

Oversight Hearing on Management of Off-Highway Vehicle use on Public Lands

Subcommittee on National Parks, Forests, and Public Lands United States House of Representatives Committee on Natural Resources

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Chairman Grijalva and Ranking Member Bishop, I thank you for inviting me to address this subcommittee, and affording me the opportunity to share my thoughts about the management of off-highway vehicle recreation on public lands. I will address the unique and ever increasing and popular "Sand Sport" off-highway vehicle (OHV) recreation commonly referred to as "Duning."

Before I begin, let me introduce myself and my background that provides the frame of reference for my comments. My current position as the Director of the Yuma County Chamber of Commerce provides the insight as to the economic value of the OHV recreation that is associated with the nearby Imperial Sand Dunes Recreation Area (ISDRA) managed by the Bureau of Land Management (BLM) located in close proximity to Yuma, AZ. I have been, and continue to be personally involved in business interests in the Imperial Valley of California and Yuma County. As a founding Board of Directors member of the United Desert Gateway (UDG) I'm intimately familiar with the partnership success of the local business community with the BLM, the Imperial County Sheriff's Office and as a member of the American Sand Association (ASA) that represents the over 34,000 Sand Sport recreation enthusiasts. Also my tenure as a law enforcement officer with the Phoenix, AZ police department provides me an understanding of the challenges faced at the ISDRA and associated with OHV recreation.

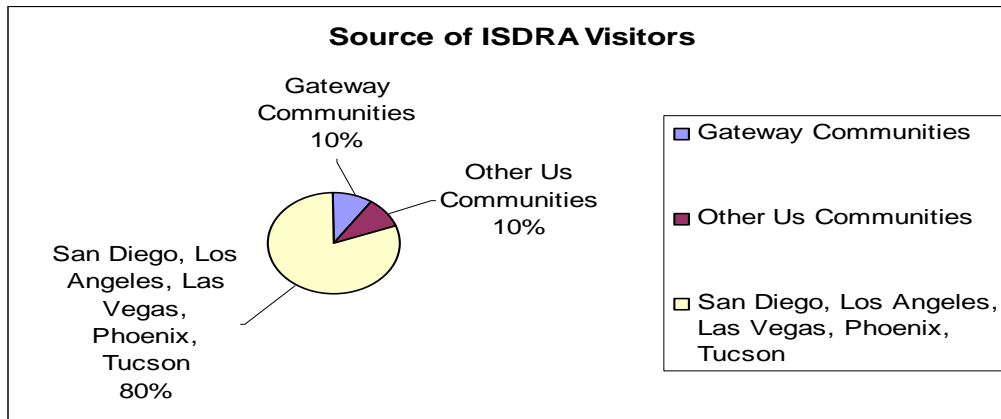
Imperial Sand Dunes Recreation Area (ISDRA)

The Imperial Sand Dunes Recreation Area (ISDRA) is the most popular Off Highway Vehicle (OHV) area in the United States. It encompasses the most intensively visited recreational area in the California Desert Conservation Area (CDCA). It provides a unique, world-class recreation opportunity. The primary recreational use is camping and the use of Off Highway Vehicles (OHV's), principally dune buggies and all terrain vehicles. Other uses include photography, hiking, backpacking, nature studies, hunting, rock collecting, right of way use for utility lines, canals and roads, commercial film making, conservation activities and horseback riding.

The ISDRA, located in south eastern Imperial County in Southern California, offers outstanding opportunities for OHV recreation within the Bureau of Land Management's (BLM) California Desert Conservation Area. The approximately 159,072-acre ISDRA contains the largest mass of sand dunes in the United States, covering an area more than 40 miles long and averaging 5 miles in width. The ISDRA is considered a world-class OHV area and it represents one of the most popular OHV areas in the western United States. It is a well-known area to local residents and the thousands who visit each year from the southwestern United States and beyond. The ISDRA is recognized for its frequent use as a backdrop for commercials and movies because of its unique beauty and landscape. The ISDRA is also recognized for providing unique habitat for several endemic and sensitive plant, insect, and animal species and habitats.

The ISDRA is the most heavily and intensively used OHV recreation area in the California Desert District with over 1.4 million OHV visitors per year.

Where Do They Come From?



Many families use OHV outdoor recreation as a way to form bonds and transfer important family values their to children and grand children. A number of Americans feel recreation strengthens the family as a unit and the children as individuals. The ISDRA presents a unique opportunity for family recreation at its best.

