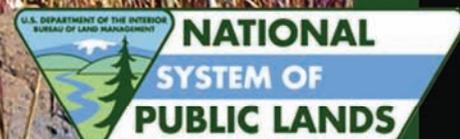


Scoping Report
for the
Resource Management Plans
for the
Beaver Dam Wash and Red Cliffs
National Conservation Areas
and
Amendment to the
St. George Field Office
Resource Management Plan
and associated
Environmental Impact Statement

ST. GEORGE FIELD OFFICE



October 2010

BLM Mission

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

NLCS Mission

Created in 2000 by the Secretary of the Interior, the National Landscape Conservation System (NLCS) brought into a single system of specially designated areas managed on a landscape level under the Bureau of Land Management's (BLM) multiple-use mandate. Passage of the Omnibus Public Lands Management Act of 2009 (P.L. 111-11) provided a statutory basis for the NLCS. The NLCS contains national monuments, national conservation areas, wilderness, wilderness study areas, wild and scenic rivers, national scenic and historic trails, and the conservation lands of the California Desert. Many of the treasured landscapes within the NLCS are popular tourism destinations managed for their outstanding scientific, cultural, ecological, historical, and recreational resources. The long-term vision guiding the NLCS is to conserve, protect, and restore the Conservation System's lands, natural, and cultural and historic resources, and water for future generations.

Scoping Report

for the

Resource Management Plans

for the

Beaver Dam Wash and Red Cliffs National Conservation Areas

and

Amendment to the

St. George Field Office Resource Management Plan

and Associated

Environmental Impact Statement

Prepared by

**United States Department of the Interior
Bureau of Land Management
St. George Field Office**

October 2010

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EXECUTIVE SUMMARY

This report documents the public scoping process for the development of Resource Management Plans (RMPs) for the Bureau of Land Management's (BLM) Beaver Dam Wash and Red Cliffs National Conservation Areas (NCAs); an Amendment to the St. George RMP; and an associated Environmental Impact Statement (EIS) for BLM-administered public lands in Washington County, Utah. It summarizes the comments provided by the public and identifies the issues to be carried forward in the alternative development process.

The purpose of public scoping is to identify issues important to the management of public lands and resources. These issues will guide the development of the RMPs and the St. George Field Office (SGFO) RMP Amendment. Scoping also provides the public the opportunity to learn about the management of public lands and assists the BLM with identifying the public's concerns regarding the resources within the planning area. This Scoping Report summarizes the scoping process, reports on the comments received, and identifies the issues raised during the scoping process. It is made available to the public in accordance with Code of Federal Regulations (CFR) 1610.2(d) in order to allow those who provided input during the scoping process an opportunity to verify that their issues were properly identified and recorded.

The SGFO initiated this planning process to comply with Congressional direction from the Omnibus Public Land Management Act of 2009 (Public Law 111-11), Subsection O (The Omnibus Act). This planning process will create two new RMPs for the Beaver Dam Wash and the Red Cliffs NCAs. Planning for the Beaver Dam Wash and Red Cliffs NCAs is subject to the priorities and directions provided in the Omnibus Act. The Omnibus Act directs the BLM to "conserve, protect, and enhance" the resources of the NCAs. Along with these plans, the SGFO is amending the 1999 St. George RMP to address modifications to area designations (open, limited, or closed) for motorized vehicle travel, designations of new areas of critical environmental concern (ACECs) to "identify areas located in the county where biological conservation is a priority" and to "undertake activities to conserve and restore plant and animal species and natural communities with such areas", and to identify one or more alternatives for a northern transportation route in Washington County as directed by the Omnibus Act.

A Notice of Intent (NOI) was published in the *Federal Register* announcing the initiation of the planning process. In addition, news releases, legal notices, a planning bulletin, and website postings provided information on the process and identified opportunities for the public to provide input. Formal public meetings were held in three locations in and near the planning area, and in Salt Lake City. Other outreach efforts included information dissemination and a variety of formal and informal meetings with local governments, interested groups, and numerous one-on-one contacts with public land users and interested members of the public. Comments were accepted in a variety of formats to include written comments provided at the meetings and both email and hard copy letters sent to the BLM to ensure those who wished to participate could do so effectively.

Chapter 1 provides a background for this planning effort, its legal limitations/sideboards, and a summary of scoping efforts. Chapter 2 summarizes the public comments. Throughout the scoping period, 1,940 individuals provided comments concerning the future management of the planning area. Many of these comments were repeated submissions of form letters. Analysis of the comments identified 724 unique comments. While several comments raised issues to be addressed during development of the RMPs and the Plan Amendment (see Chapter 3), many other comments identified issues that are not within the Congressionally-limited scope of this planning effort. Some comments provided new data or potential alternatives to be used in developing the EIS (Chapter 5).

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1.0 BACKGROUND

THE OMNIBUS ACT

On March 30, 2009, the Omnibus Public Land Management Act of 2009 (Public Law 111-11), Subsection O (The Omnibus Act), designated 16 new National Landscape Conservation System (NLCS) units, including two new National Conservation Areas (NCAs) on public lands managed by the St. George Field Office (SGFO), Washington County, Utah. The two NCAs are the 63,500 acre Beaver Dam Wash NCA and the 45,000 acre Red Cliffs NCA. These are the first NCAs in Utah. These NCAs have identified “purposes” as the conservation, protection, and enhancement of the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources. Both the Beaver Dam Wash and Red Cliffs NCAs contain lands that are within designated critical habitat for the threatened Mojave Desert tortoise and other federally-listed and state sensitive animal and plant species.

The SGFO is initiating a public planning process to comply with Congressional direction from the Omnibus Act. This planning process will create new resource management plans (RMPs) for the Beaver Dam Wash and the Red Cliffs NCAs. Issues being addressed by these new plans include the desired future condition for the special values of the NCAs and how to address new management direction from the Omnibus Act to “conserve, protect, and enhance” the resources of the NCAs. Along with these plans, the SGFO is amending its 1999 RMP to address modifications to area designations (open, limited, or closed) for motorized vehicle travel, designation of new areas of critical environmental concern (ACECs) to “identify areas located in the county where biological conservation is a priority” and to “undertake activities to conserve and restore plant and animal species and natural communities with such areas”, and to identify one or more alternatives for a northern transportation route in Washington County as directed by the Omnibus Act.

This planning effort does not entail a full RMP revision, but rather maintains a limited focus on the issues stated above relating to the NCA management and other direction from the Omnibus Act. Due to the limited focus of this planning effort, issues that would normally be considered in a full RMP revision will not be considered. For example, the Omnibus Act specifically withdraws the Beaver Dam Wash and Red Cliffs NCAs from “location, entry, and patenting under the mining laws” and from the “mineral leasing, mineral materials, and geothermal leasing laws,” subject to valid existing rights. The Act also made route designations in portions of the Beaver Dam Wash. Planning for Beaver Dam Wash and Red Cliffs is subject to the priorities and directions provided in the Omnibus Act.

For the remainder of the public lands in the SGFO this planning effort will be limited to specific Congressional requirements from the Omnibus Act, specifically three RMP-level decisions. This includes the identification of priority biological areas and a northern transportation route, as well as a review of off-highway vehicle (OHV) area designations. The Omnibus Act specifically requires preparation of a Comprehensive Travel and Transportation Management Plan (CTTMP) that will make individual route designations (motorized and non-motorized). While the CTTMP is being prepared, route designation decisions are implementation-level decisions that must be tiered to RMP-level decisions. As such, the NCA RMPs and RMP Amendment must be completed first. A separate implementation-level planning process addressing route designations was scoped concurrently with this planning process to ensure that area designations made in the NCAs and RMP Amendment account for subsequent route designations. A separate Scoping Report was prepared to summarize the implementation-level CTTMP scoping comments and issues.

The NCA RMPs and the SGFO RMP Amendment will establish goals, objectives, and management actions for public land resources and uses, as directed and limited by the requirements set forth in the

Omnibus Act, Subsection O. In addition to The Omnibus Act, and where The Omnibus Act does not establish precedent guidelines or direction, the NCA RMPs and the RMP Amendment will fulfill requirements and obligations set forth by the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act (FLPMA), and the Bureau of Land Management (BLM) Land Use Planning Policy. This strategy is in harmony with BLM guidance in Instruction Memorandum (IM) 2009-215, which establishes a presidential proclamation or act of Congress to create NLCS units, such as these two NCA designations, and supersedes conflicting direction by FLPMA, such as the multiple-use mandate. The RMPs and the Plan Amendment will address and integrate, to the degree possible, BLM, Forest Service, Park Service, state government, and local government management plans related to management of the lands in or adjacent to the public lands managed by the SGFO.

PLANNING CRITERIA

Planning criteria are the constraints, ground rules, or planning sideboards that guide and direct the development of the RMPs and the Plan Amendment. The criteria determine how the planning team approaches development of alternatives and, ultimately, selection of a Preferred Alternative. Planning criteria ensure plans are tailored to the identified issues and ensure unnecessary data collection and analyses are avoided. The preliminary planning criteria were included in the Notice of Intent (see *Federal Register*, May 10, 2010, Vol 75, No. 89, pages 25876-25877), along with an invitation for the public to comment on the criteria. Preliminary planning criteria include the following:

- The public planning process for these NCAs will be guided by Public Law 111–11, in addition to FLPMA and NEPA.
- The BLM will use current scientific information, research, technologies, and results of inventory, monitoring, and coordination to determine appropriate local and regional management strategies that will enhance or restore impaired systems.
- The Joshua Tree Instant Study Area within the Beaver Dam Wash NCA will be carried forward in all alternatives for management of the Beaver Dam Wash NCA and the area will continue to be managed under Interim Management Policy for Lands Under Wilderness Review.
- The Joshua Tree National Natural Landmark within the Beaver Dam Wash NCA continues to be a valid designation and will be carried forward in all alternatives for management of Beaver Dam Wash NCA.
- New wild and scenic river proposals will not be evaluated or analyzed in this plan amendment process. One suitable river segment under SGFO administration that was not designated into the National System of Wild and Scenic Rivers by Public Law 111–11 will continue to be managed in accordance with BLM Manual 8351 Wild and Scenic Rivers—Policy and Program Direction for Identification, Evaluation, and Management.
- Area designations (open, closed, or limited use) for motorized recreation will be consistent with the BLM National Management Strategy for Motorized OHV Use on Public Lands and transportation and travel management policy.
- The designated OHV “open” area of the Sand Mountain Special Recreation Management Area will remain open under all alternatives of the plan amendment, consistent with the agreement for joint management by the State of Utah’s Sand Hollow Reservoir State Park.
- Motorized travel routes designated through the Red Cliffs Desert Reserve Public Use Plan (2001) will be carried forward under one or more alternatives.
- At least one alternative will identify a “northern transportation corridor,” as mandated by Public Law 111–11.

