

United States Department of Interior Bureau of Land Management Arcata Planning Area

October 1997

ENVIRONMENTAL ASSESSMENT

and

PLAN AMENDMENT

for the

KING RANGE NATIONAL CONSERVATION AREA ARCATA RESOURCE AREA

QH 76.5 .C3 U498 1997 c.2

Prepared By: Department of Interior Bureau of Land Management Arcata Resource Area

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT Arcata Resource Area 1695 Heindon Road Arcata, California 95521-4573

October 14, 1997

1790(P)/8320(P) CA-330

Dear Reviewer:

Enclosed for your review and comment is the Proposed Black Sands Beach Vehicle Closure Environmental Assessment and King Range Management Program Amendment. The document also includes additional sections regarding vehicle management of the King Range west slope; Vehicle Management Summary and History and Smith-Etter Road and Inholder Access Information.

The proposed Plan Amendment/EA analyzes two alternatives for management of vehicle access to 3.5 miles of coastline at Black Sands Beach.

Comments concerning the proposed Plan Amendment/EA will be considered in preparing the Decision Record and Final Plan Amendment. Comments will be accepted during a 60-day public comment period beginning October 14, 1997, and ending Friday, December 12, 1997. Please send your comments to the following address.

Bureau of Land Management Arcata Resource Area 1695 Heindon Road Arcata, CA 95521-4573

Sincerely,

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Lynda J. Roush Resource Area Manager

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King Range National Conservation Area

West Slope Motorized Access Issues

I. Vehicle management Summary and History

- Proposed Black Sands Beach vehicle closure:
 - Plan amendment

II.

- Environmental assessment
- III. Smith-Etter Road and inholder access information

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INTRODUCTION AND BACKGROUND

This document addresses current and future management of motorized access along the West Slope of the King Range National Conservation Area (KRNCA) and encompasses several issues with different legal and planning requirements. Therefore, it is important that the reader have a clear understanding of the purpose of each section of the document, the context and significance of the information presented, and the differing opportunities for public involvement and comment.

West slope vehicular access is addressed on three fronts:

I. Vehicle Management Summary and History

The first section provides background information on the history of the KRNCA, a chronology of vehicular access issues and management decisions, and a discussion of management issues associated with vehicle use in specific locations in the KRNCA. From this discussion a consistent management theme for the King Range National Conservation Area, specifically the West Slope, is articulated, carrying through from the passage of the King Range Act in 1970 to the present time, and into the future.

II. Black Sands Beach proposed vehicle closure

The second section addresses the proposed closure to vehicle use of Black Sands Beach, a 3.5mile stretch of coast line currently open to public off-highway vehicle (OHV) use. This action requires an amendment to the 1974 King Range Management Program, and an environmental assessment (EA). Consequently, the second section of this document amends the 1974 King Range Management Program, and is an EA which is open to public comment. Proposed amendments can be protested by the public to the Director of the Bureau of Land Management (BLM).

III. Smith-Etter Road and inholder access information

The third section addresses issues surrounding vehicle access of the Smith-Etter Road and coastal corridor from Spanish Flat to Miller Flat. It reaffirms and clarifies the closure of this road to public vehicle access, while providing reasonable access for private land owners. These private landowners, while they have the right to accest their private land, have no legal instrument authorizing access across public lands. Varying degrees of vehicular access would be permitted under the authority of 43 Code of Federal Regulations, Section 2920. This section of the document also provides a chronology of events and decisions, and the rationale which define reasonable access, and BLM's preferred method of access for each inholder. However, BLM will work with each landowner individually to issue an access permit, and an EA and Decision Record will be prepared for each proposed permit. Consequently, this section of the document is included for public information only and is not open to public protest or appeal at this time. Decision Records for permitted inholder access will be issued at a later date, and the public and inholders will be provided the opportunity for comment and to protest and appeal the decision(s) at that time.





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King Range National Conservation Area

West Slope Motorized Access Issues

I. Vehicle management Summary and History

INTRODUCTION TO VEHICLE MANAGEMENT ISSUES

There are two areas with major management issues with regard to motorized vehicle access to the King Range National Conservation Area's (KRNCA) western slope and coast line. Both areas are shown on map 1.

* Black Sands Beach is a 3.5-mile stretch of coast line currently open to public Off-Highway-Vehicle (OHV) use.

* The Smith Etter Road and the adjoining coastal corridor between Big Flat and the Smith Inholding provide access to seven private land inholdings in the center of the King Range. Both areas are shown on map 1.

The following background information provides a chronology of vehicle access issues and management decisions affecting the KRNCA coastal corridor, and specifically the Black Sands Beach and Smith-Etter Road areas. The discussion is intended to provide a context for the vehicle management decisions and implementing actions contained in this document.

As early as 1929 the remote coastal mountains making up the King Range were recognized as unique and deserving of protection. Public lands in the area were withdrawn from Federal disposition at that time until the area's highest and best uses could be determined. The extremely rugged and unstable terrain making up the King Range forced California's coastal highway approximately 20 miles inland here, giving the area the distinction as the state's least developed stretch of coast line, and inspiring its naming as the "Lost Coast."

The limited accessibility by motorized vehicles that served as a deterrent to settlement and development of the King Range was also the allure that led to public support for protective legislation for the area. On October 21, 1970, President Nixon signed the King Range Act (Public Law 91-476) designating 54,000 acres of public and private land as the King Range National Conservation Area (KRNCA)-- our nation's first National Conservation Area. In 1976, with the passage of the Federal Land Policy and Management Act (FLPMA), the KRNCA boundary was expanded, bringing the total size to over 62,000 acres, providing Federal protection for the core of the Lost Coast, and California's largest stretch of roadless coast line.

The King Range Act directed the BLM to develop a management program that considers all lands within the KRNCA boundary regardless of ownership. The act directs that "The plan will indicate the primary or dominant uses which will be permitted on various portions of the area," and that "secondary or collateral uses may be permitted to the extent that such uses are compatible with and do not unduly impair the primary or dominant uses." The management program was approved in 1974, and divided the area into seven zones, each with associated primary and secondary uses. The above management issues affect Zones 2 and 3.

Beginning at the time of KRNCA designation, and continuing throughout the past 26 years of development, implementation and updating of the management program for the King Range,

motorized vehicle use of the western coastal slope has been the most controversial issue.

The King Range Management Program (1974) states that "Off-road vehicle use of the beach is the sharpest issue of public controversy. Hikers and some conservation groups strongly favor closure to vehicle travel of the entire beach along the King Range to preserve natural, aesthetic and primitive values. Off-Road vehicle groups feel any closures are unwarranted and discriminatory, expressing the opinion that their vehicles do no resource damage and do not unduly disturb other users. The King Range Management Program, which zones the beach into mechanical and non-mechanical use areas, satisfies neither viewpoint and both sides express skepticism on control capability."

It is not surprising that vehicle access would be a highly charged and continually surfacing issue in an area that is noted as being one of the few roadless coastal blocks of public land in the U.S. Additional controversy is generated based on a variety of user groups desiring access to the King Range for its outstanding recreational attributes, including backpacking, hiking, surfing, fishing and abalone diving. Some of these activities (e.g. surfing and abalone diving) have historically been accessed with motorized vehicles by users who drive all or part of the distance along the coast. To a growing majority of backcountry visitors, the area represents a unique opportunity for a coastal backcountry experience, and they have commented that the quality of this experience is greatly reduced by the presence of vehicles or their tracks. Combining this inherent clash between different use groups with steady increases in visitation (backpacking and hiking use of the Lost Coast Trail has increased from an estimated 1,000 visitor days to more than 10,000 visitor days annually), conflicts will continue to increase in intensity unless new solutions are found.

During the scoping process, a major public concern arose that the Black Sands Beach proposed vehicle closure would take away the right of the public to access a stretch of California coastline. This is contrary to the intent of the proposal, which only changes permitted access modes from motorized to non-motorized to protect a unique recreation opportunity. This change is consistent with coastal access goals of the State of California as described below.

"In 1979 legislation was enacted directing the California Coastal Commission and State Coastal Conservancy to establish a program to maximize public coastal access. These two agencies are responsible for coordinating all local, state and federal efforts to implement the access program." Currently, approximately 42% of California's coastline is determined by these agencies to be "accessible" to the public. The California Coastal Access Guide, published by the California Coastal Commission, lists all public access areas on the coast. These range from remote backcountry areas with non-motorized access such as portions of the Lost Coast, to areas such as Pismo Beach State Vehicular Recreation Area, where vehicles are allowed to drive directly on the beach.

The vast majority of coastal access opportunities fall between these two ends of the spectrum, with numerous areas (including areas along the Humboldt Coast and within the King Range) providing for motorized vehicle parking directly adjacent to the beach. According to the

Coastal Access Guide: "Unique to the California Coastline is the area known as the Lost Coast. . . Sinkyone Wilderness State Park and the King Range National Conservation Area to the north provide some of the last true remaining wilderness areas in California that are adjacent to the coast."¹

In summary, the proposed action is intended to provide a unique non-motorized wilderness access opportunity that complements the existing range of access modes available along the California coast. The BLM will consult with the Coastal Commission, Coastal Conservancy and State Lands Commission regarding the proposed action. The BLM recognizes that the number of miles of coast where OHV's can drive directly on the beach is also limited. However, within the limited coastal land base managed by the agency, a more suitable play area is dedicated for OHV use (Samoa Dunes in Eureka).

For the remainder of this section, and throughout this document, the Black Sands Beach and Smith-Etter Road areas will be discussed separately. The rationale for this is twofold. First, the areas are geographically separate. Second, and more importantly, they involve different access issues with very different legal and planning implications. The Smith-Etter Road and associated coastal corridor is closed to public vehicle access; the management issues here involve private landowners who have the right to access their private land, but have no legal instrument authorizing access across public lands. In contrast, Black Sands Beach is currently open to public OHV use. This use is managed under the BLM's OHV regulations (43 Code of Federal Regulations, section 8340).

¹ <u>Coastal Access Guide</u>, 4th Edition, 1991; Published by State of California; California Coastal Commission

BLACK SANDS BEACH HISTORY AND VEHICLE MANAGEMENT ISSUES

From the beginning of the KRNCA planning process in the early 1970's, conflicts occurred regarding OHV use of the beach corridor. During the initial scoping process, hikers and some conservation groups strongly favored closure to vehicle travel of the entire beach while OHV groups felt closures were unwarranted and discriminatory. The BLM response in the *King Range Management Program* was to zone the beach into mechanical and non-mechanical use areas (6 miles open to OHV's; 20 miles closed). Even then it was noted that the plan decision "satisfies neither viewpoint and both sides express skepticism on control capability."

The Black Sands Beach corridor falls within Zone 3 under the *King Range Management Program.* The primary use of Zone 3 is residential, as a majority of the zone is comprised of the Shelter Cove Subdivision. The Black Sands Beach corridor is encompassed within a narrow finger of Zone 3 extending north from the subdivision to Gitchell Creek. It is mostly surrounded by Zone 2, the most wild and pristine of the management zones. The intent for inclusion of the Black Sands Beach corridor in Zone 3 was not for allowance of residential development, as the 1974 management program identifies all of the lands for BLM acquisition (all but 200 acres have since been acquired by the BLM). Inclusion in this zone was intended to accommodate an existing road easement that extended along the beach terrace to Gitchell Creek. Large sections of the road have since been eroded by the ocean, and reconstruction along the original route is no longer feasible.

The 1974 management program provided for a mechanized ocean beach area from Telegraph Creek to Gitchell Creek, with the remainder of the beach corridor within Zone 3 closed to off-road use (Little Black Sands Beach south to the Shelter Cove boat launch). The plan goals noted the conflicts between these uses and stated: "The separation of mechanized and non-mechanized beach use is necessary because vehicles using the beach pose a safety hazard and an annoyance to those using the beach for swimming, hiking, sunbathing, etc."

It should be noted that use of the Black Sands Beach corridor at the time of management program development was much different than at present. In 1973, total use of the King Range was estimated at 65,000 visitor days. During that time, sightseeing and camping at developed sites were the most popular activities in the King Range accounting for 84% of all use. OHV, backpacking, and fishing use combined only totalled around 7% of the area's use, with 1,000 backpacking and 600 OHV visitor days estimated². Dune buggy use was popular along the beach, and ATV's were not yet invented. Backpacking was just starting to grow in popularity along the coast. Also, much of what is now the Lost Coast Trail was private land, and access to the backcountry was limited. In summary, Black Sands Beach was not a popular leg of a National Recreation Trail as it is today, and had much lower backpacking/hiking use. Segregating motorized and non-motorized use was a more viable alternative in 1974.

^{2 1973} Unit Resource Analysis for the King Range Management Program

A second coastal area open to mechanized use under the King Range Management Program was in Zone 1, a small area of public land surrounding the Punta Gorda Lighthouse. Most of the land from the Mattole River south to Punta Gorda (approximately 3 miles) was in private ownership, and not within the KRNCA boundary at that time. It was proposed as an addition to the KRNCA in the Management Program, and added in 1976 with the passage of the Federal Land Policy and Management Act (FLPMA). The entire corridor is now public land with the exception of one private parcel. Although the King Range Management Program implied that an open riding area would be permitted from the Mattole River south to the Punta Gorda Lighthouse, extensive damage to archaeological sites resulting from OHV use south of the Mattole River prompted BLM to initiate the closure of the area to OHV use. In November 1978, the BLM acquired authority through Permit PRC-5633.9 from the California State Lands Commission to enforce vehicle use restrictions within the intertidal zone in the KRNCA. Soon thereafter, the BLM closed the coastal corridor to OHV use from the Mattole River to Punta Gorda (Federal Register Notice, June 28, 1979). The purpose of the closure was to "Protect natural and cultural resource values, and prevent conflicts between vehicular and non-vehicular recreation uses." This left the 3.5 miles of Black Sands Beach as the only remaining open riding area in the KRNCA.

In January 1986, BLM completed the *KRNCA Transportation Plan*. Several major issues/concerns regarding coastal OHV use arose once again during the scoping process:

- 1. Should OHV use be prohibited entirely along the beach?
- 4. Can BLM enforce its regulations if the beach is closed to OHV use?
- 5. Are the current OHV use designations along the beach effective?

The plan decision was to allow continued OHV use on the beach between Telegraph and Gitchell Creek. Noted advantages were keeping a popular riding area open, minimal resource impacts, and vehicle access provision to a variety of recreation activities. Noted disadvantages included the difficulty in keeping vehicles from traveling into the closed area north of Gitchell Creek, and conflicts with primitive recreation and wilderness values. The plan stated that an increased on-the-ground presence would be sought by the BLM to minimize OHV use beyond Gitchell Creek. Under the implementing actions, the plan also called for providing public information, signing and annual monitoring to determine the effectiveness of the plan, with a proposed review and update when necessary.

In 1988, the BLM released the *Final Environmental Impact Statement for Wilderness Recommendations for the King Range and Chemise Mountain Wilderness Study Areas (WSA's)*. All of the Black Sands Beach corridor except the southernmost ¹/₂ mile falls within the King Range Wilderness Study Area. By the mid 1980's, backcountry use along the King Range coast line had grown greatly in popularity, and the Wilderness EIS estimated 1986 recreation use of 3,200 visitor days of non-motorized use and 300 visitor days of motorized use along the KRNCA beach corridor within the WSA. A total of 515 oral and written comments were received on the Draft EIS. Once again, numerous comments expressed concern about the impacts of vehicle use on wilderness and primitive recreation opportunities. Comments questioned the enforceability

of the closure at Gitchell Creek. They also stressed the area's uniqueness as the largest wilderness remnant along the west coast, and argued that this should be enough justification to not zone portions of the beach corridor for non-wilderness uses. The plan (response 5-13) concurred that the closure was "an enforcement problem that the BLM has yet to completely solve." Proposed management actions called for increased signing and ranger patrols to enforce the closure.

