

December 15, 2023

Northern California Integrated Resource Plan Project Manager  
Bureau of Land Management  
1695 Heindon Road  
Arcata, CA 95521-4573



*Comments submitted electronically via [E-planning](#) on December 15, 2023*

**RE: DOI-BLM-CA-N060-2021-0012-RMP-EIS**

Dear Northwest California, Integrated Plan Project Manager:

The Pew Charitable Trusts (Pew) appreciates this opportunity to provide public input on the draft resource management plan (DRMP) and environmental impact statement (DEIS) for the Northwest California Integrated Plan (NCIP). Pew's U.S. conservation work seeks to sustain biodiversity and resilient ecosystems by collaborating with policymakers, communities, businesses, Tribes, and many others. The Bureau of Land Management's (BLM) resource management planning process is an important component of this work. In addition to advocating for planning outcomes that conserve intact public landscapes to protect culturally significant areas, wildlife habitat, clean water, recreational opportunities, and support ecological resilience and carbon sequestration, we also track the status and implementation of BLM policies that affect these outcomes.

Pertinent to the NCIP, which will replace the current Arcata and Redding resource management plans (RMPs) our comments focus on managing for climate change, lands with wilderness characteristics (LWCs), Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas (WSAs), wild and scenic rivers (WSRs), and wildlife connectivity. We also believe that NCIP will benefit administrative priorities related to tribal consultation and the America the Beautiful initiative. We recognize and appreciate the agency's work to date on the NCIP and look forward to continued engagement. Our recommendations are summarized here and discussed in detail below:

- *Pew encourages the BLM to adhere to updated guidance manuals within its resource management planning process, including for the NCIP.*
- *Pew recommends the BLM consider adjacent federal lands managed by different agencies as wilderness or the protection of wilderness characteristics as one contiguous wild unit. This approach would allow additional lands to be added to the LWC inventory and be managed to protect their wilderness characteristics.*
- *Pew also requests that the BLM pay special attention to lands identified in federal legislation as deserving of wilderness protection by California's Members of Congress and Senators. Included in Appendix A is a list of lands that should be reevaluated and found eligible for inclusion in BLM's LWC Inventory and a brief explanation of why.*
- *Pew urges the BLM to, at minimum, manage all new lands that have been identified as having wilderness characteristics to protect their wilderness characteristics. The DEIS prescribes as appropriate this level of management in Alternative B. The only lands not*

*managed as such in Alternative B (Brushy Mountain/English Ridge, Gilham Butte, Red Mountain, Trinity Alps, and Yolla Bolly) are appropriately recommended as 202 WSAs which we address later in these comments.*

- *Pew encourages BLM to fully implement the ACEC provisions in FLPMA, including increased conservation emphasis and expanded applicability to broader landscape conservation.*
- *The BLM should designate all existing and proposed ACECs that meet the relevant and important criteria in the final RMP, including the three ACECs in designated Wilderness.*
- *The BLM should apply management prescriptions sufficient to protect the values for which the ACECs are designated.*
- *BLM should carry forward the six Section 202 WSAs into the proposed final plan and record of decision.*
- *The WSAs should be managed consistent with Manual 6330, to ensure that each area's suitability for preservation as wilderness is maintained.*
- *Pew recommends the BLM return to using extended eligible river corridors, especially where management directions are to acquire more lands from willing sellers.*
- *The final suitable river tables should show both the eligible miles on BLM-managed public lands and the overall miles of the extended corridor.*
- *The already designated WSR segments that were included in the ineligibility table incorrectly should be removed and greater justification for ineligible rivers and specific segments should be added to the table.*
- *Eligibility should be preserved for fragmented segments where future land acquisitions would make protecting the WSR more suitable. 5)Streams for which such management direction already exists should be determined suitable.*
- *ECCs should be managed with connectivity as the priority.*
- *In places where connectivity is not the highest priority, ensure management actions do not diminish the ecological value of the ECC and protect connectivity.*
- *BLM should define 30x30 lands as ACECs, LWCs that are managed as a priority, suitable WSRs, designated WSRs, wilderness areas, and WSAs, and other designations, when the goals, objectives, and management actions prescribed in a resource management plan provide protection and durability.*
- *BLM should craft a final proposed NCIP plan that includes a robust mix of these designations and allocations, with management to sufficiently and durably protect these lands and rivers to best meet the 30x30 goals.*

## MANAGING FOR CLIMATE CHANGE

Executive Order 14008, entitled “Tackling the Climate Crisis at Home and Abroad” (January 2021), calls for a government-wide approach to the climate crisis, including by increasing resilience to the impacts of climate change by conserving our lands, waters, and biodiversity.

Following the issuance of EO 14008, the Department of the Interior (DOI) released a series of updated climate policy Departmental Manuals (DM) on September 28, 2023. In particular, 604 DM 1, “Landscape-Level Management”, outlines the department’s policy, which also applies to its component Bureaus, including the BLM, to advance landscape-level approaches, including prioritizing landscapes for conservation.

