



Ride with Respect
395 McGill Avenue
Moab, UT 84532
435-259-8334
501(c)(3)



On rough trails, when scanning ahead for obstacles, you can sometimes find a line that threads the needle to get you through. The "middle path" is how RwR approached most issues in 2020.

Also on public lands we performed another few-hundred hours of trail work and trail hosting, combined (see first attachment). To increase productivity, we're acquiring trail tools ranging from a sign/fence-post driver and welding supplies to a motorcycle and pickup truck for transporting on singletrack and doubletrack. This equipment is made possible by grants from the OHV Program of Utah State Parks and the Yamaha Outdoor Access Initiative (<https://www.yamahaoai.com/>). In fact they topped the list of entities that contributed over a thousand dollars in 2020:

1. OHV Program of Utah State Parks
2. Yamaha Outdoor Access Initiative

3. anonymous
4. Trails Preservation Alliance
5. Peter Lawson
6. Rocky Mountain ATV/MC
7. anonymous
8. A Nonni Moose (Our third anonymous contributor was quite clever.)
9. Grand County Recreation Special Service District
10. Fullsize Invasion by Xtreme 4x4 Tours
11. TrailTaker
12. John Borg
13. Dave McEuen, CPA for HEB Business Solutions

Of course we still have costs to cover, such as insuring the trail equipment and paying for some of my time, albeit at under twenty bucks an hour. This was a rough year for many people across the world, so we haven't solicited donations until now, and we haven't gotten CARES Act funds. At whatever level you can afford, please consider pitching in, as it's not too late to donate for a tax-deduction in 2020 (by sending a check to Ride with Respect, 395 McGill Avenue, Moab, UT 84532).

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Motorized Trails Committee of Grand County

As you may recall from the previous Year In Review...

<http://www.coloradotpa.org/2019/12/30/2019-ride-with-respect-year-in-review/>

...RwR did most of the groundwork for Grand County to form the Motorized Trails Committee, a collaboration between the area's land managers and recreation enthusiasts including clubs like the Red Rock 4-Wheelers and Moab Friends-For-Wheelin' (MFFW):

https://www.moabsunnews.com/news/article_6238fe12-439d-11ea-b28a-77d4c3aba0f6.html

While practicing COVID-19 health guidelines, the MTC managed to perform five-hundred hours of trail work, most notably from members of MFFW (who volunteered over a hundred additional hours this year during club outings separate from the MTC). The MTC worked with the Sand Flats Recreation Area staff and stewardship committee to propose several short links that would make better use of the existing trail system. In fact, staff from several county departments attended the MTC's monthly meetings, along with BLM staff and a handful of motorized-trail enthusiasts who are tremendously dedicated to responsible recreation. Hopefully the MTC will grow its volunteer base and get paid staff to follow in the footsteps of Grand County's non-motorized trails committee, Trail Mix.

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Vehicular Noise Concerns

When it comes to most forms of motorized recreation, excessive sound has always been an issue to work through, but it has come to a head particularly in Moab over the past five years. During that time, RwR has consistently recommended mitigation measures that are both feasible and effective. This year the MTC carried

these recommendations even further (see second attachment). Please take the time to read through them, as this is an issue about which many people have opinions, yet few people have a real understanding of how sound can be mitigated. Unfortunately Grand County and Moab City have thus far declined to try out the MTC's recommendations, favoring other measures that won't actually reduce the sound emitted from a vehicle, and will have several negative side effects. Moab City seems particularly interested in reducing the amount of OHV use rather than improving the quality of such use. Nevertheless RWR remains willing to work with anyone who commits to genuinely resolving this issue.

One positive sign is that Grand County recently budgeted for the purchase of sound-measuring equipment. We hope that they will also budget for a sound expert to train staff in using the equipment, not to mention advising staff on refining its ordinances and rules (such as event permits). To properly use a sound-measuring kit donated by the American Motorcyclist Association, RWR received instruction from Chris Real of DPS Technical, a foremost expert who also generously gave RWR several hours of consultation on mitigating noise concerns more generally. The OHV industry deserves additional credit for funding the development of stationary-vehicle sound testing procedures that are objective and enforceable (such as SAE J1287 that measures sound just twenty-inches from the exhaust outlet of OHVs at half-throttle). Further the OHV industry funds education such as this webinar from the National OHV Conservation Council (NOHVCC):

