

Addendum E

Nomination of the Upper Santa Clara River ACEC



Submitted by Citizens for Dixie's Future to:

BLM St. George Field Office
345 East Riverside Drive
St. George, Utah 84790

July 19, 2010

The following is the formal nomination of the BLM's Santa Clara River parcels for designation as Areas of Critical Environmental Concern in BLM's Resource Management Plan Amendment.

General Description

Within the Virgin River watershed the Santa Clara River is a high quality tributary that drains much of western Washington County including the west slopes of the Pine Valley Mountains. BLM controls two unique canyon parcels within the upper Santa Clara that are deserving of protection as an ACEC.



Boundaries – See Upper Santa Clara Map Exhibit “E1”

Upper Portion of the ACEC:

The upper area lies just below Baker Reservoir and extends downstream to the community of Brookside. The proposed boundaries for the riparian protection zone extend from the top of the canyon walls on each side of the river. This nomination includes a larger area that serves as a groundwater recharge and drinking water protection zone for the Veyo water supply.

Lower portion of the ACEC:

The lower portion of the nominated area starts at the Highway 18 bridge and consists of the canyon walls and floor. The specific boundary proposed is from the top of the canyon walls extending across the river.



Relevance and Importance

The Federal Land Policy and Management Act (FLPMA) obligates the BLM to “give priority to the designation and protection of areas of critical environmental concern [ACECs].” 43 U.S.C. § 1712(c)(3).

ACECs are areas “where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes.” 43 U.S.C. § 1702(a).

BLM's ACEC Manual (1613) provides additional detail on the criteria to be considered in ACEC designation, as discussed in the applicable regulations, as well. See, Manual 1613, Section .1 (Characteristics of ACECs); 43 C.F.R. § 8200. An area must possess relevance (such that it has significant value(s) in historic, cultural or scenic values, fish & wildlife resources, other natural systems/processes, or natural hazards) and importance (such that it has special significance and distinctiveness by being more than locally significant or especially rare, fragile or vulnerable). In addition, the area must require special management attention to protect the relevant and important values (where current management is not sufficient to protect these values or where the needed management action is considered unusual or unique), which is addressed in special protective management prescriptions. For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs).

Priority Biological Resources

This canyon contains a unique blend of high elevation riparian vegetation and is home to a diverse array of wildlife including migratory and non-game bird species.

This reach of the stream is historical Virgin Spinedace habitat but was fragmented when then Dixie Power and Light installed a dry dam diversion downstream at Veyo in 1925, isolating this section of the Santa Clara. Washington County Water District Manager Ron Thompson has described the lower canyon as 'our best Spinedace habitat' (pers. conversation). The canyon is extremely remote and difficult to access, which protects the species from harm.

Introductions of non-native species has led to a mix of trout and green sunfish in the upper parcel. This situation can be remedied with the introduction of instream flows, elimination of non-natives, and restoration of connectivity to downstream populations of Spinedace.

The lower canyon provides an important corridor for migratory species, connecting the lower river at Gunlock to the upper river at Veyo.

Culinary Water Supply:

Within this arid region of the United States, culinary water sources are incredibly significant and valuable. This is especially true in the face of drought and extreme weather events that has been predicted for this region due to global climate change. The upper reach proposed herein also contains a high quality spring that furnishes the communities of Veyo and Brookside with culinary water. BLM has collaborated with the Veyo Culinary Water Company to limit access to the canyon.

The Veyo spring is fed by groundwater and we have included the groundwater recharge area and source water protection zones within this ACEC. These lands are largely controlled by BLM and activities should be limited to those that will not have a negative impact on this drinking water system.

Please note the enclosed hard copy map which delineates the groundwater protection zones.

Cultural Resources

Cultural resources including petroglyphs exist within the Upper Portion of the acec.

Threats

This area requires special and immediate attention by BLM. Very few areas within the nationally significant Virgin River Watershed are as isolated from major impacts as this canyon. The most serious threat is from dewatering of instream flows to provide water to three old hydroplants (circa 1916 – 1925) owned by PacifiCorp and excessive water use by local irrigators. A planned regional pipeline by the Washington County Water Conservancy District would increase the threat of dewatering and decrease existing flows within the river.

