

APPENDIX M

COORDINATION WITH MANAGING AGENCIES OF SECTION 4(f)/303(c) PROPERTIES LOCATED WITHIN THE INITIAL AREA OF INVESTIGATION

M.1 INTRODUCTION

As required by Section 4(f) of the U.S. Department of Transportation Act of 1966, codified at 49 U.S.C. Section 303(c), it is national policy that special effort be made to preserve the natural beauty of the countryside, public parks, recreation lands, wildlife and waterfowl refuges, and historic sites through additional scrutiny and meeting of rigorous tests before the use of such properties in a transportation project can be approved.

The initial area of investigation was used a basis for determining which public lands could potentially be affected by the development of the proposed replacement airport at St. George. This appendix contains the documentation of coordination with managing agencies of 4(f)/303(c) properties located within the initial area of investigation that took place as part of the development process of this Environmental Impact Statement (EIS). Lead agencies for these properties include the Bureau of Indian Affairs (BIA), the Bureau of Land Management (BLM), the National Park Service (NPS), the U.S. Forest Service (USFS), the State of Utah, the State of Arizona, and the State of Nevada.

As previously stated in **Section 5.1.1**, the initial area of investigation for this EIS (shown in **Exhibit 5.1**) covers approximately 9,200 square miles in portions of southwestern Utah, northwestern Arizona, and southeastern Nevada. The proposed replacement airport lies at the center of the initial area of investigation, which extends approximately 40 nautical miles to the north and south and 44 nautical miles to the east and west. The initial criterion for determining the size of the initial area of investigation was to include Zion National Park, Cedar Breaks National Monument, Pipe Springs National Monument, and the Wilderness Areas and Wilderness Study Areas in the immediate vicinity of those public lands. The initial area of investigation was then squared off to define a rectangle with the proposed replacement airport near the center. Because a particular purpose of the EIS was to assess the potential effect of aircraft noise in Zion National Park from the proposed replacement airport (as directed by the Court)¹, this was considered a reasonable delineation of an area for initial study.

¹ United States Court of Appeals for the District of Columbia Circuit. Argued April 11, 2002 Decided May 24, 2002 No. 01-1154. Grand Canyon Trust, Petitioner v. Federal Aviation Administration, Respondent. On Petition for Review of an Order of the Federal Aviation Administration.

M.1.1 ATTACHMENTS TO THIS APPENDIX

The following items are included in **Attachment M-1** of this appendix.

- FAA's Mailing List for Initial Section 4(f)/303(c) Property Coordination Letter, dated August 4, 2004; and for Subsequent Coordination Letter, dated March 18, 2005 (**Table M.1**)
- Sample copy of FAA's Initial Section 4(f)/303(c) Property Coordination Letter, dated August 4, 2004
- 4f/303(c) Agency Response Letters to FAA:
 - From Washington County, dated Aug. 5, 2004
 - From Utah Department of Natural Resources, dated Aug. 12, 2004
 - From Bureau of Land Management, St. George Field Office, dated Aug. 30, 2004
 - From Bureau of Land Management, Arizona Strip Field Office, dated Sep. 2, 2004
 - From Bureau of Land Management, Grand Staircase-Escalante National Monument, dated Sep. 3, 2004
 - From National Park Service, Zion National Park, dated Sep. 16, 2004
 - From Utah Department of Natural Resources, dated Dec. 2, 2004
 - From Bureau of Land Management, Arizona Strip Field Office (regarding the determination of Little Black Mountain as Area of Critical Env. Concern), dated Dec. 10, 2004
- Sample copy of follow-up letter from the FAA, transmitting preliminary results of noise analysis on Section 4(f)/303(c) properties, dated March 18, 2005

M.2 IDENTIFICATION OF SECTION 4(F)/303(C) PROPERTIES LOCATED WITHIN THE INITIAL AREA OF INVESTIGATION

The proposed replacement airport at St. George does not involve the direct use of any park lands, recreation areas, wildlife/waterfowl refuges, or historic sites, which are commonly referred to as 4(f)/303(c) properties. However, because the boundaries of the initial area of investigation for the proposed replacement airport include several such properties, the potential exists for these lands to receive indirect use through over-flights of aircraft arriving at and departing from the proposed replacement airport.

After making a preliminary identification of Section 4(f)/303(c) resources by referring to published maps, Internet databases, and websites, the Federal Aviation Administration (FAA) sent correspondence to managing agencies of Section 4(f)/303(c) properties completely or partially within the initial area of investigation. The FAA's complete mailing list is included in **Attachment M-1**.

M.3 COORDINATION WITH MANAGING AGENCIES OF SECTION 4(f)/303(c) PROPERTIES WITHIN THE INITIAL AREA OF INVESTIGATION

The FAA requested the agencies' and local governments' concurrence with the identification of the Section 4(f)/303(c) properties and any information they could provide about additional resources in the area. Response letters were received from the Utah Department of Natural Resources, Division of Parks and Recreation; the St. George and Arizona Strip Field Offices of the U.S. Bureau of Land Management; the respective managers of Zion National Park and Grand Staircase-Escalante National Monument; and Washington County, Utah. A sample copy of the letter sent by the FAA and copies of the agencies' response letters are included in **Attachment M-1**.

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Attachment M-1

Correspondence Between FAA and Managing Agencies of 4(f)/303(c) Properties Located within the Initial Area of Investigation

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Table M.1

**MAILING LIST FOR INITIAL SECTION 4(F)/303(C) PROPERTY
COORDINATION LETTER, DATED AUGUST 4, 2004 AND FOR SUBSEQUENT
COORDINATION LETTER, DATED MARCH 18, 2005**

AGENCY	AGENCY CONTINUED	CONTACT NAME	ADDRESS1	ADDRESS2	CITY STATE ZIP
Beaver Dam State Park ¹		Phares Woods	HC 64 Box 3		Caliente, NV 89703-5202
Bryce Canyon National Park ¹		Mr. Craig Axtell	P.O. Box 170001		Bryce Canyon, UT 84717-0001
Bureau of Land Management	Arizona Strip Field Office	Mr. Roger Taylor	345 E. Riverside Dr.		St. George, UT 84790
Bureau of Land Management	Cedar City Field Office	Mr. Todd Christensen	176 East D.L. Sargent Drive		Cedar City, UT 84720
Bureau of Land Management	Ely Field Office	Mr. Gene A. Kolkman	702 North Industrial Way		Ely, NV 89301
Bureau of Land Management	Grand Staircase- Escalante N.M.	Mr. Dave Hunsaker	190 E. Center		Kanab, UT 84741
Bureau of Land Management	Kanab Field Office	Mr. Rex Smart	318 North First East		Kanab, UT 84741
Bureau of Land Management	Las Vegas Field Office ¹	Mr. Mark T. Morse	4701 N. Torrey Pines Dr.		Las Vegas, NV 89130
Bureau of Land Management	St. George Field Office	Mr. Jim Crisp	345 East Riverside Drive		St. George, UT 84790
Bureau of Land Management	Utah State Office	Ms. Sally Wisely	324 South State Street Third Floor	P.O. Box 45155	Salt Lake City, UT 54145- 0155
City of St. George		Mayor Daniel D. McArthur	175 East 200 North		St. George, UT 84770
Coral Pink Sand Dunes State Park ¹		Mr. Michael Frank	P.O. Box 95		Kanab, UT 84741-0095
Grand Canyon National Park		Mr. Joe Alston	P.O. Box 129		Grand Canyon, AZ 86023
Gunlock State Park ¹		Mr. Rob Quist	P.O. Box 820386		Veyo, UT 84728
Iron Mission State Park ¹		Mr. Todd Price	635 N. Main		Cedar City, UT 84720-2127
Kaibab National Forest		Mr. Mike Williams	800 South 6 th Street		Williams, AZ 86046
Kaibab-Paiute Tribe of Utah ¹		Ms. Carmen Bradley	Tribal Affairs Building	HC 65 Box 2	Fredonia, AZ 86022
Lake Mead National Recreation Area		Mr. William K. Dickinson	601 Nevada Way		Boulder City, NV 89005

Table M.1, Continued

**MAILING LIST FOR INITIAL SECTION 4(F)/303(C) PROPERTY
COORDINATION LETTER, DATED AUGUST 4, 2004 AND FOR SUBSEQUENT
COORDINATION LETTER, DATED MARCH 18, 2005**

