



July 21, 2022

Red Rock Business Plan, Bureau of Land Management,
4701 N. Torrey Pines Dr.
Las Vegas, NV 89130.

Submitted via email to: blm_nv_rrsfo_businessplan@blm.gov

RE: Southern Nevada Climbers Coalition and Access Fund Comments on Proposed Fees for Red Rock Canyon

The Southern Nevada Climbers Coalition (SNCC) and Access Fund appreciate the opportunity to offer these comments on the proposed fees for Red Rock Canyon. Red Rock Canyon National Conservation Area (RRCNCA) is home to incredible natural, cultural and recreational resources, such as the iconic and highly accessible Kraft Boulders in Calico Basin, to world class multi-pitch trad and sport climbing areas visited by climbers from across the globe. We are eager to work with the BLM to find the best possible management strategies to ensure the long-term sustainability of climbing in the area.

About the SNCC

The SNCC is a grassroots affiliate of the [Access Fund](#). We advocate for rock climbers in Southern Nevada by promoting responsible stewardship of local resources and cultivating greater community awareness and involvement.

The SNCC provides an avenue for constructive dialogue between climbers and local land managers, as well as a resource for local and visiting climbers seeking information about the world-class climbing destinations in Southern Nevada. For more information about the SNCC, visit www.southernnevadaclimberscoalition.org.

About Access Fund

The Access Fund is a national advocacy organization and accredited land trust whose mission keeps climbing areas open and conserves the climbing environment. A 501c(3) nonprofit and accredited land trust representing millions of climbers nationwide in all forms of climbing—rock climbing, ice climbing, mountaineering, and bouldering—the Access Fund is a US climbing advocacy organization with over 20,000 members and over 123 local affiliates. The Access Fund and BLM memorandum of understanding (Appendix B) outlines an agreement to

collaborate on climbing management, stewardship, project specific funding, and educational outreach. For more information about the Access Fund, visit www.accessfund.org.

Comments

The BLM is proposing to amend the Red Rock Canyon National Conservation Area 2018-2028 Business Plan. The Business Plan was prepared in 2018 to meet Federal Lands Recreation Enhancement Act and BLM's Recreation Fee Policy. The Business Plan was approved for 2018-2028, and the BLM is now updating the Business Plan to reflect proposed management changes for RRCNCA. The BLM proposes to add a standard and expanded amenity fee for reservation services at RRCNCA, including adding fees and reservations to Calico Basin Core Area. The Calico Basin Core Area was not part of the original 2018 Business Plan. The BLM states this amenity fee structure change is necessary to meet the needs of RRCNCA to conserve, protect, enhance, and manage the public lands in RRCNCA for the benefit and enjoyment of present and future generations. Solving the social, cultural, and natural resource impacts that inevitably occur with increased use-levels can require tactics that are difficult to implement. SNCC and Access Fund have several suggestions (described below) for adjustments to the Business Plan that we request the BLM consider for the long term accessibility and sustainability of RRCNCA.

Calico Basin RAMP Administrative Appeal

Southern Nevada Climbers Coalition and Access Fund have filed a Notice of Administrative Appeal regarding concerns over the Final RAMP. It is premature for the BLM to be updating the 2018 Business Plan prior to the completion of the Calico Basin RAMP appeal process and a final determination is issued. Updating the Business Plan after the Calico Basin RAMP is finalized will save taxpayer dollars by ensuring that the Business Plan aligns with the finalized RAMP.

Fees and Equity Considerations

The addition of fees and reservations to Calico Basin in the updated Business Plan raises unequivocal equity issues without offering solutions. The Final Calico Basin RAMP proposes to add a gate to Calico Basin and explicitly states that increasing the day use fee to \$20 "*could cause a disproportionate impact on lower-income populations,*" and that a full 17% of all visitors to the RRCNCA are from a disadvantaged group.¹ Despite this, the BLM also says that it does not expect the proposed fee increase to be a deterrent to visitation to the area, and that spending will essentially be unimpacted.² It is unclear how the BLM reached this conclusion (no socioeconomic analysis was provided), but it seems highly unlikely that the nearly one in five RRCNCA visitors classified as from disadvantaged backgrounds will not change their use patterns in the face of such a fee increase.

¹Calico Basin Recreation Area Management Plan and Final Environmental Assessment. April 2022 (p.4-43).

²Ibid.

The Calico Basin RAMP states that the median income in the census tract that includes the residences in Calico Basin is \$142,140, more than two times the median income for Clark County and the State of Nevada.³ The new policy will benefit those who live in Calico Basin who are much more affluent while those who live nearby and make less money will bear the burden of paying to access Calico Basin or lose the ability to access public lands. It is unclear in the RAMP and 2018 Business Plan but it appears that residents who already live in Calico Basin will not be subject to fees and reservations due to their proximity to Calico Basin.

SNCC and Access Fund understand that fees can be necessary to support and protect the lands we all love, and that fee increases are often needed to provide long term sustainability. With that said, if the BLM wishes to fully consider the justice, equity, diversity, and inclusion ramifications of the fee increases proposed, the BLM must also have a plan to deal with the negative impacts of the increase on marginalized communities. This plan does not currently exist.

Furthermore, the updated Business Plan proposes an online reservation system to acquire a permit to access Calico Basin. While this is a fairly standard practice across federal land agencies, it can create a barrier for individuals who do not have access to a computer, internet, and a credit card. We suggest the BLM hold a certain number of permits available for the day of purchase with cash at the entrance (i.e. a walk-up option). This would provide all sectors of the population fair access to Calico Basin.

