

Appendix L.

RESPONSE TO PUBLIC COMMENTS

In the following section, the “public concern statements” (PCs) are presented in bold text, and the response is in normal text. Each public concern statement identifies the individual submitting the comment, unless the respondent requested that confidentiality be preserved, as well as the organization he/she represents, if any. If a comment was from a public meeting, the Public Meeting location is noted (Idyllwild, Palm Desert, or Pinyon Public Meeting). This will facilitate tracking the public concern statement back to the original letter or source.

Many comments refer to section numbers of the document. The reader should note that section numbers have changed from the Draft Environmental Impact Statement to the Final Environmental Impact Statement. The current section numbers are referenced in the following responses.

DOCUMENT PRESENTATION

PC 001: Add a glossary or definitions to plan. Make sure terms like “private property” and “jurisdiction” are clearly defined. (Nick Steffanoff, Mountain Center)

A glossary is included in the Draft and proposed Final National Monument Management Plan.

PC 002: Clarify map discrepancies, such as what areas are inside and what areas are outside the Monument. Use a clear legend so that the lines on the map are easy to decipher. (Nick Steffanoff, Mountain Center)

The current boundary of the National Monument is based on the National Monument legislation, which references a set of 24 maps depicting the boundary of the National Monument. Each of the 9 maps included in the Management Plan depict the legislated boundary. There are three sections of land that are near the Pinyon community that are not included within the boundary of the National Monument. The non-inclusion of these sections is a result of communication between the community and Congresswoman Mary Bono and her staff.

PC 003: The current map nomenclature in the Plan implies that some private lands are given “discretionary” treatment while others are ignored. This depiction needs to be constant through out the plan. (Nick Steffanoff, Mountain Center)

The map displaying the Monument Boundary was decided upon at the time of National Monument designation. The black line identifies the boundary that the preparers of the legislation agreed to. A boundary change would require an act of Congress to amend Public Law 106-351. The private land in the Pinyon area that is not within the Monument

boundary was not included as a part of the National Monument as a result of discussions prior to the National Monument designation. The National Monument designation does not apply to private lands and no actions in the Management Plan will apply to private lands.

PC 004: The public should be provided with the names and contact information of members of Congress and other elected or appointed officials that would read or review this Plan. (Joe Ingram, Pinyon Public Meeting)

Chapter 5 provides a listing of the recipients of the Proposed Management Plan. Addresses for recipients are on public file with the Monument Headquarters and are available for public review at the BLM Palm Springs South Coast Field Office

COORDINATION

PC 005: The Plan should recognize the Ramona Band of Cahuilla Mission Indians' Ecotourism Center as a portal to the National Monument and would like to be included in mailings, newsletters, and outreach announcements. (Manuel Hamilton - Ramona Band of Cahuilla Mission Indians)

The National Monument looks forward to working with all interested Tribes and groups in establishing access points and portals to the National Monument. Newsletters and promotional items for our partners will be coordinated in order to send a shared message where appropriate. Coordinating with Tribes and other Partners is also addressed in the Interpretive Concept Plan (2002).

PC 006: The Ramona Band of Cahuilla Mission Indians seeks the consent of the National Monument to display information pertinent to their Ecotourism Center at the National Monument's Visitors Center. (Manuel Hamilton, Ramona Band of Cahuilla Mission Indians)

The National Monument Visitor Center, located on Highway 74, provides an area for information about partners, Tribes, agencies, and organizations. The National Monument Visitor Center will continue to provide a location for appropriate outreach materials.

PC 007: The State Parks system requests to coordinate with the BLM and Forest Service in regards to Geological Resources, Educational Resources, Scientific Resources, Management of the Facilities, Visitation and Usage, Fire Plans, Water Resources, Land Acquisitions, the development of a Strategic Recreation Plan and participation in future working groups. (Gary Watts - California Department of Parks and Recreation, Inland Empire District)

The California Department of Parks and Recreation is referred to as California State Parks throughout the document and is considered a

partner for all proposed National Monument coordination efforts. Chapter 5 describes the coordination with California State Parks to date. A representative of the California State Parks or California Department of Fish and Game will continue to provide input through the Monument Advisory Committee and a California State Parks representative has been active through the Interagency Working Group.

- PC 008: There are too many strategies that focus on “seeking partnerships” to accomplish objectives. More emphasis should be placed on the desired action and not the partnering process. (Monument Advisory Committee)**

The text providing proposed decisions in the National Monument Management Plan (Chapter 2) of the Plan has been revised in response to this comment.

ADVISORY COMMITTEE

- PC 009: The existence of an advisory committee whose members are appointed and so are not held accountable to the population directly affected by their actions is unacceptable and adds another layer of bureaucracy (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)**

The Monument Advisory Committee was established by the National Monument Legislation to provide recommendations to the Secretary of Agriculture and the Secretary of the Interior (Public Law 106-351, Appendix A) with respect to the preparation and implementation of the National Monument Management Plan. Chapter 5, Section 5.B.1 summarizes the role and purpose of this committee.

- PC 010 The Monument Act of 2000 states the advisory committee will cease to exist when the Plan is officially adopted or later at the discretion of the Secretaries. Has the Charter of the Committee been revised? (Barbara J. Ferguson – Backcountry Horseman of California)**

The Charter for the Monument Advisory Committee is currently being revised and is being reviewed by the Secretary of Agriculture and the Secretary of the Interior. Chapter 5 has been revised to include this fact.

- PC 011: The Plan does not specify what role the Advisory Committee plays in the decision making process. (John Woods, Pinyon Public Meeting)**

The Monument Advisory Committee was established by the National Monument Legislation to provide recommendations to the Secretary of Agriculture and the Secretary of the Interior (Public Law 106-351, Appendix A) with respect to the preparation and implementation of the National Monument Management Plan. The recommendations provided by the Committee are considered in the decision making process by the

BLM and the Forest Service. The role of this committee is provided in Section 5.C.1 of the Management Plan/FEIS.

PC 012: The Plan does not include representation of residents in unincorporated areas of Riverside County within the Monument (Royal Carrizo, Chapman Ranchos, and Springcrest) on the Advisory Council. (Joe Ingram)

The representatives for the Monument Advisory Committee are described in Section 7 of the National Monument Legislation (Public Law 106-351, Appendix A). The Committee includes a representative of the County of Riverside.

NATIONAL MONUMENT BOUNDARY

PC 013: The unincorporated communities of Royal Carrizo, Chapman Ranchos, and Springcrest (and others) should not be included within the Monument boundary. (Joe Ingram, Linda Lane)

The boundary of the National Monument was determined through the National Monument legislation (Public Law 106-351). Any changes to the boundary would require an amendment to this law. The BLM and Forest Service do not have the authority to change the boundary.

PC 014: The legislation and draft Plan excluded participation by local residents in making decisions on Monument boundaries. (Joe Ingram)

Decisions for the boundary of the National Monument were determined prior to the development of a Draft Management Plan after multiple meetings with adjoining jurisdictions, agencies, Tribes, and local representatives. Discussions included local residents as evidenced by the requested non-inclusion of some private property sections in the Pinyon Community. The Management Plan, as well as future plans addressing the National Monument, will not address changes to the boundary that was designated by Congress through the legislation establishing the National Monument (Appendix A; Public Law 106-351).

PC 015: The Plan states that the National Monument encompasses 12,900 acres of California Department of Parks and Recreation Land. According to the Colorado Desert District of State Parks, this figure (page ES-1) appears to be a mapping error, which included 4,400 acres of Anza-Borrego Desert State Park. The California State Parks request that the lands located within the Anza- Borrego Desert State Park be expunged from the National Monument. (Gary Watts, Department of Parks and Recreation, Inland Empire District; David Van Cleve - California Department of Parks and Recreation, Colorado Desert District)

The legislation establishing the National Monument (Appendix A; Public Law 106-351) designated the boundary. Any significant changes to the

boundary will require an action by Congress. The issue raised is being addressed outside of the Management Plan process.

PC 016: State Parks requests a buffer zone or “zone of impact” between Anza-Borrego Desert State Park and the National Monument. (David Van Cleve, California Department of Parks and Recreation, Colorado Desert District)

If the intent of a “buffer zone” is to provide additional resource protection to adjacent state park lands, this protection is provided by Wilderness designation. The National Monument lands adjacent to Anza-Borrego Desert State Park are part of the Santa Rosa Wilderness. As such, the activities allowed on National Monument lands bordering Anza-Borrego Desert State Park are managed according to the Wilderness Act of 1964, and the California Desert Protection Act (1994). Any changes to the Santa Rosa Wilderness would require Congressional action through legislation.

RELATIONSHIP TO OTHER PLANS

PC 017: Page 1-4 of the Draft Plan stating “facilitating urban development outside the reserve system” needs to be amended to reflect that urban development may be permitted within future CVMSHCP habitat conservation areas. (William Kleindienst – City of Palm Springs)

Chapter 1, Section 1.H.1, (Coachella Valley Multiple Species Conservation Plan) of the Plan has been revised in response to this comment.

PC 018: The Plan is dependent almost entirely upon the Coachella Valley CDCA Plan Amendment and future Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) for substantive actions to manage the Monument’s resources. It is not possible to review the actions that future plans will have for their ability to adequately protect and preserve resources. What if this future plan is not adopted and is not consistent with recovery? (Jeff Morgan - Sierra Club)

Management guidance for BLM-managed lands in the National Monument is contained in the CDCA Plan. An amendment to this plan for BLM lands in the Coachella Valley was approved in December 2002. Guidance for Forest Service lands is provided in the San Bernardino National Forest Land and Resource Management Plan, currently under revision. Specific trails management prescriptions are being addressed through the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). If the CVMSHCP is not adopted, BLM would develop a trails management plan addressing trail use and related non-motorized recreational activities on BLM lands in the Santa Rosa and San Jacinto Mountains consistent with the goals and objectives of the Peninsular

Ranges bighorn sheep recovery plan and the bighorn sheep strategy identified in the CDCA Plan Amendment for the Coachella Valley. This information is included in Chapter 1 of the Management Plan.

PC 019: The Plan is inconsistent with the Sikes Act plan because it fails to propose closure of all trespass roads within PRBS habitat in the Monument, especially Dunn Road. (Jeff Morgan - Sierra Club; Monica Bond - Center for Biological Diversity).

Through the CDCA Plan Amendment for the Coachella Valley (2002), BLM designated public land segments of Dunn Road as closed to motorized-vehicle access (except for administrative and permitted uses) until bighorn sheep populations recover. Public access to these segments of the road is controlled by locked gates. A small portion (approximately one mile) of the Dunn Road is located within National Forest System lands in Section 28. It lies behind a locked gate on private land. The Forest Service does not own nor control access to that section of the Dunn Road, nor is there a public right of way. The Forest Service does maintain administrative access as well as access for the permit holder of the Wellman Grazing Allotment. The Forest Plan Revision will include a Road Analysis Process (RAP) for all National Forest roads.

The Sikes Act Plan identified the need to eliminate off-road vehicle use that was occurring in Dead Indian, Carrizo, Martinez, and Guadalupe Canyons. Vehicle traffic in Dead Indian, Carrizo, and Guadalupe Canyons has since been precluded by installation of vehicle barriers. The portion of Martinez Canyon identified for vehicle closure in the Sikes Act Plan has since been designated as part of the Santa Rosa Wilderness. Public access via motorized vehicle is prohibited in designated wilderness.

PC 020: The Plan is inaccurate in its reference to the Agua Caliente Habitat Conservation Plan and mischaracterizes the Mountains and Conservation Zone, which has not been distributed to the public or NEPA review. (Jeff Morgan - Sierra Club)

Chapter 1 provides a summary of the Agua Caliente Habitat Conservation Plan in relationship to the National Monument Management Plan. The Agua Caliente Band of Cahuilla Indians reviewed the text included in Chapter 1 and approved the summary as written. Discussions of public review or NEPA adequacy of the Tribal HCP are outside of the scope of this planning document.

PC 021: Creation of the Monument Plan is a tremendous duplication of efforts. There are many planning efforts already providing layers of protection to the land within the bounds of the National Monument. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

Creation of the National Monument Management Plan is a requirement of the National Monument legislation (Public Law 106-351, Appendix A). The BLM and the Forest Service recognize that there is potential for

duplicating planning efforts. Actions proposed through other BLM and Forest Service planning efforts are not included in this document.

PC 022: The National Monument Management Plan should supercede any general plan for the surrounding BLM and Forest Service lands. (Jason Swartz, California Wilderness Coalition)

The California Desert Conservation Area Plan provides management guidance for the BLM-managed lands within the National Monument. This plan is a requirement under FLPMA and will continue to be the Land Use Plan for BLM-managed lands within the boundary of the National Monument. The National Forest System lands within the National Monument falls within the San Bernardino National Forest and guidance for management is provided in the San Bernardino National Forest Land and Resource Management Plan. The National Monument Management Plan will continue to tier to the above-mentioned plans and provides additional guidance for BLM and Forest Service. It will not supercede either plan.

GENERAL PLANNING AND COMPLIANCE (NEPA, FLPMA, etc.)

PC 023: Baseline conditions of the existing environment are inadequate. (Monica Bond - Center for Biological Diversity)

Chapter 3 of the EIS contains descriptions of the affected environment. This describes the baseline conditions. This information was collected from a variety of sources including peer-reviewed scientific literature, existing management plans for BLM and Forest Service, BLM and Forest Service files, site-specific environmental analyses, biological opinions rendered by the USFWS, other planning efforts such as the CVMSHCP and the Riverside County HCP, and information from area scientists and ecologists including staff from the California Department of Fish and Game, USFWS, California Dept. State Parks and Recreation, UC Reserve System.

PC 024: Impact analysis is inadequate and needs to provide more than just general statements that some impacts exist. Analysis is deferred to subsequent NEPA processes for site-specific management and monitoring actions. (Monica Bond - Center for Biological Diversity)

The impact analysis of decisions proposed in this management plan is not deferred. BLM and Forest Service have used the best available scientific information in the impact analysis for this management plan and have made a considerable effort to include the information needed for analysis of the decisions proposed through this document. The management plan discloses the future actions to occur following the adoption of this plan and outlines that as future actions are performed, the appropriate NEPA analysis will occur. Until such time that future projects are described, impact analysis will not be completed. We acknowledge that there are

many uncertainties remaining and have attempted to identify these uncertainties. The Plan contains few site-specific actions that require impact analysis. This plan provides general guidance for building partnerships and coordinating resource management among the many partners that manage lands within the boundary of the National Monument.

PC 025: Because the National Monument is located in such an urban area, a “no cumulative impacts” or “growth inducing impact analysis” should be performed as part of the planning process to keep resources protected for future generations. The DEIS contains no cumulative impacts or growth inducing impacts analysis and lacks the baseline data to begin this analysis. BLM and USFS are responsible for assessing and reporting the cumulative impacts of the plan as required by NEPA. (Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club; Monica Bond - Center for Biological Diversity)

No decisions provided in this management plan are growth inducing and no decisions included here are promoting the relocation of large numbers of people to the area. The impact of each proposed decision on social and economic conditions are provided in the “Impacts to Social and Economic Conditions” section of Chapter 4. The demographics provided in Chapter 3, Socio-economic Conditions, provide the baseline information about the people living in the planning area. The cumulative impacts analysis is provided at the end of Chapter 4.

PC 026: The preferred alternative should be an individually distinct alternative. The FEIS should describe the components and management intensities for all management actions proposed in the preferred Monument Management Plan. We recommend Table ES-1, Executive Summary of Alternatives, include a separate column for the preferred alternative which lists the proposed management actions and the management intensities for these actions. (Environmental Protection Agency)

The Plan has been updated to address the concern raised. An additional table has been included to provide a summary of the entire proposed alternative.

PC 027: The FEIS should describe the status of formal Section 7 consultation and provide in an appendix the Biological Assessment, and if available, the Biological Opinion. (EPA)

See Appendix G for the Biological Assessment. The current status of Section 7 consultation is described in Chapter 5.

PC 028: To encourage timely implementation and progress, the FEIS should provide target dates for execution of specific management actions.

(EPA; Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club)

The Record of Decision will provide target dates for the execution of approved decisions.

- PC 029: Given the scope of the Monument Management Plan, EPA recommends describing funding for Plan implementation or consideration of a fee to help generate funds for timely and adequate implementation of management actions, and recommends seeking public participation in determining sources of fees and funding and methods of collection. (EPA)**

A description of funding for plan implementation will be included in the ROD. In addition to the Adventure Pass on National Forest System lands, a fee for BLM lands was analyzed with the Adventure Pass Alternatives. Chapter 4 provides an analysis of this proposal to social and economic conditions and other resource areas. Given the landscape of the National Monument and the numerous access points on non-Federal lands, an access fee is not feasible at this time. The Forest Service does collect fees for the Pinyon Flats and Ribbonwood developed recreation sites through the Recreation Fee Demo (High Cost Recovery Site) program. The preferred plan has been updated to add a public participation opportunity during the process for development and determination of funding sources, fees, and methods of collection.

- PC 030: Deferring analysis of cumulative impacts associated with recreational activities is contrary to FLPMA. Recreational designations created after approval of the RMP could impact cultural resources without an adequate examination of impacts or public review and participation. (National Trust for Historic Preservation)**

The analysis of cumulative impacts is not deferred. The document provides an analysis of the proposed decisions that are included in the management plan. As future projects are described, associated NEPA analysis will accompany the process and this analysis will include impacts to cultural and other resources and will include public review and participation. The BLM and the Forest Service preserve and protect cultural resources in accordance with existing laws and policy.