AGENCY	AGENCY CONTINUED	CONTACT NAME	ADDRESS1	ADDRESS2	CITY STATE ZIP
Mohave County		Mr. Ron Walker	P.O. Box 7000	809 E. Beale Street	Kingman, AZ 86402-7000
National Park Service	Intermountain Region	Mr. Steve Martin	P.O. Box 25287	12795 Alameda Parkway	Denver, CO 80225-0287
National Park Service	Natural Sounds Program Center	Ms. Karen Trevino	1201 Oakridge Drive, Suite 350		Fort Collins, CO 80525
National Park Service		Mr. Jeff Bradybaugh	Zion National Park		Springdale, UT 84767
National Park Service	Grand Canyon Parashant National Monument	Mr. Dennis Curtis	345 East Riverside Drive		St. George, UT 84790
National Park Service	Pipe Springs National Monument	Mr. John Hiscock	HC 65, Box 5	406 North Pipe Spring Road	Fredonia, AZ 86022
National Park Service	Cedar Breaks National Monument	Mr. Paul Roelandt	2390 West Highway 56 Suite # 11		Cedar City, UT 84720-4151
Nevada State Parks ¹		Mr. David Morrow	1300 S. Curry St.		Carson City, NV 89703-9701
Paiute Tribe of Utah ¹	Cedar City Band	Ms. Lora E. Tom	440 North Paiute Dr.		Cedar City, UT 84720
Paiute Tribe of Utah ¹	Shivwits Band	Mr. Glenn Rogers	370 North 400 West, #2		St. George, UT 84770
Quail Creek State Park ¹		Mr. Gary Pascoe	P.O. Box 1943		St. George, UT 84770-1943
Sand Hollow State Park ¹		Mr. Rob Quist	P.O. Box 1435		St. George, UT 84771-1435
Snow Canyon State Park ¹		Mr. John Ibach	1002 Snow Canyon Dr.		Ivins, UT 84738
USDA Forest Service	Dixie National Forest	Mr. Robert Russell	1789 Wedgewood Lane		Cedar City, UT 84720
USDA Forest Service	Intermountain Region	Mr. Jack Troyer	324 25 th Street		Ogden, UT 84401
Utah DNR		Mr. Courtland Nelson ²	P.O. Box 146001	1594 West North Temple	Salt Lake City, Utah 84114
Washington City		Mayor Terrill Clove	111 North 100 East		Washington, UT 84780
Washington County		Mr. John C. Willie	197 East Tabernacle Street		St. George, UT 84770

Notes:

¹ Received Subsequent Coordination Letter, dated March 18, 2005, only.² Ms. Mary Tullius, Director was contact for Subsequent Coordination Letter, dated March 18, 2005.

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U.S. Department
of Transportation

**Federal Aviation
Administration**

August 4, 2004

Northwest Mountain Region
Colorado, Idaho, Montana
Oregon, Utah, Washington,
Wyoming

1601 Lind Avenue, S. W.
Renton, Washington 98055-4056

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

«NAME»,
«AGENCY1»
«AGENCY2»
«ADDRESS1»
«CITY_STATE_ZIP»

RE: St. George Utah Replacement Airport, Section 303(c) Properties Within Initial Study Area

Dear «NAME»:

In response to the May 24, 2002, decision of the Court of Appeals for the District of Columbia (290 F.3d 399), the Federal Aviation Administration (FAA) has initiated the preparation of an Environmental Impact Statement (EIS). As required by the National Environmental Policy Act (NEPA) and the court, this EIS will consider the cumulative noise impacts of a proposed replacement airport for St. George, Utah. A related purpose of that EIS will be to determine whether the replacement airport project would constructively use properties protected by 49 U.S.C. Section 303(c), by permitting new or increased aircraft overflights over those properties.

49 U.S.C. Section 303(c) protects from such constructive "use" caused by projects approved by the U.S. Department of Transportation, publicly-owned lands that are designated or function as parkland, recreation areas, wildlife and waterfowl refuges, or a historic site, where the Federal, state or local officials having jurisdiction over those lands deem the lands to be significant. "Significance" means that in comparing the availability and function of the land in question with the recreational, park and refuge objectives of the community, the land plays an important role in meeting those objectives.

Enclosed with this letter is a land map captioned "Initial Area of Investigation", depicting the existing and proposed replacement airport at St. George Utah, along with a variety of adjacent public lands. Based on an extremely conservative initial noise screening, the FAA has determined that the replacement airport project has no potential to

adversely impact public lands beyond the scope of this map through aircraft noise and overflights.

As the manager of public lands within this tentative study area, we request your assistance in identifying all properties within the jurisdiction of your agency protected by 49 U.S.C. Section 303(c). For each property so identified, your agency should explain how the property functions for park, recreation or refuge purposes, and why each property is regarded as significant for those purposes. Your explanation should particularly focus on the levels of ambient noise in those properties, and whether or not such a quiet setting is a generally recognized purpose and attribute of the property.

Since our EIS is progressing rapidly, we will need your response within thirty (30) days from date of receipt. If we do not receive a response from your agency within that thirty-day period, we shall presume that your agency has no properties protected by 49 U.S.C. Section 303(c), within the identified study area. If you have questions on this matter, please call me at 425-227-2611.

Sincerely,

Dennis Ossenkop
Airports Environmental Specialist
Northwest Mountain Region
Federal Aviation Administration

Enclosure



JOHN C. WILLIE
Administrator

WASHINGTON COUNTY

197 East Tabernacle ♦ St George, Utah 84770
Telephone: (435) 634-5700 ♦ Fax: (435) 634-5753

COMMISSION

ALAN D. GARDNER
Chairman
adgardner@washco.state.ut.us

JAMES J. EARDLEY
jeardley@washco.state.ut.us

JAY ENCE
jence@washco.state.ut.us

August 5, 2004

Mr. Dennis Ossenkop
Airports Environmental Specialist
Northwest Mountain Region
Federal Aviation Administration

Dear Mr. Ossenkop:

Your letter of July 26, 2004 regarding the St. George Utah Replacement Airport, has been received by Washington County, Utah. I have taken the opportunity to review this letter with the members of the County Commission. Our conclusion, after review, is that Washington County has no properties that would come under 49 U.S.C. Section 303 (c) of the Federal Regulations.

Further, we are in full support of the application for the replacement airport by the City of St. George, Utah, and would appreciate your favorable recommendation regarding this project.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Willie".

John C. Willie, Administrator
Washington County, Utah

c.c. County Commissioners
St. George City



State of Utah

Department of
Natural Resources

ROBERT L. MORGAN
Executive Director

Division of
Parks & Recreation

MARY L. TULLIUS
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

August 12, 2004

Dennis Ossenkop
Airports Environmental Specialist
Northwest Mountain Region
Federal Aviation Administration

Re: July 26, 2004 letter to Courtland Nelson regarding impacts of "replacement airport, pursuant to Section 303 (c) Properties Within Initial Study Area," circa 4 miles southeast of St. George near the Honeymoon historic trail and Sand Hollow State Park

Dear Mr. Ossenkop:

Director Courtland Nelson resigned last spring to take a similar position in Wisconsin. Our current Director is Mary Tullius. I have been asked to respond to your inquiry. I am an assistant to the Director for environmental and realty issues.

Our division has a number of responsibilities and jurisdictions in the state of Utah: (1) management of off-highway-vehicle laws and OHV use areas by ownership and MOU with the Bureau of Land Management and other fed agencies; (2) protection and management of State Park areas (Snow Canyon State Park and Sand Hollow State Park, including Sand Mountain OHV area); and (3) federal Land & Water Conservation Fund oversight responsibility for some 15 LWCF projects protected by Section 6(f) of P.L. 88-578 (LWCF Act, as amended) in the St. George area. The division also has jurisdiction over floodable stream corridors in urban and rural population centers. Our statutes are found in Title 63-11-17, *inter alia*, Utah Code Annotated.

It appears the only major facility under a potential flight path is Sand Hollow State Park and the Sand Mountain OHV management area to the northeast of your proposed airport expansion. We currently have a state park under an airport take off and landing zone on Utah Lake. It has been there for many years and has not been an imposition to park enjoyment or operation. Aircraft are only 500 feet off the ground as they approach and take off. The noise may be a nuisance to some; however, it is an entertaining aspect to most visitors (anecdotal opinion).

Sand Hollow State Park is a 6(f) protected site; i.e., protects the site from conversion to other than public outdoor recreation uses. Most other 6(f) sites are located northward in St. George, Snow Canyon State Park, in the Washington City area, Hurricane area, and a few trails. We don't see

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them being negatively impacted by the proposed airport. We have had only one "6(f) conversion" due to airport operation in the state park system to our knowledge. The physical expansion of the runway at Utah Lake State is the only one. Those properties were replaced at current fair market value in another area contiguous to the park.

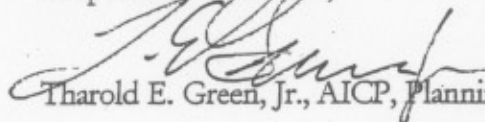
There are also numerous "cultural and historic sites" in the area, including the historic Honeymoon Trail (pioneer access to a Mormon Temple and other areas in Arizona), Old Fort Pierce and Paleo-Indian sites. Our Division of State History has an inventory of these sites (801-533-3500) or Dr. Kevin Jones at 801-533-3524 in Salt Lake City.

