation Boundaries:* At twenty-five locations, the ACEC, 1985-87 and 2002 networks bounded each other. It was necessary to adjust the location of some routes at the borders to ensure that these networks, developed at different times and based upon differing field information, would constitute a single seamless and consistent motorized vehicle access network. This effort took into account the latest information concerning recreation uses and patterns, as well as new resource concerns (e.g. recently listed T&E species).

In March 2003 the BLM published the *Western Mojave Desert Off Road Vehicle Designation Project, Environmental Assessment and Draft CDCA Plan Amendment (March 2003)* (hereinafter "Designation Project EA and Draft Amendment"). The Designation Project EA and Draft Amendment assessed the environmental effects of adopting the motorized vehicle access network developed through the West Mojave planning process. It was prepared under the regulations implementing the Federal Land Policy and Management Act of 1976 (FLPMA), in compliance with the National Environmental Policy Act (NEPA) of 1969.

The Western Mojave Desert Off Road Vehicle Designation Project plan amendment and EA establishes site-specific route designations based in the CDCA Plan and Environmental Impact Statement of 1980. As such, it is tiered to the original plan and Environmental Impact Statement.

## **DR.2 DECISION**

The proposed amendment as described below is approved:

### **PPA.2.1 Summary**

The approved route network consists of the motorized vehicle access network considered by the Proposed Designation Project EA and Amendment, as modified in response to suggestions submitted by commentators. Those modifications include corrections relating to errors, update of information and changes to correct oversights. Decisions include:

- Amendment of the CDCA Plan to adopt a network of open, limited and closed motorized vehicle access routes as a component of the CDCA Plan;
- Amendment of the CDCA Plan to adopt procedures guiding future modifications of the motorized vehicle access network;
- Establishment of an El Paso Collaborative Access Planning Area for the El Paso Mountains and Ridgecrest subregions (this is NOT a CDCA Plan Amendment); and,
- Adoption of a strategy to guide the future implementation of the route network (this is NOT a CDCA Plan Amendment).

### **PPA.2.2 Motorized Vehicle Access Network**

#### **PPA.2.2.1 Approved Route Network**

The CDCA Plan, Motorized Vehicle Access Element, would be amended to adopt the motorized vehicle access network described in the maps attached to the Proposed Designation Project EA and Amendment, and as modified by Section PPA.2.2.2 below:

#### **PPA.2.2.2 Designation Project EA and Amendment Errata**

Modifications of the route network described in the maps attached to the Proposed Designation Project EA and Amendment are presented in Table 1. Comments that identified resource conflicts, private property access concerns, mapping errors, or more creative means of providing recreation opportunities were the basis for the modifications presented in Table 1. Other comments, more appropriate for plan maintenance, would be responded to through the process established herein for modification of the route network. The table identifies the number of the Proposed Designation Project EA and Amendment map on which the route in question can be found. The number and/or location of the subject route is also identified.

**Table 1  
Proposed Specific Modifications of Designation Project Route Network**

MAP	ROUTE	ACTION	COMMENT
P_Map 12	Un-numbered	Open	Valid right-of-way to mining site; missed by 1985-87 inventory.

MAP	ROUTE	ACTION	COMMENT
	NA Wilson Canyon	Change from Closed to Limited	Wilson Canyon beyond locked gated needs limited access for water district.
P_Map_14	NA Poison Canyon	Open undesignated route	Provides legal access routes not now available from Trona to Spangler open area.
	NA Trona Rose Road	Open undesignated route	Dirt road provides access between fenced Trona Railway and a point of rocks where a borrow pit is noted on a USGS map.
P_Map 15	Routes on Searles Lake within mining area.	Designate as closed or limited.	Limited routes are for mining access and public safety. Closed routes prevent access to military lands.
P_Maps 21 & 24	Routes within Red Rock Canyon State Park	Delete routes within jurisdiction of the California Department of Parks and Recreation from maps (no designation).	California Department of Parks and Recreation will create a Roads and Trails Management Plan for lands under its jurisdiction.
P_Map 26	RM2034	Change from Open to Closed.	Close route through culturally significant Red Mtn Spring. Leave route open from junction RM2036 to junction with RM2056.
	RM2060	Change from Closed to Open 1 mile	Historic technical motorcycle route on north slope of Red Mountain in extremely steep terrain.
	RM2060	Change from Closed to Open 1 mile	Historic technical motorcycle route on north slope of Red Mountain in extremely steep terrain.
	RM2102Y RM2102Z	Opened 2 undesignated spurs	2 - 1/8 mile routes off of RM2102 just west of RM2102E provides sole access to private property.
	RM3008	Change from Closed to Limited.	Route is an active valid waterline right-of-way.
	RM3014	Change from Closed to Open	Major power line right-of-way; major connector route for entire region; adjoining redundant route RM3023 stays closed.
	RM3019 Hoffman Road	Change from Closed to Open	Heavily used historic access route into the area (i.e. wagon route in use since the 1880's); serves campsites, regional connectivity.
	RM3020	Change from Closed to Open	Major intra-regional connector providing access to multiple campsites and recreational features.
	RM3021	Change from Closed to Open	Heavily used primary route providing principal access to the campsites and the region in general.
	RM3024 East of Hoffman Road	Change from Open to Closed	Redundant parallel route with Hoffman Road in occupied desert tortoise habitat. Closed due to the change of designation status of RM 3019.
	RM3060	Change from Open to Closed	Occupied habitat for desert cymopterus.
	RM 3062	Change from Open to Closed	Occupied habitat for desert cymopterus.
	Randsburg Railroad Right-of-way	Undesignated route outside of Tortoise DWMA open north from RM2150 to Red Mountain	Historic heavily used intra-regional connector. Provides private property and commercial access.
P_Map_30A	MK0015	Change from Closed to Open.	Single most important access route to interior back country; all other access eliminated by private property.
P_Map_31	F3004Z	Opened undesignated spur	Short less than 1/8 mile spurs provides only access to a private parcel north of F3004 and