- PC 031: BLM should provide the public with an adequate opportunity to participate in the creation of the specific plans discussed in the RMP, i.e. the Strategic Recreation Management Plan, and other plans intended to be integrated into the RMP upon completion. (National Trust for Historic Preservation)**

Future planning for recreation resources will include public participation.

PC 032: Plan needs to mandate mapping and GIS coverages for (1) invasive plants (2) water sources (3) vegetation and fire history (Monica Bond - Center for Biological Diversity):

The Plan has been updated to reflect this concern. The Preferred Plan contains provisions for compiling invasive and endemic species distribution information in GIS format (see section 2.B.1 Management of Biological Resources and 2.B.9 Management of Water Resources). Fire History GIS layers will be provided in the fire management plan, which is currently being developed.

PC 033: Provide clear definitions of key terms such as “preserve”. Improve Glossary section with more definitions (Ms. Edwards – Idyllwild Public Meeting)

The Plan has been updated to include an expanded Glossary section and definition of “preserve”.

PC 034: The Plan excluded participation in the scoping process from various entities such as seasonal residents, recreational user groups and private property owners. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA and Jim Blakley, Palm Desert Public Meeting)

Eight months of public scoping is an adequate time period to solicit input from the public. Numerous individuals, including local representatives and advocates of trails and equestrian groups, private property owners and residents, were able to take advantage of the scoping period by attending meetings and providing letters. In addition, public workshops were held in November in order to clarify comments received.

PC 035: The level of coordination and cooperation already demonstrated by the BLM and Forest Service negates the need for additional management structure. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

The National Monument legislation (Public Law 106-351) requires that the BLM and the Forest Service cooperatively manage the National Monument. To effectively manage federal lands within the National Monument in a cooperative manner, establishing additional methods of communication and cooperation are needed.

PC 036: On Page 2-37, Table 2-1 of the Draft Plan, introductory language that describes the table needs to be listed. (Monument Advisory Committee)

The Plan has been updated to include an introduction to Table 2-1, Policy and Management Guidance for Plan Implementation.

PC 037: On Page 3-25, 4th Paragraph, of the Draft Plan, the Garces, Diaz and Bautista references need relevance to the Plan. (Monument Advisory Committee)

The Plan has been updated to clarify the relationship of the historic figures to the Plan.

PC 038: On Page 3-26, 2nd Paragraph, of the Draft Plan, a description of earlier attempts to establish a National Monument in the 1920's needs to be provided. (Monument Advisory Committee)

See Chapter 3, Section 3.A. *History and Setting*, 3.B.1. *History of activities to protect land within Santa Rosa and San Jacinto Mountains*. The Plan has been revised to include a description of early attempts to establish a National Monument.

PC 039: The DEIS for the National Monument does not do an adequate job of prescribing the manner in which the Monument will be managed in the future and has deferred management decisions to various other documents, planning processes, and uncoordinated proposals. This plan is too reliant on future plans, some of which are referenced without participants in the future process named and without future guidance provided. (Jason Swartz, California Wilderness Coalition; Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club)

Management guidance for BLM lands in the National Monument is contained in the CDCA Plan. An amendment to this plan for BLM lands in the Coachella Valley was approved in December 2002. Guidance for National Forest System lands is provided in the San Bernardino National Forest Management Land and Resource Management Plan, currently under revision. The National Monument Management Plan will continue to tier to the above-mentioned plans and provide additional guidance for the BLM and the Forest Service.

Where noted, groups agreeing to participate in future planning efforts have been listed. Future cooperation in planning is not limited to these groups. This listing of groups with which BLM and Forest Service will cooperate was included to give the reader an indication of the diverse interests likely to be involved in future actions. Future planning for BLM and Forest Service managed lands in the National Monument would require public participation as required under NEPA, FLPMA, the National Forest Management Act, and other applicable laws (see also Chapter 1, Planning Criteria).

PLANNING CRITERIA/CONSIDERATIONS

PC 040: "The designation of a Santa Rosa and San Jacinto Mountains National Monument...is not intended to impact upon existing or future growth in the Coachella Valley." This statement from the

National Monument Act of 2000 should be included verbatim among the planning criteria presented on pages ES-4 and 1-7 of the Plan. (James Schlecht- Schlecht, Shelvin & Shoenberger)

The Plan has been updated to address the concern raised.

PC 041: The provision stating that the plan does not affect private property needs to be added to the Planning Criteria and the Executive Summary of this Section. “Nothing in the establishment of the National Monument shall affect private property rights of any Indian reservation, any individually held trust lands, any other Indian allotments, any lands or interests in lands held by the State of California, any special district, or the Mount San Jacinto Winter Park Authority, or any private property rights within the boundaries of the National Monument...” and “ The management of the National Monument should be subject to valid existing rights.” These statements from the legislation should be included verbatim among the planning criteria presented in the Plan. (William Kleindiest – City of Palm Springs; James Schlecht- Schlecht, Shelvin & Shoenberger)

The Plan has been updated to address the concern raised.

PC 042: “The Secretaries shall provide adequate access to nonfederally owned lands or interests in land within the boundaries of the National Monument, which will provide the owner of the land or the holder of the interest the reasonable use and enjoyment of the land or interest, as the case may be”. This statement should be included verbatim among the planning criteria presented in the Plan. (James Schlecht- Schlecht, Shelvin & Shoenberger)

The Plan has been updated to address the concern raised.

PC 043: Referring to the Planning Criteria Section of the Draft Plan, a statement clarifying that municipality General Plans will not be affected by the National Monument Plan needs to be added. (William Kleindienst – City of Palm Springs)

The Plan has been updated to address the concern raised.

ALL ALTERNATIVES

PC 044: The government should apply similar standards of assessment and protections for each public value found by Congress (biological, cultural, recreational, educational, geological, and scientific) and such similar standards should apply to all federal laws. (Nanci Stacey – Desert Riders)

All of the alternatives considered in detail are consistent with the overriding purpose for which the National Monument was created – the

protection and preservation of the biological, cultural, recreational, geological, educational, scientific, and scenic values. Assessments of the impacts to each of these values, from each of the alternatives, are discussed in Chapter 4, Environmental Consequences. Similar standards were used, as much as possible, to assess impacts to each of the National Monument's values from the alternatives. Protection of these values is consistent with existing laws and regulations.

- PC 045: The Plan lacks a true Conservation Alternative for biological resources and cultural resources. We would like to see a real conservation Alternative with resource protection and mitigation as its focus. There is no conservation alternative addressing closures of dirt roads to protect resources from damage. (Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club; Monica Bond – Center for Biological Diversity)**

Alternatives for the National Monument Management Plan address the protection and preservation of resource values identified in the establishing legislation. The scope of the Plan does not include addressing the closure of dirt roads. Routes on BLM lands were designated as open or closed to motorized vehicles through the CDCA Plan Amendment for the Coachella Valley (2002). Potential changes to motorized routes on National Forest System lands will be analyzed in the Forest Plan Revision and subsequent site-specific environmental analysis as appropriate.

BIOLOGICAL VALUES

- PC 046: The FEIS should provide a short description of the desert scrub alkali natural community. (EPA)**

The desert scrub alkali community is not part of the Monument was incorrectly included in the Draft Management Plan/DEIS.

- PC 047: Provide a description of the California fully protected species requirements in the FEIS. All other species fully protected under California State Law should be identified. (EPA)**

Chapter 3 has been updated to reflect California fully protected species. Table 3-2 lists all fully protected species within the National Monument.

- PC 048: The Plan inappropriately defers monitoring and management actions. (Monica Bond – Center for Biological Diversity)**

The Record of Decision will include a schedule for implementation of approved decisions.

- PC 049: Annual monitoring of biological resources must be conducted by trained employees of the National Monument. (Monica Bond – Center for Biological Diversity)**

See Section 2-7. The Proposed Plan regarding monitoring is to continue to coordinate monitoring activities within the boundaries of the National Monument. Both BLM and Forest Service are committed to monitoring special status species through the CDCA Plan and the Forest Plan Revision. Qualified staff will continue to implement, guide, and provide oversight of monitoring activities within the National Monument.

PC 050: The Plan fails to propose substantive management actions for protection and preservation of biological resources, as are proposed for cultural and geological resources. (Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club)

As stated in Section 2.B.1., the Habitat Conservation Objectives outlined in the BLM Coachella Valley CDCA Plan Amendment, Land Health Standards, and the Peninsular Ranges Bighorn Sheep Recovery Strategy, provide management guidance for protection and preservation of biological resources on BLM-managed lands. The Forest Plan Revision (in progress) will provide actions addressing the preservation and protection of biological resources on National Forest lands. In addition, the Coachella Valley Multiple Species Habitat Conservation Plan provides future monitoring actions for the species included in that plan and BLM and Forest Service will be signatories of that planning effort.

PC 051: No interpretation and education plans are proposed for biological resources. (Jeff Morgan - Sierra Club).

The CDCA Plan Amendment (BLM 2002) contains decisions to develop and implement education and public awareness programs for bighorn sheep and other species. The National Monument Proposed Plan (Alternatives A, B, and C) under Biological Resources - Management of Noxious, Non-native, and Invasive Plant Species, includes public education programs (p.2-6). The Proposed Plan (Alternatives A, B, and C), under Biological Resources - Management of Special Status Species, includes partnerships with California Native Plant Society and others for education and outreach (p. 2-7).

PC 052: BLM and Forest Service should fund and implement their own proactive monitoring and eradication programs for managing invasive plant species and inventory of plant and animals rather than relying on current efforts and the possibility of future partnerships. This could be augmented by working with partner agencies, Tribes, and volunteer groups. (Lowell Diller - Western Section of The Wildlife Society; Monica Bond – Center for Biological Diversity)

The language of the plan has been updated to reflect the concern.

PC 053: The DEIS does not describe the scope, quality, or frequency of existing inventories or whether these include all special status species. DEIS should account for future changes to species status

and appropriate inventory and focused survey efforts for all special status species. (Lowell Diller - Western Section of The Wildlife Society; Monica Bond - Center for Biological Diversity).

Wildlife inventories were completed in 1980 in preparation of the CDCA Plan. More recently, species models have been developed for the Coachella Valley Multiple Species Habitat Conservation Plan. These models are based on archived/historical locations of sensitive species and current locations based on inventories and monitoring that has occurred since planning began (1996). Habitat data has been collected by BLM and Forest Service for site-specific projects. In addition, BLM managed lands have been inventoried for wetlands and riparian areas in 2003. The Forest Service is currently inventorying Forest lands for listed and sensitive species that may be affected by fuels reduction projects. These data will be available and included in the Final EIS. The National Forest Plan Revision will also contain species models maps for all special status species including threatened and endangered and Forest Sensitive Species. The Forest Plan revision will provide the guidance for species on Forest Service lands within the National Monument. Although the Plan provides guidance for BLM and Forest Service that is intended to avoid future listings (BLM Manual 6840, Forest Service Manual 2890), in the event of future listings, the guidance established in the CDCA Plan, the Forest Plan, and the Multiple Species Habitat Conservation Plan will apply to these species. Future inventory and monitoring will include newly listed species as well.

PC 054: The Plan needs a stand-alone surveying and monitoring program for the National Monument to complement and expand ongoing efforts while ensuring no resource monitoring gaps. (Lowell Diller - Western Section of The Wildlife Society).

The plan has been updated (page 2-7) to include implementation of monitoring plans in the CDCA Plan, the Forest Plan, and the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The Trails Plan portion of the CVMSHCP will include a Research, Monitoring and Adaptive Management Plan.

PC 055: Monitoring of visitors that may result in the denial of access to visitors based on high usage will have negative impacts and is unacceptable. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

The plan seeks to balance public use with managing biological resources. Monitoring visitor use is an important part of adaptive management and scientific analysis. The Santa Rosa and San Jacinto Mountains Trails Plan will analyze impacts to both biological resources and recreation use from the various alternatives.

PC 056: The Monument Plan must assess the economic impacts to the businesses and local governments that depend heavily on income from recreation (Nanci Stacey – Desert Riders)

This concern will be addressed in the Santa Rosa and San Jacinto Mountains Trails Plan.

PC 057: Special Status Species listing needs to incorporate additional species as provided in letter. (Gary Watts - CA Department of Parks and Recreation)

Chapter 3 has been updated to include additional endemic species within the National Monument. Endemics Missing from List on Page 3-17 and 3-23 and species descriptions have been added to the Final EIS.

PC 058: There is no description of the pinyon/juniper vegetative community surrounding the communities of Pinyon and Mountain Center. (Elizabeth Webster, Pinyon Public Meeting)

A description of the pinyon/juniper vegetative community has been added to Chapter 3, "Biological Resources" section.

PC 059: On Page ES-15 of Draft Plan, in the Preferred Plan, Monitoring Section, add the words "local agencies" to those involved in monitoring and implementation. The City of Palm Springs owns approximately 3,000 acres in the Santa Rosa and San Jacinto Mountains. (William Kleindienst – City of Palm Springs)

References to the CVMSHCP are intended to include the signatory cities and local governments, including Palm Springs. Chapter 2 has been updated to reflect the involvement of local agencies and cities.

PC 060: The Plan needs to list that in addition to BLM and Forest Service permits, a fishing license from the Department is required for the collection of non-listed reptiles and amphibians, with special limits outlined in California Code of Federal Regulations, Title 14 5.05 and 5.60. (Draft Plan Page 3-37) (Glenn Black – California Department of Fish and Game)

Chapter 3 has been updated to reflect the need for a fishing license.

PC 061: The Plan needs to state that researchers must obtain a Scientific Collecting Permit from the Department of Fish and Game in addition to the shared BLM- Forest Services Permits for any research involving the collection of plants or animals. (Glenn Black - California Department of Fish and Game; Monument Advisory Committee)

Chapter 3, under the "Collection of Biological Resources" section, has been updated to reflect this information.

PC 062: Page 3-23 of the Plan needs to state that collecting insects in a State Park is illegal, unless a valid Scientific Investigations/Collections

Permit has been issued to the collector. (Gary Watts - California Department of Parks and Recreation, Inland Empire District)

The Final EIS has been updated to reflect this information.

- PC 063: Page 3-17 and 3-18, Appendix G- Species accounts are incomplete. Page 3-18 indicates that accounts for endemic, sensitive and proposed species are in Appendix G. American Badger is not listed in the text (3-17 and 18). Jerusalem cricket is duplicated. Black-tailed gnatcatcher has no account. (Monument Advisory Committee)**

The plan has been updated to include a more complete listing of the species classification lists and accounts.

BIOLOGICAL VALUES - PENINSULAR RANGES BIGHORN SHEEP, GENERAL

- PC 064: The Plan does not include enough protection for Peninsular Ranges Bighorn Sheep (Monica Bond – Center for Biological Diversity)**

The CDCA Plan Amendment for the Coachella Valley approved the Recovery Strategy for Peninsular Ranges Bighorn sheep (PRBS), which is based on recommendations in the PRBS Recovery Plan. In addition to this guidance, the BLM, Forest Service, Coachella Valley Association of Governments, Riverside County, California Department of Fish and Game, the US Fish and Wildlife Service and seven valley cities will be releasing a draft trails and access plan for the Santa Rosa and San Jacinto Mountains in October 2003. The primary goal of this plan is to facilitate recovery of PRBS while providing recreation opportunities for the public when these opportunities are consistent with the first goal. Other management provisions for PRBS include restrictions on hang-gliding in PRBS habitat, prescriptions for pet use areas, etc.

- PC 065: The Final LRMP should also include language that all actions conducted by the BLM and USFS on the Monument will comply with the Recovery Plan for Bighorn Sheep as well as with the Sikes Act and the Endangered Species Act. (Monica Bond – Center for Biological Diversity)**

The Plan is consistent with the Recovery Plan for Bighorn Sheep, Peninsular Ranges (USFWS 2000) and prescriptions were developed using these recommendations. BLM and Forest Service comply with the Endangered Species Act (1973). The Sike's Act Plan (1980) provided guidance to BLM and CDFG for management of bighorn sheep. Since 1980, many of the objectives in the Sike's Act Plan have been implemented (BLM CDCA Plan Amendment for the Coachella Valley, December 2002). Actions that are still relevant continue to be implemented by BLM and CDFG. The Plan does not contain actions that are inconsistent with the overall direction and objectives of the Sike's Act Plan. Recovery plans delineate reasonable actions required to recover and/or protect listed species. The USFWS publishes recovery plans;

sometimes preparing them with the assistance of recovery teams, contractors, State, and other Federal agencies, Tribes, and other affected and interested parties. Recovery teams serve as independent advisors to the Fish and Wildlife Service. Objectives of the plan will be attained and any necessary funds made available, subject to budgetary and other constraints affecting the parties involved. Recovery Plans do not obligate cooperating or other parties to undertake specific tasks and may not represent the views nor the official positions or approval of any individuals or agencies involved in the plan formulation other than those of the USFWS. They represent the official position of the USFWS only after they have been signed by the Director, Regional Director, or Operations Manager as approved (page ii USFWS 2000).

PC 066: The Monument Plan can do more regarding overcoming public distrust of science. The terminology used in the Peninsular ranges bighorn sheep is ambiguous and is a deception upon the public to advance a philosophical designation rather than the sheep's current taxonomy. (Nanci Stacey – Desert Riders)

The Plan has been updated to reflect your concern regarding scientific nomenclature of desert bighorn sheep in the Peninsular Ranges.