OHV Growth While Public Land Availability Declines

The Off-Highway Vehicle (OHV) market is in growth mode being driven by favorable demographic trends and the targeted marketing efforts of the manufacturers of equipment and accessories. Enthusiasts in this market bring significant economic impact to their local retailers and the destinations they travel to. They are in the market for new equipment, accessories and consumables. The direct economic and multiplier effects from participation in OHV recreation are well into the billions of dollars annually.

Increasing population growth is leading to declines in easily accessible open space. This is causing many in the OHV market to travel to destinations meaning they are towing their equipment in either flatbed or enclosed utility trailers. The market is at an unprecedented moment where collaboration between key players can yield growth that provides accessibility with minimal damage to sensitive biological areas.

By 2010 there will be an estimated 60 million domestic OHV enthusiasts. This would represent a 12-fold increase since 1972. According to the USDA Forest Service in 2003 there were over 8 million OHVs in use domestically, up from 3 million in 1993. Six out of ten OHV users are male, with approximately half falling in the 31 – 50 age range. Half have at least some college education, with the same percentage having an annual family income in excess of \$50,000

There are a few identifiable threats to growth in the OHV market; the cost of fuel, the impact of population growth and the riding habits of a few “renegades.” The cost of a gallon of gasoline has increased 116% since November 2001. This increase is having a significant impact upon the sales of the largest vehicles in the SUV class. Urban populations are moving ever closer to the borders of public land. Between 1982 and 2002 almost 35 million acres of rural land were converted through development, reducing the space available for rural recreation. These increasing tensions have lead to numerous lawsuits on both sides of the issue. The media has chosen to focus on damage caused by renegade riders who have created their own trails. Satellite imagery has documented this process. These challenges represent opportunities and point to the need for greater collaboration between land managers, the OHV community and environmental groups. The National OHV Collaboration Summit, held in April 2005 in San Diego represent a step in this direction.

Economic Value of OHV Activity

This form of OHV activity has spawned a wide range of entrepreneur driven innovation, involving hundreds of small businesses, distributed throughout the West and elsewhere in the U.S. It is in this respect an exemplary form of free enterprise at its best, where risk-taking, creative individuals perceive an opportunity to marry recreational interests with a unique resource, and rise to the challenge of producing and marketing the appropriate goods and services. A strong sense of community identity has arisen among ISDRA visitors, based on a combination of factors such as the following:

- The sheer size of ISDRA, which allows many participants to congregate and recreate there in a relatively homogenous series of activities,
- The excitement level of the extreme sport that takes place there,
- Participants' involvement in the technological innovation and entrepreneurship that has developed in response to the need to: 1) have specialized equipment for operating most effectively on sand dunes, and 2) to support and cater to the community of dune participants,
- The need to physically camp at the sport location, in order to maximize the experience,
- In spite of its many high-tech components, the fact that the sport, and the act of being at ISDRA, can be enjoyed at many different levels of investment, so there is an egalitarian aspect of the experience.

The "community" aspect of ISDRA recreation provides "value" to the participants that can easily go unquantified (and which is difficult to quantify in any case), but is nevertheless important. For example, the BLM May 2003 ISDRA EIS (page 150) quotes the following finding from a major national recreation survey:

"Many families use outdoor recreation as a way to form bonds and transfer important family values to children. A number of Americans feel recreation strengthens the family as a unit and the children as individuals."

Off-Highway Recreation

Where do they spend their \$\$\$\$\$\$\$\$?

- **Over \$6 Billion to California Economy**
 - **\$4 Billion Boost to Arizona in 2002**
 - **Gateway Communities***
 - **Brawley, Ca** **\$43,000,000/yr**
 - **El Centro, Ca** **\$19,000,000/yr**
 - **Yuma, Az** **\$6,000,000/yr**
- * **2001 Lower Colorado River Economic Survey**

The recently 2/14/08 revised Peirson's Milk Vetch Critical Habitat ruling published by the US Fish and Service recognizes the economic value of the ISDRA OHV activity. The original critical habitat designation completed in 2004 included about 21,863 acres of land. The revised final rule reduces the amount of critical habitat by 9,758 acres from the original 2004 designation.

An economic analysis was developed based on the areas included in the July 27, 2007, proposed rule to revise critical habitat for Peirson's milk-vetch which identified approximately 16,108 acres of land as proposed critical habitat.