Furthermore, 523 DM 1, “Climate Policy”, directs DOI to, among other actions, “...integrate climate change adaptation strategies into its policies, planning, programs, and operations, including, but not limited to, park, refuge, and public land management...”<sup>1</sup> The manual further acknowledges the inherent uncertainty associated with climate change and directs the department to utilize: (1) vulnerability assessments, (2) scenario planning, (3) adaptive management, and (4) other risk management or other decision-making approaches. Finally, as related to the NCIP, the policy directs the inclusion of “...measurable goals and performance metrics in all management plans that address climate change adaptation, regularly assess and report on whether adaptive actions are achieving desired outcomes...”<sup>2</sup>

Pew recognizes that this guidance was not in place while the DEIS was being drafted but appreciates that the BLM has included goals and objectives across all alternatives within the DEIS to address the myriad impacts of climate change, including promoting the adaptive capacity of ecosystems through increased resilience, diversity, and connectivity, and providing for monitoring to inform management approaches. Additionally, the BLM has identified the need for habitat conservation in response to climate change, to help facilitate species migration and population changes. To achieve these goals, the BLM must protect intact landscapes and rivers that often serve as climate refugia through LWCs, ACECs, WSAs, and WSRs. Further, connectivity between intact landscapes must be maintained and enhanced. Additional recommendations around these allocations, designations, and connectivity are below. Finally, the BLM must ensure that a monitoring program is implemented to track the impacts of climate change, how management is affecting landscapes, and provide for adaptive management.

***Recommendation:*** *Pew encourages the BLM to adhere to these updated guidance manuals within its resource management planning process, including for the NCIP.*

## ESTABLISHING A CORRECT BASELINE INVENTORY OF LANDS WITH WILDERNESS CHARACTERISTICS

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<sup>1</sup> Department of Interior, 2021, 523 DM 1, p. 1

<sup>2</sup> Department of Interior, 2021, 523 DM 1, p 3

Section 201 of the Federal Lands Policy and Management Act (FLPMA) requires the BLM to maintain a current inventory of its resources, including regularly updating the LWC inventory. Section 202 also requires the BLM to incorporate this information while developing, maintaining, and updating land use plans that set out management for different tracts of land and types of resources, including LWCs.

As the U.S. Court of Appeals for the Ninth Circuit held, "...wilderness characteristics are among the 'resource and other values' of the public lands to be inventoried under § 1711. BLM's land use plans, which provide for the management of these resources and values are to 'rely to the extent it is available, on the inventory of the public lands, their resources, and other values.'"<sup>3</sup> The lands governed by the current Arcata and Redding RMPs contain significant acres of pristine public lands that possess naturalness and outstanding opportunities for solitude and/or primitive recreation.

Instruction Memorandum (IM) 2011-154 and Manuals 6310 (*Conducting Wilderness Characteristics Inventory on BLM Lands*) and 6320 (*Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process*) further outline the requirement for and process associated with evaluating LWCs. The IM directs the BLM to "...conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified lands with wilderness characteristics in land use plans and when analyzing projects under [NEPA]." Manual 6310 requires BLM to maintain an updated inventory of LWCs, prior to land use planning. Manual 6320 requires the BLM to consider LWCs in land use planning, both in evaluating the impacts of management alternatives on lands with wilderness characteristics and in evaluating a range of alternatives that would protect those values.

As defined in BLM Manual 6310, LWCs must meet three basic criteria. First, areas must be 5,000 acres or more of contiguous public land without the presence of roads, as defined in the Manual. Second, they must be affected primarily by the forces of nature, and any work of human beings must be substantially unnoticeable. And third, areas must provide outstanding opportunities for solitude and/or primitive and unconfined recreation. Additionally, lands with wilderness characteristics may possess supplemental values that further enhance the area.

BLM policy is to disclose its inventory of LWCs prior to the publication of the Draft Resource Management Plan, as this inventory is intended to assist the agency and allow the public to provide informed input regarding proposed management decisions that affect these areas. Additionally, Instruction Memorandum 2013-106 instructs that BLM field offices should finalize wilderness characteristics inventories and make findings available to the public as soon as practicable after their completion and before the inventory data is used to inform decisions.

In 2015 and 2016, the BLM inventoried public lands in the Arcata and Redding Field Offices (ARFOs) to determine whether any possess wilderness characteristics. According to the BLM, the assessment was conducted in compliance with responsibilities under the FLPMA and in accordance with BLM Manual 6310. Pew applauds the BLM for conducting this thorough inventory and for providing the resulting reports to the public, which analyzed 53,161 acres of land. We also appreciate that the BLM was able to inventory lands beyond what citizen inventories were able to survey due to access issues. Closely following the protocols and criteria provided for by BLM

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<sup>3</sup> 43 U.S.C. § 1711 (c) (4).