We urge the BLM to work with the local community to advance inclusive and equitable access to Calico Basin and Red Rock Canyon at large. By reaching out to, and learning from, the 17% of disadvantaged users identified by the BLM's own research, the BLM can find solutions to the potential equity pitfalls identified in the Business Plan. It is well documented that people of color often use outdoors spaces at lower rates than their white peers.^{4, 5, 6, 7} In addition, people from other marginalized communities, such as the LGBTQ+ and differently abled communities, can face additional challenges to getting out on public lands. As an outstanding natural area located in a densely populated and diverse community, Red Rock Canyon should be accessible to people from a true diversity of backgrounds - a principle SNCC, Access Fund, and the BLM all agree upon. Access Fund has staff dedicated to JEDI issues, and is more than willing to offer our time and resources to assist the BLM in applying JEDI principles to their lands in southern Nevada and beyond.

³Calico Basin Recreation Area Management Plan and Final Environmental Assessment. April 2022 (p.4-21).

⁴Nature Gap-Why Outdoor Spaces Lack Diversity and Inclusion
<https://www.google.com/url?q=https://cnr.ncsu.edu/news/2020/12/nature-gap-why-outdoor-spaces-lack-diversity-and-inclusion/&sa=D&source=docs&ust=1658270983432220&usg=AOvVaw2R0IMJDHhijOK6n5-KhTLM>

⁵Diversity in the Great Outdoors is Everyone Welcome in America's Parks and Public Lands
<https://www.google.com/url?q=https://www.resources.org/common-resources/diversity-in-the-great-outdoors-is-everyone-welcome-in-americas-parks-and-public-lands/&sa=D&source=docs&ust=1658270983432281&usg=AOvVaw2rV14KU-Rbp6k6SYKwj8Xn>

⁶NPS Census Data
https://www.google.com/url?q=https://irma.nps.gov/DataStore/DownloadFile/495294&sa=D&source=docs&ust=1658270983432326&usg=AOvVaw2ec5AD51y_nvpb2r17RxaU

⁷ Calico Basin Recreation Area Management Plan and Final Environmental Assessment. April 2022 (p.4-22).

Finally, though Calico Basin is federal public land, and therefore managed for all Americans, many of the changes proposed by the BLM will disproportionately impact locals who live in Las Vegas but not within Calico Basin. Many of whom moved to the area and built their lifestyle around access to Red Rock and Calico Basin. Limiting hours to day use only, for example, is especially harmful to Las Vegas locals, whose use is predominantly in the uncrowded after work hours - see the below section for more details on this issue. Similarly, requiring reservations year round, instead of just during peak times, places an extra logistical and financial burden on local Las Vegas residents, many of whom visit the RRCNCA over a hundred days per year, often during periods of the year and/or week when overcrowding is a nonissue. At the same time it appears that residents who live in Calico Basin are receiving preferential access to the Calico Basin Core area. Calico Basin residents may not have to pay fees or make reservations to access Calico Basin which is in their backyard.

The BLM should not provide access advantages to Calico Basin residents while adding additional barriers to local Las Vegas residents and out of town visitors. We strongly believe the BLM should take into account the ways that proposed changes can disproportionately impact those who visit Red Rocks the most - Las Vegas locals, people who also often devote significant personal time to stewardship and education work. Where such impacts to local use patterns can be mitigated, they should be.

Reservations and Mitigating Overcrowding

SNCC and Access Fund concur that there is a need to manage crowds during especially busy periods at Calico Basin and the RRCNCA more broadly. We believe the current iteration of the reservation system proposed for Calico Basin, however, is not the ideal method for mitigating the social and environmental impacts associated with overcrowding. If limited entry day-use permits and quotas are implemented, they must be carefully tailored to reflect scientifically collected visitor use data and capacity assessment and only require limited entry day-use permits be implemented during times proven by visitor use data to exceed carrying capacity beyond just parking infrastructure.

In the Business Plan as currently drafted, and in the Calico Basin RAMP Environmental Assessment, BLM has not identified how it intends to set the quota on how many people can access Calico Basin. In the EA, in a response to comments, BLM concedes that there is a “need to take the capacity study a step further to understand overall capacity, including resource values.”⁸ This capacity information is critical baseline data that is needed now to make informed decisions and to allow for public input on the appropriate management framework moving forward. We do not understand how BLM can decide to impose a fee and a quota without first understanding whether parking limitations, resource impacts, visitor experience or some other variable is the primary management consideration in setting appropriate quotas and fees, if any. And without that information, BLM cannot explain to the public and take input on whether and how those management policies are designed to address the identified concerns.

⁸Calico Basin Recreation Area Management Plan and Final Environmental Assessment. April 2022 (p.C-13).

In the absence of this critical information - the basis on which a quota will be set and the management objectives driving the decision - the public cannot meaningfully participate in shaping the most central component of this new system.

If the BLM is only basing carrying capacity on the number of parking spots available it should explore the following possibilities:

- Can the number of parking spots be increased while still protecting natural and cultural resources and visitor experiences? Would an increase in the fee support or be dedicated to increasing the available parking?
- Only require reservations during critical peak periods - i.e. weekends, holidays, and other high-traffic times such as the weekdays around Thanksgiving and Christmas.
- Enforce existing parking regulations - far more people are using Calico Basin than there are delineated parking spots, mostly by leaving their vehicles in unsanctioned locations. Simply enforcing parking limits could address the impacts of illegal parking and excess visitation.
- Instead of a gate, the BLM could install a self-serve kiosk and require users to pay a parking fee to park at the various parking areas in Calico Basin. Fees collected should be used towards visitor education, conservation, and recreational infrastructure. What purpose does a gate serve in this instance? BLM has not articulated why a gate is necessary even if fees and/or a reservation are implemented. These components should be examined independently.
- If the BLM must move forward with the proposed gate, they should allow for early entry/late exit, similar to the Scenic Drive, along with allowances for pedestrians to enter.
- Explore options for additional legal parking outside the Calico Basin that would allow climbers and other recreational users to access Calico Basin by foot.
- Increase the presence of rangers, both to enforce regulations designed to safeguard cultural and natural resources and also to better educate users. Both actions would reduce user impact on average, allowing more people to responsibly experience the area.
- Partner with SNCC and Access Fund to stabilize and harden existing staging areas, climbing access trails, and infrastructure, and close and reclaim redundant social trails. These improvements would protect natural and cultural resources, while establishing a more resilient trail system that accommodates higher use-levels.

