

CITIZENS FOR DIXIE'S FUTURE

Scoping Comments for Resource Management Plan Amendment Environmental Impact Statement and Travel and Transportation Plan Environmental Assessment

Submitted by Citizens for Dixie's Future to:
BLM St. George Field Office
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Table of Contents

1. Background.....	4
A. BLM Land and Resources.....	4
B. Needs and Issues.....	5
2. Solutions.....	5
A. Integrate the Vision Dixie Principals into the Plans.....	5
3. Approach to Planning.....	7
A. Management Zoning.....	7
B. Benefits-Based Planning & Management (BBM).....	7
C. Travel Management Zones.....	8
D. Special Area Zones.....	9
E. Adjacent Lands.....	9
F. Scenic Landscape Protection.....	9
G. Commercial Adventure Businesses.....	10
H. Best Management Practices (BMPs) for Managing Off-Road Vehicles (ORV).....	10
I. General Implementation Best Management Practices.....	11
J. General Monitoring using Best Management Practices.....	12
K. Trail Monitoring.....	12
L. Adequate Funding.....	13
4. National Conservation Areas.....	13
A. Red Cliffs National Conservation Area (NCA).....	13
B. The Northern Corridor Highway.....	14
C. Virgin River.....	14
D. Beaver Dam Wash NCA.....	15
5. Travel and Transportation Management Plan (Travel Plan).....	16
A. Placement and Design of Staging Areas.....	16
B. Additional comments:.....	16
C. Cumulative impacts.....	17
D. Off-Highway Vehicles Designation Map.....	18
E. Sand Mountain SRMA.....	18
F. Water Resources.....	19
6. Areas of Critical Environmental Concern (ACEC).....	19
A. Concerns with Existing ACECs.....	19
B. Nominations for New ACECs.....	20
7. Special Recreation Management Areas as Part of the Amendment.....	21

8. Other Resource Issues of Concern.....25
A. Water Quality25
B. Climate Change27
C. Wildlife Corridors.....27
D. Historic Resources28
9. Summary28

1. Background

Citizens for Dixie's Future (CDF) is a grassroots coalition of local citizens committed to protecting the natural resources and quality of life in Washington County through Smart Growth planning for the benefit of present and future generations. CDF promotes a vision of compact communities that prioritizes conservation and stewardship of land, air and water resources for the long-term sustainability of public lands and communities. CDF was established in 2006 after the Washington County Growth and Conservation Act (Lands Bill) was introduced because of concerns that 25,000 acres of BLM land would be sold for development. CDF worked tirelessly on the provisions of bill and we are pleased with the changes and now look forward to working with the Bureau of Land Management to see that the intent of the Land Bill's conservation provisions are implemented. Due to the conservation provisions added in the Lands Bill it is now seen as a model to be used in other counties in Utah and elsewhere.

A. BLM Land and Resources

The Bureau of Land Management (BLM) manages 629,000 acres of land within Washington County. The public lands in Washington County contribute to our quality of life in the county, providing areas for outdoor recreation, scenic open space and protection to wildlife. Washington County also has a high concentration of native, threatened, endangered, special-status species, and imperiled State-listed sensitive species to preserve as we grow.

In addition, protecting public lands is vital to the success of our county's economy. For all counties in the West, a positive measure of economic growth occurs where the county has a high proportion of public lands, parks, wilderness and monuments.¹ Spending by travelers coming to Washington County was estimated to be \$404 million dollars in 2008.²

The population of Washington County listed in the 1999 Resource Management Plan (RMP) was 80,000 and now it is almost doubled, putting enormous pressure on important natural areas on public lands. The increase in recreational use is not just from local population growth, i but also from tourists from other states, counties and countries who come here to enjoy recreational opportunities, and because of our mild winters the use is continuous all year long. , The Arizona Strip BLM reports that "...visitors have come from all 50 states and from 47 countries. Current patterns of interest suggest as many as 40 additional recreation based companies could be requesting special recreation permits...."³ They are currently fielding 4 calls a week for permits. One Off Highway Vehicle road event being requested in Ferry Swale could have up to 500 participants. This type of recreational demand will also create challenges for BLM's St. George Field office.

The Federal Land Policy and Management Act of 1976 (FLPMA sec. 202) states in planning BLM must rely on inventory, consider physical, biological, economic and other sciences and resolve inconsistencies. FLPMA sec. 201 states BLM must prepare and maintain an inventory of lands including resources and values (outdoor recreation, scenic values) with priority to Areas of Critical Environmental Concern (ACECs), and minimize adverse impacts on natural, environmental, scientific, cultural and other resources and values including fish and wildlife. Consequently, BLM must update these important inventories before designating trails and roads or approving new special recreation permits.

¹ Public Lands Conservation and Economic Well-Being, Sonoran Institute, July 2004, page 3-18, reports, available at www.sonoran.org

² Lecia Parks Langston, Regional Economist, Utah Department of Workforce Services

³ Arizona Strip BLM, Commercial Motorized Special Recreation Permits on Vermillion Cliffs National Monument and Surrounding Areas, 2010 DOI-BLM-AZ-A020-2010-0001-EA, pp1-2

B. Needs and Issues

Twenty years ago these same concerns that continue today were identified in BLM's 1989 Draft RMP. These concerns included: 1. Intensive OHV activity; 2. Scarification of scenery; 3. Water demand impacting other resources.⁴ CDF recommends BLM take administrative steps to resolve these issues in the plan amendment by revising the Visual Resource Management (VRM) designations; protecting water for fish and wildlife; setting aside additional non-motorized special recreation management areas (SRMAs) and protecting unique resources as Areas of Critical Environmental Concern (ACEC), and control the unmanaged OHV use.

The 2004 BLM Scoping Notice to prepare an EIS and Amend the RMP mentioned issues to be addressed in the plan and stated the RMP was for meeting the needs of motorized use. However, times have changed and the challenge is not meeting the needs of OHV use, it is protecting some areas as non-motorized natural areas next to the urban core. During the Vision Dixie process residents wanted scenic open space and natural areas to be protected. There is also a great need for a non-motorized recreational experience to be preserved in this RMP amendment.

In the 1999 BLM Resource Management Plan issues driving the plan's development were "how to meet the public needs for recreation and water storage and how best to manage natural resources on the public lands in face of unprecedented urban growth and human-caused impacts". There were also emerging concerns that included:

- Management of lands and resources appurtenant to and, in many cases, dependent upon the Virgin River and major tributaries.⁵

Therefore, CDF recommends BLM prioritize the protection of water resources and water quality in the plan. The Virgin River, the Santa Clara River and North Creek located on BLM land are important resources that require special management as ACECs.

2. Solutions

CDF identifies the following solutions to issues, land use conflicts, and concerns that need to be resolved in the proposed management plans:

A. Integrate the Vision Dixie Principals into the Plans

In 2006, when the Lands Bill was introduced CDF took out a full page ad in the Spectrum asking for planning first before 25,000 acres of BLM land was sold for development. Senator Bennett and Representative Jim Matheson, as well as the county commission responded and agreed to a county wide, \$500,000 visioning land use process called Vision Dixie in which 3000 residents participated. CDF supported the Vision Dixie process by having staff and board participate on the Steering Committee, Technical Advisory Committee and facilitating citizen workshops for the year and half process. The polling and workshop results from Vision Dixie's land-use exercise showed citizens wanted public lands to be retained in public ownership to provide for outdoor recreation, scenic open space and to protect natural areas.

The Vision Dixie process offered four scenarios of how the county could grow by 2035 and people could chose which one they preferred. Each scenario explored different environmental factors including recreation areas, open spaces, trails, public lands, air quality and water resources. In the

⁴ BLM Draft RMP 1989, p.6

⁵ BLM RMP 1999, p. 1.5

preferred scenario ridge tops, river corridors, steeper slopes, floodplains, and designated critical habitat were conserved for recreation or open space.⁶

BLM, with its conservation mandate, could be the leader and educator on how to protect the health of the land, water and air in the region. CDF urges BLM to seize the opportunity presented by this RMP Amendment process to integrate the Vision Dixie Principals into the management plans and to develop more detailed standards and guidelines to manage these areas differently and protect the riparian areas of the Virgin River, the upper Santa Clara River, North Creek as well as protect scenic landscapes.