<https://www.youtube.com/watch?v=098xSTD6TAI>

RWR supports the 96 dB standard via J1287 for all OHVs, and we ask the OHV industry to surpass this standard by a few decibels for UTVs, also known as side-by-sides. The 96 dB standard and J1287 procedure were established in 1980 specifically for off-highway motorcycles. Compared to UTVs, off-highway motorcycles tend to have quieter tires as well as less weight and manual transmissions that allow riders to lower RPMs while still moving along past a town, trailhead, or wherever people and animals are encountered. These are some of the reasons that UTVs measuring 96 dB via the stationary test tend to actually emit more sound in real-world applications than off-highway motorcycles measuring 96 dB via the stationary test. Fortunately most UTV models—even most sport models—already measure 92 dB or less via J1287. Getting the remaining UTV models and aftermarket exhaust systems to follow suit would benefit everyone in the long run.

RWR has already approached the OHV industry, and already seen some encouraging signs. However we could use Grand County's help by suspending actions that appear to arbitrarily reduce or eliminate use across the board, and instead target inconsiderate use by carrying out the recommendations of its Motorized Trails Committee. Granted it's tempting for OHV critics to claim that OHVs are inevitably loud, just as it's tempting for OHV advocates to dismiss noise concerns as fabricated. Indeed anti-noise measures are sometimes a guise for anti-OHV ends, but such bias can't be fully countered until OHV sound levels are consistently moderate to the average ear. The community deserves for OHV leaders and local government to ensure that vehicle sounds are reasonably low even when the level of OHV use is high.

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Manti-La Sal National Forest Land Management Plan Revision

Each national forest is guided by a Land Management Plan (LMP aka "Forest Plan") that is supposed to be replaced within twenty years, but they tend to last much longer. In fact the Manti-La Sal National Forest is about

to start scoping on the revision of its current LMP from 1986. Actually the USFS started scoping in 2004 but got sidelined by new agency planning rules. Since 2004, RwR has proposed to make the existing trail systems more useful (by adding short links and trails that parallel graded roads), but the USFS has told us to wait until travel planning begins after the LMP is revised. (Travel plans define which routes are open to motorized travel, as motorized travel is limited to designated routes on most public lands, with designated routes occupying far less than one percent of the area.)

Assuming that the LMP and travel plan each take a couple years to complete, our proposals will have waited twenty years since 2004. What's more concerning is that the draft LMP...

<https://www.fs.usda.gov/main/mantilasal/landmanagement/planning>

...zones half of the acres as exclusively non-motorized via Recreation Opportunity Spectrum (ROS) classification, and it's the good half (generally the acres above 8,000' that are away from graded roads). This zoning would prevent proposals for motorized trails (including e-bike trails) from even being entertained by the subsequent travel planning. Unless the USFS sticks with its current ROS, which zones ten-percent of the acres as non-motorized, then the agency is effectively telling us to wait until it's too late, essentially punishing us for being patient instead of blazing unauthorized trails like other user groups have been rewarded for doing. On top of that, the draft LMP manages Inventoried Roadless Areas (IRAs) as non-motorized even though they contain most of the few singletracks remaining for motorized use. The 2001 "Roadless Area Conservation" rule was intended merely to prevent most road building, not to prevent motorized-trail building, let alone close existing trails.

ROS and IRA are among a half-dozen issues that RwR partnered with other OHV groups to request that the USFS revise in its draft LMP (see third attachment, which includes ROS maps more clear than what the USFS has provided). The partner groups are Castle Country OHV Association, Sage Riders Motorcycle Club, Utah OHV Association, and Utah Off-Roaders Alliance. Our request is modest considering that the draft LMP is more restrictive than the current LMP in almost every way. Apparently the further restrictions don't go far enough for the Grand Canyon Trust (GCT), which drafted its own LMP that they expect the USFS to carry forward as an alternative to analyze. Wilderness-expansion groups often develop their own alternatives, and agencies rarely carry them forward, often because the alternatives propose that agencies go beyond their legal authority. One can't blame GCT for drafting its own LMP, as it makes sense for any group with over seven-million dollars in annual revenue and over twenty-million dollars in net assets. Our concern is their end game, for example the GCT's 2014 proposal to designate half of the La Sal Mountains as wilderness, and again it's the good half (see fourth attachment). This wilderness would close the vast majority of trails to regular mountain-bike use despite that the USFS had just closed over twenty miles of trail to mountain biking in 2013. Even if Congress doesn't designate more wilderness, GCT aims to make the USFS manage it as de facto wilderness by self-imposing an LMP that's impossible to implement. Already the agency's draft LMP is rather cumbersome when you consider the layers of regulation.