Furthermore, SNCC and Access Fund strongly feel that limiting the access hours to Calico Basin is unnecessary. Overcrowding in the after-dark hours is not an issue at Calico Basin, and many locals treasure the area as a post-work spot to hike, climb, and generally find time to be out in nature. Especially in the summer months, being able to visit Calico Basin during the cool of night or very early in the morning is an experience critical to the well-being of the local residents, and given the lack of crowding during those times, limiting access to the hours proposed in the RAMP (which are universally too early to allow afterwork excursions in the winter, and nighttime use in the summer) is not required for resource protection.

Federal Lands Recreation Enhancement Act

Access Fund and SNCC are concerned that the manner in which the BLM has proposed to update the Business Plan - by charging both standard and expanded recreation amenity fees for the expanded Calico Basin Core Area - is misleading, may violate the Federal Lands Recreation Enhancement Act (FLREA), and contradicts the BLM's own internal fee administration guidance. Access Fund and SNCC respectfully request that the BLM explain how it is interpreting FLREA as applied to the proposed changes and allow for meaningful public comment on that explanation prior to approving the proposed creation of a new fee area in Calico Basin.

The Proposed Changes are Misleading Regarding Expansion of the Fee Area

The proposed changes to the Business Plan are misleading because they fail to acknowledge that they dramatically increase the spatial extent that will be subject to a standard amenity fee. This is accomplished by Proposed Changes (4), which proposes to *“Modify the existing name(s) of the Red Springs/Calico Basin fee site, to be further defined and finalized as the Calico Basin Core Fee Area.”*⁹ By doing so, the BLM is obscuring its apparent decision to create a new fee area by simply redefining the Red Spring site as the Calico Basin Core Area.

Through this supposed renaming, the proposed changes are being presented as merely exercising a prior authorization to implement a standard amenity fee at Red Spring (under the 2018-2028 Business Plan). The 2018-2028 Business Plan did authorize a standard amenity fee for the Red Spring site.¹⁰ However the Business Plan specifically stated that access to both the Scenic Drive and Red Spring would be granted under the same entrance fee and pass.¹¹ In that plan, the Red Spring site was described as:

*“Red Spring/Calico Basin: This site includes a 141-vehicle parking area, a half-mile interpretive boardwalk, five small and one large covered picnic areas with tables, grills and trash receptacles; two vault restrooms and access to hiking trails and climbing areas. It is also home to the Gila monster and the Spring Mountains springsnail which are BLM-sensitive species. This location is secured by a locked gate during non-day use hours (Appendix A, Figure 1).”*¹²

This description demonstrates that the Red Spring site was limited to the developed facilities and infrastructure identified by the 2018-2028 Business Plan. Based on this description, the Red Spring site was limited to the Red Spring parking area, as well as the adjacent boardwalk, restrooms, trail access points, and picnic areas. While the description mentions access to hiking trails and climbing areas, it does not indicate that the Red Spring site includes the trails and climbing areas themselves. Additionally, the description states that the Red Spring site is secured by a locked gate outside of day use hours. This gate is currently located at the entrance

⁹Bureau of Land Management Red Rock Canyon National Conservation Area. Proposed changes to the Red Rock Canyon Conservation Area 2018-2028 Business Plan Executive Summary. (P. 3).

¹⁰Ibid. (P.2 Table 1).

¹¹Ibid. (P. 2 Table 1).

¹²Bureau of Land Management Red Rock Canyon National Conservation Area. Proposed changes to the Red Rock Canyon Conservation Area 2018-2028 Business Plan Executive Summary (P. 8).

to the Red Spring parking lot - further indicating that this was intended as a boundary to the fee site.

The proposed changes presumably intend to transfer the previous authorization of the standard amenity fee from Red Spring to the newly named “Calico Basin Core Area.” While the proposed changes do not define the boundaries of the Calico Basin Core Area, the Calico Basin RAMP does, and this definition is apparently being carried over. The RAMP defines the Calico Basin Core Area as:

“Calico Basin core area—The original Calico Basin core area described in the 2005 RRCNCA RMP that includes specific guidance and management in the RMP. This area is shown in all maps in this RAMP/EA and consists of a location bounded by Kraft Mountain to the north, Calico Basin Road to the south, the ridgeline above Red Spring to the west, and Gene’s Trailhead as the farthest east point”(Appendix A, Figure 2).¹³

The original Business Plan made no mention of Kraft Mountain, the Calico Basin Road, the ridgeline above Red Spring, Gene’s Trailhead, or the gate on Calico Basin Road, all of which would be included in the Calico Basin Core Area as defined by the RAMP. As exhibited in the attached maps, the Calico Basin Core Area as described in the RAMP encompasses approximately 883 acres, while the Red Spring site described in the original Business Plan encompasses approximately 10 acres (Appendix A, Figure 3).

Additionally, because the new gate/fee system would cover parking areas used for not only the Calico Basin Core Area, but also the non-core area and the La Madre Mountain Wilderness, the proposed changes would effectively apply a standard amenity fee to common access points for these areas as well. Therefore, the proposed changes do not merely rename the site for which a standard amenity fee is authorized, but in fact establish a new, greatly expanded recreation “area” and the proposed fee would apply even beyond the boundaries of the new Core Area.