MAP	ROUTE	ACTION	COMMENT
			just east 5104
P_Map_32	F3052	Change from Closed to Limited	Access route to important guzzler.
	SU2017	Change from Closed to Open	Heavily used route for private property access.
	SU2024	Change from Closed to Open	Provides access to mines, campsite, unique scenic view, historic route and very steep terrain.
	SU2038	Change from Closed to Open	Opening approximately 1½ miles to provide alternative access during wet periods to avoid dry lake bottom damage.
	SU2051	Change from Closed to Open	1/8 mile route provides access to guzzler.
	SU2052	Change from Closed to Open 1/8 mile spur to SU2031	Spur accesses great traditional campsite.
	SU2083	Change from Closed to Open	Provides access to major rockhounding site.
	SU2088	Change from Closed to Open	Provides access to gem quality opal rockhounding site, hiking access to volcanic mesa and exceptional view of Scouts Cove.
	SU3130	Change from Closed to Open	½ mile spur to old well and
	SU5015	Change from Closed to Open 1 mile route	Historic loop route provides access to unique campsite and trail head to hike nearby Well Peak
P_Map_33	SU 5024	Close	Enters Fort Irwin (dead end)
	SU 5033	Close	Enters Fort Irwin. (dead end)
	SU 5034	Close at T32S, R47E, Sec. 10	Within Lane Mountain Milk vetch habitat
	SU 4007	Close from junction NE of SU 4001	Enters Fort Irwin (dead end)
	SU 4007	Designate as Limited in Sec. 1 NW of Paradise Springs	Access to private land. Leads to dead end at Fort Irwin
P_Map_37B	F2032	Change from Closed to Limited.	Route is needed to provide access to active valid mining claims
P_Map_37B	F2088	Change from Closed to Limited.	Route is needed to provide access to active valid mining claims.
P_Map_39	SU 3003	Close	Occupied Lane Mountain milkvetch habitat.
	SU 3004	Close	Occupied Lane Mountain milkvetch habitat.
	SU 3010	Close	Occupied Lane Mountain milkvetch habitat.
	SU 3024	Close	Occupied Lane Mountain milkvetch habitat.
	SU 3082	Close	Occupied Lane Mountain milkvetch habitat.
	SU 3102	Close	Occupied Lane Mountain milkvetch habitat.
	SU 3103	Close	Occupied Lane Mountain milkvetch habitat.
	SU 3139	Close	Occupied Lane Mountain milkvetch habitat. Dead ends at Rainbow Basin ACEC
	Rainbow Basin ACEC Route	Close 0.7 mile long route running southwest from intersection of SU 3084 and SU 3084A, in T 11 N, R 1 W, Sec.7	Route is within occupied Lane Mountain milkvetch habitat
	Rainbow Basin ACEC Route	Close 0.3 mile long route running north from intersection of SU 3084 and SU 3084A, in T 11 N, R 1 W, Sec.7	Route is within occupied Lane Mountain milkvetch habitat
P_Map_40	SU5004Z	Change from Open to Limited; spur of off SU5004 ½ mile north of SU3107 and ¼ mile south of SU5131	Significant conflict area occupied Lane Mountain milkvetch habitat.
	SU5094	Change from Open to Close; close the small portion in Sec. 32	Occupied Lane Mountain milkvetch habitat.