The specific location(s), altitude of operation, directions of takeoff and landing, service facilities, warehousing, and transportation/utility corridors associated with the installation will be helpful when they are proposed. We reserve the right to comment at that time. We recognize this is only an "Initial Area of Investigation," and will be happy to comment at the appropriate time in the future.

If you have any questions, our e-mail address is TerryGreen@Utah.gov, and (801) 538-7346

x7496 Susan

Respectfully Submitted,


Tharold E. Green, Jr., AICP, Planning & Realty

cc: Mary Tullius, Director, UDPR
Val Payne, Research Consultant, DNR



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arizona Strip Field Office
345 East Riverside Drive
St. George, Utah 84790
www.az.blm.gov

In Reply Refer To:
AZ-010:



September 2, 2004

Dennis Ossenkop
Airports Environmental Specialist
Northwest Mountain Region
Federal Aviation Administration
1601 Lind Avenue, S.W.
Renton, Washington 98055-4056

RE: St. George, Utah Replacement Airport, Section 303 (c) Properties Within Initial Study Area

Dear Mr. Ossenkop:

Thank you for your recent letter to the Bureau of Land Management's (BLM) Arizona Strip Field Office (ASFO) requesting information on the above-referenced subject.

We have reviewed your map entitled "Initial Area of Investigation." We believe that it generally includes the titles or names of those specific designated areas that should be considered for inclusion among those protected under 49 U.S.C. Section 303 (c). However, we cannot confirm the accuracy of FAA's determination that "the replacement airport project has no potential to adversely impact public lands beyond the scope of this map through aircraft noise and overflights." This is because we have not had an opportunity to review any of the supporting information that the FAA may have used in making this determination. We also do not know how the FAA may be coordinating this St. George replacement airport environmental analysis with those for other proposed regional airport expansions. We believe that such coordination is important to ensure that the cumulative effects of these expanded regional airports (especially from commercial air tour operations originating from them) on BLM noise sensitive areas will be fully analyzed.

With this background in mind, we wish to provide you with the following areas of BLM administered lands within the management of our field office that we have identified and determined to be significant with actual public uses for, and therefore protected under, the statutory purposes described in 49 U.S.C. Section 303 (c). Please note that this letter does not represent a BLM-wide response nor include any such areas that may be identified by other BLM field offices. And, if you have not already done so, we recommend that you contact other relevant federal, state, and local agencies to obtain their responses on any identified areas.

For the ASFO, the following eight are statutorily designated wilderness areas:

Beaver Dam Mountains Wilderness Area (Arizona Portion)	15,100 acres
Paiute Wilderness Area	88,000 acres
Grand Wash Cliffs Wilderness Area	37,000 acres
Paria Canyon - Vermilion Cliffs Wilderness Area	89,400 acres
Cottonwood Point Wilderness Area	6,900 acres
Mt. Trumbull Wilderness Area	7,900 acres
Mt. Logan Wilderness Area	14,600 acres
Kanab Creek Wilderness Area	6,700 acres

Also for the ASFO, both the new Grand Canyon - Parashant National Monument (1,054,264 acres) and Vermilion Cliffs National Monument (294,000 acres) created by Presidential Proclamations under the Antiquities Act. The Grand Canyon - Parashant National Monument is managed cooperatively by BLM and the National Park Service (NPS).

Each of the properties identified above were legally designated for, and actually provide, significant public uses and benefits for recreation, wildlife, and the other purposes generally described in 49 U.S.C. Section 303 (c). In the case of statutorily designated wilderness areas and administratively designated wilderness study areas, there are legal and policy mandates to protect these areas' naturalness and outstanding opportunities for solitude and primitive, unconfined recreation. In general, we may not authorize any developments or uses that would impair these wilderness characteristics. Similarly, the Presidential Proclamations that created the National Monuments state that the maintenance of remote, primitive travel corridors and settings are necessary as the context for protecting biological, historical, and geological objects. These legal and policy mandates are not contingent upon any actual documentation of use levels whether for wildlife, recreation, or other authorized purposes. In addition, while we have some data on hunting, camping, hiking, and other public uses in some of these areas, this information is not an accurate overall reflection of total uses. This is because most such uses are dispersed and do not require any notice to or permit from BLM.

As the human population grows in this region, the current uses in these areas will likely also grow. The responses to our field office on planning and NEPA notices have demonstrated a strong level of public interest in the management of wilderness areas and National Monuments. Some of these responses have specifically mentioned the maintenance of natural quiet and concerns about potential overflight noise impacts.

As you know, natural quiet is a fundamental component of maintaining solitude in wilderness areas and in providing the remote, primitive character called for in the Monument Proclamations. We know from practical experiences, as well as review of technical noise data collected elsewhere, that lower-elevation aircraft overflights may cause noise levels that impact natural quiet in areas identified by the managing agencies as noise sensitive for purposes of 49 U.S.C. Section 303 (c). This may be especially true

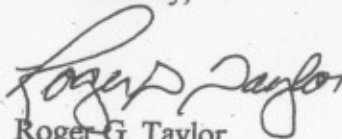
for commercial air tour operations where customers want to get a lower-elevation, close-up look at spectacular scenery, wildlife, or special geologic features.

While the maintenance of natural quiet is therefore important and, to quote from your letter "... a generally recognized purpose and attribute of ..." all of the preceding identified BLM administered properties, we do not have scientific data on the current levels of ambient noise in these properties. We are not responsible for collecting technical noise data, and we do not have the funds, trained staff, or proper equipment to do so. However, we know from practical experiences that most of these areas are currently very quiet in terms of human-caused noise most of the time. The exceptions are where highways with constant vehicle traffic are present nearby (such as Interstate 15 in the Virgin River gorge), or occasionally when vehicles pass on nearby routes or aircraft are flying over at lower elevations. In general, we are not presently aware of any serious noise impacts from lower-elevation aviation overflights in these areas. But, with the projected strong increase in aviation uses in this region and the potential that limits on commercial air tours over national parks may push more of this use over BLM administered lands, we believe that careful regional aviation planning and cumulative effects analysis are needed to avoid or reduce any such future impacts.

We hope that this response fulfills your request for information. If you have any questions on this response, please contact Richard Spotts, Environmental Coordinator, at 435 688-3207.

We request a copy and look forward to reviewing the Draft Environmental Impact Statement (DEIS) for the St. George Replacement Airport when it becomes available.

Sincerely,



Roger G. Taylor
Arizona Strip Field Manager

cc: Mike Taylor
Arizona State Office BLM



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Grand Staircase-Escalante National Monument
190 E Center Street
Kanab, UT 84741
<http://www.ut.blm.gov/monument>



In Reply Refer To:
1100 (UT-030)

September 3, 2004

Dennis Ossenkop
Airports Environmental Specialist
Northwest Mountain Region
Federal Aviation Administration
1601 Lind Avenue, S.W.
Renton, WA 98055-4056

Dear Dennis Ossenkop:

Thank you for your letter dated August 4, 2004 concerning the Environmental Impact Statement relative to the St. George, Utah Replacement Airport.

We appreciate the efforts you have made to contact us and seek our input regarding your EIS. There are no issues or impacts with regards to the public lands administered by the Grand Staircase-Escalante National Monument (GSENM).

Once again, thank you for including the GSENM in the NEPA process.

Sincerely,

Dave Hunsaker
Monument Manager



United States Department of the Interior

NATIONAL PARK SERVICE

Zion National Park
Springdale, Utah 84767



L7617 (ZION-RM&R)

September 16, 2004

CERTIFIED — RETURN RECEIPT REQUESTED

Dennis Ossenkop, Airports Environmental Specialist
Northwest Mountain Region
Federal Aviation Administration
1601 Lind Avenue, S.W.
Renton, Washington 98055-4056

Dear Mr. Ossenkop:

This letter is in response to your July 26, 2004 and August 4, 2004 letters requesting information regarding lands managed by the National Park Service (NPS) within the initial study area for the St. George Replacement Airport Environmental Impact Statement (EIS) and protected under 49 U.S.C. Section 303(c). Please note that as a result of your telephone conversation with Karen Trevino of the NPS Natural Sounds Program, the comment deadline for this request was extended.

This letter provides a consolidated response from the following national park units: Bryce Canyon National Park, Utah; Cedar Breaks National Monument, Utah; Grand Canyon National Park, Arizona; Grand Canyon-Parashant National Monument, Arizona; Lake Mead National Recreation Area, Arizona/Nevada; Pipe Spring National Monument, Arizona; and Zion National Park, Utah. This letter was also coordinated through the NPS Natural Sounds Program Office and the NPS Intermountain Regional Office.