At the same time, access to the Scenic Drive or Calico Basin would now be contingent upon not only paying the fee, which technically entitles the purchaser to access both, but also on having independent reservations for each respective area. Therefore, paying the fee at either the Scenic Drive or Calico Basin would not guarantee access to the other in practice, even though the original Business Plan states that “[a] receipt for either the Scenic Drive or the Red Spring area grants access to the other.”¹⁴

The proposed changes do not state openly that the area subject to a standard amenity fee would expand compared to that authorized by the 2018-2028 Business Plan. Instead, the proposed changes only suggest that the BLM “[a]dd an expanded amenity fee for the Calico

¹³Calico Basin Recreation Area Management Plan and Final Environmental Assessment. April 2022 (Figure 3, pg. 2-3; RAMP glossary, pg. 7-1).

¹⁴Bureau of Land Management Red Rock Canyon National Conservation Area. Proposed changes to the Red Rock Canyon Conservation Area 2018-2028 Business Plan Executive Summary (P. 2 Table 1).

Basin Core Area equal to the associated Recreation.gov reservation service fee".¹⁵ In this way, the proposed changes are clear that an additional \$2 reservation fee will be rolled into the total amenity fee charged at Calico Basin, but misleading in that the area subject to the fee is much larger than what was originally approved in the 2018-2028 Business Plan.

The Proposed Fee Area May Violate FLREA

The Access Fund and SNCC are concerned that the proposed changes may run counter to FLREA by infringing on the prohibition on fees for certain activities or services, by failing to allow for sufficient public participation, and by violating the rules for new fee areas.

While FLREA does stipulate that the BLM can charge standard amenity fees for National Conservation Areas such as RRCNCA, it nonetheless prohibits charging such fees solely for parking or general access.¹⁶ Indeed, the RAMP notes that:

*"...at project implementation, the BLM will update the RRCNCA Business Plan to clarify that the fee program and facilities apply to the Kraft Mountain and Gene's Trail parking lots. The BLM will update those facilities to be consistent with the requirements of Section 6802 of the Recreation Fee Authority of the FLREA. Per BLM requirements for the Recreation Fee Program, the agency only charges fees for facilities that meet certain standards outlined in the FLREA; the BLM does not charge for access to lands it manages."*¹⁷

However, the combination of the RAMP and the proposed changes would implement a gated fee station along Calico Basin Road, thereby applying an amenity fee for all recreational access to Calico Basin. This fee would apply regardless of whether visitors actually use the historic Red Spring fee site, park their vehicle, or use any developed facilities or infrastructure - effectively charging merely for access to BLM-managed land. Except for the Red Spring parking area, the locations the BLM now proposes to designate as paid parking are simply roadside parallel parking (Gene's Trailhead, Assisi Canyon Dr., Sandstone Dr.) and an unimproved gravel lot (Kraft Mountain), without any additional amenities. SNCC and Access Fund are concerned that applying a standard amenity fee to the entirety of this new Calico Basin area may infringe on FLREA's prohibition on fees for certain activities or services. BLM has not clarified how it is interpreting and applying FLREA, and should do so.

We are further concerned about this issue because to date in RRCNCA all parking areas subject to a fee, including those within the Scenic Drive, include developed facilities that meet the requirements of FLREA. Now, it appears that BLM is proposing for the first time at RRCNCA to impose a fee to access and park at areas with *no developed facilities* like toilets, developed parking, trash receptacles, etc. It is imperative that BLM disclose and the public have an opportunity to comment on how BLM is interpreting and applying FLREA in this circumstance.

¹⁵Bureau of Land Management Red Rock Canyon National Conservation Area. Proposed changes to the Red Rock Canyon Conservation Area 2018-2028 Business Plan Executive Summary (P. 4).

¹⁶(16 U.S.C. § 6802(d)(1)(A))

<https://www.govinfo.gov/content/pkg/USCODE-2020-title16/pdf/USCODE-2020-title16-chap87-sec6802.pdf>

¹⁷Calico Basin Recreation Area Management Plan and Final Environmental Assessment. April 2022 (P. B-1, Table B-1).

FLREA also requires that the development or changing of fees be subject to a public process.¹⁸ Courts have explained that while this public participation does not need to rise to the level of notice and comment rulemaking, such opportunities must be provided, even for mere changes to recreation fees.¹⁹ While FLREA does not define what constitutes an opportunity to participate, here it seems reasonable to expect the BLM to at least be clear with local decision makers and the public about its intent to expand the area in which amenity fees are authorized. Without such clarity, it is difficult to see how comments based on a misleading proposal could be viewed as a legitimate opportunity for public participation.

Additionally, when the BLM establishes a “new recreation fee area,” FLREA imposes further procedural requirements, including publication of notice in the Federal Register.²⁰ Access Fund and SNCC are concerned that BLM is creating a new recreation fee area without complying with FLREA’s public notice requirements. While there is case law indicating that adding a new fee to an area that already charges a standard entrance fee is not the creation of a new recreation fee area,²¹ that is not the case in Calico Basin. Even though the 2018-2028 Business Plan authorized fees for the Red Spring site, such entrance fees were never charged. Further, even if fees had been charged, they would have only applied to the Red Spring parking site, as authorized by the original Business Plan. Because the BLM now plans to apply these fees to a new expanded area where no fees were previously charged, a new recreation fee area is being established in Calico Basin. In this case, we believe the BLM is required to complete the additional procedural requirements enumerated in FLREA, which include publication in the Federal Register six months before the new fee area is established.²²

Due to the misleading nature of the Proposed Changes, the expanded fee area has not been sufficiently subject to the “BLM Recreation Fee Proposals Step-by-Step Review and Approval Process” described in the BLM Recreation Permit and Fee Administration Handbook (H-2930-1; hereafter “the Handbook”). The Handbook incorporates the FLREA requirements and states that “[t]his process applies to new fee proposals as well as to adjustments of existing fees.”²³ Access Fund and SNCC believe that the proposed changes are likely a new fee proposal, and at a minimum are an adjustment of existing fees. Therefore, while all provisions of the Handbook do not necessarily carry the force of law,²⁴ at a minimum they serve as the BLM’s own internal policy guidance on fee administration, and as such should be applied to any expansion of the fee authorization at Calico Basin.