MAP	ROUTE	ACTION	COMMENT
		that goes north from SU5004.	
	SU 5119	Close	Occupied Lane Mountain milkvetch habitat.
	SU 5129	Change 0.4 miles east of junction with SU 5119 to limited.	Access allowed only for operators of Lane Mountain communications facility.
	SU 5131	Change route east of junction with SU 5004 to limited.	Access for holders of mining claims only.
	SU 5143	Close	Occupied Lane Mountain milkvetch habitat.
	Un-numbered W. of SU 5004	Close small spur roads.	Occupied Lane Mountain milkvetch habitat.
P_Map_42	AF202	Change from Closed to Open	To create loop. This is a popular, unique and historical rockhounding loop.
	AF2511	Change from Closed to Open	To create loop. This is a popular, unique and historical rockhounding loop.
	AF2525	Change from Closed to Open	To create loop. This is a popular, unique and historical rockhounding loop.
	C4016	Change from Closed to Open	Access to private property.
	C4020	Change from Closed to Open	Access to private property.
P_Map_44	K2027	Change from Closed to Open	Route is a portion of a major inter-regional connector traveling through 3 subregions as K2001, F2002, RM 3014; Historic telephone road
P_Map_46	SU1203	Change from Closed to Open	Route provides access to historic Barium Queen Mine site, popular with rockhounders.
	SU1207	Change from Closed to Open	Provides trailhead access to the Skyline hiking and running trail.
	SU1211	Change from Closed to Open	Provides trailhead access to the Skyline hiking and running trail.
	SU4030	Change from Closed to Open 2 mile route	Provides historic unique 4x4 touring over very rough terrain.
	SU4032	Change from Closed to Open ½ mile spur	Historic 4x4 route over extremely rough terrain.
P_Map_49	AF122	Extend AF122 East ½ mile past junction with AF071 to AF327	Change needed otherwise route dead ends at closed route. Not in Desert Tortoise DWMA.
P_Map_50	EM1068	Change from Closed to Open	Provides private property access. Major N/S intra-regional connector.
	EM1079	Change from Open to Close From junction EM2097 North to junction with EM1068	Redundant route. In Desert Tortoise DWMA.
P_Map 53	Route S of power line, W. of Camp Rock Road	Change to limited.	N-S trending route thru Section 34 T 9 N R1E & Sections 3 and 10 T 8 N R1E which is only access to private property located in the S/2 NW/4 of Section 10 T8N R1E
P_Map_57	EM2032	Change from Closed to Limited	Designated limited to FAA Tower to allow access to facility.
P_Map_69	J1001	Change from Open to Closed those spurs labeled J1001 that are north of the main J1001.	Closure of the J1001 spurs north of the main J1001 will significantly eliminate trespass into the Milpas Highlands area.
	J1001D	Change from Open to Limited	Access limited to allow private property access to ranch cabins.
	J1003A	Change from Open to Close	Directs illegal OHV trespass into private property.
	J1008	Change from Open to Closed that portion of route J1008 that lies north of J1001.	Opening route would negate post-Willow Fire restoration effort and direct illegal trespass into private property. Closure of J1008 north of J1001 will significantly

MAP	ROUTE	ACTION	COMMENT
			eliminate trespass into Milpas Highlands area.
	J1008A	Change from Open to Closed.	Designation change to protect sensitive spring and riparian habitat.
	J1008B	Change from Open to Closed east of intersection with J1008.	Designation change to protect sensitive spring and riparian habitat.
	J1010	Change from Open to Closed west of intersection with J1012.	Designation change to protect sensitive spring and riparian habitat.
	J1028	Change from Open to Limited	Leads to private land where access is denied and to cultural and riparian sites. Access would be limited to allow private property owner to access ranch cabins.
	J1036	Change from Open to Close	Directs illegal OHV trespass into private property.
	J1037	Change from Open to Close	Directs illegal OHV trespass into private property.
	J1038	Change from Open to Close	Directs illegal OHV trespass into private property.
	J1064A	Change from Open to Close	Redundant parallel route in riparian wildlife corridor.
	J1083	Change from Open to Close	Opening route would negate post-Willow Fire restoration effort and direct illegal trespass into private property.
	J1085	Change from Open to Close	Route goes up very steep erosive ravine and serves as redundant access.
	J1086	Change from Open to Close	Route goes up very steep erosive ravine and serves as redundant access.
	J1299	Open undesignated route originating from the intersection of J1085/J1029 south via Sections 26/35, T 4N, R3W and west via Section 1, T 3N, R3W and ending at J1003.	Route provides important connectivity through BLM lands to USFS lands bypassing private property where trespass use has been an issue.
P_Map 73	Sect 8 mining access road link.	Designate as limited.	Needed for mining claim access and safety (avoidance of active mining operations area).
P_Map_79	Open route, Sec. 1, T 1N, R 7E	Close route between Enchanted Road and Bourland Pass Road.	Habitat for Little San Bernardino Mountains gilia.
P_Map_83	Open route, Sec. 5, T 1S, R 7E	Close route from wash to JRNP boundary	Occupied habitat for Little San Bernardino Mountains gilia; allows trespass into Joshua Tree National Park wilderness.
P_Map 85	Route to bat roost	Designate small section of route as limited.	Limited allows access to claims but prevents vehicular access to bat roost.

### PPA.2.3 Modification of Motorized Vehicle Access Network

#### PPA.2.3.1 Proposed Modification Procedures

The CDCA Plan, Motorized Vehicle Access Element, would be amended to adopt the following motorized vehicle access network modification procedures:

Any significant modifications of the motorized vehicle access network could only occur through an amendment to the CDCA Plan, including full NEPA compliance, public involvement, interagency coordination, and the preparation of a decision document for the amendment.



Minor modifications of the network during plan implementation would be allowed, however, without the necessity of a formal plan amendment. FLPMA allows BLM resource management plans (such as the CDCA Plan) to be “maintained as necessary to reflect minor changes in data” (Section 1610.5-4.) Plan maintenance is limited, in that it cannot result in the expansion of the scope of resource uses or restrictions, or change the terms, conditions and decisions of the approved plan. It is limited to further refining or documenting a previously approved decision incorporated in the plan. In view of these limitations, “minor realignments” of the route network would be considered to be plan maintenance, and could be made without formal amendment of the plan. “Minor realignments” include the following:

- Minor realignments of a route necessary to avoid cultural resources sites identified during the process of compliance with Section 106 of the National Historic Preservation Act.
- Minor realignments of a route necessary to reduce impact on sensitive species or their habitats.
- Minor realignments of a route that would substantially increase the quality of a recreational experience, but that would not affect sensitive species or their habitat, or any other sensitive resource value.
- Opening or limited opening of a route where valid rights of way or easements of record were not accurately identified in the route designation process.

