

# STEWARDS OF THE SEQUOIA

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February 23, 2015

California Energy Commission  
Dockets Office, MS-4  
Docket No. 09-RENEW EO-01  
1516 Ninth Street  
Sacramento, CA 95814-5512



Via Email- docket@energy.ca.gov

Re: DRECP NEPA/CEQA Comment

Dear Planners,

Stewards of the Sequoia are a multiple use recreation conservation organization whose 2500 members care deeply about public lands and who have performed maintenance on over 2500 miles of trails to reduce environmental impacts since 2004 in the Sequoia National Forest. We are greatly concerned with the many negative impacts the DRECP will have on the environment by concentrating use and other issues.

Please read and consider our comments on the DRECP Draft EIS and use them to develop the DRECP Final EIS.

**RECREATION AND TOURISM ARE VITAL TO MOST RURAL COMMUNITIES:** This is true for virtually all rural communities but especially important to counties with high percentages of public land. Actions by public agencies to reduce or limit access to recreation on public lands have a direct impact on the local economy. Limiting access by closing roads, campgrounds, RV parking, and trails impact the surrounding communities. (*Hurniston 2010*) Yet the DRECP seeks to limit recreation lands and concentrate recreation uses which would negatively affect recreation, the economy and the environment.

The DRECP DEIS states the greatest negative impact will be to motorized recreation. This is problematic on many levels-

- The DRECP DEIS states that no new OHV areas will be designated (18-9 Vol IV) and that it will "*concentrate recreational opportunities*" (18-26 Vol IV) and that "*Developing the FAAs would result in a loss of SRMA acreage and a loss of recreational opportunity.*" (18-26 Vol IV) each of which will negatively impact motorized recreation and increase environmental impacts. This would be contrary to the stated purpose of the DRECP as it would harm the physical, cultural, scenic and social resources within the Plan Area. In order to avoid this as well as to reduce environmental impacts the DRECP must allow for the ability to disperse motorized recreation by allocating more lands for motorized recreation.

- Concentrating motorized recreation as proposed by the DRECP is not sustainable. The DRECP fails to provide areas for growth of OHV areas for future generations while locking up the huge plan area in non-motorized conservation lands.
- *"Renewable development on BLM lands outside areas that are managed for recreation emphasis but where recreation occurs could result in substantial impacts on dispersed recreational activities, including areas proposed for SRMAs and ERMAs in the DRECP. "* (18-26 Vol IV) This will further concentrate use and increase impacts, especially for motorized recreation, with the result being non compliance to the purpose of the DRECP as noted above.
- The DEIS admits that *"Generally, nonmotorized recreational pursuits would be less affected by adoption of the Plan alternatives."* (18-6 Vol IV). Indicating that motorized recreation would be more negatively impacted and that motorized recreation impacts will be further increased due to even greater concentration. The DRECP provides for more non-motorized recreation even though the impacts on non-motorized are less than the impacts to motorized recreation. The DRECP must provide for more motorized lands to mitigate for the increase negative impact to motorized recreation in the proposal.
- *"The development of these roads, however, could degrade the recreational experience of relatively pristine nonmotorized recreation areas. "* (18-3 Vol IV) However this will lead to a flawed analysis since the DEIS fails to state this is also true for motorized recreation, especially single track motorized recreation. Mitigation in the form of future OHV areas must be provided to offset this impact.
- The proposed concentration of motorized recreation and lack of expansion for motorized recreation as needed in future could have a disastrous effect on local economies (USDA Jobs, Economic Development and Sustainable Communities 2010) The DRECP has not sufficiently analyzed this. The DRECP needs to perform an economic study to help determine these impacts in a supplemental analysis.

The DEIS suggest the possible development of project access roads for recreation. This may be a benefit in some instances, however in general the public are not seeking to use developed roads such as would be created for the project.

