



WILDERNESS WATCH

Keeping Wilderness Wild

October 12, 2019

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Brandon Boshell

BLM, Vermilion Cliffs National Monument

345 East Riverside Drive

St. George, UT 84790

Sent via US Mail and email to blm_az_vcnm_pcvc_comments@blm.gov.

Dear Mr. Boshell,

These are Wilderness Watch's comments on the EA entitled *Proposed Change in Management of Paria Canyon-Vermilion Cliffs Wilderness*. Wilderness Watch is a national nonprofit wilderness conservation organization dedicated to the protection and proper administration of the National Wilderness Preservation System. We have serious concerns with the proposed action and the EA.

Introduction

Our comments are mainly directed at the impacts to the Wilderness from this proposal, which are significant in terms of increasing visitor use and new route markers or infrastructure. Certain actions proposed outside of Wilderness might affect the Wilderness as well, in either positive or negative ways. Some parts of the proposal, such as vault toilets at Whitepockets, would likely not have an impact on the Wilderness as the named geological feature is outside of the Wilderness. However, without looking at other actions, such as limitation on day use in Buckskin or Paria Canyons, the EA is a much less useful tool in arriving at a good decision.

Wilderness

The 1964 Wilderness Act governs the stewardship of the wilderness system. This visionary law defines Wilderness in part as "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." Untrammelled means unmanipulated or unconfined, where humans do not dominate or impose human will on the landscape. The Wilderness further defines Wilderness as having "outstanding opportunities for solitude or a primitive and unconfined type of recreation" and that is important as it relates to this proposal to increase visitor use. Wilderness designation brings a special protection for Wildernesses and forbids the federal land management

agencies like the BLM from manipulating or dominating the Wilderness.¹ Rather, federal agencies are required by the Wilderness Act to preserve the Wilderness.

Increasing the number of visitors, be it 250% or nearly 500%, to the Wave would have serious negative consequences on the Wilderness, including a severe degradation of the wilderness experience for visitors to this area (Coyote Buttes North and Coyotes Buttes South). Instead of restraint, without which Wilderness can't survive, the EA states:

In recent years, there has been a dramatic increase in public demand to visit these areas, in particular to CBN where the geologic feature known as "The Wave" is located. For example in 2013, 86,898 individuals applied for one of 7,300 permits available annually to the Wave. In 2018, 200,589 individuals applied for the same number of permits, representing a 231 percent increase in demand for access to the Wave. With 20 people allowed each day through the online and walk-in lotteries, only 3.6 percent of applicants were able to obtain a permit to access the Wave. This increase in public demand dramatically underscores the need to consider increasing visitor access to CBN.

EA at 1. The EA further states action is necessary "in accordance with Section 102(a)(8) of the Federal Land Management and Policy Act (sic), which directs the BLM to protect the resources and provide for recreation on public lands; the action also supports" various "Secretarial Orders ... which direct agencies (including the BLM) to increase recreation and conservation opportunities." EA at 1 and 2.

Public demand does not equate with sound management. Nor is it required to increase recreation use in Wilderness. Indeed, increasing use in this limited area would degrade the Wilderness as the EA tacitly if not explicitly admits. As early as the 1970s, wilderness professionals recognized, "There is a real danger of people loving wilderness to death."² BLM's own Manual states:

The Wilderness Act states that wilderness has "outstanding opportunities for solitude or a primitive and unconfined type of recreation." Wilderness provides opportunities for people to experience: natural sights and sounds; remote, isolated, unfrequented, or secluded places; and freedom, risk, and the physical and emotional challenges of self-discovery and self-reliance. Any one wilderness does not have to provide all these opportunities, nor is it necessary that they be present on every acre of a given wilderness. Where present, however, the preservation of these opportunities is important to the preservation of wilderness character as a whole.

BLM Manual 6340 at page 1-5. The BLM Manual also notes "the need to accommodate recreation use does not override the mandate to preserve the qualities of wilderness character."³ That is at odds with the supposed need of this project to increase visitor numbers to Coyote

¹ Though not a part of this proposed action, the EA's analysis of cumulative impacts from guzzlers or other water developments seemingly stretches credulity when it states, "Cumulatively, impacts to wilderness character (outstanding opportunities for solitude or primitive and unconfined recreation) may occur for the two projects (Soap Creek Tank No. 2 and Benali/Hancock catchments) from helicopter flights over wilderness but will be temporary and produce long-term benefits to naturalness." Neither helicopters nor guzzlers are natural (one assumes that these projects would maintain and/or build such structures).

² See *Wilderness Management*, first edition, by John C Hendee, George H. Stankey and Robert C Lucas, 1978 USDA Forest Service Miscellaneous Publication No. 1365 at 7.

³ Our citation of the BLM Manual is to point out how this proposal is inconsistent with existing BLM direction and not an expression of either our agreement or disagreement with the wilderness portion of this manual.

Buttes area.⁴ It should also be noted that there is no explicit direction to increase recreation use in sensitive areas. Rather, the EA is trying to shoehorn this proposal into general direction to provide for both conservation and recreation.

The EA itself admits that the proposed actions of increasing visitor use would degrade the Wilderness.⁵ Under Alternative A, “increased visitation would very likely lead to increased damage, particularly at the Wave, where impacts would likely occur across the majority of the feature.” Alternative B impacts “would be moderate.” Alternative C impacts “would be minor.” EA at 29.

