

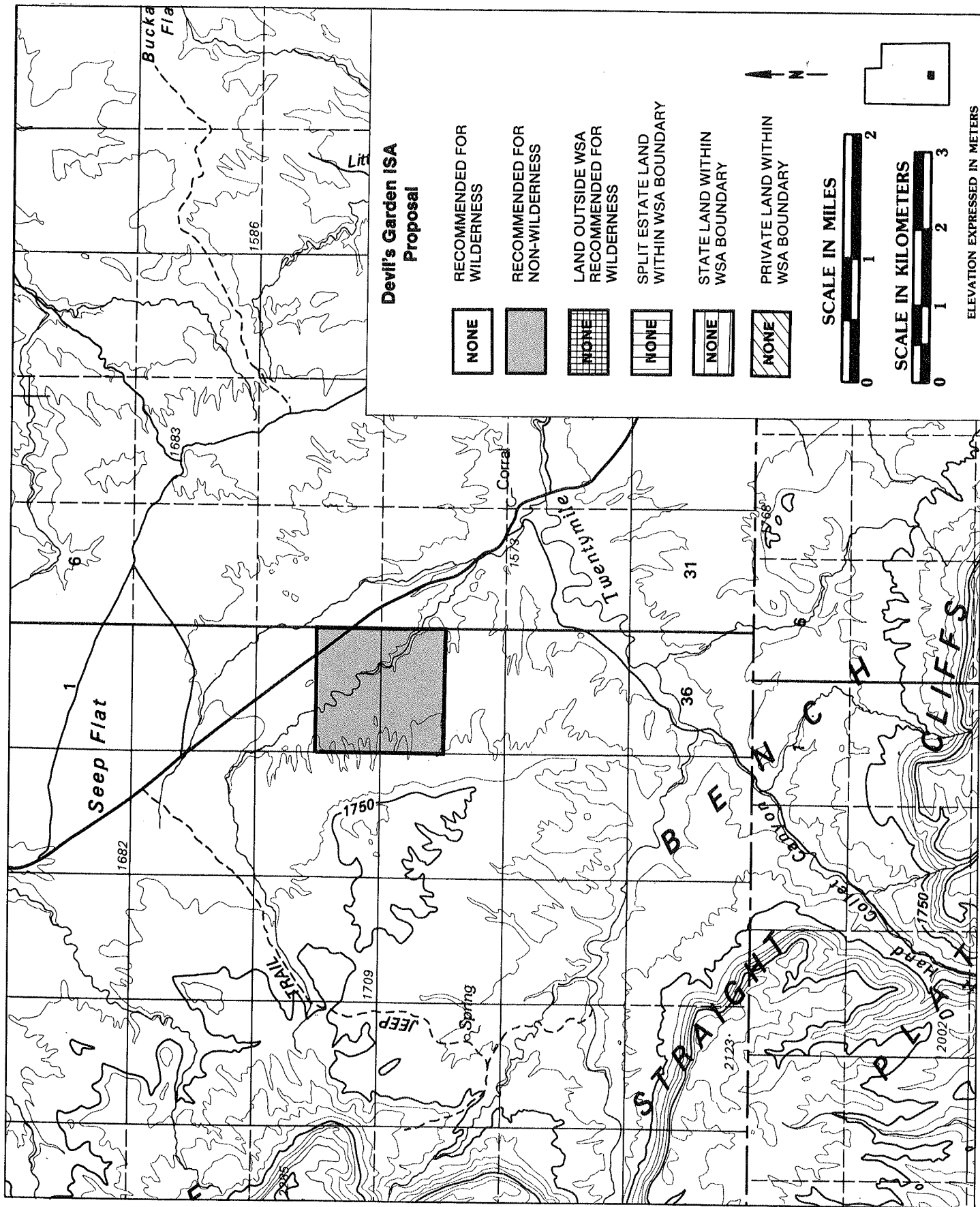
Devils Garden
Instant Study Area

DEVIL'S GARDEN ISA

R. 5 E.

R. 4 E.

T. 37 S.



DEVIL'S GARDEN OUTSTANDING NATURAL AREA

October 1997

STATISTICAL SUMMARY
 DEVIL'S GARDEN OUTSTANDING NATURAL AREA
 GARFIELD COUNTY, UTAH - CEDAR CITY DISTRICT

	Previously Designated Area	Contiguous Lands (if Any)	Total
<u>Acres With Wilderness Characteristics</u>	0	None	0
<u>Acres Without Wilderness Characteristics</u> Recommended Against Designation	640	None	0
Total	640	None	0

