

From: Lower Sonoran RMP
Subject: Comments on the "Lower Sonoran and Sonoran Desert National Monument: Draft Resource Management Plan and Environmental Impact Statement,"
Attachments: Lower Sonoran and SDNM Draft RMP & EIS Comments.docx

From:
 Sent: Friday, November 25, 2011 9:51:05 PM
 To: BLM_AZ_LSFO_SDNM_RMP
 Subject: Comments on the "Lower Sonoran and Sonoran Desert National Monument: Draft Resource Management Plan and Environmental Impact Statement,"
 Auto forwarded by a Rule

Comments on the "Lower Sonoran and Sonoran Desert National Monument: Draft Resource Management Plan and Environmental Impact Statement," USDO I BLM-August 2011 LS-SDNM Resource Management Plan Phoenix District BLM
 21605 North 7th Ave
 Phoenix AZ 85027

To Whom This May Concern:

I hereby request/demand that my "personally identifying information" not be made publicly available. Since the Bureau of Land Management (BLM) states in their cover letter for this document that BLM cannot guarantee that this information will not be released publicly, I am providing you with only my name and email address. Feel free to use my comments and my name. For any other correspondence regarding Sonoran Desert National Monument (SDNM) and/or this plan, you have my address on file and again you do not have my permission or consent to release that address publicly.

Please also note that the following comments are submitted to BLM solely as a private individual, not as someone associated with any particular company or organization. I speak only for myself, and for SDNM.

As the person who first proposed the establishment of the SDNM and organized the civilian resource team that led to its establishment and therefore as someone with a deep and vested interest in the place, let me say that I am stunned, disturbed, and greatly saddened by the complete failure of BLM to fulfill and take seriously its management responsibilities for the Sonoran Desert National Monument. It has been more than ten years since the establishment of SDNM, and the resource has been seriously degraded under BLM's management (or more accurately lack thereof) during the past decade. What is definitely known at this point is that ten years after its establishment, SDNM is much, much worse off than it was when it was created. This is a massive black eye for the agency and BLM should be ashamed of itself.

The National Landscape Conservation System (NLCS) was established over a decade ago to recognize that within its vast holdings the BLM has management responsibility for a number of unique and significant landscape resources that until recently had simply been part of a larger pool of "throwaway" Federal lands. By recognizing what are truly the "crown jewels" of BLM's holdings, it was hoped that BLM would step into the 21st century with a renewed sense of mission and protection for those deserving landscapes that were the new NLCS. With regard to SDNM, it appears that BLM still "doesn't get it."

So here we are ten years later and the BLM has finally made an attempt to put together a management plan (mandated by the President over ten years ago!) I am speechless at just how awful and inadequate this document is. As a consequence, it is extremely difficult bordering on impossible to even begin to comment on this document in any sort of organized systematic fashion.

Comments (General):

It is completely inappropriate and unacceptable to wrap management plans for the Lower Sonoran and for Sonoran Desert National Monument into a single document. The final result is a disorganized jumbled mess that is confusing and virtually incomprehensible for the general public—and this from someone who reads complex, boring documents for a living. This document obfuscates what exactly is being proposed where. It is at times difficult if not impossible to understand what parts of this refer to the Monument vs. the Lower Sonoran management area vs. the planning area. The SDNM component must be pulled out and presented clearly in a separate, stand-alone document so that there is no confusion, and no ambiguity regarding what is being proposed and how those proposals will be implemented. As a sometime land manager, I reviewed this document with an eye to how I would use it as a land manager, and it is in my opinion completely worthless as a planning and/or management tool, especially with regard to SDNM. BLM must go back to the drawing board on this, separate the two documents, and do it right this time.

