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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 _____)
15 CENTER FOR BIOLOGICAL DIVERSITY, et al.,) Case No. 3:06 CV-04884 SI (NJV)
16 Plaintiffs,)
17 v.) FEDERAL DEFENDANTS'
18 U.S. BUREAU OF LAND MANAGEMENT, et al.,) NOTICE OF FILING OF
19 Federal Defendants, and) QUARTERLY REPORT NO. 5
20 KERN COUNTY, CALIFORNIA, et al.,)
Intervenor-Defendants.)
_____)

21 The federal defendants, U.S. Bureau of Land Management (BLM), et al., submit this
22 Notice of Filing of Quarterly Report No. 5 to inform the court and the parties as to BLM's
23 progress since the agency filed Quarterly Report No. 4 on March 30, 2012. This report
24 summarizes BLM's recent actions to implement the requirements in paragraphs (1)-(6) of the
25 court's January 29, 2011, Order Re: Remedy (Doc. 243 at 14-15), *Center for Biological Diversity*
26 *v. U.S. Bureau of Land Management*, 2011 Westlaw 337364, *10 (N.D. Cal. Jan. 29, 2011).

27 **1. March 28, 2012:** BLM sent letters to 51 potential cooperating agencies inviting them to
28 become cooperating agencies for the preparation of the EIS. As of June 28, cooperating

1 agencies include: California Department of Parks and Recreation – OHMVR Division,
2 Edwards Air Force Base, Inyo County Planning Department, Los Angeles County
3 Department of Regional Planning, and San Bernardino National Forest.

4 **2. April 10, 2012:** The second public meeting of the California Desert Advisory Council
5 (DAC) subgroup for the West Mojave Route Network Project met at the Barstow Field
6 Office from 6:00 PM to 8:00 PM. At the meeting BLM discussed ongoing mapping
7 activities, discussed minimization techniques, the approach and materials available to
8 address route recommendations for each Travel Management Area (TMA), the route data
9 needed, and the role of task groups. The Subgroup agreed to start making route
10 recommendations for TMA1, including routes in the Afton Canyon and Broadwell
11 subregions, at the next West Mojave Route Network Project subgroup meeting.

12 **3. April 15, 2012:** Close of public comment period on the eight travel management areas,
13 following the eight public scoping meetings described in the March 30, 2012 Quarterly
14 Report. Since this was a Sunday, comments were accepted through April 16, 2012.
15 Comments were received in both electronic and hard copy form.

16 **4. April 21, 2012:** A public meeting of the California DAC was held in Ridgecrest,
17 California. On April 20, the DAC members participated in a field trip to the nearby El
18 Paso Mountains area.

19 **5. May 8, 2012:** Updated mapping data capturing all linear features for TMA 1, including the
20 Afton Canyon, Broadwell, and Barstow subregions, were made available online to the
21 public (by BLM).

22 **6. May 8, 2012:** The third public meeting of the DAC subgroup for the West Mojave Route
23 Network Project met at the BLM Barstow Field Office, from 5:00 PM to 8:00 PM. The
24 meeting covered route-specific issues in TMA1, including the Afton Canyon and
25 Broadwell subregions, and approximately a dozen route-specific recommendations were
26 made. Data is being compiled and collated by the Chair for review by subgroup members
27 prior to the next full meeting of the subgroup. Future subgroup meeting were scheduled
28 for: June 5/July 10/August 14/September 11/October 9. Refer to BLM, California Desert

1 District web page for DAC subgroup updates on the West Mojave Route Network Project.

- 2 **7. May 11, 2012:** BLM posted its 2012 Desk Guide to Cooperating Agency Relationships to
3 the WEMO Plan Amendment Activity web page (see March 28, 2012, above).
- 4 **8. May 16, 2012:** The task group for the Desert Advisory Council's West Mojave Route
5 Network Project met at the Jawbone Visitor Center. The task group is a sub-unit of the
6 WEMO DAC Subgroup. The task group accepted data from the public on all travel
7 management areas. Jawbone Visitor Center at 28111 Jawbone Canyon Road, Cantil,
8 California, from 5:00 PM to 8:00 PM.
- 9 **9. June 5, 2012:** The fourth public meeting of the DAC subgroup for the West Mojave Route
10 Network Project met at the BLM Barstow Field Office, from 5:00 PM to 8:00 PM. The
11 meeting recapped route-specific issues in Travel Management Area (TMA1) and discussed
12 route-specific issues in TMA2, including the North and South Searles subregions, and the
13 Darwin and Sierra subregions. Route-specific recommendations were made. Data are
14 being compiled and collated by the Chair for review by subgroup members prior to the next
15 full meeting of the DAC subgroup.
- 16 **10. June 21, 2012:** The court ordered the parties to confer in person no later than June 29,
17 2012, and file a joint five-page brief addressing outstanding issues no later than July 13,
18 2012. The court also scheduled a special status conference for July 18, 2012.
- 19 **11. June 22, 2012:** A link to the new BLM Transportation and Travel Management Handbook
20 (H-8342-1) was posted on the WEMO plan amendment activity web page.
- 21 **12. June 26, 2012:** The Scoping Report for the WEMO plan amendment and route designation
22 was posted on the California Desert District's West Mojave Desert Plan Amendment
23 Activity web page. The newest maps for TMA-2 were posted last week.
- 24 **13. June 27, 2012:** BLM met with the plaintiffs, pursuant to the court's order, and discussed
25 several issues including compliance monitoring techniques and data gathered under the
26 monitoring plan filed with the court. BLM confirmed that, by the end of July 2012, all
27 routes will have been ridden and observations recorded.
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BLM will file the next quarterly report with the court by September 30, 2012.

Dated: June 28, 2012.

Respectfully submitted,

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/s/ Charles R. Shockey

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2012, I filed the “FEDERAL DEFENDANTS’ NOTICE OF FILING OF QUARTERLY REPORT NO. 5” through the court’s ECF system, which automatically serves a copy on all counsel of record.

/s/ Michael R. Eitel, for

CHARLES R. SHOCKEY
Attorney for Federal Defendants

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