The term “minor realignment” refers to a change of no more than one linear mile of one designated route. It could include the opening of an existing, but previously closed, route that serves the same access need as the open route that is to be “realigned”. It does not include the construction of a new access route involving new ground disturbance, except where new construction is necessary to avoid a cultural resource site or sensitive species.

Minor realignments must be documented in the official record. The reason for the alignment change shall be recorded and kept on file in the affected BLM Field Office, and the change noted in the CDCA Plan.

Route designation on newly acquired lands would occur every five years (or sooner, if judged to be prudent), would comply with applicable federal regulations and statutes, and be incorporated into the overall route implementation process. New route networks on acquired lands would be required to facilitate conservation programs and be complimentary to the network resulting from alternative implementation.

#### **PPA.2.3.2 Modification of Motorized Vehicle Access Network Errata**

The following changes were made to the Modification text in response to suggestions made by commentators:

- New bullet added to bulleted list: “Opening or limited opening of a route where valid rights of way or easements of record were not accurately identified in the route designation process.”
- In first bullet, word “complying” changed to “compliance.”

#### **PPA.2.4 El Paso Collaborative Access Planning Area**

An El Paso Collaborative Access Planning Area (El Paso CAPA) would be established for the El Paso Mountains and Ridgecrest subregions (see Proposed Designation Project EA and Amendment, Map 1). A motorized vehicle access network would be designed for the El Paso CAPA through the collaboration of the BLM with local jurisdictions (including the City of Ridgecrest and the County of Kern) and the general public. The intent is to adopt this network as a component of the CDCA Plan by no later than December 31, 2005.

This decision would not involve an amendment of the CDCA Plan.

The process would be conducted subject to certain biological and cultural resource criteria that would assure that the routes to be designated as open, closed, or limited would follow the principles of species and habitat protection currently being developed by the West Mojave Plan. These “sideboards” to the process are listed below:

- Adequate protection of raptor nests, particularly golden eagle and prairie falcon;
- Adequate protection of the Red Rock poppy and Red Rock tarplant, two species endemic to the El Paso Mountains;
- Limitation of vehicle access to wildlife springs and artificial water sources “guzzlers,” and
- Protection of riparian habitat adjoining significant roosts for Townsend’s big-eared bat (if any roost sites are located).
- Full compliance with the National Historic Preservation Act, and the cultural resources element of the California Desert Conservation Area Plan.
- Protection of significant cultural resources, including those listed in the National Register of Historic Places or within the boundaries of the Last Chance Canyon National Register District and Area of Critical Environmental Concern.
- Protection of unevaluated cultural resources until their significance has been determined through formal evaluation.
- Protection of the cultural landscape within the El Paso Mountains;
- Protection of significant fossil-bearing units within the El Paso Mountains.

Initiating this process would not require an amendment of the CDCA Plan. The CDCA Plan would be amended to incorporate the existing 1985-87 network for the El Paso Mountains and Ridgecrest subregions, pending the completion of the collaborative planning effort (see Section PPA 2.2.1, above).

A timeline for completing the El Paso CAPA process follows:

- June 30, 2003: Designation Project Decision Record signed, amending CDCA Plan and adopting the existing 1985-87 network for the El Paso Mountains and Ridgecrest subregions.
- December 31, 2004: Revised motorized vehicle access network developed through the El Paso CAPA process for the El Paso Mountains and Ridgecrest subregions.
- December 31, 2005: Subsequent NEPA analysis completed and decision document signed, amending CDCA Plan to adopt the network developed through the El Paso CAPA process.

## **PPA.2.5 Implementation**

The following process is proposed to guide implementation of the West Mojave motorized vehicle access network. Approving this process would not require amendment of the CDCA Plan.

### **PPA.2.5.1 Process**

Past experience in the West Mojave has generally shown that the most effective signing protocol (i.e. greatest public compliance) is one in which the routes designated open would be signed. Closed routes would not be signed. Closed routes would be reclaimed, either naturally or using proactive

techniques such as vertical mulching. Due to monetary and staffing constraints, as well as the remoteness of much of the West Mojave region, routes designated closed would be left to natural reclamation where possible and where this would be effective. In those areas where environmental concerns are more profound (e.g. in areas where the amount of tortoise sign is above average or within the desert tortoise biology polygons) or where the intensity of use is such that it is necessitated, vertical mulching to the line-of-sight would be favored over natural reclamation.

Each BLM Field Office would prioritize the areas (e.g. sub regions, MAZs) and the routes to be addressed first. The range of actions and their intensity would vary based upon a number of factors (assessed need, available resources) and could include law enforcement, various forms of public education and other means, as well as signing and vertical mulching. A BLM Field Office might choose to involve the public as it prioritized these efforts and could employ options like those discussed below for monitoring route needs or prioritizing the maintenance of routes.