PC 067: Recreation is being addressed by a “reasonable opportunity standard” and bighorn sheep recovery by a “potentially could affect” standard. The disparity between the two standards and their application is arbitrary under the National Monument Act. (Nanci Stacey – Desert Riders)

Bighorn sheep are endangered; thus the application of a “potentially could affect” standard, under the Endangered Species Act. Humans are not endangered; thus the application of a “reasonable opportunity standard”.

PC 068: Distinguish between “critical” and “essential” bighorn sheep habitat. (Nanci Stacey – Desert Riders)

Please see Glossary for the definition of critical habitat and essential habitat.

PC 069: The Bighorn Institute is opposed to any and all pets, on or off leash, inside critical Peninsular bighorn sheep habitat, particularly on lands near the Institute's captive breeding recovery center. (Bighorn Institute)

The issue of pets in Bighorn Sheep Habitat will be addressed in the Trails Plan Element of the HCP.

PC 070: The Bighorn Institute is opposed to all hang gliding launches, landings, and overflights in critical Peninsular bighorn sheep habitat, especially flights over the Institute's pens and landings on lands adjacent to the Institute's property near the BLM Visitor Center. (Bighorn Institute)

Hang gliding launches from and landing on BLM and Forest Service lands within and adjacent to essential bighorn sheep habitat in the National Monument would not be allowed. There is strong evidence in the scientific literature that bighorn sheep react more adversely to unpredictable uses, such as the sudden appearance of humans. It is therefore prudent to restrict hang gliding within or adjacent to essential habitat given the potential adverse reaction of sheep.

PC 071: The Plan summarizes some recommendations of the PRBS Recovery Plan, but appears to have gone no further. The Plan should address goats on trails, implementing fire management to maintain PRBS habitat, maintaining a uniformed agency presence to educate, monitor, and enforce trails management prescriptions, and other recommendation of the Recovery Plan for PRBS. (Jeff Morgan - Sierra Club)

Some visitors and outfitter/guides use small goats as pack stock. The San Bernardino National Forest does not allow goats in Wilderness that has bighorn sheep habitat (San Jacinto and Santa Rosa). This will carry forward into the Forest Plan Revision as a Standard. Guidance addressing domestic goats and other pack stock on trails, education on trail use, monitoring, and enforcement on BLM managed lands will be covered in the Santa Rosa and San Jacinto Mountains Trails Plan. A fire plan for the National Monument will also address fire management as it relates to PRBS habitat.

PC 072: Provide clarification that the referenced Bighorn Sheep Strategy in Appendix F of the Draft National Monument Management Plan applies solely to federal land within Essential Habitat for Peninsular ranges bighorn sheep. (James Schlecht- Schlecht, Shelvin & Shoenberger)

Appendix F has been updated to reflect this concern

PC 073: The Plan should include language that all actions undertaken by the BLM and Forest Service will be consistent with the goals and objectives of the recovery plan for bighorn sheep. Current analysis of consistency with the recovery plan is unsupported (Lowell Diller - Western Section of The Wildlife Society; Jeff Morgan – Sierra Club)

This language is incorporated into Section 2.B.1 (formerly p 2-5). The Plan is consistent with the Recovery Plan for Bighorn Sheep, Peninsular Ranges (USFWS 2000) and prescriptions were developed using these recommendations. Recovery plans delineate reasonable actions required to recover and/or protect listed species. The USFWS publishes recovery plans; sometimes preparing them with the assistance of recovery teams, contractors, State, and other Federal agencies, Tribes, and other affected and interested parties. Recovery teams serve as independent advisors to the Fish and Wildlife Service. Objectives of the plan will be attained and any necessary funds made available, subject to

budgetary and other constraints affecting the parties involved. Recovery Plans do not obligate cooperating or other parties to undertake specific tasks and may not represent the views nor the official positions or approval of any individuals or agencies involved in the plan formulation other than those of the USFWS. They represent the official position of the USFWS only after they have been signed by the Director, Regional Director, or Operations Manager as approved (page ii USFWS 2000).

PC 074: There is an overemphasis on research and protection of bighorn sheep. Human use and recreational access should take precedence when managing sensitive species (Lawrence Peabody, Bud Wellman, both from Idyllwild Public Meeting)

The National Monument Plan considers recreation needs of the public as well as wildlife needs in relation to bighorn sheep management. The Endangered Species Act directs federal agencies to take actions to protect and promote recovery of Threatened or Endangered Species. Decisions or actions which affect recreation use and access will be based on the best available science and analysis.

PC 075: Human beings are an important part of the ecology of the area, with no demonstrated harm to sheep from foot travel, and foot access should not be restricted. (Abe Siemens, Janet Waters)

Excessive recreational human foot travel can be considered a disturbance to bighorn sheep (Refer to 3-21). Individual foot traffic may not result in disturbance to the local sheep population. However the cumulative effects of increasing recreational use of wildlands in southern California may pose a threat to sheep via habitat fragmentation and degradation, trash dumping, and visual intimidation. Trail use and management within the National Monument is discussed in the CVMSHCP Trails Plan. Additional recreation use and opportunities will be discussed further in the Strategic Recreation Management Plan (Chapter 2, Recreational Resources – Strategic Recreation Management Plan).

PC 076: The Plan needs to state that the Peninsular Ranges bighorn sheep was state listed as Rare in 1971, state listed as Threatened in 1984 and is designated as Fully Protected Species by the State (Draft Plan Page 3-21). (Glenn Black – California Department of Fish and Game)

The plan has been updated to reflect this concern (3-21 in Draft Plan)

PC 077: The Plan needs to mention the recently installed bighorn sheep fence in Rancho Mirage as an example of the cooperative efforts of federal, state, local and private entities to protect bighorn sheep from the impact of growth. Use the term protective barrier and add to definitions. (Monument Advisory Committee)

The plan has been updated to reflect this concern (Definition is found in Glossary and information was added to Chapter 3)

EXOTIC, INVASIVE SPECIES, and NON-NATIVE SPECIES

PC 078: Invasive Weeds and Pests. (Gary Watts - CA Department of Parks and Recreation)

The list of invasive and exotic animals is compiled and maintained by the USDA Animal, Plant, Health, and Information Service (APHIS). The plan has been updated to reflect the concern.

PC 079: BLM and Forest Service should develop and implement their own program to eradicate tamarisk, fountain grass, oleander, and other invasive species in the Monument. (Lowell Diller - Western Section of The Wildlife Society, Monica Bond - CBD)

Section 2.B.1 has been updated to reflect the ongoing BLM and Forest Service program. (2-5 in the draft). We are currently working separately on individual efforts to eradicate and remove non-native plant species. Under the Proposed Plan, coordination and funding opportunities would increase.

PC 080: The DEIS discusses the potential restoration of so-called native species that are chosen based on cultural preferences. This negates use of the coarse filter model that is the basis of the restoration arguments made in the Southern California Mountains and Foothills Assessment. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

Restoration of habitat and species that are endemic or native to Southern California wildlands is a common goal of federal, state, and local governments, wildlife agencies, and public land managers. See Glossary for definitions of “Exotic Species” and “Native Species.” The “Coarse Filter Habitat Approach” used in the Southern California Mountains and Foothills Assessment is intended to conserve broad ecological communities as the most efficient way to maintain species diversity. This assessment was prepared by the Forest Service as a biological resources assessment of Southern California National Forests, not a cultural resource assessment. The local Tribes support the National Monument Plan for the restoration of native species and support the coarse filter approach.

PC 081: Alternative D for non-native species management would provide positive impacts on biological species, vegetation management and habitat management without the need for a programmatic environmental assessment or an ESA Section 7 consultation and would not create additional demands on staff and budget. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

Any federal action that may impact a federally listed species and/or its designated critical habitat must undergo specific levels of ESA Section 7 consultation.

PC 082: Management of noxious, non-native, etc.: Add the word animal and use the word invasive species. (Monument Advisory Committee)

The Plan has been updated to reflect this comment.

LIVESTOCK GRAZING (Management/Allotments)

PC 083: Livestock grazing and management of grazing allotments should be addressed in the monument management plan. (Lynn O'Neill, Idyllwild Public Meeting; Monica Bond - Center for Biological Diversity, Idyllwild Public Meeting)

Livestock grazing and the management of grazing allotments is discussed in section 3.J.5, Livestock Grazing.

CULTURAL VALUES

PC 084: Each affected Tribe should be consulted on a "government –to-government" basis to determine whether they agree to have the Agua Caliente Band of Cahuilla Indians as the main Tribal conduit regarding cultural resource management matters in the Monument. The FEIS should state the positions of other Tribes regarding this role for the Agua Caliente. (Environmental Protection Agency)

Each affected Tribe has been and will continue to be consulted on a "government- to- government" basis regarding cultural resources management. The Agua Caliente Band of Cahuilla Indians has graciously offered to act as a conduit to provide the Tribes with an additional avenue for participating in the exchange of information between the Tribes and the BLM and USFS. This assistance is meant to augment, but not supplant, the agencies' consultation efforts. Individual Tribes are encouraged, but not compelled, to take advantage of Agua Caliente's coordination efforts.

The Native American coordination and consultation strategy outlined in Section 2.B.2: *Cultural Resources - Native American Coordination and Consultation*, provides for on-going government-to-government consultation with the appropriate Tribes.

PC 085: The affected Tribes and Monument management should develop a mutually agreed upon process to gather, manage and use tribal cultural information. This process or the means to develop such a process (e.g., formation of a Tribal/Monument staff working group) should be described in the FEIS. (Environmental Protection Agency)

The Native American coordination and consultation strategy has been updated. Representatives and members of all appropriate Tribes shall be encouraged to participate in a tribal/monument staff working group.

PC 086: The FEIS should state how the confidentiality of cultural resource information will be assured if confidentiality is requested by the Tribes. (Environmental Protection Agency)

Confidentiality of cultural resources is required by law. Confidential cultural resources information is exempt from FOIA as described in Section 9(a) of the Archaeological Resources Protection Act and Section 304 of the National Historic Preservation Act. Access to sensitive cultural information is restricted to authorized agency staff and the information itself is kept in secure locations. Section 2.B.2: *Cultural Resources - Protection and Preservation*, discusses confidentiality issues.

PC 087: The FEIS should describe or provide in an appendix or in Section 2-C.3 the BLM and Forest Service regulations or guidelines on consultation with Tribes. (Monument Advisory Committee; EPA)

BLM and Forest Service regulations and policies for Native American consultation are discussed in BLM Manual 8160 and Forest Service Manual Title 1563 and their respective Handbooks. These documents are available for review at the BLM or Forest Service Offices or on the Internet.

PC 088: To ensure adequate government-to-government consultation with Tribes, the EPA recommends BLM and the Forest Service pursue meetings with each affected Tribe. (EPA)

Each affected Tribe was contacted during the planning process via mail and phone. Meetings were held with Tribal governments as requested by the individual Tribes. Tribal staff and members were invited to participate in the cultural resources working group and to attend planning meetings. Government-to-Government tribal consultation has been emphasized throughout the process and will continue as described in Section 2.B.2: *Cultural Resources – Native American Coordination and Consultation*.

PC 089: Monument staff and the Tribes should develop a procedure for providing easy access to the Monument for traditional uses. The means to develop this procedure, and if uses would be affected by user fees, should be described in the FEIS. (EPA)

Issue has been addressed in Section 2.B.2. Policy will be developed in consultation with appropriate tribes.

PC 090: Under Cultural Resources – Access Section, no guidance is given with regard to developing a policy for Tribal member access for traditional gathering. What methods will insure that future access granted for traditional gathering will not affect endangered species?

A policy should be developed for Tribal members access for traditional gathering activities. This would insure protection of the resources while still recognizing tribal traditions and rights. The policy should apply to tribes with ancestral gathering areas within the National Monument (Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club; Monument Advisory Committee)

The proposed action for BLM and Forest Service to develop a policy for Tribal members' access can be found in Section 2.B.2. BLM and Forest Service have proposed to work with Tribes in order to formulate this policy. Effects to endangered species will be considered during the development of the access policy.

PC 091: Establish measures to protect rock art sites from potential degradation associated directly and indirectly with designated activities. Include enforcement actions to prevent vandalism. (Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club)

Sites are already protected by the Archaeological Resources Protection Act (ARPA, 1979) and by agency law enforcement activities. Rock art sites are protected in the same fashion as all other cultural resource sites as described Section 2.B.2 *Cultural Resources -- Management Plan*.

PC 092: Cultural Resources should include the history and values of the current local (Pinyon) residents, and not just the Native American or Palm Springs community perspective. (Joe Ingram, Pinyon Public Meeting)

Cultural resources include the history and values of all groups who have inhabited or occupied the lands within the National Monument. The following has been added to Section 2.B.2 to clarify this issue: "Management of cultural resources within the National Monument is also of concern to other members of the public. Euroamerican and Hispanic occupation of the area began in the late 1800's. Residents of adjacent communities may have historic ties to the National Monument which span several generations".

PC 093: Section 2-C.27 Cultural Resources- Native American Coordination Consultation needs to be modified to include mention of the Ramona Band's Ecotourism Center and their desire to be involved with the National Monument. (Manuel Hamilton, Ramona Band of Cahuilla Mission Indians)

The National Monument looks forward to working with all interested Tribes and groups in establishing access points and portals to the National Monument. Visitor centers, museums, and other educational and interpretive sites will be coordinated in order to send a shared message where appropriate. Coordinating with Tribes and other Partners is also addressed in the Interpretive Concept Plan (2002).

PC 094: **The California Department of Parks and Recreation requests to be included in the interagency cooperation and coordination efforts related to cultural resources including research, inventory, site stewardship, education, interpretation, management planning, Native American coordinating and traditional collecting and gathering. In the area of collecting and gathering, the California Department of Parks and Recreation asks that the Forest Service and Bureau of Land Management work with State Parks to develop a compatible policy. (Gary Watts - California Department of Parks and Recreation, Inland Empire District)**

"State agencies" has been added where appropriate to indicate inclusion of State Parks in the formation of policies and collaborative efforts.

PC 095: **The Plan needs to use consistent language through out the plan, including the words tribe, tribes, Native Americans and various acronyms. Throughout the plan, under "Preferred Plan (Alternative A, B, and C)", add "tribal organizations" to list of parties to coordinate with. (Monument Advisory Committee)**

The Plan has been reviewed and edited for consistency. Definitions for applicable terms have been added to the glossary.

PC 096: **Page 2-9, Paragraph #2, add Soboba Band to list of consulted tribes. (Monument Advisory Committee)**

The Soboba Band was consulted, and has been added to the list.

PC 097: **Page 2-9, Under Preferred Plan (Alternatives A, B, and C), 2nd bullet-change "significant cultural and historic sites and events" to "significant cultural and historical events." (Monument Advisory Committee)**

Language has been reviewed and modified as appropriate.

PC 098: **Page 2-11, Paragraph # 4- Review section 304 of the National Historic Preservation Act and provide a more detailed description of what the law provides for. (Monument Advisory Committee)**

The following contents of Section 304 have been added to the text of the Plan:

Section 304(a): Freedom of Information Act exemption.

Authority to withhold from disclosure. The head of a Federal agency or other public official receiving grant assistance pursuant to this Act, after consultation with the Secretary, shall withhold from disclosure to the public, information about the location, character, or ownership of a historic resource if the Secretary and the agency determine that disclosure may-

- (1) cause a significant invasion of privacy;
- (2) risk harm to the historic resource; or

(3) impede the use of a traditional religious site by practitioners.

PC 099: Page 2-14, Last paragraph, 4th sentence – remove “(in most cases)”. Add clarifying language if maintained. (Monument Advisory Committee)

The text has been updated to remove the phrase.

PC 100: Numerous trails improved and maintained by the Desert Riders (For example, Art Smith and Boo Hoff) are Cahuilla trails and should be identified as historic linear sites in Section 3-7 and elsewhere. (Nanci Stacey – Desert Riders)

The Plan acknowledges the prehistoric origins of trails within the National Monument (Section 3.C.2- *Cultural Resources*). Those trails that have been recorded as archaeological sites are included in Table 3-3 as “Linear Sites”.

The Plan also recognizes the importance of historic uses of the National Monument. Section 2.B.2- *Management of Cultural Resources* calls for additional research and inventory related to trails and to the history of the National Monument.

PC 101: The Monument Plan should include a separate heading for recreational history with a subheading of the Desert Riders who pioneered European American recreational use of the Santa and San Jacinto Mountains, and Palm Springs Atajo.

A brief discussion of the role of the Desert Riders is provided in section 3.A.1. The historic overview presented in the Monument Plan was not intended to provide detailed information on every historic use of the National Monument. The Cultural Resources Management Plan proposed in Section 2.B.2 would provide a more detailed overview of both the prehistory and history of the National Monument.

The story of Desert Riders’ relationship with the lands of the National Monument represents an important aspect of the area’s past. The Monument Management staff invites the participation of Desert Riders as an “interested party” in the development of the Cultural Resources Management Plan.

PC 102: Trails that historically connected the Cahuilla villages and clans should remain open and interpretative materials should be made available. Prehistoric connecting trails that can still be located should be identified and considered by the National Monument and Cahuilla tribes for improvement. (Nanci Stacey, Desert Riders)

Decisions regarding which trails should remain open are beyond the scope of the Monument Plan. Interpretive materials will be developed as appropriate and in consultation with the Cahuilla.

Future proposals for the reopening and improvement of abandoned prehistoric trails will be subject to environmental analysis and will be made in consultation with the Tribes, appropriate agencies, and other consulting parties.