In 1992, the *KRNCA Visitor Services Plan* (VSP) was developed to expand upon the management zones of the original 1974 *King Range Management Program* to include more specific recreation management objectives. The VSP includes specific experience opportunities and activities to be provided in each zone. The Black Sands Beach area is within Zone 3 of the VSP. This zone is to be managed for primitive recreation opportunities with motorized vehicle use allowed on designated roads/areas. Although actions had been taken to enforce the OHV closure and reduce conflicts based on previous planning decisions, once again conflicts between OHV use and non-motorized uses on Black Sands Beach surfaced as a major management issue. The VSP deferred addressing OHV designation changes and instead focused on further reinforcing methods for reducing conflicts and preventing OHV use in closed areas. These included additional public information materials, signing, and the use of volunteers and local residents to assist in monitoring and reporting violations of OHV closures.

Based on the above planning guidance, OHV management efforts at Black Sands Beach have continually focused on trying to provide opportunities for both motorized and non-motorized use groups. Also, numerous efforts have been taken to reduce illegal OHV access beyond Gitchell Creek. Actions included hiring additional law enforcement rangers and stationing backcountry college interns along the coast line. Efforts to minimize conflicts through providing public information, and by zoning use areas for motorized & non-motorized activities, have only met with limited success. Actions aimed at reducing illegal OHV access beyond Gitchell Creek have also met with limited success because of the difficult logistics of monitoring and enforcing a closure in a non-defensible backcountry location. Furthermore, the conflict between motorized and non-motorized recreation users continues to increase based on higher use levels.

In 1996, the BLM estimated that backpacking and hiking along the Lost Coast Trail totalled approximately 14,000 visitor days, while OHV use along Black Sands Beach totalled approximately 500 visitor days. Data is not yet available for 1997.

Visitor use levels in the King Range and the Lost Coast Trail are estimated from several data sources. Based on the nature of the King Range (numerous trail heads, no requirement for visitor registration, and a variety of destination points among users) it is not feasible for the BLM to obtain a direct count of visitors to the Lost Coast Trail, and more specifically the Black Sands Beach corridor. Instead, visitor use totals and user types are professional estimates by BLM personnel based on examination of a number of sources commonly used by recreation management agencies to obtain information in backcountry areas. These sources include registration logs located at each trail head, direct visitor counts completed by Volunteer(s) when/where available, and backcountry/trailhead observation logs completed by BLM personnel

and volunteers.

Using these sources, the above estimates of visitation are considered by the BLM to be conservative totals that are suitable for the purposes of this assessment. The BLM has no specific sampling formulas in use within the agency for determining visitation totals in dispersed recreation areas. It is standard agency practice to rely on local outdoor recreation specialists and managers to determine use statistics based on the best available data sources and first-hand knowledge of the area use patterns.

BLM MANAGEMENT IN THE KRNCA

The significance and uniqueness of the roadless King Range coastline is the reason that the King Range was designated as the nation's first National Conservation Area in 1970, and was recommended to Congress as suitable for wilderness designation in 1990. In 1995, this coastline was also designated as a National Recreation Trail by the Secretary of Interior. The KRNCA is the largest stretch of primitive coastline in California, and one of the few Federally protected coastal proposed wilderness areas (or WSA) in the entire United States. The uniqueness of this stretch of coastline, its outstanding attributes for primitive recreation, its significance as coastal wildlife habitat, and its cultural and archeological values has been repeatedly acknowledged and affirmed by legislation, planning documents, and management decisions.

Currently, the entire coast line from the Mouth of the Mattole River to Black Sands Beach is managed as a backcountry/primitive area, with the exception of the 3.5 mile stretch of Black Sands Beach discussed earlier. The consistent record of legislation, planning documents, and management decisions, as well as increased backcountry visitor use and changing use patterns, and the unique coastal wilderness values of the KRNCA lead BLM to the proposals contained in this document.

SMITH-ETTER ROAD HISTORY AND VEHICLE MANAGEMENT ISSUES

The 14-mile long Smith-Etter Road was constructed in the early 1960's when much of the property at both the origin and terminus of the road was in private ownership (although a significant portion of the land over which the road was built was public domain administered by the BLM). The road provides access to several private inholdings along a remote stretch of beach in the heart of the KRNCA between Spanish Flat and Big Flat. The road takes off from Wilder Ridge Road in the Mattole Valley, and climbs the east slope of the King Range to approximately 3,000 feet in elevation at North Slide Peak. At Kinsey Ridge (elevation 2,450 feet), the road begins a four-mile descent down the steep western face of the King Range to the coast. The entire route is unpaved and is mostly cut into the steep side slopes of the King Range.

The King Range Management Program identifies the lands along the portion of the Smith-Etter Road and associated inholder access corridors covered to be managed primarily for recreation values (Zone 2 - West Slope, page 36). The major objective is to retain the wild and scenic values of the mountainous slopes and the beach. Additionally, maintaining the quality of beach and offshore [wildlife] habitat calls for the "prohibit[ing] public motorized vehicle use along the beach and on west slope roads *except the Smith-Etter Road*...." The proposed "Recreation" action (page 37) calls for acquiring public access for recreation purposes on the Smith-Etter Road and acquiring land to provide public parking and a primitive camping area at Spanish Flat.

At the time the *King Range Management Program* was adopted as the official planning document³, the Smith-Etter Road provided access from the County Road near Honeydew through Zone 2 to the beach at Spanish Flat. The BLM did not have legal access to the Smith-Etter Road. Use of the area was limited to people who owned land on the beach. As a result, the Spanish Flat area was considered as a de facto exclusive recreation area for inholders, protected from outside encroachment by public lands designated as a National Conservation Area. Therefore, the plan directed that public access be secured for the Smith-Etter Road and that the land at the terminus of the road be acquired to provide for public parking.

As a result of FLPMA's mandate to identify public lands having wilderness characteristics, the 34,033-acre⁴ King Range Wilderness Study Area (CA-050-112) was designated. The Smith-Etter Road bisects this WSA; 11,033 acres are north of the road and 23,000 acres are south of the road. The lands within the WSA fall under the BLM's *Interim Management Policy for Lands Under Wilderness Review*.

In 1979, the BLM officially closed all but 3.5 miles of the KRNCA beach (Black Sands Beach) to motorized vehicles. The closure left an exception for private property access which stated:

³ Subsequent documents adopted to supplement management were the King Range Transportation Plan (1986), and the King Range Visitors Services Plan (1992).

⁴ Ownership: 33,485 acres public land and 548 acres private land

Access to private lands within the closed zones will be authorized by permits issued by the District Office and will be granted for reasonable management and use purposes (*Federal Register Notice*, April 1979).

Based on the following series of exchanges, direct fee acquisitions and easement acquisitions, BLM gained control of public access on the Smith-Etter Road in 1983 as follows:

CA SAC 078444	Smith, Paul & Anne B. (1969)
CA SAC 078525	Etter, Keith & Lorraine (1969)
CA CA 5962	Harwood Investment Co (1974)
CA CA 573	Morrison-Jackson Lumber Co (1974)
CA CA 13894	Bosio, Davie & Grundman (1983)
CA CA 19388	Smith, Ann (1985)
CA CA 19055	Landergen, Eugene (1986)
CA CA 20166	Edwards, Ed (1987)
CA CA 20361	Grundman, Tom (Smith Life Estate, 1987)

The most significant land tenure action was the 1983 acquisition of 1,800 acres of land at the beginning of the Smith-Etter Road (Bear Trap Ranch). This provided the BLM with legal public access to the road.

In August 1984 the decision was made to physically open the Smith-Etter Road to the public; however, environmental groups opposed the opening. They felt opening the road to vehicles violated the WSA interim management policies and felt that excessive resource damage would occur.

In the ensuing year, the opened road generated complaints of increased vandalism to private properties; sportsmen complained of increased hunting pressure resulting in reduction of game and decreased quality of their recreational experience; and hikers complained of being adversely impacted by motorcycles and all-terrain vehicle (ATV) use on the beach.

In April 1985, the BLM began the public comment period on the King Range Wilderness Preliminary Draft Environmental Impact Statement (PDEIS). Over 500 oral and written comments were received on the plan. The overwhelming majority of the comments indicated the entire KRNCA be recommended for wilderness. In addition, OHV use, access, and the Smith-Etter Road were all identified as major issues of concern. People questioned the legality and wisdom of promoting increased motorized vehicle use in a WSA, BLM's ability to manage and control vehicle use in such a remote area, and whether the beach, marine terraces and other areas in Zone 2 could tolerate increased motorized use.

In the fall of 1985, the BLM installed a gate at the Telegraph Ridge Road intersection with the Smith-Etter Road, known as the Kinsey Ridge gate, to reduce user conflicts, vandalism, overcrowding and potential resource damage to beach archaeological sites.

As a result of the controversy generated by the opening of the Smith-Etter Road, BLM wrote a transportation plan for the entire KRNCA. The draft transportation plan was completed in August of 1985. The *King Range Transportation Plan* (1986) called for keeping the Smith-Etter Road open to a point within ¹/₄ mile of the beach. This action prompted an appeal from the Sierra Club and the Wilderness Coalition which was sent to the Interior Board of Land Appeals (IBLA).

On January 1, 1988, IBLA reversed BLM's decision to allow public access to within ¹/₄ mile of beach. In effect, BLM was ordered to close the road at the WSA boundary.

In a petition for reconsideration, on November 2, 1988, IBLA decided to uphold BLM's official planning decision to keep the road open. Prior to IBLA's ruling, however, the Ukiah District Manager made an administrative decision "to close the Smith-Etter Road at the Telegraph Ridge Road junction until such time as the U.S. Congress acts on wilderness status for the King Range" (memorandum dated May 20, 1988).

In 1990, the *California Statewide Wilderness Study Report* stated that the Smith-Etter Road, "will now remain closed to all public vehicle use from intersection with Telegraph Ridge Road to the beach. Private inholders will be permitted vehicle access to their property by way of this travel route, consistent with historical use."

Throughout the ensuing years, BLM has managed the WSA in accordance with the guidelines of the *King Range Management Program* and the *Interim Management Policy for Lands Under Wilderness Review*, while also allowing private landowners limited vehicular access to their property via the Smith-Etter Road. Not all of the landowners have been using the Smith-Etter Road and beach. One absentee landowner (Goss Trust) has never requested, nor been provided, access. One landowner (Big Flat Trust) uses an airstrip easement. A third landowner (joint tenancy Swartley and Harris) has an undeveloped airstrip easement, but presently uses the existing airstrip owned by the Big Flat Trust.

Monitoring of the King Range WSA in the early 1990's continued to identify negative impacts to recreation opportunities, WSA values and archaeological sites from vehicular use of the beach trail running southerly from the end of the Smith-Etter Road (T.3S., R.1E., HM, Section 30) along the beach terrace to Big Flat Creek (T.4S., R.1W., HM, Section 10) and northerly to the Smith parcel at T.3S., R.1W., HM, Section 25.

In August 1993, non-duplicatable keys were issued to each landowner in an attempt to control unauthorized or excessive motorized vehicle use by landowners, their friends and relatives. To date, owners of the Smith, Etter, Hadley, and Councilman/Blomquist parcels have been supplied keys to the gate at the top of Kinsey Ridge.

King Range National Conservation Area

West Slope Motorized Vehicle Issues

II. Proposed Black Sands Beach Vehicle Closure

Contents:

- * King Range Management Program Amendment
- * Environmental Assessment

ENVIRONMENTAL ASSESSMENT COVER SHEET

Management of Motorized Vehicle Access within the King Range National Conservation Area - EA AR Ι. 97-08

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10-1-97 Date

10-1-97

Date

10-1-97

Date

NEED FOR ACTION

One primary factor and two associated issues have led to the proposal to close Black Sands Beach to motorized vehicle use:

BLM's long-term intention is to manage the incomparable, nationally significant resource along the coastal slope of the King Range for its unique primitive and undeveloped character. This intent is consistent with the past 23 years of management of the coastal slope of the King Range. Motorized vehicle use of the 3.5 miles of Black Sands Beach considered in this proposed action has always been a compromise and exception to an otherwise coherent management approach for the coastal slope. Included under the above goal is a continued focus on providing for non-motorized backcountry recreation opportunities along the coastal corridor. Use by motor vehicles is not consistent with this management goal and detracts from the wild and primitive character of the area, and the associated non-motorized recreation experiences.

Two additional issues reinforce the need to consider closing Black Sands Beach to OHV use in order to meet the above management intent:

1. Visitation to the beach has changed dramatically in the 23 years since Black Sands Beach was designated open to OHV use. Non-motorized users now make up the vast majority of visitors, and both motorized and non-motorized use is increasing. Conflicts are occurring between motorized and non-motorized visitors and are expected to increase with growing use of the area. Under the *King Range Management Program*, "secondary or collateral uses may be permitted to the extent that such uses are compatible with primary or dominant uses." Continued OHV use is no longer considered to be compatible with the primary non-motorized recreation use along the beach corridor.

2. Due to its remote location and lack of natural barriers, the existing closure at Gitchell Creek is not reasonable to enforce.

A primary reason for considering an OHV closure involves the unique and primitive nature of the King Range coastline. This is the very reason that the KRNCA was designated as a National Conservation Area. Of the 1,500 miles of the western U.S. coast line, only four public areas contain sizable blocks of roadless shoreline (10 or more shore line miles). Of these, only the two largest roadless areas (Olympic National Park and the KRNCA) offer opportunities for extended backcountry use. The uniqueness of this backcountry hiking opportunity was recognized by the Secretary of the Interior in 1995 when he designated the 54-mile Lost Coast Trail (including Black Sands Beach) as a component of the National Recreational Trails System.

The significance and uniqueness of the King Range coast line is further illustrated by its inclusion in recent articles in a number of national magazines including *Backpacker*, *Outside*, *National Geographic Traveler*, *Motorland*, *Surfing*, *Sunset*, and *Men's Journal*. Each of these articles focused on the rugged, unspoiled coast line as the area's feature of distinction.

Motorized use of this portion of the beach significantly impacts the quality of visitors' experiences of this unique and very limited national resource.

Numerous unsuccessful attempts have been made to increase compliance with the OHV closure at Gitchell Creek. Black Sands Beach is used less as an OHV play area than it is as a corridor to provide motorized access for other activities such as camping, fishing, abalone diving and surfing. Unfortunately, many of the best abalone destinations, as well as the key surfing destination (Big Flat), are located several miles north of the closure boundary, creating a strong enticement for those users who do not respect the closure to travel beyond the boundary to reduce the walking distance. Because the closure boundary is in an area lacking natural barriers to vehicle access (a stream crossing the beach), enforcement is very difficult. Field patrols require hiking or riding an ATV 3.5 miles to the closure boundary. Often, violators traverse the wave slope so that their tracks are washed away and missed during routine patrols. They then hide the ATV's in the brush so that they are difficult to detect. Even signs identifying the closure point are difficult to maintain, as they are washed away by storm waves and shifting sand or vandalized.

Because of the existing issues, Black Sands Beach has not been managed or marketed as an OHV "play area" by the BLM. Although BLM focuses considerable attention on providing OHV opportunities on public lands, management funding under the California Off-Highway Vehicle Program, or "Green Sticker Program" has not been expended within the area. Efforts instead have been focused on other areas in the region such as Samoa Dunes and Cow Mountain, where OHV use has been determined to be the appropriate land use allocation.

