



Bureau of Land Management
Gunnison Field Office
201 West Spencer Ave. suite A
Gunnison, CO 81230

Re: Silverton TMP Project Draft EA

To: To the Reviewing Officer

February 12, 2020

Introduction:

Please accept these comments to the Preliminary Environmental Assessment (DOI-BLM-CO-F070-2019-0008-EA) for the Silverton Travel Management Plan released on January 22, 2020 (the EA). Please direct any questions or further communications regarding these comments to Allen Christy at: allencchristy@gmail.com (505-320-7266) and Don Riggle at: info@coloradotpa.org (719-338-4106).

The comments are submitted by four leading motorized recreation groups who will be significantly impacted by the Silverton TMP Project Final Record of Decision. Those organizations are San Juan Trail Riders (SJTR), Trails Preservation Alliance (TPA), Public Access Preservation Association (PAPA), and the Colorado 500 Organization.

- San Juan Trail Riders (SJTR) is a single-track motorized trail user group that has a membership of nearly 400 members within the Four Corners Area, California and Texas. These members provide significant positive economic impacts to a broad range of businesses and communities in cities and towns throughout the region. The organization has for over 30 years provided significant support to agencies like the BLM and USFS for recreational single-track motorized trail construction, maintenance and repair. Additionally, this agency is responsible for helping to establish special grant applications from existing state OHV Funds. SJTR has headquarters in Durango, CO.
- The Trails Preservation Alliance (TPA) is an IRS 501c3 organization and one of the largest single-track motorized recreation support organizations in the State of Colorado. It annually organizes, directs and supports efforts and activities by smaller clubs and motorcycle recreation groups in Colorado which provide thousands of dollars of revenue to each community in which they recreate. TPA maintains strong communications with both the BLM and USFS to keep abreast of all processes that may impact single-track recreation user groups throughout Colorado.

TPA has headquarters in Colorado Springs, CO.

- Public Access Preservation Association (PAPA) is a single-track motorized recreation user group with membership in excess of over 200 members. PAPA has maintained strong relationships across SW Colorado with the BLM and USFS to ensure that single-track motorized recreation opportunities remain available for both local users as well as the many out-of-state single-track motorized users that visit the State of Colorado for holidays and vacations. Their efforts have helped to bring thousands of dollars of revenue to businesses and communities in which opportunities for this type recreation are popular and available.
- The Colorado 500 (C500) is an IRS 501c3 trail riding motorcycle organization that has been active in the Silverton area for the past 45 years. The C500 annually visits and recreates in the Silverton area during organized activities each year in late August. Often between 35-50 riders dedicated to this organization participate and have collectively donated thousands of dollars to the Silverton Public schools and other organizations within the town of Silverton. Additional revenue comes into Silverton in the form of many dollars spent at local restaurants, motels, fuel stations and shops during their organized events. The Minnie Gulch Trail being re-established to single-track motorized use will greatly enhance public lands access by this group and others in the Silverton area that is currently not available.

The following comments are submitted on behalf of all four of these organizations and their members. We will refer to the organizations in these comments as "SJTR/TPA." Our comments will sequentially address the relevant sections of the EA.

Comments Submission:

1.5 Purpose and Need: Comment

SJTR/TPA believes that the purpose and need of this action has been clearly identified for all user groups in the plan. By working to identify a defined transportation system and associated routes, the BLM is responding to community input and working to provide for appropriate high quality user experiences while addressing safety and resource protection needs.

1.7 Scoping:

SJTR/ TPA provided input during the initial scoping and comment period beginning in January of 2019 and attended public meetings on June 20, 2019 that supported some of the Alternatives developed in this plan.

SJTR/TPA agrees with the BLM in the Analysis regarding identified issues that were not to be analyzed in detail and that further valuable time should not be spent on them.

1.8 Issues Analyzed in Detail:

SJTR/TPA agrees that the BLM has focused the Analysis on issues that are truly significant instead of amassing needless detail and that no further efforts should be made to gather more details for the Final Record of Decision.

1.9 Issues not analyzed in detail:

SJTR/TPA believes that the BLM was correct in not spending valuable resources analyzing minor issues where it has been determined that impacts are negligible, are minimized through the design features of the various alternatives, or where additional analysis is not necessary to determine the significance of the impacts.

