



FOR IMMEDIATE RELEASE

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HEADLINE:

Current status of the Peirson's Milk Vetch and the Critical Habitat at the ISDRA

BODY COPY:

The U.S. Fish and Wildlife Service (FWS), on July 27, 2007, issued a revised Critical Habitat designation in the Imperial Sand Dunes Recreation Area (ISDRA) for Peirson's Milk Vetch (PMV), a plant listed under the Endangered Species Act as Threatened. The new Critical Habitat designation is based on additional data on the plant developed from surveys and from a seven-year study conducted by Dr. Arthur Phillips, a leading desert botanist. Currently, over 21,000 acres have been designated as Critical Habitat in order to protect the PMV. The FWS proposal would reduce this designation by 25 percent by targeting areas where the more recent scientific data identifies the actual PMV habitat.

Contrary to what opponents of the proposal have stated, public awareness groups such as the American Sand Association (ASA), California Off-Road Vehicle Association (CORVA), the Off-Road Business Association (ORBA), and others, have concentrated their efforts to ensure that impacts on listed species are minimized.

In July 2005, the ASA, CORVA and ORBA submitted a petition to the Secretary of the Interior requesting that the PMV be removed from the list of threatened species. It includes the following statement:

“On October 6, 1998, the (Department of Interior) DOI listed PMV as a ‘threatened’ plant species. The listing identified off-highway vehicle (‘OHV’) use in the Imperial Sand Dunes as the primary threat to the PMV’s survival. However according to the ASA, data developed since the 1998 listing decision indicate that: (1) the PMV population is thriving in its traditional range, despite continued OHV use; (2) the PMV population consists of a healthy seed bank; and (3) the original listing was in error. The ASA believes recent findings demonstrate that the PMV is not threatened and should be removed from the Federal list of threatened and endangered species.”

A federal court lawsuit filed in 2000 resulted in expansive closures in the ISDRA to protect the PMV. The lawsuit also prompted the FWS to designate Critical Habitat with a broad brush, often including areas in the designation that support few if any PMV. The plaintiffs in that original litigation, including the Center for Biological Diversity (CBD) and Public Employees for Environmental Responsibility (PEER), have failed to present any scientific evidence that this blanket approach to Critical Habitat designation is warranted. Nor have these parties been able to rebut the ever-growing mound of data which shows that the PMV is thriving under the current conditions both in and out of the current closure areas. The scientific evidence points to climate, primarily rainfall, as the primary factor in the plant's life cycle.

ASA, CORVA, ORBA and their partners, as well as government agencies, have spent millions of dollars and hundreds of man hours to better understand just how this species manages to survive in such a harsh environment. This proposed Critical Habitat designation comes after many years of studies of PMV and its environment. Those who would have the public believe that these decisions are based on some political conspiracy are simply choosing to deny the facts. The facts show that the PMV is doing very well even in areas that have remained open to motorized recreation. Moreover, the facts show that with continued research and "responsible use" education programs sponsored by the public awareness groups, the PMV will continue to thrive for generations to come.

The Algodones Dunes encompass nearly 160,000 acres in Southern California and Mexico running primarily north and south. They are remnants of the ancient Lake Cahuilla, which would periodically fill with diverted waters from the Colorado River into the Salton Sink. The sandy remains of this ancient lake were carried by the wind to their current locations, thereby creating the Algodones Dune system as late as 1450 AD. Currently, over 28,000 acres of the dune system north of California State Route 78 are designated as wilderness area due to the 1994 California Desert Protection Act, which permanently closed this portion of the dunes to motor vehicles. At this time, over half of the California-based land in the dune system is essentially closed to the public through limited vehicular access.

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About the American Sand Association

The American Sand Association is a non-profit organization of approximately 29,000 members dedicated to preserving the use of public lands for sand sport enthusiasts' use, improving OHV safety and promoting responsible land use. Some local sand sport areas include the Imperial Sand Dunes, Oceano Dunes (Pismo Beach) and Dumont Dunes in California, Sand Mountain in Nevada and Hotwell Dunes in Arizona. The ASA is an all-volunteer organization with no paid staff. We rely on the financial support of sand sport enthusiasts and small businesses. Most of the members are family-oriented, have a rich family history going back for generations enjoying the sand sport; and most have a significant financial investment in their equipment, gear and campers. Additional information can be found on our web site at <www.americansandassociation.org>.