The implementation of the route system and its maintenance would begin with a first phase consisting of route management actions such as:

- Open route signing and signage on open routes adjacent to private property indicating private property boundary.
- Open route maintenance, with an emphasis on making the open network of routes more obvious and attractive to use than the closed routes. Existing park ranger and maintenance staff would do this during route signing and sign maintenance.
- Hand raking and disguise of prominent closed routes, including lining small rocks across closed routes to help discourage use.

Proactive route rehabilitation work would be utilized where the first phase has not proven to be successful or where route conditions were clearly beyond the capability of the first phase to address. Although rehabilitation is recognized as a second phase, planning for this phase, including the securing of funding, should begin early. Having route designations in place would enhance the availability of funds, and would allow the BLM to pursue external sources of rehabilitation funding such as OHMVR, the National Fish and Wildlife Habitat Fund (USFWS), and contributions of volunteer labor from local, state, and national interest organizations.

Specific prioritization of work areas/sites would be guided by four factors, all of which are related to the location of the route:

- Factor 1: Are located within tortoise critical habitat,
- Factor 2: Have above-average tortoise sign or are important to other sensitive species (i.e. located within biology polygons),
- Factor 3: Have higher than average vehicle disturbance (i.e. located within disturbance polygons) and
- Factor 4: Have significant urban interface issues.

Examples of areas where all of these factors come into play would include portions of:

- Kramer sub region west of the community of Silver Lakes;
- El Mirage sub region east of the Edwards Bowl area and
- Superior sub region northwest of Barstow.

The highest priority would be given to areas for which all four factors apply. The second priority would be those routes characterized by factors 1-3; the third priority would be routes characterized by factors 1 and 2; fourth priority to routes characterized by factor 1 only; and fifth priority to remaining routes.

Past experience, such as that obtained through the implementation of the Ord Mountain route designation pilot, can give valuable insight into not only which actions, but in what order they should occur. Implementation of the Ord Mountain Pilot plan revealed that the most effective short-term action taken was an increase in enforcement and visitor service patrolling, which resulted in a commensurate increase in visitor contacts. Through this increased number of contacts visitors realized that BLM was aggressively and successfully implementing the new network. Visitors generally responded to this in one of two ways. Those who were seeking a cross-country driving experience and did not want to be limited to routes gradually moved to the “Open Areas” where they could continue to recreate in a more unrestricted manner. Others continued to recreate in the Ord Mountains, generally staying on open routes.

The least effective short-term action taken in the Ord Mountains was signing the closed route network. Not only did this effort consume a great deal of staff time; in addition, signs were removed almost as quickly as they were put up. The need to re-sign routes placed additional demands on scarce staff time and material.

Given the lessons learned from the Ord Mountain experience, the successful implementation of a new route network should proceed by carrying out these steps in the following order:

- Pursue funding for signage and the staff necessary to implement the route signing effort (i.e. both law enforcement and maintenance staff).
- Pursue funding for route rehabilitation.
- Sign the open route network (do not sign the closed route network).
- Maintain the open route network with the principal goal being to make the open route network more attractive for use than the closed route network. Make ample use of the tools such as the York Rock Rake to shape, clear and contour the open route network.
- Install informational kiosks and interpretive signing where it would be most effective. Site these facilities where it would reach the greatest number of visitors and where it would target an audience that might be the most receptive to such facilities. For example, in the Kramer sub region such facilities might be most beneficial at major trailheads and campgrounds in the eastern portion of the sub region that are heavily visited by families enjoying camping.
- Develop and publish maps that are up-to-date, readily available and have a readily understandable and useful format. For example, many visitors are familiar with the informational format employed by USGS quadrangle sheets. The Friends of Jawbone have published a map which has proven very popular amongst users to that region and that might serve as a good “for purchase” template. The Off-Highway Motor Vehicle Recreation Division of California State Parks has produced a series of inexpensive pocket maps for each of its facilities that may serve as a good template for very inexpensive or free maps.
- Regularly maintain signs, kiosks, routes, maps and brochures.

At such time as additional funds are available for law enforcement and rehabilitation, the following steps should be taken:

- Begin route rehabilitation in priority areas.
  - Route rehabilitation would require active maintenance for at least 1 year.
- Initiate enforcement and visitor service patrols with the following caveats:
  - Do not over-commit; funding must be available to sustain the new patrol for a period of at least 2 years.
  - As enforcement efforts move into new areas, inappropriate use could migrate back to areas where the program had already been implemented. Address this by allocating more funding to new areas, as there would still be a residual cost to maintain the first (earlier implemented) area.

- Keep in mind that it typically takes one year from the date funding becomes available until the time that a new fully delegated ranger is deployed into the field.
- Consider that turnover among law enforcement staff is high, which will reduce the efficiency of enforcement efforts both due to vacancies and the need for new training.

Table 2 presents an implementation time frame.