SETTING

Geographic Setting

The geographic area being considered in this planning process is all the BLM-administered public lands in Washington County, Utah. Situated in the southwestern corner of Utah, the area is at the transition between three major physiographic provinces: the Colorado Plateau, the Great Basin, and the Mojave Desert. This unique blend of geologic landforms creates a wealth of varying landscapes, open vistas, and spectacular scenery that is recognized in national and international sectors. Zion National Park and the Pine Valley Mountains of the Dixie National Forest define the eastern and northern boundaries of the county. To the west lie the valleys and mountains of Nevada, while the broad, undeveloped expanses and rugged topography of the Arizona Strip are visible immediately to the south. Elevations range from a low of 2,200 feet at the Arizona border to nearly 10,400 feet in the Pine Valley Mountains. Average yearly precipitation ranges from a low of 7.5 inches in the desert to 35 inches in the higher elevations. The geographic setting is depicted on the map of the planning area (Figure 1 through Figure 3).

The Virgin River and its many tributaries flow through portions of the county and provide the lifeblood to the desert and mountain ecosystems and human populations that reside there. Many wildlife and vegetation species, many at the extreme end of their natural ranges, contribute to a rich biological diversity that is otherwise uncommon in parts of the arid, intermountain west.

Figure 1. BLM Planning Area

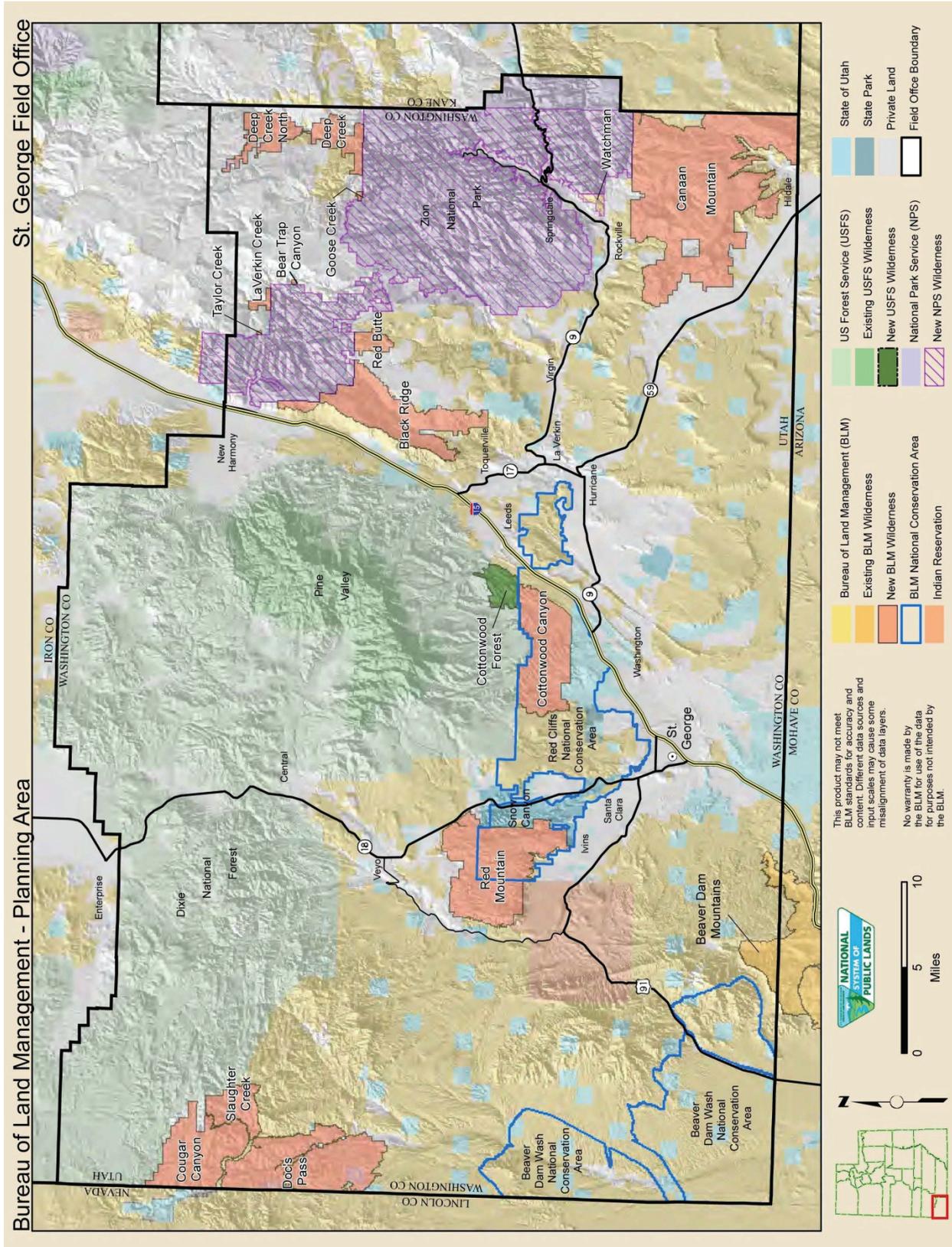


Figure 2. Beaver Dam Wash NCA

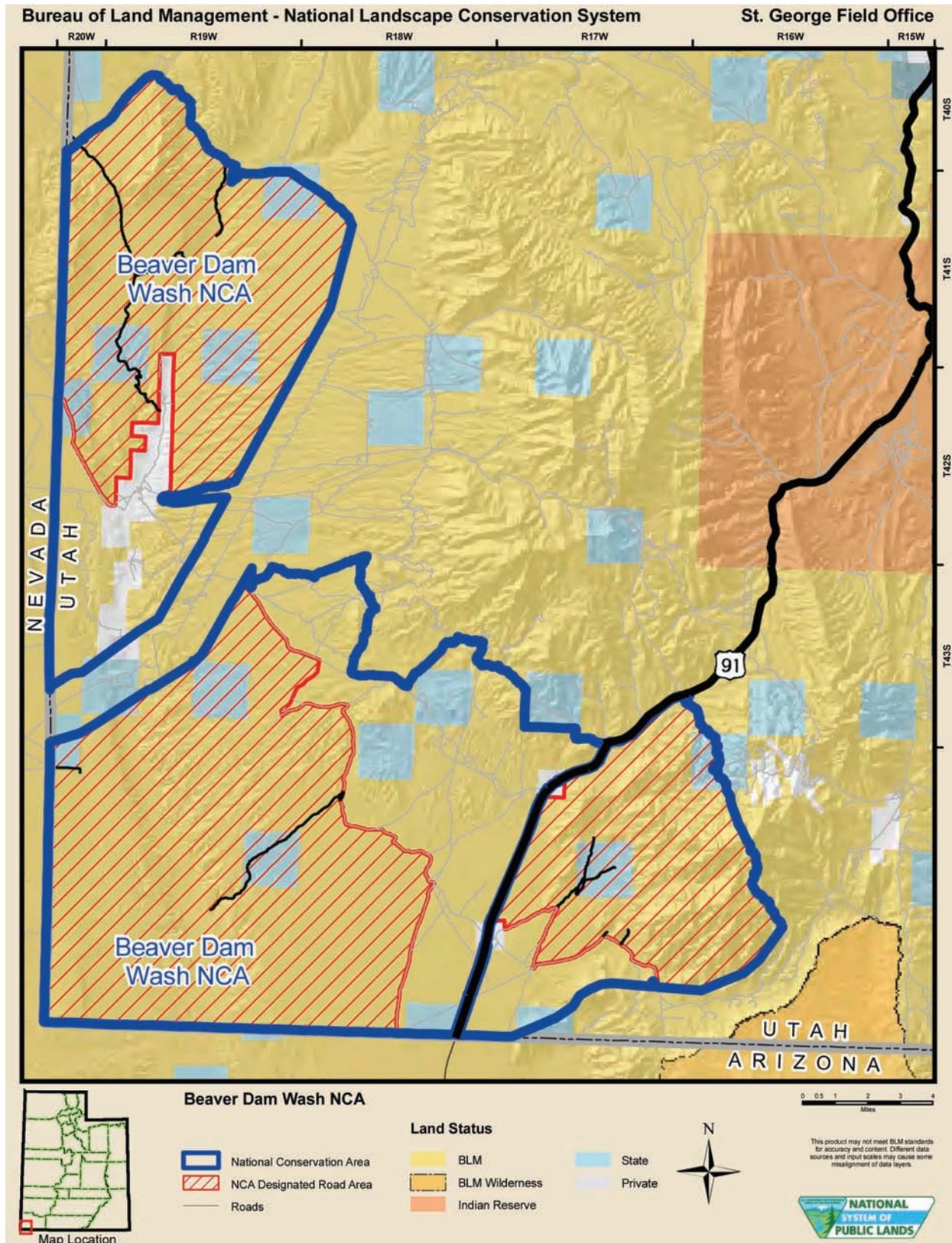
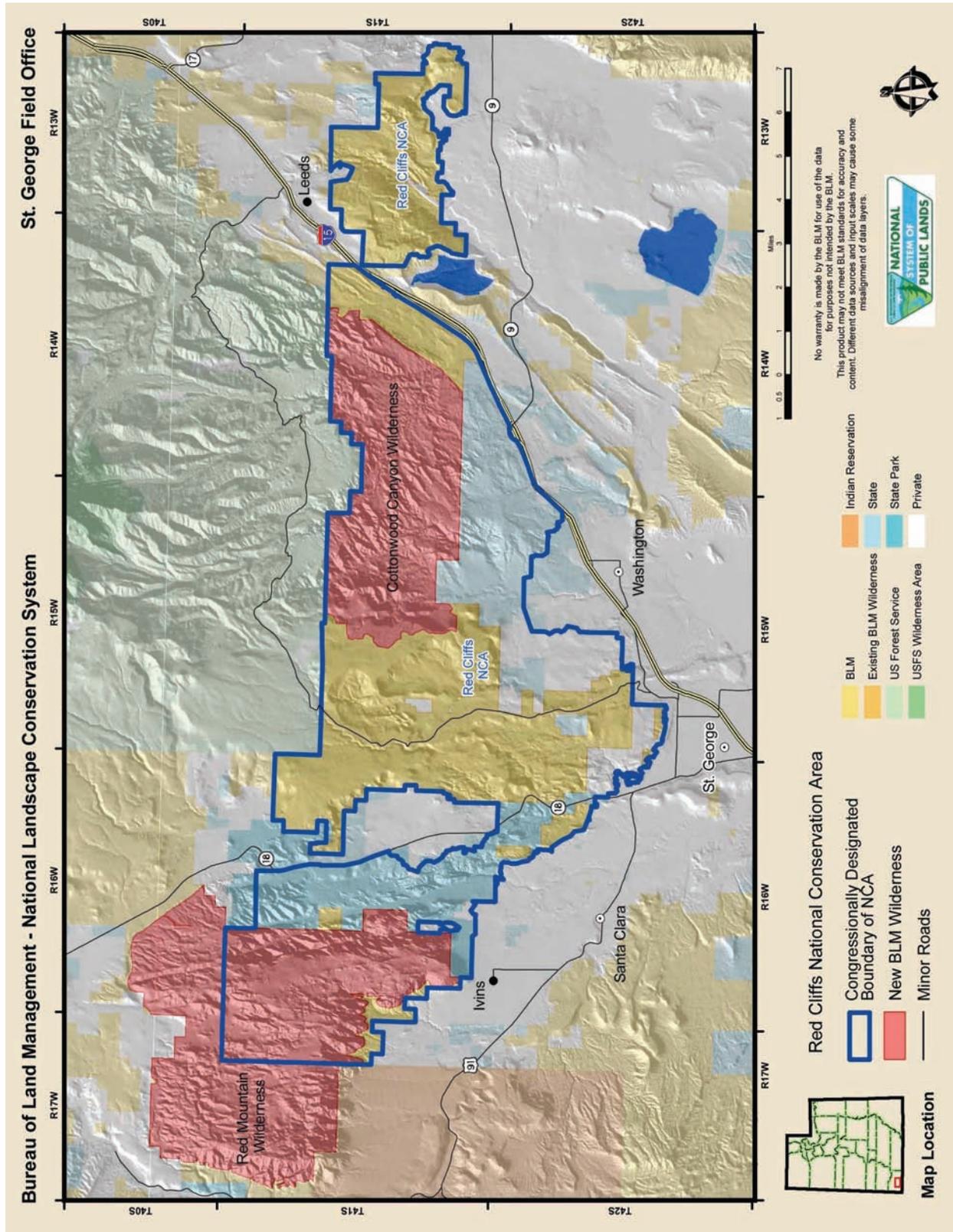


