

Federal court orders revisions to parts of dunes management plan

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WHAT HAPPENED: A federal judge ruled that 49,000 acres of the Imperial Sand Dunes Recreation Area will remain closed indefinitely and ordered the revision of certain sections of the management plan that governs activity in the area.

WHAT IS CLOSED: The same 49,000 acres that have been closed since 2000. Whether this area is reopened to off-road activity or whether more land is closed will depend on the changes to the management plan.

WHAT DOES IT MEAN: The Bureau of Land Management will create a new biological opinion and environmental impact statement for inclusion into the Recreation Area Management Plan. The focus of the plan is to balance recreational opportunities with protection of plant and animal species. Also, the U.S. Fish and Wildlife Service will create a new critical habitat designation. The previous opinions are vacated and no longer in force.

WHAT DOES IT AFFECT: The Center for Biological Diversity, a conservation organization that filed the lawsuit, says the continued closure positively affects the Peirson's milk vetch, an endangered plant species that grows in the dunes. The American Sand Association, a nonprofit organization for recreational sand dune enthusiasts, says that the plant is growing well and does not need any protection. Those who use off-road vehicles in the dunes won't notice a change because the current closure has been in effect for the past few years. About 110,000 acres remain open.

WHEN DOES IT TAKE EFFECT: There are no specific deadlines for the revision of the management plans.

WHAT'S NEXT: When the plans are completed, they will be filed and appeals can be made within 90 days.

WHAT OFFICIALS HAVE TO SAY: Lisa Belenky, an attorney for the Center for Biological Diversity, said the environmentalist group was very happy with the decision. "I can't say it's everything we would want, but we are satisfied with the closures that are in place," she said. "It shows the recovery that is possible."

Belenky said the closure showed clear development in the milk vetch in areas that have no off-road activity. Vince Brunasso, legal chairman for the American Sand Association, said there had been concern that a ruling in CBD's favor could mean larger closures, so the group was happy to retain the status quo.

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