**Table 2**  
**Implementation Time Frames**

ACTION	COMPLETION TIME	COMMENTS
Pursue funding and FTE for enforcement, visitor services, and maintenance.	Year 3 – Ongoing	BLM works on a three-year budget cycle. There may be some infusion earlier.
Pursue funding for route rehabilitation.	Year 2 – Ongoing	This would likely come from both federal appropriations and external sources.
Sign open route network.	Year 1- Ongoing	Assumes funding in year 1
Maintain open route network.	Year 1- Ongoing	Assumes funding in year 1
Install informational kiosks and interpretive signing.	Year 1- Ongoing	Assumes funding in year 1
Develop and publish maps and brochures.	Year 1- Ongoing	Assumes funding in year 1
Routinely maintain signs, kiosks, routes, maps, and brochures.	Year 2- Ongoing	Assumes ongoing funding

This decision does not involve an amendment of the CDCA Plan.

**PPA.2.5.2 Implementation Errata**

The following changes were made to the Implementation text in response to suggestions made by commentators:

- First bullet modified to read: “Open route signing and signage on open routes adjacent to private property indicating private property boundary.”

**DR.3 ALTERNATIVES**

The alternatives considered in detail by the Designation Project EA and Draft Amendment included Alternative A, Proposed Action (which is the proposed plan amendment), Alternative B (Enhanced Ecosystem Protection), Alternative C (Enhanced Recreation Opportunities) and Alternative D (No Action).

- **Alternative A: Proposed Action.** This alternative consists of a motorized vehicle access network for public lands that includes a completely re-designed network within desert tortoise critical habitat and other locations having sensitive resource values. Elsewhere, it consists of existing designated route networks developed for ACECs, for the Rand Mountains – Fremont Valley Management Area, for the Ord Mountains Pilot Project and, in remaining areas, the off highway vehicle route designations adopted for the BLM Ridgecrest Field Office in 1985 and the Barstow Field Office in 1987.
- **Alternative B: Enhanced Ecosystem Protection.** This alternative places a high priority on the conservation of sensitive plants and animals, even if adoption of those recommendations would limit motorized vehicle access to and multiple use of the western Mojave Desert. The environmentally preferable alternative in accordance with 40 CFR 1505.2(b).?

- **Alternative C: Enhanced Recreation Opportunities.** This alternative places a priority on providing a high degree of recreation access to the western Mojave Desert.
- **Alternative D: No Action.** This alternative would retain BLM's existing motorized vehicle access network throughout the western Mojave Desert, including networks developed for ACECs, for the Rand Mountains – Fremont Valley Management Area, for the Ord Mountains Pilot Project and, in remaining areas, the network adopted for the BLM Ridgecrest Field Office in 1985 and the Barstow Field Office in 1987. The No Action network does not include the 2001 interim route closures (see Section PPA.1, above).

## **DR.4 MANAGEMENT CONSIDERATIONS (RATIONALE)**

Approval of the Designation Project is necessary to update BLM's existing motorized vehicle access network in the western Mojave Desert to reflect new circumstances that have arisen since the development of the original network, and new information collected since that time.

Final off road vehicle designations were made by the BLM in 1985 for the Ridgecrest Field Office and 1987 for the Barstow Field Office; notices announcing these off road vehicle designation decisions were published in the Federal Register on August 21, 1985, June 19, 1987 and September 22, 1987. Route designations were also made for ACECs within the western Mojave Desert, during the preparation of management plans for each ACEC, and for the Rand Mountains – Fremont Valley Management Plan in 1994. A route network was also developed for the Ord Mountains in 1999, although it was never formally adopted.

The United States Fish and Wildlife Service listed the desert tortoise as threatened in 1990, and designated critical tortoise habitat in the western Mojave Desert shortly thereafter. BLM designated lands generally corresponding to critical habitat as Category I and II tortoise habitat in 1991. All three of these designations – the listing of the tortoise, establishment of critical habitat, and adoption of Category I and II habitat classifications -- postdated the design and adoption of most of the existing network. Each of these imposed significant new mandates and requirements on the BLM, which were not present when the 1985-87 route network was adopted several years earlier. BLM is required by the federal Endangered Species Act to ensure that no adverse modification of critical habitat occurs. BLM's Category I guidance requires it to "Maintain stable, viable [tortoise] populations and increase populations where possible." Category II instructs BLM to "Maintain stable, viable [tortoise] populations."

In the years since the adoption of the original network, field survey techniques have improved dramatically. Global Positioning Satellite (GPS) technology was not available to the BLM in the middle 1980s, with the result that routes inventoried by field observation early in that decade were not mapped with the precision now available. A lack of precision can result in the opening of mapped "routes" that do not necessarily exist on the ground. Precision can be especially important in habitat occupied by sensitive species that can be affected by off highway vehicle usage. A detailed GPS ground survey, however, had not been conducted in the western Mojave Desert to ground-truth the existing network, including within desert tortoise critical habitat.

Moreover, the existing network had been developed at different times, using project-specific survey techniques. The 1985-87 network was designed independently of networks developed for the Rainbow Basin ACEC, Afton Canyon ACEC, Black Mountain ACEC, and other networks. The result was that, at the boundaries between these components of the network, the route network did not always form a seamless web: routes in one area lacked corresponding routes on adjacent lands, and ended "in the air." In fact, West Mojave planning team staff identified 25 "boundaries" where these edge-mapping issues required adjustments.

The purpose of the Designation Project was to resolve these problems, revising the existing network as necessary within sensitive species habitat and ensuring that the resulting network formed a seamless web of motorized vehicle access routes.

