



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

5275 Leesburg Pike, MS: IRTM  
Falls Church, VA 22041



IN REPLY REFER TO:  
FWS-2019-00744

June 19, 2020

Todd C. Tucci  
ADVOCATES FOR THE WEST  
P.O. Box 1612  
Boise, Idaho 83701  
Email: ttucci@advocateswest.org

Dear Mr. Tucci:

The U.S. Department of the Interior (Department), U.S. Fish and Wildlife Service (Service) Denver, Colorado FOIA Office received your request on May 10, 2019, and assigned it tracking number FWS-2019-00744. Please refer to this number in communications regarding this request. You requested the following:

- *All records, correspondence, communications, reports, memos, press releases, and analysis relating to the following documents:*
  1. *"The Northern Corridor and/or Washington Parkway. This includes but is not limited to records relating to —*
    - a. Utah Department of Transportation (UDOT)-BLM Memorandum of Understanding negotiations and revisions;
    - b. the approval or denial of right-of-way (ROW) applications, and any appeals of those decisions;
    - c. consultations with other agencies, such as section 7 consultation; and
    - d. the establishment of a BLM expense account to track ROW work expenses;
  2. *The UDOT/Dixie Metropolitan Planning Organization's (Dixie MPO) transportation planning/modeling. This includes but is not limited to —*
    - a. the transportation planning/modeling software (or reference to id and version) used in any analyses of projected future traffic that the proposed Northern Corridor is intended to relieve;
    - b. the identification and description of—
      - i. all modeled scenarios related to—
        1. the proposed Northern Corridor;
        2. potential alternative Northern Corridor routes inside and outside the Red Cliffs National Conservation Area (NCA); and
        3. any consideration of new and/or modified roads outside the Red Cliffs NCA intended to relieve the perceived traffic congestion that would allegedly be relieved by the proposed Northern Corridor;
      - ii. including—
        1. the datasets associated with each modeled scenario;
        2. a description of the conditions, assumptions, constraints, and other criteria under which each modeled scenario was run; and
        3. the results of all the modelled scenarios

- c. *a description of the criteria and weighting factors used to evaluate each scenario; and*
        - d. *the analysis results for each scenario and their scores under those criteria.*
3. *Any issues, concerns, comments, and/or proposed revisions/amendments regarding—*
  - a. *the Travel Management Plan;*
  - b. *the Washington County Habitat Conservation Plan (HCP);*
  - c. *the Red Cliffs Desert Reserve and BLM Red Cliffs NCA;*
  - d. *the Red Cliffs NCA Plan;*
  - e. *the St. George Field Office Dixie Resource Management Plan; and*
  - f. *the Northern Corridor/Washington Parkway.*
4. *Any and all environmental reviews, analyses or documents prepared under the National Environmental Policy Act (NEPA), including, but not limited to, any and all environmental assessment or categorical exclusion (CE) examining, assessing, or reviewing in any manner whatsoever the proposed Northern Corridor and/or Washington Parkway/Washington Parkway Extension.*
5. *The proposed Zone 6 addition to the Red Cliffs Desert Reserve and its utility regarding habitat mitigation, including—*
  - a. *survey records of Zone 6's tortoise population and how it compares to the tortoise population of the proposed Northern Corridor routes;*
  - b. *what environmental protections currently apply to federal and state-owned land within Zone 6;*
  - c. *how habitat mitigation credits would be generated and used;*
  - d. *whether and how the county would provide additional funding for managing Zone 6; and*
  - e. *whether existing or future expanded recreational uses would be allowed, or restricted, and how that process would occur.*
6. *Any analysis or decisions considering including the BLM portion of the proposed Zone 6 in the original Red Cliffs Desert Reserve or NCA.*
7. *SITLA lands in the proposed Zone 6, including but not limited to—*
  - a. *meeting minutes/communications regarding the Sept. 2017 follow up meeting to the "Storming and Norming" meeting of May 2017;*
  - b. *any expressions of interest, proposals, options, or offers to buy or develop the SITLA land;*
  - c. *any pressure to sell and/or develop those lands; and*
  - d. *records indicating whether—*
    - i. *BLM and SITLA have considered any potential land exchanges;*
    - ii. *BLM and SITLA have considered or conducted an appraisal of land values; and*
    - iii. *BLM and SITLA have considered or communicated regarding SITLA's fiduciary legal duty to optimize revenue and what discretion, if any, SITLA may have to commit to permanent conservation protection of its lands in the absence of a purchase or land exchange.*
8. *Formerly private property on the Red Cliffs Desert Reserve that BLM traded for, what it was valued at, and the amount, value, and location of public land that was traded for it.*
9. *Any potential for the development of private inholdings in the Red Cliffs Desert Reserve and National Conservation Area which could be facilitated by future Northern Corridor/Washington Parkway Access.*
10. *The total parcels of private land inholdings that were traded out of the reserve, the appraisal amount, and the amount of BLM Land and its location inside and outside the reserve that was traded.*