The final economic analysis estimates that efficiency impacts could range from zero up to between \$116 and \$127 million over the next 20 years (undiscounted dollars). Approximately 93 percent – between \$0 and \$113 million - of the potential off-highway vehicle use welfare impacts attributable to critical habitat were projected to occur in proposed critical habitat Unit 2 which covered portions of the Gecko and Glamis Management Areas of the ISDRA.

Partnership Building

As a direct result of the ASA sponsored "Partners in Dune Safety" highway billboard program the ASA was invited to attend the Los Angeles "Partnerships 2003" conference and subsequently to the "BLM National Recreation Forum" in Jan of 2004. During a meeting with BLM Director Clarke at the Las Vegas forum ASA and the Off-Road Business Association (ORBA) became aware of the opportunity to acquire increased ISDRA federal funding under the US Department of Interior's (DOI) "Challenge Cost Share" (CCS) program. The CCS

program was initiated by the Secretary of Interior to encourage cooperative conservation partnerships.

In consultation with the BLM California Desert District (CDD) Manager and the leadership of the Imperial Valley and Yuma Chambers of Commerce it was determined that a non-profit organization was needed to support the CDD request for CCS funding. The United Desert Gateway (UDG) was formed as a 501C-4 non-profit in September of 2004 by the Brawley, El Centro and Yuma Chambers of Commerce. An Assistance Agreement (AA) was signed between the UDG and BLM on Sept 17, 2004. Two Task Orders (TO) were subsequently executed. These TO's provide for the following partnership activity:

Task Order 1(a) April 2005

The purpose of the work will be to engage the public, i.e. the recreationists and the UDG communities with the intent to increase awareness, respect and knowledge of stewardship behavior. Specific duties include: collaborate on the development and/or implementation of the following outreach initiatives to further enhance the image of the ISDRA among the UDG communities: Billboard safety program, Dune Smart Brochure, broadcast media outreach, ISDRA cleanup, a "Take Time Out For Safety" flyer, and a law enforcement trailer for the south dunes area.

Task Order 2 (a) June 2005

The purpose of the work will be to collaboratively develop a practical and cost-effective tourism monitoring program. The project will assist BLM to better manage and fulfill its responsibilities set forth in management plans for public lands in the region. Specific duties include, but are not limited to; assemble and analyze previous survey data, test visitor survey instruments, develop visitor survey sample strategy, prepare tourism monitor plan, prepare a final tourism monitoring plan.

The United Desert Gateway (UDG) partnership recognizes that the management of public lands in the region presents a significant opportunity to build collaborative stewardship based partnerships that will allow participation by local Gateway Communities, the OHV community and other special interest user groups in public land management planning, stewardship/education/outreach programs and to respond to impacts of public use on public land such as the ISDRA. An active local community will also preserve the integrity and long-term sustainability of ISDRA and other local BLM public lands.

The ISDRA is managed by the Bureau of Land Management and provides world class off-highway vehicle (OHV) recreation opportunities to hundreds of thousands of OHV enthusiasts each year and is a major component of the Yuma,

Arizona, and Imperial Valley economy. In order to preserve the integrity and long-term sustainability of ISDRA and other BLM public lands, there needs to be an active local community to increase local support and appreciation for the economic value of public lands to the region. The UDG recognizes that the successful ongoing management of the ISDRA is in part dependent on developing and fostering partnerships with the local communities, businesses, sand sport enthusiasts, and other ISDRA visitors. These partnerships would allow BLM to reduce operating costs by fostering volunteer programs, financial support, development, coordination and implementation of public educational materials and programs which help the BLM meet its goals and objectives for management of the ISDRA.

Current UDG objectives will assist BLM in fulfilling its multiple use mission for management of the ISDRA. The BLM and United Desert Gateway are mutually committed to the goals of promoting and stimulating support and interest for the ISDRA by:

- Gathering of information to assist the partnership in determining how best to meet the needs of visitors to the region;
- Providing support for the development of a volunteer program that would be drawn from the OHV community, local gateway communities, and other interested parties;
- Providing support to the BLM in the management of the ISDRA RAMP;
- Assist BLM in identifying, developing and implementing a variety of public education and outreach initiatives as well as assisting BLM in integrating educational programs into BLM outreach planning and the ISDRA outreach planning process.