The BLM has repeatedly tried numerous methods for enforcing the closure including improved public information, increased ranger patrols, citing violators, and stationing college interns on the beach to report illegal use. Although these efforts have resulted in the apprehension of individual violators, they do not seem to have reduced the overall level of illegal use. Successful enforcement of the closure would likely require a continual presence of BLM personnel at the closure point, a commitment that is impractical due to its location.

When the initial compromise was made in the *King Range Management Program* to allow use of OHV's on Black Sands Beach, use patterns and visitor preferences were much different than they are 26 years later. Since that time, non-motorized use of the beach has increased from 1,000 to over 14,000 visitor days per year. After a number of years of decreasing, OHV use is also increasing, and is presently estimated at 500 visitor days per year.

Several visitor studies of non-motorized users along the Lost Coast Trail have pointed out that a conflict exists with motorized visitors. Formal visitor surveys (statistically valid samples) were conducted by outside entities in 1993 and 1997, with informal surveys completed by BLM in 1994 and 1996. In the 1993 study, (conducted by the U.S. Forest Service Southeast Experimental Station) non-motorized visitors listed an undisturbed natural setting and no motorized vehicles as the two most important site attributes they sought in visiting the area. The informal surveys by BLM volunteers in 1994 and 1996 asked what aspect of the area that hikers and backpackers disliked most, or where they saw room for improvement. The presence of vehicles on the beach was listed as a concern by a large number of those surveyed. For this reason, several questions measuring conflict were included in a formal survey of non-motorized visitors completed by Humboldt State University during the summer of 1997.

The preliminary results of questions from this survey relevant to conflict measurement are included in more detail in the appendix. In brief, of the 245 completed and returned surveys, 112 hikers and backpackers encountered OHV's. Of these 112 non-motorized visitors, 62% indicated that they experienced conflict with the OHV's. This level of conflict is considered by BLM to be significant enough to warrant area management changes, as alternative methods to reduce conflict (information/education, zoning the beach) have not been effective.

BLM is also required to consider statewide and national trends and overall public demand for recreation activities when determining priorities for area management, and in developing plans for recreation use. By considering this overall demand in addition to looking at existing use patterns, a management agency avoids allocating scarce public resources solely in reaction to activities that are presently occurring on site, while completely ignoring a potentially much higher unmet public demand for other appropriate activities. A federally mandated method for determining these trends and demands is the statewide comprehensive outdoor recreation planning process (SCORP). The most recent California plan available is the 1993 California Outdoor Recreation Plan (CORP).

When looking at the preferences of Californians for recreation opportunities, a statewide survey completed for CORP showed that there is a much higher participation rate and desire (for additional opportunities) among Californians for hiking and backpacking relative to OHV and four-wheel-drive use. This is not to say that opportunities should not be provided for each of these activities, but that relative demand is a major factor that needs to be considered when agencies determine the amount of resources and land to allocate to each respective activity or mix of activities. Relative demand is also an important consideration in determining which activity should take priority where existing or potential user conflicts are involved. In the case of Black Sands Beach, this information provides additional reasoning for giving hiking and backpacking use a priority when determining conflict resolutions. On a regional level, OHV use has been determined to be a primary recreation use and is given priority in recreation management decisions in BLM-managed areas such as South Cow Mountain (near Ukiah), Samoa Dunes (near Arcata), and Chappie-Shasta (near Redding). A more detailed description of the CORP study is contained in the Affected Environment section.

In summary, the uniqueness of the recreation opportunities of the KRNCA coastline, unenforceability of the existing OHV closure, and the dramatic changes in use trends, all point to the need to reassess the decision of allowing OHV use along Black Sands Beach.

PLANNING CRITERIA

No new planning criteria were developed for this EA and amendment. The amendment incorporates as planning criteria direction from the *King Range Management Plan* (section IV (a.) and (b.) and the *King Range Transportation Plan* referenced in the following section.

CONFORMANCE WITH LAND USE PLANNING

The main authority for land use planning and management of the area covered in this proposal is the King Range Act (PL-91-476, October 21, 1970). This Act directs the Secretary of the Interior to develop: "1)...a comprehensive, balanced and coordinated plan of land use, development, and management of the area, and that such plan will be based on an inventory of available resources and the topography and other resources of the area; 2) that the plan will indicate the primary or dominant uses which will be permitted in various portions of the area; ... 4) that secondary or collateral uses may be permitted to the extent that such uses are compatible and do not unduly impair the primary or dominate uses, according to seasonal schedule or otherwise... 6) that the plan will be reviewed and reevaluated periodically." The Secretary is also authorized under the King Range Act "... to issue such regulations and do such other things as the Secretary deems necessary and desirable to carry out the terms of this Act."

Management direction of the affected area is outlined in several planning documents. These include the King Range Management Program (1974); King Range Fire Management Plan (January 1985); the King Range Transportation Plan (January 1986); and the King Range Visitor Services Plan (October 1992).

Changes to OHV designations for Black Sands Beach will require an amendment to the *King Range Management Program*, an update to the *King Range Transportation Plan*, and an update to the *King Range NCA Final Visitor Services Plan*. The *King Range Management Program* states that "the Bureau does not view the management program for the KRNCA as a fixed final document, but rather as a working tool that must be monitored and adjusted as necessary to respond to changing conditions." Specifically, Section VI identifies three categories of change. Category one requires Congressional legislation and includes such actions as boundary ehanges. Category two requires Secretarial approval and includes such actions as changing zone boundaries. Category three actions include "changes in the type or location of developments, or shifts in the degree of use restrictions based upon experience gained in intensive management of the area." The Proposed Action falls under category three which "can be effected by the Bureau with public participation."

The 1988 closure of the Smith-Etter Road to public use beyond the Kinsey Ridge gate will also be incorporated into the *King Range Management Program* amendment.

Detailed descriptions of planning and administrative decisions that provide direction for this Proposed Action are described in Section I. (*Introduction and Background*).

RELATIONSHIP TO STATUTES, REGULATIONS AND OTHER PLANS

The area included in this Proposed Action is completely within the WSA, except for the southernmost ¹/₂-mile of Black Sands Beach. Therefore, in addition to the King Range Act, significant management direction is provided under the BLM *Interim Management Policy For Lands Under Wilderness Review*. Under this policy, BLM is required to manage WSA's so as not to impair their suitability for Wilderness designation by Congress.

Regarding public OHV use in WSA's, the policy states that "except for emergency situations as defined in Chapter I.B.12, vehicle designations in WSA's are to be handled through the land-use-planning process." In the KRNCA, the *King Range Management Program* serves as the land use plan.

Where the Proposed Action falls under direction from both the Wilderness Interim Management Policy and the King Range Act, the more restrictive policy would apply.

State Lands Commission permit PRC 5633.9 gives the BLM authority to manage vehicle access below mean high tide within the King Range.

Authority for management and planning for OHV designations is contained within 43 Code of Federal Regulations, section 8340. Under this authority, "the authorized officer shall designate all public lands as either open, limited or closed to OHV's. All designations shall be based on the protection of the resources of the public lands, the promotion of the safety of all of the users of the public lands, and the minimization of conflicts among various uses of the public lands."

See Exhibit A - List of Applicable Laws and Planning Documents.

SUMMARY OF PUBLIC COMMENTS

A 45-day public scoping period was provided from July 7 through August 21, 1997. The scoping period was provided to give the public the opportunity to submit information and to identify issues which should be addressed in the environmental assessment. A variety of comments were received as individual letters, form letters, form post cards, signed petitions, and electronic mail. The majority of comments expressed opinions of whether the beach should be open or closed to OHV's. Comments both supported and opposed the closure proposal. Comments raised issues regarding BLM consistency/inconsistency of management for the King Range, compatibility/incompatibility of conflicting uses, impacts to cultural resources, and source and reliability of visitor use numbers.

The public scoping raised the following concerns by opponents to closure of the beach segment to OHV's:

1. Very few beach riding areas remain available to OHV use.

2. Conflicts among users and enforcement problems can be mitigated.

3. Adequate attempts to enforce the closure have not been made, such as increased law enforcement presence and more signing.

4. BLM should provide more user education.

5. OHV opportunities are currently eliminated from 98% of the California coastline, rendering as untenable the BLM contention that this remains the last unroaded coastline. 6. Enforcement problems are not justification for closure, and that other laws and regulations are equally difficult to enforce, but do not result in the elimination of these uses.

7. BLM should utilize "Green Sticker" money for operation and maintenance of the open riding area.

8. Closure of the beach discriminates against senior citizens and persons with physical limitations.

Concerns raised by proponents for closure of the beach segment to OHV's included:

1. Vehicles do not belong on fragile and unique habitats such as beaches and dune systems.

2. OHV users leave trash on the beach, and their presence is a source of noise which detracts from the enjoyment of other visitors.

3. OHV tracks on the beach north of the closure boundary (Gitchell Creek) and on adjacent hillsides spoil the naturalness of the beach environment.

4. OHV use in general compromises the primitive nature of the Lost Coast Trail.

5. OHV use in general is incompatible with primitive uses.

6. Enforcement of the existing closure at Gitchell Creek is unenforceable.

7. OHV's disturb wildlife.

8. Safety issues are created by mixing hikers, backpackers, etc. with motorized vehicles.

A summary of the scoping comments includes:

Individual letters	314
Form cards	38
Form Letters	26
Signed Forms	32
Petition Signatures	1599

Letters were received representing the following groups/organizations:

Alliance for a Paving Moratorium American Motorcyclist Association Blue Ribbon Coalition Inc. California Off-Highway Vehicle Recreation Commission California Wilderness Coalition

California Off Road Vehicle Association Inc. California Association of Four-Wheel-Drive Clubs Inc. California Outdoor Enthusiast Coalition Citizens for a Vehicle Free Nipomo Dunes Coastwalk **Environmental Protection Information Center** Eureka Community Health Center Friends of Point Sal High Desert Multiple Use Coalition International Jet Sports Boating Association Jeep Jamboree U. S. A. Lost Coast 4x4's Mendocino Forest Watch Mother Lode Research Center Mountain States Legal Foundation Mount Shasta Sno-mobilers Inc. Natural Resources Defense Council Nevada Four-Wheel Drive Association Pacific Northwest Four-Wheel-Drive Association Public Employees for Environmental Responsibility Sierra Club, (Headquarters Office) Sierra Club, Angeles Chapter Sierra Club, North Group, Redwood Chapter Southwest 4-Wheel Drive Association The Wilderness Society, California/Nevada Regional Office United Four-Wheel-Drive Associations

The public comment statistics presented above are provided to illustrate the level of interest and involvement in the scoping process. The purpose of the scoping process is to identify substantive issues to address in the environmental assessment, and the level of public interest/involvement in the proposal.

PROPOSED ACTION AND ALTERNATIVES

PROPOSED ACTION - Black Sands Beach/King Range Management Program Amendment

The Proposed Action would amend the King Range Management Program and update the Transportation Plan to close the 3.5-mile open portion of Black Sands Beach to OHV's effective upon publication in the Federal Register. The King Range NCA Final Visitor Services Plan would also be updated to reflect the closure to motorized access. The narrow strip that is currently Visitor Management Zone 3 along Black Sands Beach would be incorporated into the surrounding Visitor Management Zone 1. All public lands along the King Range coast line would be closed to motorized vehicle access except for emergency and administrative access as provided for under 43 Code of Federal Regulations, section 8340, and the BLM Interim management Policy for Wilderness Study Areas. A barrier and gate will be installed to allow access to pedestrians, stock animals, wheelchairs, and emergency service providers.

The plan update would also incorporate the 1988 administrative closure to all public vehicle use of the Smith-Etter Road west of the Kinsey Ridge gate.

ALTERNATIVE A - No Action

Black Sands Beach would remain open to motorized use between Telegraph Creek and Gitchell Creek. Efforts would continue as outlined in the *Transportation Plan* and *Visitor Services Plan* to minimize conflicts between motorized and non-motorized users and to enforce the closure at Gitchell Creek.

ALTERNATIVES CONSIDERED BUT NOT ASSESSED

The following alternatives were suggested by the public in writing or through verbal discussions during the public scoping period. For the following reasons, these suggested alternatives were considered but not carried any further in this document.

Open to Licensed Four-Wheel-Drive Vehicles Only-

This alternative would allow only licensed four-wheel-drive vehicles to operate within the Black Sands Beach corridor and would exclude all other types of motorized vehicle use.

This alternative would require construction of a barrier that allows full-sized vehicles while restricting small motorized vehicles such as motorcycles and ATV's. Larger four-wheel-drive vehicles would find it difficult to reach Gitchell Creek and farther north into the closed area during high tides and soft sand, thereby reducing the number of closure violations. Contact between motorized use and hikers would be less frequent due to a smaller number of vehicles capable of accessing the area.

Negative impacts to the vegetation on the marine terraces would likely increase due to vehicles driving outside of the beach corridor during high tides, winds, etc.

The alternative also does not resolve the management goal of managing the west slope of the King Range for its unique primitive and undeveloped character. In addition, this alternative would require a barrier that prohibits small motorized vehicles, yet is open for full-sized vehicles. Such a barrier is also technically impossible to regulate and enforce. It also requires a ramp across Telegraph Creek. The ramp location is often washed out during inclement weather and heavy rains. This area has been closed to motorized use under an emergency closure in past winters due to the ramp being washed away by Telegraph Creek.

Move Closure Area Boundary to a More Defensible Location-

This alternative would move the closed area boundary farther north, possibly to Buck Creek. Buck Creek has a partial physical barrier consisting of a rocky point that exists during high tides. The rocky point may reduce some trespass, however, it does not prohibit vehicles from going around the point during low tides. Due to the geologic features and topography of the area, it would not be feasible to construct a barrier at Buck Creek. Without a barrier, vehicles would continue to trespass into the closed area.

Relocating the closure north would allow vehicle use within the King Range WSA boundary and also into Zone 2, a non-motorized use zone with the primary use as primitive recreation (*King Range Management Program*, 1974). Impacts on wilderness characteristics would significantly increase within the wilderness study area boundary and within the area recommended suitable for wilderness designation, violating the non-impairment criteria in the *BLM Interim management Policy for Wilderness Study Areas*. Impacts to cultural and natural resource values would also increase due to an existing cultural site north of Gitchell Creek and the increase in leafy reedgrass habitat which would be affected.

Seasonal Closure-

This alternative would allow motorized use on Black Sands Beach corridor during the lower nonmotorized use months of the year (November to March), and would close the area to motorized use during the high-use hiking and backcountry season (April to October). Although this alternative could be managed with construction of a barrier that is closed during the high use months, it is not feasible to maintain safe access across Telegraph Creek during the winter months. This area has been closed to motorized use under an emergency closure in past winters due to the ramp being washed away by Telegraph Creek.

The alternative also does not resolve the management goal of managing the west slope of the King Range for its unique primitive and undeveloped character. In addition, trespass of motorized vehicles would continue to occur within the closed area.

AFFECTED ENVIRONMENT

GENERAL SETTING

The King Range National Conservation Area is located approximately 60 miles south of Eureka and 200 miles north of San Francisco. This remote stretch of coast line is characterized as a narrow sandy beach backed by abruptly rising coastal mountains. The face of the coastal slope is broken by a series of drainages, most of which have year round flowing streams. The coastal ridge and inland area include part of the mixed evergreen forest with moderate to high density tree growth. Black Sands Beach has no marine terrace, and the mountains rise directly behind the beach. The footslopes of the steep coastal mountains include debris from numerous large landslides. The area is subject to extremely high rainfall in winter, ranging from 100-200 inches. Summers are dry.