All NPS units are managed under the authority of the National Park Service Organic Act of 1916 which states: "[The National Park Service] shall promote and regulate the use of the Federal areas known as national parks, monuments and reservations herein after specified...by such means and measures as conform to the fundamental purpose of said parks, monuments, and reservations, which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations."

All of the NPS units identified in this letter are within potential departure and landing paths of the new airport. Increased small airplane traffic at the new airport could add to incidental overflights and air tours over these NPS units. These potential impacts could cause impairment to the park resources and visitor experience the NPS is mandated to conserve. As a cooperating agency with special expertise in this area, the NPS is prepared to offer assistance in identifying mitigation to eliminate or minimize these impacts to NPS managed areas.

Section 303 of 49 U.S.C. states "It is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl

refuges, and historic sites." The section goes on to state "The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior,..." and that the "...project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."

The NPS units identified in this letter have been determined to be significant parks, historic sites, and/or recreational areas' and therefore protected under the statutory purposes described in 49 U.S.C. Section 303. The rationale for this determination is found in the NPS Organic Act and is described in more detail by each NPS unit below.

General Comments

① The area depicted on the "Initial Area of Investigation" map does not appear to be representative of an analysis area based on acoustic screening criteria. As a cooperating agency the NPS would like to know what procedures, models, and/or metrics the Federal Aviation Administration (FAA) used for the "extremely conservative noise screening" identified in the July 26 and August 4 letters. For example, if Part 150 thresholds were used, i.e. 65 DNL, based on guidance provided in U.S. Department of Transportation/FAA Order 1050.1E, this is clearly an inappropriate tool for making such a determination for national parks and wilderness areas. Section 14.3 clearly states that the 65 DNL does not adequately address the effects of noise on noise sensitive areas like national parks.

Further, Vision 100 – Century of Aviation Reauthorization Act, Title III – Environmental Process, Subtitle B – Miscellaneous, §322, Noise Disclosure (b) and (c), provides FAA with a requirement for the use of noise exposure maps. Subpart (c) notes that noise exposure maps must be prepared under Section 47503 of Title 49 U.S.C. The NPS supports this requirement and at the appropriate point in the EIS process we are available to assist the FAA in creating a comprehensive noise exposure map showing non-compatible uses pertaining to NPS lands potentially affected by the St. George replacement airport project.

Bryce Canyon National Park

Bryce Canyon was first set aside as Bryce Canyon National Monument under the Powell National Forest in 1923. The proclamation cited "...unusual scenic beauty, scientific interest and importance..." as the features to be protected. Provisional legislation was passed in 1924 to establish Utah National Park once all lands within the boundaries became property of the United States. In 1928, legislation changed the name to Bryce Canyon National Park, added lands to the 1924 boundaries and the park was established that year. A letter from Henry C. Wallace, Secretary of Agriculture, also says, "The attractiveness of the canyon is a sublime spectacle viewed as a panorama from certain points of vantage."

More lands were added in 1930 "...for the purpose of preserving in their natural state the outstanding features to the south and west of Bryce Canyon National Park." The 1931 additions were also "...for the purpose of preserving in their natural state and for rounding out the boundary..." Subsequent legislation provided for the park road. A total of 35,835 acres has been set aside for Bryce Canyon National Park. In 1974 approximately 62 percent (22,325 acres) of the park was recommended as wilderness. Management of these lands strictly conforms to the NPS wilderness management policy.

Bryce Canyon is known internationally for its unusual scenic beauty and 1.5 million visitors come to the park annually to experience its unique natural and cultural resources. These scenic and scientific values are found in the brightly colored and towering formations of limestone, clay and silt which were created primarily by the erosive forces of water. The formations, which range in shades of red and white, are a brilliant contrast to the colorful lowlands east of the park and the timbered hillsides and plateaus to the west. The vast, panoramic views from within the park to the outlying valleys and canyons add an outstanding quality to the aesthetic values for the park.

The park's location at the top of the Grand Staircase and the clarity of the air provide visitors the opportunity to regularly experience panoramic vistas of over 100 miles. The limited human development and artificial lights create conditions for unimpeded distant views by day and unparalleled viewing of the brilliant night skies. Studies have shown the night skies of Bryce Canyon to be one of the darkest in the lower 48 states, although artificial light from as far as St. George reaches Bryce Canyon National Park (C. Moore, pers. com. 2004).

The peaceful settings of Bryce Canyon National Park provide the opportunity to experience natural quiet which conveys a mood of solitude and enhances the visitor's experience. In 2003 Bryce Canyon documented Natural Soundscapes as an important vital sign in the Northern Colorado Plateau Vital Signs Network and Prototype Cluster Plan for Natural Resources Monitoring. Numerous studies have been conducted within the park that measures the amount of artificial sounds within the natural soundscape.

The General Management Plan (1987) states the following:

- A large percentage of the park is also noted for its extremely low noise level. This has been evaluated and identified as an important park element especially for those visitors seeking opportunities for solitude. The elevation of the park in relation to the surrounding topography makes it highly vulnerable to impacts on solitude. As development increases, especially outside the park, noise levels as well as sources of artificial light will increase creating impacts on the solitude of the park.
- To cooperate with outside agencies, organizations, and members of the public in assuring, to the greatest extent possible, that nearby lands are developed and managed in ways that are compatible with preserving the park's air and water quality, geological resources, ecological communities, solitude, extreme quiet, and the scenery for which the park is famous.

An objective identified in the 1995 Resource Management Plan is to protect and enhance natural scenic values of the park by eliminating existing incompatible uses and the possibility of such uses in the future. An objective in the Statement for Management (1989) is "To document and preserve the park's outstanding air quality, night skies, and natural silence, including views outside park boundaries."

The experiences provided by these values, including natural sounds, provide the primary attraction for park visitors and contribute substantially to the economy of Garfield County. It could be said that Bryce Canyon National Park and its associated resources are the "economic engine" of Garfield County. Garfield County in which most of Bryce is located, has the highest unemployment rate in the State of Utah and is the second County in the State most dependent on tourism for its economic survival. The park is the most visited tourist destination in the County and County employment is very heavily dependent upon park visitation. There are numerous on-going and developing park and business community partnership efforts directed towards developing this tourist industry by providing additional visitor interpretive opportunities of this scenic wonder and quiet rural atmosphere to spend more time, and thus expend more tourism dollars in the area. Soundscape impairment will adversely impact these efforts, and over the long-term, reduce the park's viability as a tourist destination and impact the area's already very fragile economic base and employment opportunities.

Public Law 100-91, The National Park Service Overflight Act of 1987, directed the Secretary of the Interior, through the NPS, and the Secretary of Transportation, through the FAA, to conduct a study to identify any problems associated with aircraft overflights on units of the National Park System. The findings of the study were reported to Congress in the "Report on Effects of Aircraft Overflights on the National Park System (1995)." The study identified Bryce Canyon National Park as a "top priority NPS area for resolution of airspace issues."

Cedar Breaks National Monument

The mission of the NPS at Cedar Breaks National Monument is based on the park's establishing Presidential Proclamation No. 2054 dated August 22, 1933: "...to preserve the cliffs, canyons, and features of scenic,

scientific, and educational interest found therein." The proclamation creating Cedar Breaks National Monument mandated the NPS to:

- Preserve the geology, vistas, natural and ecological processes, and other features of scenic, scientific, and educational interest in Cedar Breaks National Monument
- To provide opportunities for research, public enjoyment, inspiration, and appreciation of the resources of Cedar Breaks National Monument through interpretation and other educational endeavors.

The following statements summarize the primary significance of Cedar Breaks National Monument. They are the attributes that make the Monument unique, set it apart from other areas with similar features, and make it worthy of preservation as a unit of the National Park System:

- The Cedar Breaks amphitheater is a grand example of the geologic processes that have eroded a colorful sandstone and limestone environment into fantastic shapes and formations.
- Cedar Breaks represents one of the highest plateaus in the region, providing spectacular vistas that stretch from the western edge of the Colorado Plateau for over 100 miles into the Great Basin.
- Cedar Breaks contains a variety of distinctive flora and fauna concentrated in a relatively small area, which provide ample viewing opportunities of colorful wildflower displays, bristlecone pines, and watchable wildlife.
- Cedar Breaks provides quiet solitude, colorful beauty, opportunities for contemplation, pristine night skies, endless vistas, and isolation; the wilderness attributes of the geologic amphitheater permit even more intense appreciation of these values.
- The cultural and quaternary resources of Cedar Breaks include high elevation archeological remains dating back almost 10,000 years, and glacial deposits, paleobotany, paleosoils, and bog deposits that contribute to a paleoclimatic record for the region encompassing almost 14,000 years.