2.0 Proposed Actions and Alternatives:

SJTR/TPA believes that the BLM has demonstrated a commitment in the plan to develop a comprehensive and sustainable transportation system for recreation in the Plan Area. It appears to be designed to provide a range of recreation access while protecting the resource. The BLM should remain focused on these goals and avoid the suggestions of some commenter's to select an Alternative that would deprive any recreation group from having reasonable access to public lands and associated recreation opportunities.

2.1 Summary of Alternatives:

SJTR/TPA believes that the BLM has provided a comprehensive range of Alternatives in the Plan and agrees with what each Alternative outlines.

2.2 Route designation by Alternative:

SJTR/TPA is satisfied that the BLM has provided accurate and complete route designations per Alternative in the provided data chart that contributes to the goal of developing a comprehensive travel plan.

2.3 Summary of Alternatives:

Alternative A – SJTR/TPA would support all three components of this Alternative.

Proposed Actions 2.3.3 - 2TE change of authorized use of an existing route/trail.

SJTR/TPA fully agrees that the BLM has appropriately addressed the importance of re-establishing the single-track motorized use of the 2TE (Minnie Gulch) trail. The Minnie Gulch Trail was authorized for motorized use for more than 4 decades before its closure in early 2000 without due process. The re-established authorization will again allow single-track motorized users in and around the Silverton area to readily connect to and from current motorized trail routes on the Rio Grande National Forest. The 1.6 mile section of trail 2TE (Minnie Gulch) currently lies directly between two motorized connectors on San Juan CR 24 and on the Rio Grande NF trail 917 where it terminates on the Colorado Trail.

The re-established authorization should have few, if any, negative impacts to other users, wildlife, or the resources. This is particularly apparent when one appreciates that a vast array of the similar, if not more impactful, current uses occur in and/or adjacent to the same trail area, including heli-skiing, snowmobiling, hunting, hiking, pack horseback riding, bicycling, large tours trekking across the Colorado Trail and motorized activity currently terminating at the top of Minnie Gulch at the Colorado Trail from the Rio Grande NF (Trail 917). This is a viable Alternative and should be seriously considered for selection by the Agency.

Representatives of SJTR/TPA have worked diligently and successfully to secure permission from local mine claim holders to allow motorized crossing of their properties on the existing Minnie Gulch Trail as it enters CR 24. This work was suggested by the Agency in order to contribute to the development of fully comprehensive Alternatives. The BLM should recognize that the commitments made by SJTR/TPA were fulfilled and that SJTR/TPA can be relied upon in the future to partner with BLM and other stakeholders in assisting with collaborative management of re-established single-track motorized use of trail 2TE, should it be authorized.

The steps identified by the BLM for any and all mitigation that would be required to fully authorize motorized use of the Minnie Gulch Trail are valid and appropriate for this project area and that this element of the Alternative should not be removed from any Alternative in which it appears.

Alternative B – SJTR/TPA can find no reason to support an alternative that does nothing to support the listed purpose and need of this TMP Action. SJTR/TPA strongly opposes selection of this Alternative. In fact, BLM should appropriately eliminate this Alternative from further consideration.

Alternative C – SJTR/TPA would support all three components of this Alternative with the addition of class 1 e-bikes and the BLM should consider this as a viable Alternative.

Alternative D – SJTR/TPA would support all three central components of this Alternative plus the addition of Class 1, 2, and 3 e-bikes. **BLM should consider this as the Preferred Alternative. It is the most comprehensive and affords all user groups meaningful, appropriate and sustainable opportunities for a diverse spectrum of recreation uses.**

Alternative E – SJTR/TPA cannot support an Alternative that does not include an element to re-establish authorization of single-track motorized use of the 2TE (Minnie Gulch) trail. The BLM should eliminate this Alternative for consideration in the Final Record of Decision because it does not meet Purpose and Need of this action and fails to provide a comprehensive TMP for all user groups.

2.8 Alternatives considered but eliminated from detailed Analysis:

SJTR/TPA fully agrees that any part of the Analysis that did not include motorized Alternatives would be absolutely inconsistent with the basic policy objectives and prescription for this area in accordance with the 2015 RMP and 2010 RAMP. The BLM should ensure that the Final Record of Decision fully meets Purpose and Need of this action and does not eliminate any user group from available opportunity.