Some of the Vision Dixie Principals which should be integrated in BLM's proposed management plans include:⁷

1. Plan Regionally, Implement Locally: "We are all in this together. Successful implementation can only be achieved if we work together."
 - a. CDF recommends BLM work with Utah State Trust Lands, communities and other states and jurisdictions to connect trails and provide long term trail access to public lands to create desert open space corridors that protect our natural areas.
2. Maintain Air and Water Quality and Conserve Water: "Clean air and water are essential for life, and an important part of our attraction as a place to live and visit. The residents clearly identified maintaining air and water quality as a top priority. Water conservation is important today and will be critical in the future to keep living costs low, enable economic growth and keep water in our streams and rivers for people and wildlife."
 - a. CDF recommends BLM study the impact of increased OHV use on dirt roads creating dust and noise problems. BLM must take steps to protect the water quality of rivers and streams and nominate the BLM land on the Virgin River, upper Santa Clara River and North Creek for ACEC protection.
3. Guard our Signature Scenic Landscapes: "Protect unique physical features. The spectacular visual setting in southern Utah is central to our quality of life and helps drive our economic engine, drawing residents, businesses, and tourists to Washington County. Our ridgelines, bluffs, and mesas, dry washes, promontories, hillsides and river corridors make Dixie unlike any other place. In addition, the County is home to diverse and even unique, plant and animal species that add to the area's striking appeal."
 - a. CDF recommends our scenic landscapes and view sheds should be nominated for ACEC protection.
 - b. BLM should update VRM status to protect scenic view sheds
 - c. Protect habitat of Threatened and Endangered and sensitive plant and animals by nominating Areas of Critical environmental Concern for the Virgin and Santa Rivers; and protect riparian zones
4. Provide Rich, Connected Natural Recreation and Open Space: "Preserve and connect open spaces and trails. We value our open space not just for its visual quality and environmental importance, but also for the opportunities it provides us to enjoy the outdoors. We will strive to preserve and connect open spaces and trails so they can provide a continuous recreational experience. The public strongly supported open space that is connected in a system-for both habitat and public use."

⁶ Vision Dixie, Making a Better Washington County 2007. P.7

⁷ Id, page 14, www.visiondixie.org

- a. CDF recommends BLM coordinate a regional trail network that connects to open space corridors within communities, Utah State Trust Lands and public lands.
5. Direct Growth Inward: “Focus inward first, contiguously second and discourage leap-frog development.”
 - a. CDF recommends BLM not encourage sprawl developments.

“Washington County residents value public lands for scenic, recreational and environmental values and want any conversion done with care.”

BLM should develop and implement new guidelines in this RMP Amendment to try to solve and better manage these concerns. There is a missing link in the 1999 RMP between the mandate in federal laws and detailed guidelines to protect natural areas of concern in the county. The RMP amendment is an opportunity to implement the Vision Dixie Principles and the federal mandate into standards, guidelines to protect natural areas in the county.

3. Approach to Planning

A. Management Zoning

Travel and Transportation designations and management cannot be decided in a vacuum without also considering recreation and visitor services. The BLM Land Use Planning Handbook (H-1601-1) clearly states that recreation and visitor services planning should be done during the Travel Management process. BLM has very clear policies, strategies, and tools to deliver the very best in visitor services and recreation management within a field jurisdiction. These include using the Benefits Based Management (BBM) approach as the principal method to establish and describe management goals, objective, and prescriptions within a plan. Without the use of BBM and other zoning and experience based tools the prescriptions, designations, and closures within a plan will be without a basis, especially in the case where no overriding resource issues is the sole purpose for an action. CDF suggests this is the best response to solve issues in this planning effort.

B. Benefits-Based Planning & Management (BBM)

BBM is the application of managing recreation resources which focuses on the positive or beneficial outcomes derived from engaging in recreational activities rather than just on the recreation activities themselves. BBM provides the conceptual recreation framework to view, plan and collaboratively deliver recreation services as a means to a larger end – outcomes that benefit individuals, communities, economies and the environment. (BLM IM 2006-060)

Action/Policy: This IM affirms BLM’s corporate commitment to change its framework and emphasis to benefits-based recreation management. All new and on-going LUPs shall incorporate and implement policy contained in Appendices C and D of the LUP Handbook.....

The methodology for arriving at various zones includes considering existing Recreation Opportunity Spectrum (ROS) values, social and biological carrying capacity, current and future outcome goals for the land, resources, and human experiences, and existing transportation patterns. This methodology will then result in the desired ROS visitor experiences type. These zones can be prescribed in broad based terms over an entire field office during transportation planning, or can be divided into more specific management prescriptions and actions for more intensely managed areas such as NCA’s and

SRMA's. In addition, this methodology can assist in identifying areas which may be potential candidates for SRMA's designation. The Santa Clara River Reserve Recreation and Open space Plan (ROMP) is an excellent example within the BLM of the use of BBM and Zoning.

C. Travel Management Zones

CDF recommends BLM adopt a zoning concept for the whole St. George Field Office area. These management zones would not trump any underlying resource values, but instead would serve as an additional tool in the decision tree matrices and would serve as a set of goals and objectives for the future management of the lands within. Lands and travel options could be simplified into five primary zone types for different priorities and experiences; motorized recreation zones, passage zones, motorized backcountry zones; primitive zones; and pristine zones. It could make management of the district easier over the long term. (see Exhibit "T1" Travel and Transportation Zoning Map)

Decision of route designations would be based on the goals and objectives for each zone.

1. **Motorized recreation:** Open Areas for motorized recreation play. May include areas of only several acres near staging zones for long distance motorized recreation experiences. These areas will be suitable for both ATV and motorcycle recreation. These areas will contain no sensitive resources with little to no natural vegetation. They should support a high level of administrative control, with regulatory signs, and clearly marked boundaries. These areas will serve a niche market that prefers aggressive free style use of motorized machines.
2. **Passage Zones:** special areas on the urban interface where the primary activities are non-motorized trail activities, yet there is a need for recreational and passenger vehicles to travel through to access other zones, trail heads, or for administrative purposes. These areas will have a high level of administrative control, including speed limits, and may further restrict vehicle travel to only passenger vehicles or authorized uses. These areas are highly visible and serve a variety of non-motorized experiences at medium to high densities often while protecting special resources. The niche market in these zones serves a variety of urban interface activities on highly developed well planned and designed non-motorized trail systems. Administrative presence may vary from medium to high, and may include trail head and interpretive facilities, signage, and fencing. Other priorities such as resource protection may also exist. The density of motorized use routes would be very low.
3. **Motorized Backcountry Zones:** provide routes or loops designated for motorized recreation. In addition to use of ATV's and Motorcycles on roads, special ATV width or single track motorized trails may be developed or designated for the specific use of these machines. Full size passenger vehicles may be restricted on certain trail segments. Routes in these areas should be designated to support long distance recreational travel, geo caching and sightseeing activities by ATV or motorcycle. Administrative control will be at a moderate level, with trail and route markers and designated parking/staging areas. Density of routes may be medium to high in select areas to form loop experiences. Other non-motorized routes may exist in these zones at low densities. Routes for transportation and access may exist at varying densities as determined by need.
4. **Primitive Zones:** are special non-wilderness backcountry areas that serve primarily quiet non-motorized recreation in a privative setting where visitors may enjoy a less developed recreational experience. These areas generally have sensitive resources; therefore both motorized and non-motorized routes in these areas will have a low to medium density. Evidence of administrative control would be concentrated along major roadways. The niche market may include those who recreate for extended periods or multiple days. Zones may support designated primitive

camping, minimally designed trail heads, and sparse but essential signage. Further, motorized routes should be limited to transportation routes necessary to access trail heads, camping or other visitor services or for administrative purposes.

5. Pristine Zones: are wilderness areas or other highly sensitive biological areas where there will be no motorized routes or travel permitted. Evidence of administrative control should be little to none. This zones service a niche market that enjoys a fully pristine Non motorized routes are generally undeveloped, and areas are generally accessed by foot or horseback.

D. Special Area Zones

The tools of benefits based management should be used to develop and refine the management and visitor services within the Red Cliffs and Beaver Dam NCAs as well as the Special Recreation Management Areas within the county.

E. Adjacent Lands

To provide better continuity, connection, and protection BLM should continue to identify adjacent private, state, and tribal lands with which to cooperate on trails and resource protection as identified in the BLM's RMP 1999, page 2.37 Recreation Objectives, and sections RC-09, RC-14, RC-16, RC -17 . As roads, routes, and trails are designated during this RMP amendment process it is imperative the adjacent linkages, experiences, and resources be factored into the decision making process. In addition, many non-motorized routes are located on lands slated for trade or disposal. Once these trails are designated a subsequent BLM reservation or conservation easement should be placed on the corridor, with appropriate open space buffer, to protect the values and connections in which the routes were established and to protect from future development impacts. In particular, it is important for public lands to be retained around the urban core of communities.