¹⁸(16 U.S.C. § 6803(a))

<https://www.govinfo.gov/content/pkg/USCODE-2020-title16/pdf/USCODE-2020-title16-chap87-sec6802.pdf>

¹⁹S. Forest Watch, Inc. v. Jewell, 817 F.3d 965, 972 (6th Cir. 2016)

²⁰(16 U.S.C. § 6803(b)(c))

<https://www.govinfo.gov/content/pkg/USCODE-2020-title16/pdf/USCODE-2020-title16-chap87-sec6802.pdf>

²¹S. Forest Watch, Inc. 817 F.3d at 970-72.

²²(16 U.S.C. § 6803(b) and (c)).

<https://www.govinfo.gov/content/pkg/USCODE-2020-title16/pdf/USCODE-2020-title16-chap87-sec6802.pdf>

²³BLM Recreation Permit and Fee Administration Handbook (H-2930-1) P. 2-4

https://www.blm.gov/sites/blm.gov/files/uploads/Media_Library_BLM_Policy_H_2930_1.pdf

²⁴S. Forest Watch, Inc. 817 F.3d at 972-73.

The BLM Recreation Fee Proposals Step-by-Step Review and Approval Process requires significant and fully documented public outreach and input, as well as thorough review by a variety of entities within the BLM.²⁵ For this process to be appropriately completed at Calico Basin, it is important that the BLM be upfront about its intended changes to the area subject to a standard amenity fee. In order for the parties involved in the approval process, including the BLM Nevada State Director, Washington Office, Resource Advisory Committee, Recreation Resource Advisory Committee, and the public, to make informed comments and decisions, the subject matter impacted by those decisions must be clear.

To this end, we are concerned that the public was given an opportunity to comment only on the executive summary of the Business Plan amendments and not the full text of the revised Business Plan. We ask for clarification from BLM on why the public was not provided an opportunity to review and comment on the full Business Plan amendments. We also seek clarification from BLM on next steps of the public process including review of the fee by the Resource Advisory Committee, review by the State Office and/or whether the fee proposal will be subject to protest as set forth in the BLM Recreation and Permit Administration Handbook.²⁶ Is BLM complying with the public process requirements set forth in the BLM Handbook and, if not, how and why is the process being used here different from those requirements?

Access Fund and SNCC are ready and willing to work with the BLM to address these concerns. We request that the BLM explain how it is interpreting FLREA as applied to the Proposed Changes and allow for meaningful public comment and engagement on those critical issues.

Resource Protection and Recreation Ecology Principles

Climbers in general are strong defenders of cultural and natural resource protections. No climber wants to degrade the integrity of the natural environment, and climber compliance rates for restrictions that protect wildlife, such as raptor closures, are remarkably high. Nonetheless, it is a guiding principle of both land managers and SNCC and Access Fund that the least burdensome regulations necessary for the protection of the resource should be preferred. Though a reservation system may well be necessary during particularly crowded times of the year, there are a number of other methods for reducing impacts that do not require limiting access.

For example, many long time users report only rarely seeing a ranger out at Calico Basin. We understand that it takes time to fill ranger positions, and SNCC, Access Fund, and the local Red Rock climbing community have a huge appreciation for the dedication, passion, and hard work of the BLM ranger team at RRCNCA. To that end, we note that the Executive Summary of the proposed changes to the 2018-28 Business Plan asserts that BLM has utilized approximately \$665k in fees since 2018 for “additional staff added.” It is not detailed in the Executive Summary how many staff or on-the-ground rangers have been added, which would be beneficial for the

²⁵S. *Forest Watch, Inc.* 817 F.3d at 972-73.

²⁶ BLM Recreation Permit and Fee Administration Handbook (H-2930-1) P. 2-4
https://www.blm.gov/sites/blm.gov/files/uploads/Media_Library_BLM_Policy_H_2930_1.pdf

general public in understanding current staffing capacity to manage increased visitation. We are encouraged that BLM is making this investment and believe this approach will lead to strong outcomes for ensuring sustainability in the Calico Basin. We are also glad that the climbing community can begin coming to events like the Red Rock Rehab again, as such events are a great opportunity for our community to get educated, meet the rangers, and give climbers a window into how deeply the ranger team cares for the area. These interactions are necessary both to build and educate the greater community of stewards and build relationships between users and BLM staff.

As such, before focusing on increased restrictions to access, we urge the BLM to keep building on the steps they have already taken to create a more rigorous ranger presence in the area, both for education and enforcement, in order to mitigate user impact. A stronger ranger presence will reduce parking violations (thereby reducing crowding), increase compliance with critical regulations to safeguard the landscape, and provide opportunities for the long term education of users.

To this end, the BLM stated in the EA that it would prepare in the updated Business Plan a “staffing plan” that would lay out how the agency would provide for adequate monitoring and management of resources and how the fees collected in the new Calico Basin core area would support that level of staffing. This information is missing from the draft Business Plan or at least the executive summary that is available for public review.

SNCC and Access Fund request that BLM provide information on the current level of staffing for RRCNCA, the level of staffing necessary to monitor and manage visitor use along with natural and cultural resources, and how the new fees collected at Calico Basin will support that desired level of staffing.