11. *The previous BLM and UDOT Environmental Assessment and FONSI/DR for the expansion of the Red Hills Parkway/Skyline Drive.*
12. *A full and complete copy of the updated 2006 Utility Development Protocols, including Appendices A and B.*
13. *Any other MOUs or NEPA analysis relevant to any of the preceding categories.*
14. *Communications from contractors or state, county, and city governments regarding—*
  - a. *how the Northern Corridor/Washington Parkway would enhance tortoise habitat; and*
  - b. *implementation of Vision Dixie Principles.*
15. *Communications with Jacobs Engineering and SWCA consultants, including those communications themselves, that are related to any of the requested record categories, including any drafts and/or final scope of work, contract, and conflict of interest disclaimers.*

*This FOIA Request is not meant to be exclusive of any other records which, though not specifically requested, would have a reasonable relationship to the subject matter of this request. With respect to the form of production, see 5 U.S.C. § 552(a)(3)(B), I request that responsive documents be provided electronically in text-searchable, static-image format (PDF), in the best image quality in the agencies' possession. I further request that reasonable metadata be transmitted along with responsive documents, including but not limited to email attachments, author and recipient information, date and time stamps, and the like”.*

On May 31, 2019, you amended your request to the following:

1. *The Northern Corridor and/or Washington Parkway.*
2. *Any issues, concerns, comments, MOUs, and/or proposed revisions/amendments regarding—*
  - a. *the Travel Management Plan;*
  - b. *the Washington County Habitat Conservation Plan (HCP);*
  - c. *the Red Cliffs NCA Plan;*
  - d. *the St. George Field Office Dixie Resource Management Plan; and*
3. *The proposed Zone 6 addition to the Red Cliffs Desert Reserve and its utility regarding habitat mitigation, including—*
  - a. *survey records of Zone 6's tortoise population and how it compares to the tortoise population of the proposed Northern Corridor routes;*
  - b. *what environmental protections currently apply to federal and state-owned land within Zone 6;*
  - c. *how habitat mitigation credits would be generated and used;*
  - d. *whether and how the county would provide additional funding for managing Zone 6; and*
  - e. *whether existing or future expanded recreational uses would be allowed, or restricted, and how that process would occur.*
4. *Communications with Jacobs Engineering and SWCA consultants, including those communications themselves, that are related to any of the requested record categories, including any drafts and/or final scope of work, contract, and conflict of interest disclaimers.*

### **RESPONSE**

This is the Service's second interim response to your request. We are providing, via Fileshare, 690 records consisting of 5,079 which are being released in their entirety. The Fileshare link can be found in the email transmitting this correspondence. We are continuing our review of additional records that are responsive to your request.

Because this is an interim response to your request, we will provide notice of your appeal rights in our final response letter.

### **MEDIAITON SERVICES**

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://www.archives.gov/ogis>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

Contact information for the Department's FOIA Public Liaison, who you may also seek dispute resolution services from, is available at <https://www.doi.gov/foia/foiacenters>.

### **CONCLUSION**

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. *See* 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

We anticipate having our next release to you on or about July 17, 2020.

If you have any questions about this response, you may contact me by phone at (413) 253-8629 or at [Eleanor\\_Mcvey@fws.gov](mailto:Eleanor_Mcvey@fws.gov).

Sincerely,

Eleanor Mcvey  
FOIA Coordinator