RECREATIONAL VALUES - GENERAL

PC 103: The FEIS should describe how management restrictions may curtail recreational activities described in the FEIS, including hang gliding, paintball and target shooting, and free roaming pets, and possible mitigation options for the loss of these recreational opportunities. If the current level of these recreational activities is unknown, we recommend the Strategic Recreation Plan include a survey to quantify such activities. Mitigation could include a list of off-Monument areas where these activities can be pursued, collaboration with others on the creation or enhancement of off-Monument areas for these sports, and educational brochures describing the environmental and monument goals achieved through the increased management restrictions. (EPA)

Levels of hang gliding, paintball, and target shooting are unknown. Impacts described in Section 4.B.6, therefore, are addressed in qualitative terms.

Use of Vista Point and lands surrounding the Santa Rosa and San Jacinto Mountains National Monument Visitor Center for hang gliding activities is described in Section 3.E.8 of the FEIS. Use of other sites in the National Monument has not been observed. Hang gliding in designated wilderness is prohibited by law in accordance with the Wilderness Act of 1964 and California Desert Protection Act of 1994. A search on the Internet would provide locations where alternate opportunities for hang gliding in southern California occur.

Occurrences of recreational paintball have not been observed on Federal lands within the National Monument. Opportunities to participate in this activity are available in southern California at established "parks" designed specifically for paintball, mostly in the Los Angeles and San Diego greater metropolitan areas. Individuals desiring to pursue recreational paintball activities can locate these parks through a search on the Internet.

Opportunities for target shooting would continue to be available on private lands within the National Monument as well as BLM and Forest Service lands outside the Monument, except where restricted through site-specific management actions. Shooting ranges in the local area also provide opportunities for this activity, though membership in a gun club may be required for their use. A telephone book or Internet search for shooting ranges and gun clubs would provide locations and contacts.

The Strategic Recreation Plan would address recreational activities approved through the National Monument Plan or other related planning efforts, e.g., Coachella Valley Multiple Species Habitat Conservation Plan which includes the trails management plan for the National Monument. Where activities on Federal lands within the Monument are prohibited (e.g., hang gliding, paintball, and target shooting), the Strategic Plan would not further address them.

Section 2.B.5, Management of Educational Resources, describes how the public would be informed about the vision and mission of the National Landscape Conservation System, including the Santa Rosa and San Jacinto Mountains National Monument. In providing the public with information about allowable uses, educational materials may describe the benefits that result from a prohibition of certain activities.

PC 104: Enforcement measures to ensure implementation of the more restrictive management policies should be described in the FEIS. For example, proposed management will require all pets be on leash within the Monument. The DEIS states that 76% of Monument users currently allow their dogs to roam free (pg. 4-38). Therefore, initial education and enforcement regarding the new restrictions may be necessary. (EPA)

The dispersal of public information pertaining to regulations and allowable uses as determined through the National Monument Plan is addressed in Section 2.B.5, Management of Educational Resources. Enforcement efforts would be based on observations of violations and targeted where recurrence is likely. Monitoring of visitor use is addressed in Section 2.B.8, Management of Visitation, Facilities, Safety, and Uses.

PC 105: Camping should be prohibited in critical and essential bighorn sheep habitat. (Lowell Diller - Western Section of The Wildlife Society; Monica Bond - Center for Biological Diversity)

Camping in essential bighorn sheep habitat is being addressed in the Public Use and Trails Plan section of the Coachella Valley Multiple Species Habitat Conservation Plan. This section of the Multiple Species Plan constitutes the “trails plan” for the National Monument.

PC 106: The Plan should identify recreation zones (by acreage) where certain restrictions (hang gliding, target shooting, etc.) may or may not apply. (John Woods, Pinyon Public Meeting)

Certain activities, such as hang gliding, target shooting, and paintball, would be prohibited; hence recreation zones for these activities would not be applicable. Non-motorized activities such as hiking, biking, and horseback riding are generally being addressed relative to their occurrences within or outside essential bighorn sheep habitat, thereby establishing two “zones,” through the Coachella Valley Multiple Species Habitat Conservation Plan. In addition, Seasonal Trail Areas are proposed for establishment through the Multiple Species Plan, thereby

further refining the “zone” concept for managing recreation. Also, designated wilderness constitutes a “zone” wherein certain activities are restricted by law. Therefore, the establishment of new recreation zones as additional management layers would not likely enhance user understanding of the “rules” for use and could lead to confusion, particularly where various zones overlap.

- PC 107: Only low impact recreation should be allowed in the monument and management of recreation activities should be very restrictive. Protection of the natural and cultural resources should take precedence over recreation. (Sheila Meyer, Valerie Velez, Bob Beck, all from Idyllwild Public Meeting)**

The legislation establishing the National Monument identifies recreation as an important resource value to be preserved alongside biological, cultural, geological, educational, and scientific values.

- PC 108: The DEIS focuses on preservation and conservation at the expense of recreational representation in the planning process. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)**

The legislation establishing the National Monument identifies recreation as an important resource value to be preserved alongside biological, cultural, geological, educational, and scientific values. The proposed National Monument Plan is consistent with this legislative mandate.

- PC 109: Maintaining the requirement for the Adventure Pass could fund biological resource inventory and monitoring programs. (Lowell Diller - Western Section of The Wildlife Society)**

Funds collected through the Adventure Pass program could be used for resource inventory and monitoring programs. Adventure Pass funds can and have been spent on Resource Management programs and projects. For the San Bernardino National Forest, this has included wildlife water projects and stream survey coordination, for instance. Absent fees from Adventure Pass sales, funding for these programs would come entirely from other sources.

- PC 110: The Plan should provide a recommendation that all campfires, when and where allowed, be enclosed in a container, and ground fires should not be allowed within National Monument lands. (David Van Cleve, California Department of Parks and Recreation, Colorado Desert District)**

Additional restrictions pertaining to the use of campfires may be addressed subsequent to completion of the National Monument Plan. A requirement that all campfires be enclosed in a contained and a prohibition on ground fires would be considered.

- PC 111: Desert Adventures Jeep Eco-Tours provide a “mobile seminar” of the environment. By effectively denying commercial motorized**

access, access is likewise effectively denied to the majority of the public. Limiting access to those capable of hiking, biking, or riding on horseback is discriminatory and “environmentally elitist.” (Mary and Charlie Dungans, Desert Adventures Jeep Eco-Tours)

The National Monument Plan does not address motorized commercial activities on BLM or National Forest System lands. Commercial motorized access on public land segments of Dunn Road was approved for the fall months only through the California Desert Conservation Area Plan Amendment for the Coachella Valley (BLM 2002), subject to landowner approval for access across private lands and compliance with the terms of a biological opinion. Regarding management of non-motorized activities such as hiking, biking, and horseback riding, the National Monument Plan defers to the Coachella Valley Multiple Species Habitat Conservation Plan, which includes a detailed trails management plan for the Santa Rosa and San Jacinto Mountains.

PC 112: Add language to the proposed future Strategic Recreation Management Plan stating that it will be consistent with the bighorn sheep recovery plan and the Sikes Act. (Lowell Diller - Western Section of The Wildlife Society)

Section 2.B.3 of the DEIS states the Strategic Recreation Management Plan would be consistent with other related plans and provides examples, rather than a complete list, of such plans.

Regarding the bighorn sheep recovery plan, it recommends actions that provide for recovery of the species. It was published by the US Fish and Wildlife Service in 2000 and represents the official position of the agency. It does not obligate cooperating or other parties to undertake specific tasks, and may not represent the views or the official position of any individual or agency involved in the plan formulation other than USFWS.

The Sikes Act Plan (1980) provided guidance for management of bighorn sheep to BLM and CDFG. Since 1980, many of the actions identified in the Sikes Act Plan have been implemented. Actions that are still relevant continue to be implemented by BLM and CDFG.

PC 113: The Plan stated the future completion of a Strategic Recreation Plan would have no impact on recreational resources. The Strategic Recreation Plan was not presented with any plans to eliminate or propose to mitigate the potential for future restrictions, closures, or limitations to public access. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

Section 4.B.6 asserts that *preparation* of the Strategic Recreation Management Plan, versus its *completion*, would have no impact on recreational resources. During preparation of the Plan, opportunities to pursue recreational activities would be neither enhanced nor diminished. Impacts to recreation would be analyzed subsequent to the identification of specific actions in the Plan. Any future restrictions, closures, or

limitation on public access through the Strategic Plan are unknown at this time; hence mitigations to such actions cannot be identified.

PC 114: The Strategic Recreation Plan should be based upon a primary premise that recreation, including hiking, equestrian, and other outdoor experiences is the most important element of the National Monument. (William Kleindienst – City of Palm Springs)

The legislation establishing the National Monument identifies recreation as an important resource value to be preserved alongside biological, cultural, geological, educational, and scientific values. The Strategic Recreation Management Plan, in addressing consistency of management among jurisdictions and conflicts between potentially incompatible recreational activities, would be consistent with the legislative mandate. Recreation values would not be considered more or less important than other resource values in development of the Strategic Plan.

PC 115: The Plan needs to incorporate language to address monitoring geocaching in the future with management changes to be added as needed. Include a component of education for this activity. (Monument Advisory Committee)

Section 2.C.3, Adaptive Management and Monitoring Program – Plan Monitoring, states that BLM and Forest Service shall monitor and evaluate the continued effectiveness of the National Monument Plan in protecting and preserving the resources that the National Monument was established to protect and preserve. Such monitoring and evaluation applies to any activities allowed on the Federal lands, including those associated with geocaching. If these activities adversely affect resource values in the future, the appropriate agency would respond as necessary to ensure the legislative mandate is achieved. Section 2.B.5, Management of Educational Resources, identifies a public information strategy that, in part, would provide the public with information on allowable uses.

PC 116: The Plan needs to provide for additional public safety services (law enforcement and fire protection), as a result of increased visitation to the National Monument. (Darryl James, Mary Petit, Pinyon Public Meeting)

It is recognized that understanding the levels of use and potential impacts by visitors to the National Monument is an important component of resource management. It is proposed that visitor use be monitored through a variety of methods (Section 2.B.8, Management of Visitation, Facilities, Safety, and Uses). Based on an understanding of use levels and potential visitor impacts, including where and how public safety might be affected, law enforcement personnel can be appropriately directed. Needs for additional public safety services would be addressed when threats to public safety are identified.

Upon completion of the National Monument Plan, a Comprehensive Fire Plan for the Monument would be initiated (Section 2.B.8, Management of Visitation, Facilities, Safety, and Uses). The fire plan would be a coordinated effort with Tribes, Bureau of Indian Affairs, California Department of Forestry, Riverside County Fire Department, Cathedral City Fire Department, Palm Springs Fire Department, State Parks, and community fire safe councils. Threats to public safety and resource values, regardless of the source, would be considered in development of the fire plan.

PC 117: The National Monument needs to hold the USFWS accountable to both its duties under the Endangered Species Act (ESA) and to the public, then balance the endangered species with the recreational mandate of the National Monument Act. (Nanci Stacey, Desert Riders)

Federal agencies are responsible for carrying out their duties in conformance with all applicable laws and regulations. This is the public trust. The US Fish and Wildlife Service is a Federal agency with responsibilities under the Endangered Species Act (ESA) to address Federal actions where threatened or endangered species may be affected, or adverse modification of designated critical habitat may occur. Relative to the National Monument, BLM and Forest Service work cooperatively with USFWS to ensure that Federal actions are undertaken in accordance with the ESA.

Section 3(a) of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106-351) states, "The Secretary of the Interior and the Secretary of Agriculture shall manage the National Monument . . . in accordance with . . . applicable provisions of law." Section 5(a) of the Act states, "The management plan required by section 4(a) shall include provisions to continue to authorize the recreational use of the National Monument, including such recreational uses as hiking, camping, mountain biking, sightseeing, and horseback riding, as long as such recreational use is consistent with this Act and other applicable law." One of the laws with provisions applicable to management of the National Monument is the Endangered Species Act. While the Monument Plan addresses certain recreational activities and balances the opportunities for them with recovery needs of threatened and endangered species, it defers many trail use and associated recreation decisions to the Coachella Valley Multiple Species Habitat Conservation Plan. Through this Habitat Conservation Plan, the recovery needs of threatened and endangered species will be balanced with the provision of opportunities for recreational activities in the Santa Rosa and San Jacinto Mountains.

RECREATIONAL VALUES – RECREATIONAL SHOOTING AND HUNTING

PC 118: BLM does not adequately examine the cumulative impacts of destructive activities sometimes associated with hunting, such as

use of rock art panels as target practice. (National Trust for Historic Preservation)

The Draft Plan distinguishes between “hunting” and “recreational shooting,” thereby addressing them differently. The few rock art sites known to occur are not near roads or access points, and are not considered to be threatened at this time. The use of rock art panels as targets has not been documented in the National Monument. Target shooting in association with hunting would be prohibited on Federal lands within the National Monument.

PC 119: BLM should discuss ways to control destructive activities sometimes associated with hunting, such as increased patrols and ensuring that a buffer between rock art panels and access roads is adequate. (National Trust for Historic Preservation)

Destructive activities associated with hunting have not been documented in the National Monument. Where monitoring reveals destructive activities have occurred, increased patrols may be initiated. The known rock art sites within the National Monument are not near roads or access points.

PC 120: Opportunities for target shooting should be provided in the National Monument. (Bud Wellman, Ray Barmore, Pinyon Public Meeting)

No recreational shooting, except for hunting, would be allowed on Federal lands within the National Monument. Opportunities for target shooting would remain on BLM or National Forest System lands outside the National Monument or on non-Federal lands, consistent with existing regulations and ordinances.

PC 121: Hunting opportunities should be protected and maintained in the National Monument. (Charles Clayton, Pinyon Public Meeting)

Hunting will continue to be permitted in the National Monument consistent with California Department of Fish and Game regulations. These regulations prohibit hunting in State Game Refuges 4D and 4G, which occur within the National Monument.

PC 122: The Plan should prohibit gas and air propelled weapons that dispense paintballs, or similar substances, within the National Monument. (Jason Swartz, California Wilderness Coalition)

The discharge of gas and air-propelled weapons and simulated weapons would not be allowed within the National Monument. Section 2.B.3 has been revised to reflect that the prohibition pertains to the discharge of these weapons, not possession.

PC 123: The Plan should prohibit recreational target shooting within the National Monument. (Jason Swartz, California Wilderness Coalition)

No recreational shooting, except for hunting, would be allowed on Federal lands within the National Monument. Opportunities for target shooting would remain on BLM or National Forest System lands outside the National Monument or on non-Federal lands, consistent with existing regulations and ordinances.

RECREATIONAL VALUES – PETS

PC 124: The language regarding pets needs to be clearer. (Gary Watts - California Department of Parks and Recreation, Inland Empire District)

Section 2.B.3 has been revised in response to this comment.

PC 125: Management of dogs (pets and working dogs) within Essential habitat of bighorn sheep within the boundaries of the National Monument should be in accordance with the existing closure order, Recovery Plan recommendations, and the Bighorn Sheep strategy described in the Coachella Valley CDCA Plan Amendment. Dogs should not be allowed at the Visitor Center off of Highway 74 because this is within Essential Habitat for bighorn sheep. (Lowell Diller - Western Section of The Wildlife Society; Monica Bond - Center for Biological Diversity)

Management of pets in essential bighorn sheep habitat is being addressed in the Public Use and Trails Plan section of the Coachella Valley Multiple Species Habitat Conservation Plan. Working dogs, such as dogs used to herd cattle, would be allowed pursuant to an authorization for use of Federal lands (e.g., grazing lease).

PC 126: Clarify working dogs and hunting dogs in the Plan. (Lowell Diller - Western Section of The Wildlife Society)

Section 2.B.3 has been revised in response to this comment.

PC 127: Permitting working dogs in the Monument, with no leash required, would greatly help ranchers. (Bud Wellman)

The preferred alternative allows for unleashed working dogs pursuant to a specific use authorization, such as a grazing lease.

PC 128: The Plan needs to state in the Pets Section of Chapter 3 that dogs are not permitted in Carrizo Canyon, Hidden Palms, and Magnesia Springs Ecological Reserve. (Glenn Black – California Department of Fish and Game)

Section 3.D.11 of the DEIS (3.E.11 of the FEIS) has been revised in response to this comment.

RECREATIONAL VALUES – HANG GLIDING

PC 129: Hang gliding over bighorn sheep habitat has the potential to harass or disrupt sheep and should be prohibited. Hang gliders from Vista Point must land on Bighorn Institute property or the state ecological reserve, potentially disturbing or harassing sheep in the Bighorn Institute captive breeding and lambing facility. (Lowell Diller - Western Section of The Wildlife Society; Monica Bond - Center for Biological Diversity)

There are no data that support the assertion that hang gliding harasses or disrupts bighorn sheep lambing activities. There are limited data indicating that nesting eagles may be disturbed by hang gliding and paragliding when gliders are too close to the nest sites (within 1200 meters)(page 4-16 DEIS). There is uncertainty regarding the impacts of hang gliding on bighorn sheep. However, there is strong evidence in the scientific literature that bighorn sheep react more adversely to unpredictable uses, such as the sudden appearance of humans. It is therefore prudent to restrict hang gliding within or adjacent to essential habitat given the potential adverse reaction of sheep.

PC 130: The DEIS incorrectly states that land adjacent to the Bighorn Institute's property has historically been used only as an emergency landing site. This is not factual, as hang gliders routinely landed on Institute property. (Bighorn Institute)

Section 3.D.8 of the DEIS (3.E.8 of the FEIS) has been revised in response to this comment.

