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Submitted via email: blm_ca_alabama_hills_planning@blm.gov

RE: DOI-BLM-CA-Co70-2020-0001-EA Scoping Comments

Bishop Bureau of Land Management,

Thank you for the opportunity to comment on the scoping of the Alabama Hills implementation plan. Please accept these comments on behalf of Friends of the Inyo and our nearly 1,000 members. Friends of the Inyo (FOI) is a grassroots non-profit based in Bishop California, our mission is to protect and care for the public lands of the Eastern Sierra. Over our 30-year history, FOI has become an active partner with federal land management agencies including the BLM. We were heavily involved in the decade long effort to find permanent protection for the Alabama Hills and are excited about the opportunities that the new Alabama Hill National Scenic Area presents. The Alabama Hills have seen an exponential increase in use over the past ten years. What was once a place known mostly by locals and the film industry has now become a famous Eastern Sierra stop for domestic and international tourists and locals alike. Under the National Conservation Lands System, the Alabama Hills were designated a National Scenic Area in the John D. Dingell Conservation, Recreation, and Management Act of 2019 (S.47).

Purpose of the Scenic Area

The Dingell Act states *“the purpose of the Scenic Area is to conserve, protect, and enhance for the benefit, use, and enjoyment of present and future generations the nationally significant scenic, cultural, geological, educational, biological, historical, recreational, cinematographic, and scientific resources of the Scenic Area managed consistent with section 302(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(a)).”*

We must consider this mandate with the numerous management challenges faced by the Alabama Hills at this time. Our comments address camping, human waste, toilets, visitation growth, and the future of recreation while considering the scenic values for which the area was designated.

It is important to note that the Alabama Hills National Scenic Area is encompassed by the larger Alabama Hills Special Recreation Management Area (SRMA) designated administratively through the DRECP. The implementation plan needs to clearly differentiate implementation

actions between the Recreation Management Zones (RMZs) within the SMRA (28k acres) and the purpose and protection afforded by the Scenic Area (18k acres).

Planning Level vs Implementation Level Management

The John. Dingell Conservation, Recreation, and Management Act of 2019 states in “SEC. 1403. Subsection A that *“Not later than 3 years after the date of enactment of this title, in accordance with subsections (b) and (c), the Secretary shall develop a comprehensive plan for the long-term management of the Scenic Area.”* BLM Policy Manual 6220 Section G Item #2 states that the Bureau of Land Management has four options when developing a plan.

1. by developing a new stand-alone land use plan for the particular component
2. by amending an existing land use plan
3. by integrating the component’s planning process into the planning process for a new or revised land-use plan
4. or by an implementation-level plan, as approved by the State Director

Bishop BLM has chosen an implementation-level plan. There is some ambiguity to whether this constitutes a “comprehensive plan” in compliance with the Act. There are advantages and disadvantages to an implementation-level plan. It allows for a quicker planning process but does not allow for resource land management level planning. For example, an implementation plan cannot address Visual Resource Management (VRM) classes or Travel Management.

We urge the BLM to keep this in consideration as they develop the plan, as certain management level actions could be perceived as illegal under BLM Directives and unfit for an implementation- level planning process.

Day Use and Other Fees

Friends of the Inyo does not recommend a day-use fee in the Alabama Hills. Fee based permits could be explored for large groups and Special Use Permit fees should remain in effect.

Camping

The Alabama Hills are a popular location for dispersed camping. This has been one of driving reasons for increased visitation and resource impacts in the Alabama Hills. While the Dingell Act does not directly point out camping as an existing use, Friends of the Inyo believes camping should continue in the Alabama Hills, but with new management directives to ensure more sustainable use. Years of dispersed camping have led to the “creeping” of sites into the brush, impacting fragile high-desert ecosystems. At many campsites there are multiple fire rings in the same area, leading to irresponsible placement of fire, the scarring of rock from flames and the burning of vegetation. Additionally, the amount of trash and glass in the Alabama Hills make many campsites an unsafe place to walk around. A prime example of this is the “The Ghosts” climbing and dispersed camping area. These are all major problems stemming from a lack of managed and regulated camping. BLM works diligently to restore dispersed sites that are damaged, but often, the site is quickly damaged again. Being reactive to site degradation and irresponsible camping behaviors is not optimal for the Alabama Hills National Scenic Area.