Ownership in Study Area (April 14, 1980)

BLM 640 Acres
 Forest Service 0 Acres
 Private 0 Acres

RECOMMENDATION

DEVIL'S GARDEN OUTSTANDING NATURAL AREA

The Devil's Garden Outstanding Natural Area has been found to lack those wilderness characteristics described in the Wilderness Act of September 3, 1964. The Outstanding Natural Area lacks the naturalness characteristic. BLM recommends to the Secretary of the Interior that Congress find the Outstanding Natural Area nonsuitable for preservation as wilderness.

District Manager *M. S. Janan* District Cedar City

Date 4-13-81

State Director *Don Stephens* State Utah
ACTING

Date MAY 1 1981

Director /s/ Robert F. Burford

Date July 22, 1983

DEVIL'S GARDEN OUTSTANDING NATURAL AREA

RECOMMENDATION

SUMMARY STATEMENT OF REASONS FOR THE RECOMMENDATION

Results of Wilderness Characteristics Review: The Utah State Director has determined that the Devil's Garden ISA does not possess wilderness characteristics because it lacks the naturalness characteristic. An analysis of each wilderness characteristic follows.

Naturalness: Evidences of man within the ISA are two roads, a way, and a developed picnic area. The county-maintained Hole-in-the-Rock road passes through the northeast corner of the ISA. The access road to the Devil's Garden is maintained by the BLM. This road leads to a developed picnic area which contains a parking area, two toilets, and three picnic units. The old alignment of the access road has been scarified and seeded, but is still substantially noticeable. These intrusions are highly visible from most of the ISA due to the lack of topographic and vegetative screening. The locations of the intrusions and their cumulative impact over the inventory area resulted in a determination that none of the inventory area possessed the naturalness characteristic.

Outstanding Opportunity for Solitude: None of the ISA was identified as offering outstanding opportunities for solitude. The topography and low-growing vegetation preclude opportunities for solitude. The ISA's proximity to the Hole-in-the-Rock road and the penetrating road to the picnic area decrease the opportunity to avoid the sights, sounds, and evidence of other people. Furthermore, almost all of the visitor use occurs in the Devil's Garden and the chances for visitor contacts are increased.

Outstanding Opportunity for Primitive and Unconfined Recreation: The Devil's Garden offers outstanding opportunities for hiking, geological sightseeing, and photography. However, this opportunity is present only in a 10-acre area (1.6 percent of the ISA) which contains the unique geological features and is adjacent to the developed picnic area. The remainder of the ISA was determined not to offer outstanding primitive, unconfined recreation opportunities.

An analysis of the public comments on the Utah State Director's proposal that the Devil's Garden ONA lacked wilderness characteristics indicates that none of the comments would justify changing the proposed determination of wilderness character. The Utah State Director's final decision that the ONA lacked wilderness character was announced in the May 5, 1980 Federal Register.

Economic and Social Impacts: A suitability or nonsuitability recommendation is required of the Secretary by the Federal Land Policy and

Management Act of 1976 (FLPMA). Because the recommendation does not constitute a change in the status or administration of the area, it generates no economic or social impacts. The ONA has been managed under the interim management stipulations of section 603(c) of the FLPMA and interim management will continue until Congress determines otherwise.

Analysis of Long-Term and Short-Term Effects of the Recommendation: The recommendation is that the Devil's Garden ONA is nonsuitable for designation as wilderness. No lists of uses compatible and incompatible with the purposes of designation have been prepared. No long-term and short-term effects are associated with this recommendation.

Options Foregone if Recommendation is Adopted: If Congress does not add the Devil's Garden ONA to the NWPS, the option of Wilderness Area status and any possible enabling legislative direction for the area would be lost.

BACKGROUND INFORMATION

Statement on Previous Designation: The Devil's Garden ONA was designated on December 23, 1970 by the Utah State Director by virtue of authority vested in the Secretary of the Interior under the Classification and Multiple Use Act of September 19, 1964 and R.S. 2473 (43 U.S.C. 1201), and pursuant to the provisions of 43 CFR Part 2070.