We believe this information is essential for the public, because recreation ecology principles affirm that simply limiting the number of users does not necessarily better protect or restore ecological integrity to a resource. Recreation carrying capacity concepts have evolved over several decades from a focus on fixed visitation limits to comprehensive decision making frameworks focused on sustaining high-quality recreational opportunities.²⁷

Recreation ecology studies looking at the amount of visitor use related to resource impacts consistently indicate that use and impact are strongly related only at initial and low levels of visitation, with weak correlations at higher use levels.²⁸ High levels of resource impacts often occur on established and heavily used trails and recreation sites: reducing use to improve resource condition is generally an ineffective practice. Because of the general asymptotic use/impact relationship and the influence of many other factors, reducing use on a heavily used trail is unlikely to improve trail and surrounding resource conditions.²⁹ An increasing number of recreation ecology studies describe the efficacy of alternative management strategies, including

²⁷Marion, J. 2016. A review and synthesis of recreation ecology research supporting carrying capacity and visitor use management decisionmaking. *Journal of Forestry*. <http://dx.doi.org/10.5849/jof.15-062>.

²⁸Ibid.

²⁹Ibid.

the design, location, and maintenance of sustainable trails and recreation sites.³⁰ For areas with high visitation, a containment, concentration, and education strategy is recommended and has been effectively applied.³¹ Many visitor impacts are directly related to human behavior by uneducated visitors who value the places they visit, yet lack the knowledge on proper outdoor ethics and behavior.³²

We understand that funding and staffing to facilitate recreation infrastructure and education initiatives is a major struggle for federal land managers. The SNCC and Access Fund are more than willing to assist the BLM as needed with devising creative solutions to this obstacle, from fundraising to replicating volunteer and/or Access Fund-supported climber-steward programs. Such programs are already in place at other popular climbing areas across the country. For example, Access Fund recently partnered with the Utah BLM to create a new climber-steward program for the Indian Creek area outside of Moab.³³ These and similar programs have the potential to create a major positive impact for minimal cost, and Access Fund is ready to assist the BLM in creating one for the RRCNCA. To help shape the future of RRCNCA, SNCC and Access Fund request more information on how the fee program at Calico Basin will contribute to staffing levels that are designed to manage visitor use.

Indirect and Cumulative Impacts

Access Fund and SNCC are also concerned that the BLM will just be pushing the problem elsewhere by implementing a fee and reservation system at Calico Basin. Recent access limitations in the nearby Red Rock Canyon Scenic Loop are at least partially responsible for the dramatic uptick in Calico Basin visitation in 2021, and if similar limitations are used in Calico Basin, it's only going to move the problem down the road rather than solve it. BLM also ignored this important issue. The BLM should consider the indirect and cumulative impacts that may result from restrictions on access at Calico Basin and the Scenic Loop on other areas of Red Rock and surrounding public lands, and it should look at comprehensive recreation management strategies. Implementing a reservation system and reservation fee for Calico Basin will likely increase visitation and impact in other non-fee areas of Red Rock and beyond. In the Calico Basin RAMP, the BLM stated that it would address impacts to areas outside Calico Basin at a later date. This issue was not addressed in the updates to the 2018 Business Plan. We continue to be concerned that the BLM has not considered or disclosed these potential impacts to the public in either planning processes.

³⁰Marion, J. 2016. A review and synthesis of recreation ecology research supporting carrying capacity and visitor use management decisionmaking. *Journal of Forestry*. <http://dx.doi.org/10.5849/jof.15-062>.

³¹Leung, Y.-F., AND J.L. Marion. 1999. Spatial strategies for managing visitor impacts in national parks. *J. Park Rec. Admin.* 17(4):20-38.

³²Hendee, J.C., AND C.P. Dawson. 2002. *Wilderness management: Stewardship and protection of resources and values*, 3rd ed. The WILD Foundation, Fulcrum Publ., Golden, CO.

³³https://www.moabsunnews.com/news/article_2f8f1422-2d13-11ec-8add-bba358568450.html.

Access Fund and SNCC Assistance

The SNCC, the Las Vegas climbing community, and Access Fund are ready, willing, and able to help planners identify and improve the climbing related infrastructure, trail system, roads, and other management needs the BLM may require to provide for the outstanding opportunities found in Calico Basin. In addition, some aspects of this planning initiative may qualify for the Access Fund Climbing Preservation Grant Program or assistance from our Conservation Team which helps maintain³⁴, ³⁵ climbing areas throughout the United States by assessing climbing area conservation needs, working with locals to address those needs, and providing training on planning and stewardship best practices to keep those areas healthy.

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Thank you for your consideration of these comments on the BLM's draft RRCNCA Fee Proposal plan. SNCC and Access Fund have the experience, local contacts, and resources to help planners craft management strategies that encourage climbing while sustaining the health and integrity of the landscape and the recreation experience. SNCC and Access Fund look forward to continuing to work with the BLM. Please keep us informed as the planning process proceeds. Feel free to contact us via telephone at (303) 545-6772 or via email (cwinter@accessfund.org) to discuss these matters further.