F. Scenic Landscape Protection

In the Vision Dixie process residents wanted the scenic landscapes protected. BLM land includes a unique blend of geologic land-forms that creates a wealth of varying landscapes, open vistas and spectacular scenery that is recognized in national and international sectors. BLM could implement a Vision Dixie principal in this RMP amendment by updating its Visual Resource Management (VRM) designations and nominating the scenic landscape of the Zion Scenic Corridor as an ACEC. " Viewing scenery is ranked as the number one pursuit of all visitors to public lands".⁸ The scenery is viewed by every sightseeing tourist on the I-15 and on Highway 9 to Zion National Park. The existing BLM designations for Visual Resource Management (VRM) are not adequate to protect the scenic values of the region. A new VRM designations need to be developed to assure scenic protection to the world class scenery of BLM landscapes and view sheds.

It is BLM policy that VRM classes are assigned to all public lands as part of the Record of Decision for RMPs. The objective of this policy is to "manage public lands in a manner which will protect the quality of the scenic (visual) values of these lands." BLM Manual MS-8400.02. Under the authority of FLPMA, the BLM must prepare and maintain *on a continuing basis* an inventory of visual values *for each RMP effort*. 43 U.S.C. § 1701; BLM Manual MS-8400.06. In addition, NEPA requires that measures be taken to " . . . assure for all Americans . . . aesthetically pleasing surroundings." Once established, VRM objectives are as binding as any other resource objectives, and no action may be taken unless the VRM objectives can be met. The RMP Amendment should revise VRM classes and must make clear that compliance with VRM classes is not discretionary.

⁸ BLM RMP draft 1989, p. 89

BLM's VRM management areas are out of date and need to be updated to reflect the public's wish to preserve the scenic landscape in the Vision Dixie process. BLM should ensure that scenic value is a resource that is conserved and must establish clear management direction describing areas inventoried and possessing high scenic importance with clearly defined objectives that limit surface disturbance within important view sheds. Important scenic areas should be protected. CDF recommends BLM change VRM designations to:

VRM class I:

- The highway SR9 corridor from the LaVerkin twist to Zion National Park
- The NCAs
- All wilderness areas and ACECs
- The cliff face and ridge line of Canaan Mountain; the wilderness boundary is on the top of Canaan Mountain and leaves the cliff face of Smithsonian Butte unprotected
- Silver Reef-Leeds Navajo sandstone formations
- The ridge line of the Black Ridge
- The Hurricane Cliffs
- The Virgin, Santa Clara River and North Creek corridors

VRM class II:

- The red cliff face of Sand Mountain in Warner Valley
- Beaver Dam Mountains
- East face of the Apex slope, Little Creek Mountain, Castle Cliff Wash Area, Tobin bench⁹
- Hwy 18 corridor

G. Commercial Adventure Businesses

An increase in commercial outfitters and guides has been noticed as the popularity of Southern Utah recreation opportunities has increased. CDF has become aware that there is discrepancy on how permits for these activities are issued and regulated. We suggest the following management strategies and stipulations be applied uniformly for all BLM permits.

1. All commercial guide services be restricted to designated routes specific to those activities
2. Group limits be applied to all permits, by trail or type uniformly
3. Permits be monitored for season and duration to assure any one trail, road, or route is not exceeding its social or biological carrying capacity
4. Enforcement against non-permitted outfitters and large groups be increased to prevent un managed impacts
5. All permits practice Leave No Trace (LNT) and Tread Lightly principals

H. Best Management Practices (BMPs) for Managing Off-Road Vehicles¹⁰ (ORV)

There are a number of ORV management practices that are recommended for both the planning stage and post-implementation management of monitoring, enforcement, and maintenance management. We urge BLM to use Best Management Practices (BMPs) to identify road and trails and balance the need for quiet recreational areas and trails.

⁹ BLM RMP draft 1989 p.125

¹⁰ A Guide for Designating and Managing Off-Road Vehicle Routes, Appendix A, pages 48-49, Wild Utah Project, available at <http://www.wildlandscpr.org/ORV-BMPs>

CDF urges BLM to use science to designate trails and adopt these BMPs as guidelines and standards as a solution to challenges of how to manage areas and trails which would improve conditions and reduce risks to important natural areas, they include:

1. Close all unauthorized and/ or illegal routes and restore the land. When possible, recover the site with native species, vertical mulch or convert to non-motorized single track if appropriate.
2. Close routes that have a history of unsuccessful enforcement of unauthorized off-road vehicle activity along or adjacent to the route, and associated resource damage.
3. Avoid creating loop route where so doing would open up large acreages to potential ORV impacts, legitimize unauthorized routes, or isolate wildlife habitat within interior loops.
4. Reclaim administrative routes once the administrative purpose ends
5. Require all motorized camping to occur in designated campsites. Reclaim unauthorized motorized camping sites.
6. Close routes that serve no needed, discrete purpose, have no definable destination (i.e. "cherry stemmed" routes in road less areas) or are duplicative. It is the obligation of those promoting designation of a route to show that there is a public need that cannot be met by other routes or by other access means.

I. General Implementation Best Management Practices

1. The scope and scale of the designated route network should be limited by the fiscal capacity to monitor, enforce, and maintain that network
2. Off-road vehicle maps must indicate open routes, access points, staging areas and access requirements, overall route mileage and density, season(s) of allowable use, and road/route conditions. Maps should also include a narrative plan that details the consequences of illegal off-route riding and describe what values should be protected.
3. Routes are designated for appropriate vehicles based on the commensurate level of engineering (e.g. single-tract dirt bike route are not designated for use by four-wheeled off-road vehicles). Design monitoring and enforcement programs to ensure that routes are not illegally converted for use by larger vehicles.
4. BLM must include a protocol for events. BMPs related to OHV events include:
 - i. OHV event permits shall ensure that the event does not lead to conditions that no longer meet desired ecological conditions. Event participants must be required to use those routes that can sustain such a level of use without leading to an increase in habitat degradation, wildlife displacement, conflict with pedestrians or other vehicle types, etc.
 - ii. There should be opportunity for public review/comment on the event application, and participation in the monitoring
 - iii. Require funding either from the agency or event promoter that is sufficient to cover permit approval costs, event monitoring, event enforcement, and post-event reclamation. A bond sufficient to cover the costs described should be posted prior to the event. Such bond shall remain in place until post event reclamation has restored habitat, wildlife, and other uses to their desired condition.
 - iv. OHV event participants should only be allowed to camp in pre-determined or designated motorized campsites.
 - v. Post OHV event restoration that required actions on the ground shall be completed within six months of the event, or sooner if seasonal conditions require immediate action.
 - vi. Carry capacity of a trail need to be considered in the event with specific limits of participants per trail.

- vii. ORV events should have agency monitoring and enforcement staff in the field for the entire event. All monitoring and enforcement records shall be open to public review no later than one month after the event.

J. General Monitoring using Best Management Practices

1. Tier ORV use to the available monitoring capacity (funding and staffing).
2. Establish protocols for citizen (including ORV users) monitoring of motor vehicle use, conditions of roads/routes, and associated adaptive management to address identified problems.
3. BLM should host a web site so the public can get accurate maps of trails and narratives on values to be protected. It could also be used to alert BLM to conflicts. Make monitoring data, Geographic Information Systems (GIS) data and analysis (in a format that is useable and easily manipulated) readily available to the public on-line.
4. Assess documented user-conflicts to identify trends or trouble areas where management should be reviewed. Implement adaptive management in response to monitoring results including closures, restoration, a maintenance, etc.

K. Trail Monitoring

The arid desert and its resources are extremely fragile and easily scarred because it so dry and may not heal from unmanaged outdoor recreation. The landscape is currently being scarred and fragile desert vegetation destroyed which is deteriorating the natural resources of public lands. With the dramatic increase in outdoor recreation it is critical for BLM to adopt a planning framework of the *"Limits of Acceptable Change"* on roads and trails to establish a baseline to monitor the cumulative impacts of outdoor recreation. The Department of Natural Resources Division of Wildlife Resources also has an OHV webpage with a useful toolkit for resource planning and monitoring. Available at <http://planning.utah.gov/CRMPOHVMManagement.htm>.

CDF recommends a comprehensive monitoring program be implemented with a standard of thresholds and trigger-points or limits to allow for spectrum of management actions, from increased signage to closures, of areas, roads or trails.

1. The following BMPs monitoring measures are the minimum, and should be recorded or measured annually, they include:
 - i. Document the creation of renegade route, unauthorized cross-country travel or off-route trespass, and the ecological and economic impacts of such illegal actions.
 - ii. Monitor for impacts of ORV related camping. Monitor designated motorized campsites to ensure they are not increasing in size and that new dispersed motorized camp sites are not being illegally created.
 - iii. Monitor system route for widening, braiding and creation of parallel routes or creation of renegade routes.
 - iv. Monitor whether signs and barriers prohibiting travel are abided by or ignored, and whether signs and barriers are vandalized, destroyed, or removed.
 - v. Monitor success of restoration projects and ecological recovery efforts along newly closed routes.
 - vi. Monitor for change in condition of routes over time and resulting impacts (or enhancements).
 - vii. Monitor for amount and change in motorized use, and wildlife use, along routes over time.