Friends of the Inyo recommends that Bishop BLM identify the most impacted campsites and designate these for approved camping, while closing and restoring all other areas to camping. We welcome BLMs suggestion in the draft plan as to the number and location of these sites. We

believe a mix of online reservations and first come first camping will suffice the need for security when planning an Alabama Hills trip and allow for spontaneity in outdoor adventures. All camping should require a fee, whether it's a first come first served, or a reserved site. This revenue will help generate much-needed funding for the Bishop BLM Field Office while consolidating use, encouraging responsible behavior, and allowing for easier law enforcement.

With the generation of fees, the BLM is required to provide certain amenities. Per the Federal Lands Recreation Enhancement Act 6802 Sec. D, *“The Secretary shall not charge any standard amenity recreation fee or expanded amenity recreation fee for Federal recreational lands and waters administered by the Bureau of Land Management, the Forest Service, or the Bureau of Reclamation under this chapter for any of the following:”* (E) For camping at undeveloped sites that do not provide a minimum number of facilities and services as described in subsection (g)(2)(A).

Of these 9 amenities and services, the BLM must provide a majority if they choose to charge for camping.

- (i) Tent or trailer spaces.
- (ii) Picnic tables.
- (iii) Drinking water.
- (iv) Access roads.
- (v) The collection of the fee by an employee or agent of the Federal land management agency.
- (vi) Reasonable visitor protection.
- (vii) Refuse containers.
- (viii) Toilet facilities.
- (ix) Simple devices for containing a campfire.

The Alabama Hills’ dispersed campsites already provide:

1. Tent or trailer spaces
2. Access Roads
3. Simple devices for containing a campfire
4. Reasonable visitor protection (park ranger)

Bishop BLM will need to identify 2 others. We recommend these be toilets and picnic tables. FLREA also allows Bishop BLM to keep fees within the Field Office and use them on other resources in the Alabama Hills, like paid staff.

Drinking Water

Friends of the Inyo recommends that the Alabama Hills National Scenic Area and SRA remain a “dry” area. Interpretive signage at the entrance of the Alabama Hills should clarify for users that there is no water in the area.

Campfires

Bishop BLM should establish permanent fire containment structures at designated campsites. This will continue to satisfy one of the FLREA requirements while allowing Bishop BLM to concentrate campfire use to the most appropriate areas. Alabama Hills Rangers should deconstruct visitor built rock rings and encourage fire use in the campsite specific, BLM installed fire containment structures.

Two Full-Time Rangers

A mix of funds generated from camping fees and recreational funds appropriated to BLM by Congress should help pay for 2 Full-time Rangers in the Alabama Hills National Scenic Area. The use of State Office National Conservation Lands funding should be explored as well. Rangers will assist with enforcement of campground payment, reservations, monitoring use in the Alabama Hills, visitor education, restoration and more. Staff that maintain the Tuttle Creek campground may also be able to service the Alabama Hills' limited infrastructure as well. Funding from NGO partners such as Alabama Hills Stewardship Group, Eastern Sierra Interpretive Association and Friends of the Inyo can offer assistance with rangers as well. We are in full support of a Docent Program to leverage ranger staff for education and reporting of misconduct in the Hills. Regular law enforcement can also generate additional revenue for the Scenic Area. Violations occur often in the Hills, groups and individuals are given warnings, but fines are not utilized enough.

Toilets

Given the high level of day use and camping occurring in the Alabama Hills with no bathroom facilities nearby, the issue of human waste is of paramount concern to the visual and natural resources of the Hills. We have observed an abundance of fecal matter and toilet paper at dispersed camping locations and trails. Often, the waste is not buried 6 inches deep and the high desert sandy soils do not break down feces efficiently. People step in poop, dogs eat it, people find it when going to the bathroom themselves, and so on. Recently, the construction of makeshift latrines have been observed at popular camping and climbing areas.

Toilets are a high priority need in the Alabama Hills and when strategically located and well camouflaged they should not disrupt the scenic values. Current best practice by federal land management agencies is the use of vault toilets. Construction of a beige/tan plywood barrier around the vault toilet should blend in with natural features and be less of an eyesore than the standard pit toilet structure. The bathroom should, as best as possible, be tucked into a location that is out of sight from the roads. In the campsites that BLM decides to regulate, there should be toilets installed. This will provide campers a place to use the restroom while satisfying one of the FLREA requirements of a campground that charges fees. The junction of Whitney Portal and Movie Road should also be a location considered for vault toilets, as this is a high traffic area that would be useful for day-visitors.

Picnic Tables

Picnic tables will satisfy the 6th requirement of a campground that charges fees. Beige/tan 2x4 plywood built tables will be the best material to blend in with surrounding natural features.