PC 131: Hang gliding should be prohibited in the National Monument within critical Bighorn sheep habitat, and in areas outside Bighorn sheep habitat that also contain important ecological functions and cultural resources. (Jason Swartz, California Wilderness Coalition)

Hang gliding launches from and landing on BLM and Forest Service lands within and adjacent to essential bighorn sheep habitat in the National Monument would not be allowed. There is strong evidence in the scientific literature that bighorn sheep react more adversely to unpredictable uses, such as the sudden appearance of humans. It is therefore prudent to restrict hang gliding within and adjacent to essential bighorn sheep habitat given the potential adverse reaction of sheep.

Identification of appropriate launching and landing sites outside and not adjacent to bighorn sheep habitat in the National Monument would occur in coordination with hand gliding associations. BLM and Forest Service would identify Federal lands outside bighorn sheep habitat where hang gliding activities would not be appropriate.

Ecological functions and cultural resources are not known to be affected in a different manner by hang gliding than by other non-motorized recreational activities. Access for hang gliding on Federal lands, whether via motorized vehicle or other means, would be subject to the same limitations as imposed for any other recreational endeavor.

PC 132: Hang gliding within the National Monument should not be restricted. (George Reeves, Bud Wellman, Ray Barmore, Pinyon Public Meeting)

Hang gliding launches from and landing on BLM and Forest Service lands within and adjacent to essential bighorn sheep habitat in the National Monument would not be allowed. There is strong evidence in the scientific literature that bighorn sheep react more adversely to unpredictable uses, such as the sudden appearance of humans. It is therefore prudent to restrict hang gliding within and adjacent to essential bighorn sheep habitat given the potential adverse reaction of sheep.

Identification of appropriate launching and landing sites outside and not adjacent to bighorn sheep habitat in the National Monument would occur in coordination with hand gliding associations. BLM and Forest Service would identify Federal lands outside bighorn sheep habitat where hang gliding activities would not be appropriate.

PC 133: The Plan needs to consider other gliding sports beside hang gliding (i.e. ultralight, parasailing, etc.). (Monument Advisory Committee)

Section 2.B.3 has been revised in response to this comment.

PC 134: Even though hang gliding prohibitions in and around big horn sheep habitat would reduce the impact on bighorn sheep, other wildlife could be impacted as a result of the stress responses to airborne gliders. Wildlife and plants (from trampling) could be affected by persons hiking cross-country into and out of remote areas from landing points. (Gary Watts, California Department of Parks and Recreation, Inland Empire District)

Hang gliding in the National Monument would only be allowed outside essential bighorn sheep habitat. BLM and Forest Service would identify Federal lands outside bighorn sheep habitat where hang gliding activities would not be appropriate. Until impacts to resource values resulting from cross-country travel in the pursuit of hang gliding opportunities are identified as being different from cross-country travel associated with other recreational endeavors, access for hang gliding on Federal lands would be subject to the same limitations as imposed for these other recreational activities.

PC 135: The State Parks service requests that if hang gliding is allowed that all landing sites be located an adequate distance away from State Park boundaries to ensure that "accidental" landings do not occur. Vehicles will not be allowed to enter State Wilderness to retrieve

gliders. (David Van Cleve - California Department of Parks and Recreation, Colorado Desert District)

Hang gliding launches from and landing on BLM and Forest Service lands within and adjacent to essential bighorn sheep habitat in the National Monument would not be allowed. Outside essential habitat where hang gliding would be permitted, launch and landing sites in the National Monument have not been identified. In identifying such sites, consideration would be given to the potential for accidental landings within the State Park.

RECREATIONAL VALUES – FERAL ANIMALS

PC 136: County leash laws should be enforced in the National Monument. (Nick Steffanoff, Ray Barmore, Pinyon Public Meeting)

Applicable laws, regulations, and ordinances are enforced by the appropriate jurisdiction in accordance with existing authority. In the National Monument, leashes would be required for pets on Federal lands. Federal law enforcement officials (BLM and Forest Service) would enforce leash laws on federal lands, and, if deputized and requested, may assist in enforcing county leash laws on private lands in Riverside County, within the National Monument boundary.

PC 137: In addition to establishing a protocol for addressing feral and uncontrolled dogs, the Plan needs to commit to implementing this protocol. The Plan should address methods for discouraging abandonment and prohibiting creation or support of human-supported feral animal colonies. (Lowell Diller - Western Section of The Wildlife Society; Bud Wellman, Idyllwild Public Meeting)

The Proposed Plan provides guidance for the coordination of feral animal control between federal agencies and appropriate County and City personnel. The Plan explains the existing Forest Service education program in the Invasive Weeds and Pests section under Biological Resources on page (DRAFT 3-16). The Plan has been updated to extend this program into BLM lands. The Forest Service currently maintains signs informing the public that it is unlawful to abandon dogs and cats on Federal lands.

PC 138: Feral animals and uncontrolled pets should be immediately trapped and removed from the Monument lands (Monica Bond - Center for Biological Diversity)

Trapping and removal of feral animals falls within the jurisdiction of County of Riverside animal control. Federal agencies such as the Forest Service and BLM have no authorization and/or training to handle and process feral animals. Animals cannot be transported in Federal government vehicles, thus prohibiting Federal agency personnel from handling and removing feral animals. The Proposed Plan provides

guidance for the coordination of feral animal control between federal agencies and appropriate County and City personnel. The Plan explains the existing Forest Service education program in the Invasive Weeds and Pests section under Biological Resources on page (DRAFT 3-16). The Plan has been updated to extend this program into BLM lands.

RECREATIONAL VALUES – TRAILS

Trails Management Plan

Management prescriptions for non-motorized recreational trail use and associated activities (e.g., cross-country travel, camping, recreation with pets, use of pack stock, organized group activities, commercial recreation activities, competitive events, and motorized-vehicle use of trails for maintenance and construction) are concurrently being addressed through the Public Use and Trails Plan element of the Coachella Valley Multiple Species Habitat Conservation Plan. The following comments, which are specific to management prescriptions being addressed in the Multiple Species Plan rather than the National Monument Plan, will be addressed in the public review draft of the Multiple Species Plan scheduled for release in the fall of 2003, as appropriate. Unsubstantiated opinions will not receive a response.

- PC 139: Mountain biking should be allowed on existing roads and trails in the National Monument. (Charles Clayten, Pinyon Public Meeting)**
- PC 140: The Plan should consider closing to mountain bikes, all trails that have impacts on bighorn sheep and other threatened and sensitive species. (Jason Swartz, California Wilderness Coalition)**
- PC 141: Mountain bikes should not be permitted on trails within proposed Wilderness Study Areas or on trails leading to designated Wilderness. (Jason Swartz, California Wilderness Coalition)**
- PC 142: Trail users being requested to voluntarily refrain from using some trails from January 1 through September 30 eliminates trail use for nine months. If this restriction becomes mandatory under the pending plan it will have negative impacts on recreation. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)**
- PC 143: The closure of 50% of the Monument for nine months of the year without solid data that humans and not mountain lions are impeding the recovery of the Bighorn sheep is precipitous and unjustified. (Barbara J. Ferguson – Backcountry Horseman of California)**
- PC 144: The Plan does not provide adequate justification for trail closures to hikers without dogs. (Jim Blakely, Tracy Kupferberg, Abe Siemens, Palm Desert Meeting)**
- PC 145: The Plan does not propose trail management prescriptions to protect resources and does not propose conceptual guidance to enhance non-motorized trail use. Example: Trails and trailheads**

servicing Monument would interconnect with Coachella Valley floor trails and regional recreational amenities where feasible and biologically appropriate. (Jeff Morgan - Sierra Club).

PC 146: Provide clarification of the extent that the Trails Management Plan abutting private land holdings. (James Schlecht- Schlecht, Shelvin & Shoenberger).

PC 147: There should be no closures and “no net loss of trails and roads” which provide public access to the monument. (Lawrence Peabody, Idyllwild Public Meeting; Charles Clayton, Pinyon Public Meeting)

PC 148: Dog restrictions and restrictions upon hiking, equestrian and other outdoor experiences within Peninsular Ranges bighorn sheep habitat must be based upon documented adverse impacts and ongoing monitoring and restrictions or prohibitions should be limited to those necessary to protect the sheep (Draft Plan pg ES-27, ES-30, 2-21-22). (William Kleindienst – City of Palm Springs)

PC 149: Use of trails mentioned within the Trails Management Plan (in progress) constitutes unauthorized trespass onto state and private lands. (Monica Bond - Center for Biological Diversity)

Trail issues addressed in the National Monument Plan

PC 150: Reference to trail use data collected by Sheep Ambassadors should be qualified by the protocol with which the numbers were collected and the potential avoidance by hikers of trailheads where Sheep Ambassador vehicles were parked. (Jeff Morgan - Sierra Club)

Section 3.D.2 of the DEIS (3.E.2 of the FEIS) has been revised to clarify the methodology for collecting trail use data. No evidence of hikers avoiding trailheads where BLM vehicles were parked is available, therefore such avoidance was not considered in the collection of trail use data. Further, the purpose of the Voluntary Trail Avoidance Program has been to reduce the number of people using trails in bighorn sheep habitat. If hikers avoid trailheads where government vehicles are parked, the effectiveness of this program is enhanced.

PC 151: The proposal of a 500-foot wide management corridor along the PCT has the potential to negatively impact equestrian trail users, especially those with pack stock, by limiting their ability to camp, feed, rest, and water their stock within the established corridor. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

A revision to the existing Memorandum of Understanding with the Pacific Crest Trail Association as proposed would necessitate coordination with the Association to ensure that recreational values are considered when management activities affecting Federal lands within the corridor are addressed. Such coordination may benefit recreational use of the Pacific

Crest Trail by ensuring that recreational values associated with the Trail are not overlooked, particularly when non-recreation related actions are proposed within the corridor. The preferred alternative has been revised to clarify that the coordination requirement would not be implemented until the MOU has been revised.

PC 152: The Plan does not provide the purpose of the 500-foot management corridor and does not provide what is lacking in the normal procedures that necessitate the corridor and the revision of the MOU with the PCTA. (Barbara J. Ferguson – Backcountry Horseman of California)

Section 2.B.3 describes the purpose of the 500-foot management corridor, i.e., it ensures coordination with the Pacific Crest Trail Association when actions are proposed on Federal lands within the corridor. Such coordination would ensure consideration is given to recreational values of the PCT in the decision-making process. The existing MOU provides for coordination but does not establish any bounds regarding proximity of proposed actions that initiates such coordination.

PC 153: The plan needs to indicate that bicycles are prohibited on Department Ecological Reserves (Draft Plan Page 3-32). (Glenn Black – California Department of Fish and Game)

Section 3.D.2 of the DEIS (3.E.2 of the FEIS) has been revised in response to this comment.

PC 154: The Plan needs to add that the portions of the Art Smith Trail that cross the Magnesia Springs Ecological Reserve are currently closed from June 15 to September 30 (Draft Plan Page 3-37). (Glenn Black – California Department of Fish and Game)

Sections 3.D.2 and 3.D.10 of the DEIS (3.E.2 and 3.E.10 of the FEIS) have been revised in response to this comment.

PC 155: The California Department of Parks and Recreation requests that the BLM and Forest Service coordinate with State Parks to establish a consistency in trail signage. (Gary Watts, California Department of Parks and Recreation, Inland Empire District)

The Strategic Recreation Management Plan would establish mechanisms for consistency of trail signage among all jurisdictions within the National Monument.

PC 156: Clarify what “short trail signs” are on page 3-46 of the draft. (Monument Advisory Committee)

Section 3.F of the DEIS (3.G of the FEIS) has been corrected to reflect “short trails and signs.”

EDUCATIONAL VALUES

- PC 157: The Preferred Alternative for Education is an unnecessary and expensive duplication of effort. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)**

Because of the complexity and number of land management agencies and partners in the national Monument, the coordination of efforts around messaging will require extra attention. Education-related efforts provide a means of effectively administering the resources in the National Monument.

- PC 158: Plan should include education and interpretation actions, which highlight biological, geological, and cultural resources. (Kristen Sykes et al - Friends of the Earth and others)**

Education and interpretation actions specific to geological and cultural resources are included in respective sections (See Sections 2.B.2 and 2.B.5 and the Environmental Education and Interpretive Concept Plan) The Draft Plan includes educational actions that highlight biological, geological and cultural resources

- PC 159: Page 2-24, Management of Educational Resources – the cultural resources work group would like the committee to further discuss the proposed approach and consider including more specific actions. (Monument Advisory Committee)**

It has been requested that more specific actions be on the agenda of an upcoming MAC meeting and /or Education subcommittee meeting.

- PC 160: The Monument Advisory Committee believes the following areas in the Plan should be rewritten because they are currently not clearly written: Section 3.F (Page 3-45), Page 3-47, and Section 4.B.2 (Page 4-7). (Monument Advisory Committee)**

National Monument interpretive staff will view these areas of the Plan and changes will be considered.

GEOLOGICAL VALUES

- PC 161: The Plan should address collection of rocks, plants, and other natural resources, and how regulations would be enforced. (Dale Hodges, Palm Desert Meeting)**

SCIENTIFIC VALUES

- PC 162: The Plan should describe the scope and extent of current and target GIS data, their intended use, availability of metadata, and data**

limitations. The Plan should also describe data validation methods and provide an assessment of data quality and scale. (Lowell Diller - Western Section of The Wildlife Society).

(Page 2-27 DEIS). The BLM and the Forest Service are committed to maintaining current coverages of resources on GIS layers to assist with research and management. BLM and Forest Service have access to metadata used in the development of habitat conservation plans that encompass the Monument. These metadata have been used in the impact analysis and development of the Plan. Water resources on BLM managed lands have been ground-truthed (BLM 2003). This will be completed for Forest Service lands as well. Species models have been developed for all sensitive and listed (threatened and endangered) species within the Monument. These models are constantly being ground truthed and updated. We will continue to incorporate new information into our GIS layers as it becomes available. BLM and Forest Service contract with various universities, including University of California, Riverside and Davis, Pacific Southwest Research Station – Riverside Fire Lab and private contractors that are state and federally certified surveyors and monitors. The data collected is reviewed by both staff biologists and also subject to the peer-review process when data are published.

PC 163: Clarify the issue of a research permit requirement with respect to state and federal wildlife resource agency access to Monument lands. (Lowell Diller - Western Section of The Wildlife Society; Glenn Black -CDFG).

State and Federal wildlife resource agencies (US Fish and Wildlife Service and California Department of Fish and Game) are required to obtain a permit from BLM to conduct research and/or monitoring activities on BLM-managed public lands (CDCA Plan 1980). Currently, Forest Service has no such requirement, although both State and Federal agencies are strongly encouraged to coordinate research and monitoring activities with the Forest Service. See chapter 3 for more information.

PC 164: An independent scientific review board, such as the National Academy of Science, should review scientific reports and research and avoid political decisions on management actions. (Bud Wellman, Pinyon Public Meeting)

Management decisions are developed in a public setting, according to applicable laws and regulations, with input from multiple public interests and viewpoints. The best available scientific information is considered in these decisions, and shared among other resource management agencies and professional peers whenever possible.

PC 165: “Management of Scientific Resources,” 4th bullet - “... all applications for research with in the National Monument would be addressed and approved by the National Monument Manager.” Can be interpreted to mean that the manager would approve all applications for research. Delete the quoted sentence and insert a

new bullet with this wording: “All applications for research within the Monument would be reviewed by the National Monument Manager and approval or denial of a permit application by the National Monument Manager would be based on compliance with the conservation objectives, Land Health Standards, and Standards and Guidelines for the area of interest.” (Monument Advisory Committee)

The plan has been updated to reflect this concern. (2.B.6)

SCENIC VALUES

PC 166: The Scenic Values section should acknowledge that there will be private development within and adjacent to the National Monument and that any impact of private development on National Monument scenic resources are not covered, addressed, or regulated in any manner by the Plan. (William Kleindienst – City of Palm Springs)

Section 2.B.7 has been revised in response to this comment.

FACILITIES

PC 167: The Monument Plan should include a portal sign and automobile turnout with interpretive information on the Monument and Snow Creek area, to be located near the junction of Highway 111 and Snow Creek Road. (Les Starks)

The National Monument Plan provides guidance for the development of new signs and facilities. Identification of specific signs and facilities is not within the scope of this Plan.

PC 168: The County of Riverside has twenty-one county maintained roads within the National Monument, with a combined total mileage of 10.43 miles of paved and unpaved roads that provide access to residents of this area. The Transportation Department would like to continue to maintain these roads with a minimum of additional requirements. (Edwin D. Studor, County of Riverside Transportation and Land Management Agency)

The National Monument Plan would impose no additional requirements for County maintenance activities on roads under its jurisdiction. The Plan would commit BLM and Forest Service to work with the County to secure legal access across non-Federal lands where public access is needed.

PC 169: All new facilities should be placed in surrounding communities if at all possible and the plan should address any upcoming plans or potential plans for facility development. (Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club)

Guidelines for future facility development are provided in Section 2.B.8. Some facilities would be appropriate within the National Monument, e.g., restroom facilities and kiosks at trailheads.

- PC 170: In the Facilities Section of Chapter 2, Add a section which designates and encourages cooperative efforts and joint use of facilities such as the Highway 111 Palm Springs Visitor Center or add a Specific Plan option for this. Add funding and grant opportunities supported by a strong policy statement. (William Kleindienst – City of Palm Springs)**

Section 2.B.8 has been revised to reflect that cooperative efforts and joint uses of facilities would be encouraged as appropriate.