The joint comments with RwR's partner groups would merely scale back the extent of new restrictions so that subsequent travel planning has a chance of resulting in a map that the public will actually follow. RwR will continue helping land managers to gain compliance of the travel rules and reduce conflicts between uses, but our success depends upon an adequate quantity, quality, and variety of trails. You can help by submitting similar comments to the USFS during this pre-scoping period. The agency has indicated that the documents won't significantly change when scoping officially begins, and they will probably accept comments through February. While there's plenty of time to flesh out your comments, we do recommend submitting them soon, as it would

give the agency time to actually incorporate your suggestions. In fact RWR will meet with USFS planners tomorrow to continue trying to work through these issues. If the revised LMP winds up lasting another forty years, it will deal with electric vehicles more so than gasoline-powered ones. The concerns will be less about noise and more about ensuring that vehicles emit sufficient sound to alert oncoming trail users!

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BLM Travel Planning Statewide

With roughly ten-thousand miles of route at stake, RWR is engaging in all twelve of the Travel Management Areas (TMAs) where the BLM must reevaluate its 2008 Travel Management Plans (TMPs) per the 2017 settlement agreement. See the colored areas in the southeast half of the state (dark gray half):

<https://www.blm.gov/programs/recreation/recreation-programs/travel-and-transportation/utah>

Note that BLM also plans to approve six TMPs in the northwest half of the state (light gray half), covering an equally-large area, but those six TMPs are not subject to deadlines of the settlement agreement. Scroll down the BLM's webpage to find links for the TMAs where the agency has begun its reevaluation. Each link takes you to a planning page with a contact person who you can ask to put you on an "interested public" list to receive notification of comment periods. However most field offices don't make those lists or notifications, so you should bookmark the planning page and periodically check when it was "last updated."

Of the twelve TMAs, the BLM completed its first TMP covering the San Rafael Desert, designating 767 miles of route as open out of the 1,181 miles that BLM determined to exist prior to 2008 (although we know of additional routes that were missed, not to mention 80 miles of route permanently closed by the Dingell Act's designation of Labyrinth Canyon Wilderness). Although the TMP closes some routes that were of high recreational value and low impact to natural or social resources, the new TMP can be refined in future, so we accept the BLM's decision. Despite that the new TMP closes over a third of the routes, the Southern Utah Wilderness Alliance (SUWA) appealed it. SUWA had signed the 2017 settlement agreement along with the OHV intervenors BlueRibbon Coalition (BRC), Trails Preservation Alliance (TPA), and Colorado OHV Coalition (COHVCO). During those settlement talks, all three groups relied heavily on consultation from RWR, as well as legal counsel from the venerable Paul Turcke. This year Paul changed career tracks, but thankfully the TPA, COHVCO, and RWR secured representation from Mark Ward of Balance Resources, a Utah nonprofit legal advocacy organization. Mark has nearly two decades of experience in public lands law. Although RWR doesn't favor a litigious approach to land managers, wilderness-expansion groups do, and it's important for OHV advocates to be at the table.

With the guidance of Balance Resources, including substantial work done pro bono, RWR / TPA / COHVCO intervened to defend the San Rafael Desert TMP from SUWA's appeal, and we were joined by Emery County, the State of Utah, and BRC. All parties will be filing their arguments over the next few months. First, though, we successfully opposed SUWA's petition for stay (which would have blocked the TMP from taking effect while the appeal is in process). All the intervenors contributed to opposing the stay so that BLM can start implementing its TMP, and RWR / TPA / COHVCO made the most detailed case. SUWA's petition for stay was denied, so the public is free to enjoy the routes designated in the San Rafael Desert, but it's important to follow them precisely. Mind you it's important to Tread Lightly! on all public lands simply to maintain their health. But it's particularly important in the San Rafael Desert as SUWA has collected and will continue collecting evidence to argue that the

BLM failed to minimize negative impacts. We expect this claim to be made in every TMA, so everyone should visit the areas carefully to show that the currently-designated routes are generally sustainable. Further we should volunteer to do trail work and education projects in these areas. Finally we should work with BLM and county staff to help them include every route in their inventories before the agency even starts its formal scoping period. In fact RWR can assist you toward this end, so don't hesitate to contact us about any of the twelve TMAs.

