

FOR IMMEDIATE RELEASE

American Sand Association
PMB 108
1911 Foothill Blvd
La Verne, CA 91750

CONTACT:

Jerry Seaver, ASA President (602) 864 1788
Greg Gorman, ASA Media Relations Director (602) 770 7878

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HEADLINE:

American Sand Association Says “Use Valid Science” and Sues USFWS

BODY:

The American Sand Association, San Diego Off-Road Coalition and the Off-Road Business Alliance today filed a lawsuit to force the U.S. Fish and Wildlife Service to act on a year-old petition that may remove the temporary closures at the Imperial Sand Dunes Recreation Area. “Our suit forces the FWS to act on the Delisting Petition that the ASA filed over 18 months ago,” said Mark Harms, Chairman of the ASA Legal Committee. “The duning community has complied with the court’s stipulation that closed 49,000 acres of the ISDRA well beyond the expectation of the extreme environmental groups that were instrumental in these closures. The ASA will use every legal avenue available and use the Federal Court system to force the FWS and the BLM to do the jobs they’re tasked with properly and completely so as not to let these unsubstantiated closures happen in the future.” Biological studies commissioned by the ASA and performed by renowned botanist Dr. Arthur Phillips III have shown that the Pierson’s Milkvetch (the subject of the ASA’s Delisting Petition) is thriving and is not adversely affected by off-road vehicle activity.

A lawsuit filed by the Center for Biological Diversity and other special interest groups in 1999 took advantage of the flawed studies and incomplete scientific data on the Pierson’s Milkvetch and forced the Bureau of Land Management to temporarily close 49,000 acres right in the heart of the Imperial Sand Dunes Recreation Area in southeastern California, one of the most popular off-road recreation sites in the US. The temporary closure was in addition to 32,000 acres already set aside as a Federal Wilderness Area for species preservation at the ISDRA.

“My work has been peer-reviewed, and they have all agreed with it.” Dr. Phillips said from his home in Flagstaff Arizona. “I usually prove that a plant needs to be protected, and more often than not I am the one who gets it listed [under the Endangered Species Act]. In this case it’s just not necessary for the land to be closed due to the large number of plants and minimal observed threat.”

“We’re sick and tired of anti-access groups using loopholes in the Endangered Species Act to force closures of public land without proper scientific data,” said Grant George, ASA’s Biological Committee Chairman. “It’s time to use facts, and the truth to manage our lands not emotional appeals and outright lies!”

Jerry Seaver, ASA President added that the ASA, ORBA and SDORC would be aggressively pursuing this matter in Federal Court. “We can’t allow special-interest groups to use the environment and flawed data as a vehicle to push their agenda to limit access to public land. There is never an end to the fight to keep public lands open for all to use.”

About the American Sand Association

The American Sand Association is a grass-roots, non-profit organization of approximately 20,000 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 <http://www.americansandassociation.org>.