Figure 3. Red Cliffs NCA



Administrative Setting

Most public lands in Washington County are managed by the SGFO. Approximately 4,800 acres of public land, north of the town of Enterprise, are managed by the BLM's Cedar City Field Office and are not addressed in this planning process. Land ownership in the county is depicted in Table 1. Privately-owned lands are concentrated primarily around the major transportation routes, river corridors, and areas suitable for agricultural development. The Shivwits Band of Paiute Indians occupies an approximately 28,000 acre reservation, located along the Santa Clara River. Lands owned by the State of Utah include four state parks; acreage owned by the Utah Division of Wildlife Resources (UDWR); and a significant amount of land administered by the Utah School and Institutional Trust Lands Administration (SITLA).

Table 1. Land Status in Washington County

Land Manager	Approximate Acreage	Percent
Bureau of Land Management	629,000	40
U.S. Forest Service	423,000	27
National Park Service	142,000	9
Bureau of Indian Affairs	28,800	2
State of Utah	88,900	6
Private Land	262,000	16
Total	1,573,700	100

In addition to providing direction on the planning requirements noted above, The Omnibus Act directly affected County land ownership by conveying to local governments approximately 353 acres in five parcels of public lands (see Omnibus Act, Section 1980):

- Temple Quarry: Approximately 122 acres for open space and public recreation purposes.
- Hurricane City Sports Park: Approximately 41 acres for public recreation purposes and public administrative offices.
- Washington County School District: Approximately 70 acres for public school and related educational and administrative purposes.
- Washington County Jail: Approximately 80 acres for expansion of the Purgatory Correctional Facility.
- Hurricane Equestrian Park: Approximately 40 acres for use as a public equestrian park.

The Omnibus Act also included a conveyance of 640-acres of public lands to the Shivwits Band of Paiute Indians. Finally, the acres of surface estate administered by the BLM was further reduced by the Omnibus Act by changing administrative jurisdiction over lands in the Watchman Wilderness Area from the BLM to the National Park Service, to be administered as part of Zion National Park.

COLLABORATION AND CONSULTATION

Cooperating Agencies

A cooperating agency is “an eligible governmental entity that has entered into a written agreement with the BLM establishing cooperating agency status in the planning and NEPA processes. The BLM and the cooperating agency will work together under the terms of the agreement. Cooperating agencies will participate in the various steps of the BLM's planning process as feasible, given the constraints of their

resources and expertise” (43 CFR 1601.0-5 (e)). The BLM collaborates with cooperating agencies in identifying issues, collecting inventory data, formulating alternatives, estimating effects of the alternatives and developing a preferred alternative. The BLM has invited the following government entities to become cooperating agencies for the RMPs, all of whom have accepted:

- Mojave County
- Washington County
- State of Utah

Native American Consultation

As part of the planning process, the BLM has initiated consultation with culturally affiliated Native American Tribes. Early and continued consultation with Native American tribes throughout the planning process is an integral part of developing comprehensive planning documents which seek input from all affected and interested individuals, groups and organizations. Table 2 contains a list of tribes specific to this planning effort.

Table 2. Native American Tribes Contacted for Consultation

Tribal Organization Contacted	Tribal Organization Contacted
Chemehuevi Indian Tribe	Indian Peak Band of Paiutes
Colorado River Indian Tribe	Kaibab Band of Paiutes
Havasupai Indian Tribe	Kanosh Band of Paiutes
Hopi Indian Tribe	Koosharem Band of Paiutes
Hualapai Indian Tribe	Las Vegas Paiute Tribe
Navajo Nation	Moapa Band of Paiutes
Pueblo of Zuni	Pahrump Band of Paiutes
Ute Indian Tribe	San Juan Southern Paiute Tribe
Ute Mountain Ute Tribe	Shivwits Band of Paiutes
Paiute Indian Tribe of Utah	Southern Paiute Consortium
Cedar Band of Paiutes	

THE PUBLIC SCOPING PROCESS

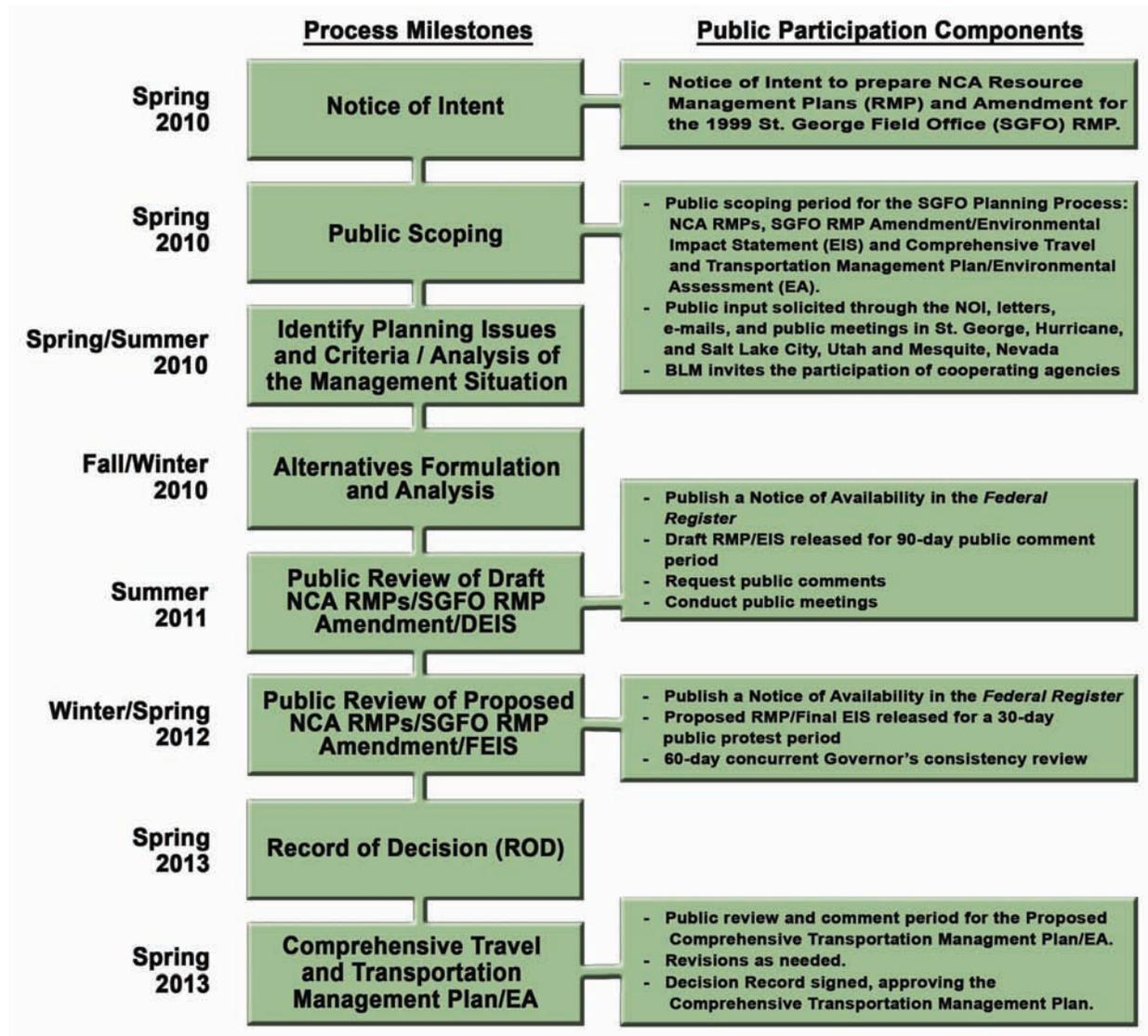
In May 2010, the SGFO initiated the public scoping period with the publication of a Notice of Intent (NOI) to create resource management plans for the NCAs and to amend the SGFO RMP (see *Federal Register*, May 10, 2010, Vol 75, No. 89, pages 25876-25877). Public scoping is required by NEPA in the early stages of developing an EIS to determine the scope and significance of issues related to a proposed action such as the development of an RMP or RMP amendment (40 Code of Federal Regulations [CFR] 1501.7). Scoping helps identify issues important to the management of the NCAs and SGFO, as well as issues and conflicts to be examined in the planning process and, ultimately, decisions in the NCA RMPs or the SGFO RMP Amendment. The scoping process is designed to encourage public participation and to solicit public input.