Significant Resource Data: The significant resource in the Devil's Garden ONA is "the unique scenic values and natural wonders" of a small area of erosional sculptures carved from Entrada sandstone. The major examples of these unique scenic values are found within the Devil's Garden. The Devil's Garden embraces about 5 to 10 acres of the ONA. The remainder of the 640 acre designated area exhibits a snakeweed-grass vegetation type with scattered junipers on a sandy soil. This portion of the ONA is devoid of the scenic geological formations that characterize the Devil's Garden. It functions as a protective management buffer for the interpretation, maintenance, and preservation of the natural condition of the Devil's Garden. The location and the 640 acres size of the designation represent an easily recognizable and convenient legal description.

DEVIL'S GARDEN OUTSTANDING NATURAL AREA

Summary of Public Participation:

Description of Process: An intensive inventory of the Devil's Garden ONA was completed by the Cedar City District Office wilderness staff on December 10, 1979. No public requests for field participation in the inventory were received.

The Utah State Director's proposed decision on wilderness characteristics was announced in the January 16, 1980 Federal Register (pp. 3114-3115) and a 30-day public comment period initiated from January 16, 1980 to February 15, 1980. The Utah State Office distributed a summary narrative, map, and news release to the public on January 17, 1980.

An analysis of these comments by the Cedar City District indicated that none of the comments justified a change in the proposed decision. On April 4, 1980 the Cedar City District Manager recommended to the Utah State Director that the final decision on the Devil's Garden ISA be that the ISA lacks wilderness characteristics. The Utah State Director announced his Final Decision that the ISA lacked wilderness character in the May 5, 1980 Federal Register.

On June 3, 1980, Sierra Club, Utah Chapter, protested the May 5, 1980 Utah State Director decision. The Utah State Director denied the protest on November 21, 1980. On December 22, 1980, the Sierra Club filed a Notice of Appeal to the "decision denying Wilderness Study Area status for the Devil's Garden Instant Study Area". The Interior Board of Land Appeals dismissed the appeal on March 6, 1981 because appellant failed to file a statement of reasons.

Summary of Analysis of Comments: Ten of the 13 comments agreed with the State Director's proposed decision. Four of these comments were identical in content and signed by different individuals. This comment stated that:

The main roadway to the Hole-in-the-Rock goes right through this acreage and has a road over to and into a picnic area within the boundary of this study area which takes away the naturalness which is a requirement necessary for wilderness areas. The old road has been replaced with a new one, but the old scars and intrusions are highly visible and have made a significant impact on the whole area.

Because of the roadways and the relatively flat area around this small

picnic area there is very little if any opportunity for solitude and since everyone interested in the area uses the picnic ground, the way it is located makes it impossible to be alone.

With the exception of the picnic area and the small area adjacent to it which contains not more than an acre or two, there is no opportunity for recreation since these intrusions intrude on the only area which could meet the criteria of primitive and unconfined recreation opportunities.

This comment corresponded very closely with the State Director's proposal.

Two other comments stated that:

The main road to Hole-in-the-Rock and areas on the Escalante Desert passes through the unit along with a newly developed road and picnic area at Devil's Rock Garden. Included in this same area is the old road that provided access to Devil's Garden. The area is virtually flat and sight distance is almost unlimited in most areas in the unit.

and that:

The main road to the Hole-in-the-Rock area passes very near the Devil's Garden. This would preclude the solitude nature, also in this area is a man-made picnic area. An access road to the Devil's Garden is maintained by the BLM. This leads to a picnic area containing parking area, picnic units, and restroom facilities.

These intrusions are highly visible. I feel that none of this area possesses the natural characteristics of a wilderness area.

Although four other comments agreed with the BLM proposal, they did not provide information concerning the presence or lack of wilderness characteristics.

Three comments were received which disagreed with the BLM proposal. One comment stated that:

The criteria by which the Bureau of Land Management determines wilderness status is often times excessively strict, particularly

DEVIL'S GARDEN OUTSTANDING NATURAL AREA

where the 5,000 acre requirement is concerned. Eco-systems do not need 5,000 acres to be sustained.

This comment was not considered because by policy ecosystem representation is not a wilderness characteristic and by law there is no 5,000 acre requirement for Instant Study Areas.