Manual 6310, CalWild also conducted an LWC inventory within the planning area. This citizen-led effort included numerous inventory trips over a two-year period and consisted of documents, including maps, geotagged photos with narrative descriptions, and narrative reports for each area, which were submitted to the BLM during scoping. Pew urges the BLM to incorporate CalWild's LWC inventory by reference in our comments. This citizen group assessment adheres to the inventory guidelines established under FLPMA and meets the minimum standard for wilderness characteristics inventory as defined by BLM manual 6310.

While inventorying more lands than the referenced citizen inventory, the BLM found wilderness characteristics on 34,304 acres compared to nearly 49,000 acres documented in CalWild's citizen inventory. Much of the acreage discrepancy between the CalWild Citizen Inventory and the BLM inventory can be accounted for by differences in how acres adjacent to lands managed or eligible as wilderness by other federal agencies were treated. Additionally, several of these parcels include areas proposed for federal legislative wilderness protection in S. 1776, the Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act, sponsored by California's Sen. Padilla.

***Recommendations:*** 1) *Pew recommends the BLM consider adjacent federal lands managed by different agencies as wilderness or the protection of wilderness characteristics as one contiguous wild unit. This approach would allow additional lands to be added to the LWC inventory and be managed to protect their wilderness characteristics.* 2) *Pew also requests that the BLM pay special attention to lands identified in federal legislation as deserving of wilderness protection by Californian's congressional representatives. Included in Appendix A is a list of lands that should be reevaluated and found eligible for inclusion in BLM's LWC Inventory and a brief explanation of why.*

## **PROTECTING LANDS WITH WILDERNESS CHARACTERISTICS**

Manual 6320 requires the BLM to consider LWCs in land use planning, both in evaluating the impacts of management alternatives on LWCs and in evaluating how the range of alternatives would protect wilderness values. Examples of management prescriptions that will most effectively protect LWCs in the NCIP planning area include, but are not limited to, the following:

- Recommend a withdrawal from mineral entry;
- Close to leasing or allow leasing only with no surface occupancy with no exceptions, waivers, or modifications;
- Designate as right-of-way (ROW) exclusion areas;
- Close to construction of new roads;
- Designate as closed to motor vehicle use, as limited to motor vehicle use on designated routes, or as limited to mechanized use on designated routes;
- Close to mineral material sales;
- Designate as Visual Resource Management (VRM) Class I or II;
- Restrict construction of new structures and facilities unrelated to the preservation or enhancement of wilderness characteristics or necessary for the management of uses allowed under the land use plan; and/or
- Retain public lands in federal ownership.

We applaud the BLM for including the following new lands to its LWC inventory:

<b>ACRES</b>	<b>UNIT NAME</b>
5500	Brushy Mountain/English Ridge
310	Cahto Peak Subunit 1
50	Camp St. Michael Subunits 3 & 4
7250	Chappie/Shasta Subunit 3
7700	Grass Valley South Subunit 1
5840	Gilham Butte Subunit 1
320	Red Mountain
6640	Sacramento Riverbend Subunit 2
220	Trinity Alps Subunit 4
230	Yolla Bolly Subunits 1,2, & 3

The lands identified above were identified in both the agency’s LWC inventory and the citizen inventory conducted by CalWild as having wilderness characteristics as well as Alternative B in the Draft DEIS, leaving little doubt that they qualify for this status.

***Recommendations:** Pew urges the BLM to, at minimum, manage all new lands that have been identified as having wilderness characteristics to protect their wilderness characteristics. The DEIS prescribes as appropriate this level of management in Alternative B. The only lands not managed as such in Alternative B (Brushy Mountain/English Ridge, Gilham Butte, Red Mountain, Trinity Alps, and Yolla Bolly) are appropriately recommended as 202 WSAs which we address later in these comments.*

## **DESIGNATING AND PROTECTING OF AREAS OF CRITICAL ENVIRONMENTAL CONCERN**

The ARFOs have an opportunity with the DEIS to make better use of ACECs for conservation management as part of BLM’s multiple-use, sustained yield mission. When developing a land use plan, FLPMA mandates that the BLM “...give priority to the designation and protection of areas of critical environmental concern (ACEC).”<sup>4</sup> ACECs are areas “where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes.”<sup>5</sup> With the passage of FLPMA, Congress made clear its intent to prioritize the designation and protection of ACECs in BLM’s land planning and management processes.

BLM Instruction Memorandum (IM) 2023-013 “Clarification and Interim Guidance for Consideration of Areas of Critical Environmental Concern Designations in Resource Management Plans and Amendments” provides additional guidance for the designation and protection of ACECs “...to ensure that the BLM considers public lands and resources for conservation, where appropriate.” The BLM state offices must maintain an updated inventory of data and information on relevant ACEC values, natural hazards, systems, and processes while also identifying emerging trends and patterns

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<sup>4</sup> 43 U.S.C. § 1712I(3)

<sup>5</sup> Id. § 1702(a)

affecting the ACECs every five years. Additionally, IM 2023-013 directs the BLM to “...evaluate whether relevant values contribute to landscape intactness, climate resiliency, habitat connectivity, or opportunities for conservation or restoration.” Under this guidance, ACECs can be a durable tool to advance conservation as part of the multiple use and sustained yield mission of BLM as laid out in FLPMA.