L. Adequate Funding

BLM must include a fiscal analysis of alternative implementation and mitigation, and restoration costs. Of utmost importance is sufficient funding to enable enforcement of designated routes and closures, with a comprehensive education and outreach efforts ranging from readily available travel maps to on-line information and rider education courses.

The BLM needs to consider budget constraints when evaluating each management alternative as part of the NEPA process. This will require more detail as to where money will be spent, which programs will be fully funded and which ones will not. Planners should, for example, estimate the labor and capital costs of fully mitigating the environmental consequences that will result from implementing each management alternative. By ignoring budget constraints, the plan presents the public with an unrealistic picture of what would be accomplished given limited financial resources.

4. National Conservation Areas

CDF recommends the Colorado Canyon NCA Management Plan as an excellent example of NCA planning for its use of zoning and BBM and ability to balance managed recreation with resource preservation in a justifiable and defensible plan that has clear direction for implementation.

A. Red Cliffs National Conservation Area (NCA)

We encourage BLM to actively manage the Red Cliffs NCA. With the increasing population growth and the boom in outdoor recreation there has been a dramatic increase in off-trail impacts within the NCA, which is outstripping the expertise and management capacity of the County's management officials.

BLM should evaluate the current and anticipate impacts on the NCA from outdoor recreation for the life of the plan and take the necessary action to protect the NCA in the management plan. CDF also recommends the following be included in the plan:

1. BLM take specific steps to protect NCA in the language of the management plans with new standards, focus and prioritization.
2. Create a healthy functioning ecosystem to protect ecosystem integrity and regional connectivity of wildlife corridors.
3. Aggressively suppress wildfires
4. Favor native species in reseeded efforts
5. Prohibit incompatible uses, recognizing that recovering damaged resources is much more difficult in the desert than preserving healthy ones
6. Off-trail human impacts have increased in the NCA and BLM should take a fresh look at how the trails were designed, the current trail design was not done by professional trail planner and is leading to more off trail impacts and BLM should redesign them to protect habitat in the NCA
7. BLM should reevaluate the concept of multi-use trails and consider separate trails in certain areas for hiking and horses to protect habitat.
8. With the increase in human impacts to the NCA BLM must consider the carry capacity of outdoor-recreation in the NCA. The concept of carrying capacity as it relates to recreation setting is important to consider as part of this planning process. The conceptual framework behind land-based zoning prompts an inventory to determine the overall planned experience.
9. New policies need to be developed for utility easements, water development and scenic values. Protocols need to be reviewed and tightened to protect the natural resources. In the past too much leeway has been given to utility companies.

10. What are the current and future direct human impacts of outdoor recreation, parking lots, camping and non-native species introduction and how they can be managed to protect natural resources?
11. Develop a matrix of thresholds, trigger-points, and limits so administrative action can be taken to close an area or trail to preserve the natural resources of the NCA. The current Public Use Plan lacks that ability to close a trail and restore areas that are impacted.
12. Include restoration costs in the budget
13. Guidelines should be developed to protect the Navajo Sandstone aquifer as an important community water supply¹¹.
14. The last grazing permit should be purchased and retired
15. Include the *cottonwood population* of the endangered Shivwits Milk-vetch.¹²
16. The Water District plans to release water from Sand Hollow (Pump Back Project) which may contain mussels into the Virgin River in this reach within the NCA. How will mussels impact the endangered and native fish?
17. Address the impact of a proposed sewer treatment plants above zone 4 and any discharge into river.

B. The Northern Corridor Highway

Local officials continue to pursue a new major highway through the Red Cliffs NCA. When increased traffic demand occurs, the Red Hills Parkway could be expanded and the NCA should be protected from a highway bisecting the Red Cliffs NCA. There is no need for a major highway to go through the NCA in the future to service such small parcels of private land along highway 18.

Further, a northern corridor through the NCA was already considered in a NEPA process and eliminated from consideration. "According to a letter from USFWS, such a road would compromise the commitments on which the Washington County HCP was based.... and may result in an adverse modification of designated critical habitat."¹³

C. Virgin River

One of the Lands Bill provisions for the Red Cliffs NCA is "*to protect each species that is listed as endangered.*" The woundfin minnow was one of the earliest species federally listed as endangered, in 1970. The Virgin River chub was listed as endangered in 1989. The Virgin River Resource Management and Recovery Program, (Virgin River Program) a multi-agency collaborative recovery effort has failed to protect these species and in fact the population of woundfin has decreased dramatically as well as the other native fish. The 5 mile upper Virgin River reach of critical habitat of the woundfin and Virgin River chub populations, below Pah Tempe Hot Springs and LaVerkin Creek, is within the BLM's Red Cliffs NCA. It is imperative that this, formerly the best habitat, be included in the NCA's management plan and for BLM to take a more active lead role to protect these species. The BLM must take a "hard look" at the dewatering and degradation of water quality in this reach and its impact on the fish.

Additionally, a major issue that was to be addressed in the 1995 Habitat Conservation Plan was impacts on Virgin River flows.¹⁴ However, the issue of adequate flows for the endangered fish has not adequately been address by the Virgin River Program. Impacts to endangered fish from the flows taken by the current operation of the Quail Creek project and returned to Virgin River have not been analyzed. The Virgin River chub was listed as endangered in 1989 after the Quail Creek Project was built and there

¹¹ BLM RMP draft 1989 p.73

¹² USF&W Service Shivwits Milk-Vetch, Recovery Plan, see map p.6

¹³ Federal Highway Administration Red Hills Parkway EA, 2007 p.2-9.

¹⁴ USF&W EIS Washington County, Utah Desert Tortoise Incidental Take Permit Application Documents Part III p.VII, 1995

was no USFWS consultation on the impact of regulated flows from the Quail Creek Project on the Virgin River chub.

“Given the legal mandate to conserve threatened or endangered species and BLM’s policy to conserve all special status species, land use planning strategies, desired outcomes, and decisions should result in a reasonable conservation strategy for these species.”¹⁵ BLM cannot delegate its responsibility to protect fish habitat to the Virgin River Program.

There has been a conflict with local officials on what the intent of the HCP and the Virgin River Program were. The wording in these documents does not make it clear what has priority, is the NCA to provide for community needs or a wildlife preserve? Is the water for development or is it water for the fish?

The confusing wording includes:

The goals of the Virgin River Program:

1. To implement actions to recover, conserve, enhance, and protect native fish.
2. Enhance the ability to provide adequate water supplies for sustaining human needs.

It is hard to have these conflicting goals and this type of wording should not be included in the NCA management plan to reduce future conflicts with local officials. Due to local political pressure and special interests the balance has shifted more toward human use of the NCA and needs to move back toward preservation of habitat in the new management plan.

Another issue is the road through the NCA. Some local officials read the HCP and feel they were allowed to put a road through the NCA. Therefore, wording in the new management plan needs to make it clear what resource has priority to be protected.

D. Beaver Dam Wash NCA

CDF recommends that BLM should not develop recreation facilities in the NCA and manage the area to protect the outdoor experience of remoteness. The management plan should limit the number of designated roads for access to protect other natural values in the NCA. The roads must meet BLM’s definition of a road (no “primitive roads” or “motorized trails”) are allowed because those were prohibited by the Lands Bill.

In addition CDF recommends BLM:

1. Analyze the impacts of water development plans by local cities and the Washington County Water Conservancy in the Beaver Dam Wash area upstream from the NCA.
2. Prohibit incompatible uses, recognizing that recovering damaged resources is much more difficult in the desert than preserving healthy ones.
3. Create a healthy functioning ecosystem to protect ecosystem integrity and regional connectivity of wildlife corridors.
4. Grazing permits should be retired in the NCA. BLM should analyze grazing impacts on the fragile desert environment, riparian areas, the uplands and water quality in and above the NCA. Grazing puts the ecosystem at risk and it pushes impacts to the environment over the edge and the land will not come back in this arid desert environment. The boundary of the NCA should be fenced to prevent grazing.
5. Adopt new guidelines for recreation, camping and grazing standards to protect the water quality in and above the NCA. Restoration of the riparian habitat on BLM land above the NCA and uplands reduces the impacts of floods.
6. Analyze the impact of Gold Strike’s cyanide leaching mining on the east fork of Beaver Dam Wash on water quality in NCA.