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BLM's Utah Resource Advisory Council

I have served on the BLM's Utah Resource Advisory Council (RAC) for the past couple of years, which primarily weighs in when the agency plans to charge fees for campground development or other services. RWR supports fees to cover such development or services when they're needed to maintain the recreational opportunity and resource conditions. This year the BLM proposed to charge OHV users of Five Mile Pass a \$10 fee that lasts until 2pm the following day, or an \$80 annual pass that also covers Knolls Recreation Area (mostly sand dunes):

<https://eplanning.blm.gov/eplanning-ui/project/1502537/510>

Nearly half of the fees would go to law-enforcement patrols that are not eligible for FIG (state OHV grant) funds, but most of the remainder would go to facilities (mostly at the main trailheads) which are eligible for FIG funds. Therefore I suggested that the BLM charge \$5 and get the rest from FIG, especially since Five Mile Pass has multiple entrance points and free alternatives nearby. However most of my fellow council members supported the \$10 charge. Nevertheless I urge the BLM to apply for FIG funds, which can be combined with the \$10 charges to provide more trail work beyond the basic patrol and trailhead services that the BLM has already pledged, resulting in a better product for visitors.

Fortunately the RAC did advise the BLM to offer a better deal on the annual pass, such as making the pass cover additional fee sites like Little Sahara Recreation Area (more and larger sand dunes), considering that other annual passes with comparable fees cover entire state-park and national-park systems. They even appointed me as the primary RAC contact for the BLM to develop its annual-pass proposal. Therefore I would like to hear ideas from all public-land visitors in the coming weeks. I look forward to working with the BLM's new state director, Greg Sheehan. He will have big shoes to fill after the retirement of Ed Roberson. However Greg has a solid background including twenty-five years in the Utah DNR, and can rely on many long-time BLM staff at the state office who do good work despite COVID-19 and even some earthquake damage, not to mention tectonic shifts in D.C. on a four-year cycle that seems to intensify over time.

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Utah's Fiscal Incentive Grant Program

In Utah's history, one of the greatest developments for motorized trails is the Fiscal Incentive Grant (FIG) program resulting from H.B. 143, which enables land managers / local government / OHV organizations to do more trail work and other things that benefit responsible recreation. The FIG fund is already five times larger than the federal Recreational Trails Program (RTP) funds that are allocated for motorized trails in Utah. Last year, the FIG program started slowly, and was even in jeopardy of replacement. This year the leadership of the

Utah DNR and its Division of Parks and Recreation graciously hosted multiple meetings with RWR, Brett Stewart of Utah OHV Advocates, and Steven Hawkins of the Utah OHV Association. Thankfully they agreed to hire a grant administrator, to automatically allocate H.B. 143 funds to FIG each year, and to report annually on the Division's spending of all other OHV funds outside of the RTP and FIG programs (nearly five-million dollars which goes to OHV-friendly state parks, law enforcement in and out of the parks, and the Division's own OHV Program that trains trail hosts and loans heavy equipment among other services). This is a great start and, although we predict needing to create a position for a second grant administrator, we greatly appreciate the Division's renewed focus on a competitive grant program that should achieve the best value for OHV taxpayers.

Now it's up to land managers / local government / OHV organizations to put those funds to good use. Unlike many grant programs that can only pay for up to half of the proposed project, FIG funds can pay for most of the project if the proposal is sufficiently compelling. In fact, FIG funds can be used to cover the match that RTP grants require. In other words, although applicants must put some "skin in the game," most of their work can be covered by grants. COVID-19 has increased visitation on public lands, especially by people who are new to backcountry settings, which calls for more trail work and education than ever. Applicants can request up to \$12,500 through the quarterly grant cycle that ends January 15th, and higher amounts through the annual cycle that ends May 1st:

<https://stateparks.utah.gov/resources/grants/>

Contact the OHV grant administrator well in advance to refine your application. Also feel free to ask me for preliminary feedback since I served on the grant review committee for eight years. (Incidentally two of the committee's seats are open so, if you're interested in serving, see the fifth and sixth attachments.) Even though funding is spread statewide, FIG offers millions of dollars for a wide variety of projects, with projects ranging from a few-thousand dollars to a few-hundred-thousand each. Land managers / local government / OHV organizations should team up to seize this unprecedented opportunity to improve trails and their surroundings.

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On the proverbial trail, things are far from perfect, but they'd be worse without RWR's moderating influence. Of course life is sometimes less like two obstacles that need to be threaded, and more like two paths that demand committing to one or the other, lest you involuntarily impersonate a lawn dart (as I've done more than once). However on most issues, a middle path exists, and it's worth pursuing despite attacks from both sides. We appreciate the many supporters of RWR, and wish everyone a smooth ride in 2021.

Clif Koontz
Executive Director
Ride with Respect
395 McGill Avenue
Moab, Utah 84532
435-259-8334 land
201-741-0361 cell