Sincerely,



Chris Winter, Access Fund Executive Director



Bryan Friesen, Southern Nevada Climbers Coalition President

Cc:

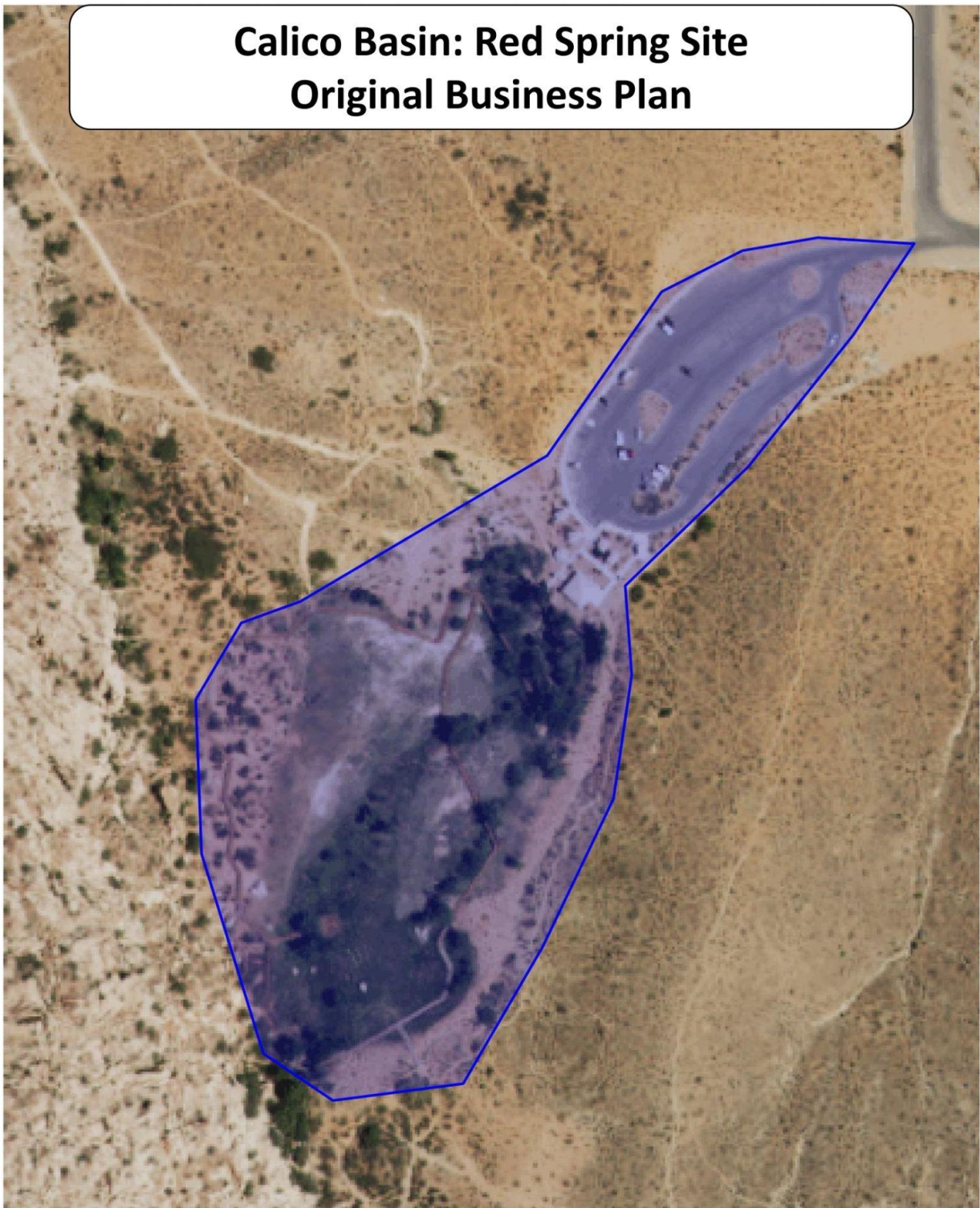
Erik Murdock - Access Fund, Policy Director

Jorge Jordan - Southern Nevada Climbers Coalition, Treasurer

³⁴<https://www.accessfund.org/take-action/apply-for-funding/apply-for-a-climbing-conservation-grant>