¹⁵ BLM Land Use Planning handbook Appendix C p.4

7. Analyze the current and future direct human impacts of outdoor recreation, parking lots, camping and non-native species introduction for the life of the plan.
8. Develop thresholds and trigger-points, or limits for closure of roads and trails to protect natural resources in the plan.
9. Determine how OHV use will impact important winter nesting area for waterfowl along the north-south flyways of the Beaver Dam Wash.
10. Include protection to the native desert fishes in the plan, the Virgin Spinedace, the Speckled Dace and Desert Sucker, which have better populations at Lytle Ranch than other streams in the county.¹⁶

5. Travel and Transportation Management Plan (Travel Plan)

A. Placement and Design of Staging Areas

Use of the Built Image Guide for the National Forest is recommended for all visitor facilities (until such time as the BLM Built Image Guide is adopted into BLM policy). Of particular concern is that BLM trailheads for OHV's be located near the Urban interface and utilize the specific design guidelines for large vehicles and trailers. Backcountry and Primitive Zone staging areas for OHVs should be accompanied by supplemental facilities such as designated primitive camping and open areas for youth and play. OHV Staging areas may need additional administrative controls such as fencing, user etiquette signage, and use limits. CDF recommends that all staging areas for OHV's only be located in Zones 3 and 4 of our Travel and Transportation Plan (see map Exhibit "A"), and further that staging in Zone 4 be limited and highly regulated or monitored.

B. Additional comments:

The Travel Plan should include:

1. BLM must assess the baseline of existing routes based on 1999 or prior aerial photography and current BLM inventories.
2. Only those additional routes created through the NEPA process after 1999 should be considered in the official inventory of trails.
3. Any other route not part of the official route inventory should be considered through this process as a new route added to the System.
4. Travel routes on BLM land should be marked OPEN. If the road is not marked Open it would be closed. The advantage of this approach is people would more likely stay on the road and establishes an open road system and the public is less likely to take down the closed signs.
5. In Off-Highway Vehicle (OHV) route selection BLM should use science to designate travel routes to improve the health of the landscape; the Travel Plan must prioritize protection of the ecological values of the county rather than simply labeling the majority of the county as limited to designated roads. Wildlife habitat, soil and watersheds as well as historic buildings and cultural resources need to be protected.
6. In sensitive wildlife areas *outside* of the NCAs, where OHV use is not appropriate CDF recommends only roads that meet BLM's road definition be allowed and no primitive roads or trails for motorized use because they lead to more off-road impacts.
7. The Lands Bill had provisions that all the trails have to be monitored annually. Additionally, BLM has to assess the effects of trails on wildlife and wildlife habitat, natural resources, and cultural resources. BLM should carefully design the High Desert Off-Highway Vehicle Trail to avoid important natural areas and to prevent illegal off-trail impacts. The Lands Bill also requires that only OHV trails already designated as OHV trails at the signing of the bill are to be used for the High Desert Off-Highway Vehicle Trail.

¹⁶ Utah Division of Wildlife Resources, Population Monitoring Summary, 1994-2009, p.17

8. What are the current and future direct human impacts of outdoor recreation, parking lots, staging areas, camping and how will they be managed to protect natural resources?
9. How will BLM manage roads and trails to prevent the spread of non-native plants? BLM in its inventory of roads and trails could also inventory where non-natives are colonizing and bring awareness and management to this important issue that threatens the health of BLM land. Add Arizona Strip's MA-VM-16 on a vehicle washing protocol.
10. In this NEPA process BLM must reanalysis the Multi-year Special Recreation Use Permit SRP: #AZ 100 UT 100-2004-006R to the Tri-State ATV Club for their annual ATV Jamboree and its cumulative impacts of large groups of ATVs on the environment from the popular event now and in future years as well as the annual Rhino Rally motorcycle event. BLM has to re-evaluate the ATV impact to the Fort Pierce ACEC and Little Creek Mountain ACEC.
11. In this process BLM should reevaluate approved ATV trails given a categorical exclusion in the past.
12. Specifically the legislation has tasked the BLM to complete a Travel Management Plan. The touring cyclist is being left out of the transportation planning and should be included. Roads intersect BLM land throughout Washington County and it must be the BLM that engages state and local governments to create a passage through the County for touring cyclists. The Federal Department of Transportation completed a Draft Strategic Plan this year which includes the directive for other Federal Agencies to "Focus on Bicyclists" in its improved Safety for all Road users. BLM should work cooperatively with UDOT and other state agencies to identify scenic backways/byways, highways and dirt roads for nomination as a part of the US Bike Route System. These designations foster safety and signage improvements for touring cyclist. The American League of Bicyclists (www.bikeleague.org), Adventure Cyclists (www.adventurecycling.org), and Utah Trails and Pathways Program all have great resources and grants to help with this. BLM could be a "planning partner" in these efforts. Potential routes should be identified during this planning process.
13. BLM must consider trails and areas for quiet recreational experiences;"Statewide user surveys by Utah Department of Natural Resources also reveal that despite the increase in recreation users, widespread desire exists for more quiet and seclusion in outdoor settings"¹⁷. Natural quiet and beauty of the public lands are without question what most people seek when visiting public lands. BLM should balance motorized and non-motorized areas and trails.
14. There is a great need to provide sufficient opportunities and areas for quiet, non-motorized recreation experiences to protect wildlife, wildlife corridors and water quality.
15. In route selection, according to BLM's OHV regulations all roads and trails must be located to minimize:
 - i. Damage to soil, watershed, vegetation and air
 - ii. Harassment of wildlife or significant disruption of their habitat
 - iii. Conflicts between off-road vehicle use and other existing or proposed recreation uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors

C. Cumulative impacts

The RMP Amendment must analyze the management alternatives in terms of cumulative impacts to the NCA objects and from the roads and trails. NEPA dictates that the BLM take a "hard look" at the environmental consequences of a proposed action, and the requisite environmental analysis "must be appropriate to the action in question". In order to take the "hard look" required by NEPA, BLM is required to assess impacts and effects that include: "ecological (such as the effects on natural resources

¹⁷ BLM RMP, 1999, (Utah SCORP 1992) p.2.37

and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative.”

BLM should consider the following cumulative actions over the life of the plan:

1. What will be the cumulative impact of designating the High Desert OHV Trail and its impact over time on the fragile desert landscape?(including the popular Tri-State ATV Jamboree, Rhino Rally motorcycle events and races)
2. What will be the impacts of the Southern Corridor Highway and Lake Powell Pipeline right-of-way opening up more areas for ATV use have in sensitive areas? And its impact they may have on special status species plant and wildlife habitat.
3. What will be the impact from Quail Lake State Park promotions that will also increase ATV use, which had 95,239 visitors in 2008?
4. Since Washington County already has a fugitive dust problem and high ozone levels in the summer. BLM must consider the impact of increased OHV use on dirt roads on air quality causing higher levels of suspended dust over the life of the plan as well as increased gas emissions. “Recent studies indicate that road dust may contribute substantially to visibility impairment throughout the Colorado Plateau.”¹⁸ In the summer, the county also has high ozone levels in the St George valley from vehicle emissions.
5. Impacts of dust from OHV use on water quality and reducing snow pack?
6. What are the current and future impacts of OHV use in ACECs and riparian areas?
7. What will be the impact of OHV trails on critically eroding soils?
8. How will OHV travel routes spread noxious weeds? OHV travel can dramatically increase the transport of invasive weed seeds. The Montana State University, Center for Invasive Plant Management, Dr. Lisa Rew conducted a study and they saw that OHVs were capable of picking up as many as 200,000 seeds over 48 miles of travel.
9. Impacts of vandalism of historic structures from OHV trails
10. Impacts of scarring the landscape from unmanaged OHV use
11. Impact on wildlife from OHV noise. A study in March 2010 issue of the journal *Trend in Ecology and Evolution*, found anthropogenic noise affects wildlife by interfering with animals’ abilities to mate, avoid predators, locate prey, forage and perform other essential behaviors. And that noise has increased substantially in recent decades, both in reach and intensity.

D. Off-Highway Vehicles Designation Map

Travel Planning must include areas for quiet recreation that prioritizes the protection of natural resources, such as soil, water and wildlife as well as avoiding conflicts with other recreationists and be noted on the OHV designation map. To fulfill the mandate in the Lands Bill to monitor trails CDF recommends that the RMP 1999 category “Open for Use on Existing Roads and Trails” is eliminated because that category of trails cannot be monitored. (See CDF’s Travel Management Zones Map Exhibit “A”)

E. Sand Mountain SRMA

In looking more closely at the Sand Mountain Special Recreational Management Area (SRMA) leaving areas as Open is not appropriate. Sand Mountain’s 40,000 acres are designated as Open and should be changed to protect the Gila Monster and chuckwalla habitat area in Warner Valley. The Open area should be revisited by BLM and the size of the Sand Mountain SMRA should be reduced. Scenic resources should all be protected such as the west and south steep red cliff sides in Warner Valley from motorcycles racing up the sides.