Am curious: what is the management plan and what is the EIS? I see in this document an EIS. I do not see any kind of specific management plan. Does BLM believe that by doing an EIS a thoughtful straightforward management plan will somehow magically emerge? I don't think so. The Presidential Proclamation for SDNM describes SDNM as being a "magnificent example of untrammelled Sonoran Desert landscape." This landscape has been heavily impacted over the past decade by illegal road building (both by smugglers and MCDOT's unauthorized and illegal paving of SR 238), illegal traffic in drugs and humans, resource damage by law enforcement activities, wildcat shooting, wildcat dumping, and substantial damage from off-road vehicles such as ATVs and dirt bikes. Nowhere in this report does the BLM go into detail regarding what has gone on out there—there is no documentation of what has occurred, there is no baseline to measure change, there is no analysis, and there is no indication that anything will actually change going into the future. There is no narrative of how the Monument has been managed over the past ten years documenting BLM's successes and failures during this time. This report utterly fails to address in specific detail the very serious issues that have degraded SDNM, how BLM will get a handle on these, and how BLM will stop and prevent (not minimize) future damage.

There is no clear focus on what current conditions in the field are, or what the desired future conditions should be for either Lower Sonoran LS or SDNM and the plan for getting there.

It should be understood that no management actions may be taken in SDNM unless it can be clearly documented that such action(s) will serve to either protect or enhance protection for the objects the monument was established to protect. This is a significant point. BLM's traditional focus on multiple-use has no place here, particularly in any of the proposed alternatives. For ten years BLM has completely failed this mandate, and the agency puts itself at risk for legal action if it continues its failure to uphold the Presidential Proclamation. All actions taken by BLM in relation to SDNM MUST further the purposes of the Monument. Period.

There appears to be no list of individuals and organizations who were consulted with in the course of preparing this document.

BLM has allowed and continues to promote incompatible industrial development on or near the borders of SDNM without instead trying to create a protective buffer around the Monument. This is Planning 101, and BLM clearly fails. The current document nowhere indicates how this will change in the future.

There is nothing in the document regarding partnering with the Tohono O'odham Nation to create a wildlife corridor between Ironwood Forest and Sonoran Desert National Monuments for the movement of desert bighorn sheep, a biological meta-population.

There are various discussions regarding developing wildlife waters. There has been no research or analysis of this topic in the current document—it is extremely controversial and should not be allowed within the boundaries of SDNM as it would violate the Presidential Proclamation and the purpose of the Monument.

Cultural resources: the cultural analysis here is hopelessly defective and incomplete. There is no summary of existing work completed in either SDNM or the LS area. There isn't even a reference to the initial Class I overview done for the Monument in the bibliography. There is no evidence of any research done for this document re: archaeology. An AZSite check was

reportedly done in 2003 (eight years ago!!!) without acknowledging the very serious problems with AZSite data and AZSite being out-of-date. For both LS and SDNM, there is no summary of sites, no summary of surveys, no review of what has been done for cultural resources over the past ten years in either management area. There was no sample surveying done to help fill knowledge gaps; in fact, it is unclear whether anything at all has been done in the past ten years to understand cultural resources in SDNM. How can you pretend to come up with a management plan for something that you know nothing about?

Proactive cultural resource inventories (Section 110 NHPA) should also focus on areas along roads and trails, and other impacted areas such as smuggling routes and drop points and areas of law enforcement disturbance.

There is nothing about expanding law enforcement capacity in a significant and meaningful manner. Perhaps BLM could look at hiring returning veterans as rangers?

There is nothing here about consequences for violators—the seizure of weapons, vehicles, other assets, and/or fines that reflect the actual cost of damage to the resources.

There is no discussion of how the plan will be implemented—how personnel needs will be addressed or even what they are, how costs will be met or even what those are, nothing about funding expectations, nothing about consequences in the event no funding is forthcoming, etc. There is nothing about expanding resource staff.

Regarding travel management, no routes (roads, primitive roads, trails) may be designated and/or opened within the boundaries of the Monument until they as well as an adequate buffer of at least 200' on either side of each route have been completely surveyed (100%) for cultural resources, and the roads themselves must also be evaluated as to whether or not they are cultural resources. Such surveys must be consulted upon with SHPO and the tribes and the SHPO and tribes must concur with the adequacy of BLM's identification efforts for cultural resources. Additionally, no routes may be designated, opened, or used unless it can be shown beyond a doubt that such action will either protect or enhance protection for the resources the Monument was established to protect.