3.0 Affected Environment and Environmental Effects:

The Silverton area has outstanding opportunities to view extraordinary scenery accessed by two by-ways and an extensive network of rough roads and trails. People come to this area for adventure and tourism. Currently the single-track motorized user group is the only user group with 0 (zero) trail access in the Silverton area. This group is highly underserved at every level of consideration, including rider access, quality of experience, connectivity and available services. While at least one user group will enjoy a more than 235% increase in new opportunity with this plan the motorized single-track user group is only requesting the re-established authorization of 1.6 miles of formerly designated trail on the 2TE (Minnie Gulch) trail which lies directly between two currently designated motorized routes and within an area of current and heavily used recreation. This short 1.6 mile connector between two motorized routes should be authorized to establish a very minimum connectivity to an existing trail 917 route on the Rio Grande NF. The BLM should provide for this opportunity and connection by designating Minnie Gulch as an authorized single-track motorized route in the Final Record of Decision.

Both the town of Silverton and San Juan County have expressed their interest in a completely new construction project of over 31 miles of single-track bicycle trails and addition of other current non-motorized routes to that system throughout the Silverton Area. They have however not demonstrated any support for single-track motorized access anywhere within the planning area. SJTR/TPA have only proposed the re-established authorization of an existing (not new construction) 1.6 miles of trail and a willingness to provide significant resources to mitigate existing resource issues on the existing Minnie Gulch trail to create a more viable and sustainable trail for all users of that trail. SJTR/TPA stands willing to advance these goals through a committed agreement, to the benefit of, but at no cost to, either San Juan County or the BLM. The overall maintenance of the trail will continue to be supported through the State Trails OHV Grant Program. SJTR/TPA has already taken initial steps to develop a comprehensive proposal for trail rehabilitation and financial support to achieve its completion. The BLM should recognize the value of this commitment by SJTR/TPA and use it to provide needed mitigation to the resource for all user recreation and overall 2TE trail sustainability now and in the future.

The vast majority of the summer visitation in the project area, as determined by BLM data in this Analysis, is by motorized users from May to August each year. Non-motorized summer trail visitation is generally low and not the primary external draw for the area. Motorized access for non-motorized or dual-type sport enthusiasts via snowmobile, heli-skiing, and cat skiing, plays an important part in winter recreation in the project area.

Therefore, the EA's speculative conclusion is highly suspect that resumption of motorcycle travel along the 2TE (Minnie Gulch) trail would have meaningful adverse impacts.

Any hypothetical conclusions in this Analysis that even a slight increase in any noise to a relatively short isolated motorized trail, that already has considerable activity in the project area 2TE(Minnie Gulch) during the summer months would be detrimental to any other user group, would not seem to be justifiable. The BLM should reject such subjective and undocumented element of the Analysis in the Final Record of Decision.

Resumption of limited motorcycle travel along the Minnie Gulch trail should have little if any negative impact to other trail users, regardless of their recreation type. Recent years have shown significant demand for OHV recreation opportunity in the Project Area and that trend is expected to continue. The demand for ATV, Side-by-Side and UTV opportunities in the area is largely being met by the extensive network of county roads. **This leaves unmet the significant demand for single-track motorized riding, to the tune of there being no (0) single-track motorized trail opportunities in the project area. This legitimate use is currently and totally underserved in the project area and this plan should be designed to correct that.** This element of consideration in the plan will represent the smallest mileage and opportunity change for any user group represented in the Analysis. The addition of motorized single-track use on the 2TE (Minnie Gulch) trail is in keeping with the area's management prescriptions as designated in the 2010 RAMP and 2015 RMP. This addition would provide the only motorized single-track experience (of 1.6 miles in length) within the project area and provide an important connecting segment to larger motorized opportunities and systems on adjacent National Forest lands. This is a modest and well-justified change, particularly considering that non-motorized users would gain exclusive use along an additional 38 miles of new routes.

The BLM must act to provide at least the one important single-track motorized trail 2TE connector in the plan or the plan cannot be rationally portrayed as meeting the Purpose and Need in providing an overall comprehensive outcome.

3.4 Big Game:

SJTR/TPA agrees with the data and conclusions arrived at by the BLM in this part of the Analysis. It is clear in the data provided that all actions and activities will potentially have some impact to elk populations in the project. Most certainly removal and/or modification of habitat by constructing completely new trails could have significantly more impact than making use changes to existing trails like the 2TE (Minnie Gulch) trail. The BLM should conclude that a change in status of a single trail to single-track motorized use to be less impactful than most any other part of the plan and proceed to approve it in the Final Record of Decision.

SJTR/TPA concurs with the conclusion that relative to all the current activity that occurs in the Minnie Gulch drainage travel across the existing single-track motorized trail 917 and the Colorado Trail that it would be difficult to determine if any negative impacts at all would occur with the addition of motorized traffic on trail 2TE. Since no relative data or current history can be provided to meaningfully predict damage or negative impact to the resource by re-establishing single-track motorized use to trail 2TE, the BLM should move forward with that approval.