AFFECTED RESOURCES

Cultural Resources - Thirty-five archaeological sites have been identified and recorded along the coastal corridor between Randall Creek and Black Sands Beach. Most of the sites are north of Miller Flat. The sites consist of prehistoric Native American camps and activity areas where food processing took place. The sites date from 3000 years BP (before present) to contact with Euro-American settlers in the 1860's. Most of the sites are shell "middens" and may be mounded from the large amounts of food processed there over long periods of time. The "middens" consist of disposed and burned waste from cooking and camp fires with fire-affected rock, shell, terrestrial and marine mammal bones, fish and bird bones, stone and bone tools, and sometimes human burials. Because the sites are located in a sand medium along the exposed coastal strand, they are very prone to disturbance from continuous or repeated trampling by hikers, cattle, horses, or any kind of vehicular use as well as such natural forces as the wind or large storms. For instance, a prehistoric site was located at Telegraph Creek along Black Sands Beach but has completely eroded away by recurring large storms. One site, located at Gitchell Creek, has been severely impacted by OHV use but still remains. Several of the sites have been protected from livestock, humans, and vehicles by fenced enclosures when other protection mechanisms such as signs have failed. Fencing has been used as a last resort because of its negative impact on wilderness quality. The sites are of very great importance because they represent most of what is known of the Native American tribe that once inhabited the area from Randall Creek to Shelter Cove. The ethnographic history is very limited since it was collected from about four surviving members as the rest of the group was decimated or removed from the area. Even their name "Sinkyone" was invented by an anglo ethnographer. Because there are known to be human burials within the sites, additional levels of protection are required under current federal and state laws.

Wildlife/Fisheries (Including Threatened & Endangered Species) - The affected area is located within the range of two threatened species, the northern spotted owl (NSO) (Strix occidentalis caurina) and the marbled murrelet (MAMU) (Brachyramphus marmoratus).

One occupied northern spotted owl territory occurs in the vicinity of the proposed action; however, the activity center and habitat lies beyond the disturbance sensitivity zone from Black Sands Beach. A small amount of potential marbled murrelet habitat occurs in the vicinity of the proposed action but lies more than ¹/₄ mile from Black Sands Beach. The marbled murrelet habitat has been surveyed for one year of the two year protocol.

Upland wildlife that frequents the area includes black-tailed deer, bear, raccoon, rabbit, quail, porcupine and blue grouse. Marine mammals including seals and sea lions, as well as a variety of shore birds frequent the coast line. In addition, tidepools rich with marine life are found along the coast, and include sea stars, hermit crabs, urchins, anemones, abalone, and mussels.

Populations of steelhead trout have been identified in Hadley and Big Flat Creeks, with unconfirmed populations in Kinsey, Oat, Gitchell, Horse Mountain, and Telegraph Creeks. This species has been proposed for listing as threatened by the National Marine Fisheries Service. The final listing is expected in February 1998. Resident rainbow trout have also been documented in all of the major streams included in the affected area.

Vegetation - The KRNCA falls into the Northern California Coast Range Physiographic Province. Vegetation types include mixed evergreen forest, coastal prairie-scrub steppe and chaparral shrub lands. The mixed evergreen forests are made up primarily of Douglas fir, tanoak and madrone. About 20% of the existing mixed evergreen forest contains late-successional stands.

Small strips of red alder with Pacific dogwood, Pacific yew, hazelnut, and Oregon ash trees are found in the riparian areas along streams.

The area of the Proposed Action was surveyed for vegetation on August 2, 1993. Leafy reed grass (*Calamagrostis foliosa*) was found to be present just north of the Big Flat Trust parcel in T.4S., R.1W., HM, Section 4, SWSW. This is a California Native Plat Society list 4 watch species. See Exhibit C - Vegetation Survey of August 3, 1993. BLM databases show leafy reed grass occurring at regular intervals along the perched prairie shelf between Black Sands Beach and Gitchell Creek. Leafy reed grass primarily inhabits rocky slopes and cliff faces, but does re-inhabit level prairie shelves with rocky soils in the absence of intense competition and physical impacts such as livestock grazing or human-related trampling.

Wilderness - The area of the Proposed Action is within the 34,033-acre King Range WSA. Approximately 60% of the WSA has been recommended by BLM for wilderness designation.

The Black Sands Beach corridor from Gitchell Creek to Kaluna Cliff (with exception of the southernmost ¹/₂ mile of the OHV open area) is within the WSA, but was not recommended as suitable for wilderness designation. The rationale for not recommending the area for wilderness included two factors. First, the presence of several private inholdings with residences impacted solitude. In the time since the recommendation was forwarded, both residences are no longer present, and several of the inholdings have since been acquired by the BLM. Secondly, the

sights and sounds from OHV use along the Black Sands Beach corridor were determined to substantially impact solitude and primitive recreation opportunities.

All actions within the WSA must conform with the BLM Interim Management Policy (IMP) for Lands under Wilderness Review. This policy requires WSA's to be managed so as not to impair their suitability for preservation as wilderness.

The coastal corridor of the KRNCA contains recreation opportunities considered to be of national significance. It is one of only a few sites in the U.S. to offer backcountry recreation opportunities in a coastal environment. For this reason, the coastal corridor and its focal point, the Lost Coast Trail, attract visitors from throughout the U.S., as well as internationally. The Lost Coast Trail was designated by the Secretary of the Interior as a National Recreation Trail because of its significant scenic and recreational opportunities. Within the past two years, five national magazines have featured the KRNCA and specifically the Lost Coast Trail as a top backcountry hiking destination.

Recreation - Approximately 14,000 non-motorized recreation visitor days occurred along the Lost Coast Trail in 1996. The Lost Coast National Recreation Trail is one of only two substantial coastal hiking opportunities on the U.S. Western Coast. The other opportunity is located in Olympic National Park, Washington.

Because of the substantial and growing non-motorized use, BLM instituted group size limits and permit requirements for organized groups in 1996. As stated in the "Need for Action" section, non-motorized users of the Lost Coast Trail were surveyed in 1993, 1994, 1996, and 1997. The 1997 survey, completed by Humboldt State University, included specific questions regarding recreation conflict. The preliminary results of this survey show that 62% of non-motorized users experienced some type of conflict with OHV users.

OHV use on Black Sands Beach was estimated to be approximately 500 visitor days in 1996. OHV use was primarily for access for camping, fishing, surfing and abalone diving. The area attracts both local and regional OHV visitors. Open coastal riding areas are limited in the region. The closest alternative area is the Samoa Dunes Recreation Area (90 miles), Oregon Dunes National Recreation Area (250 miles), and Pismo Beach State Park (350 miles). OHV use is accommodated on other public land settings in northern Californina where determined appropriate through existing land use plans. These areas include Cow Mountain OHV area (100 miles), and the Shasta-Chappie OHV area (230) miles.

The Proposed Action lies within visitor management Zone 3 of the King Range Visitor Services Plan. The VSP states that this zone will be managed for predominantly natural or natural appearing environments. Evidence of humans, restrictions and controls are present, but subtle. Motorized vehicle use will be limited to designated roads and trails as specified in the King Range Transportation Plan. The VSP further stated that the primary recreation activities managed for within this zone include hiking, viewing coastal wildlife, backcountry vehicle touring hunting, backpacking, car camping, horseback riding, nature study, mountain biking,

and fishing.

Surrounding the narrow strip of visitor management Zone 3, and including Black Sands Beach, is visitor management Zone 1. This zone comprises most of the remainder of the west slope of the King Range and is the most primitive of the zones. Motorized vehicle use is not allowed within this zone except for private inholder access. The zone is managed to maintain a high probability that visitors experience isolation from the sights and sounds of others. On-site visitor management will be designed to be in harmony with existing ecological site conditions. Primary recreation activities managed for within this zone include hiking, coastal wildlife viewing, hunting, backpacking, horseback riding, nature study, fishing, and surfing. Frequency of contact with management personnel is low with off-site controls being the primary management tools.

The VSP, completed in 1992, acknowledged the conflicts between OHV users and hiking visitors. However, at that time, BLM elected not to re-evaluate the OHV designations, but acknowledged that the issue should be addressed in normal update of the *King Range Management Program*.

BLM is required to consider statewide and national trends and demands for recreation activities when determining priorities for area management and in developing plans for recreation use. By considering this overall demand in addition to looking at existing use patterns, the agency avoids allocating scarce public resources solely in reaction to activities that are presently occurring on site, while ignoring a potentially much higher unmet public demand for other appropriate activities. A federally mandated method for determining these trends and demands ins the statewide comprehensive outdoor recreation planning process (SCORP). The SCORP's are updated by each state every five years. The most recent California plan available is the 1993 California Outdoor Recreation Plan (CORP). It is published by the Department of Parks and Recreation and serves as a planning tool to guide the activities of park and recreation providers at all levels of government within California.

A statewide survey of California residents is utilized to determine recreation use patterns and activity preferences for the plan. One item included in the survey shows the popularity of recreation activities among Californians based on participation rates (Only those activities relevant to this assessment are listed here). These include:

Rank	Activity	% Participation
1	walking	88.0%
9	trail hiking	54.8%
19	primitive camping/backpacking	25.8%
27	four-wheel-driving off pavement	17.8%
38	driving motorcycles, ATV's, dune buggies off-highway	10.1%

The unmet public demand for new opportunities and facilities was measured by asking, "What activities would you do for the first time, or do more if the facilities were available?", and, "What activities do you feel it is the government's responsibility to provide facilities for?" The results were categorized as nine activities that have high unmet demand, eleven that have moderate unmet demand and 22 that have low unmet demand.

Activities with high unmet demand include: (CORP study shows public desire for agencies to focus management/facilities on these activities)

Rank	Activity	% Participation
1	walking	29.8%
3	trail hiking	16.8%
5	primitive camping/backpacking	11.8%

Low level of unmet public demand: (CORP study shows little support to focus management and funding on these activities)

Rank	Activity	% Participation
24	off-highway vehicles	3.9%
31	four-wheel-driving	1.8%

In summary, when looking at public demand for recreation opportunities on a statewide basis, there is a much higher participation rate and desire among Californians for non-motorized activities vs. OHV-oriented activities. This does not imply that opportunities should not be provided for both motorized and non-motorized activities, but that relative demand is a major consideration for agencies in determining the amount of resources and land to allocate to each respective activity or mix of activities. Relative demand is also an important consideration in determining which activity should take priority where existing or potential user conflicts are involved.

Socio-Economic Factors -The Humboldt County Economic Development Plan lists development of an economically and ecologically sound tourism industry as a top priority for the county. Although specific economic impact figures are not available, federal lands including the King Range play a significant role in providing outdoor attractions for county visitors. However, tourism is also viewed as a negative social impact to many of the local residents surrounding the King Range. Increased visitation results in traffic, crowding and changes to the quiet rural lifestyle that many residents desire. *Visual Resources* - The BLM's visual resource management (VRM) system rates the coastal landscape as having high scenic value. The upland area is equally as distinctive and offers a combination of rugged mountain peaks and background vistas of the vast Pacific. Views range from intimate foreground of lush stream canyons with small waterfalls and fern covered slopes, to expansive vistas of the peaks and coast line. Viewer sensitivity to the area is very high.

The VRM system establishes management classes that set standards for maintaining the visual resource. The coastal strand is designated VRM Class II, which precludes management activities that would create evident intrusions in the characteristic landscape.

In the upland areas the dense forest vegetation provides ample screening of intrusions such as vehicles so that they are only visible in close proximity. However, along the coastal corridor, the open prairie and beach setting results in visibility of vehicles from up to several miles, making them a much greater visual impact. Vehicle tracks in the sand are also visible from substantial distances.

Water Quality - Numerous perennial coastal streams traverse the affected area. Major streams include Buck Creek, Gitchell Creek, Horse Mountain Creek, and Telegraph Creek. Numerous seeps and small drainages also occur. The steep coastal watersheds are subject to considerable erosion and sedimentation due to natural geological processes. The streams are essentially free of other pollutants as there is no development in the watersheds, except for Telegraph Creek which is within the Shelter Cove Subdivision. Improper disposal of human waste from backcountry visitors causes bacterial pollution in the lower stream segments.

The open OHV area at Black Sands Beach crosses Telegraph, Horse Mountain and Gitchell Creeks. However, impacts on water quality are negligible as OHV use occurs on the wave slope, just before the streams enter the ocean. Although Telegraph Creek serves as the water source for Shelter Cove, the intake is well upstream from the OHV use area.

Other - The following critical elements have been analyzed and are not present or would not be affected by the Proposed Action or Alternative A: Prime or unique farmland, ACEC's, floodplains, air quality, hazardous waste, and Wild and Scenic Rivers.

ENVIRONMENTAL IMPACTS

PROPOSED ACTION

Cultural Resources - Vehicle impacts to cultural sites would be eliminated by the proposed action.

Wildlife/Fisheries - No habitat for the northern spotted owl or the marbled murrelet occurs within ¹/₄ mile of the Proposed Action; therefore, neither the Proposed Action nor Alternative A have any effect on either threatened species.

Impacts to the coastal fisheries from vehicles crossing Gitchell, Horse Mountain and Telegraph Creeks will be eliminated.

Vegetation - Elimination of OHV use on Black Sands Beach would allow for revegetation of approximately 1 mile of two-track routes traversing the foot slopes above the beach. Naturally revegetating species may include the leafy reed grass on the California Native Plant Society list 4, as it is found growing in the immediate vicinity of the project area. Leafy reed grass is invader-oriented, preferring nutrient-poor, rocky, or actively eroding soils that lack intense competition or crowding by other plants.

Wilderness Resources - Wilderness values will be enhanced by eliminating motorized vehicle use from the 3.5-mile Black Sands Beach corridor. The area's natural condition will be improved because less vegetation will be disturbed by vehicles. Users will not encounter evidence of vehicles, which will enhance their wilderness experience and opportunities for solitude significantly. Backcountry users currently encounter occasional motorized vehicle use well away from the existing OHV use area on Black Sands Beach, sometimes as far north as Miller and Big Flats, due to OHV users who violate the vehicle closure. The proposed action will greatly reduce the probabilities of such encounters.

Recreation - Opportunities for primitive or unconfined recreation will be greatly enhanced for approximately 14,000 visitor days of hiking use due to the elimination of vehicle use along Black Sands Beach. However, the closure of Black Sands Beach as a recreational riding area would eliminate a recreation opportunity that is already extremely limited along the California Coast. Alternative areas are not available for consideration for development on BLM-managed lands, as the only other significant BLM coastal area suitable for riding is already managed for OHV use.

Socio-economic Factors -No net economic impacts are expected under the proposed action. Use by people who come to the KRNCA specifically to ride OHV's on the Black Sands Beach corridor will be eliminated. Use by people who come to the King Range NCA specifically for the coastal, backcountry hiking experience is currently high (approx. 14,000 visitor days in 1996), and is expected to increase in subsequent years. Increases in visitation by backcountry recreationists, and the associated effects on local and regional tourism, would likely offset losses due to the elimination of OHV use through implementation of the Proposed Action.

Visual Resources - The visual impacts associated with vehicle use will be eliminated on the 3.5 miles of Black Sands Beach, as well as the potential for visual impacts far to the north of Black Sands Beach.

Water Quality - Water quality impacts from vehicles crossing Gitchell, Horse Mountain and Telegraph Creeks will be eliminated.

ALTERNATIVE A (No Action)

Cultural Resources - This alternative would result in continued potential for disturbance to cultural sites. Fencing or other barriers may need to be erected to mitigate impacts to certain sites close to the travel routes. While this would protect the cultural values, it would have negative impacts on wilderness and recreation values.