The importance of public scoping becomes evident as the planning process progresses. Public comments regarding issues that should be addressed will be placed in one of the three following categories:

1. Issues to be addressed in the NCA RMPs and SGFO RMP Amendment (described in Chapter 3 of this report)
2. Issues that are not within agencies legal authorities to address (Chapter 4), or
3. Issues beyond the scope of the planning effort or are not resolved at the RMP-level of planning (Chapter 4).

Alternatives will be developed for issues to be addressed through this planning process (Chapter 3). The alternatives will become part of the NCA plans and Plan Amendment. Figure 4 below charts the progress of this process together with the concurrent travel management planning.

Figure 4. Planning Process



The scoping period began with the publication of the NOI in the *Federal Register* on May 10, 2010 (Appendix B). Beyond the official initial announcement in the *Federal Register*, the BLM conducted extensive public outreach during the scoping period. The BLM provided information to and/or made presentations to formal groups including local governments, the Association of Counties Annual Convention, Chambers of Commerce, Citizen's for Dixie's Future, and the Rotary Club. The BLM also

made informal outreach efforts regarding education and information dissemination, as well as numerous one-on-one contacts with public land users and interested members of the public. Another source of public outreach was the BLM's SGFO website (www.blm.gov/ut/st/en/fp/st_george.html), which provided information on public meetings and information on the planning process.

Public scoping occurs at the beginning of the planning process and represents one step of public involvement (Figure 5). There will be additional opportunities for focused public input throughout the planning process. The scoping period included four public scoping meetings held in St. George, Utah; Mesquite, Nevada; Hurricane, Utah; and Salt Lake City, Utah. The formal scoping period ended on July 19, 2010.

Figure 5. Public Scoping Process Timeline



PUBLIC SCOPING MEETINGS

Public scoping meetings provide an opportunity for interested parties to submit scoping comments and to be involved early in the planning process (40 CFR 1501.7).

Meeting Logistics and Attendance

The NOI (Appendix B) announced the BLM would hold public scoping meetings. The dates, meeting locations and times, as well as instructions for providing comments by July 19, 2010, were later announced in a press release published in newspapers throughout the planning area (Appendix C). The BLM held scoping meetings in St. George, Hurricane and Salt Lake City, Utah and Mesquite, Nevada. These meetings were announced in the local media (Appendix C), as well as through a planning newsletter (Appendix D) that was mailed to hundreds of individuals, organizations and agencies and passed out at each of the scoping meetings. The newsletter provided the same information published in the newspapers regarding the meeting locations and times and instructions for submitting comments. The

newsletter also explained the need for the new NCA RMPs and the SGFO RMP Amendment, as well as provided background information about the NCAs. The newsletter also requested public input related to potential issues that could be considered in the planning process and requested that the public provide input on alternatives for long term NCA management that are consistent with the goals of The Omnibus Act. The same information was also available on the BLM's SGFO website (www.blm.gov/ut/st/en/fp/st_george.html). The four public meetings were held over a one-week period in June 2010. The total registered attendance for all four meetings was 269 people (Table 3).

Table 3. Meeting Location/Attendance

Meeting Location	Meeting Date	Registered Attendance
St. George, UT	June 14, 2010	157
Mesquite, NV	June 15, 2010	15
Hurricane, UT	June 16, 2010	67
Salt Lake City, UT	June 17, 2010	30
Total		269

The meetings were conducted in an open house type format with attendees coming and going throughout a two hour period. BLM resource specialists from a number of resource area disciplines were also available to answer questions and provide additional information on these and other specific issues throughout the meeting. A number of informational posters and maps regarding specific resource uses and issues were located throughout the room. The posters served as a starting point for attendees to frame comments and raise issues with the resource specialists. The posters and maps were also useful in allowing attendees to provide feedback on specific policies and practices provided on the posters, as well as issues with boundaries on the maps. A number of useful comments came from these interactions and will be used in framing alternatives for the RMP. Several other methods of providing comments were discussed, including written comment forms, email, and the BLM website.

Printed information available for participants to take with them included informational fact sheets, maps, and comment forms ACEC nomination forms. The five fact sheets contained information about the Beaver Dam Wash and Red Cliffs NCAs, travel management, wild and scenic rivers and wilderness management (Appendix F). Comment forms were available for attendees to make scoping comments and hand them in at the meeting or take the form with them and mail it to the BLM. Information present at the public scoping meetings is in Appendix F of this report.

Written public input provided on comment forms during the public scoping meetings tended to focus on issues associated with OHV use (area and route designations), specifically regarding access for recreational uses, such as mountain biking and OHV use. Other topics discussed include equestrian use, wilderness areas, and wildlife. Conflicts between these resource uses was also a topic frequently mentioned in the comments. The number of comment forms received at each meeting is illustrated in Table 4 below. Many of the forms submitted contained more than one comment.

Table 4. Public Scoping Meetings: Number of Comment Forms Received by Meeting Location

Meeting Location	Number of Comment Forms Received
St. George, UT	62
Mesquite, NV	2

Meeting Location	Number of Comment Forms Received
Hurricane, UT	28
Salt Lake City, UT	16
Total	108

It is important to note that many blank comment forms were taken by the public and returned with written comments later during the scoping period. Such comments are enumerated and summarized in Chapter 2.

2.0 SCOPING COMMENTS

METHOD OF SUBMITTAL

A total of 1,940 respondents submitted written scoping comments. These comments were accepted via mail, delivered in person, and via e-mail. Of the 1,940 respondents, 1,546 submitted through some variety of form letter. Form letters are standardized and duplicated letters which contain the exact same text and comments. Typically, the letter is used by a number of respondents who then fill in their name, date, and address separately. A total of eight different form letters were identified during the scoping period. From the eight form letters, 30 unique comments were extracted and analyzed.

There were 394 respondents who submitted comments with unique text not derived from a form letter. From these 394 respondents, 724 unique comments were identified as pertaining to unique, individual issues. Table 5 shows how which sources the unique comments came from.

Table 5. Scoping Comments by Source

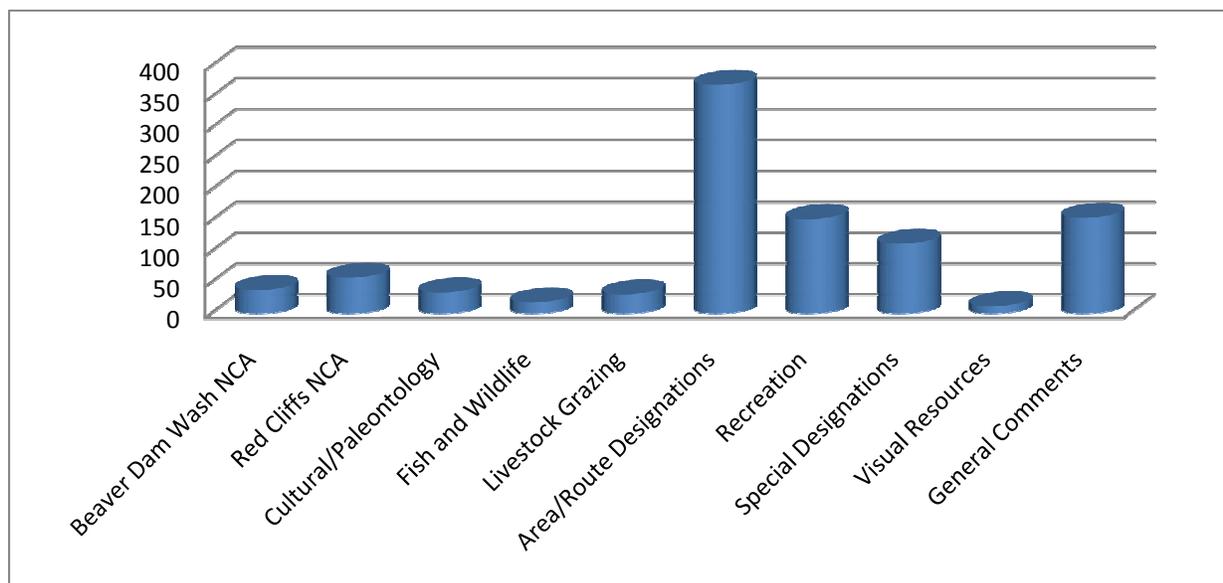
Method of Submittal	Number of Unique Comments	Percent
Mail or Delivered in Person	401	55%
E-Mail	293	41%
Form Letter	30	4%
Total Unique Comments	724	

Several comments were received multiple times and/or in multiple formats (e.g., email and hard copy mail). When identical responses were submitted by the same author, the earlier response with the author's signature was retained in the public record.