Pew recognizes BLM’s efforts through including and evaluating 31 potential ACECs within the range of the alternatives. Pew recommends that the BLM carry forward the full suite of ACEC nominations into the proposed final plan and record of decision. We noted there were many rationales for ACECs that look ahead to how climate change will change the ecosystem. For example, the BLM analyzes the Grass Valley Creek ACEC as an intact landscape likely to have high climate resilience. We applaud the BLM for the use of ACECs to protect Essential Connectivity Corridors (ECCs) of High Biological Value, such as the Beegum Creek Gorge ACEC and the Upper Mattole ACEC. We also recognize and commend the corridor conservation efforts in the BLM’s management prescription in Alternative B of the Gilham Butte ACEC to maintain a corridor between the neighboring Humboldt Redwoods State Park and the King Range Conservation Area. By layering conservation designations on ecologically valuable areas like ECCs, ACECs can help plant and animal species to better adapt to climate change.

Pew further appreciates that the BLM included the six citizen nominated ACECs by CalWild et al. This includes portions of the Swasey Clear Creek Greenway, Beegum Creek Gorge, Grass Valley Creek, Eden Creek, and Willis Ridge. Pew supported scientific analysis, conducted by Conservation Science Partners, as part of these nominations, and we are pleased to see that the BLM largely concurs with these findings. In particular, the ACEC Report on the Application of the Relevance and Importance Criteria mentions that these nominations meet multiple criteria, and we recommend emphasizing the necessity of special management attention for these ACEC nominations.

Pew also urges the BLM to include nearly 21,000 acres of the three existing ACECs proposed to be removed due to their overlapping boundaries with Wilderness areas. The first is the South Fork Eel River ACEC, which contains habitat for the endangered Chinook salmon and Coho salmon. The second is the Elder Creek ACEC, which the BLM acknowledges as a significant area, and the lower portion of which is managed for wild lands research by the University of California, Berkley. The result of removing Elder Creek’s ACEC designation would be that the this designated critical habitat for the Chinook salmon, Coho salmon, and steelhead will have no special management protection as is afforded by the current ACEC designation management. Moreover, there are significant portions of the Elder Creek ACEC that will be unprotected because it does not overlap with the Southfork Eel River Wilderness. Finally, the BLM also plans to remove the Red Mountain ACEC, which hosts several federally endangered and rare plant species that rely on the serpentine soil of the area.

While these ACECs overlap with Wilderness areas, such designations do not preclude the BLM from designating ACECs. While Wilderness designations provide significant protection, ACECs can be overlaid to provide management specific to the values for which an ACEC is designated. The BLM can and should consider areas that meet the relevance and importance criteria regardless of underlying designations such as Wilderness, WSAs, Back Country Areas (BCAs), or other conservation designations. In this way, the BLM would be fulfilling responsibilities outlined in FLPMA through prioritizing the designation of ACECs. Thus, Pew encourages the BLM to carry forward the ACEC designations to ensure protection of their critical habitat and connectivity corridors.

For each ACEC, the BLM should include specific management prescriptions to protect the values for which the ACEC is designated. This may include:

- A withdrawal from mineral entry;
- Close to leasing or allow leasing only with no surface occupancy with no exceptions, waivers, or modifications;
- Designation as ROW exclusion areas;
- Close to construction of new roads;
- Designation as closed to motor vehicle use, as limited to motor vehicle use on designated routes, or as limited to mechanized use on designated routes;
- Close to mineral material sales;
- Designation as VRM Class I or II;
- Restricting construction of new structures and facilities unrelated to the preservation or enhancement of wilderness characteristics or necessary for the management of uses allowed under the land use plan; and/or retain public lands in federal ownership.

**Recommendations:** 1) BLM should fully implement the ACEC provisions in FLPMA, including increased conservation emphasis and expanded applicability to broader landscape conservation. 2) The BLM should designate all existing and proposed ACECs that meet the relevant and important criteria in the final RMP, including the three ACECs in designated Wilderness. 3) The BLM should apply management prescriptions sufficient to protect the values for which the ACECs are designated.

## **DESIGNATING AND MANAGING FLPMA SECTION 202 WILDERNESS STUDY AREAS**

The BLM has the authority and obligation to inventory and protect wilderness-quality lands in land use planning processes. FLPMA directs DOI to maintain current inventories of the resources it manages—including areas that qualify for wilderness designation. Under Section 202 of FLPMA, once such inventories have been completed, DOI can and should designate lands as WSAs to ensure their durable conservation management.