Wildlife/Fisheries -No habitat for the northern spotted owl or the marbled murrelet occurs within ¹/₄ mile of the Proposed Action; therefore, neither the Proposed Action nor this alternative has any effect on either threatened species.

Increased disturbance to fisheries and siltation of streambeds of Gitchell, Horse Mountain and Telegraph Creeks would occur. However, this impact would affect only a short segment of each stream (less than 1/8 mile) since all crossings are near the mouths of the creeks.

Vegetation - The No Action Alternative does not offer protection from vehicular trampling of the rare leafy reed grass (*Calamagrostis foliosa*). Vegetation will continue to be impacted along the foot slope above Black Sands Beach.

Wilderness - Under this alternative, wilderness values would continue to be impacted at increasing rates. This is mainly due to increased use of Black Sands Beach for recreational OHV riding, and a corresponding increase in illegal OHV use in the closed area. The visual intrusions and noise associated with motorized vehicles would continue to increase at a slow but steady rate. The area's natural condition would continue to exhibit signs of deterioration as vegetation is destroyed by the compaction of vehicle tires. Opportunities for solitude and primitive types of recreation activities would be further reduced. (See *Recreation* below). Impacts to wilderness values would be significant under this alternative.

Recreation - Backcountry recreation opportunities would continue to be impacted negatively because of the increasing number of vehicles seen and heard along the beach. Although some visitors would not encounter the presence of vehicles themselves, tracks and other impacts would be very evident to all visitors.

This alternative would significantly impact the character of the non-motorized recreation experience on the 3.5 miles of Black Sands Beach. This is considered to be a significant impact because it greatly compromises the goals of the *King Range Management Program* for Zone 2 and 3 for non-motorized users.

Socio-economic Factors - No significant change in socio-economic factors is expected with this alternative.

Visual Resources - The 3.5-mile Black Sands Beach corridor would continue to be impacted by the presence of vehicles. The lines from vehicle tracks on Black Sands Beach above the mean high tide, combined with the hill climbs on the vegetated beach terraces, would continue to

contrast sharply with the surrounding natural vegetation and land forms.

Water Quality - Water quality impacts will continue to occur to the lower ¹/₈ mile of Gitchell, Horse Mountain, and Telegraph Creeks from vehicles fording the banks. However, these impacts are not considered significant in comparison to sedimentation from natural processes.

CUMULATIVE IMPACTS

The proposed action will have significant positive impacts on the wilderness qualities of the King Range WSA as well as the overall primitive recreation resource within the KRNCA. Residual impacts for other resources are considered to be minimal and do not add to cumulative impacts within the project area. The No Action Alternative will have continuing cumulative impacts on the wilderness qualities of the King Range WSA and the primitive recreational experience. Residual impacts for other resources, as discussed above, will continue indefinitely under the No Action Alternative resource impacts.

Closure of the Black Sands Beach corridor to vehicles is a cumulative impact when considered with beach closures that have occurred in Humboldt County in recent years. However, the severity of this cumulative impact is considered low because 1) no foreseeable future closures are anticipated in the region, 2) beach and other inland riding areas still exist for off-road vehicle use, and 3) the actual closure area is relatively small compared to the riding areas that remain open for off-road vehicle use.

GROUPS AND AGENCIES CONSULTED

In addition to the list of groups who commented during the 45-day scoping period, the following agencies were consulted:

California Coastal Commission State of California Department of Parks and Recreation California Coastal Conservancy Off-Highway Motor Vehicle Recreation Commission

FINDING OF NO SIGNIFICANT IMPACTS

I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined that the proposed action will not have any significant impacts on the human environment and that an EIS is not required. This EA and this FONSI constitute an amendment to the 1974 King Range Management Program.

Authorized Official: Lyna Rousk

Date: 10-1-97

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King Range National Conservation Area

West Slope Motorized Access Issues

III. Smith-Etter Road and inholder access information

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PURPOSE

This section of the document provides information with regard to the need for permitted and authorized access for inholders via the Smith-Etter Road. It also illustrates BLM's thought rationale for determining what is "reasonable" access and outlines the preferred methods of motorized access. This is not an Environmental Assessment (EA) nor a Decision Record, therefore, it is not open to public protest until such time as an EA and Decision Record is completed for the issuance of access permits. The EA(s) and Decision Records prepared at that time will address a range of alternatives, such as no action, no motorized access on the beach, etc., and provide opportunities for the public and inholders to comment and to protest and appeal the decision(s).

NEED FOR DETERMINING REASONABLE ACCESS FOR INHOLDERS

While the restricted issuance of gate keys as discussed earlier has somewhat reduced the impacts caused from vehicles on the beach, BLM continues to search for a reasonable balance in implementing the requirements of the *King Range Management Program* to provide primitive recreation opportunities; to meet the publics' demand to enjoy the pristine backcountry un-roaded experience along the coast; and to ensure private inholders are provided with reasonable access to use and enjoy their properties.

Several specific factors point to the need to develop a comprehensive inholder access strategy regarding the Smith-Etter Road, particularly one that meets the BLM's regulatory obligations as provided for in the King Range Act and *Wilderness Interim Management Policy*, and incorporates previous decisions of BLM managers and the Interior Board of Land Appeals.

First, while there are a limited number of privately owned parcels in the affected area, the ownership patterns have changed greatly in the past 20 years. Prior to the 1970's, and even into the 1980's, the ownerships of the affected parcels were limited to joint tenancy deeds, or one to three people on a deed. The more recent trend (1990's) has been for these landowners to include additional people on these deeds, making them legitimate owners and possibly "guaranteeing" them vehicular access. While BLM has been attempting to deal with this land ownership restructuring, it is becoming clear that action must be taken to control vehicular traffic in order to preserve the intent of the King Range Act, protect the backcountry character of the coastal corridor, and prevent further natural and cultural resource damage to the area.

Secondly, while the BLM is required to provide reasonable access to landowners whose property is surrounded by public land, none of the inholders currently have legal access to their property via the Smith-Etter Road (two inholders have deeded air access). Using the permit process outlined in the Preferred Method of Access, the BLM would be able to minimize and monitor vehicle impacts based on specific criteria (permit stipulations). Also, inholders will have specific requirements to follow in legally accessing their properties, and would pay the federal

government fair market value for this access.

Finally, the King Range Act provides that "the Secretary may not acquire, without the consent of the owner, any such lands or interests therein which are utilized on the effective date of this act for residential, agricultural or commercial purposes, so long as he finds such property is devoted to uses compatible with the purposes of this act." Since access requirements and associated impacts are considered to be a component of compatible use of private lands within the King Range, this analysis incorporates the management goals of the *King Range Management Program* for Zone 2 where the access routes to the parcels included are located.

Regarding the Smith-Etter Road, early planning efforts took into consideration vehicular use by the private inholders within Zone 2 of the King Range. However, even at that time, the basic intent and goal was to maintain the primitive nature of the land and provide visitors with a wilderness experience. This intent was further clarified in the *Visitor Services Plan* in 1992, which stated management goals for Zone 2 to include no motorized vehicle use; management to provide a naturally appearing environment where visitors could be free of human-induced controls, and experience solitude and freedom from the sights and sounds of others.

The following landowners have properties within the King Range WSA that would be affected by any decision:

107-185-13 T.4S., R.1W., Section 15 3 acres

107-184-07 T.4S., R.1W., Section 9 31.9 acres

107-185-07 T.4S., R.1W., Section 10 40 acres

107-185-12 T.4S., R.1W., Section 12 60 acres

T.3S., R.1W, Section 25

104-032-14

Leland and Christine Hadley

Big Flat Trust

Leonard C. and Julia Blomquist undivided ¹/₄ interest; Emery L. Blomquist and Angelie Blomquist, undivided ¹/₄ interest; Glen Councilman and Beverly Councilman, undivided ¹/₄ interest; Alan A. Blomquist, undivided ¹/₄ interest

Mark Harris, Dan Gribi and Nelson Swartley

Anne B. Smith, Linda J. Franklin, Katherine J. Rollins and Larry P. Smith

20 acres

104-032-11 T.3S., R.1W, Section 24/25 10 acres

104-011-01 T.3S., R.1W., Section 31 60.04 acres Rachel C. Marble, Trustee of the Marble Trust, ¹/₂ interest
Chester C Goss and Henry F. Goss, Trustees of the Lolita M. Goss Trust, ¹/₄ interest

Mary V. Etter Raymond M. Etter

Of these private parcels, three of the parcels (Smith, Etter, Big Flat) are developed with cabins. The Smiths and Etters use their cabins as family recreation retreats, with the major portion of use being in the summer and fall hunting season. The Big Flat parcel is owned by a trust and is used to host privately sponsored wilderness retreats/conventions and various stays from the owners and numerous guests.

The Hadley parcel and Blomquist/Councilman parcel are both undeveloped. They have traditionally been used as parcels for hunting during the fall season.

The Harris/Gribi/Swartley parcel and the Rachel Marble Trust parcels are both undeveloped, and have historically been relatively dormant in use. The Marble Trust parcel is considered a speculative venture; while the Harris/Gribi/Swartley parcel has recently (since 1993) been tied to the Swartley Trust parcel and there has been some minimal development of a "tent pad" on this parcel.

PREFERRED/PROPOSED INHOLDER ACCESS, BY INDIVIDUAL PARCEL

This proposal is the first effort to define access standards for these private lands which will be compatible with the purposes for which the KRNCA was designated. It is important to note that private inholdings themselves are not addressed, only the access to these parcels across public lands within the KRNCA.

The area included by these inholder access proposals is completely within the King Range Wilderness Study Area (WSA). Therefore, in addition to the King Range Act, significant management direction is provided under the BLM *Interim Management Policy For Lands Under Wilderness Review*. Under this policy, BLM is required to manage WSA's so as not to impair their suitability for Wilderness designation by Congress. However, BLM is also required to "provide such access to secure the landowner the reasonable use and enjoyment of non-Federally owned land which is completely surrounded by BLM-administered lands."

"In determining access, the BLM has the discretion to determine such things as

proposed construction methods and location, to consider reasonable alternatives (trails, alternative routes, including aerial access, and degree of development) and to establish such reasonable terms and conditions as are necessary to protect the public interest."

The policy further states that "reasonable use and enjoyment need not necessarily require the highest degree of access, but rather could be some lesser degree of reasonable access."

Each preferred inholder access proposal calls for providing a level of access to each inholding commensurate with (a) the historical level and type of use of the parcel; (b) traditional access method(s) that were in place at the time the KRNCA was designated; and (c) level of physical improvements present on the parcel (*e.g.* structures). Each of these factors was considered in conjunction with applicable planning and statutory/regulatory requirements in determining what level of access is appropriate to allow for reasonable use and enjoyment of the inholdings by their owners, while reducing impacts to the affected area's resource values.

The preferred method for each inholding is outlined in detail below. Briefly, the owners of the Smith and Etter parcels would be granted motor vehicle access directly to their inholdings; the Big Flat Trust would not be granted motorized vehicle access via the Smith-Etter Road since they already have air access. If requested, owners of the four undeveloped parcels (Marble Trust, Harris/Gribi/Swartley, Bloomquist/Councilman and Hadley) would be permitted access via the Smith-Etter Road to a gate that the BLM would place ¹/₄ mile from the beach. See Exhibit D - Detailed Schematic of Proposed Parking Spots.

The following list highlights traditional access methods, levels of development and access modes that would be permitted to each respective parcel subject to all permit stipulations.

Smith Parcel (Assessor parcel #104-032-14)

- (a) Traditional access: routine motorized vehicle access to the cabin for use and maintenance
- (b) Level of development: three-room cabin
- (c) Proposed access: motorized vehicle access to parcel along specified route

Etter Parcel (Assessor parcel #104-011-01)

- (a) Traditional access: routine motorized vehicle access to the cabin for use/maintenance
- (b) Level of development: three-room cabin with detached garage
- (c) Proposed access: motorized vehicle access to parcel along specified route

Blomquist/Councilman Parcel (Assessor parcel #107-085-07)

- (a) Traditional access: intermittent ATV and jeep access via Smith-Etter Road and trail along beach terrace, primarily during deer hunting season
- (b) Level of development: undeveloped
- (c) Proposed access: motorized vehicle access to designated parking site approximately
 ¹/₄ mile from the beach along the Smith-Etter Road. Non-motorized access along beach to inholding

Big Flat Trust Parcel (Assessor parcel #107-184-07)

- (a) Traditional access: routine/frequent air access via deeded airstrip on/adjacent to parcel. Undocumented and unauthorized motor vehicle access in past via Smith-Etter Road and beach terrace to haul in supplies that could not be carried in by air
- (b) Level of development: two houses with several outbuildings
- (c) Proposed access: continued access via airstrip is deemed reasonable. Motorized vehicle access via Smith-Etter Road and beach terrace route will not be allowed

Note: The remainder of the discussion does not apply to the Big Flat Trust parcel since access via the Smith-Etter Road would be granted under the preferred inholder access proposal. Discussion of other access issues regarding the deeded airstrip is outside the scope and is, therefore, not discussed.

Harris/Gribi/Swartley parcel (Assessor's parcel #107-185-12)

- (a) Traditional access: No documented motor vehicle access, deeded air access
- (b) Level of development: tent platform
- (c) Proposed access; motorized vehicle access to a designated parking site approximately ¹/₄ mile from the beach along the Smith-Etter Road. Non-motorized access along beach to the inholding

Marble Trust parcel (Assessor's parcel #104-032-11)

- (a) Traditional access: no documented motor vehicle access
- (b) Level of development: undeveloped

(c) Proposed access: motorized vehicle access to a designated parking site approximately ¹/₄ mile from the beach along the Smith-Etter Road. Non-motorized access along beach to inholding

Hadley parcel (Assessor's parcel #107-185-13)

- (a) Traditional access: no documented motor vehicle access
- (b) Level of development: undeveloped
- (c) Proposed access: motorized vehicle access to a designated parking site approximately
 ¹/₄ mile from the beach along the Smith-Etter Road. Non-motorized access along beach to inholding

Access would be authorized by permit under the authority of 43 Code of Federal Regulations, Section 2920. Permits would be issued for a three-year term at fair market value as determined by the linear right of way schedule. The cost would be assessed on a 15-foot wide authorized route from the Kinsey Ridge gate to the inholdings (Smith, Etter Parcels), or to the proposed gate approximately ¹/₄ mile from the beach (remaining parcels).

During the first three-year term of the permits, the BLM would monitor the impacts of inholder access through periodic field checks of the Smith-Etter Road and beach access corridors for physical, biological and social impacts, and to assure that the permit stipulations (which follow) meet the intent of the King Range Act and the BLM *Interim Management Policy*. The permit stipulations would be re-evaluated at the end of this period to assess the need for modifications prior to renewal for an additional three year term.

PROPOSED GENERAL STIPULATIONS

The following stipulations would apply to all inholders who are issued permits to access their parcels via the Smith-Etter Road.

1. Permittees and their guests are required to have an original certified copy of this permit in their vehicle at all times when using the access route.

2. Permit allows up to three round-trips per day via motorized vehicle beyond the Kinsey Ridge gate. This can be accomplished by either three vehicles making one trip each way per day; or one vehicle making three trips each way per day, or any combination thereof.

3. Permitted access is for the purpose of providing ingress and egress to the inholders' properties only, and not for accessing other lands which are not open to motor vehicle access by the general public. The designated route is an existing road within the King Range

Wilderness Study Area described as: Beginning at the Kinsey Ridge gate located on the Smith-Etter Road in T.3S., R.1W., HM, Section 20, NWSE, and continuing westerly and southwesterly on the road through Sections 19, 30, and 25, for a distance of approximately 4 miles. The width of the route authorized under the permit is 15 feet. No route on public land, other than that described above, is to be used at any time by the permittees to access the inholdings.