NUMBER AND TYPE OF COMMENTS RECEIVED

After the scoping period ended on July 19, 2010, the public comments were numbered and entered into a database. Each public comment was read in its entirety. In many cases, public comments addressed more than one topic or category. Comments were extracted from the original submission (letter, email, etc.), recorded, and categorized by topic.

The following graph and table (Figure 6 and Table 6) indicate the number of comments identified in each resource category. This enumeration is not intended to show or indicate weighing of comment categories or bias towards any issue; it merely indicates the level of public interest in various issue areas. The comment analysis process equally considered all written and scoping meeting comments based on the issues raised and information provided. Several individual comments addressed more than one category or topic. These comments were coded under both comment categories. For example a comment suggesting off-highway vehicles (OHVs) should not be allowed within the Red Cliffs National Conservation Area (NCA) would be categorized under the Red Cliffs NCA and under area/route designations for suggesting a "closed" area designation. Comments categorized as general comments addressed broad management concepts or specific issues that did not warrant being sorted to a separate category.

Figure 6. Number of Comments by Category**Table 6. Written Scoping Comment by Category**

Category	Number of Comments	Percent
Beaver Dam Wash NCA	38	5%
Red Cliffs NCA	58	8%
Cultural/Paleontology	34	5%
Fish and Wildlife	18	2%
Livestock Grazing	31	4%
Area/Route Designations	359	50%
Recreation	153	21%
Special Designations	112	15%
Visual Resources Management	12	2%
General Comments	155	22%
Total Unique Comments*	724	

* NOTE: Some of the 724 unique comments addressed multiple categories and were counted in multiple rows in this table, therefore numbers and percents in this table will add up to more than the total number of comments and more than 100 percent. For example, if a comment addressed grazing in the Beaver Dam Wash, it was counted as 1 of the 38 comments on the Beaver Dam Wash NCA and also 1 of the 31 livestock grazing comments.

OUT OF SCOPE COMMENTS

Many public comments raised issues that are beyond the narrow scope set by the direction in The Omnibus Public Land Management Act of 2009 (Public Law 111-11), Subsection O (The Omnibus Act). Although every comment was read, categorized, and entered into the database, those that raised issues outside the directives of The Omnibus Act were not considered beyond the determination that they raised issues that were out of scope.

Most of the out of scope comments were related to designation of motorized and non-motorized routes and trails. While this issue is within scope of The Omnibus Act, it is implementation-level in nature and will be addressed through the Comprehensive Travel and Transportation Management Plan (CTTMP) and associated environmental assessment (EA). For the purposes of the NCA resource management plans (RMPs) and St. George Field Office (SGFO) RMP Amendment, such comments are out of scope. However, the Scoping Report for the CTTMP EA includes such comments as in scope.

All out of scope issues are identified in Chapter 4. Below are a few examples of comments with issues that are outside the scope.

- “We also request that the Northern Corridor proposal be completely eliminated from further consideration.”
- “As far as the Beaver Dam Wash being closed from [all-terrain vehicles] use - I would comment it should be left open.”
- “Yours seems to be a state that is in favor or increased mineral mining. The grandeur and the beauty of highway 12 should make you want to balance mineral mining in a better way instead of fighting preservationists.”
- “BLM should, and is required to, consider [areas of critical environmental concern] beyond those that meet the description of priority biological areas.”
- “BLM should inventory the lands in Washington County under its jurisdiction for wilderness character, and should manage those lands found to have that character so as not to impair it.” (Specifically, designating areas to be managed for wilderness characteristics outside the NCAs, as part of the SGFO RMP Amendment, is beyond the scope of The Omnibus Act.)
- “Sale into private ownership. I believe that lands designated for private sale should be sold into private ownership as soon as reasonably possible under the given circumstances, market conditions of course being taken into account.”
- “BLM should evaluate all rivers and streams in the planning area for eligibility for inclusion in the Wild & Scenic River System.”
- “I would also like to see that one of the natural resources be restored and that's to end the wild horse round ups.”
- “A revision, as opposed to just an amendment of the St. George RMP, is justified to fully assess the impacts of the decisions that the agency is in the process of making.”

SUMMARY OF WRITTEN COMMENTS

The following section contains a summary of the in-scope comments received during scoping, organized by comment category. In particular, this section addresses the varied opinions raised in the comments, as opposed to Chapter 3 of this report, which identifies the position-neutral in-scope issues brought forward by these comments.

Management of NCAs

As one of the primary focuses of this planning effort, the management of the two NCAs received a great deal of comments. Primarily, comments focused on the types of activities and uses that should be allowed or not allowed with the NCAs. For both of the NCAs, the elimination or strict control of motorized access was one of the primary concerns. Several comments requested that within the NCAs, conservation and protection trumped the BLMs multiple-use mandate. It was generally suggested that the NCAs be protected for their habitat and wilderness-like qualities,

Comment: *“The soils, vegetation, and ground-dwelling wildlife of the Red Cliffs and Beaver Dam Wash NCAs are directly vulnerable to certain kinds of land uses and activities. In particular, I am concerned about roads and motorized use in both NCAs.”*

including no minerals development, limited rights-of-way (ROWs), and closed or extremely limited motorized or mechanized access. Other commenters suggested that various degrees of resource use would not conflict with NCA objectives.

Beaver Dam Wash NCA

Despite having route designations in portions of the Beaver

Dam Wash NCA identified in The Omnibus Act, many people commented both for and against designating additional routes in the NCA, including the areas where Congress had not limited routes to those it had designated. Additionally, there were numerous comments both for and against eliminating livestock grazing.

Red Cliffs NCA

In the Red Cliffs NCA, the largest concern was the elimination of motorized access. The only suggestions in favor of motorized use within the NCA were for the Babylon area, specifically for a connection from the end of the Babylon road, across the river toward Hurricane. There were comments that requested various non-mechanized routes, trailheads, and other similar access. Many comments voiced opinions against locating the Northern Transportation Route, mandated to be identified by The Omnibus Act, within the Red Cliffs NCA, suggesting that alternate routes could be found. A few comments proposed that a route could be found that would have minimal impact to the NCA. One comment suggested that a management agreement between the NCA and Snow Canyon State Park.

Comment: “Grazing in this area has been of significant historical, cultural, and economic importance.”

Comment: “Domestic livestock grazing is incompatible with the protection of the ecological values and sensitive species in the Mojave Desert.”

Comment: “Congress designated the Beaver Dam Wash and Red Cliffs National Conservation Areas in part to protect and aid in the recovery of the tortoise and its habitat. BLM must ensure that its land use plans live up to the task of not only protecting these species, but enhancing their recovery.”

Cultural/Paleontology

There were 32 unique comments on cultural and historic resources. The broadest mention of these resources was in blanket statements that requested all cultural resources be protected. Two comments addressed paleontology. These comments were very general and suggested that the BLM should do more to protect paleontological resources.

There were a few specific suggestions to provide better access and more interpretive education at well-known historic sites, such as the Grafton area. Meanwhile, other comments suggested not publicizing certain cultural resource locations and limited access to protect them, such as with petroglyphs and other cultural resources in the Little Creek Mountain area.

Fish and Wildlife

Comments on wildlife management and other issues associated with non-federally listed animal species in the planning area were received from many individuals and groups. A wide range of topics were addressed in these comments, including the following:

- Habitat fragmentation
- Wildlife monitoring
- Migration corridors
- Protection of habitat
- Loss and modification of riparian areas and crucial habitat

- Noise impacts and harassment of animals from OHV use
- Management of multiple uses as it relates to wildlife

Many individuals requested all special status species in the planning area be given substantial management attention, in the NCAs especially. Most of these expressed a desire for the NCA plans to protect habitat for threatened and endangered species, such as the Mojave Desert tortoise.

Livestock Grazing

A variety of comments related to livestock grazing, most of which were specific to Beaver Dam Wash. Many of the commenters requested that historical grazing levels remain, particularly in the two NCAs. Conversely, several comments from individuals and organizations suggested livestock grazing was not compatible with the conservation objectives of the NCAs. Supporters of livestock grazing pointed to the local historical culture and education values of grazing, while those who opposed grazing identified riparian damage, the spread of cheatgrass, and competition with Mojave Desert tortoise for forage. The management of specific grazing practices and the use of science-based utilization standards were also mentioned as ways to decrease tortoise habitat degradation.

Area Designations

Half of the submitted comments dealt with area or route designations and more than half of those were route designation suggestions. The route designation comments are directly addressed in the Scoping Report for the Travel Management Plan. Indirectly, comments on specific routes were applicable to this planning effort insofar as areas that may have routes designated in the Travel Management Plan must first be designated with a “limited” area designation in the RMP(s). Of the remaining comments specific to OHV use were general suggestions to increase or decrease the total amount of allowed OHV recreation in the field office. Other topics addressed include effects of OHV use on resources and effect of OHV management on OHV use. Many commenters in favor of continued OHV access argued that social and economic reasons support such a decision, while others commenters pointed to increased signs of environmental damage as a reason to further limit OHV use.

Comment: *“Please close roads that are redundant. Necessary roads must be kept, but we need quiet, natural areas for those who wish to enjoy them and to allow habitat for living and breeding for animals that live in these areas.”*

Area Designations

Quite a few commenters wrote that the Gunlock and Sand Mountain OHV open areas should remain as they are, or be expanded. Conversely, some commenters felt the open OHV category should be eliminated entirely. There were a few suggestions to keep various areas as limited to designated routes and a few suggestions to eliminate the category of routes limited to “existing” routes. Some commenters suggested creating an OHV policy of “closed unless posted open”.

There were suggestions to ensure the OHV category in the NCAs and/or areas with wilderness characteristics be closed, while others petitioned the closed category only apply to designated wilderness.