WSAs are BLM's most durable and important administrative designation to maintain wilderness character on certain high value public lands. These wild and undisturbed BLM-managed lands harbor important wildlife habitat and enhance species connectivity between other protected lands, provide backcountry recreation experiences, and serve as climate refugia for species adapting to a changing planet. These lands also sequester significant amounts of carbon, help conserve scarce water resources, and safeguard cultural landscapes and artifacts. To meet the nation's and California's ambitious conservation goals to conserve 30 percent of lands and waters by 2030, the BLM must consider these areas for durable administrative protection as WSAs.

Pew applauds the BLM for exercising its authority by including Section 202 WSAs in the range of alternatives within the DEIS. Specifically, Pew supports the designations of Brushy Mountain/English Ridge, Gilham Butte, Red Mountain, Trinity Alps, and subunits 1 and 2 of the Yolla Bolly WSAs. All these areas were inventoried by the BLM and/or a local citizen group, and found to contain wilderness characteristics as well as supplemental values, which are detailed in the CalWild et al comments, incorporated by reference here. Pew recommends that the BLM carry these six units forward into the final plan and record of decision.



These lands should be managed consistent with BLM's Manual 6330 "Management of BLM Wilderness Study Areas" to maintain the area's suitability for preservation as wilderness. This includes the following guidance laid out in Manual 6330:

- Preventing impairing activities by not allowing new surface disturbing uses or facilities, as well as by providing public information, such as posting signs at key WSA access points, and providing maps and information on BLM websites.
- Monitoring WSAs at an interval that ensures continued suitability for designation as wilderness.
- Documentation, including photos of conditions, primitive routes, range developments, and other activities, including maintaining a permanent file with photos and a record of monitoring activities.

***Recommendation:*** 1) BLM should carry forward the six Section 202 WSAs into the proposed final plan and record of decision. 2) The WSAs should be managed consistent with Manual 6330, to ensure that each area's suitability for preservation as wilderness is maintained.

## **MANAGING AND DESIGNATING WILD AND SCENIC RIVERS**

The National Wild and Scenic Rivers Act (NWSRA)<sup>6,7</sup> requires the BLM to consider potential national wild, scenic, and recreational river areas in all planning for the use and development of water and related land resources, and in planning reports by all federal agencies as potential alternative uses of the water and related land resources involved. Additionally, the NWSRA requires the BLM to review conformity boundaries, classifications, and plans for existing WSRs designated prior to 1986.<sup>8</sup>

The BLM currently manages and protects 52 combined miles of the Eel, Klamath, Middle Fork Eel, North Fork Eel, North Fork Trinity, South Fork Eel, Trinity, and Van Duzen Rivers as designated WSRs. Management activities on BLM-managed lands seek to protect and enhance the values for which they were included in the National Wild and Scenic River System (NWSRS). In all cases those values include: the river's free flowing nature, water quality, and the identified outstandingly remarkable value (ORV), which specifically for these rivers is habitat for anadromous fisheries. We thank the BLM for retaining protections for and continued management of these rivers as part of the NWSRS in the DEIS.

As part of the DEIS, the BLM included an additional 117 eligible river segments totaling 201.7 river miles in its WSR inventory. In alternative B, the BLM proposes managing all 117 segments as suitable for inclusion in the NWSRS, but BLM's preferred alternative, Alternative D, proposes protecting just 56 river segments totaling 135.3 miles as suitable for inclusion in the NWSRS.

Pew supports the suitability findings for the 56 stream segments the BLM is proposing to manage as such and recommend for inclusion in the NSWRS, as outlined in Alternative D. However, we are

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<sup>6</sup> 16 USC Section 1276(d)(1)

<sup>7</sup> Department of Interior, 2021, 523 DM 1, p. 1

<sup>8</sup> 16 USC Section 1274(d)(2)

concerned about the impacts of non-suitability determinations on those streams not included in Alternative Ds. In addition, we are concerned about aspects of the eligibility report and inventory.

The Revised WSR Eligibility Report (2023) Table 2-3, pgs. 2-15 to 2-17, displays a list of inventoried rivers determined ineligible. The table does not narratively describe why the inventoried segments are not eligible. More concerning, the table includes some river segments as ineligible that are already in the NWSRS, including 0.4 miles of the North Fork Trinity River, 2.2 miles of the North Fork Eel River, and 2.4 miles of the South Fork Eel River.

Previous WSR inventories conducted in 1993 (Redding RMP) and 1995 (Arcata RMP) identified WSR corridors that extended beyond just the short segments where the stream flows on public lands managed by the BLM. This was necessary given the scattered nature of BLM-managed public lands in north central and northwest California. Otherwise, many eligible streams in the NCIP region would be considered non-suitable due to the difficulty of managing and protecting river values on short segments limited to just public lands. These concerns found validation as the 2018 and 2023 WSR inventories largely focus on the eligibility of only the public land segments, rather than an extended segment that more logically can be managed to protect river values. The 2018 and 2023 inventories include more eligible segments but less eligible miles than the 1993/1995 inventories. Pew believes that all suitable rivers listed in the inventory would benefit from the establishment of extended river corridors that go beyond the smaller, discreet segments on public lands, particularly where existing BLM management direction is to acquire more public lands from willing sellers in the river corridors.