- PC 171: The Plan does not address updating and improvement of the National Monument Visitor Center in Palm Desert. (Jane Dodd, Palm Desert Meeting)**

Modifications to the National Monument Visitor Center in Palm Desert on Highway 74, if necessary, will be addressed in a facility development plan to be prepared subsequent to approval of the National Monument Plan. Identification of such modifications is not within the scope of the National Monument Plan.

- PC 172: On Page 3.72 of draft, the Plan needs to refer to the maintenance of Pinyon campground road. (Monument Advisory Committee)**

Table 3.11 has been revised to reflect that the Pinyon Flat Campground road is assigned to maintenance level 3.

- PC 173: On Page 3-29 of the Draft Plan, under Section 3.D.1, the geographic location of the Visitor Center needs to be listed. (Monument Advisory Committee)**

Section 3.D.1 of the DEIS (3.E.1 of the FEIS) has been revised in response to this comment.

- PC 174: The Plan needs to address adequate maintenance, repair, and modernization upgrades. (Tom Liegler)**

Guidelines for new facility development, including upgrades, are provided in Section 2.B.8. Maintenance of all existing and new facilities would be in accordance with existing BLM and Forest Service standards. Site-specific needs for maintenance, repairs and upgrades are not within the scope of the National Monument Plan.

ACCESS/ROADS/OFF-HIGHWAY VEHICLES

PC 175: There should be additional trails and roads, which provide public access to the monument. (Lawrence Peabody, Idyllwild Public Meeting)

Decisions pertaining to motorized-vehicle access are outside the scope of the National Monument Plan. Route designations for motorized public access on BLM lands were made through the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002) and are not herein subject to reconsideration. Vehicular access to roads on Forest Service lands, except Level 2 roads, is addressed through the Forest Land and Resource Management Planning Revision process. Level 2 roads will not be addressed in the LRMP Revision process.

Non-motorized access, including the development of new trails, is addressed through a comprehensive trails management plan that is concurrently being developed. Hence, decisions pertaining to non-motorized access are also outside the scope of the National Monument Plan.

PC 176: The Plan should propose a re-designation of Santa Rosa Mountain Road as open for OHV use. (Charles Clayten, Pinyon Public Meeting)

Motorized-vehicle access to roads on Forest Service lands is addressed through the Land and Resource Management Planning Revision process. Decisions regarding such access are outside the scope of the National Monument Plan.

PC 177: Off-highway vehicles should be limited to use on existing open monument roads, and any signs or examples of trespass should be dealt with quickly and convincingly, including the Snow Creek area. (Les Starks; Jason Swartz, California Wilderness Coalition)

In accordance with Section 5(b) of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106-351), use of motorized vehicles in the National Monument is allowed only on roads and trails designated for such use, except where or when needed for administrative purposes or to respond to an emergency. Route designations for motorized public access on BLM lands were made through the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002) and are not herein subject to reconsideration. Vehicular access to roads on Forest Service lands, except Level 2 roads, is addressed through the Forest Land and Resource Management Planning Revision process. Level 2 roads will not be addressed in the LRMP Revision process.

Use of motorized vehicles on Federal lands in a manner inconsistent with BLM and Forest Service land use plan decisions or existing regulations is addressed as appropriate to the circumstance, and may include the issuance of citations to violators of regulations and restoration of lands where resource damage has occurred. Trespass on private lands is generally addressed by local law enforcement entities in accordance with State laws and local ordinances.

PC 178: Legitimate efforts to ensure the long-term protection of the Monument's resources must not include any off-highway vehicle use. (Jason Swartz, California Wilderness Coalition)

In accordance with the establishing legislation, use of motorized vehicles in the National Monument is permitted only on roads and trails designated for such use, except where or when needed for administrative purposes or to respond to an emergency (Sec. 5(b)). Decisions regarding vehicular access to BLM lands were made through the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). These decisions, which prohibit travel off approved routes in the National Monument, are consistent with the Santa Rosa and San Jacinto Mountains National Monument Act of 2000. Further, these decisions meet the needs identified in the Plan Amendment to (1) provide for multiple use and sustainable development of the public lands while making progress towards healthy, properly functioning ecosystems; (2) provide for the recovery of Federal and State listed species; (3) avoid future listings of sensitive species; and (4) provide recreational opportunities on the public lands. Changes to these decisions are not within the scope of the National Monument Plan.

Motorized-vehicle access to roads on Forest Service lands is addressed through the Land and Resource Management Planning Revision process. Decisions regarding such access are outside the scope of the National Monument Plan.

PC 179: In the Management of Visitation, Facilities, Safety, and Uses Section, Add a new section titled, "Visitor Use with Regard to Highway 111" because this provides access to the desert floor, dramatic views of the National Monument, opportunities for facilities and cooperative grants with local cities. (William Kleindienst – City of Palm Springs)

Section 2.B.8 has been revised in response to this comment.

PC 180: BLM does not adequately examine the cumulative impacts of OHV use in accordance to FLPMA, NEPA, and NHPA. BLM must supplement the draft RMP with an adequate discussion of cumulative impacts associated with OHV use in those areas designated as "Limited", especially OHV impacts on cultural and historic resources. (National Trust for Historic Preservation)

Section 4.C has been expanded to discuss cumulative impacts associated with off-highway vehicle use.

As described in Section 3.D.13 of the DEIS (3.E.13 of the FEIS), vehicles are required to remain on approved routes of travel in areas designated "limited." Cross-country travel is prohibited. In "closed" areas, vehicle traffic is prohibited except for administrative or emergency use. All lands within the National Monument are designated either "limited" or "closed."

No cross-country OHV travel is authorized at any location within the National Monument. Because all vehicles are restricted to approved routes, impacts to cultural resources or historic properties resulting from OHV use in "limited" areas are not anticipated.

PC 181: BLM should conduct a cultural resources review of lands designated as "Limited" for OHV use as required under Section 106 of the National Historic Preservation Act. (National Trust for Historic Preservation)

Such review was conducted and described in the Environmental Impact Statement for the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002) in conjunction with BLM's Proposed Plan to designate certain public lands as "limited" or "closed" to motorized-vehicle access within the National Monument. As changes to these designations are not within the scope of the National Monument Plan, further review relative to this issue is not required.

PC 182: BLM should supplement the draft RMP with a more descriptive analysis of what areas will be designated as "limited" for OHV use and provide maps of the designations so that the public is given the opportunity to examine the proposed OHV designations. (National Trust for Historic Preservation)

Area designations pertaining to off-highway vehicle use on public lands were made through the California Desert Conservation Area Plan for the Coachella Valley (2002). Changes to these designations are not within the scope of the National Monument Plan. Hence, area designation proposals are not described. Except for the Santa Rosa Wilderness Additions and 357 acres of public land south of Highway 111 at Windy Point, which are designated "closed" to motorized-vehicle access, BLM lands within the National Monument are designated "limited."

PC 183: "Management of Visitation, Facilities, Safety, and Uses-Access" Includes a description of access to non-federally owned land across public land. The preferred strategy addresses access to federal land across non-federal lands. There is either narrative or another policy missing. Please clarify. (Monument Advisory Committee)

Section 2.B.8 indicates that reasonable access across BLM and Forest Service lands to non-Federal properties surrounded by Federal lands is assured to the property owner. The instrument that secures legal access across the Federal lands is a right-of-way grant. The strategy proposed in the National Monument Plan addresses the converse situation: access

across non-Federal properties to BLM and Forest Service lands. The proposal is to work with County, City, and private entities to secure legal access to the Federal lands. This would be accomplished through easements, acquisitions, agreements or Memoranda of Understanding, the last two being applicable to government entities only.

PC 184: The Plan needs to include the limits of access to and through various private properties within the Monument. (Nick Steffanoff, Mountain Center)

The Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106-351) states that nothing in the establishment of the National Monument shall affect any property rights within its boundaries (Section 3(c)). Further, the establishment of the National Monument does not grant any new authority on or over non-Federal lands not already provided by law, and the authority of the Secretary of the Interior and the Secretary of Agriculture under the Act extends only to Federal lands and Federal interests in lands included in the National Monument.

Motorized-vehicle access across BLM lands to private lands was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Decisions made through this Plan Amendment are not subject to reconsideration in the National Monument Plan. Vehicular access across Forest Service lands to private lands is being addressed through the Land and Resource Management Planning Revision process; hence such decisions are also outside the scope of the National Monument Plan.

Motorized-vehicle access through private properties within the National Monument is subject to the discretion of the landowner, consistent with Federal authority already provided by law. Establishment of the National Monument does not change this circumstance.

Non-motorized access to or through both Federal and non-Federal lands within the National Monument is addressed through a comprehensive trails management plan that is concurrently being developed. Hence, decisions pertaining to non-motorized access are outside the scope of the National Monument Plan.

PC 185: BLM should allow reasonable access across public lands in the National Monument to private entities who own land that has been inaccessible to them since August 2000. (Nanci Stacey, Desert Riders)

On August 3, 2000, BLM issued a decision to temporarily prohibit motorized-vehicle use of public land portions of Dunn Road and other routes, including the Dry Wash route, except as specifically authorized by BLM. This action was undertaken to minimize adverse impacts to the endangered Peninsular Ranges bighorn sheep. The effective date of the temporary prohibition was October 1, 2000. Notice of the temporary prohibition was published in the Federal Register on August 28, 2000 (65

FR 52126-52127). Prior to this time, most private landowners possessed keys to gates that already existed on Dunn Road. Upon BLM's acquisition of property containing one of these gates adjacent to Cathedral City Cove, the agency gained control of motorized-vehicle access from the north. A decision to install additional Dunn Road gates on public lands was made in 2000, though these new gates would not be closed and locked until the temporary prohibition took effect.

On August 4, 2000, individuals and entities that possessed keys to existing locks on Dunn Road gates were informed that these locks would be changed on October 1, 2000, and if keys to these locks were desired, a request would need to be submitted to BLM. BLM would then make a decision regarding which parties would be furnished with keys. Due to delays in obtaining new locks, the existing locks were not changed on October 1, nor were the new gates closed.

On January 30, 2001, Dunn Road key holders were informed of changed circumstances regarding motorized-vehicle access to Dunn Road that resulted from a lawsuit filed against BLM by the Center for Biological Diversity, Sierra Club, and Public Employees for Environmental Responsibility, and the stipulation by the parties to certain provisions regarding access to Dunn Road.

On March 28, 2001, BLM issued a decision to limit motorized-vehicle access on public land portions of Dunn Road and other associated routes to governmental agencies with emergency services and/or land management responsibilities, and to private landowners with lands that cannot be accessed by motorized vehicle other than via public land portions of Dunn Road. Motorized-vehicle access to private landowners was afforded by the conditional loan of keys to Dunn Road gates on public lands. Some landowners borrowed keys on occasion, though occurrences were infrequent.

On December 27, 2002, upon approval of the California Desert Conservation Area Plan Amendment for the Coachella Valley, public land portions of Dunn Road and associated routes were designated "closed" to motorized vehicles, except for administrative and permitted access. Landowner access to properties along Dunn Road constitutes "permitted" access, if approved. This decision extinguished the stipulated provision that landowners with property accessed via Dunn Road are required to borrow a key when access to their property is desired.

In April and May 2003, four private landowners with properties that could only be accessed by motorized vehicle via Dunn Road were conditionally provided with keys to Dunn Road gates on public lands. The issuance of these keys did not confer a legal right of access to public lands. The instrument for acquiring legal access to public lands is a right-of-way grant, which requires the submission of an application to BLM.

Non-motorized access by private landowners across public lands has not been restricted.

PC 186: The “non-consensually supported recommendation” not to grant new or R.S. 2477 rights-of-way at Appendices B-11 is inconsistent with section 5(d) of the National Monument Act and cannot be considered. (Nanci Stacey, Desert Riders)

In 1866, Revised Statute 2477 (R.S. 2477) provided that “[t]he right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted.” The Federal Land Policy and Management Act (FLPMA) repealed R.S. 2477 on October 21, 1976. However, FLPMA did not terminate any rights-of-way that previously may have been established under R.S. 2477.

Section 5(d) of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106-351) states, “The Secretaries shall provide adequate access to nonfederally owned land or interests in land within the boundaries of the National Monument, which will provide the owner of the land or the holder of the interest the reasonable use and enjoyment of the land or interest, as the case may be.”

Appendix B is the advisory report from the National Monument Advisory Committee that includes detailed recommendations for addressing each of the issue areas during preparation of the National Monument Plan. Issue Statement 6.4, a non-consensually supported recommendation, states, “No new rights-of-way for roads should be granted and no RS2477 rights of way [*sic*] should be issued within the Monument.” The Committee recognized that some of the recommendations and advice provided may not be addressed in the Plan, but believed that the recommendations cover a range of important topics that must be addressed in order to adequately care for the National Monument and the citizens who live, work, and recreate within and surrounding the area.

The recommendation that no R.S. 2477 rights-of-way be granted within the National Monument is inconsistent with administrative procedures as they relate to R.S. 2477 rights-of-way determinations. Valid R.S. 2477 rights-of-way either exist or do not exist; the determination of their existence is not a planning issue. If it is determined that an R.S. 2477 right-of-way may have been established, the agency having jurisdiction over the lands underlying the asserted right-of-way must also determine the nature and extent of the rights conveyed. These conveyed rights are especially important for R.S. 2477 rights-of-way that conflict with reservations for public purposes, other valid existing rights on Federal lands, or the rights of private landowners.

[ACCESS, DUNN ROAD](#)

PC 187: The statement that Dunn road is necessary for access for fire protection, tamarisk eradication, etc needs to be substantiated and the effects of vehicular use of Dunn Road on PRBS need to be weighed. The alternative of closure and rehab of Dunn Road in

PRBS habitat needs to be analyzed as the environmentally preferred alternative. (Jeff Morgan - Sierra Club).

Public land segments of Dunn Road were designated “closed” to motorized vehicles through the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). As an exception to the closed designation, administrative and permitted access, such as required for fire protection and tamarisk eradication, is allowed. Effects of this designation were addressed in the Environmental Impact Statement prepared for the Plan Amendment. Reconsideration of this designation, including rehabilitation of the road in bighorn sheep habitat, is outside the scope of the National Monument Plan.

Segments of Dunn Road on Forest Service lands are currently not open for vehicular use by the general public. Motorized-vehicle access to roads on Forest Service lands is addressed through the Land and Resource Management Planning Revision process. Decisions regarding such access are outside the scope of the National Monument Plan.

PC 188: Use of Dunn Road would advocate trespass onto private land. (Monica Bond - Center for Biological Diversity)

Motorized-vehicle use of public land segments of Dunn Road was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Through the Plan Amendment, these segments of the road were designated “closed” to motorized vehicles, except for administrative and permitted access. Reconsideration of this designation is outside the scope of the National Monument Plan.

Segments of Dunn Road on Forest Service lands are currently not open for vehicular use by the general public. Motorized-vehicle access to roads on Forest Service lands is addressed through the Land and Resource Management Planning Revision process. Decisions regarding such access are outside the scope of the National Monument Plan.

Non-motorized use of Dunn Road is addressed through a comprehensive trails management plan that is concurrently being developed. Hence, decisions pertaining to non-motorized access are also outside the scope of the National Monument Plan.

BLM and Forest Service do not purport to make decisions regarding access across non-public lands, including such lands traversed by segments of Dunn Road. Should the private landowner desire to preclude public access to his/her property, the landowner must post it accordingly. Existing management of motorized-vehicle access to Dunn Road is consistent with any desire that may be expressed by landowners to preclude vehicular access to private properties. Decisions regarding non-motorized access to Dunn Road have not yet been made, but access limitations to private property as established by landowners will be considered.

PC 189: Closure of Dunn Road has negative impacts on motorized recreational users and on owners of private property who now face significant difficulty accessing their properties. BLM should work with affected property owners to relocate the road on public land. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

Motorized-vehicle use of public land segments of Dunn Road was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Through the Plan Amendment, these segments of the road were designated “closed” to motorized vehicles, except for administrative and permitted access. Landowner access to properties along Dunn Road, where approved, constitutes “permitted” access. Impacts associated with the closure of Dunn Road were described in the Environmental Impact Statement prepared for the Plan Amendment.

Landowners with property that can only be accessed by motorized vehicle via Dunn Road have been furnished with keys to gates on BLM lands. The issuance of these keys does not constitute a grant of legal access across public lands. The instrument that secures such legal access is a right-of-way grant. It is incumbent upon a landowner to apply for a right-of-way grant, as it is not automatically issued.

Relocation of Dunn Road on public lands would serve no purpose relative to landowner access. As indicated above, landowners have been provided the opportunity to traverse public land portions of Dunn Road to access their properties.

PC 190: Since Dunn Road was established prior to October 1976 and has been maintained, is it considered a right of way under the RS2477? (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

In 1866, Revised Statute 2477 (R.S. 2477) provided that “[t]he right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted.” The Federal Land Policy and Management Act (FLPMA) repealed R.S. 2477 on October 21, 1976. However, FLPMA did not terminate any rights-of-way that previously may have been established under R.S. 2477.

BLM’s designation of public land segments of Dunn Road as “closed” to motorized vehicles through its California Desert Conservation Area Plan Amendment for the Coachella Valley (2002) was not a determination that an R.S. 2477 right-of-way does or does not exist. These segments of the road will remain closed until R.S. 2477 assertions are processed or the road is opened through the planning process, including public involvement. A determination as to whether an R.S. 2477 right-of-way for Dunn Road has been established is not within the scope of the National Monument Plan.

