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Wildlife agency opinion gives off-roaders boost Plan endorsed to reopen large part of dunes area

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Off-road enthusiasts took a major step toward reclaiming nearly 50,000 acres of the popular Imperial Sand Dunes yesterday when a federal agency said their activities would not jeopardize two protected species in the area.

With its biological opinion, the U.S. Fish and Wildlife Service endorsed a plan by the U.S. Bureau of Land Management that would lift dune-buggy closures put in place in 2000. The closures affect almost one-third of the 160,000-acre recreation area. At the time they were enacted, concerns had been raised about the impact of off-road vehicles on native plants and animals.

Under the BLM plan, sand-car drivers would need permits in a large interior section known as the "deep dunes."

Bureau spokesman Stephen Razo would not speculate about how quickly the agency would remove buggy bans. Various groups have filed formal challenges to the bureau's long-term dunes management proposal. These need to be addressed before the agency can move ahead.

Vincent Brunasso, a founder of the off-road advocacy group American Sand Association in La Verne, praised Fish and Wildlife's decision. He pledged to continue fighting for access to the dunes east of El Centro.

"If we lose this, there are not a lot of alternatives," Brunasso said.

Southern California is dotted with off-

roading areas – for instance, the Ocotillo Wells State Vehicular Recreation Area near Anza-Borrego Desert State Park. But unlike anywhere else, Imperial Dunes is prized for its vast expanse of sand dunes.

Yesterday's announcement was criticized by conservation groups concerned that lifting bans on motorized vehicles will damage an irreplaceable desert habitat for dozens of species and ruin it for photographers, birders and hikers.

The biological opinion could spur more challenges, said a spokesman for the Center for Biological Diversity, a plaintiff in a lawsuit that forced the agency's habitat review.

"The Fish and Wildlife Service really has reached a new low in bending over backward for the off-road lobby," said Daniel Patterson, an ecologist for the center in Tucson, Ariz.

The Imperial Sand Dunes Recreation Area, also known as the Algodones Dunes, is the largest and most popular "duner" haven of its kind in the country, with more than 1 million visitors per year. On three-day weekends from October to March, it's not unusual for more than 150,000 off-roaders from San Diego, Phoenix and Los Angeles to descend on the remote terrain.

For years, the dunes have been a battleground between preservationists and off-road enthusiasts. Conservation groups blame off-roaders for crimes, litter and destruction of native plants. Off-roaders accuse their opponents of trying to keep the public off public land.

Both camps say they're lured to Algodones by its sparse beauty, but they

differ about how it should be protected. Both groups also say they're interested in expanding public access, but they disagree about who should get priority.

A central legal dispute concerns a purple-flowered, sand-lover called Peirson's milk-vetch. The plant was protected under the Endangered Species Act in 1998 partly because off-road vehicles were destroying its habitat. The Algodones Dunes provide the plant's primary habitat in the United States.

Under an agreement with conservation groups in 2000, the bureau blocked access to off-road vehicles on 49,000 acres while the agency prepared a long-term strategy for plants and people in the dunes.

Now, along with plans to reopen that land to off-road vehicles, the agency wants to monitor the milk-vetch population and take action if it shrinks too quickly. Other species, including the desert tortoise, also would be monitored.

The Fish and Wildlife Service said yesterday that its sister agency's proposal creates little threat to the milk-vetch because most of the plant's habitat is in a federal wilderness area that would remain off-limits to motor vehicles.

"Although the (U.S. Fish and Wildlife) Service acknowledges that increased off-highway vehicle use in the dunes can impact Peirson's milk-vetch, there are flexible management options available to ensure the natural resources in the dunes . . . will be conserved," Steve Thompson, the agency's manager for California and Nevada, said in a statement.

It was the decision that Brunasso had awaited since he started the American Sand Association about three years ago in response to the Imperial Dunes access disputes. Today, the group claims nearly 20,000 members. "We just thought the best way to . . . fight the closures was to get some members, raise some money, form an association and file lawsuits where necessary," he said.

Brunasso said the milk-vetch is thriving and insists that sand cars don't pose a major threat. "If you managed to come up with a \$5 bounty on each one of (the plants), you wouldn't be able to kill them all," he said. "You couldn't eradicate them if you tried."

Patterson in Tucson couldn't disagree more.

He said a bumper crop of milk vetch, benefiting from an unusually damp winter, is all the more reason for vehicles to stay away. "If they try to rush out there into that area, all that recovery will be wiped out," he said.