DEIS, Vol. 3, Appendix G, Chapter 3. Suitability Determination: Not Suitable Segments, pgs. 3-1 to 3-161, identifies eligible rivers determined by the BLM to be non-suitable. However, the language used to describe the non-suitability of several segments appears to be repetitive and not specific to that particular stream. In some cases, this leads to inaccurate and unsupported determinations of non-suitability or weak justifications for such a decision. Non-suitability decisions are a significant issue. If they are included in Alternative D, once the NCIP is finalized and a Record of Decision (ROD) released, these eligible but non-suitable segments will lose interim protection of free-flowing character, tentative classification, and ORVs. Pew recommends that where BLM-managed public lands are minimal and fragmented, eligibility of these rivers should be preserved to support future land acquisitions that improve WSR protection and management. For streams deemed eligible and where current management direction exists to acquire more public lands that would reduce fragmentation exists, Pew recommends they be determined suitable.

CalWild et al has submitted comments on WSRs that share similar concerns to those Pew is submitting. Their comments provide a deeper level of analysis and are incorporated by reference. Included in appendix B are a selection of rivers Pew believes should be.

**Recommendations:** 1) Pew recommends the BLM return to using extended eligible river corridors, especially where management directions are to acquire more lands from willing sellers. 2) The final suitable river tables should show both the eligible miles on BLM-managed public lands and the overall miles of the extended corridor. 3) The already designated WSR segments that were included in the ineligibility table incorrectly should be removed and greater justification for ineligible rivers and specific segments should be added to the table. 4) Eligibility should be preserved for

*fragmented segments where future land acquisitions would make protecting the WSR more suitable. 5)Streams for which such management direction already exists should be determined suitable.*

## **SUPPORTING WILDLIFE CONNECTIVITY**

Many wildlife species rely on large, undisturbed blocks of land for daily and seasonal movements. This movement supports wildlife in many ways, while bolstering biodiversity and ecological resilience to climate change. We commend the BLM for collaborating with the state of California to leverage the latest scientific data and prioritizing connectivity throughout the DEIS. Notably, 92,900 acres of ECCs across all alternatives are identified. These areas are critical for maintaining connectivity between large stretches of habitat. Pew strongly supports elements of Alternative B that emphasize habitat connectivity and resilience, as this option provides the most proactive management in promoting conservation and recovery of threatened, endangered, and other special status species. Alternative B would do this by prioritizing actions that promote and maintain corridors of relatively undeveloped areas to provide habitat connectivity and to serve as a resilient refuge to species from ongoing development and the impacts of climate change.

Throughout the DEIS, ECCs act as a building block for other management goals, objectives and management directions. Pew supports and encourages the following management directions for ECCs:

- Implementing “treatments to enhance, restore, and maintain habitat in Essential Connectivity Corridors of High Biological Value.” (Table 2-2, Row 80)
- Managing ECCs as ROW avoidance areas. (Table 2-2, Row 164)
- Prioritizing acquisition of lands within ECCs. (Table 2-2, Row 160)
- Prioritizing land allocations and pursuit of water rights to benefit wildlife habitat, including wetlands, riparian habitat, big game habitat, and ECCs (DEIS p. 3-143)

***Recommendations:*** 1) *ECCs should be managed with connectivity as the priority. 2)In places where connectivity is not the highest priority, ensure management actions do not diminish the ecological value of the ECC and protect connectivity.*

## **FULFILLING THE ‘AMERICA THE BEAUTIFUL’ INITIATIVE**

On January 27, 2021, President Biden signed an Executive Order, *Tackling the Climate Crisis at Home and Abroad*, that laid out a policy goal of protecting 30 percent of our nation’s lands and waters by 2030 (30x30). The success of this initiative will hinge on the BLM, as the nation’s largest land manager. The BLM manages 245 million acres of public lands, yet only 34 million acres are protected lands that fall into Geographic Analysis and Planning Status Code 1 and 2, including Wilderness, WSAs, national monuments, national conservation areas and WSRs.

This leaves more than 85% of BLM lands with the potential to contribute to 30x30 goals, many of which remain in their natural state, provide connectivity corridors and habitat for wildlife, allow for natural storage and sequestration of carbon, and ensure clean water and air for local communities.

As noted in our scoping comments, FLPMA is sufficiently flexible such that the agency has broad discretion to provide durable administrative protections through resource management planning

processes with sufficient policy guidance.<sup>9</sup> The BLM administrative designations and management prescriptions we reference above, including LWCs, ACECs, WSAs, and WSRs, should count towards 30x30 goals when they meet or exceed specified conservation thresholds, and policy changes could be developed that increase the rate and prevalence at which lands meet these minimum standards. This direction would ensure that more acres are managed to maintain a primarily natural state.