¹⁸ BLM RMP, 1999, p.2.12

BLM needs to coordinate with Utah State Parks on management. They have two recommendations that conflict with BLM having the whole area as Open, they include:

- Division of Utah State Parks and Recreation draft RMP December 2009, on page 3, states there should be non-motorized trail opportunities at Sand Hollow Recreation Area which include SRMA.
- DNR web site: OHV TRANSPORT: Riding from the Westside campground to the dunes is PROHIBITED; machines must be transported by trailer to the OHV staging area. You may, however, ride directly from the Sand Pit Campground to the dunes.

F. Water Resources

Close OHV use to Curly Hollow and Frog Hollow critical watersheds and specific areas of critically eroding soils.¹⁹ Include maps of the critical watershed areas in the Plan Amendment. The 1999 RMP did not include these maps.

6. Areas of Critical Environmental Concern (ACEC)

CDF was pleased to read in the legislation that the public could recommend biological priority areas for protection. However, there are existing ACECs that need management attention. CDF understands the BLM has been under staffed for years and hopes the new staff can complete the plans. CDF recommends:²⁰

1. BLM make a comprehensive review of existing ACECs
2. Develop site-specific management plans for monitoring, enforcement and reporting
3. Make ACEC funding a priority
4. Prohibit incompatible uses, recognizing that recovering damaged resources is much more difficult in the desert than preserving healthy ones
5. Identify priority inholdings for public acquisition; BLM must ask for and congress must appropriate funds to purchase these lands
6. Designate ACECs to protect larger areas; larger watersheds; and to protect ecosystem integrity, regional connectivity and wildlife corridors

A. Concerns with Existing ACECs

Santa Clara River Reserve (SCRR)

Currently there is only a small section inside the SCRR designated for protection in the management plan. This ACEC should be expanded to include Cove Wash and Box Canyon Wash, and include the identified milkvetch habitat. The expansion should extend to match up with the Red Bluff ACEC along its northern border to protect this biological and archeological hot spot at the urban interface, as well as the critical water shed area.

Fort Pearce Wash and Warner Ridge ACEC

This ACEC should be expanded to include more habitat for the Gila monster in Warner Valley. Currently the ATV groups can be confused by including these areas in Sand Mountain SRMA which is open to overland ATV use. These areas are being impacted by ATV trails. ATV groups and teenagers need to be educated about the fragile nature of these areas. It New maps should describe these fragile areas to the ATV groups. The historic buildings in Fort Pearce Wash were not mentioned in the 1999

¹⁹ BLM RMP 1999, p.3.17

²⁰ BLM's Conservation Mandate, ACECs in Utah, Arizona, New Mexico, Forest Guardians, 2004

RMP. In Fort Pearce Wash area Utah BLM could coordinate with Arizona Strip BLM to better manage this area to protect it. BLM must be onsite to monitor the annual Rhino Rally motorcycle event.

Little Creek Mountain ACEC

In 1999 an Area of Critical Environmental Concern (ACEC) was established with the adoption of BLM's Resource Management Plan (RMP) for the protection of the mountains rare and abundant archeological resources. Even with this prescription contrary designations were placed on top of these lands that have hampered the primary goal of protection and interpretation of archeological resources. These include, but are not limited to, an Open to Existing Roads Travel Designation, and an Open to Wood Harvesting designation. Further, with the designation of the ACEC BLM was obliged to develop an archeological protection plan. Authority includes:

Federal agencies have a responsibility to protect and preserve cultural properties. Because of the incompleteness of the cultural inventory, the urgency to mitigate against current and future direct and indirect vandalism to sites, and because of the potential future knowledge that archaeological sites might be able to provide, a cultural resource protection plan is being prepared to direct and guide planning and management decisions on the Little Creek Mountain ACEC that will support this resource protection called for in the RMP (AC -07 2.66, and CL 2.52).

CDF understands a draft resource protection plan was developed in 2007 that set future use allocations, protection levels for various regions of the mountain based on current known densities, established a basis of existing roads as of 1999, developed a monitoring prodigal, and developed an approach for managing recreation and human use. We recommend that this protection plan be adopted and used as a basis to established protection zones and human use zones and develop the appropriate levels of motorized and non-motorized (both present and future) for the Little Creek Mountain ACEC.

Further CDF specifically recommends:

1. Travel routes be limited to access only key trail heads and that the mesa primarily be managed for research, education, and a variety of biking, mountain biking, and equestrian, and other non-motorized activities.
2. That wood cutting no longer be permitted on the mountain
3. That no motorized Special Recreation Permits or Commercial permits be issued for lands on the Mesa
4. That designated road be restricted to passenger vehicles and that recreational OHV be restricted on the roads and trails of the mountain.

B. Nominations for New ACECs

- **Virgin River ACEC (see Addendum "A")**
- **Zion Scenic Corridor ACEC (See Addendum "B" and ACEC Zion Scenic Corridor Map Exhibit "B1")**
- **Gunlock-Square Top (see Addendum "C" and ACEC Gunlock Square-top Map Exhibit "C1")**
- **Mood Way (see Addendum "D" and ACEC Moody Wash Map Exhibit "D1")**
- **Upper Santa Clara River (see Addendum "E" and ACEC Upper Santa Clara Map Exhibit "E1")**

7. Special Recreation Management Areas as Part of the Amendment

With the passage of the Lands Bill many of the BLM's SRMA's are now designated Wilderness. However with both the explosion in population and tourism over the last 10 years, there is a true need to manage many of our lands and non-motorized trail systems along the urban interface of the communities. CDF feels that the most logical time to address these designations is during this travel management process. By going through the process and analysis for SRMA designation, travel and trail route designations and decisions will become more justifiable and defensible in light of the protection of certain recreational experience values and goals.

SRMA areas provide for long-term recreational opportunities for a specific outdoor experience such as climbing, horseback riding, mountain biking and hiking. SRMA's provide well-defined logical management boundaries that establish priorities for management that includes a combination of natural features and specific recreational activities that are unique and desirable for recreationists and the public. BLM should consider new Special Recreation Management Areas be created for quiet, traditional uses such as horseback riding, hiking, biking, wildlife viewing, and backpacking. (See SRMA Overview Map Exhibit "S1")

CDF is nominating six areas for SRMA status:

1. Greater Gooseberry SRMA (see SRMA Greater Gooseberry Map Exhibit "1")

This world class mountain bike area is an ideal candidate for SRMA designation. With a trail system designated as a National Recreation trail and thousands of mountain bike users visiting it from all 50 states, Canada, and abroad, this area is special to a lot of people. SRMA status would help maintain the emphasis on mountain biking, and allow for needed enhancements such as designated camping and a large parking facility. Additionally, the Greater Gooseberry area could be divided into 2 separate zones, with the main mesa for technical mountain biking and the areas between Gooseberry and Grafton mesa for multi use backcountry trails and camping

The proposed SRMA would be 8,721 acres and lies between the town of Apple Valley and the town of Rockville**

Resource values:

- World Class Mountain Biking
- Back country recreation experience
- Scenic tourism
- Outstanding views of Zion National Park and the Hurricane Bench

Management Prescriptions:

- Continue to manage the Upper Mesa for technical mountain biking
- Provide additional experiences for non-motorized back country trail use on the eastern Mesas
- Enhance the Smithsonian Butte backcountry route experience
- Reduce recreational OHV travel and manage for a quiet recreation experience
- Restrict travel to only the existing historic road.

2. Hurricane Rim SRMA (see SRMA Hurricane Rim Map Exhibit "2")

The Hurricane Rim has a long history of trail use by the people of Hurricane and Virgin. With the dedication of the Historic Canal trail in the early 2000's this zone has established itself as a place for non-motorized recreation opportunities close to town. Although only 21 miles of designated trail exist, many other trails from the town of Hurricane have been identified as potential recreation routes. There are trails up Frog Hollow, lower Goulds, Molly's Nipple. Each one of these routes has a special history in the origins and settlement of the Hurricane Valley. Today this area provides close recreation for these small towns as well as a destination for visitors, bring much needed revenue to these communities. Designation of this area as an SRMA could provide an avenue to enhance these trail experience for mountain bikers, hikers, and equestrians.

The area to be considered would be 15, 498 acres and would follow the Hurricane Rim from the Virgin River to the Divide area below Little Creek Mesa.