Management Prescriptions

1. All uses limited to designated roads and trails. Limit motorized access from Baker Reservoir downstream to a point above the Veyo Culinary Water Company's spring.
2. Restoration of instream flows
3. Eliminate non-native stream species by engaging local fishing clubs in place of rotenone for eradication of non-native species.
4. VRM Class II.
5. Exclude authorizations for new rights-of way or other reality actions.

Nomination

Pursuant to FLPMA, 43 U.S.C. § 1701, *et seq.*, the undersigned formally nominate and petition the BLM to designate the Santa Clara River parcels as ACEC. We respectfully submit this nomination as part of the ongoing Plan Amendment and as interested parties, pursuant to BLM Manual 1617.81B (2000) and section 553(e) and 555(e) of the Administrative Procedures Act, 5 U.S.C. § 553(e), *et seq.* which grants members of the public an independent right to nominate areas of BLM-administered lands for ACEC designation. We have proposed the Santa Clara River parcels as potential ACECs based on the criteria set out in applicable laws and regulations, and as outlined in BLM Manual 1613.

Evaluation of Relevance Criteria for Proposed Areas of Critical Environmental Concern

ACEC proposal for the Upper Santa Clara River		
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General location: upper section is adjacent to and below Baker Reservoir to Brookside, lower section is from the Hwy 18 bridge through canyon to private property above Gunlock	Parcels owned by the BLM; ¼ mile from the high water mark; includes the stream; the riparian zone and flood plain	
Values	Endangered Fish & Bird habitat - Riparian resources - Wildlife Habitat - Water quality maintenance - archeological	
Relevance— An area meets the "relevance" criterion if it contains one or more of the following:		
Relevance Value Yes/No Rationale for Determination		
A fish and wildlife resource (including but not limited to habitat for endangered, sensitive, or threatened species or habitat essential for maintaining species diversity).	Yes	The Santa Clara River provides critical habitat for migratory species. Both canyons provide important connectivity corridors. The lower section provides habitat for special status species including willow flycatcher and the Virgin Spinedace. Also habitat for Peregrine Falcon, Bald Eagle, Golden Eagle, Cooper's Hawks, and Western Yellow-billed Cuckoo.
A natural process or system (including but not limited to endangered, sensitive, or threatened plant species; rare, endemic, or relic plants or plants)	Yes	Protection to the River's ecological systems (vegetation, physical and aquatic habitats) for birds, fish and plant communities is important to sustain these populations.
Natural hazards (including but not limited to areas of avalanche, dangerous flooding, landslides, unstable soils, seismic activity, or dangerous cliffs). A hazard caused by human action may	Yes	Flooding

meet the relevance criterion if it is determined through the resource management planning process that it has become part of a natural process.		
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Evaluation of Importance Criteria for Proposed Areas of Critical Environmental Concern

ACEC proposal for the Santa Clara River		
Importance — An area meets the “importance” criterion if it contains one or more of the following		
Relevance	Value	Yes/No Rationale for Determination
Has more than locally significant qualities which gives it special worth, consequence, meaning, distinctiveness, or cause for concern, especially compared to similar resource	Yes	The riparian canopy in both sections of river is extremely rare in southern Utah due to the size and maturity of the trees and the isolation in the canyons. The isolation also provides substantial opportunity for migratory birds to rest without the threat of human disturbance.
Has qualities or circumstances that make it fragile, sensitive, rare, irreplaceable, exemplary, unique, endangered, threatened, or adverse change or vulnerable to adverse change	Yes	The lower section contains high quality Virgin Spinedace habitat. The upper section contains higher quality former Virgin Spinedace habitat stressed by the presence of two PacifiCorp hydro diversions that diminish instream flows and create a barrier to fish passage. The lower barrier should be removed and instream flows restored.
Has been recognized as warranting protection in order to satisfy national priority concerns or to carry out the mandates of FLPMA	Yes	FLPMA -Minimize adverse impacts on natural, environmental, scientific, cultural and other resources and values including fish and wildlife.
Natural hazards (including but not limited to areas of avalanche, dangerous flooding, landslides, unstable soils, seismic activity, or dangerous cliffs). A hazard caused by human action may meet the relevance criterion if it is determined through the resource management planning process that it has become part of a natural process.	Yes	Flooding -