General Access and Travel Management

Access includes motorized vehicle access on roads, trails, and rights-of-way, although not necessarily including OHV recreation. Many scoping comments, rather than suggest specific areas or routes, addressed access to public lands in general. Many respondents acknowledged that a system of road and

trail designations might be necessary in order to effectively manage transportation in the planning area. Several expressed the need for additional signage and maps indicating which roads were open or closed.

Comment: *“The subject area contains outstanding recreation opportunities, particularly in hiking & biking trails. The trail system on these public lands needs to be preserved as an important public recreation amenity.”*

Many commenters addressed access issues specifically in the NCAs, suggesting that few if any motorized roads should be allowed. Some concern was voiced by companies and municipalities that administrative access to right of way (ROW) corridors through the Red Cliffs NCA should not be restricted.

The mandate in The Omnibus Act to identify a “Northern Transportation Route” elicited concern from many commenters, who suggested that an alternative solution could be to route the corridor around the Red Cliffs NCA or to further develop other existing roads, such as the Red Hills Parkway. Other commenters praised efforts by the BLM to find a route through the NCA that would help alleviate traffic congestion on existing roads.

Recreation

Nearly all of the comments received in this category related to some sort of trail-based form of recreation or a suggestion for a special recreation management area (SRMA) to manage trail-based recreation. A great deal of the recreation comments dealt with the need for more and improved trail and trail-system opportunities. Individuals identified a lack of use-specific trails such as equestrian, mountain biking, or single-track motor vehicle trails. Non trail-based comment suggestions related to continuing to allow rock climbing in the NCAs, rock hounding, shooting, and paintball usage and control.

Comment: *“Properly designed and implemented SRMAs could do much to reduce existing recreational user conflicts...SRMAs should strive to balance different recreational and social needs and uses, so that people know ahead of time where they can go to reasonably expect a desired experience.”*

Some other recreation topics mentioned were improved education, better signage and trail maintenance, more adequate staging and trailhead facilities, and more innovative on-the-ground management. Other comments recommended a need for better management of cave resources

The comments contained many suggestions for SRMAs, both as a means to enhance recreation and as a means to limit or control it. The use of recreation management zones within SRMAs was recommended frequently, suggesting a system similar to the recreation zones used in the Grand Staircase-Escalante Monument.

Comment: *“...construction of a northern corridor or High Desert ATV Trail through the Red Cliffs NCA would violate the purposes for which the NCA was designated.”*

There were a few comments suggesting the need for better management of competitive recreation events, such as motorcycle trials events or rock crawling. A couple comments suggested the BLM use Benefits-Based Management as a planning tool. Finally, several individuals referred to the potential growth in recreation users and the impact that growth would have on local economies. Many of these people wanted the BLM to analyze the potential economic impacts of recreation use, inclusive of all recreation uses.

Special Designations

Several respondents raised concerns related to designation and management of areas of critical environmental concern (ACECs). Some respondents stated that existing ACECs should be maintained and new areas for ACECs be considered to protect Mojave Desert tortoise habitat as well as other sensitive species or rare plants. However, some commenters stated that RMPs should not designate any new ACECs because they felt such designations are too restrictive on other uses. Some commenters proposed specific locations for new ACECs in areas they feel are in need of additional protections. Through public scoping, 30 new ACEC nominations were submitted for consideration in this planning effort.

Several comments addressed management lands considered to have “wilderness characteristics”. In some cases, individuals indicated a desire for the NCA RMPs to consider protecting lands perceived as containing “wilderness characteristics.” A few comments identified specific areas and encouraged specific management to protect “wilderness qualities” in these areas. Conversely, many individuals opposed special management of areas with “wilderness characteristics,” claiming that with NCAs, State Parks, National Parks, etc. there were enough protections on the land.

Wild and scenic rivers were also mentioned in the comments received. Most commenters expressed a desire for BLM to consider various river segments within the planning area for eligibility and suitability for designation, such as the Virgin River and Beaver Dam Wash.

Visual Resources

Several individuals commented specifically on visual resources issues. Some of these suggested specific visual resource management (VRM) categories to be used in the NCAs, while others were more vague, suggesting the BLM protect visual resources in general. Other comments suggested that a relaxed RMP consideration be given to future needs of transmission lines.

Comment: *“Please listen to the local citizens. Their opinion matters the most because they will be most significantly affected by how neighboring public land is designated (or not designated).”*

General Comments

The category of general comments was used to capture comments that didn’t fit under another header or that pertained to the planning process in general rather than a specific resource.

Many of the comments addressed ways in which the BLM might improve some of the practices it uses in the administration of the planning process, including specific suggestions for alternatives to consider and how to analyze impacts. Others discussed ways in which the BLM might improve general agency management and interagency cooperation, or work with other organizations.

Several individuals discussed the public involvement process. There were suggestions as to which opinions should be included in the planning process. Some felt only local input should be considered. One of the specific administrative issues identified in several comments was cooperation with adjacent landowners, communities, tribes, and local governments. For example, there were numerous suggestions to incorporate the ten principles of Vision Dixie. The commenters suggested the BLM make efforts to

Comment: *“We are opposed to the creation of ACECs in any areas.”*

Comment: *“Designate ACECs to protect larger areas; larger watersheds; and to protect ecosystem integrity, regional connectivity and wildlife corridors.”*

improve relationships with both private and public landowners in order to improve overall management of the area.

Comments were also gathered for the following topics categorized under general comments, due to the very small number of comments in each of these categories individually:

- Lands and realty
- GIS/maps
- Social and economic values
- Soil, water, and air resources
- Vegetation

Lands and Realty

Another category of comments collected under general were comments related to lands and realty issues. Several companies and municipalities commented about the future needs of power transmission lines in the area, specifically through the Red Cliffs NCA. The acquisition of BLM lands was suggested by various individuals.

GIS/Maps

There were several comments requesting that better maps be produced, especially in regards to route designations. While some commenters requested specific maps, others offered to provide maps or global positioning system (GPS) files to the BLM. Many groups and individuals offered to assist in inventorying routes.

Social and Economic Values

Comments referring to social or economic values include suggestions for the BLM to complete a socioeconomic report. While some comments pointed to the money brought into the area by OHV tourism, others pointed to the intrinsic values and pristine nature of the St. George area. Other comments expressed the need to analyze impacts to private land owners and conversely the impact from growing communities on BLM lands.

Soil, Water, and Air Resources

Some detailed comments related to air quality, water quality, and climate change. The content of these comments included primarily suggestions for meeting water and air quality standards. A few less specific comments mentioned the BLM's need to manage lands in such a way as to not contribute to greenhouse gases or global warming in general.

Vegetation

Many comments mentioned vegetation secondarily as part of another comment, such as the damage that occurs to vegetation or riparian areas as a result of grazing or motorized OHV use. A few more specific comments requested the BLM used desired future conditions as a management tool. The spread of noxious weeds was touched upon by a few comments, mostly as it relates to livestock grazing.

3.0 ISSUES IDENTIFIED DURING SCOPING

Scoping is a dynamic process that assists with identifying issues to be addressed in the National Conservation Area (NCA) Resource Management Plans (RMPs), St. George Field Office (SGFO) RMP Amendment, and Environmental Impact Statement (EIS). The Bureau of Land Management (BLM) Land Use Planning Handbook (BLM-H-1601-1) defines planning issues as disputes or controversies about existing and potential land and resource allocations, levels of resource use, production, and related management practices. Issues include resource use, development, and protection opportunities for consideration in the preparation of the RMP.

For this process, each issue was developed as a position-neutral statement or question that sets the groundwork for development of alternative solutions to be analyzed in the EIS. To generate the issues from public comments, each public comment was analyzed and key points summarized. These summaries can be found in Chapter 2 of this report, along with some key quotes from the actual comments from which they were derived. For each comment summary, a position-neutral issue statement was identified.

The following list is a compilation of scoping issues raised to this point in the process. Since the scoping process is dynamic and continual, scoping issues are subject to change throughout the planning process as new conditions and/or information are identified.

Some of the suggestions below for new areas of critical environmental concern (ACEC) or special recreation management areas (SRMA) may contain suggestions which are out of scope, such as SRMAs outside the NCAs or ACECs that don't have a biological component. Since further analysis of the proposed areas may be needed to determine if they are out of scope, we have listed the suggestions here in this report, even though some of the suggestions may not warrant further analysis in the development of alternatives.

Management of NCAs

- 1) What types and levels of resource use would be allowed in the NCAs?
- 2) What special management is required to protect and prevent irreparable damage to the NCAs?
- 3) Will historic livestock grazing continue in the Beaver Dam Wash NCA?

Cultural/Paleontology

- 1) What management practices and/or restrictions are needed to protect cultural resources (e.g., right-of-way avoidance/exclusion areas to protect sensitive sites, route designations and/or closures)?
- 2) What management is needed to protect cultural sites that are easily accessible by the public (specifically off-highway vehicles, but also hiking, biking, and other forms of public access), and/or are particularly susceptible to looting or vandalism due to easy public access?
- 3) How will cultural resource sites be managed to address their scientific, traditional, educational, public and research values?
- 4) Where are inventories necessary to support the future decision-making processes and cultural resources management?

- 5) How will the NCA plans examine the success of past practices of site protection (e.g., site stewardship) to determine if current measures should be modified or additional measures need to be developed and implemented?
- 6) How will the BLM protect paleontological resources at paleontological sites within the planning area?