Pew applauds the BLM's recognition of the federal government's and the state of California's 30x30 work within the DEIS. Pew agrees with the definition laid out by the BLM for identified "conserved areas" under 30x30, within the DEIS as ACECs, LWCs that are managed as a priority, suitable WSRs, designated WSRs, wilderness areas, and WSAs. Pew further concurs with the BLM's assessment that while not all these designations provide the protection and durability necessary to be automatically considered "conserved areas," the goals, objectives, and management actions prescribed for these designated areas in the DEIS provide enough protection and durability to be considered conserved. We would further recommend that additional designations that the agency might consider in this or other RMPs that similarly contain goals, objectives, and management actions prescribed to provide protection and durability, should also count toward 30x30.

Pew is heartened to see that according to the BLM's analysis, approximately 203,000 (Alternative C) and 313,000 acres (Alternative B) of BLM lands within the NCIP planning area would count toward the 30x30 goals. As is noted in these comments on each of the specific designations and allocations above, Pew supports the inclusion of a robust mix of conservation areas, as defined by the BLM, in the plan, and recommend that BLM move forward with a final plan that best meets the 30x30 goals.

***Recommendations:*** 1) *BLM should define 30x30 lands as ACECs, LWCs that are managed as a priority, suitable WSRs, designated WSRs, wilderness areas, and WSAs, and other designations, when the goals, objectives, and management actions prescribed in a resource management plan provide protection and durability.* 2) *BLM should craft a final proposed NCIP plan that includes a robust mix of these designations and allocations, with management to sufficiently and durably protect these lands and rivers to best meet the 30x30 goals.*

## **ENGAGING IN TRIBAL CONSULTATION**

The landscapes that will be considered during this process include important places for Indigenous tribes in the region, including the Cahto, Karuk, Wintun, and Yurok Nations and the peoples represented by the Round Valley Indian Tribes. Input from these sovereign nations and communities will be critical during the NCIP planning process. Pew urges the BLM to conduct thorough and meaningful outreach and consultation throughout the RMP development process to ensure the interests of both federally recognized and non-federally recognized tribes are prioritized, understood, and included in the planning process.

Thank you for this opportunity to comment on the DEIS of NCIP and Pew looks forward to continuing our engagement in this important planning effort to create the best plan for managing

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<sup>9</sup> See Pew comments to the BLM during scoping phase, submitted on June 28, 2022.

these wild places that belong to all Americans. Please do not hesitate to reach out to either of us to provide more details or clarification.

Sincerely,

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## **Appendix A – Lands with Wilderness Characteristics recommended inventory additions**

1. **North Fork Wilderness:** 480 acres of additions are eligible in this region. The BLM North Fork parcels are adjacent to 1,816 acres of wilderness-eligible lands in the Six Rivers National Forest, which are adjacent to the existing North Fork Wilderness. Both the BLM and United States Forest Service (USFS) parcels are proposed as additions to the North Fork Wilderness in what would be renamed the North Fork Eel River Wilderness in S. 1776. By managing these 480 acres as LWCs, it would create cohesive management across the full area.
2. **Beegum Creek:** Approximately 2,800 acres of BLM roadless lands adjacent to the Shasta-Trinity National Forest's (STNF) Beegum Inventories Roadless Areas together comprise a 9,095-acre wilderness-eligible block of contiguous federal lands. The BLM managed lands and the USFS managed STNF parcel share Beegum Creek and its documented values that are part of the ACEC and WSR portions of the DEIS. Including and managing this area to protect the wilderness characteristics of the 2,824-acre BLM Beegum Creek unit is compatible with the adjacent land management regime and will provide better management consistency across the larger landscape.
3. **Eden Valley:** This area is slightly less than 5,000 acres, and BLM's inventory did not find that it contained wilderness characteristics due to size considerations. However, Eden Valley is an integral part of a complex of BLM lands and USFS administered Mendocino National Forest parcels in the Elk Creek Watershed –an area that has two proposals for WSR designation in S.1776 and HR 3700. Additionally, BLM's Arcata Field Office is in the process of acquiring land adjacent to Eden Valley. The entire region, including the potentially acquired land, is proposed for wilderness designation in S. 1776. The National Environmental Protection Act (NEPA) imposes a continuing obligation on the BLM to evaluate new circumstances or information relevant to environmental impacts of proposed actions. The Elk Creek acquisition is currently in process and represents new circumstances relevant to the management and designation of LWCs. This full area should be reassessed for LWCs.