Wilderness would also be degraded by route markers, which would be constructed by “drilling two 1/2 inch diameter by 6 inch deep holes to anchor each marker.” EA at 28. The EA states, “Other users would prefer not seeing signs of man’s imprint in this primitive setting.” EA at 31. However, it is not merely the viewpoint of users that should be of concern. These structures or installations are not the minimum necessary for preservation of the area as Wilderness.

Furthermore, agency direction is to:

... use locations outside of wilderness to provide visitors with information about area conditions, wilderness stewardship, and the inherent risks of recreating in remote areas in order to minimize search and rescue operations and the need for rules governing primitive and unconfined recreation.

BLM Manual 6340 at 1-24. See also BLM Manual 6340 at 1-50 where the agency is directed to consider, in lieu of search and rescue, “[i]nforming wilderness visitors that they face inherent risks of adverse weather conditions, isolation, physical hazards, and lack of rapid communications; search and rescue may not be rapid or even possible, and should not be expected.” The EA also states:

There has been a shift over the last 10-20 years in the type of user to the wilderness. Many visitors lack knowledge of basic backcountry ethics and skills, as well as an understanding of land navigation principles. They are focusing more on a singular attraction such as the Wave, and less on wilderness qualities such as solitude, and an undeveloped natural experience.

EA at 27. This is a tacit admission by BLM that alternatives A and B, including the route markers, are both inappropriate for Wilderness.⁶ Indeed, the recreation described above is not wilderness recreation. Together with the damage to Wilderness that would be caused by increasing use it is clear that neither of those alternatives could be selected while complying with the Wilderness Act or BLM manual direction.

⁴ The EA is also inconsistent on whether use numbers are increasing. It leads people to believe numbers are increasing, in spite of the fact the number of permits to visit the Wave are limited. “As a result of increasing visitation and increased SAR incidents, the BLM has implemented a visitor information and education program for those hiking to the Wave.” EA at 15. These kinds of inconsistencies plague the EA, making it an inadequate analysis tool under NEPA.

⁵ One of the problems with the EA is that many of the stated impacts to wilderness are not found in the wilderness section, rather sections dealing with geological structures or recreation. The wilderness section is not complete and is therefore inadequate.

⁶ The EA erroneously states on page 34 the markers would decrease impacts to the Wilderness.

All of this points to the serious issue of carrying capacity and overuse in the Wilderness. Even Alternative C might allow too many visitors in these fragile places, as the EA documents damage in the existing condition (EA at 17). The EA further suggests use at the Wave is likely too great now, stating “use limits were established in the 1986” and the direction “ limited the use to two groups of no more than four persons per day, allowing for a maximum of eight visitors.” An alternative to return to the original plan should have been considered.

NEPA

The EA states:

For example, adaptive management would allow the BLM to adjust visitor use numbers (increases or decreases); to incorporate additional safety and resource protection practices such as waypoints, route markers, use of guides, increased patrols, or installation of emergency communication systems; and/or to increase parking capacity and the number of vault toilets up to the limits analyzed in this EA, based upon the results of monitoring.

EA at 6. The problem is the EA does not fully explain or analyze these options. There is no MRDG or MRA that looks at increasing visitor numbers, route markers, or whether communication systems might be placed in Wilderness. BLM direction also states the agency, “must provide public notice of proposed actions within wilderness areas. ... Any substantive comments from the public (e.g. NEPA scoping comments), solicited or not, should be considered during the NEPA process.” Even more important, “The notice should include enough information for the recipient to understand the purpose, location, nature, size, and expected implementation date of the proposed action.” See BLM Manual 6340 at 1-65. Adaptive management as defined in the EA is inconsistent with this direction.

Also regarding alternatives, the EA does not include an action alternative that addresses some of the issues out of the Wilderness but does not modify the Wilderness or increase permitted numbers in fragile areas. There is no alternative to return permitted visitor use numbers in Coyote Buttes to the more appropriate numbers that were in the original management plan. There is no alternative to remove the existing route markers (cairns) in the Wave, which are installations in the Wilderness. There is no option to limit day use in the Wilderness in Buckskin Gulch from the Wire Pass or Buckskin trailheads. This is the cause of overcrowding at the Wire Pass and Buckskin Trailheads (EA at 16) and would likely obviate the need to expand those trailheads.

All alternatives should ensure that the Wilderness not be degraded, even improved. Improvement would rarely, if ever, be from active restoration activities. Rather, such improvement would come from two main areas. The first is careful stewardship and administration of recreation and other allowable uses. That way, for example, it may be possible to eliminate existing route markers. The second would be an agency management paradigm that recognizes the necessary restraint in administering wilderness and minimizes the impact from any nonconforming uses.

Summary

Wilderness would suffer under either of the action alternatives. Further, the EA is inadequate to make an informed decision because it doesn't incorporate in any alternative ideas to address

important cumulative impacts and connected actions—specifically day use in Buckskin Gulch and Paria Canyon. Please keep us informed about this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Macfarlane". The signature is fluid and cursive, with the first name "Gary" being more prominent than the last name "Macfarlane".

Gary Macfarlane
President

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