There is a need to study, evaluate, and address law enforcement, smuggling, and immigrant-related damage, and a plan created to get a handle on the causes of damage and strategies for stopping it and mitigating and rehabilitating damage that has already occurred.

There is a need for adequate road and regulatory signage (education) done hand in hand with adequate law enforcement and an annual evaluation of impacts so efforts may be adjusted accordingly. And law enforcement must enforce the law, which means writing citations and arresting evildoers as necessary instead of slapping people on the wrist.

There do not seem to be any specifics regarding long-term monitoring for the various components of this plan.

There should be no maintenance of roads—there is nothing in the Proclamation demanding that every square inch of the Monument be accessible by motorized transportation.

There is need for a long-term program to identify any remove unexploded and non-explosive ordnance and related debris and trash from all areas of the Monument, especially those areas released by the military.

There appears to be virtually no discussion of the National Landscape Conservation System (NLCS) and how this management plan fits into the long-term goals and strategies for the NLCS. How will these goals be addressed and met?

The Index to this document is worthless. The bibliography indicates virtually no cultural resource research and/or analysis was done. This is unacceptable.

Comments (Specific):

(Page) (Comment)

lix There is no indication or documentation that the BLM has actually sat down in person with individual tribal representatives and consulted with each tribe on a government-to-government basis in order to fulfill the BLM's consultation obligations to Native American tribes. One would think after the recent lawsuit regarding a massive solar project in California over this very issue that BLM would be a little more cognizant of this issue. Please note that a letter and a phone call are not considered to be adequate tribal consultation unless each individual tribe agrees to this and BLM has it documented.

15 BLM notes it is responsible for visitor safety and resource protection. For ten years there for all intents and purposes has been no resource protection. How can we believe there will be any protective measures moving forward with this plan? There are no details how this will be accomplished. Additionally, there appears to be little as well in the way of visitor safety—BLM personnel have reportedly been unable to work south of Interstate 8 without accompaniment of security personnel. What is a visitor to do? Should these areas be closed to public use? It is also completely inappropriate for BLM to simply throw up its hands and ignore the issues of smuggling and illegal immigration as it affects the SDNM. The SDNM is not anywhere near the border. Resource damage is occurring and BLM has a responsibility to enforce protections whosoever may be committing the damage. If, for example, an illegal immigrant commits a murder in the City of Phoenix, Phoenix Police do not simply throw up their hands and say sorry, we can't do anything because the person is or may be an illegal. In the same way BLM needs to get out there in SDNM and enforce the law. BLM also needs to reign in agencies like Customs and Border Protection and the Maricopa County and Pinal County Sherriff's Departments who themselves have created damage to the Monument. BLM needs to partner with and educate these agencies, prosecute when necessary, and monitor these efforts to ensure the resource is no longer being degraded.

20 "Reduce threats to cultural?" No, BLM must aim to eliminate threats to cultural. There is nothing in the Presidential Proclamation about "reducing" threats. BLM, you aim way too low.

22 "Manage" cultural resources? What does this mean, really?

23 Native American consultation is conducted according to policy? What about law? What about BLM's obligations as a Federal agency to tribes? Coordination with SHPO? SHPO's role is to consult and advise, period. This statement shows a basic lack of understanding by BLM of the cultural resource compliance process. There is nothing here about the Section 106 or 100 processes of the National Historic Preservation Act. "Managing commercial activities" in SDNM? These activities are incompatible with the Monument's purpose.

24 "Facilities?" What are these? This opens the door to anything.

36-40 Livestock grazing is not compatible with resource protection under any circumstance and must be eliminated from all alternatives. Wildlife water development is incompatible with the Monument. Most of the proposed actions under all alternatives would be incompatible with the purposes of the Monument with the exception of D, and even D has issues. Any and all actions on the Monument must be demonstrate to serve to protect its resource or enhance their protection.