The importance of natural quiet is paramount in preserving the opportunities listed in the fourth statement above, for visitors to experience "quiet solitude..., opportunities for contemplation, [and] isolation." Eighty percent of the monument's land area is proposed as wilderness, and the entire western boundary and southwest and northwest corners of the monument adjoin the designated Ashdown Gorge Wilderness Area on the Dixie National Forest. These areas are managed to preserve their wilderness values and character, including the almost palpable absence of non-natural sounds. In 2003 Cedar Breaks documented Natural Soundscapes as an important vital sign in the Northern Colorado Plateau Vital Signs Network and Prototype Cluster Plan for Natural Resources Monitoring.

Cedar Breaks National Monument has been listed as one of the top ten locations in the United States for viewing the night sky, as the park's main overlooks are all located at over 10,000 feet in elevation and the area is remote from large sources of light pollution. A significant attribute of the night sky experience is the natural quiet that envelopes visitors as they view the spectacular star lit sky, which is generally free from low altitude aircraft.

Grand Canyon National Park

Grand Canyon National Monument was designated by Presidential Proclamation on January 11, 1908. President Roosevelt stated in the proclamation that the Grand Canyon of Arizona "is an object of unusual scientific interest, being the greatest eroded canyon in the United States, and it appears that the public interest would be promoted by reserving it as a National Monument" (Proclamation No. 794). On February 26, 1919, Congress dedicated and set apart Grand Canyon National Park "as a public park for the benefit and enjoyment of the people" (Grand Canyon National Park Establishment Act, 40 Stat 1175). Over the years the park has been enlarged and its boundaries revised, most recently on January 3, 1975, when Congress recognized "that the entire Grand Canyon, from the mouth of the Paria River to the Grand Wash Cliffs, including tributary side canyons and surrounding plateaus, is a natural feature of national and international significance" (Grand Canyon National Park Enlargement Act, Public Law 93-620). In this act, Congress also recognized the need for "further protection and interpretation of the Grand Canyon in accordance with its true significance."

Today the park encompasses approximately 1,218,375 acres of land on the southern end of the Colorado Plateau. It is a globally significant natural resource containing scenic vistas known throughout the world. In recognition of its significant values, Grand Canyon National Park was designated as a world heritage site on October 26, 1979.

The purpose of Grand Canyon National Park is based on the legislation establishing the park and the legislation governing the NPS. As a place of national and global importance, the park is to be managed to:

- preserve and protect its natural and cultural resources and ecological processes, as well as its scenic, aesthetic, and scientific values;
- provide opportunities for visitors to experience and understand the environmental interrelationships, resources, and values of the Grand Canyon without impairing the resources.

Over four million recreational visits are recorded in the park each year, primarily on the South Rim. Recreational pursuits include river running, fishing, hiking, photography, nature study, and sightseeing.

The Grand Canyon is recognized as a place with unusual and noticeable natural quiet and direct access to numerous opportunities for solitude. Almost the entire park is wild in character, and it is this pristine natural setting that imparts another dimension to the experience of visiting the canyon. Thousands of acres of untrammelled country allow a person to hike for days in solitude and to experience natural quiet. Over 1 million acres (94 percent of the park) has been recommended as wilderness.

The Grand Canyon National Park Enlargement Act, 1975 (Public Law 93-620) established the current boundary of Grand Canyon National Park and several other provisions, of which §8 of the Act, titled "Aircraft Regulation" states: "Whenever the Secretary (Interior) has reason to believe that any aircraft or helicopter activity or operation may be occurring or about to occur within the Grand Canyon National Park, as enlarged by this Act, including the airspace below the rims of the canyon, which is likely to cause an injury to the health, welfare, or safety of visitors to the park or to cause a significant adverse effect on the natural quiet and experience of the park, the Secretary shall submit to the Federal Aviation Administration, the Environmental Protection Agency pursuant to the Noise Control Act of 1972, or any other responsible agency or agencies such complaints, information, or recommendations for rules and regulations or other actions as he believes appropriate to protect the public health, welfare, and safety or the natural environment within the park. After reviewing the submission of the Secretary, the responsible agency shall consider the matter, and after consultation with the Secretary, shall take appropriate action to protect the park and visitors."

The National Parks Overflights Act, 1987 (Public Law 100-91) required the Secretary of the Interior to: (§) 1. Conduct a study of Park Overflights; and in §3. Grand Canyon National Park, Identified noise associated with aircraft overflights at Grand Canyon National Park as causing "a significant adverse effect on the natural quiet." Current NPS policy refers to natural soundscapes, in part because a natural setting is not necessarily quiet, and it may contain numerous "natural sounds." It may also be noted that what is generally intended with the earlier usage was not "quiet," but rather the absence of human-caused sounds. Outside of the formal legal use of the older term, natural quiet is replaced, following NPS Policy, by the term "natural soundscape(s)."

The Act at (§3) (b)(1), required the Secretary of the Interior, working through the National Park Service, to "... submit to the Administrator of the Federal Aviation Administration (FAA) recommendations regarding the actions necessary for the protection of resources in the Grand Canyon from adverse impacts associated with aircraft overflights." The recommendations were to "provide for substantial restoration of the natural quiet and experience of the park and protection of public health and safety from adverse effects associated with aircraft overflight."

Grand Canyon National Park feels the St. George Airport expansion effort would also need to address overflight concerns relative to this Act.

Executive (President's) Memorandum April 22, 1996 to the Heads of Executive Departments and Agencies to address the impact of transportation in National Parks: Specifically, the President directed the Secretary of Transportation to issue regulations for the Grand Canyon National Park that would place appropriate limits on sightseeing aircraft to reduce noise immediately, and to make further substantial progress towards restoration of natural quiet, as defined by the Secretary of Interior, while maintaining aviation safety in accordance with Public Law 100-91. With regard to Grand Canyon National Park it stated "should any final rule making determine that issuance of a further management plan is necessary to substantially restore natural quiet in the Grand Canyon National Park, [the Secretary of Transportation, in consultation with Heads of relevant departments and agencies] will complete within five (5) years a plan that addresses how the Federal Aviation Administration and the National Park Service...will achieve the statutory goal not more than 12 years from the date of the directive" (i.e.2008).

Grand Canyon-Parashant National Monument

The Grand Canyon-Parashant National Monument was designated by Presidential Proclamation on January 11, 2000. Encompassing over 1,054,000 acres, the monument is jointly managed by the NPS and the Bureau of Land Management (BLM). The NPS lands cover approximately 212,000 acres, of which 190,830 acres are proposed wilderness. The BLM lands contain about 840,000 acres, and include four designated wilderness areas. Though the following general statements apply to both NPS and BLM lands, a separate BLM response to this FAA 4(f) request was submitted through the BLM Arizona Strip Office.

The proclamation establishing the monument identified numerous resource values to which natural quiet contributes and provides context for their protection:

- "...vast, biologically diverse, impressive landscape encompassing an array of scientific and historic objects"
- "...remote area of open, undeveloped spaces and engaging scenery"
- "full of natural splendor and a sense of solitude, this area remains remote and unspoiled, qualities that are essential to the protection of the scientific and historic resources it contains,"
- "...the remote and undeveloped nature of the monument protects these [numerous] historical sites in nearly their original context"...
- "The monument also contains outstanding biological resources preserved by remoteness and limited travel corridors."

The monument is currently preparing its 20-year management plan. As part of that process, draft significance and mission statements include the protection of natural quiet:

- Significance: The vastness and isolated location of this area provides for solitude, natural quiet, dark night skies, and wilderness characteristics.
- Mission: The preservation of natural quiet is emphasized in wilderness areas and other remote settings.

The Management Plan also articulates the following natural quiet desired resource conditions and actions to achieve those conditions:

- The NPS (and BLM) will strive to preserve or restore the natural quiet and natural sounds associated with the physical and biological resources of the monument's designated and proposed wilderness and areas managed for solitude, naturalness, and primitive and unconfined recreation.
- NPS will evaluate how, when, and where motorized equipment is used on NPS lands. Where such use is necessary and appropriate, the least impacting equipment, vehicles, and transportation systems should be used.
- NPS will consult with the FAA for Section 4 (f) issues affecting the protection or restoration of natural quiet in and above noise sensitive areas on NPS lands within the monument.
- The preservation of natural quiet is emphasized in wilderness areas and other remote settings.

Clearly, the protection of natural quiet is an integral part of preserving the remote and primitive nature defined by the proclamation. The protection of natural quiet also responds to overwhelming public response to "keep the area

as it is" --- open, undeveloped, primitive, and remote. The Parashant is among the last great undeveloped and isolated landscapes in the contiguous United States---a place where one can "get away from it all," including the sights and sounds of human influence.