Resource values:

- World Class Mountain Biking
- Epic Hiking outside of Zion NP
- Back country recreation experience
- Heritage tourism and interpretation of Pioneer history
- Outstanding views of Sand Hollow and the Hurricane Valley
- Established race venue for recognized endurance events

Management Prescriptions:

- Manage for Non-Motorized recreation
- Minimize travel by ATV's to designated roads
- Manage as a front country recreation experience
- Manage for Endurance events that enhance the community connection
- Protect from disposal of lands for private development
- Protect from viewshed intrusions
- Continue to work cooperatively for private easements or acquisition of private property along the river or existing trail segments

3. Little Creek SRMA (see SRMA Little Creek Map Exhibit "3")

Recreation on Little Creek Mountain has been virtually unmanaged since the adoption of the RMP in 1999. ATV uses, wood cutting, large group camping, and mountain biking, as well as several illegal endeavors are all popular activities occurring on the mesa. Placing a SRMA over all or portions of Little Creek Mountain will help separate management goals for recreation from the preservation goals of the ACEC.

Little Creek SRMA is proposed to be 19, 786 acres in size and is located south of the town of Apple Valley.

Resource Values:

- Heritage resources and heritage tourism
- Outstanding slickrock mountain biking
- Outstanding views of the Hurricane Valley
- Opportunities for a remote back country experience
- Rare high plateau vegetation not found in most areas of the county

Management Prescriptions:

- Adopt a 5 Zone plan to manage sub –areas for different values and experience
- Provide pristine zones for only research access
- Provide separate trails for Mountain biking and equestrian use
- Develop an interpretive program for the heritage resource
- Reduce the number of motorized travel routes
- Restrict uses in back country to limited designated routes
- Pursue active rehabilitation of ATV damage
- Restrict equestrian use due to fragile unstable soils

4. Lower Virgin-Atkinville SRMA and Expanded ACEC (see SRMA Lower Virgin-Atkinville Map Exhibit “4”) Expand Virgin River Lower ACEC to protect endangered Holgren milkvetch and core wildlife habitat wildlife corridors.

The Lower Virgin River ACEC was designated in 1999 to “improve and maintain riparian resources, habitat for the endangered woundfin minnow and Virgin River chub, and habitat for migratory and nongame birds, and also to protect cultural resources including numerous Virgin Anasazi sites, Southern Paiute sites, and rock art panels. These resources are at risk from increasing vandalism, off-road travel, recreation, pressure for land transfers and urban development, and other forms of human encroachment.” The ACEC needs to be expanded to protect the area from increased OHV use. The boundary to the north needs to incorporate the river and the boundary to the south needs to be expanded to the Arizona State Line to protect the milkvetch habitat and a wildlife corridor.

Since the original ACEC was established, the area surrounding the lower Virgin River ACEC has continued to be developed. Sun River, an active seniors community is located directly east of the ACEC. There is also a need to manage this area as a SRMA because it is located near Sun River. The SRMA should limit motorized use and promote non-motorized trails to protect plants and wildlife. In 2009 the Sun River Hiking Club, Sun River HOA and Sun River Developers, along with residents from throughout Washington County collaborated with the BLM to create the Ranger Bart Trail in honor of one of southern Utah’s most prominent and respected hiking experts. The creation of this trail demonstrates the importance of this area to a wide-range of people who value the primitive recreational opportunities of hiking, bird watching, wildlife viewing, botanical sightseeing, Native American culture sites, serenity and quite.

Resource values:

- Wildlife viewing, quite, solitude, scenic views
- Pristine Hiking
- Critical habitat for the woundfin and Virgin River chub and southwestern willow flycatcher and for the state’s sensitive fish species including the Virgin spinedace, flannelmouth sucker, desert sucker and speckled dace.
- Migratory and nongame migratory habitat
- Cultural resources including Virgin Anasazi sites, Southern Paiute sites and rock art panels
- Primitive Back country recreation experience close to urban interface
- Diverse botanical area including Holmgren milkvetch
- Wildlife corridor

Management Prescriptions:

- Manage under Community Recreational Use to provide structured recreation opportunities and to meet community demand for open-space recreation opportunities.
- Manage for a quiet recreation experience
- Limit ATV trails
- Prohibit firearms throughout the SRMA
- No grazing
- Closed to fuel wood and mineral sales
- Apply a VRM Class I scenic designation
- Closed to the disposal of mineral materials
- Avoided for ROW grants
- Excluded from land treatment
- Retain land in public ownership for permanent protection
- Maintain a maximum road density threshold of 1 mile per square mile, which will serve to protect the important values of the area and ensure the recreation focus is on non-motorized recreation

5. Red Bluff SRMA (see Red Bluff Map Exhibit "5")

The Red Bluff area is most likely the most ridden area in Washington County. It has a variety of roads and single track trails that are interconnected and it is adjacent to the largest community in the county. However management of the front zone (competitive area) and back zone (poppy trail) are disconnected. In addition, private property and future growth threatens both the recreation as well as the plant resources. Combined with a popular bouldering area, BMX riding by neighborhood kids, dog walking, hiking, and ATV and motorcycle use by Green Valley residence this area is literally being loved to death.

The Red Bluff SRMA would include portions of the Red Bluff ACEC as well as the Red Bluff Competitive Area and Box Canyon. It is located on the fringe of St George City and connects with the Santa Clara River Reserve and would include 6,690 of BLM lands.

Resource Values:

- Outstanding Urban Interface recreation for mountain biking and hiking or walking
- Scenic bed rock formation that rings the community of St George
- Views of Red Cliffs NCA from the top of red bluff
- Endangered Bear Claw Poppy habitat and cryptobiotic soils.

Management Prescriptions:

- Manage as two separate zones (front county, back country)
- Manage front country for mountain biking , hiking, and rock climbing
- Manage back country for mountain biking and walking
- Restrict any motorized travel to emergency and administrative access only
- Restrict use in back country to limited designated routes
- Pursue active rehabilitation of scaring in back country
- Restrict equestrian use due to fragile unstable soils
- Pursue easements across private lands for a contiguous system
- Pursue partnerships with community groups, including Dixie Mountain Bike Trail Association to assist in the rehabilitation efforts

- Pursue an active user education program that targets local neighborhood users, and visitors from out of the area as well as mountain bikers and hikers
- Pursue a partnership with the City of St George and SITLA to develop a youth bike play area outside of the poppy habitat to serve that user niche market

6. Santa Clara Reserve SRMA (see SRMA Santa Clara Reserve Map Exhibit “6”)

CDF, along with other local user groups is recommending that the Santa Clara River Reserve (SCRR) be granted SRMA status. A management plan of the Santa Clara River Reserve Recreation and Open Space Plan & EA was completed in 1995 using an integrated public process, and many of its prescriptions have been implemented. Creating an SRMA will only further serve to protect these lands and recreational and biological resource for which the citizens of Washington county hold in value. CDF recommends that the plan be adopt as planned and that all the trails specified to be develop continue to be implemented with the following exceptions:

- The boundary of the SCRR is expanded to include all BLM lands east of the reserve to the municipal boundaries.
- That the trails within Cove Wash be designated for only non-motorized uses
- That the Stucki Springs Road be designated as the only motorized travel route within the reserve.
- hat fire arms be prohibited throughout the entire reserve.
- That the lands adjacent to the current Reserve that were identified for disposal be retained by BLM for their recreation value and contribution to the St George area view shed.

These additional enhancements to the plan will help in protecting quite recreation, increase resource protection, and provide additional opportunities for public education of the SCRR resource values.

8. Other Resource Issues of Concern

A. Water Quality

The Virgin River water is now diverted for drinking water at the Quail Lake Diversion and the water quality is being diminished. It is important that BLM take steps to protect the water quality of the Virgin and Santa Clara Rivers in the RMP amendment. The State of Utah just declared the East and North Fork of the Virgin River as class one drinking water. The state should also classify Class one drinking water all the way to the Quail Lake Diversion which diverts water to the reservoirs. In 1986, The Washington County Water Conservancy District started diverting the Virgin River into its reservoirs and treating it for drinking water. In 1995, algae was found to be a problem in the Quail Lake Reservoir and is also growing in streams. Algae is a indication that water quality is being diminished. The state recently identified problems at Chamberlain Ranch on the North Fork of the Virgin River with high levels of human or animal waste in the water. There are problems now with outdoor recreation and grazing degrading the water quality. BLM needs to adopt new guidelines for recreation, camping and grazing standards to protect the water quality as well as protect and restore the uplands.