#### **BACKGROUND ON OHV RECREATION-**

OHV use is widely recognized now as one of the fastest growing outdoor activities. From 1982 to 2000-01, driving motor vehicles 'off-road' became one of the fastest growing activities in the country, growing in number of participants over 12 years old by more than 100 percent with over 51 million people enjoying OHV recreation. (*Cordell et al. 2005*) The DRECP must acknowledge this and designate more lands for OHV recreation lands to meet the stated DRECP purpose and to prevent environmental degradation due to increased concentration.

The majority of OHV recreationist are seeking a dispersed recreation activity, not a concentrated one as the DRECP seeks to provide. OHV enthusiasts generally seek the same type of outdoor recreation experience as any other outdoor recreationist. OHV enthusiasts use their machines to access scenic vistas, view wildlife, access historical sites, take photos, and experience and enjoy the outdoor environment with family and friends. They also use the machines as tools to access hunting and fishing locations and to

retrieve big game animals that have been harvested. In addition, OHV use allows the enthusiast to experience challenge, excitement, and a sense of adventure and accomplishment. (Crimmins, T.M., 2006) Three of the most common reasons given for trail riding are enjoying nature, escaping the structured existence of urban living and the physical challenge of it all. (Wernex, J., 1994).

Existing trails/areas were generally not planned, designed, nor constructed for OHV activities. Many areas that provided for trails/areas did not incorporate enough miles or enough challenge to adequately accommodate the OHV user. This has contributed to OHV management problems by not dispersing the use and not providing the full spectrum of challenge levels (easy through most difficult). This practice often resulted in resource damage as a result of over use and development of new trails that do not exist on inventory records. (USDA Forest Service 1996-National Off-Highway Vehicle Activity Review) The DRECP should address this in the plan area in order to reduce environmental impacts by providing more miles of designating dispersed well planned trails of varying challenge.

Based on Recreation Visitor Day (RVD) data and appropriate mileage for each type of trail experience, it is estimated that OHV trails should make up a minimum of 64 percent of a forest trail system. Exclusive use trails for equestrian, hiking, and bicycling should make up a maximum of 17 percent, 15 percent and four percent of the trail system, respectively. (Cordell NSRE 1999) Yet the DRECP would limit OHV recreation while vastly increasing non-motorized opportunity in the plan area.

**OHV ACREAGE ERROR-**

The DRECP states there will be no loss of OHV opportunity however the chart (below table 18-8 and also 18-1) mistakenly shows a loss of 54,000 acres of OHV area across all alternatives. This needs to be corrected.

Panamint Death Valley						
Areas Managed for Recreation Emphasis	74,000	0	0	0	0	0
Existing and Proposed SRMA <sup>1</sup>	0	299,000	301,000	299,000	301,000	301,000
Open OHV SRMA <sup>2,3</sup>	53,000	53,000	53,000	53,000	53,000	53,000
Proposed ERMA	0	0	0	0	0	0
<b>Total</b>	<b>127,000</b>	<b>352,000</b>	<b>354,000</b>	<b>352,000</b>	<b>354,000</b>	<b>354,000</b>
Pinto Lucerne Valley and Eastern Slopes						
Areas Managed for Recreation Emphasis	256,000	0	0	0	0	0
Existing and Proposed SRMA <sup>1</sup>	0	254,000	255,000	245,000	255,000	254,000
Open OHV SRMA <sup>2,3</sup>	128,000 <sup>3</sup>	74,000	74,000	74,000	74,000	74,000

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## MITIGATION-

The DRECP DEIS has established that utility sized renewable energy wind and solar projects may negatively impact Covered Species and Ecosystems. To mitigate this the DRECP proposes the designation of perhaps 49 so called ACEC non-motorized conservation lands as well as perhaps 4 million acres of National Conservation Lands (NCLS). This is problematic for a number of reasons-