Visitation to the Parashant is limited due to the few and rugged routes accessing the area. One of the primary attractions of the monument is its rugged, primitive character that offers hardy visitors the opportunity to experience wide open spaces and solitude. The natural and social settings are managed to preserve the remote and essentially unspoiled landscape character while providing opportunities for visitors to experience adventure, beautiful vistas, retreat from the pressures of modern life, and a sense of discovery through appropriate and sustainable backcountry activities. Preservation of natural quiet is an integral part of securing the values for which the monument was designated.

Lake Mead National Recreation Area

Lake Mead National Recreation Area (NRA) encompasses 142 miles of the Colorado River in northwestern Arizona and southern Nevada. Lake Mead NRA is centered on two artificial lakes. Lake Mead, created by Hoover Dam, is 76 miles long, has 153,200 acres of water surface (239 square miles), and over 695 miles of shoreline. Lake Mohave, which is 67 miles long, lies behind Davis Dam, has 27,800 acres of water surface (44 square miles) and over 257 miles of shoreline. The NRA contains 1,484,159 acres of Federal land and 12,568 acres of non-Federal land, making it the third largest area administered by the NPS outside of Alaska. The park contains over 184,000 acres of designated wilderness in 9 separate units.

Designated as this nation's first recreation area, Lake Mead provides diverse recreational opportunities for millions of visitors each year. The enabling legislation recognized the high public value for recreation in a quality setting, establishing the area for the purposes of public recreation, benefit, and use, and in a manner that will preserve, develop and enhance the scientific, historic, scenic, and other important features of the area. The NPS is charged with providing a variety of appropriate recreational experiences, in a manner that preserves the spectacular resource setting of the area.

Specific purposes and values are outlined in the authorizing legislation for the Lake Mead National Recreation Area and are highlighted below.

Purposes

- Designated as this nation's first recreation area for the purposes of public recreation, benefit, and use, and in a manner that will preserve, develop and enhance the scientific, historic, scenic, and other important features of the area.
- Preserve 184,000 acres of designated wilderness, and preserve the wilderness character of an additional 266,000 acres with existing wilderness character and associated wilderness values.
- Preserve the flora and fauna and natural processes.
- Interpret the history of Native Americans who inhabited the area, including the undisturbed archaeological evidence, displaying the long and rich human history spanning more than 12,000 years.
- Provide for a variety of appropriate recreational experiences, in a manner that preserves the spectacular resource setting of the area.

Values

- Lake Mead is home to the desert bighorn sheep, mule deer, coyote, kit fox, bobcat, mountain lion, ringtail cat, beaver, at least 18 species of bats, numerous lizard, snake and bird species. Threatened and endangered species such as the desert tortoise and peregrine falcon, and Colorado River fish are also found here.
- Over 900 identified archeological sites representing many different Native American tribes.
- Wilderness character that includes natural quiet, solitude, clear air, vastness and natural processes.

- A setting for people to explore and appreciate, through such activities as hiking, camping, wildlife viewing, scenic vista, research, educational opportunities and quiet contemplation.

Pipe Spring National Monument

Pipe Spring National Monument was established by President Warren G. Harding's Proclamation No. 1663 (43 Stat 1913) of May 31, 1923, which states: "It appears that the public good would be promoted by reserving land on which Pipe Spring and the early dwelling place are located as a National Monument, with as much land as may be necessary for the proper protection thereof, to serve as a memorial of western pioneer life."

From the 1995 Statement for Management, the significance of Pipe Spring National Monument is summarized in statements that capture the area's importance to our natural and cultural heritage. Significance statements are not an inventory of significant resources, but rather describe the importance or distinctiveness of the aggregate of resources in the monument.

- Pipe Spring National Monument provides opportunities to understand the Mormon colonial expansion into Southern Utah and Arizona, and its conflict and interchange with the resident American Indians. The Monument contains historic stone buildings and artifacts related to early pioneer settlements and cattle ranching, including a fortified ranch house known as "Winsor Castle," and the first telegraph station in Arizona.
- The presence of readily available water has provided for a sequence of cultural occupation and use at the site from prehistoric times to the present. The importance of the water source to prehistoric Pueblos, Kaibab Paiute, Mormon pioneers, and others presents a special opportunity for understanding of these cultures and interactions between them.
- The springs at Pipe Spring National Monument form a unique natural oasis and riparian area in a large desert region providing water for use by animals and humans since prehistoric times.
- This setting on the Arizona Strip provides visitors with a sense of isolation and serenity due to the vast and spectacular expanse reminiscent of prehistoric and pioneer eras.

Pipe Spring National Monument is located in northeastern Mohave County, Arizona 80 miles east of St. George, Utah. The monument is 40 acres in size and is completely surrounded by the Kaibab Indian Reservation. Due to the lack of development in this part of Arizona, the view south from the monument is much the same as it has been for several thousand years. The isolation and serenity of this setting are important in maintaining an historic (1870's) atmosphere within the historic district on the monument.

Pipe Spring lies within a military training route flight path. For many years military aircraft flew directly over the monument, often at elevations below 1,000-feet. These direct overflights not only disrupted the feeling of isolation and serenity the NPS attempts to provide to visitors at Pipe Spring, but also generated concerns that the vibrations from the aircraft were damaging the 130+ year old sandstone structures within the historic district. In the 1990's the NPS entered into an agreement with the United States Air Force (USAF) pursuant to which their training flights are directed to avoid the monument and adjacent Indian Reservation lands. In scheduling time on the training route, the USAF is to inform all pilots to avoid the monument by at least 1-mile, or stay at an elevation of at least 1500-feet above ground level over the monument. Violations of the agreed upon no-fly zone are promptly reported to the Air Force. This agreement has helped protect visitor experience and historic structures at the monument.

In 2003, Natural Soundscapes were documented as an important vital sign in the Northern Colorado Plateau Vital Signs Network and Prototype Cluster Plan for Natural Resources Monitoring. The NPS is interested in reducing or eliminating any air traffic directly over Pipe Spring National Monument that would disrupt visitor experiences or threaten the natural or cultural resources of the monument.

Zion National Park

Zion National Park was initially set aside as a National Monument in 1909. In 1919 Congress added lands to be protected and designated the area as a National Park. Since that time Zion National Park has grown to include 148,024 acres. The park protects natural and cultural resources that are enjoyed by millions of visitors each year.

Over 90 percent of the park was recommended to Congress as wilderness in 1978. National Park policy requires the park to manage these lands as follows:

"The NPS will take no action that would diminish the wilderness suitability of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed. Until that time management decisions pertaining to lands qualifying as wilderness will be made in expectation of eventual wilderness designation." (NPS Management Policies 2001 – 6.3.1 General Policy)

"In evaluating environmental impacts, the National Park Service will take into account wilderness characteristics and values, including the primeval character and influence of the wilderness; the preservation of natural conditions (including the lack of man-made noise); and assurances that there will be outstanding opportunities for solitude, that the public will be provided with a primitive and unconfined type of recreational experience, and that wilderness will be preserved and used in an unimpaired condition." (NPS Management Policies 2001 – 6.3.4.3 Environmental Compliance)

In 2001, Zion completed a General Management Plan (GMP) which provides a framework for park management for the next 20 years. The GMP also outlines the purposes and significance of the park. These identify why the park was established as a unit in the National Park System and addresses what makes the area unique. The purposes and significance are as follows.

Purposes

- Preserve the dynamic natural process of canyon formation as an extraordinary example of canyon erosion.
- Preserve and protect the scenic beauty and unique geologic features: the labyrinth of remarkable canyons, volcanic phenomena, fossiliferous deposits, brilliantly colored strata, and rare sedimentation.
- Preserve the archaeological features that pertain to the prehistoric races of America and the ancestral Indian tribes.
- Preserve the entire area intact for the purpose of scientific research and the enjoyment and enlightenment of the public.
- Provide a variety of opportunities and a range of experiences, from solitude to high use, to assist visitors in learning about and enjoying park resources without degrading those resources.

Significance

- Zion's stunning scenery features towering brilliantly colored cliffs and associated vegetation highlighted by a backdrop of contrasting bright, southwestern skies.
- Zion is a geological showcase with sheer sandstone cliffs among the highest in the world.
- The Virgin River – one of the last mostly free-flowing river systems on the Colorado Plateau – is responsible for the ongoing carving of this deeply incised landscape.
- Because of its unique geographic location and variety of life zones, Zion is home to a large assemblage of plant and animal communities.
- Zion preserves evidence of human occupation from prehistoric to modern times, including American Indian sites, remnants of Mormon homesteading, and engineering and architecture related to park establishment and early tourism.

The GMP goes on to identify *Desired Conditions* for cultural resources, natural resources, and visitor experience, and *Strategies* on how to reach those conditions. The Desired Conditions for Natural Sounds are: "Natural sounds predominate in Zion. Visitors have opportunities throughout most of the park to experience natural sounds in an unimpaired condition. The sounds of civilization are generally confined to developed areas."