- PC 191: The Plan does not provide adequate provisions for governmental access. Dunn Road should be granted open status to meet the intent of the National Monument legislation by right of proscriptive use or right of way for important access for fire control and municipal government services. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA; (William Kleindienst – City of Palm Springs)**

Motorized-vehicle use of public land segments of Dunn Road was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Through the Plan Amendment, these segments of the road were designated “closed” to motorized vehicles, except for administrative and permitted access. Access for flood control, law enforcement, search and rescue, and fire control were specifically identified in the Plan Amendment as administrative purposes. Entities responsible for providing these services were furnished keys to BLM gates, which were designed to preclude general public access. Reconsideration of Dunn Road’s designation is outside the scope of the National Monument Plan.

- PC 192: Dunn Road should be reopened for street legal vehicle access and public recreation use. (Charles Clayten, Pinyon Public Meeting)**

Motorized-vehicle use of public land segments of Dunn Road was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Through the Plan Amendment, these segments of the road were designated “closed” to motorized vehicles, except for administrative and permitted access. Reconsideration of this designation is outside the scope of the National Monument Plan.

Segments of Dunn Road on Forest Service lands are currently not open for vehicular use by the general public. Motorized-vehicle access to roads on Forest Service lands is addressed through the Land and Resource Management Planning Revision process. Decisions regarding such access are outside the scope of the National Monument Plan.

Non-motorized use of Dunn Road is addressed through a comprehensive trails management plan that is concurrently being developed. Hence, decisions pertaining to non-motorized access are also outside the scope of the National Monument Plan.

- PC 193: Dunn Road should remain open for those residents who live on the upper/Pinyon end of the road. (George Reeves, Pinyon Public Meeting)**

Motorized-vehicle use of public land segments of Dunn Road was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Through the Plan Amendment, these segments of the road were designated “closed” to motorized vehicles, except for administrative and permitted access. Landowner access to properties that can only be reached by way of Dunn Road constitutes one

type of “permitted” access, where approved. Landowners who can access their properties by motorized vehicle via other routes, such as those in Alpine Village and Pinyon Pines, do not require use of Dunn Road; hence the “closed” designation is applicable to them in the same manner as to the general public. Reconsideration of this designation is outside the scope of the National Monument Plan.

Segments of Dunn Road on Forest Service lands are currently not open for vehicular use by the general public. Motorized-vehicle access to roads on Forest Service lands is addressed through the Land and Resource Management Planning Revision process. Decisions regarding such access are also outside the scope of the National Monument Plan.

PC 194: Landowners along Dunn Road should have unrestricted access to their property, and their own keys to gates along the road. (Janice Christian, Pinyon Public Meeting)

Motorized-vehicle use of public land segments of Dunn Road was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Through the Plan Amendment, these segments of the road were designated “closed” to motorized vehicles, except for administrative and permitted access. Landowner access to properties along Dunn Road, where approved, constitutes “permitted” access.

Landowners with property that can only be accessed by motorized vehicle via Dunn Road have been furnished with keys to gates on BLM lands. Conditions of access by these landowners include the following (1) motorized-vehicle access may be accomplished only from its southern end, i.e., through the Pinyon Flat area; (2) motorized-vehicle travel is restricted to Dunn Road except when on the landowner’s property; cross-country travel and use of intersecting spur routes on public lands is prohibited; (3) motorized-vehicle travel on Dunn Road cannot occur north of the landowner’s property; (4) gates must be closed and locked to preclude unauthorized access via motorized vehicle; (5) keys to gates cannot be duplicated, and cannot be loaned to other parties except in conjunction with the use and enjoyment of the landowner’s property; and (6) keys to gates cannot be transferred to a new owner if ownership of the property is transferred. The issuance of these keys to landowners does not constitute a grant of legal access across public lands. The instrument that secures such legal access is a right-of-way grant. It is incumbent upon a landowner to apply for a right-of-way grant, as it is not automatically issued.

PC 195: Desert Adventures Jeep Eco-Tours believes that having a recreational use permit for operating Jeep Tours on Dunn Road and the disturbance of Bighorn Sheep has not been fairly evaluated. Desert Adventures requests that their guides’ observances have not been fairly weighed in evaluating sheep disturbance and habituation. (Mary and Charlie Dungans, Desert Adventures Jeep Eco-Tours)

Motorized-vehicle use of public land segments of Dunn Road was addressed in the California Desert Conservation Area Plan Amendment for the Coachella Valley (2002). Through the Plan Amendment, these segments of the road were designated "closed" to motorized vehicles, except for administrative and permitted access. Permitted use may include commercial jeep tours, contingent on acquiring access across private lands and compliance with the terms and conditions of a biological opinion rendered by U.S. Fish and Wildlife Service; such activities are confined to the fall months. Reconsideration of this decision is outside the scope of the National Monument Plan.

Potential disturbances to bighorn sheep resulting from jeep tours on Dunn Road were addressed in the Environmental Impact Statement prepared for BLM's Plan Amendment. The analysis makes reference to a biological opinion prepared by U.S. Fish and Wildlife Service (1-6-98-F-14, July 27, 1999) in response to a proposal by Desert Adventures Jeep Eco-Tours to continue their commercial operations on the road. In accordance with the biological opinion, Desert Adventures' commercial operations on Dunn Road would not be likely to jeopardize recovery efforts of Peninsular Ranges bighorn sheep if certain conditions were met.

Subsequent to receipt of the biological opinion, BLM authorized Desert Adventures in 1999 to conduct commercial jeep tours on public land portions of Dunn Road, but tours were later halted due to issues that arose between Desert Adventures and a landowner regarding the use of private land segments of the road. Since then, Desert Adventures has again submitted an application to BLM for a permit to conduct jeep tours on public land segments of Dunn Road, but has not been able to secure permission from landowners to traverse private lands.

In response to a request from BLM the spring of 2003, Desert Adventures provided the agency with a collection of observations made by their guides regarding sightings of bighorn sheep on or along Dunn Road. This information was intended for use in preparing the multi-jurisdictional trails management plan as an element of the Coachella Valley Multiple Species Habitat Conservation Plan, not the California Desert Conservation Area Plan Amendment for the Coachella Valley through which decisions regarding motorized commercial use of public land segments of Dunn Road were made. The Plan Amendment was concluded in December 2002. A draft of the trails management plan is anticipated for public review in the fall of 2003.

PC 196: The federal government should use its powers of condemnation to reopen portions of the Dunn Road that provide access to all private lands in the National Monument for fire control, access for municipal government services, and private property access. (Nanci Stacey, Desert Riders)

Section 3(c) of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (Public Law 106-351) states, in part, "[n]othing in

the establishment of the National Monument shall affect . . . any private property rights within the boundaries of the National Monument. Establishment of the National Monument shall not grant the Secretary of the Interior or the Secretary of Agriculture any new authority on or over non-Federal lands not already provided by law.”

Section 6(a) of the Act states, “State, local government, tribal, and privately held land or interests in land within the boundaries of the National Monument may be acquired for management as part of the National Monument only by (1) donation; (2) exchange with a willing party; or (3) purchase from a willing seller.” Section 6(b) states, “To the extent practicable, and if preferred by a willing landowner, the Secretary of the Interior and the Secretary of Agriculture shall use permanent conservation easements to acquire interests in land in the National Monument in lieu of acquiring land in fee simple and thereby removing land from non-Federal ownership.”

BLM and Forest Service have not concluded that motorized-vehicle access across private land segments of Dunn Road for such purposes as fire control is precluded by landowners. Needs for access by municipal governments across private lands to provide such services as law enforcement, and access by private landowners across other privately owned lands are addressed by municipal governments and private landowners, respectively, with the appropriate landowner.

PRIVATE PROPERTY CONCERNS

- PC 197: Add definition to what “private property rights” means in the context of the Plan and in relation to contemporary planning and zoning regulations. (Nick Steffanoff, Mountain Center)**
- PC 198: The Plan needs to add to the plan an inventory of existing restrictions and limitations on private property within the monument boundary. (Nick Steffanoff, Mountain Center)**
- PC 199: The Plan lacks adequate definition and analysis on the impact of private city, county, and Tribal lands within the Monument on the management of natural and cultural resources within the Monument. (Nick Steffanoff, Pinyon Public Meeting)**

The authority of the BLM and the Forest Service over private property within or adjacent to the boundaries of the National Monument is strictly limited. Section 2 (5) and (6) of the National Monument legislation state: “The designation of a Santa Rosa and San Jacinto Mountains National Monument by this Act is not intended to impact upon existing or future growth in the Coachella Valley;” and “... it is anticipated certain activities or uses on private lands outside of the National Monument may have some impact upon the National Monument, and Congress does not intend, directly or indirectly, that additional regulations be imposed on such uses or activities as long as they are consistent with other applicable law.” Compiling zoning regulations, or other local government land use restrictions on private lands, or analyzing impacts from developments on

private property within or adjacent to the National Monument boundary is outside the scope of this plan. Conservation of resources on private lands in the Coachella Valley is being developed and analyzed through the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) by the Coachella Association of Governments (CVAG).

PC 200: The Plan totally ignores negative impacts to private property owners whose property is within the National Monument. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

The Santa Rosa and San Jacinto National Monument Act of 2000 affects only Federal lands and Federal interest in lands within the established boundaries of the National Monument. Planning decisions will only affect Federal lands in the National Monument. Both the National Monument legislation and the National Monument Plan clearly acknowledge and address private property rights. See Sec. 2, (a) (5) and (6) and Sec. 3, (c), (d), and (e), of the National Monument legislation (see also response above). Designation of the National Monument is not anticipated to create impacts to private property different from those associated with existing BLM and Forest Service management policies for National Forest and public lands.

PC 201: In the Private Property Concerns Section of Chapter 2, the Plan needs to acknowledge and address private property development rights of municipalities and landowners by adding a new strategy to this section clearly stating Section 2(5) and (6) and Section 3(C) and (E) of the legislation. (William Kleindienst – City of Palm Springs)

Both the National Monument legislation and the National Monument Plan clearly acknowledge and address private property rights (see also response above). Additional language will be added to Chapter 2, Section 2.B.8., Management of Visitation, Facilities, Safety, and Uses – Private Property Concerns, to emphasize private property owner rights.

FIRE MANAGEMENT

PC 202: The Plan fails to reference the San Jacinto District's prescribed burn program. (Jeff Morgan - Sierra Club)

Fire and fuels management on Forest Service managed lands in the National Monument will be addressed in the National Forest Plan Revision. A Fire Plan for the National Monument will be developed following completion of the National Monument Plan and the Forest Plan Revision (see Chapter 2, Section 2.B.8., Management of Visitation, Facilities, Safety, and Uses- Fire Plan).

PC 203: The Plan should require implementation of fire management to meet the needs of target species. (Lowell Diller - Western Section of The Wildlife Society).

The CDCA Plan Amendment for the Coachella Valley identified fire management categories based on habitat type and species needs (BLM 2002). Fire and fuels management on Forest Service managed lands in the National Monument will be addressed in the National Forest Plan Revision. A Fire Plan for the National Monument will be developed following completion of the National Monument Plan and the Forest Plan Revision (see Chapter 2, Section 2.B.8., Management of Visitation, Facilities, Safety, and Uses- Fire Plan).

PC 204: The Plan should better define the vegetation type and fire management categories for the communities of Pinyon and Mountain Center. (Elizabeth Webster, Pinyon Public Meeting)

The communities of Pinyon and Mountain Center are within Fire Management Category B. This category includes pinyon-juniper woodland, a vegetation community where wildfire is not desired and where immediate suppression is a critical element of fire management (see Chapter 3, Section 3.M. Fire Management).

PC 205: The Plan should allow for salvage of dead timber (on Santa Rosa Peak) to maintain forest health and sustainable yield. (Charles Clayton, Pinyon Public Meeting)

Timber harvest and salvage on Forest Service managed lands in the National Monument will be addressed in the Forest Plan Revision.

PC 206: The Plan should provide for fuels management, fire breaks, fire suppression and prevention, and additional fire crews for Pinyon and other communities within or adjacent to the National Monument. (Ray Barmore, Pinyon Public Meeting)

A Fire Plan for the National Monument will be developed following completion of the National Monument Plan and the Forest Plan Revision (see Chapter 2, Section 2.B.8., Management of Visitation, Facilities, Safety, and Uses- Fire Plan).

PC 207: The BLM and USFS need to contribute to the cost and maintenance of water and the water distribution system for fire protection of communities within the Monument. (Joe Ingram)

The BLM and the Forest Service will work with state and local agencies with responsibility for fire protection on private lands (primarily the California Department of Forestry and Fire Protection and Riverside County), Fire Safe Councils, and property owners to protect communities at risk from wildfire. The BLM and the Forest Service will work to implement, through grants, partnerships, and other means, the DOI and USDA National Fire Plan, the President's Healthy Forest Initiative, and other policies which promote protection of local communities from wildfire.

WATER RESOURCES

PC 208: Data from the Sheep Ambassadors' surveys of water sources for PRBS needs to be included for analysis. (Jeff Morgan - Sierra Club).

BLM staff has conducted water resource inventories since 2001. These data constitute the foundation of the Monument's water resource management program. In addition, these data will be used to determine availability of water for wildlife species and evaluate the need for additional artificial water sources.

PC 209: The BLM and Forest Service should fund and implement their own inventories of surface water and groundwater resources rather than relying on current efforts and partnerships. (Lowell Diller - Western Section of The Wildlife Society).

BLM staff has conducted water resource inventories since 2001. These data constitute the foundation of the Monument's water resource management program. Federal land management agencies must also work in partnership with the State, county, local water agencies and others due to the checkerboard pattern of land ownership and the extent of different watersheds within and surrounding the National Monument.

PC 210: The Preferred Plan to use visitor information to alter visitor use to avoid sensitive water resources would have significant negative impacts on visitors if their access to water resources are restricted. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

Monitoring visitor use is an important management tool to protect natural and cultural resources, and to analyze, maintain, or enhance the quality of the visitor experience. Sensitive water resources, such as water sources essential to bighorn sheep, are not a main destination of hikers or horseback riders on public lands in the National Monument. However, protection of water sources is essential to the recovery of several listed species. It is not anticipated that gathering visitor information, or limiting visitor access to sensitive water sources would have a significant impact on existing recreation use in the National Monument.

PC 211: Springcrest Water Company and other local water districts should be included as public utility agencies within the National Monument. (Joe Ingram)

The National Monument legislation does not include water companies, agencies, or special service districts as part of the National Monument. The National Monument legislation and the National Monument Management Plan only apply to federal lands within the National Monument. The National Monument legislation specified the establishment of the Monument Advisory Committee, including a

representative of the Pinyon Community Council, to provide recommendations on the development of the National Monument Management Plan. Under Chapter 5-Consultation and Coordination, the Draft Monument Management Plan lists local jurisdictions which would receive copies of the Draft Plan/EIS, including the Pinyon Community Council, the Pinyon Water Agency, and other local and regional water agencies and districts. The Springcrest Water Company and other interested local water districts will be added to the National Monument mailing list upon their request.

PC 212: The watershed for the Springcrest Water and Power Company (community of Springcrest) needs to be protected to maintain water quality for local residents. (Linda Lane)

The intent of the National Monument legislation is to “preserve the nationally significant biological, cultural, recreational, geological, educational, and scientific values found the in the Santa Rosa and San Jacinto Mountains”. By inference, the biological and geological resources would include the various watersheds found in the mountains, including the watershed for the Springcrest Water and Power Company. Management of water resources on federal lands in the National Monument is described in Chapter 2-Alternatives and Strategies, section 2.B.9. In addition, BLM Land Health Standards, including water quality, and Forest Service Standards and Guidelines for Management Practices, are found in Appendix E.

PC 213: Improved management of surface and groundwater resources could significantly improve the quantity and quality of water resources for wildlife and habitat. Thus, recreational activities such as wildlife viewing and hiking in desert riparian areas would be improved. The FEIS should include these effects in the evaluation of potential impacts of the preferred plan for water resources management. (EPA)

It is unknown what immediate improvements would occur to wildlife water sources or riparian areas from improved management of water resources. At this time, a link between improved water sources and recreation use has not been established. Current non-motorized recreation use within the National Monument is generally confined to a network of established trails. Analysis of the effects on sensitive species from trail use is addressed in the Santa Rosa and San Jacinto Mountains Trails Plan, a component of the Coachella Valley Multiple Species Habitat Conservation Plan/EIS. Also, under current management, access during summer months to water sources important to sensitive species is restricted.

ACQUISITION STRATEGY/EXCHANGES

PC 214: The BLM should commit to NEPA analysis and public review of the proposed land exchange, including impacts to recreation and public

access, with the Agua Caliente Band of Cahuilla Indians. EPA recommends this commitment be made in the FEIS. In addition, the FEIS should provide more information regarding the purpose and need for the land exchange and proposed time frame for the exchange. (EPA)

Chapter 2, Land Tenure Adjustments Section has been updated to reflect the concern raised.

PC 215: The FEIS should describe the role of the Coachella Mountains Conservancy in implementing the preferred acquisition strategy. (EPA)

Chapter 2, Land Tenure Adjustments Section has been updated to reflect the concern raised.

PC 216: BLM lands identified for exchange with the Agua Caliente Band of Cahuilla Indians need to be described and the potential environmental effects of such an exchange should be analyzed now, instead of piecemealing the analysis. Additional proposed or pending BLM and Forest Service land exchanges should be addressed in the Plan. (Jeff Morgan - Sierra Club)

In preparing an Environmental Impact Statement, the analysis of environmental effects is properly focused on the specific issues which are related to the decisions proposed in the document. The Santa Rosa and San Jacinto Mountains National Monument Management Plan would not constitute the approval of any pending land exchange. Any approval of a pending land exchange would require subsequent consideration of site-specific environmental effects, which is beyond the scope of this EIS. To the extent known this document identifies the lands involved in all pending land exchanges, and known issues of concern.