Another comment stated that:

Although this is a small area, the arches and formations form an unusual experience in solitude and unconfined recreation. The BLM report mentions the old alignment of the access road has been scarified and seeded, but is still substantially noticeable. Yet the BLM is permitting off-road vehicles (ORVs) to scarify large sections of roadless area and perhaps this is to exclude them from wilderness study. Such nonimpairment of lands is covered in the Interim Management Policy and Guidelines for Lands under Wilderness Review. Action against ORVs has not been taken in Utah to this date. A scarified and seeded old road just shows that one cannot rehabilitate either ORV activity or old mining activity. This means that areas such as Devil's Garden and much of Utah should either be made into a Wilderness Study Area or withdrawn from mineral leasing and ORV use.

The comment disagrees with the BLM proposal that the ISA lacks outstanding opportunity for solitude, but it does not provide information to support the claim. The BLM proposal acknowledges that an outstanding opportunity for primitive, unconfined recreation exists within the ISA. The comment does not discuss the naturalness of the area, but does support the State Director's proposal that the scarified and seeded way is substantially noticeable.

One letter made an extensive comment about the ISA proposal. Concerning outstanding opportunities for primitive, unconfined recreation, this comment stated that:

The small wash that dissects the Natural Area offers visitors the opportunity to wander aimlessly enjoying rock formations and geological wonderments. Once inside the wash, the presence of the Hole-in-the-Rock road is not known. Birdwatching, photography, nature study and especially study of the geological features of the area are common for those who visit the Garden. The numerous small arches, grottos, and

rock formations provide bouldering and climbing material. The geological features are conducive to those who like to run, and play on the contours of the earth's surface.

Concerning outstanding opportunities for solitude, this comment stated that:

Devil's Garden is known by few individuals and besides an occasional visitor to the parking lot and immediate vicinity one will usually have the entire Natural Area to oneself. As one heads south through the draw the visitation decreases even more. The broken terrain provides screening and blocks the Hole-in-the-Rock road from view. On top of the draw the Hole-in-the-Rock road is not readily visible nor obtrusive. The immensity of the entire undeveloped region enhances the solitariness features of the Natural Area. In my numerous visits to the area, I have found other visitors to be present only one time; these visitors were driving ORVs and causing damage to the area. This situation has been corrected with the new access road which enters the area. Like the Hole-in-the-Rock road, the new access road is not visible except from a small portion of the Natural Area. The opportunities for solitude in Devil's Garden and surrounding terrain are outstanding.

The comment also protested that Unit UT-040-076 was not inventoried with the ISA.

The State Director's proposal acknowledged that an outstanding opportunity for primitive, unconfined recreation exists within the ISA. The proposal also stated that the topography, low-growing vegetation, and the locations of intrusions within the ISA preclude outstanding opportunities for solitude.

A copy of each of these comments is in the Cedar City District's Permanent Documentation File.

Cultural Resource Clearance: On April 1, 1981, Dr. Melvin T. Smith, Utah State Historic Preservation Officer, was contacted by letter and informed of the nonsuitable for preservation recommendation for the Devil's Garden ONA.

INSTANT STUDY AREA
WILDERNESS CHARACTERISTICS INVENTORY
DISTRICT PRELIMINARY FINDING

I. LOCATION

ISA name: Devil's Garden Outstanding Natural Area

District: Cedar City State: Utah

II. SUMMARY:

A. Results of wilderness characteristics analysis.

- 1. Does the ISA appear to be natural? yes X no
- 2. Does the ISA offer outstanding opportunities for solitude or a primitive and unconfined type recreation? X yes no
- 3. Does the ISA have supplemental values? X yes no

B. Resulting map.

Attach a map showing designated area (and contiguous roadless area if appropriate).

III. PRELIMINARY FINDING

Check one:

- Entire designated area and contiguous roadless area (where applicable) has wilderness characteristics.
- X Entire designated area and contiguous roadless area (where applicable) lacks wilderness characteristics.
- A portion of the designated area and contiguous roadless area (where applicable) has wilderness characteristics. The restrictions imposed by Section 603 will no longer apply on the remainder of the contiguous roadless area.

IV. APPROVAL

District Manager: M. S. Jensen

Date: 12/26/79