UDG is managed by the executive management of the Brawley, El Centro and Yuma Chambers of Commerce. This is an added responsibility that they assumed when their chamber Boards agreed to and entered into the Assistance Agreement with BLM. They receive no compensation from the BLM or from any funds associated with this partnership. They do keep track of their time spent on UDG activities for future cost sharing consideration.

Under the terms of the Assistance Agreement UDG will carry out specific tasks that are defined by BLM and accepted by UDG. The funding and accountability for these tasks is defined in the TO. The cost of the project, the cost matching contributions and the specific tasks to be accomplished are also defined in each TO. In effect BLM is out-sourcing to UDG as they would with other sub contractor. The dune user community inputs are considered in the same manner as if BLM were accomplishing the tasks independently prior to UDG's involvement.

The CCS funding criteria requires projects to be cost-shared and to foster sustainable partnerships. Several ASA dune safety and stewardship projects

predated the actual formation of the UDG. The Brawley, El Centro and Yuma Chambers still worked on these projects during the process of formalizing the UDG. These programs provided up front credibility and assurance that the UDG BLM partnership would be successful. The following ASA facilitated projects predated the formalization of the UDG:

- Highway Billboards
- Dune Smart Brochure
- Duners Informing Duners “On The Ground” Volunteer Outreach
- Printed Media Outreach – “Buy A Pass” & “Take Time Out For Safety”
- Broadcast Media Outreach – “Motorsports Mania” Radio & TV
- Law Enforcement Trailer Donation

The aforementioned projects provide over \$100,000 of cost-sharing credibility. All of these projects were within the scope of the CCS competitive criteria and fostered sustainable partnerships. They were all funded by businesses that recognized the value of Imperial Sand Dunes motorized recreation. Most if not all, of these projects were tasks that would have been undertaken by BLM given the resources to do so.

Several new partners have joined the UDG portfolio of business sponsors and volunteers contributing to the Task Order projects. Their contributions include outright monetary contributions, services in kind, at cost and discounted services, and volunteer support. The scope of their contributions is noted below:

- Aerial photography of camping areas in support of the “Census Day” data gathering project
- Graphics art and printing support for the “Litter Education” program
- Layout and printing of the UDG “Welcome Newspaper”
- Volunteer management of several outreach programs

Based on a long-standing BLM policy the El Centro Field Office (ECFO) has received credit for volunteer hours. Long before UGD the ECFO formally submitted a “Group Volunteer Services Agreement” (form 1114-5) to the State Office to qualify for supplemental federal funding. This program predates the CCS program and exists throughout the federal agencies to encourage volunteer support. The following volunteer projects have been submitted by the ECFO:

- “Project Sand” Glamis cleanup
- Closure Resigning Project – Oct 2001
- Closure Compliance Project – Dec 2002
- Duners Informing Duners – Sept 2002 – April 2003

Looking ahead the UDG will submit volunteer hours as a component of the duning

community contribution under the provisions of the CCS cost-sharing criteria. In so doing UDG will assist the ECFO in qualifying for CCS funds to be used on specific tasks defined under the terms of the TO. These CCS funds will be a direct offset of future visitor fee requirements.

Value of the Partnership

The following is a summary of the anticipated value of the UDG – BLM partnership:

- ECFO access to supplemental federal appropriations that would not otherwise be available.
- Active community support of a valuable tourist destination.
- Reduction of cost through pooling of resources.
- Improved ISDRA outreach resulting in enhanced visitor satisfaction.
- Enhanced BLM's ability to implement the objectives of the ISDRA Recreation Management and the Business Plans.
- Fostering volunteer programs and financial support enhance safety and provide exceptional natural resource stewardship.
- Maintain public access to public lands

In Appendix C of the fourth annual “Partners in Action – Dune Safety and Stewardship” report* the contribution of the Sand Sport community and has exceeded \$600,000. Since the report was published in September 2007 the partnership has expanded to include the US Border Patrol and the US Fish and Wildlife Service. The California Native plant Society, the Center for Biological Diversity and the Public Employees for Environmental Responsibility have recently been invited to join the partnership.

The “Partners in Action” report clearly demonstrates the value of collaborative planning and pooling of financial and human resources. As additional partners join the team the merging of recreational and environmental responsibility will yield mutually beneficial results.

* Attached and submitted as a part of this testimony

March 10, 2008