Strategies to achieve the desired conditions include: "The NPS will continue to work with the FAA, tour operators, commercial businesses, and general aviation interests to minimize noise and visual impacts of aviation to the park."

"Aircraft will be encouraged to fly outside the park, especially for those flights where the presence of the park is incidental to the purpose of the flight (i.e., transit between two points). Actions that may be considered for encouraging pilots to fly outside park boundaries include identifying the park on route maps as a noise-sensitive area, educating pilots about the reasons for keeping a distance from the park, and encouraging pilots to fly in compliance with FAA regulations and advisory guidance, in a manner that minimizes noise and other impacts."

Public Law 100-91, The National Park Service Overflight Act of 1987, directed the Secretary of the Interior, through the NPS, and the Secretary of Transportation, through the FAA, to conduct a study to identify any problems associated with aircraft overflights on units of the National Park System. The findings of the study were reported to Congress in the "Report on Effects of Aircraft Overflights on the National Park System (1995)." The study identified Zion National Park as an "immediate priority area for maintaining or restoring natural quiet."

In 2003 Zion National Park documented Natural Soundscapes as an important vital sign in the Northern Colorado Plateau Vital Signs Network and Prototype Cluster Plan for Natural Resources Monitoring.

Conclusion

The summaries above clearly show that the described properties meet the requirements of 49 U.S.C. Section 303 and that these properties ought to be included in the area of investigation for the EIS. As a cooperating agency for the EIS, we look forward to assisting you in identifying mitigation that will minimize harm to these parks.

2.0. [We also look forward to assisting you in the identification of the "area of investigation." The geographic area that will be analyzed in the EIS must be identified as soon as possible in order for this project to continue on schedule. As a cooperating agency we are prepared to offer our assistance in determining that area.

We hope this response addresses your request for information. If you have any questions please contact Jeff Bradybaugh, Chief of Resource Management and Research, at (435) 772-0208 or jeff.bradybaugh@nps.gov.

Sincerely,

Original signed by

Jock F. Whitworth
Superintendent

Superintendent, Bryce Canyon National Park
Superintendent, Cedar Breaks National Monument
Superintendent, Grand Canyon National Park
Superintendent, Grand Canyon-Parashant National Monument
(continued on next page)

Superintendent, Lake Mead National Recreation Area
Superintendent, Pipe Springs National Monument
Utah State Coordinator, NPS
Manager, NPS Natural Sounds Program Office
Director, NPS Intermountain Region
Environmental Quality Coordinator, NPS Intermountain Region
Congressman Jim Matheson, Utah 2 nd District



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

St. George Field Office
345 East Riverside Drive
St. George, UT 84790-9000

In reply refer to: 1790

Rediscover Your Public Land

August 30, 2004

Dennis Ossenkop
Airports Environmental Specialist
Northwest Mountain Region
Federal Aviation Administration
1601 Lind Avenue, S.W.
Renton WA 98055-4056

RE: St. George, Utah Replacement Airport, Section 303 (c) Properties Within Initial Study Area

Dear Mr. Ossenkop:

Thank you for your recent letter to the Bureau of Land Management's (BLM) St. George Field Office (SGFO) requesting information on the above-referenced subject. Based on direction provided by BLM's Utah State Office, this response also includes information concerning properties under the administration of the Cedar City Field Office (CCFO) and the Kanab Field Office (KFO) and, thus, represents a consolidated response to this initial scoping request from the relevant Utah-BLM administrative units in southwestern Utah.

At the outset, we reviewed your map entitled "Initial Area of Investigation." We believe that it generally includes the titles or names of those specific designated areas that should be considered for inclusion among those protected under 49 U.S.C. Section 303 (c). However, we cannot confirm the accuracy of FAA's determination that "... the replacement airport project has no potential to adversely impact public lands beyond the scope of this map through aircraft noise and overflights." This is because we have not had an opportunity to review any of the supporting information that the FAA may have used in making this determination. We also do not know how the FAA may be coordinating this St. George Replacement Airport environmental analysis with those for other proposed regional airport expansions. We believe that such coordination is important to ensure that the cumulative effects of these expanded regional airports (especially from commercial air tour operations originating from them) on BLM noise sensitive areas will be fully analyzed. As you know, this cumulative effects analysis is required under the National Environmental Policy Act (NEPA) and the Council on Environmental Quality's (CEQ) implementing regulations.

With this background in mind, we wish to provide you information concerning the following areas of BLM-administered lands within the management of our respective field offices that we have determined to be significant-and, therefore, protected under the statutory purposes described in 49 U.S.C. Section 303 (c). (Please note that this letter does not represent a BLM-wide response, other than for Utah -BLM, nor does it include any areas that may be identified by other BLM field offices, such as those located in Las Vegas NV or Caliente NV. And, if you have not already done so, we recommend that you contact other relevant federal, state, and local agencies, including the U.S. Forest Service-Dixie National Forest, as well as Gunlock, Snow Canyon, and Sand Hollow State Parks, to obtain their responses on any identified areas.)

For the SGFO, the Utah portion of the statutorily designated Beaver Dam Mountains Wilderness Are (2,690 acres) occurs within the "Initial Area of Identification".

The following administratively designated Wilderness Study Areas (WSA) occur within the "Initial Area of Identification" and are displayed on the map enclosed with your letter:

Cougar Canyon	15,968 acres
Red Mountain	18,290 acres
Cottonwood Canyon	11,330 acres
La Verkin Creek Canyon	567 acres
Deep Creek	3,320 acres
Canaan Mountain	42,858 acres
The Watchman	600 acres

In addition, the following WSAs occur within the "Initial Area of Identification", but are not displayed on the map enclosed with your letter:

Red Butte	804 acres
Taylor Creek Canyon	35 acres
Goose Creek Canyon	89 acres
Beartrap Canyon	40 acres

(The four preceding WSAs are all contiguous to Zion National Park boundaries)

And, the Joshua Tree Instant Study Area (ISA) (1,015 acres) also occurs within the "Initial Area of Identification", but is not displayed on the enclosed map.

The Spring Creek Canyon WSA (1,400 acres), administered by the CCFO, occurs within the "Initial Area of Identification" shown on the enclosed map.

The Parunuweap WSA (30,800 acres), Orderville Canyon WSA (1,750 acres), North Fork Virgin River WSA (1,040 acres), and the Moquith Mountain WSA (14,830 acres) are administered by the KFO and occur within the "Initial Area of Identification" shown on the enclosed map.

Each of the properties identified above were legally or administratively designated, and provide significant public uses and benefits for recreation, wildlife, and the other purposes generally described in 49 U.S.C. Section 303 (c). In the case of statutorily designated wilderness areas and administratively designated wilderness study areas, there are legal and policy mandates to protect these areas' naturalness and outstanding opportunities for solitude and primitive, unconfined recreation. In general, BLM may not authorize any developments or uses that would impair these wilderness characteristics. The legal and policy mandates are not contingent upon any actual documentation of use levels, whether for wildlife, recreation, or other authorized purposes. In addition, while we have some data on hunting, camping, hiking, and other public uses in some of these areas, this information is not an accurate overall reflection of total uses. This is because most such uses are dispersed casual uses and do not require any notice to or permit from BLM.

As the human population continues to grow in this region, the current uses in these areas will likely also increase in tandem. The responses to our field offices on planning and NEPA notices have demonstrated a strong level of public interest in the management of wilderness areas and WSAs. Some of these responses have specifically mentioned the maintenance of natural quiet and concerns about potential overflight noise impacts.

As you know, natural quiet is a fundamental component of maintaining solitude in wilderness areas and WSAs. We know from practical experiences, as well as review of technical noise data collected elsewhere, that lower-elevation aircraft overflights may cause noise levels that impact natural quiet in areas identified by the managing agencies as noise sensitive for purposes of 49 U.S.C. Section 303 (c). This may be especially true for commercial air tour operations where customers want to get a lower-elevation, close-up look at spectacular scenery, wildlife, or special geologic features.

While the maintenance of natural quiet is, therefore, important and, to quote from your letter "... a generally recognized purpose and attribute of ..." all of the preceding identified BLM administered properties, we do not have scientific data on the current levels of ambient noise in these properties. As an agency, BLM is not responsible for collecting technical noise data, and we do not have the funds, trained staff, or proper equipment to do so. However, we know from practical experiences that most of these areas are currently very quiet in terms of human caused noise most of the time. The exceptions are where major highways with constant vehicle traffic are present nearby (such as Interstate 15 in the Virgin River gorge), or occasionally when vehicles pass on nearby routes or aircraft are flying over at lower elevations. In general, we are not presently aware of any serious noise impacts from lower-elevation aviation overflights in these areas. But, with the projected strong increase in aviation uses in this region, and the potential that limits on commercial air tours over regional national parks may displace more of this use over BLM-administered lands, we believe that careful regional aviation planning and cumulative effects analysis are needed to avoid or reduce any such future impacts.