39 Nothing in proclamation about "balancing human use with resource protection." There is no examination of past or existing conditions, no discussion of baseline studies.

123 Re: disposal of BLM land—what if these lands contain cultural resources? These cannot be disposed of without appropriate mitigation, completion god the Section 106 process, and tribal consultation.

There should be no overhead facilities allowed along Interstate 8 EVER. This is an important scenic resource corridor that MUST be preserved and should be designated as such in partnership with the Federal Highway Administration.

No utility expansion of any kind should be allowed within SDNM as this would significantly violate the purpose for which the Monument was established and is an incompatible use.

141 Regarding grazing impacts to cultural resources, BLM's analysis is inadequate. Grazing is an adverse effect. Without adequate 100% cultural inventory, without adequate characterization of sites, there is no baseline from which to evaluate change. Without the inventory, BLM cannot accurately talk about whether or not there will be impacts; therefore, no grazing can be allowed in the Monument. Additionally, there doesn't appear to be any archaeological survey information on the allotments listed anywhere in this document. Furthermore, on Agua Fria National Monument, the BLM archaeologist recently determined that simply landing a helicopter on the ground requires archaeological survey because it is considered by this particular archaeologist to be an adverse effect. If this is the case for an extremely low-impact event such as a one-time helicopter landing, then there is no doubt that grazing is an adverse effect and must not be allowed in the Monument.

213 What is "orderly" scientific research, vs. disorderly?

253 Re: "Analysis of Management Situation" and subsequent resource assessments—if these were key to creating Affected Environment, why were they not included as another addendum?

263 Cultural and heritage resources are a major component of what is supposed to be protected in SDNM, yet this section only rates a scant four pages? This section is incomplete and not acceptable in its present form. BLM made no effort to adequately identify, describe, and analyze cultural resource situation in SDNM. You have had ten years to do this... % of types of sites doesn't add up (also p. 264).

"Major challenge to inventory, evaluate sites..." Law doesn't recognize this. BLM should have been doing Section 110 of the NHPA out here for years.

264 Table data meaningless. What do "Percentage of all surveys" and "Density (sites/mile)" mean?

The projected number of resources is speculation and there is no data presented to base this on, not to mention there is no description of the methodology used to create the numbers. Estimates are admittedly based on incomplete and ambiguous data. BLM has had ten years to get a handle on this. There is also no summary of sites, site types, their national Register eligibility, no summary of surveys done, reports, citations, etc. This section is woefully incomplete.

"Evaluating the significance of archaeological and historic sites recorded on public lands is an ongoing aspect of BLM's cultural resource management program." This is, to put it kindly, a bunch of hoey. BLM has done no systematic inventory, no Section 110, and work is totally undertaking-driven with an overburdened staff. And no one ever reviews the work.

Approx. 70% of sites are NR eligible? Based on what? Has BLM consulted with SHPO and tribes about this?

"If cultural resources lack significant value they may be discharged from management. What? Have tribes and SHPO concurred on this? What does the Advisory Council on Historic Preservation think?

"A majority of recorded sites within the Planning Area are allocated for "scientific use." What? Who says? What are standards?

265 The Site Steward program is reactive, not proactive, and all it does is make people feel good and let an agency know after a site has been damaged. None of the methods BLM mentions here has done a thing to stop/prevent site damage. There is no comprehensive inventory of sites, so BLM doesn't even know what it has, much less is able to monitor for damage. The archaeological record on BLM lands is being devastated and there is nothing in this report to indicate anything will happen to change that on LS or on SDNM. BLM must do 100% inventory, and then must take strong proactive steps to protect archaeological sites and vigorously prosecute vandals.

The comments go on and on. This document is a disaster and should go back to square one. The cultural resource section alone negates any miniscule value this thing might have. This document is a road map to failure, it is not legally defensible, and I urge BLM to rethink it and do it again, only right this time. It's a sad commentary that after ten years this is the best the agency can come up with.

Thank you for this opportunity to comment.

Sincerely,

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