- Motorized recreation lands are also beneficial for wildlife, especially when use is not concentrated. Motorized recreation lands , should be used in the DRECP as mitigation for renewable energy projects in at least equal measure to non-motorized lands.
- By creating a designation for each acre of land in the plan area the DRECP has eliminated the ability to expand recreation lands as needed for future generations. Essentially the DRECP is locking up the desert plan area. This is unwise since it will remove the flexibility needed by the BLM for future management changes such as providing more recreation lands.
- Mitigation should be phased in as projects are completed. Conservation lands such as ACEC's and NCLS should not be designated until renewable energy projects are completed and then on an acre per acre basis.
- The creation of each Area of Critical Environmental Concern ACEC will have unique attributes and should be subject to a separate EIS in order to accurately determine the environmental impacts and to allow the public to reasonably be able to comment on each one.
- There appears to be a push to designate ACEC and NCLS conservation lands in order to appease extreme environmental interests and receive their support for the DRECP. However it seems unlikely that each of the proposed 49 new ACEC's have critical environmental concerns or high biological values and therefore do not meet the requirement for this designation.
- Most likely the creation of ACEC's and NCLS non-motorized conservation lands will effect OHV connectivity further concentrating OHV use into segmented areas and increasing impacts which is in contrary to the stated DRECP purpose.
- Where renewable energy projects occur on "private" lands there should be no mitigation in the form of designation of conservation on "public" lands. Conservation Planning Areas on private land should continue to allow existing trails including motorized trails.
- Fish & Wildlife Service has repeatedly made it clear that "Designation of Critical Habitat" does not meaningfully benefit species, but does have significant social and economic costs on surrounding communities. In fact, FWS regularly publishes its conclusion that "In 30 years of implementing the Endangered Species Act, the Service has found that the designation of statutory critical habitat provides little additional protection to most listed species," yet "consumes significant amounts of conservation resources and imposes huge social and economic costs." (Federal Register, Vol. 68, No. 151, August 6, 2003). We have to wonder if the DRECP creation of Areas of Critical Environmental Concern will also have significant social and economic costs on surrounding communities with little meaningful benefit to species. This needs to be analyzed further in the DRECP.

Funding from developer fees and mitigation money should be directed to Operation and Maintenance of recreation lands in order to mitigate the negative impact caused by the DRECP on recreation. This funding should not go to the Fish and Wildlife Service conservation fund since the DRECP has already provided mitigation in the form of extremely generous conservation land set asides where no maintenance is needed.

Thank you for this opportunity to provide comments on the DRECP DEIS.

Sincerely,

Chris Horgan  
Executive Director  
Stewards of the Sequoia  
Division of CTUC 501c3

CC: BLM State Director James Kenna  
BLM Outdoor Recreation Planner Jane Arteaga  
Congressman Kevin McCarthy  
Senator Jean Fuller  
Kern County Board of Supervisors

Documents Cited:

*Hurniston 2010-USDA –Jobs, Economic Development and Sustainable Communities*

*Crimmins, T.M., 2006. Management Guidelines for OHV Recreation. National Off-Highway Vehicle Conservation Council*

*Cordell et al. 2005-Off-Highway Vehicle Recreation in the United States, Regions and States: A National Report from the National Survey on Recreation and the Environment (NSRE), p. 6*

*Wernex, J., 1994. Off-Highway Motorcycle and ATV Trails: Guidelines for Design, Maintenance and User Satisfaction, 2nd Ed. American Motorcyclist Association*

*USDA Forest Service 1996- National Off-Highway Vehicle Activity Review, File Code: 1410/2350*

*"Since being founded in 2004, Stewards of the Sequoia continues to be the largest on-the-ground organization of volunteers in the Sequoia National Forest. Our crews have maintained over 2500 miles of trails and have planted hundreds of trees in reforestation projects. We represent in excess of 2500 members whose activities include camping, hunting, fishing, hiking, mountain biking, motorized recreation, boating, windsurfing, rock climbing and horse riding"*

Promoting Responsible Recreation & Environmental Stewardship