Roads and Off-Road Vehicles

Off-roading is an existing use in the Alabama Hills that, as required by law (S.47), must be permitted to continue. Currently, there are a number of routes in the Alabama Hills for off-road vehicles to ride on. The current route infrastructure that exists should not expand, as additional OHV routes and traffic will harm the scenic values of the Alabama Hills National Scenic Area. Bishop BLM should also consider an inventory of individual existing motorized routes and where there may be routes that compromise scenic resources. If a road compromises scenic values, it should be closed. This must be done on a route by route basis, as a more broad review

of what areas to open and close would be considered management plan level planning, rather than implementation level.

S.47 states that BLM must designate the roads and trails that will sustain a semi-primitive motorized experience or allow motorized use on county-maintained roads in accordance with applicable State and county laws. We believe this is met without any new routes in the National Scenic Area.

Bishop BLM should also develop an updated map of OHV roads in the Alabama Hills National Scenic Area in order to increase awareness among users and “sustain a semi-primitive motorized experience.” This will help users remain on designated routes and recreate responsibly. Friends of the Inyo highly recommends that Bishop BLM do this during the construction of the implementation plan so it can be released to the public as soon as possible.

OHV Road Signage

It is very easy for off-road routes to proliferate through the Alabama Hills and damage the ecosystem. It only takes one vehicle to make new tracks and others riders will think it is an open road. Signs should be installed below the shrub level, less than 2 feet high, to communicate what road you are on. Signs below 2 feet will help avoid conflicts with the scenic values of the Alabama Hills.

Proper signage is also a matter of safety. Currently, the OHV roads are unmarked. This leads to a number of difficulties. In the case of an accident on an OHV road, people must be able to communicate what road they are on with first responders or their group.

Climbing

Rock climbing is an important existing recreational use in the Alabama Hills. Bolted climbing is the most common form of climbing in the Alabama Hills and new bolts are routinely put into the rock. Friends of the Inyo does not believe existing bolted climbing should be restricted within the Alabama Hills National Scenic Area. However, there is much uncertainty regarding the legality and future of bolting within the Scenic Area. BLM needs to clarify this in the implementation plan and communicate the rules and regulations clearly to the public. The climbing community has taken it upon themselves to volunteer their time and resources to help with the management of climbing in the Scenic Area. Bishop BLM should coordinate with the Southern Inyo Climbers Alliance to assure existing uses remain, rules on future bolting are clear, area ethics are understood, and that scenic values are preserved.

Climbing Access Trails

Currently there is a proliferation of climbing access trails in the Alabama Hills. Some trails are redundant, leading to the unnecessary crushing of brush and other sensitive desert flora. Where there are climbs that require a hike to the rock, the BLM should identify trails, make their access point clear for climbers, and restore side trails. Similar to OHV road signage, this could be clarified with a small one to two foot tall sign pointing climbers in the right direction.

Tribal Co-Management

S.47 and other public land law requires the Bishops BLM to consult with the tribal nations affected by the development of the Alabama Hills implementation plan. The Lone Pine Paiute Tribe are the original inhabitants and stewards of this land, and still are to this day. The

development of the Alabama Hills National Scenic Area implementation plan provides an opportunity for Bishop BLM to explore co-management options with the Lone Pine Paiute Tribe.

S. 47 Section 1402 Subsection (M) “*COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with, State, Tribal, and local governmental entities and private entities to conduct research, interpretation, or public education or to carry out any other initiative relating to the restoration, conservation, or management of the Scenic Area*”

The Bishop BLM should enter into a cooperative management agreement with the Lone Pine Paiute Tribe if it is requested by the tribe. Appendix A and B include two examples that Bishop BLM may consider when exploring strategies and frameworks regarding tribal co-management of the Alabama Hills National Scenic Area.

Conclusion

FOI is committed to the long term protection and management of the Alabama Hills and offer our support and assistance in the implementation of this plan. We look forward to reviewing the draft plan and associated Environmental Assessment. As always, we welcome conversations and follow up regarding these comments.

Sincerely,

Wendy Schneider
Executive Director
Friends of the Inyo
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A handwritten signature in black ink that reads "Wendy Schneider". The signature is written in a cursive, flowing style.

Appendix

Appendix A

[Bears Ears National Monument Draft Resource Management Plan Appendix D Pg. 147](#)

Appendix B

[Alligator Rock ACEC in the Chuckwalla National Conservation Lands Unit](#)