3.5.1 Heritage Resources:

SJTR/TPA finds multiple elements of this section of the Analysis both troubling and hypocritical. It appears that this section is written in such a way as to steer the reader to believe that the single-track motorized authorization of trail 2TE is not warranted. SJTR/TPA vigorously opposes any such conclusion for the following reasons:

Trail 2TE is not currently, and has never been, listed in any State or Federal Register as a Cultural or Historic trail. In all the data provided in this Analysis it is now only considered to be a “candidate” for registry. The BLM should raise questions with the Tribal Agencies as to why this trail has never been listed on the National Historic Registry and work with them to mitigate those issues as has been done on many other similar recreation projects.

It seems odd that the Ute Tribes have taken such strong and sudden interest in the 2TE trail during this project study when, to our experience and knowledge, they have taken little to no interest in any other TMP in SW Colorado, including those in areas with far greater history or heritage resource potential. Other TMPs have involved dwellings, artifacts, and significant burial sites, none of which are along or near trail 2TE. The Analysis identifies only one specific cultural site that could easily be mitigated by the BLM and this single site identification should not be used to prevent single-track motorized use of the 2TE Trail.

Trail 2TE was open to motorized multiple-use for more than 40 years before it was inappropriately closed to motorized recreation in the early 2000's. Not one complaint/concern was ever presented by the Ute Tribe at any time this trail was open to motorized use and it was in much poorer condition and actually used by 4WD sportsmen driving jeeps to the top of the trail each year for fishing on Pole Creek, as evidenced through accounts by local mine claim holders. We are not aware of heritage resources remotely located near this trail, but if the Analysis can document their existence and conclude that it is a basis for prohibiting single-track motorized use, the Analysis must differentiate between the asserted new impacts and any that might have occurred during the decades of prior use. The BLM should consider that the 2TE trail has been motorized in the past with no identified historical damage to the resource for over 40 years of this prior use and should be grounds for re-establishing this use.

This is not a "pristine" valley. It is dotted with old mine claims and workings, has a trail that has existed for decades, been grazed annually, is open for hunting, open for heli-skiing, open for bicycling, hiking and horse pack trains. The BLM cannot rationally suggest, let alone conclude, that re-establishment of single-track motorized use along trail 2TE will negatively impact the "pristine" Minnie Gulch Valley

Many of the members of SJTR/TPA have extensive years of experience working with both the BLM and Tribal Agencies, including the Ute Tribe, throughout the Southwest, and in particular Southern Colorado, in oil and gas, mining and other industry.

These Tribal Agencies have frequently and effectively worked with private industry and the Federal Agencies to mitigate cultural concerns and support projects moving forward.

SJTR/TPA finds it unusual, if not suspect, that BLM has now attributed to the Ute Tribes such a strong position opposing a single-track motorized designation on the 2TE trail, particularly when this area exhibits such a low level of cultural resource potential as compared to other Ute cultural sites throughout the Southwest. The BLM should make their best good faith efforts to mitigate any presented claims and move the project forward.

SJTR/TPA also finds it odd and concerning that the Ute Tribes took no issue when a portion of the 2TE trail was absorbed within and completely destroyed during the building of San Juan County CR24, which is fully motorized, yet now finds it unacceptable to support change of re-established authorized single-track motorized use on the 1.6 mile section of trail located within the motorized use at both ends of the trail. The BLM should consider that this entire area has a motorized prescription and an isolated 1.6 miles of trail between two motorized routes and it makes sense to make this important connection between the two routes.

According to the information presented to SJTR/TPA, the 2TE trail being considered for change of re-established single-track motorized authorization exhibits few cultural/historic sites that would be impacted by this change. Most certainly no Tribal religious ceremonies or worships would be impacted by this re-established authorization any more or less than all of the other current activities occurring in, around, or on the 2TE trail. The BLM Analysis appears to have identified only one potential cultural site on or near 2TE trail. Any potential impacts to this site can be properly mitigated and cannot justify prohibiting single-track motorized travel.

Further research conducted by SJTR/TPA has not produced any history of ceremonial events or regular religious activities being conducted in the Minnie Gulch Valley as far back as 1960. The Analysis lacks sufficient basis to support any conclusion(s) that increased vandalism and damage to any possible prehistoric sites (which at this time appears to be only one) along the 1.6 mile 2TE route could occur with resumption of motorcycle travel.