4. Permittees shall avoid traveling the route during periods of wet weather when such travel could cause ruts in excess of 3 inches or other significant damage to the road surface.

5. The Kinsey Ridge gate shall be kept locked at all times. The gate at the intersection of the Wilder Ridge and Smith-Etter Roads is closed during the winter season, and must be kept locked during the closure period. Two non-duplicatable keys will be issued to one designee of owners for each parcel. Permittees are responsible for keeping the keys in their possession, and to use them to keep the gate(s) locked at all times. If a permittee loses his/her gate keys, he/she will be required to pay for (including administrative costs) replacement of the locks and provision of new keys for all permittees.

6. Permitted mode of travel is by motorized vehicle no larger than a standard one ton stock truck. Habitable mobile homes, trailers, recreational vehicles or heavy equipment are expressly not allowed beyond the Kinsey Ridge gate.

7. Permit is for the purpose of providing ingress/egress to the inholding for personal use only. Use of the route in connection with commercial activity requires a separate commercial use permit.

8. Permit is for ingress/egress to the non-Federal inholding only. No parking along the route is allowed, except for vehicle breakdown or other verified emergency.

9. Permit may be renewed for an additional term upon review and approval of the authorized officer.

10. Permittees have no authority to maintain the Smith-Etter Road from its terminus at the beach easterly to the Kinsey Ridge Gate. BLM retains responsibility for performing general maintenance. However, BLM recognizes the unstable condition of this road due to the steep terrain, extreme climate, seismic activity, and the road layout. If slides or other damage caused from but not limited to erosion or earthquakes occur to such an extent that repair would involve significant road realignment or reconstruction as determined by the authorized officer, the permits would terminate and the remaining advance rental will be refunded.

The authorized officer will consider alternatives of (a) estimating costs and assessing the inholders (upon their agreement) to pay for necessary repairs; or (b) closing the Smith-Etter Road to all motorized vehicle access if repairs were deemed to cause significant impacts to the area. The purpose of this clause is to eliminate major impacts to the primitive management goals within Zone 2 of the KRNCA and within a Wilderness Study Area. Permittees will be

allowed to use hand tools to perform minor maintenance (*i.e.* remove rock) and chainsaws to remove fallen trees that block the roadway.

11. Permits issued under the Proposed Action may be reevaluated should the King Range WSA be designated a wilderness area.

12. The route will remain available for use by members of the public travelling by foot, horseback or other means consistent with area management goals.

13. The permittee shall indemnify or hold harmless the United States against any liability for damages to life, person, or property arising from the use of public lands under this land use authorization.

14. This permit may be canceled for failure of the permittee to pay the rent when due, or to perform or observe any of the terms or conditions of the permit where default continues for 30 days after written notice by the BLM. Repeated violations of the terms and conditions may be cause to terminate the permit.

E. STIPULATIONS SPECIFIC TO SMITH AND ETTER PARCELS

1. Permittees will be issued keys to the proposed lower gate (approximately ¹/₄ mile above the beach), and will be allowed to drive along existing two-track routes that extend along the beach terrace to their respective parcels.

2. All applicable stipulations in 1-14 above will also apply to the beach segments of the designated access route to the inholding.

F. STIPULATIONS SPECIFIC TO HADLEY, MARBLE TRUST, HAR-RIS/GRIBI/SWARTLEY, AND BLOMQUIST/COUNCILMAN PARCELS

1. BLM will develop and designate suitable vehicle pull-offs along the roadway. Vehicles must be parked in these designated spaces so that they do not block roadway.

2. Stock trailers are not allowed beyond the Kinsey Ridge gate.

In summary, through the issuance of the proposed access permits and stipulations all parties will be dealing with known criteria regarding what actions are allowed in obtaining reasonable access to their properties instead of the piecemeal requirements and informal authorizations that are currently in place.

ACRONYMS

WSA - Wilderness Study Area
KRNCA - King Range National Conservation Area
FLPMA - Federal Land Policy and Management Act
FR - Federal Register
IBLA - Interior Board of Land Appeals
OHV - Off Highway Vehicles
ATV - All Terrain Vehicles
EA - Environmental Assessment
PDEIS - Preliminary Draft Environmental Impact Statement
IMP - Interim Management Plan

LIST OF APPENDICES

Appendix A - List of applicable laws and planning documents

Appendix B - Preliminary results of 1997 summer survey.

Appendix C - Photos: Figures 1-6

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II. BANADAMENTALIPUTA

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Appendix A Laws and Planning Documents

King Range National Conservation Act, October 21, 1970, PL 91-476

Section 2(a) In the management of lands in the area, the Secretary shall utilize and develop the resources in such a manner as to satisfy all legitimate requirements for the available resources as fully as possible without undue denial of any of such requirements and without undue impairment of any of the resources, taking into consideration total requirement and total availability of resource, irrespective of ownership or location.

King Range Management Program, 1974

E. Zone 2 - West Slope

The primary use of this zone is recreation. The major objective is to retain the wild and scenic values of the steep mountainous slopes facing the ocean and to preserve the unique character of the beach. The following actions are consistent with this objective and will contribute to sound management of the resources of the zone.

<u>Recreation</u> The present lack of legal public access to portions of this zone, especially along the coast, is limiting recreational enjoyment of the area. Therefore, public access will be acquired for recreational purposes to the following areas:(4) Smith-Etter Road.

The following areas will be established to maintain and enhance the natural character of this zone: (1) A non-mechanized use area to include the entire beach in this zone...[and] (4) Cultural areas needed to protect significant cultural values identified by the contracted studies.

The following recreational facilities will be provided: (1) Spanish Flat parking and primitive camping facilities.

X - The Challenge

One of the more significant features of the (King Range) act is the approach it takes toward private land ownership within the area the act indicates a recognition of the land management problems that fragmented ownership creates. The act and its legislative history also indicate that the area should be managed for the broadest range of uses consistent with multiple use and sustained yield principles, including those which can best be achieved under private ownership. However, to protect the unique values of the area, the Act gives the United States some authority to control and regulate uses on private lands by authorizing acquisition through condemnation where the uses are not compatible with the purposes of this Act.

Federal Land Policy and Management Act, October 21, 1976, PL 94-579

Section 603(c): During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable laws in a manner so as not to impair the suitability of such areas for preservation as wilderness....

Federal Register, Vol. 44, No. 126, Thursday, June 28, 1979

California; Off-Road Vehicle Use Designations, King Range National Conservation Area: Under the authority of 43 CFR Part 8340 and the King Range Act (P.L. 91-476) the following vehicle use zones are established for the beach of the King Range National Conservation Area, Humboldt County and Mendocino County, California:

Closed to Vehicles

Gitchell Creek (T.4S., R.1E., Humboldt Meridian, Sec. 29) to Mattole River (T.2S., R.3W., Humboldt Meridian, Sec. 13).

King Range Watershed Activity Plan #CA-056-WAP-1, 1984

II. MANAGEMENT OBJECTIVES

A.2. Construct and maintain 141 road drainage structures on the Smith-Etter Road to stop $3,600^1$ cubic yards of soil erosion'yearly and reduce yearly road corrective² maintenance costs by $80\%^3$

Interior Board of Land Appeals decision 80-64 re: Utah Wilderness Association, 1984.

"The BLM <u>must</u> provide such access as is adequate to secure to the landowner the reasonable use and enjoyment of the non-federally owned land. In determining adequate access, the BLM has discretion to evaluate such things as proposed construction methods and location, to consider reasonable alternatives (trails, alternative routes, including aerial access, and degree of development) and to establish such reasonable terms and conditions as are necessary to protect the public interest."

King Range Fire Management Plan, January 1985

... Insure fire access roads are opened and maintained each year [Smith-Etter

Road listed as one of these roads].

Washington Office Instruction Memorandum No. 85-579, July 26, 1985. Access to Nonfederal Owned Land Surrounded by Public Land Managed under the Authority of the Federal Land Policy and Management Act (FLPMA)

Reasonable use and enjoyment need not necessarily require the highest degree of access, but rather, could be some lesser degree of reasonable access. The BLM, however, must provide a degree of access that is commensurate with the reasonable use and enjoyment of the non-Federal land. The BLM must also consider such things as a landowner's options to develop new access across other non-Federal land or use of the existing access over non-Federal or public lands.

King Range Transportation Plan, Supplement to the EA, January 13, 1986

B. Use Limited by Season or Vehicle Type

7A. Smith-Etter Road from its intersection with Wilder Ridge Road to Telegraph Ridge Road will be open from April 1 to November 1; closed from November 1 to April 1.

7B. Smith-Etter Road from its intersection with Telegraph Ridge Road to the last switchback approximately one quarter mile from the beach will be limited to 4WD's, motorcycles and ATV's from April 1 to November 1 pending acquisition of the private property at the road's terminus at Spanish Flat; closed from November 1 to April 1.

The closed and limited designations do not apply to landowners who require vehicle access to their property, law enforcement vehicles, emergency vehicles, and Bureau administrative uses.

King Range Transportation Plan, Decision Record, January 13, 1986

B. Use Limited by Season or Vehicle Type

7A. Smith-Etter Road from its intersection with Wilder Ridge Road to Telegraph Ridge Road will be open from April 1 to November 1; closed from November 1 to April 1.

7B. Smith-Etter Road from its intersection with Telegraph Ridge Road to the last switchback approximately one quarter mile from the beach will be limited to 4WD's, motorcycles and ATV's from April 1 to November 1 pending acquisition of the private property at the road's terminus at Spanish Flat; closed from November 1 to April 1. If vehicles breach the gate and damage archaeological sites, or if opportunities for solitude or primitive types of recreation are substantially reduced, then it will be up to the Area Manager's discretion to close the road at its intersection with Telegraph Ridge Road to prevent additional resource damage and user conflicts.

Interim Management Policy for Lands under Wilderness Review, H-8550-1 (Rel. 8-36, 11/10/87 and Rel. 8-67, 7/5/95)

Chapter III.A.3.c. In cases of access to non-Federal lands where the BLM has determined that application of the nonimpairment standard would reasonably interfere with the enjoyment of the landowner's rights. In each case, the BLM's decision will depend upon the nature of the rights conveyed and the site-specific conditions involved. The BLM is required by law to provide such access as is adequate to secure to the landowner the reasonable use and enjoyment of non-Federally owned land which is completely surrounded or isolated by public lands administered under FLPMA. In determining adequate access, the BLM has discretion to evaluate such things as proposed construction methods and location, to consider reasonable alternatives (trails, alternative routes, including aerial access, and degree of development) and to establish such reasonable terms and conditions as are necessary to protect the public interest.

Reasonable use and enjoyment need not necessarily require the highest degree of access, but rather could be some lesser degree of reasonable access. The BLM, however, must provide a degree of access that is commensurate with the reasonable use and enjoyment of the non-Federal land. The BLM must also consider such things as a landowner's options to develop new access across other non-Federal land or the use of existing access over non-Federal or public lands.

Interior Board of Land Appeals decision 86-1032 re: California Wilderness Coalition et al (on Reconsideration), November 2, 1988

Petition for reconsideration of the decision of the Board in <u>California Wilderness</u> <u>Coalition</u>, 101 IBLA 18 (1988), affirming in part and reversing in part a decision of the District Manager, Bureau of Land Management, approving a transportation plan for the King Range National Consideration.

In its motion for reconsideration, BLM request[ed] that the Board reconsider that portion of its decision which require[d] BLM to close all roads within the King Range WSA.

BLM...disagree[d] with the Board's finding that BLM's monitoring system would not afford the necessary protection to the WSA if the Smith-Etter Road were opened on a seasonal basis....In regarding to BLM's monitoring system, BLM submit[ted] new information....BLM propose[d] to hire a full-time law enforcement ranger for the King Range....Also, BLM state[d] that Humboldt County approved authorization of sheriff position to be funded in part by BLM to increase...enforcement capabilities on lands within the King Range.

BLM [also] stated that subsequent to the preparation of the draft plan, BLM acquired title to the private parcels, thereby permitting it to manage the Smith-Etter Road terminus in order to prevent off-road vehicles (OHV's) from gaining access to the beach....Accordingly, we approve the King Range Transportation Plan as supplemented by BLM in the course of review before this Board.

Wilderness Recommendations, Arcata Resource Area, King Range WSA, Final Environmental Impact Statement, 1988

Proposed Action. Vehicle Access Management Actions

The Smith-Etter Road, located outside the area recommended suitable, will be closed to motorized vehicle use from November 1 through March 31 because of unstable conditions related to weather. During the remainder of the year it will be open to the public and BLM administrative use except for that part of the road west of a 1,600-square-foot parking area to be bladed one-third mile from the beach on an existing cutbank....There will continue to be access for the last onethird mile for the three owners of private inholdings, and emergency use....

April 1, 1988, Memorandum from State Director to Regional Solicitor, Request for Reconsideration of Interior Board of Land Appeals Decision Regarding California Wilderness Coalition, et al., IBLA 86-1032.

King Range Visitor Services Plan, October 1992

Visitor Management Zone 2. This zone will be managed to be largely free from evidence of on-site, human-induced restrictions and controls. Motorized vehicle use will not be allowed in this zone. However, it may be allowed as determined by the Area Manager to provide reasonable access to private inholders.

National Historic Preservation Act of 1966 (PL 89-665; 80 stat. 915; 16 USC 470) as amended (PL 96-515; 94 Stat. 3000; 16 USC 470a):

<u>Section 101(b)(1)</u>. The Congress finds and declares that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.

<u>Section 106: 36 CFR 800.4(c)(1)</u>. In consultation with the State Historic Preservation Officer and following the Secretary's Standards and Guidelines for Evaluation, the Agency Official shall apply the National Register Criteria to properties that may be affected by the undertaking and that have not been previously evaluated for National Register eligibility.

<u>36 CFR 800.4(e)</u>. If there are historic properties that the undertaking may affect, the Agency official shall assess the effects in accordance with 800.5.

<u>36 CFR 800.9(a)</u>. An undertaking has an effect on a historic property when the undertaking may alter characteristics of the property that may qualify the property for inclusion in the National Register. For the purpose of determining effect, location, setting, or use may be relevant depending on a property's significant characteristics and should be considered.

<u>36 CFR 800.9(b)(1&3)</u>. An undertaking is considered to have an adverse effect when the effect on a historic property may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Adverse effects on historic properties include, but are not limited to: (1) Physical destruction, damage, or alteration of all or part of the property; and (3) Introduction of visual, audible, or atmospheric elements that are out of character with the property of alter its setting.

Archaeological Resources Protection Act of 1979 (PL96-95; 93 Stat. 721; 16 USC 470aa):

<u>Section 2(b)</u>. The purpose of this Act is to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on pubic lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data which were obtained before the date of the enactment of the Act.

<u>Section 6(a)</u>. No person may excavate, remove, damage, or otherwise alter or deface any archaeological resources located on public lands or Indian lands....

Native American Graves Protection and Repatriation Act of 1990 (PL 101-601):

<u>Section 3(a) and (d)</u>. Provides guidance and consultation procedures for native-American burial and associated goods located or discovered on public lands and their disposition.

National Environmental Policy Act of 1969 ("NEPA"; PL 91-190; 83 Stat. 852; 42 USC 4321):

Establishes national policy for protection and enhancement of the human environment. Part of the function of the Federal Government, as stated in the Act, is to "preserve important . . . cultural . . . aspects of our national heritage and maintain whenever possible an environment which supports diversity and variety of individual choice."

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APPENDIX (B) Preliminary results of conflict related questions from Summer 1997 survey of Lost Coast Trail non-motorized visitors. Source: Humboldt State University Department of Natural Resources Planning and Interpretation.