Fish and Wildlife

- 1) What species and habitats should be considered as priorities for management? Suggestions included:
 - a. desert bighorn sheep (need for water developments, as well as reducing habitat loss, fragmentation, or direct impacts to sheep populations)
 - b. raptors (specifically protecting nesting and foraging habitats)
 - c. mule deer
- 2) What are desired fish and wildlife population and habitat conditions (e.g., population management objectives, conservation targets and thresholds)?
- 3) What specific management actions (prescriptions, restrictions, and/or mitigations) are needed to support a variety of game, non-game, and migratory bird species, and specifically to meet desired conditions for priority species/habitats?
- 4) How will habitat fragmentation be analyzed? What tools or methodologies will be used to analyze habitat fragmentation?
- 5) Will habitat improvement and enhancements, such as vegetation treatments or maintaining and/or developing watering area, be considered in developing the NCA Plans?
- 6) What management is needed to protect special status species (e.g., federally listed, BLM sensitive, or state listed) and their habitat(s) within the NCAs? Suggestions included:
 - a. closures to specific uses
 - b. seasonal closures to some or all uses
 - c. area designations
 - d. inventories/monitoring
- 7) What management is necessary to avoid the need for federal listing of currently unlisted fish, wildlife, and plant species within the NCAs?
- 8) What management from existing plans (e.g., recovery plans, conservation strategies, and the Red Cliffs Reserve Habitat Conservation Plan) should be included in the RMP alternatives?
- 9) Are existing Mojave Desert tortoise management actions, restrictions, and designations sufficient to provide for protection and recovery of the species? Based on monitoring, are changes to existing tortoise management necessary?
- 10) How should tortoise habitat be managed in the NCAs to ensure that it is adequate for tortoise recovery (e.g., limitations on disturbance)?

- 11) What types of information (e.g., maps, tables, summaries of monitoring and research, current population and habitat status, population trends) and at what levels of detail should special status species information be included in the EIS?

Livestock Grazing

- 1) Will grazing use continue to be allowed in the Beaver Dam Wash NCA, and at what levels?
- 2) What grazing enhancements and protections will be allowed in the Beaver Dam Wash NCA?

Area Designations

- 1) Where should off-highway vehicle (OHV) use be authorized for cross country travel?
Suggestions included:
 - a. Sand Hollow
 - b. Gunlock
- 2) Where should OHV use be limited (designated routes, temporally, vehicle types, etc.)?
- 3) Where should OHV use not be authorized (closed)?
 - a. Are there areas where a well-designed trail system could be used to provide a variety of on-trail OHV opportunities while avoiding sensitive resources rather than closing an entire area to OHV use?
 - b. Could the RMP amendment address opening previously closed areas to OHV use?
 - c. Are there areas where expansion of OHV restricted areas could be needed to protect natural resources?
 - d. Does the RMP amendment need to officially close, or recognize as closed, wilderness areas that have been designated since completion of the existing RMP?
 - e. Should OHV use be allowed in areas where such activity will affect the air quality in neighboring residential areas, impact rare or unusual land formations and nearby wilderness or related designated areas?
- 4) How should OHV use in washes be managed? Should washes be included in the “limited to designated roads and trails” category?
- 5) How/where should areas/routes be designated for competitive events/off-road racing?
 - a. Could previously disturbed areas be designated for continued OHV racing?
 - b. Should restrictions on competitive events be specific to types of OHV (e.g., modified 4-wheel drive vehicles, four-wheelers, motorcycles)? Do impacts from each type of OHV vary, therefore requiring OHV-type specific restrictions or closures?
- 6) How will rock crawling be managed? Are there specific routes, areas, and/or policies that could be included to address opportunities for such use?
- 7) Will the BLM consider an alternative that does not allow motorized travel?
- 8) Will administrative access be allowed in the Beaver Dam Wash NCA for grazing?

- 9) Where will the Northern Transportation Route be located?
- 10) Could the Northern Transportation Route be located outside of the Red Cliffs NCA? Suggestions include:
 - a. Beaver Dam Wash Alternative
 - b. Motoqua Alternative
 - c. Scarecrow Peak Alternative

Recreation

- 1) How will demands for increasing and diverse recreation opportunities be met while providing for quality recreation experiences and associated benefits while limiting conflicts between user groups, other land uses, and/or sensitive resources? Should the NCA plans consider different levels of use than currently mandated?
- 2) What areas require enhanced or special management for recreational uses or for protection of recreational related values (i.e. special recreation management areas and associated prescriptions)? General suggestions included areas that provide opportunities for non-motorized or quiet recreational experiences, as well as areas for OHV recreation.
- 3) What development is required to support/provide for recreation use (e.g., trailheads, campgrounds, restrooms, kiosks, fences, staging areas, other amenities)?
- 4) What level of recreation will be allowed within NCAs and will conservation objectives take priority over recreation in general?
- 5) To what degree should recreational developments be allowed or restricted on public lands?
- 6) How should special recreation permits be managed?
 - a. What size of user group should be required to obtain a permit (size threshold for mini groups)?
 - b. Should the location of a recreational activity determine if or what type of permit should be required?
- 7) How should recreation conflicts between user groups be minimized?
 - a. Should users be segregated to using different places?
 - b. Should users be segregated to using the same place/trail at different times?
 - c. How could user education programs (trail signage, kiosks, etc.) be used to reduce conflicts between user groups?
- 8) Should all public land users be required to stay on developed trails (hikers, equestrian, mountain bikers, OHV, etc.)?
- 9) What type of interpretive/environmental education infrastructure and themes should be addressed? How could these be used to provide information about the area, improve user knowledge, and better protect users and sensitive and unique resources?
- 10) What is the BLM's policy regarding paintball on public lands?

Special Designations

- 1) Are there ACEC nominations that meet regulatory and policy requirements for relevant and important values for priority biological areas? Suggestions included:
 - a. Bear Claw Poppy West
 - b. Beaver Dam
 - c. Beaver Dam Mountains
 - d. Beaver Dam Slope (expansion)
 - e. Beaver Dam Wash
 - f. Black Ridge
 - g. Critical Winter Range for Mule Deer, Elk, and Wild Turkey
 - h. Greater Beaver Dam Slopes
 - i. Gunlock-Square Top
 - j. Habitat for T&E Plants
 - k. Little Round Valley, Holmgren Milkvetch
 - l. Lower La Verkin Creek
 - m. Moody Way
 - n. North Creek
 - o. Pine Valley
 - p. Red Cliffs
 - q. Santa Clara/Gunlock
 - r. Santa Clara River
 - s. Mojave Desert tortoise habitat outside NCA boundaries
 - t. Upper Beaver Dam Wash ACEC Complex
 - u. Upper Santa Clara River
 - v. Virgin River (portion)
 - w. Virgin River (Entirety plus major tributaries)
 - x. Zion Gateway
 - y. Zion Scenic Corridor
- 2) What special management is required to protect and prevent irreparable damage to evaluated relevant and important values for priority biological areas within potential ACECs?
- 3) How will lands with wilderness characteristics within the NCAs be managed in the new RMPs?

Visual Resources

- 1) Are there areas where the visual resource management (VRM) class should be increased (made less restrictive) compared to the visual resources inventory due to considerations to manage for specific uses? Suggestions included:
 - a. designated right-of-way (ROW) corridors
 - b. potential ROW corridors
 - c. existing linear ROWs
 - d. areas of potential renewable energy development
 - e. areas of high OHV use
- 2) Are there areas where the VRM class should be decreased (made more restrictive) compared to the visual resources inventory due to considerations to protect an area's scenic aspects not captured in the inventory?

- 3) How will VRM designations address/protect the conservation values of the NCAs?

General Comments

- 1) How should the various resources on and uses of public lands be managed to achieve the legally required standard of multiple use while protecting the resources and values present on public lands?
- 2) Could zoning (separating conflicting uses and resources) be used to separate public land uses that may be incompatible with resource protection objectives, such as in areas where there are high value resources?
- 3) How can flexibility be built into the RMP decisions (e.g., adaptive management, desired future conditions)?
- 4) What monitoring will be necessary to ensure the RMP decisions are having the desired effects on public land resources and uses?
- 5) Will the NCA plans incorporate direction from Vision Dixie?
- 6) Should the BLM include provisions to protect natural soundscapes?
- 7) Can new data be submitted throughout the planning process?

Lands and Realty Management

- 1) What areas should not be available for construction of site-type ROWs (e.g., cell towers, communication towers)?
- 2) Are existing linear ROW corridors sufficient to meet current and anticipated demand?
 - a. Is the alignment and management of existing ROW corridors sufficient to balance transmission while protecting resource values? Suggestions included:
 - i. Will the plans incorporate redundant (loop) ROWs to avoid congestion of existing ROW corridors.
 - ii. Could the ROW corridor through the Red Cliffs NCA be expanded?
 - iii. Could a new corridor be identified that avoids the Red Cliffs NCA?
 - b. Are there areas where additional linear ROW corridors are needed?
 - c. How will the results of the West wide Energy Corridor EIS be incorporated into the new RMPs?
 - d. Are there areas where linear ROWs should be avoided or precluded?
 - e. Should an existing designated corridor be moved if sensitive species habitat would be threatened?
 - f. What management should be applied within utility corridors to ensure use of the corridors?
- 3) What standard operating procedures (SOP) and best management practices (BMP) are needed for transmission siting, construction, maintenance, operation, and decommissioning of ROWs to ensure consistency with the NCA RMPs, the West wide Energy Corridor Programmatic EIS and adjacent BLM field office RMPs?

Soil, Water, and Air Resources

- 1) What soils/soil types may require special management? What management criteria are necessary for actions allowed within fragile soil areas.
- 2) What restrictions need to be applied to direct or authorized emission-generating activities for compliance with air quality standards (e.g., Clean Air Act, State Implementation Plans, and applicable National Ambient Air Quality Standards)?
- 3) What management is needed to limit the generation of dust due to activities on public lands or permitted by the BLM?
- 4) How will climate change be incorporated into the new NCAs and RMP amendment (e.g., special management to protect species particularly threatened by the results of climate change, analysis of impacts from climate change when combined with the various alternatives on all resources and uses)?

Vegetation

- 1) What is the desired vegetative condition, including the desired mix of vegetative types, structural states, and landscape functions, and what actions or use restrictions are needed to achieve the desired condition?
- 2) Are there vegetation types that should be considered priority plant species and how should these be managed to achieve desired vegetative conditions?
- 3) What restoration/rehabilitation methods, techniques, or BMPs are needed for properly functioning ecosystems? Have some currently applied been more/less successful? How can future efforts be improved based on what has been learned from past efforts?
- 4) What criteria are needed to manage noxious weeds and non-native invasive species? Are there specific areas or species which should be the focus for treatments?
- 5) What management is needed to reduce the introduction and spread of noxious weeds? What types of weed/invasive species control methods are needed to maintain or improve public lands?