PC 217: Proposed acquisitions are not consistent with Sikes Act and constitute actions inconsistent with Endangered Species Act. (Monica Bond - Center for Biological Diversity)

The proposed Plan provides criteria on page 2-34, to guide land acquisitions by participating agencies. Future acquisitions will be accompanied by environmental review. It is unclear what specific criteria regarding future acquisitions are of concern. Because the comment does not state which specific criteria are of concern, or how the criteria are inconsistent with the Sikes Act or the Endangered Species Act, it is not possible to provide a specific response.

PC 218: The discussion of land acquisition should be expanded to include the sections mentioned in the legislation (Methods, Use of Easements, Valuation of Private Property, Incorporation of Acquired Lands and Interests) in order to emphasize to private landowners within the National Monument the government's intent to only

acquire lands from willing sellers at fair market value. (James Schlecht- Schlecht, Shelvin & Shoenberger)

The existing discussion of land acquisition in Chapters 2 and 3 address the commenter's concerns. Inclusion of the legislation as Appendix A adequately provides information. Since the legislation is an appendix to the plan, the federal agencies do not feel it is necessary to reiterate specific sections of the law.

PC 219: A preliminary set of target lands for acquisition should be identified in the Plan so affected private property owners could (1) be afforded a sufficient basis upon which to base long-range planning for their properties and (2) be made aware of future disposition of proximal lands targeted for acquisition. (James Schlecht- Schlecht, Shelvin & Shoenberger)

The Plan anticipates that acquisition priorities in the National Monument will be dependent on a number of factors, including resource values, possible development, availability of funding, landowner interest, the agency with jurisdiction, etc. Although it is theoretically possible to develop a prioritized list of acquisitions, it would be subject to constant revision and as a consequence would create unrealistic expectations. It is not in the best interest of private property owners or the BLM and Forest Service to post targeted acquisition parcels because it may imply that targeted parcels are all willing sellers.

PC 220: Include consistency with the Sikes Act to the criteria list for the BLM and Forest Service acquisition process. (Lowell Diller - Western Section of The Wildlife Society)

The Sikes Act concerns conservation programs on public lands and does not provide criteria for land acquisitions.

PC 221: Given the proposed land exchange between the BLM and Agua Caliente, the potential need to reroute trails currently in use away from Tribal lands would severely impact equestrian and other recreational use and will need to be mitigated. We strongly encourage the establishment of proscriptive easements for all existing trails. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)

Trail access is being addressed through a separate planning process. Impacts to trail access caused by the proposed land exchange with the Agua Caliente Band of Cahuilla Indians would be considered during the land exchange process. Establishment of prescriptive rights following future land exchanges is a matter of State law and is not within the scope of this federal land use plan.

PC 222: The acquisition and appraisal process used in the National Monument by the BLM makes it difficult for property owners to make

a fair profit from the sale of their land. (Janice Christian, Pinyon Public Meeting)

The legislation establishing the National Monument requires the United States to offer the fair market value for lands or interests in land being acquired. BLM has no legal authority to assure that property owners make a profit from the sale of their land.

PC 223: Private non-profit partners involved in the acquisition process, such as the Coachella Valley Mountains Conservancy, do not reflect the values and goals of the public and local community members. (Joe Ingram, Pinyon Public Meeting)

The legislation establishing the National Monument specifically provides for the Coachella Valley Mountains Conservancy to have a role in the advisory committee for the National Monument. Although the Monument Plan envisions coordinating land acquisitions with non-federal parties, private or state entities involved in acquisitions in the National Monument are not subject to federal jurisdiction. Since purchases will only be completed with willing sellers, landowners may opt out of transactions for any reason.

PC 224: Acquisitions within the National Monument should include review by residents of communities within the Monument boundary (Pinyon, Springcrest, Royal Carrizo, etc.) and comply with NEPA. (Joe Ingram, Pinyon Public Meeting)

The legislation establishing the National Monument authorizes federal agencies to purchase lands from willing sellers in the National Monument. The Proposed Plan is consistent with the legislation and therefore did not envision residents of nearby communities reviewing each purchase made with willing sellers. The National Monument Legislation established a Monument Advisory Committee with representation including a member of the Pinyon community.

Depending on the availability of funding and landowner interest, the Bureau of Land Management and/or the Forest Service may process 5-10 acquisitions per year. Including a provision in the Plan for a review of each acquisition by residents would unnecessarily encumber the acquisition process. The agencies believe landowners within the National Monument should be free to choose to sell or donate their lands to any federal or state agency or private party.

The EIS for the Monument Plan constitutes the federal agencies compliance with the National Environmental Policy Act with respect to land acquisitions in the National Monument.

PC 225: The Plan needs to reflect that The City of Palm Springs has several areas with private developments that are approved or under review within the boundary of the National Monument and that the Plan is not to be used as a vehicle or tool to interfere in any way with

private land and private development opportunities that are consistent with local/county plans. (William Kleindienst – City of Palm Springs)

The Proposed Plan provides on page 2-2 that “Proposed alternatives and management direction in this plan pertain only to lands administered by the BLM and the Forest Service within the National Monument. Management of non-Federal lands within or adjacent to the National Monument boundary will not be addressed in this document.”

PC 226: In the BLM Land Tenure: Acquisition Criteria section, add to the end of #2 the following: “...and that acquisitions be consistent with the local agency’s General Plan.” (William Kleindienst – City of Palm Springs)

The section cited for amendment is a summary of an already approved plan, the Coachella Valley California Desert Conservation Area Plan Amendment completed in December 2002. Acquisitions by the BLM are to be consistent with city and county general plans to the legal extent feasible.

PC 227: As written, the Preferred Acquisition Strategy in Chapter 2 includes specific reference to development opportunities and the potential for development and does not meet the intent of the legislation. (William Kleindienst – City of Palm Springs)

Agencies commonly give a priority to purchasing land from willing sellers, who, absent an offer to purchase, might pursue immediate development opportunities. Prioritizing acquisitions based on the proximity of land to potential development, does not preclude development of private land, it merely provides landowners with another choice.

PC 228: “Coordination of Acquisitions” - Is a policy on land disposition or exchange missing? The Monument Advisory committee recommends a policy against the disposition of federal land in the Monument. On page 3-81, current language implies that other exchanges could be considered later. Therefore an exchange policy should be included using wording from the legislation. Future land exchanges involving federal lands should be brought to the attention of the Monument Advisory Committee for comment and the MAC would be a notifying agency in NEPA documentation. MAC would request cooperation with other non-federal land-managing entities within the National Monument in providing information about future land exchanges. (Monument Advisory Committee)

As with all land exchanges involving BLM or National Forest System lands, interested parties and affected jurisdictions are included in the public notification process. Both BLM and Forest Service will include the Monument Advisory Committee in the public notification process so long as this group requests to be involved. The plan has been updated to reflect the concern raised.

WILDERNESS AND WILD AND SCENIC RIVER DESIGNATION

PC 229: The Plan lacks an inventory of BLM and Forest Service lands for Wilderness suitability and Wild and Scenic River quality and eligibility determination. A process for moving forward with a complete inventory should be laid out in the Plan. (Jason Swartz-California Wilderness Coalition; Kristen Sykes et al - Friends of the Earth and others; Jeff Morgan - Sierra Club; IPM3 Monica Bond - Center for Biological Diversity, Idyllwild Public Meeting)

The Forest Service conducted inventories and made suitability determinations in the San Bernardino National Forest under the Wilderness Act of 1964 and during RARE I and RARE II. The San Jacinto Wilderness was designated in 1964 and enlarged in 1984 and the Santa Rosa Wilderness was designated in 1984. The Pyramid Peak Planning Area was carried forward and, along with other roadless areas, is being analyzed for wilderness characteristics through the San Bernardino National Forest Plan Revision. See Chapter 2, 2.B.11 and Chapter 3, 3.J.3.

Wilderness Review, including inventory and suitability recommendations, for all BLM managed lands within the National Monument was conducted through the CDCA Plan. Lands that contained wilderness characteristics were identified and included in the Santa Rosa Wilderness Study Area. The BLM managed portion of the Santa Rosa Wilderness was designated as wilderness in 1994. No other lands were found to possess wilderness characteristics due to the checkerboard pattern of land ownership. Any future BLM inventories of land for Wilderness characteristics would occur as a plan amendment following land tenure adjustments, acquisitions, or the Forest Plan Revision. Wild and Scenic River eligibility of Palm Canyon (1.2 miles, tentative classification as "Scenic") was addressed in the Coachella Valley CDCA Plan Amendment. Wild and Scenic River eligibility of Palm Canyon on National Forest lands will be addressed in the Forest Plan Revision.

PC 230: The Plan should extend new administrative protection to the Palm Canyon Proposed Wilderness Study Area of 24,900 acres within the National Monument. (Jason Swartz, California Wilderness Coalition)

Roadless areas and other lands in the San Bernardino National Forest will be reviewed for wilderness characteristics under the Forest Plan revision. See Chapter 2, 2.B.11 and Chapter 3, 3.J.3. Until, and if, proposed for designation as Wilderness, National Forest System lands will be managed in accordance with the current Forest Land and Resource Management Plan, and the Roadless Area Conservation Rule.

PC 231: The Plan does not specify why lands and watershed on the Santa Rosa Indian Reservation or outside the National Monument boundary are included in the discussion of the Wild and Scenic Rivers evaluation. (Joe Ingram)

Under the Wild and Scenic Rivers Act of 1968, the BLM and the Forest Service may only evaluate rivers, or segments of rivers, which occur on Federal lands. In any discussion of rivers or streams, it is useful and necessary to describe their sources and watersheds, even if the watershed is not entirely within the planning area or on Federal lands. No Wild and Scenic River evaluations or decisions will be considered for resources on the Santa Rosa Indian Reservation or private lands.

ADAPTIVE MANAGEMENT

PC 232: "Adaptive Management and Monitoring Program - Plan Monitoring" - There is mention of "the task force" at the top of page 2-37. There is no earlier reference to this task force. The task force needs to be described in greater detail in the Draft Plan. (Monument Advisory Committee)

The plan has been updated to reflect this comment.

PC 233: Adaptive Management in the Final Plan should include provisions for the incorporation of data from monitoring and any other pertinent scientific research being conducted either within the Monument or elsewhere (as well as into all future management actions) to eliminate or moderate adverse effects of the current management scheme. (Monica Bond - Center for Biological Diversity)

The Plan has been updated to reflect the comment noted. Refer to Section 2.C.3. NOTE: BLM and Forest Service will consider new information regarding species or habitat management as it becomes available. We will attempt to incorporate all information that is pertinent to future management actions and management guidance provided in this Plan, the current CDCA Plan and the current Forest Plan Revision.

NOTE: Find language from other plans describing how new information is incorporated and analyzed in relation to current management.

PC 234: The Plan should require that the data obtained from surveys and monitoring, as well as scientific research, be examined on a regular basis by a Technical Review Team and that subsequent management actions be revised to reflect the data. (Lowell Diller - Western Section of The Wildlife Society)

The plan has been updated to reflect this comment (2.C.1. Preferred Plan Alternatives A, B, C on page 2-35)

- PC 235: Technical Review Team should include scientists whose job it is to monitor biological resources in the Monument and managers with the expertise, responsibility, and authority to make management decisions. Team should include scientific experts on sensitive species, invasive species, and vegetation in the Monument (Lowell Diller - Western Section of The Wildlife Society)**

The plan has been updated to reflect this comment (2.C.1. Preferred Plan Alternatives A, B, C on page 2-35) to include scientists, species experts, and technical specialists from each agency.

- PC 236: The management plan should establish a baseline from which to measure and manage future impacts to natural and cultural resources. (Ms. Edwards, Idyllwild Public Meeting)**

The plan has been updated to reflect this comment under the Policy and Management Guidance – Table 2.1.

- PC 237: The establishment of a multi-jurisdictional working group to address changing circumstances would place another layer of bureaucracy that would block the ability of the public to hold agency staff and elected officials accountable for their actions. (Candace Ricks-Oathout – Citizens Against Recreational Eviction USA)**

The Forest Service and BLM are ultimately responsible for the management of National Monument resources. Accountability issues will need to be addressed at the local offices of each agency.

SOCIOECONOMIC CONSIDERATIONS

- PC 238: The Section addressing socioeconomic considerations should address private lands within the National Monument and the likelihood that they may be developed. (William Kleindienst – City of Palm Springs)**

The text for the Private Property Concerns has been updated to reflect the concern raised. No decisions provided in the National Monument Management Plan will alter the jurisdiction of private lands. If private land within the National Monument has not been acquired by either BLM or Forest Service, then BLM and Forest Service will have no authority to change the existing management direction provided by the appropriate jurisdiction. The General Plan from Riverside County and the appropriate General Plans for each city, if applicable, will continue to provide development guidelines and restrictions for private lands within the boundary of the National Monument. The designation of open space, residential, business, etc. will apply according to the appropriate general plan.

- PC 239: The Plan does not adequately address, or make projections about, the influx of tourists and the resulting effect to the infrastructure and**

community services (water, road maintenance, law enforcement, fire etc.) of “gateway communities”, such as Pinyon. (Darryl James, Pinyon Public Meeting)

The Chapter 4 section, Impacts to Social and Economic Conditions, references the impact of the proposed decisions on the effect to the infrastructure and community services. The community of Pinyon does not have a significant tourist center and no proposed decisions in this document would have the effect of creating a tourist center. Tourists will use trails where they can use commercial services, such as the community of Idyllwild, and National Monument staff will continue to guide visitors to locations where facilities exist. The community of Pinyon does not provide commercial services and should therefore not be affected by the influx of tourists. The educational outreach program will also guide tourists to areas where facilities exist and the community can support increased activities. Better coordination between agencies may benefit the budgets of the individual agencies which may benefit infrastructure. There are no plans to induce growth in this management plan.

PC 240: Desert Adventures Jeep Eco-Tours has suffered a severe economic blow from the ramifications of Monument status and is proof that “regional economic resources” have not been protected. (Mary and Charlie Dungans, Desert Adventures Jeep Eco-Tours)

National Monument status was initiated with the designation of the National Monument in October of 2003. Interim management of the National Monument prior to completion of the National Monument Management Plan reflects requirements under the legislation only. Economic ramifications of the National Monument Management Plan are provided in Chapter 4, Impacts to Social and Economic Conditions. This section provides a listing of regional activities in the Coachella Valley and provides the impacts to social and economic conditions resulting from the proposed decisions in this management plan. The Trails Management Plan for the Santa Rosa and San Jacinto Mountains (in progress) will provide additional impact analysis resulting from the proposed decisions in that document.

PC 241: The Plan should emphasize that trails within the National Monument are an important economic resource for both year round residents as well as winter visitors. (Abe Siemens)

The Chapter 3 section, “Socio-economic Conditions”, has been updated to provide a summary about the economic resource that trails provide to the residents and tourists in the area.

PC 242: The “Population Trends and Tourism Growth and Impacts to Resources” section should be expanded to disclose any proposed and approved projects located within and adjacent to the National Monument boundary and should conclude that the National

Monument has not effect on private property and future developmental potential. (William Kleindienst – City of Palm Springs)

Local jurisdictions will continue to allow development in accordance with appropriate city and county general plans. The National Monument Management Plan recognizes the authority that the appropriate city and/or Riverside County have regarding development regulations. Given the numerous references to the lack of impact that the National Monument designation has to private property, it is not necessary to list each pending development from the multiple jurisdictions occurring within the boundary of the National Monument

IMPLEMENTATION/FUNDING

PC 243: Neither budgeting nor actual funding mechanisms appear to be found in the Plan, except for brief mention of funding under the cultural resources section. (Jeff Morgan - Sierra Club)

PC 244: Agencies should insure that sufficient funding is provided and outlined in the plan for mitigation, monitoring, restoration, enhancement, reclamation, and other protective actions to ensure preservation of the National Monument’s values. If a management activity is not granted funding for associated mitigation, monitoring, restoration, enhancement, reclamation, or other protective actions, the activity should be prohibited from going forward. (Kristen Sykes et al - Friends of the Earth and others)

The BLM and Forest Service cannot guarantee funding through a management plan. Funding is allocated from Congress and federal agencies have no way of guaranteeing the amount of funding to be allocated over the next ten years. BLM and Forest Service will continue to implement projects are money becomes available through the appropriations process. In addition, BLM and Forest Service will continue to seek additional funding through grants and outside sources.

PC 245: The Plan needs to address how BLM and FS will manage, operate, promote, market, publicize, and account for such large projects like a new National Monument and should consider a business plan approach. (Tom Liegler)

PC 246: The Plan needs to address the needed budget for an effective marketing, sales, promotion, advertising, community relations and public relations program. (Tom Liegler)

This comment has been noted. Marketing, sales, promotion, and advertising are outside the scope of the National Monument land use plan. Outreach, education, interpretation, and visitor services are addressed in the National Monument Interpretive and Environmental Education Concept Plan and will be additionally discussed in the National Monument Strategic Recreation Management Plan. The BLM and the Forest Service will consider development of a business plan to address cooperative operation of facilities and services, projected operational

needs, funding sources, funding needs, and future strategies to implement the goals of the National Monument Management Plan and Strategic Recreation Management Plan.