Results are based on questionnaires received as of Friday, Sept. 5, 1997. At that time, we had received 245 useable surveys, out of 430 mailed out, for a return rate of 57%. We expect to receive about 25 more surveys in the next few weeks, which will bring our total to 270, for a 63% return rate.

- 1. Shows where we sampled respondents. Note: the column labeled "Percent" and the column labeled "Valid Percent" are the same if all respondents answered that particular question. If a respondent failed to answer a particular question, then they are included in the Percent column figures, but are not included in the Valid Percent column figures. So for most cases, the Valid Percent column figures are the ones to pay attention to, because they include only the people who actually answered the question.
- 2. I selected only those people whom we sampled at Black Sands Beach.
- 3. Of the 121 people sampled at Black Sands Beach, 110 reported data on whether or not they encountered an OHV. Of those 110 people, 86 (78%) reported encountering at least one OHV. This data was derived from question 18c in the survey.
- 4. Now I selected only those people (regardless of sampling location), who reported encountering an OHV. These 112 people include the 86 people just mentioned above, plus others whom we sampled at Mattole or in the backcountry. The rest of the analyses from here on out will use only these 112 people who saw OHVs.
- 5. Shows sampling locations for the people who saw OHVs.
- 6. Visitor type for the 112 people who saw OHVs. 33% were day-hikers, 60% were backpackers, and so on.
- 7. This data shows the maximum number of OHVs these people (94 people answered the question) reported seeing in one day (question 18c in the survey). It makes sense to look at this data rather than "least number of OHVs seen in a single day," because many if not most multi-day visitors saw OHVs on only one day of their trip (their first or last day, depending on which direction they were hiking). So if you were to look at the "least in a single day" data, it would look like there were lots of people who didn't see any OHVs, when in fact they did--they just saw them on some days but not others.
- 8. Of the 112 people who saw OHVs, 107 reported data on how they felt about the number of OHVs they had seen (question 19 in the survey). Of those 107, 57% said they saw too many OHVs; 32% said they saw neither too many nor too few; only 10% said it did not matter how many OHVs they saw.

- 9. For the sake of comparison, I also looked at how these same people felt about the number of other hikers they saw, just to see if they were simply a bunch of whiners. Only 12% reported seeing too many hikers.
- 10. Therefore, based on the first component of our conflict measure--conflict due to crowding--we conclude that 55% of people who saw OHVs had a conflict with those OHVs based on having seen too many.
- 11. Question 21 in the survey asks directly if the respondent experienced any conflict with other visitors. Only 16 people (14%) said Yes. The problem with this question is that we have no idea how the various respondents interpreted or defined "conflict." We suspect many people said they did not experience a conflict with others because they interpreted conflict as interpersonal conflict--getting into a fight, argument, or disagreement with another group. Thus this is not a good way to measure recreational conflict, which is defined in terms of feeling crowded, behavioral interference on the part of others, and perceived resource impacts due to others. See the accompanying one-page explanation by Carolyn Widner on how we defined and measured recreational conflict.
- 12. Of the 16 people who said they experienced a conflict with another group, 9 said that conflict was with OHVers.
- 13. Question 25 in the survey asked if the behavior of others interfered with the respondent's enjoyment of the Lost Coast trail on this trip. 111 of the 112 people who saw OHVs answered the question-- 44 (40%) said Yes.
- 14. Of the 44 people who said Yes to Q. 25, 33 of them specified that it was an OHV group that had interfered. These 33 people constitute 30% of the 112 people who saw OHVs, and 73% of the people who indicated some behavioral interference on the part of others.
- 15. Therefore, based on the second component of our conflict measure--behavioral interference--we conclude that 30% of people who saw OHVs had a conflict with those OHVs based on behavioral interference.
- 16. Question 26 in the survey asked if the respondent noticed any resource impacts he/she believed were caused by other recreationists. 107 of the 112 answered the question-- 54 (51%) said Yes.
- 17. Of the 54 people who said Yes to Q. 26, 47 people provided data on which user group they thought caused the impact. Of these 47 people, 19 attributed the impact to OHVs. These 19 people constitute 17% of the 112 people who saw OHVs, and 40% of the people who said they saw resource impacts caused by other recreationists.
- 18. Therefore, based on the third component of our conflict measure--perceived resource impacts--we conclude that 17% of people who saw OHVs had a conflict with those OHVs based on perceived resource impacts caused by OHVs.

19. Looking at these three measures of conflict together, and making sure that no respondent is counted twice, we find that 69 of the 112 people who encountered an OHV (62%) had conflict with that OHV group based on one or more of the three measures of conflict.

Measure Of Conflict

For this study, conflict between groups in the Lost Coast was measured using an index of three conflict-related questions. Each of the three measures was included based on existing literature on conflict and previous studies examining the issue. Crowding was the first method of operationalizing conflict used in managing the human dimensions of natural resources. The crowding component of the conflict measure was whether or not visitors saw too many of another user group. Seeing too many was considered to be "conflict".

A second component of the conflict index followed Jacob and Schreyer's (1980) definition of conflict and Owens' (1985) call for a cumulative measure of conflict. According to the literature, it may be that a simple measure of conflict based only on density or crowding could be missing a significant portion of visitors experiencing conflict due to the behavior of other visitors. This measure of conflict considers the behavior of others. For example, it may be that conflict is experienced, not when a visitor sees too many of another user group, but when the behavior of that other user group interferes with their enjoyment of the area. Recent studies of conflict have included this measure of conflict (Watson, Niccolucci, & Williams, 1993; Widner, 1995). This measure of conflict asked visitors if the behavior of others interfered with their enjoyment of the area, and if so, to which user group did they attribute that behavior. If the behavior of others interfered with the enjoyment of the area it was considered to be "conflict".

The third element of the conflict index measure was awareness of resource impacts. This element was suggested by work that examined conflict and concluded that some visitors were experiencing conflict as a result of perceived resource impacts (Watson, Niccolucci and Williams, 1993; Hammitt & Cole, 1987). For this element of the conflict index, visitors were asked if they noticed any resource impacts to the Lost Coast, and if so, to what user type they attributed those impacts. Perception of resource impacts due to a particular user group was considered to be "conflict" with that user group.

Taken together, these three individual indicators of conflict were used to create the index measure of conflict used in this study. Conflict in the Lost Coast could be the result of crowding, perceived resource impacts or potential conflicting behaviors among user groups. Thus, a visitor was considerd to have experienced conflict if they responded positively to any one of the three above indicators of conflict.

1		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Mattole	108	44.1	44.3	44.3
	BSB	121	49.4	49.6	93.9
2013-3	b/c thru-hiker	15	6.1	6.1	100.0
	Total	244	9.9.6	100.0	
Missing	System Missing	1	.4	0.09)	
	Total	1	.4		
Total		245	100.0		

sampling location

2		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	BSB	121	100.0	100.0	100.0
	Total	121	100.0	100.0	
Total	0 1 -	121	100.0		

saw OHV

Valid

Cumulativo

Select just people sampled at Black Sands Beach

all respondents

 1		

3	2248-	Frequency	Percent	Percent	Percent
Valid	no, did not see OHV	24	19.8	21.8	21.8
	yes, saw OHV	86	71.1	78.2	100.0
	Total	110	90.9	100.0	
Missing	System Missing	11	9.1		
	Total	11	9.1		
Total		121	100.0		

78% of the people sampled at BSB reported encountering at least one OHV (of the 110 who answered the guestion)

saw OHV

4		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	yes, saw OHV	112	100.0	100.0	100.0
	Total	112	100.0	100.0	
Tot al		112	100.0		

sampling location

5		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Mattole	19	17.0	17.0	17.0
Training	BSB	86	76.8	76.8	93.8
	b/c thru-hiker	7	6.3	6.3	100.0
	Total	112	100.0	100.0	
Total		112	100.0		

out of the entire sample, select just those people who saw OHVs (112)

sampling locations for those 112 people who saw OHVs

S BURF

visitor type

6		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	day hiker	37	33.0	33.3	33.3
	backpacker	67	59.8	60.4	93.7
	surfer	2	1.8	1.8	95.5
	OHVer	2	18	1.8	97.3
	other	3	2.7	2.7	100.0
	Total	111	99.1	100.0	
Missing	System Missing	1			
	Total	1	.9		
Total		112	100.0		

the remainder of the analyses include only the 112 people who reported encountering OHVs

78%. saw 1 to 3 OHVs

Lof the 94 people who

answered the guestion)

(guestion 18c)

most	OHVs	seen	in	а	day	
------	------	------	----	---	-----	--

# of	OHVS	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	34	31.4	36.2	36.2
	2	18	16.1	19.1	55.3
	3	21	18.8	22.3	77.7
	4	4	36	4.3	81.9
	5	4	7.6	4.3	86.2
	6	4	3.6	4.3	90.4
1 Carlos	7	2	1.8	2.1	92.6
	8	2	1.	2.1	94.7
	10	4	3.6	4.3	98.9
	12	1	.9	1.1	100.0
	Total	94	3.9	100.0	
Missing	System Missing	18	1.1		1 2 3 2 2 2 2 2 2 2
	Total	18			
Total		112	10.0		

feel about # of OHVs seen

8	ins sie	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	saw too many	61	54.5	57.0	57.0
	neither too many nor too few	34	30,	31.8	88.8
1	saw too few	1	9	.9	89.7
-	doesn't matter	11	9.8	10.3	100.0
	Total	107	95.5	100.0	
Missing	System Missing	5	4.5		0.05
	Total	5	4.5		
Total		112	100.0		

of the 107 people who answered Q. 19, 57%. said they saw too many OHVS

feel about # of hikers seen

9	10 1	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	saw too many	13	16	11.8	11.8
2-13-14	neither too many nor too few	75	67.	68.2	80. 0
	saw too few	2	8.1	1.8	81.8
Take	doesn't matter	20	17.9	18.2	100.0
	Total	110	96.2	100.0	2 7 0
Missing	System Missing	2	.8		
	Total	2	1.8		
Total		112	1 0.0		

felt about the number of hikers they saw -only 12% saw too many hikers comparison to how they

conflict due to crowding by OHVs?

10	Frequency	Percent	Valid Percent	Cumulative Percent
Valid no	51	45.5	45.5	45.5
yes	61	54.5	54.5	100.0
Total	112	100.0	100.0	
Total	112	100.0		

1st component of conflict index -> crowding

Q. 21 - reference my accompanying notes

did you experience conflict with other visitors?

11	1.400 M	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	95	84.8	85.6	85.6
	Yes	16	4.3	14.4	100.0
	Total	111	99.1	100.0	
Missing	System Missing	1	.9		
	Total	1	9		Stribergeni ni
Total		112	100.0		

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did you experience conflict with OHV?

12		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	no	103	92.0	92.0	92.0
	yes	9	8.0	8.0	100.0
	Total	112	100.0	100.0	
Total		112	100.0		

follow-up to Q. 21

behavior of others interfere?

13	and set	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	67	5.8	60.4	60.4
	Yes	44	19.3	39.6	100.0
	Total	111	99.1	100.0	
Missing	System Missing	1	.9		
	Total	1	9		
Total		112	100.0		

Q.25: 40%. of people who saw OHV, said the behaviors of others interfered

group	type	that	inter	fered	of	45

14		Frequency	of II2 Percent	Valid Percent	Cumulative Percent
Valid	hiker/backpacker	3	2.7	6.7	6.7
	surfer	1	.9	2.2	8.9
	- OHVers	33	29.5	73.3	82.2
	groups camped nearby	2	1.8	4.4	86.7
	other	6	5.4	13.3	100.0
	Total	45	40.2	100.0	
Missing	System Missing	67	59.8		
	Total	67	59.8		
Total		112	100.0		

Q.25: 73% of the people who said Yes to Q.25 (or 30% of all 112 people) said it was OHV groups that interfered with their enjoyment

conflict due to behavior of OHV groups?

15	Frequency	Percent	Valid Percent	Cumulative Percent
Valid no	79	70.5	70.5	70.5
Ves	33	29.5	29.5	100.0
Total	112	100.0	100.0	1
Total	112	100.0		

2^{ed} component of conflict index -> behavior

did you notice any visitor-caused resource impacts?

16		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No	53	4.3	49.5	49.5
	Yes	54	.8.2	50.5	100.0
	Total	107	95.5	100.0	
Missing	System Missing	5	4.5		
	Total	5	4.5		1- 1-2 L
Total		112	100.0		

Q. 26 : 50% of the 112 people who saw OHVs soid they noticed resource impacts

group causing resource impact , \$ 47

17		Frequency	of 112 Percent	Valid Percent	Cumulative Percent
Valid	hiker/backpacker	14	12.5	29.8	29.8
	surfer	· 3	2.7.	6.4	36.2
	OHVers	19	17.0	40.4	76.6
	other	6	5.4	12.8	89.4
	don't know	5	4.5	10.6	100.0
	Total	47	42.0	100.0	
Missing	System Missing	65	58.0		
	Total	65	58.0		
Total		112	100.0		

conflict due to OHV resource impact?

18	Frequency	Percent	Valid Percent	Cumulative Percent
Valid no	93	83.0	83.0	83.0
Ves	19	17.0	(7.0)	100.0
Total	112	100.0	100.0	
Total	112	100.0		

sum total conflict with OHVs

19	Frequency	Percent	Valid Percent	Cumulative Percent
Valid no	43	38.4	38.4	38.4
yes	69	61.6	61.6	100.0
Total	112	100.0	100 0	
Total	112	100.0		

R.26: 40% of the people who said Yes to R.26 (or 17% of all 112 people) blamed OHVs for the resource impacts they saw

3rd compo	nent of	conflict
index ->		

62% of people who saw OHVs had conflict with OHVs due to either crowding, behavior, or perceived resource impact. No one was double-counted in this number. the second second second second second

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Manual Strange Stranger

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Lost Coast Trail Visitor Study 1997

Humboldt State University

 9. Since you first visited a backcountry (roadless) area, about how often do you go on backcountry trips? () More than 10 trips per year. () 6-10 times per year. () 2-5 times per year. () About once per year. () About once per year. () Less than one trip every two years. 	 10. How many other backcountry (roadless) areas have you visited? . () 1-2 other areas () 6-10 other areas () 3-5 other areas () Over 10 other areas 	11. Area managers would like to know how people learn about the Lost Coast Trail so they can improve the quality of visitor information. Please indicate the source(s) of information you used to plan your trip. Circle the numbers of all the sources you used.	erience 9 atives 10 icles 11 rticles 11	D travel guides12California Tourism Board6maps13travel agent7books14Internet8motel or resort15other (please describe)	a. Please write the number (from the list above) of the source you consider your primary source of information on the Lost Coast Trail.	 b. How helpful was this primary source of information in helping you prepare for your Lost Coast Trail trip? () very helpful () not very helpful If you checked "somewhat" or "not very", please describe the problem. 	c. Now, if you would please indicate the information sources from which you would most prefer to receive information about the Lost Coast Trail. Just write in the numbers from the list above. first preference 2nd preference 3rd preference
First, a few questions about you: 1. Your age? OMB # 0596-0108 exp. 5/31/99 2. Your gender? () Female () Male	 () AITICAN-AMERICAN (BIACK, non-HISPANIC) () Other, please specify	 Grade School High School College Graduate School 8 or less 9 10 11 12 13 14 15 16 more than 16. 5. On this trip to the Lost Coast Trail, what type of visitor were you, based on 	 your main activity? () day hiker () backpacker-overnight hiker in the backcountry (away from roads) () surfer 	 () hunter () off-highway vehicle (OHV) user () other; please specify 	 6. How many years have you participated in the above activity (anywherenot just at the Lost Coast)? years 7. Was this your first trip to the Lost Coast Trail? () No. If no. please answer the following 	 a. How many times have you visited the Lost Coast Trail before this trip? b. How many years ago did you first visit the Lost Coast Trail? 	 c. How many times have you visited the Lost Coast Trail in the last 12 months (not counting this trip)?times 8. Have you ever visited a backcountry (roadless) area before this trip? No. If no, go to Question 11. Yes. If yes, how many years ago was your first such trip?