The EPA has identified a section of the Virgin River within the NCA as already being impaired with high Total Dissolved Solids, Chlorides and Sulfates. The Santa Clara River is also noted as impaired by EPA.”Given the nature of development now occurring within the county, it is expected that nonpoint source pollution would continue to increase due to pesticides, herbicides, chemicals associated with

urbanized run-off nutrient and sediment loading with agricultural practices and grazing, and other surface disturbing activities.”²¹

CDF is also concerned about the possible presence of chlorine in the Virgin River (often used to disinfect treated sewage effluent), and increased biochemical oxygen demand (BOD) caused by biodegradable compounds present in sewage effluent being released in the river and is not monitored. Most species of fish cannot tolerate chlorine and certain chlorine compounds formed in the disinfection process. Increased BOD results in a reduction in the available dissolved oxygen in the water. This is extremely detrimental to aquatic life. The low flow rates usually found in the Virgin River may be unable to dilute sewage effluent sufficiently to comply with water quality standards downstream of the discharge.

BLM should proactively manage both the quality and quantity of water resources. FLPMA establishes a general requirement that land use planning and the resulting plan provide for compliance with “pollution control laws.” 43 U.S.C. § 1712(c)(8). Compliance with the Clean Water Act (CWA) is an important element of this requirement.

The CWA establishes many requirements that BLM must adhere to in the RMP Amendment. It is imperative that BLM insure that waters on its lands comply with State water quality standards. It is critical to recognize that State water quality standards “serve the purposes” of the CWA, which, among other things, is to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters. . .” 33 U.S.C. §§ 1313(c)(2)(A), §1251(a). Thus, a purpose of water quality standards is to protect aquatic ecosystems, and BLM must ensure this comprehensive objective is met by ensuring water quality standards are complied with. Water quality standards are typically composed of numeric standards, narrative standards, designated uses, and an anti-degradation policy. All too often, however, only numeric standards are viewed as “water quality standards.” That narrow view is incorrect. The Supreme Court held in PUD No. 1 of Jefferson County v. Washington Dep’t of Ecology, 511 U.S. 700 (1994), that all components of water quality standards are enforceable limits. Consequently, the RMP Amendment must ensure all components of State water quality standards are met, not just numeric standards.

Adopting this legally sanctioned view of water quality standards is important. For example, a typical designated use for a stream might state that the stream is “protected for cold water species of game fish and other cold water aquatic life, including necessary organisms in their food chain.” Designated uses of this sort encompass a far more holistic, ecosystem-based view than focusing on, say, the concentration of chloride in the stream (a numeric standard). Consequently, the RMP Amendment should provide that designated uses be fully achieved, and if they are not, require prompt management changes even if numeric standards are otherwise being met. Similarly, narrative standards can often embody a better ecological synthesis than numeric standards, and thus BLM should ensure that they too are achieved. For example, a State’s narrative standard might make it illegal to contaminate a stream with “floating materials or scum that create objectionable odors or cause undesirable aquatic plant growth.” If the State water quality standards applicable to the RMP Amendment area have made narrative provisions a component of water quality standards, the RMP Amendment should ensure these narrative standards are fully met, and modify management where they are not. In meeting the narrative provisions and designated uses of applicable water quality standards, the RMP Amendment should clearly establish current conditions in the affected environment, goals, objectives and monitoring protocols for the Virgin River watershed within the lands governed by the RMP Amendment.

²¹ BLM 1999 RMP p. 3.63

The State's anti-degradation policy is also a critical component of water quality standards. See 40 C.F.R. § 131.12 and applicable State regulations. Of particular significance are Outstanding National Resource waters, where water quality must be maintained and protected. 40 C.F.R. §131.12(a)(3). Outstanding National Resource waters are waters that "constitute an outstanding National resource, such as waters of National and State parks and wildlife refuges and waters of exceptional recreational or ecological significance . . ." *Id.* (emphasis added). While States designate Outstanding National Resource waters, the Clean Water Action Plan makes it appropriate for BLM to identify waters that should be fully protected by this designation during its planning process, and to make recommendations to the State and EPA accordingly.

In addition to the anti-degradation policy's protections for waters that are meeting water quality standards, where State water quality standards have not been achieved despite implementation of point source pollution controls, section 303(d) of the CWA requires a State to develop a list of those still-impaired waters, with a priority ranking, and to set total maximum daily loads (TMDLs) of pollutants for the stream "at a level necessary to implement the applicable water quality standards. . . ." 33 U.S.C. §1313(d)(1)(C). Consequently, to the extent waters within the BLM's jurisdiction have been identified as water quality impaired segments, or contribute stream flow to such segments, the RMP Plan Amendment should include affirmative steps toward reducing that impaired status, regardless of whether the State has made a specific allocation of pollutant load to BLM lands at the time the RMP Amendment are prepared. If any specific load allocation has been made by the State for activities on BLM lands, BLM should obviously ensure that all activities are in compliance.

B. Climate Change

The Plan Amendment must anticipate the impact of climate change over the life of the plan on natural resources. We are seeing the impact of climate change in our county with more fires and flooding. These weather extremes have cost the county and private property land owners millions of dollars of damage. Fires on the Kolob burned the vegetation and after a heavy rain, North Creek flooded and mud damaged many homes that were built on the floodplain. Scientists predict it is going to be dryer and there will be more flooding events from a warming climate. As the county gets dryer BLM needs to step up its preservation efforts of water resources, and restore riparian areas and uplands to help reduce the impact of flooding events.

C. Wildlife Corridors

It is well known that habitat fragmentation leads to species extinction. Scientists have been recommending landscape connectivity to reduce the effect of habitat isolation as a means of ensuring species migratory mobility and genetic diversity. In this BLM process, BLM must consider the impacts of increased OHV use in the back country on wildlife corridors and winter range or lambing areas. BLM should reduce motorized road and trail density in important wildlife areas and roads and trails should be a mile apart. With the impacts of warming BLM should preserve as much habitat and connectivity as possible to build ecological resiliency.

In the travel plan BLM should designate motor-free Quiet Use Zones in areas that emphasize wildlife needs and relatively low-impact non-motorized recreational activities. In addition, BLM adopted the Standards for Public Land Health and Guidelines for Recreation Management for BLM Lands In Utah. Which include Rangeland Health Standard 3:

1. "Protect wildlife and /or habitat by:
 - i. Maintaining interconnecting wildlife corridors and, to the extent practical, avoid fragmentation of areas used by wildlife.

- ii. Controlling recreational activities that would interfere with critical wildlife stages such as nesting, reproduction, or seasonal concentration areas.
- iii. And in the 1999 RMP BLM states preservation of migration routes are important²²

D. Historic Resources

In your inventory of trails BLM should also document historic buildings, barns and corals that are the fabric of early pioneer settlement. There is no mention of BLM's historic buildings or human made structures in the RMP. These resources are at great risk because of OHV use. The building at Fort Pearce Wash needs to be protected and maintained.

In Section 110 of the NHPA, page 30 requires the BLM to assume responsibility for the preservation of historic properties it owns or controls (16 U.S.C. § 470h-2(a)(1) and to manage and maintain those resources in a way that gives "special consideration" to preserving their historic, archaeological, and cultural values. Section 110 also requires the BLM to ensure that all historic properties are identified, evaluated, and nominated to the National Register of Historic Places. *Id.* § 470h-2(a)(2)(A).

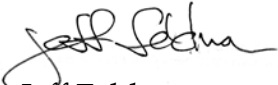
Further, the President's "Preserve America" initiative (*See* Exec. Order 13287, March 3, 2003) requires the BLM to advance the protection, enhancement, and contemporary use of its historic properties. The BLM must ensure that "the management of historic properties in its ownership is conducted in a manner that promotes the long-term preservation and use of those properties as Federal assets."

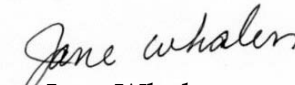
Therefore, BLM must carefully consider the effects of all RMP Amendment decisions on the wealth of, historic manmade structures, archaeological and cultural values located in the planning area. Since it will be difficult to evaluate the effect of decisions when the location of cultural resources is unknown, the BLM should undertake an archaeological inventory wherever necessary. In particular, in regards to travel planning, the BLM should consider where motorized and non-motorized routes are directing people, inventory cultural resources along those routes, and carefully consider the potential impacts to those resources.

9. Summary

In summary, in the development of this comment letter CDF consulted and cooperated with many other resource and recreational organizations in the county. CDF found through our workshops and meetings that there is a real need to establish areas that balance and preserve a non-motorized experience next to urban development and protect the natural areas of BLM land. We are pleased that the final Lands Bill was so successful and are excited to work together with BLM on the implementation of the bill's provisions and see that our special places and outdoor experiences are protected. Thank you for the opportunity to comment on these important subjects of the Plan amendment and environmental assessment.

Sincerely,


Jeff Feldman
President of the Board


Jane Whalen
Treasurer

²² BLM RMP 1999 p 3.23