BLM first determined those portions of the existing network that had to be re-designed. These consisted primarily of desert tortoise critical habitat, as well as habitat occupied by other sensitive species. BLM then conducted an intense ground survey of off highway vehicle routes in the redesign area, utilized GPS equipment to map routes with precision. The nature of the routes was recorded (single track, graded dirt, etc), as were pertinent recreation venues (staging areas, campgrounds, etc) and sites of commercial importance. This provided the Designation Project with what earlier efforts lacked: the best available data concerning routes, route types and access needs, together with the precision necessary to design a network that meets access needs while being compatible with wildlife conservation.

BLM staff then applied the 2002 field survey data, together with the results of recent biological field surveys conducted between 1998 and 2001, staff expertise and other information in BLM files to determine whether each of 5,200 routes located within the redesign area should be open, closed or limited. In so doing, BLM applied the best available data to the route determinations.

This was accomplished in a manner consistent with statutory and regulatory criteria, as well as criteria set forth in the California Desert Conservation Area Plan. In making determinations concerning whether a route should be open, closed or open on a limited basis, BLM applied a Decision Tree (see EA, Appendix A), a standardized decision process that was applied to determine whether each of 5,200 enumerated routes should be designated open or closed. The questions that comprise the “branches” in the Decision Tree were based upon statutory requirements concerning resource protection (including but not limited to the National Environmental Policy Act, the federal Endangered Species Act, and the Federal Land Policy and Management Act (FLPMA)), the provision of commercial and recreational access (including but not limited to FLPMA, the Taylor Grazing Act, the various mining acts) and criteria set forth in the California Desert Conservation Area Plan. The Decision Tree’s structured process provided a uniform approach for assessing whether a route should be open or closed, and provided a convenient and consistent methodology for recording the outcome of these assessments. At the same time, it allowed users the flexibility to conduct a more detailed evaluation where warranted by particularly unique circumstances.

Routes and their attributes, including the recreation needs they served and the type of visitor or vehicle type they attracted, were carefully evaluated as part of the designation process. The result was a route network that meets the full range of identified visitor needs in a manner that is compatible with wildlife and plant conservation. Much of this was achieved by closing clearly redundant routes and by maintaining those routes that were not redundant or had special recreational attributes. Closures were offset (i.e. mitigated) by opening routes where resource concerns were minimal (see EA Section 4.2.3 (pages 28-29)). This resulted in a carefully evaluated route network, one that in spite of the closures still substantially meets the needs of all recreational groups (as discussed in Section 4.2.3) and increases the length of designated open route network by approximately 15%. Those routes in the most heavily visited areas have been evaluated to meet both today’s and future recreational needs by utilizing the best available current information. The layout of the proposed network was developed using much more extensive updated information and, as such, is a more effective network. It should meet recreational needs more effectively than those routes designated open by the existing network.

Outside of the redesign area, BLM staff resolved boundary issues to ensure that the Designation Project’s component parts – redesign area, ACEC networks, and remaining 1985-87 designations – form a seamless web. Twenty-five problem boundaries were reviewed, and route connection issues corrected. As a result, the Designation Project meets recreation, commercial and other access needs more effectively than the existing network.

Finally, BLM staff resolved several site-specific issues that had arisen outside of the redesign area since adoption of the 1985-87 and ACEC networks, most notably in the North Searles subregion following collaboration with local citizens.

BLM has been, and will continue to be, engaged in discussions with the California State Historic Preservation Officer to ensure that adoption and implementation of the Designation Project complies with section 106 of the National Historic Preservation Act. BLM will also work with the United States Fish and Wildlife Service to ensure that all federal Endangered Species Act requirements are met.

The Designation Project is fully consistent with recommendations set forth in the Desert Tortoise (Mojave Population) Recovery Plan. That document presents the following recommendations bearing upon the designation of motorized vehicle access networks: “1. Restrict establishment of new roads in DWMA. 2. Implement closure to vehicular access with the exception of designated routes.... 3. Implement emergency closures of dirt roads and routes as needed to reduce human access and disturbance in areas where human-caused mortality of desert tortoises is a problem.” On page 58 of the Recovery Plan, it is recommended that “surface disturbance in DWMA should be restored to pre-disturbance conditions ... this includes such actions as closing access to non-designated roads and restoring non-designated roadbeds to their pre-disturbance state.”

The Designation Project is consistent with these recommendations. First, all routes in the redesign area are located on existing vehicle routes, as confirmed by 2002 field surveys. No new roads would be established. Second, lands would be closed to vehicle travel with the exception of designated routes. Third, nothing in the Designation Project’s proposal precludes the use of emergency closures in the future should the need arise. Finally, the network was designed to avoid sensitive tortoise habitats. For example, over two third of routes within washes would be closed. While mileage is one of many factors to be considered, it is network design and route location that have more bearing on the network’s compatibility with and contribution to tortoise conservation.

## **DR.5 MITIGATION MEASURES**

No additional mitigation measures are needed. The approval of Off-Road Vehicle Designations for the West Mojave Desert planning area of the CDCA provides an environmentally responsive network of access routes that minimizes disruption of critical habitat and other sensitive resources while providing an effective travel network on public lands. All practicable means to avoid or minimize environmental harm from the alternative selected have been adopted and incorporated in the approved network.