.

12. Finally, please tell us which **three** types of information you would find most helpful in planning your trip to the Lost Coast Trail. Check up to **three** types. Information on:

- () backcountry safety
-) specific trail condition descriptions
-) natural history and features of the area
 -) directions to trailheads
 -) available facilities
-) recommended items to pack along
 -) hiker shuttle services
-) community travel services
-) low impact backcountry use guidelines
) access road descriptions and travel times
 -) nearby attractions
-) general weather conditions in the area
 -) other

13. How long before this trip did you decide to visit the Lost Coast Trail?

- () the day of the trip
- () 1 3 days before the trip
 - () 4 7 days before the trip
- () 1 4 weeks before the trip
- () more than 4 weeks before the trip

14. We are interested in knowing what activities you participated in during this visit to the Lost Coast Trail, and how important each activity was to your decision to make this trip. Remember, we are talking about your visit to the **area away from the road and trailhead**. Please check one of three responses for each activity.

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	This activity	Participated,	Did not
	was a major reason for this trip	but not a major reason for this trip	participate in this activity
fishing	()	()	()
hunting	()	()	()
backpack camping	()	()	()
hiking	()	()	()
horseback riding	() .	()	()
wildlife viewing	().	()	()
nature study	()	()	()
collecting (e.g. shells)	()	()	()

Did not participate in this activity	()	()	()	()	()	()	()	()	()
Participated, but not a major reason for this trip	()	()	()	()	(()	()	()	()
This activity was a major reason for this trip	()	()	nt ()	()	()	()	()	()	()
	photography	surfing	scouting places to hunt	riding ATV/OHV	partying	socializing	abalone diving	tidepool exploration	other

15. People recreate for many reasons. Please indicate 1) how <u>important</u> each of the following were as reasons for your visit to the Lost Coast Trail; and 2) the extent to which you were able to obtain that experience.

Able to Obtain

Importance

not at all important slightly important moderately important very important	from 1 2 3 4	rom 1 2 3 4 of life	ho 1 2 3 4 s	tual 1 2 3 4 /alues	1 2 3 4	ctice I 2 3 4 ties	1 2 3 4
not at all important	solitudeget away from 1 crowds of people	escapeget away from 1 the usual demands of life	to be with others who 1 enjoy similar things	to experience spiritual growth or nurture personal spiritual values	to enjoy the sights, sounds, and smells of nature	to develop and practice 1 my skills and abilities	exerciseto keep 1 physically fit

	single day single day
	c. groups of OHVers you saw
b. What would you describe as the "defining moment" of your trip?	d. number of groups camped within sight or sound of you
	19. How do you feel about the number of visitors you saw during your stay in the Lost Coast?
	saw neither saw too too many saw too doesn't many nor too few few matter
17. Do you feel that controls are needed on the number of people using the Lost	Hikers/backpackers () () () ()
Coast Trail, recognizing that if so, your own opportunity to visit this area in the future may be limited? Please check one of the following:	surfers () () () ()
() Yes, controls are needed now to lower the current level of use.	off-highway vehicle users () () () ()
 Yes, controls are needed now to <u>hold use</u> at about the current level. No, there should be <u>no controls</u> now or in the future on the number of people using the Lost Coast Trail 	groups camped within sight () () () () () ()
 No controls are needed <u>now</u>, but should be imposed in the future if and when overuse occurs. If you check this response, please explain how <u>you</u> would decide that the area was being overused: 	should be a
	() No () Yes
	If Yes, what is the maximum number of people that should be permitted in any one group?
18. We would like to know about the number of <u>groups</u> you met along the Lost Coast Trail. Please indicate the <u>least</u> number of groups that you saw in a single day, then the <u>most</u> number in a single day. If you visited for only one day, simply enter the number of each in the first column.	 21. Did you experience any conflict with other visitors during your visit to the Lost Coast? () No () Yes
Least in a Most in a single day single day	If yes, to what/whom do you attribute this conflict?
a. groups of hikers or	
b. groups of surfers	

24. If fees were charged, and the money collected went toward protecting and maintaining this area, what is the amount per person per day that you would be willing to pay for use of the Lost Coast Trail?	 () Willing to pay \$ () Not willing to pay 	If you said you would not be willing to pay, could you please tell us why not?		25. Did the behavior of any other group or individual interfere with your enjoyment of the Lost Coast Trail on this visit?	 () No (go to next question) () Yes. If yes, please indicate what type of group interfered with your 	() Hikers/hacknackers	 () Surfers () Off-highway vehicle users () Groups camped within sight or sound 	 () Area Managers () other, please describe 	Please describe the behavior or incident that interfered:			We appreciate you taking the time to complete this questionnaire. Your answers to these questions will help the BLM better manage this area, protect important resources, and maintain quality recreational opportunities for you and for generations to come.
												_
utely strongly	oppose	0	()	(()	()	()		(\bigcirc	l enter the it, would	e? mits /? trip?
se were abso g policies? somewhat	oppose	0	0	0	С	0	()		((that could ining a perm	was availabl J) where peri the same da group for the
trols on us following	neutral	0	\bigcirc	0	\bigcirc	0	(\bigcirc	()	er of grou ul in obtai sponse)	i a permit rea (inlanc e coast on join that
tvy, and con t each of the somewhat	support	0	\bigcirc	\bigcirc	(()	\bigcirc		$\hat{}$	(on the numb not successf nost likely re	a time wher ing Range a oortion of th a permit and g else?
22. If use of the area became too heavy, and controls on use were absolutely necessary, how would you feel about each of the following policies?	I. implement a permit system and:	a. issue a limited numberof permits on a first-come first-served basis	 b. issue a limited number of permits based on a () drawing or lottery () 	c. issue a limited numberof permits through amail reservation system	 2. discourage use by: a. charging a flat rate () user fee 	b. charging a higher fee () at the busiest times	3. limit the maximum number of people per ()group	4. achieve better spacing between groups by:	a. providing betterinformation on whenheavy use occurs	b. assigning designated () campsites to each group	23. If the BLM had to place a limit on the number of groups that could enter the Lost Coast Trail area, and you were not successful in obtaining a permit, would you most likely have: (check your most likely response)	 () changed the date of your trip to a time when a permit was available? () gone to a different part of the King Range area (inland) where permits are not required? () gone to a different (non-BLM) portion of the coast on the same day? () tried to find someone else with a permit and join that group for the trip? () gone anyway, without a permit? () stayed away and done something else?

26 Did you notice any resource impacts to the Lost Coast Trail environment that you believe were caused by other recreationists?	mpacts to the l	Lost Coast Ti ?	rail environme	nt that		28. The following items are prob Lost Coast Trail. Please indicate
 () No (go to question 27) () Yes. If yes, please answer 	er a and b below	ow.				
a. Please describe the resource impact to the Lost Coast Trail environment that	npact to the Lo	st Coast Trai	il environment	that		Possible Resource Problems
you noticed:						1. trails poorly maintained
					-	2. trails poorly marked
		the beauties of				3. trail erosion
 b. Flease Indicate what type of group you believe caused the inipact. b hikers/backpackers b surface 	oup you pena	ve causeu uie	unpact.			4. polluted streams
() off-highway vehicle users	ers					Possible People Problems
 () other, please describe _ () don't know 						1. litter
						2. human waste
27. Please indicate the extent to which each statement below describes your general feelings about the Lost Coast Trail.	which each sta Coast Trail.	tement belov	v describes you	ır		3. vandalism
Strongly Disagree	Disagree	Neutral	Strongly Agree	Agree		4. pets off leash
a. This place says a () lot about who I am	C	Ĵ	Ĵ	(5. off-highway motorized vehicles in backcountry areas
						6. rowdy or noisy people
b. The things I do hereI would enjoy just as ()much at another site	()	()	()	()		7. too many large groups
c. I wouldn't substitute any other area for ()	()	()	()	()		8. too many people in the area at the same time
doing the type of things I do here					-	9. visitor constructed driftwood shelters
d. I use this areato help define andexpress who I am	(()	(()		10. visitors landing motor- boats on the beach
e. I am very attached ' () to this area	0	()	0	(11. motor vehicle tracks visible on beach
2						

28. The following items are problems you may have run into on your visit to the Lost Coast Trail. Please indicate how much of a problem <u>each</u> item was for you.

	Major Problein	Moderate Problem	Minor Problem	Not a Problem	Don't Know
ossible Resource Problems					
trails poorly maintained	$\hat{}$	()	()	()	0
trails poorly marked	$\left(\right)$	(()	()	$\left(\right)$
trail erosion	()	()	()	()	$\hat{}$
polluted streams	()	()	(()	\bigcirc
ossible People Problems					
litter	()	()	(()	()
human waste	()	(()	()	()
vandalism	()	()	()	()	$\left(\right)$
pets off leash	()	$\left(\right)$	()	()	$\left(\right)$
off-highway motorized chicles in backcountry areas	()	()	(()	$\left(\right)$
rowdy or noisy people	()	()	()	()	$\left(\right)$
too many large groups	()	()	()	()	()
too many people in the same time	0	()	$\hat{}$	$\left(\right)$	\bigcirc
visitor constructed iftwood shelters	()	$\left(\right)$	()	$\hat{}$	$\left(\right)$
 visitors landing motor- bats on the beach 	()	()	()	($\left(\right)$
 motor vehicle tracks isible on beach 	$\hat{}$	(()	$\left(\right)$	$\left(\right)$

e to you urd format,	y good), (Don't rea with	חכם אזתו	Not Grade Very for Important BLM			((((((((((((_		-	-
ng services wer school report ca	e average or ver ailing), or DK	נוומוומצוווצ נוור מ	Somewhat V Important Imp) ()) ()) ()) ()) ()) ()) ()) ()) ()) ()) ())) ()
the followin ten, using a	nt), B (above y good), F (f the RI M is		Important	(~		()	()	()	()	()	($\hat{}$	()	()	()	()	C		$\left(\right)$	()
tant each of tst Trail. Th	l A (exceller e or not very II von think	ss.	Very Important	$\left(\right)$			()	()	()	((()	($\left(\right)$	\bigcirc	()	()	()		\bigcirc	ies ()
29. Please indicate how important each of the following services were to you when you visited the Lost Coast Trail. Then, using a school report card format,	C (average), D (below average or not very good), F (failing), or DK (Don't Know) to let us know how well vou think the RI M is managing the area with	regard to each of these services.		a. information signs at trail- heads have necessary	Information h helnful directional cione	to the area	c. clean restrooms	d. access roads in good condition	e. adequate parking	f. telephone requests handled without delay	g. prompt response to written requests	h. BLM people in the area are professional and competent	i. BLM people in the area are friendly and courteous	j. your vehicle is safe from the threat of vandalism	k. managers notify you of natural hazards in the area	 BLM office open during convenient times 	m. able to leave a phone message for managers after hours	n. opportunity for personal freedom without too much		o. able to find a BLM person when needed	p. brochures/maps clearly communicate information about recreation opportunities
Don't Know		()	()	()	()	()		()	()	()		()	()		()	()	()	()	$\left(\begin{array}{c} \end{array} \right)$	()	
Not a Problem		()	()	(()	$\left(\right)$		()	()	()		C	(()	()	()	()	$\hat{}$	$\left(\right)$	
Minor Problem		$\left(\right)$	$\left(\right)$	()	(()		()	()	()		0	(()	()	$\hat{}$	$\left(\right)$	$\widehat{}$	\bigcirc	
Moderate Problem		()	0	()	(()		(()	$\hat{}$		2	0		()	()	($\hat{}$	0	$\left(\right)$	
Major Problem	2	()	($\left(\right)$	() st	\bigcirc		$\left(\right)$	\bigcirc	(2	($\hat{}$	$\hat{}$	0	0	<u> </u>	$\left(\right)$	
	Possible Management Problems	1. low flying aircraft	2. sonic booms	3. houses visible from the Trail	4. too many rules and regulations	5. area rules and regulations	not well publicized	6. not enough trails information	7. not enough information on number of other users	8. not enough information on	when the area is heavily used	 not enougn parking spaces at entry points 	 not enough information available on the area's natural or cultural history 	Possible Campsite Problems	1. lack of suitable campsites	2. no supply of drinking water	3. too many fire rings	4. fire rings full of litter	o. not enough campsite privacy	6. too many places where other groups have obviously camped	3

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Figure 1. Hikers and vehicles interacting along Black Sands Beach corridor

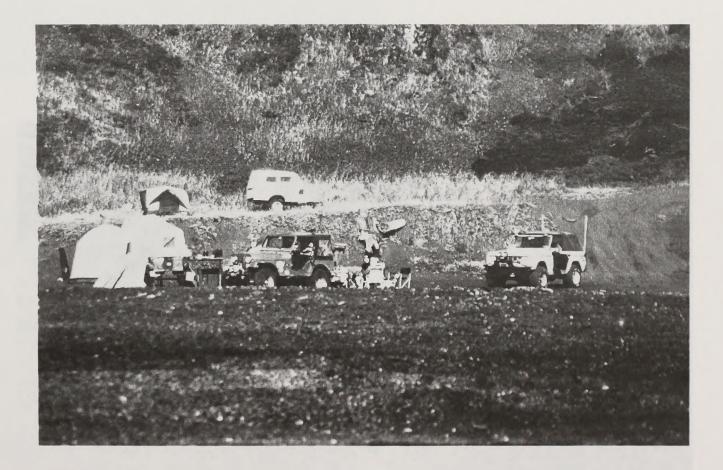


Figure 2. Vehicles camping along Black Sands Beach corridor

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Figure 3. Vehicle tracks and vegetation impacts, Black Sands Beach



Figure 4. Hill climbs above wave slope, Black Sands Beach

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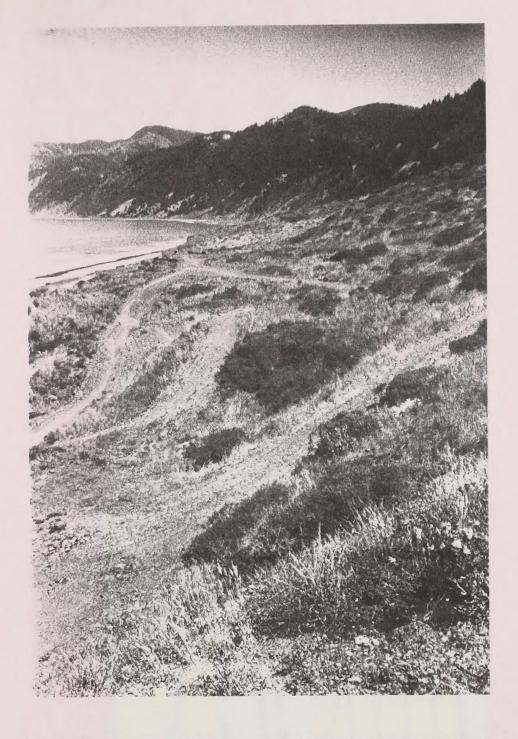


Figure 5. Vegetation impacts from multiple OHV trails near Kaluna Cliff, Black Sands Beach



Figure 6. Hill climb near Horse Mtn Creek, Black Sands Beach



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