Social and Economic Values

- 1) How will socioeconomic impacts be addressed in the plan?
- 2) How do plan decisions affect the local economy (e.g., restrictions on existing uses that provide economic benefit, restrictions on potential uses that could provide economic benefit)?
- 3) How do plan decisions affect the historic/traditional uses or the areas in which they occur?
- 4) How will social benefits of recreational activities (e.g., OHV riding, hiking) be identified and compared to fiscal and social impacts of competing uses?
- 5) How will the RMP decisions affect neighboring property owners?

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4.0 ISSUES OUTSIDE THE SCOPE OF THE EIS

Several issues raised during scoping are beyond the purpose of the National Conservation Area (NCA) resource management plans (RMP) and the St. George Field Office (SGFO) RMP Amendment and will not be considered in the Environmental Impact Statement (EIS). There are three explanations for removing these issues from consideration.

- 1) The Bureau of Land Management (BLM) does not have authority to resolve the issue.
- 2) The issue raised is best resolved at the implementation level of planning.
- 3) The issue raised is addressed through other policy or administrative action or is outside the narrow focus of the Omnibus Public Land Management Act of 2009 (Public Law 111-11), Subsection O (The Omnibus Act).

Issues in this chapter are grouped by the appropriate explanation, organized by comment category.

EXPLANATION 1) THE BLM DOES NOT HAVE THE AUTHORITY TO RESOLVE THE ISSUE.

The BLM is granted certain authorities through federal law which are implemented by the Code of Federal Regulations (CFR). Issues that fall under this explanation are usually resolved through Congressional or Judicial action, such as wilderness or wild and scenic rivers designations.

Area/Route Designations

- 1) How will the BLM address Revised Statute (RS) 2477 claims within NCAs?

Revised Statute (RS) 2477, contained in the 1866 Mining Law (Act of July 28 1866, chapter 262, 8, 14 Stat. 252, 253 codified at 43 USC 932), was intended to facilitate settlement of the West by granting the ability for counties and states to assert a “right-of-way for the construction of highways over public lands.” On October 21, 1976, Congress repealed R.S. 2477 through passage of the Federal Land Policy and Management Act (FLPMA). Since then, it has been an ongoing issue between the Federal government, counties, and states as to which routes were developed in the West under the RS 2477 authority and thus under the responsibility of the counties. In 1997, Congress directed the Department of the Interior to not issue any new regulations on RS 2477. Several court cases have addressed a variety of legal points concerning resolution of RS 2477 claims. Based on legal decisions and BLM policies, this planning effort cannot adjudicate, analyze, or otherwise determine the validity of claimed rights-of-way. Resolution of RS 2477 assertions is a legal issue beyond the scope of this planning effort. However, nothing in the RMP extinguishes any valid right-of-way, or alters in any way the legal rights the state and counties have to assert and protect RS 2477 rights or to challenge in Federal court or other appropriate venue any use restrictions imposed by the RMP that they believe are inconsistent with their rights.

EXPLANATION 2) THE ISSUE RAISED IS BEST RESOLVED AT THE IMPLEMENTATION LEVEL OF PLANNING.

RMP decisions provide guidance for “future land management actions and subsequent site-specific implementation decisions. These land use plan decisions establish goals and objectives for resource management (desired outcomes) and the measures needed to achieve these goals and objectives, expressed as actions and allowable uses (lands that are open or available for certain uses, including any

applicable restrictions, and lands that are closed to certain uses)” (BLM-M-1601 Section II A). As such, some site-specific issues are not appropriate for the RMP level. For these issues, knowledge of site-specific on-the-ground resource conditions is needed to make an informed decision. Similar issues concerning site-specific resource concerns and conflicts are best answered by site-specific decisions and associated National Environmental Policy Act (NEPA) analysis. Appendix C of the BLM’s planning handbook (BLM-H-1601-1) includes descriptions of implementation level decisions for each resource, resource use, and special designation. This includes the route designation process associated with comprehensive travel and transportation management plan being conducted concurrently with development of the NCA RMPs, the SGFO RMP Amendment and EIS. The following list identifies those issues that should be addressed during implementation of the RMPs:

Route Designations

- 1) What routes should be designated for non-motorized use (hiking, biking, equestrian, etc.)?

These issues are being addressed in the Travel Plan. Refer to the Comprehensive Travel and Transportation Management Plan Scoping Report for route suggestions.

Recreation

- 1) Could a multi-agency agreement be used to form a Recreation Special Services District to manage Mosquito Cove?
- 2) Could the BLM hire a recreation specialist that has a specialty in motorized types of recreation?
- 3) Are there areas that could be designated for the maintenance of existing shooting ranges and the development of new ranges?
- 4) Should the High Desert Trail be allowed to pass through the Beaver Dam Wash NCA?

EXPLANATION 3) THE ISSUE RAISED IS OUTSIDE THE NARROW FOCUS OF THE OMNIBUS ACT.

This includes issues that are not mandated to be addressed by the Omnibus Act and will not be considered in this planning process. As such, this explanation is an extension of the concept that the BLM need not address issues in the RMPs/RMP Amendment that are addressed in law or regulation. For example, several RMP-level issues were raised that would be addressed through some action outside the NCAs, in the St. George Field Office (SGFO), such as identification of a special recreation management area (SRMA). However, due to the limited scope of The Omnibus Act, and the fact that the SGFO RMP Amendment is limited to the changes required by The Omnibus Act, such issues are out of scope for this planning effort. The following are issues raised during this scoping process that are out of scope:

Recreation

- 1) Are there areas outside the NCAs that could be managed as new special recreation management areas (SRMAs), where use conflicts would be resolved through Recreation Management Zones? Suggestions include:
 - a. Bear Claw Poppy Trail/Green Valley Loop
 - b. Bull Valley Mountain Undeveloped SRMA

- c. Greater Gooseberry
- d. Hurricane Rim
- e. Little Creek
- f. Lower Virgin/Atkinville (Expansion)
- g. Pachoan Gulch (for trials motorcycle events)
- h. Red Bluff
- i. Santa Clara River Reserve

Special Designations

- 1) Are there river segments that are eligible/suitable for wild and scenic river designation? Suggestions included Beaver Dam Wash.
- 2) Will lands with wilderness characteristics outside the NCAs be considered for management in the RMP Amendment? Suggestions for areas to evaluate for wilderness characteristics:
 - a. Beaver Dam Mountains North
 - b. Beaver Dam Mountains South
 - c. Beaver Dam Wilderness Expansion (St. George BLM calls this area Beaver Dam Mountains East and West)
 - d. Black Ridge
 - e. Butcher Knife Canyon
 - f. Canaan Mountain
 - g. Cottonwood Canyon
 - h. Crater Hill
 - i. Deep Creek
 - j. Doc's Pass (St. George BLM identifies this area as The Narrows)
 - k. Dry Creek
 - l. Joshua Tree
 - m. Red Butte
 - n. Red Mountain
 - o. Scarecrow Peak
 - p. Square Top
 - q. Taylor Creek
 - r. Zion National Park Adjacent Lands
- 3) Will existing areas of critical environmental concern (ACECs) be re-evaluated to determine:
 - a. If the various values and resources still meet the relevance and importance criteria?
 - b. The effectiveness of existing management to protect and prevent irreparable damage? and
 - c. If the existing designation, boundaries, and management adequately reflect any new information that has been collected since the previous RMP, as well as changes in the uses and threats to the relevant and important values?
- 4) Are there ACEC nominations that meet regulatory and policy requirements for relevant and important values other than priority biological areas? Suggestions included:
 - a. Zion Gateway
 - b. Zion Scenic Corridor

The NCA RMPs and the St. George RMP Amendment will only consider new ACEC designations for identification of areas where conservation of priority biological areas is a priority.

Visual Resources

- 1) Is there a need to revise the current visual resource inventory?

General Comments

- 1) Should the 1999 St. George RMP undergo a broad revision rather than an amendment?
- 2) Will a committee be assembled to monitor and address the success or failure of long-term goals and objectives of the plans?
- 3) Will new lands be identified, and what criteria will be used in identifying lands, for disposal or acquisition? Suggestions included acquiring Mojave Desert tortoise habitat to add to the Red Cliffs NCA.

The Omnibus Act includes a provision to allow the sale of lands already identified in “appropriate resource management plans.” Identifying additional lands for disposal or acquisition is outside the narrow focus of this planning process.

5.0 DATA SUMMARY/DATA GAPS

During the scoping period, the public was encouraged to identify issues for the Resource Management Plans (RMP/Environmental Impact Statement (EIS). Additionally, individuals, organizations, and agencies were encouraged to provide the Bureau of Land Management (BLM) with applicable data that could assist in alternatives development and/or alternatives analysis. New data and data gaps were required to be identified beyond casual reference. Public comments that simply made statements of preference were not considered new data. As with data gaps, lack of existing data would not halt the planning process. Lack of data must also be at the level of decision-making for this project. As this project is a landscape-level programmatic decision-making document, the absence of site-specific data will likely not impede the ability to develop or analyze reasonable alternatives. With the existence of all data gaps, the BLM will comply with National Environmental Policy Act (NEPA) regulation 40 Code of Federal Regulations (CFR) 1502.22 (Incomplete or Unavailable Information).

Data provided by agencies and organizations during the public scoping period:

- Wildlife maps
- Trail and route location maps
- Locations for ACEC nominations
- Access locations to other public lands
- Proposed routes/corridors or Northern Transportation Route
- County Management Plans

No additional data gaps were identified beyond those identified in *Pre-Plan Analysis for the Beaver Dam Wash and Red Cliffs National Conservation Area Management Plans, St. George Field Office Resource Management Plan Amendment, and Environmental Impact Statement*, Appendix A (Geospatial Data Development and Data Themes).

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