## **Appendix B – Wild and Scenic River recommended river segments for reconsideration of eligibility or suitability**

We recommend that the BLM review and revise non-suitability findings for the following streams, find them suitable or retain eligibility, or provide more specific details for why the stream is found to be non-suitable:

1. **Deer Creek:** An important tributary to the Sacramento River, Deer Creek possesses outstanding scenery, recreation, and fish values. The creek is listed as non-suitable (App. G, pg. 3-61). The 0.2-mile eligible segment reflects only the portion of the creek flowing on BLM-managed public lands, even though the 1993 inventory documented an 8.1-mile eligible segment for Deer Creek extending from the Lassen National Forest boundary to the Deer Creek diversion dam. While the suitability analysis accurately reflects the status of public lands in the Deer Creek corridor, it ignores the fact that Deer Creek flows through the Deer Creek ACEC, with existing management direction to acquire from willing sellers more public lands in the extended corridor.
2. **Hull's Creek tributaries:** Casoose Creek, Brin Canyon Creek, and Horse Canyon Creek flow into Hulls Creek. About 16 miles of Hulls Creek is eligible and suitable in the 2023 inventory due to its outstanding anadromous fishery. WSR protection of these Hulls Creek tributaries would increase the protection of the North Fork's anadromous fishery by adding upstream fish habitat and existing sources of high-quality water that ultimately flow into the North Fork.
3. **East Branch South Fork (EBSF) Eel River and its tributaries:** Segments of the EBSF Eel and its tributaries – Cruso Cabin, Elkhorn, and the School Section Creek complex – should be considered together. The eligible/suitable segments should begin at the sources of Cruso Cabin, Elkhorn, and School Section Creeks to their confluence with the EBSF Eel River and include the EBSF Eel downstream to at least the Little Butte Ecological Reserve. Cruso Cabin and Elkhorn were included as proposed WSRs in federal legislation that has passed the House of Representatives several times. These same streams are included in federal legislation currently under consideration by the Senate Energy and Natural Resources Committee. The EBSF Eel River and its tributaries are important high quality water contributors to the South Fork Eel River and its anadromous fisheries. BLM management direction should focus on acquisition from willing sellers of private lands in the WSR corridors and surrounding areas.
4. **Fish Creek and Indian Creek:** Fish and Indian Creeks are important contributors of high-quality fresh water to a segment of the main stem Eel River that has been degraded by upstream water diversions. They also contribute to the Eel's outstandingly remarkable anadromous fishery and provide important old growth forest habitat for old forest-dependent species. Both creeks were included in federal legislation that has passed the House several times and in legislation currently under consideration by the Senate Energy Committee.
5. **Mill Creek:** The 0.2-mile eligible segment of Mill Creek is located downstream of a 32-mile segment of the creek on the Lassen National Forest determined eligible and suitable for WSR protection. Though the eligible BLM segment is short, it possesses outstandingly remarkable scenery, fish, wildlife, geology, and cultural values. It is also adjacent to the Dye Creek Preserve, which is owned by the state and managed by The Nature Conservancy, which has a long-term land conservation strategy for the Lassen Foothills. At the minimum, the 0.2-mile segment of Mill Creek should match the status of the segment of creek in Lassen National Forest and be provided protection.

6. **Mattole River and tributaries:** Of the 14.7-mile extended eligible corridor, about 2.7 miles flow through BLM-managed public lands. In addition, several Mattole tributaries were determined eligible including 2 miles of Sholes Creek, 4.2 miles of Fourmile Creek and its North Fork, 1.5 miles of Grindstone Creek, and .2 miles of Eubank Creek. All of the eligible segments possess outstandingly remarkable anadromous fish value. Because of statewide interest in conserving the Mattole River watershed, the BLM at the minimum should retain eligibility of the Mattole segments and its tributaries to maintain interim protection of the fish values.
7. **Tenmile Creek:** A 0.4-mile segment of Tenmile Creek was found eligible due to its outstanding anadromous fishery, but the creek was determined unsuitable for designation in part for its fragmented nature in relation to BLM managed lands. However, when Tenmile Creek leaves BLM-managed public land, it flows for more than a half mile through the state-owned Angelo Coast Range Reserve. From where Tenmile Creek enters the BLM land, flows through the Angelo Reserve, to its confluence with the South Fork Eel River, it should be determined suitable. In addition, the creek provides a popular class IV kayak run which leads boaters into the SF Eel wilderness run, making recreation an additional ORV.
8. **Sevenmile Creek:** Sevenmile Creek is the only Sacramento River tributary in the Sacramento River Bend Area to be determined eligible but not suitable. About 1.3 miles of the creek and 5.8 miles of its tributaries are eligible due to outstandingly remarkable cultural and ecological values. Sevenmile Creek and its tributaries are located within the Sacramento River Bend ACEC and possess cultural and ecological values that contribute to the unique nature of the overall area and its suitable rivers. To optimize this strategy, section 35 between the ACEC boundary and Sevenmile Creek's confluence with the Sacramento River should be acquired on a willing seller basis. Until such a time, the river should remain eligible, and its important values protected.