At last contact with BLM representatives the previously discussed needs to re-route certain sections of the existing 2TE trail have changed significantly and now apparently would not have the same projected adverse effects to the original trail as was originally determined. Therefore, the integrity and cultural landscape and settings would experience negligible changes with the re-established authorization to motorized use of the 2TE trail. This is not unlike other aspects of the plan for non-motorized trails in which 31 miles of completely new construction through untouched terrain will occur and completely change the landscape. The BLM must consider the environmental aspects of all decisions and all activities in the proposed plan. And those elements must be considered equally in the Final Record of Decision.

The conclusions presented in section 3.6.2.2 claim that re-established and authorized single-track motorized use of 2TE would cause “irreversible” adverse effects to the cultural landscape and therefore result in an adverse effect to tribal concerns. The BLM has presented no evidence whatsoever that “irreversible” effects would occur with a re-established authorized use change to the 2TE trail.

No data, history or research is provided in this Analysis to validate this statement whatsoever. The BLM must not use undocumented or subjective conclusions as a basis for conclusions in the Silverton TMP Project and Final Record of Decision.

The Agency states that the 2TE (Minnie Gulch Trail) was identified as a Ute Trail during consultation. There are no records or even citations to records or documents to substantiate this statement.

SJTR/TPA finds any of these conclusions are completely contradictory to the current uses along or adjacent to the 2TE (Minnie Gulch) trail. Currently heli-skiing, snowmobiling, hiking, bicycling, hunting, horseback riding, outfitter packing, grazing/herding, and skiing occur in this valley. Some of these uses occur year-round. The introduction of only 90 to 120 days of motorcycle use along 2TE has very low potential for creating unique impacts to cultural resources, relative to what is already impacting the Minnie Valley. SJTR/TPA believes the BLM should put aside the many highly subjective and unsubstantiated concerns in the Analysis and focus on relevant and documented information in determining whether to re-authorize single-track motorized use along the 2TE (Minnie Gulch) trail. There are direct, indirect, and cumulative impacts already occurring in the Minnie Valley relative to any cultural aspects that far exceed any rationally attributable issues provided in the Analysis for preventing resumption of single-track motorized travel during a few limited summer months.

SJTR/TPA has submitted a FOIA request for documents and data that would support the comments made in this section regarding all the asserted negative impacts of re-authorized single-track motorized recreation use of trail 2TE. The BLM should provide those documents.

SJTR/TPA finds it interesting that mitigation for all cultural issues for every other action in this plan, regardless of a much more impactful change to the resource they would bring (e.g. 31 miles of newly constructed trail in Baker's Park), can be easily resolved and justified but not in the Minnie Gulch Valley where the only single-track motorized trail segment in this plan would be authorized. The BLM should ensure that all elements of the Analysis are valid and treated consistently.

Under the National Historic Preservation Act the BLM and the decision maker has full latitude to move projects forward if they have acted to address Tribal Concerns as they have been presented, regardless as to how effective in satisfying the concerns that the Tribe has presented. The Act provides for Tribes to participate in project processes. **Once their comments have been considered the BLM may proceed as they see fit according to the Act. The BLM should ensure that this comprehensive TMP Project move forward to full implementation in consideration of net benefit for all considered user groups.** SJTR/TPA requests that the BLM utilize this Act to ensure that the Silverton TMP Project moves forward.

Conclusion:

SJTR/TPA calls upon the BLM, after considering all factors in this project, to proceed to re-authorize single-track motorized use of the 1.6 mile section of the 2TE (Minnie Gulch) Trail in the Final Record of Decision for the Silverton TMP Project. The single-track motorized user group is highly underserved in this area of prescribed motorized use that currently has (0) trail miles of access in or out of the Silverton area.

This action would meet planning directives, address demand for appropriate and sustainable recreation, and make progress toward a fair balance in overall recreation opportunity in this Project Plan.

It is well established that all users/uses impact the resource in some way. It is inconceivable that it could be rationally determined in this Analysis that the re-established single-track motorized use for 3-4 summer months of each year on the 2TE (Minnie Gulch) trail would ever exceed the impacts of all other activities that are currently occurring in this valley. SJTR/TPA respectfully requests that the BLM act to select Alternative D (preferred), C, or A in the Final Record of Decision.

We appreciate your effort in preparing the EA and conducting the TMP process, and look forward to continuing our mutual efforts to address the needs of all stakeholders and the resource.

Submitted by:

[Signature on file](#)

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