³⁵<https://www.accessfund.org/pages/conservation-team>

Appendix A- Calico Basin Maps



Calico Basin: Red Spring Site Original Business Plan

Mercator Projection
WGS84
UTM Zone 11S




MN
11.4°

Figure 1. Calico Basin Red Spring Site Original Business Plan Map

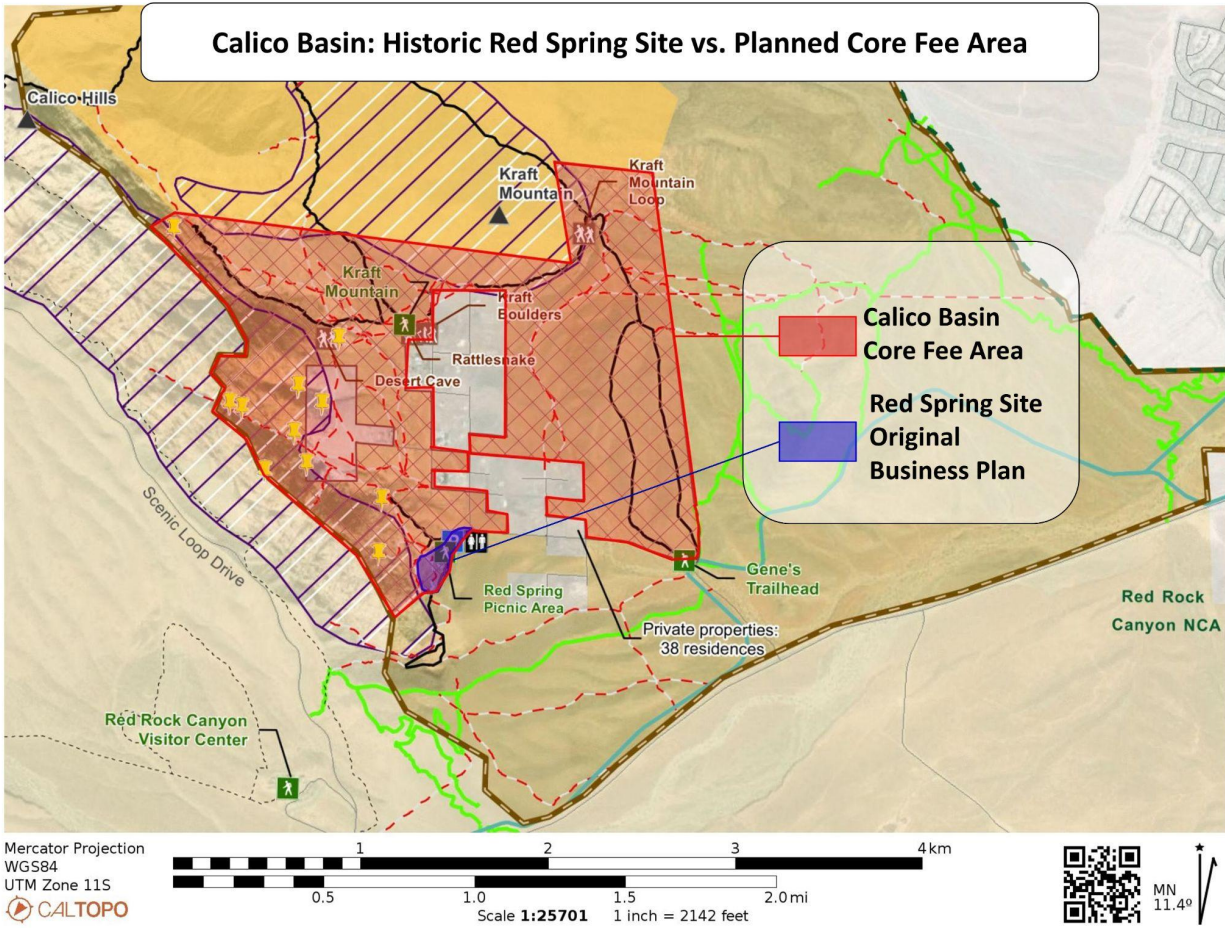


Figure 2. Calico Basin Historic Red Spring Site vs. Planned Core Fee Area; this map is based on Figure 3 of the Calico Basin Recreation Area Management Plan and Final Environmental Assessment.

Calico Basin: Historic Red Spring Site vs. Planned Core Fee Area Acreage

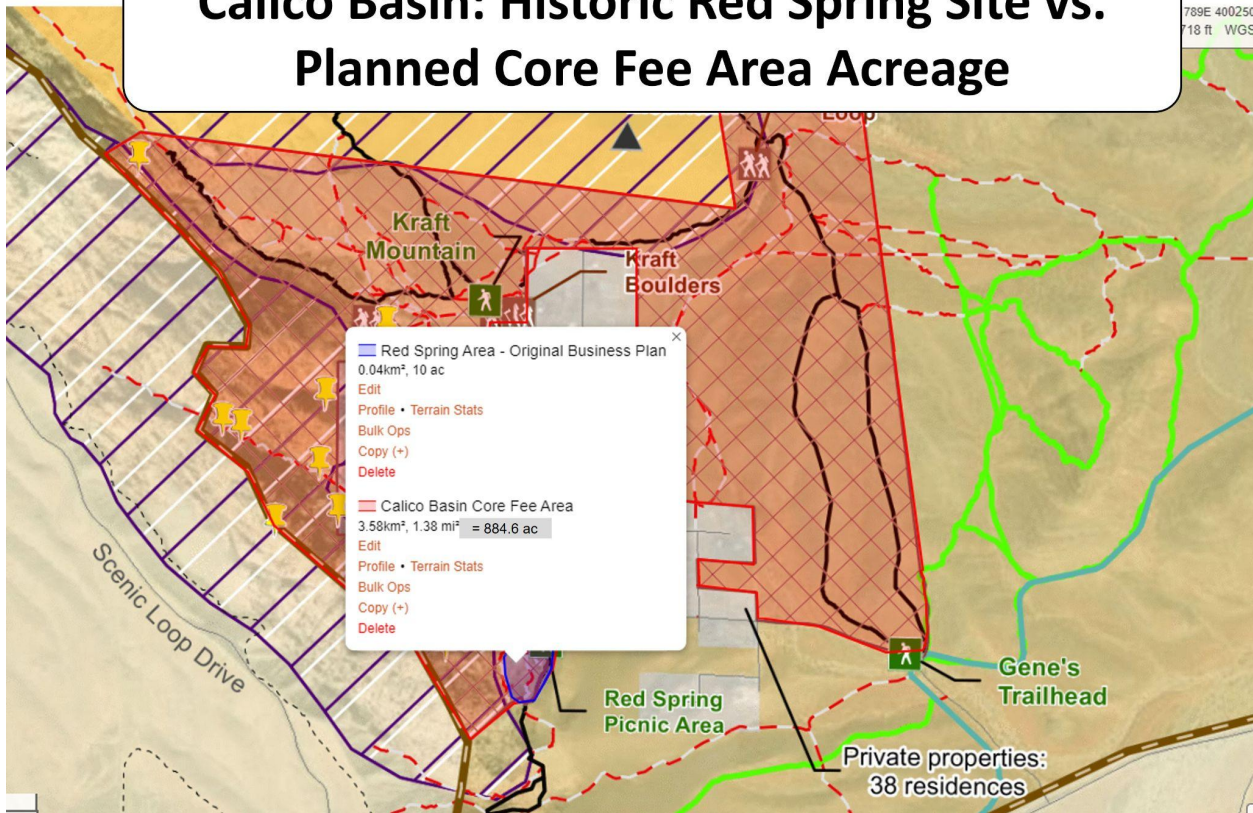


Figure 3. Calico Basin Historic Red Spring Site vs. Planned Core Fee Area; showing area calculations for both Red Spring and the Core Area.

Appendix B- Cited Materials
(Attached Zip File)