## **DR.6 PLAN MONITORING**

## **DR.7 PUBLIC INVOLVEMENT**

### **DR.7.1 Development of Motorized Vehicle Access Network**

The Council on Environmental Quality regulations (40 CFR 1501.7) and BLM planning regulations (43 CFR 1610) require an early and open process (scoping) for determining the planning issues. The regulations also require that agencies provide opportunities for public involvement in the planning process, including review of the planning criteria and the Draft Plan/EA, as appropriate. Efforts have been made to make the public aware of the planning process and of opportunities for involvement.

Prior to the release of the Designation Project EA and Draft Amendment, West Mojave route designations were developed as a part of the public involvement process established for the interagency West Mojave Plan. A Notice Of Intent To Prepare A West Mojave Plan and Environmental Impact Statement, published in the Federal Register on December 5, 1991, initiated that process.



In November 1999, the West Mojave Supergroup, composed of representatives of agencies, jurisdictions and stakeholders, established four task groups to develop components of the West Mojave Plan. Task groups were not established to make decisions for the participating agencies and jurisdictions, nor were they intended to function as formal appointed advisory bodies. Rather, the task groups provided an informal public forum to allow collaborative interagency and stakeholder planning and information gathering, as an extension of public scoping efforts. These Task Groups included Task Group 2, Motorized Vehicle Access Network. Task Group 2 met 13 times between December 1999 and May 2002. To assist Task Group 2 and the route designation process, two subcommittees were formed: a field survey advisory group and a route designation technical committee.

As the task group process evolved, certain issues would emerge that would result in considerable public interest or controversy, including the design of the motorized vehicle access network. When this occurred, public information meetings were held throughout the desert on an irregular basis. About a dozen of these meetings, attended by up to 250 persons, were held during the task group process. Many persons who first became involved through these meetings later joined Task Group 2.

During this process, BLM coordinated with cities, counties and agencies having jurisdiction over lands within the western Mojave Desert, including Inyo County, Kern County, San Bernardino County, incorporated cities and towns, USFWS, California Department of Fish and Game, California Department of Parks and Recreation, California Department of Transportation, the State Historic Preservation Office and tribal councils with interest in the project area.

Following the completion of the task group process, a federal *Revised Notice of Intent to Prepare West Mojave Plan and Environmental Impact Statement* was published in the Federal Register in May 2002. This notice announced the holding of seven NEPA scoping meetings. Those meetings were held at the following locations: Palmdale (June 26, 2002), San Bernardino (June 27, 2002), Victorville (June 28, 2002), Ridgecrest (July 1, 2002), Lone Pine (July 2, 2002), Pasadena (July 9, 2002) and Yucca Valley (July 10, 2002). The designation of a motorized vehicle access network was one of the topics discussed at these meetings.

#### **DR.7.2 Environmental Assessment and Comments Received**

Following the scoping meetings and the completion of the task group process, a Designation Project EA and Draft Amendment was prepared and released for a 30-day public review (ending May 2, 2003). A Notice of Availability was published in the Federal Register on March 21, 2003. Approximately 1,000 copies of this document were distributed to the public. Two public hearings were held during this review, in Ridgecrest on April 15, 2003 (attended by approximately 35 persons) and in Victorville on April 23, 2003 (attended by approximately 75 persons).

Approximately 85 commentators submitted letters during the public review. These comments included many specific recommendations for changes in route status, suggesting either that a recommended closed route be opened, or that a recommended open route be closed. Other comments suggested specific changes to the El Paso CAPA process, to the implementation program, or to the network modification procedures. These specific recommendations were the basis for the changes discussed in section PPA.2, above.

In addition, commentators provided a number of general comments. These comments, and brief responses, are summarized in Table 3. The table presents comments on the designation process, on specific geographic areas, on specific resource issues, and other general comments.

A complete collection of comments received may be reviewed at the BLM's California Desert District Office, 22835 Calle San Juan De Los Lagos, Moreno Valley, CA 92553.

Twenty-six protests were filed with the Director within the 30-day protest period. All protests have been considered and an official response issued to each protestant by the Assistant Director on behalf of the Director. The decision of the Director on plan protests is the final decision of the Department of the Interior.

## **DR.8 CONSISTENCY DETERMINATION**

**State and Local Plans:** In accordance with BLM resource management planning regulations (43 CFR 1610.3-2) BLM must identify any known inconsistencies with State or local plans, policies, or programs. BLM must also provide the Governor with up to 60 days in which to identify any inconsistencies and submit recommendations. No known inconsistencies have been identified, either by BLM or the Governor.

**Other CDCA Plan Amendments:** Several other CDCA plan amendments are concurrently being developed for other regions in the CDCA. Those decisions that are common among these amendments have been developed to be consistent with each other.

## **DR.9 FINDING OF NO SIGNIFICANT IMPACT**

Based upon a review of the EA and supporting project record, I have determined that Alternative A, Proposed Action, as modified herein, is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, an environmental impact statement is not needed.

## **DR.10 INTERIM MEASURES**

All of the interim measures regarding route designation identified in the Consent Decree in Center for Biological Diversity, et al. v. BLM (C-00-0927 WHA (JCS)), and located in the Western Mojave Planning Area, are terminated with the signing of this Decision Record.