We hope that this response fulfills your request for information. If you have any questions relating to the SGFO, please contact Dawna Ferris-Rowley, Assistant Field Manager, at 435 688-3216.

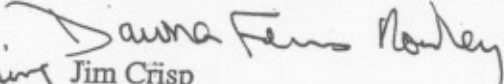
We request copies and look forward to reviewing the Draft Environmental Impact Statement (DEIS) for the St. George Replacement Airport when it becomes available. To ensure that the DEIS receives a careful review from each of the southwestern Utah BLM offices with administrative oversight for properties protected under the statutory purposes described in 49 U.S.C. Section 303 (c), we also request that FAA provide copies of the DEIS to the Field Managers of the Cedar City Field Office and the Kanab Field Office, at that addresses shown below:

Mr. Todd S. Christensen, Field Manager
BLM-Cedar City Field Office
176 East D.L. Sargent Drive
Cedar City, UT 84720

Mr. Rex Smart, Field Manager
BLM- Kanab Field Office
109 E. Center St.
Kanab, UT 84741

Thank you the opportunity to provide comments on this project. We look forward to working with you in the future.

Sincerely,

acting for 
Jim Crisp
St. George Field Manager

Cc: Sally Wisely, BLM-Utah State Director
UT91011



State of Utah

Department of
Natural Resources

ROBERT L. MORGAN
Executive Director

Division of
Parks & Recreation

MARY L. TULLIUS
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

December 2, 2004

Dennis Ossenkop
Environmental Protection Specialist
Federal Aviation Administration
Northwest Mountain Region
1601 Lind Avenue, S.W.
Renton, Washington 98055-4056

Re: Response to request for assistance in determining significance or lack of significance of dispersed recreation and OHV play areas south and contiguous to Sand Hollow State Park, Sand Hollow State Park, and Quail Creek State Park, Washington County, Utah

Dear Mr. Ossenkop:

It is the Division's opinion that the Sand Mountain OHV area, immediately south of Sand Hollow State Park (~15,000 acres), Sand Hollow State Park (~4,047 acres), and Quail Creek State Park (~4 miles to the north of Sand Hollow State Park--~1,300 acres), are not significant areas as defined by Title 49 U.S.C. Section 303 (c); i.e., the ~15,000 acre Sand Mountain management area is not a formally developed recreation area; it is used for off-highway-vehicle and all-terrain-vehicle play on the sand slopes; activities are often high-decibel in nature; vehicle use is spatially transitory (rapid speeds over greater distances). The ~1,200 acre Quail Creek State Park area (~600 surface acres) is primarily a boating, fishing and water play park, similar to Sand Hollow. Sand Hollow and Quail Creek State Parks are similar to about nineteen (19) other boating, fishing, and water play parks in the state park system. They are very popular and heavily used. Sand Hollow and Quail Creek are not unique.

Since opening the park in 2004, we had approximately 40,000 visitors in July 2004 alone, with heavy use from March until October. Our engineer estimates people at one time (PAOT) at 1,500 at the reservoir campground and boat-launching site. We estimate Sand Mountain may

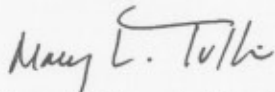
have 250 to 350 PAOT on a busy weekend. Quail Creek enjoys over 320,00 visitors each year. Sand Hollow may exceed that level of use.

We have also communicated with the community and the St. George Airport Manager, Mr. David Ulene. He also directed us to the web site where more detailed information was available for review. It was helpful. We support the communities in developing this important and strategic facility. We also met with our Attorney General regarding your request and our finding of "non-significance". Our staff and AG concurred.

These recreation resource areas will continue to be attractive and increasingly heavily used leisure use areas, regardless of over-flight on approach or take off from the proposed replacement airport.

If we may be of any additional service, please contact us.

Best Regards,

A handwritten signature in cursive script, reading "Mary L. Tullius".

Mary Tullius, Acting Director



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arizona Strip Field Office
345 East Riverside Drive
St. George, Utah 84790
www.az.blm.gov

In Reply Refer To:
AZ-010: 1100



December 10, 2004

Dennis Ossenkop
Environmental Protection Specialist
Northwest Mountain Region
Federal Aviation Administration
1601 Lind Avenue, S.W.
Renton, Washington 98055-4056

RE: St. George, Utah, Replacement Airport, Section 303(c) Determination of
Significance for the Little Black Mountain Petroglyph Site Area of Critical
Environmental Concern

Dear Mr. Ossenkop:

Thank you for your November 19, 2004, letter requesting to know if we consider the above-referenced Little Black Mountain Petroglyph Site to be significant under the definition in 49 U.S.C. Section 303(c).

As you may know, this 200-acre rock art site was designated in the BLM Arizona Strip District Resource Management Plan (1992) as an Area of Critical Environmental Concern (ACEC) and as a Public Use Site because of its significant cultural resources. This site is eligible for listing in the National Register of Historic Places.

We recognize that this ACEC and its cultural resources and setting are significant to tribes in the surrounding region. We recently participated in a cultural landscape study with these tribes that confirmed this tribal significance.

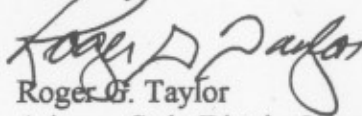
We have managed this ACEC as a public use site for the interpretation of these cultural resources, and we constructed a parking lot, restroom, trails, and protective fencing.

Some public visitors to this ACEC have noted in the visitor log that they appreciate not only the cultural resources but also the solitude, natural quiet, and remote setting. We believe that these characteristics play an important role in the public interpretation of these cultural resources.

We have determined that this ACEC and its cultural resources and setting clearly meet the definition of a significant historic site for purposes of 49 U.S.C. Section 303(c).

If you have any questions on this response, please contact Richard Spotts, Environmental Coordinator, at 435 688-3207.

Sincerely,

A handwritten signature in dark ink, appearing to read "Roger G. Taylor". The signature is fluid and cursive, with the first name "Roger" being more prominent.

Roger G. Taylor
Arizona Strip District Manager



U.S. Department
of Transportation

**Federal Aviation
Administration**

March 18, 2005

«NAME», «TITLE»
«ADDRESS1»
«ADDRESS2»
«ADDRESS3»
«CITY_ST_ZIP»

Northwest Mountain Region
Colorado, Idaho, Montana
Oregon, Utah, Washington,
Wyoming

1601 Lind Avenue, S. W.
Renton, Washington 98055-4056

RE: St. George Utah Replacement Airport, Section 303(c) Property Screening Results

Dear «NAME»:

The enclosed material, on a compact disk, is provided for your information and is a follow-up to our previous contact with your organization last summer. We have developed this information as part of our analysis to examine potential aircraft noise impacts associated with the proposed replacement commercial airport at St. George, Utah.

Background

In response to the May 24, 2002, decision of the Court of Appeals for the District of Columbia (290 F.3d 399), the Federal Aviation Administration (FAA) initiated the preparation of an Environmental Impact Statement (EIS). As required by the National Environmental Policy Act and the court, this EIS will consider the cumulative noise impacts of a proposed replacement airport for St. George, Utah. A related purpose of that EIS will be to determine whether the replacement airport project would constructively use properties protected by 49 U.S.C. Section 303(c) [formally called Department of Transportation Act Section 4(f)], by permitting new or increased aircraft over flights over those properties.

49 U.S.C. Section 303(c) protects from such constructive "use" caused by projects approved by the U.S. Department of Transportation, publicly-owned lands that are designated or function as parkland, recreation areas, wildlife and waterfowl refuges, or a historic site, where the Federal, state or local officials having jurisdiction over those lands deem the lands to be significant.

On July 26 and August 4 of last year, I sent letters to Section 303(c) property managers, in the vicinity of the proposed replacement airport, asking them to identify

such properties within our "Area of Initial Investigation". Responses received became the basis for our noise screening analysis to determine if any such properties warrant further detailed analysis. Since last summer we have been collecting aviation related data (aircraft flight paths, numbers of flights in the area, etc) to model the potential change in noise impacts upon identified Section 303(c) properties from operation of the replacement airport.

The enclosed compact disk contains:

- An abbreviated version of the Draft Noise Screening Analysis (voluminous data tables omitted but available on request)
- 17 graphics presenting locations of Section 303 properties in our initial area of investigation, flight tracks into and out of the existing and proposed airports, and noise analysis results at Section 303 properties

EIS Schedule

We currently expect to issue the draft EIS this spring and offer a 60 day period for public and agency comment. Your office is on our distribution list.

If you have questions on this matter, please call me at 425-227-2611.

Sincerely,

Dennis Ossenkop
Airports Environmental Specialist
St. George EIS Project Manager

Enclosure: 1 CD