

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CENTER FOR BIOLOGICAL DIVERSITY, *et al.*,

No. C 06-4884 SI

Plaintiffs,

**ORDER DENYING REQUEST FOR A  
SITE VISIT**

v.

U.S. BUREAU OF LAND MANAGEMENT, *et al.*,

Defendants.

The federal defendants have requested that the Court conduct a site visit to view areas of the Western Mojave in connection with the briefing on an appropriate remedy. Plaintiffs have filed a response to that request stating that while they do not believe a site visit is necessary, they do not oppose a site visit. However, plaintiffs object to defendants' proposed timing for such a visit (August or September 2010), on the ground that due to extreme summer temperatures in August and September, a site visit during this time would be "starkly unrepresentative" of conditions in the desert on a typical weekend day during the OHV "season," which begins later in the year.

The Court finds that a site visit is unnecessary for a determination of the appropriate remedy in this case. The Court ruled on the parties' cross-motions for summary judgment based upon the extensive administrative record, and the parties' briefing on remedial issues has been voluminous. The Court believes that the briefing, administrative record, and argument of counsel at the September 3, 2010 hearing will provide a sufficient basis from which to make all decisions regarding the appropriate

1 remedy. In addition, the Court is concerned that any information gleaned during a site visit would  
2 anecdotal and that, regardless of when the visit occurred, would not be “representative” of conditions  
3 in one respect or another.

4 Accordingly, the Court DENIES the request for a site visit. (Docket No. 225).

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6 **IT IS SO ORDERED.**

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8 Dated: July 9, 2010

  
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SUSAN ILLSTON  
United States District Judge