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Louis (Ted) Neff, Deputy District Ranger
Moab-Monticello Ranger District
Manti-La Sal National Forest
62 East 100 North,
P. O. Box 386
Moab, Utah 84532

Re: Comments by Ride with Respect, Colorado Off-Highway Vehicle Coalition and Trails Preservation Alliance on the Proposed Beaver Creek Restoration Project in the La Sal Mountains.

Dear Mr. Neff:

I represent Ride with Respect (RwR), a Utah Nonprofit Corporation, Trails Preservation Alliance (TPA), a Colorado Nonprofit Corporation, and Colorado Off-Highway Vehicle Coalition (COHVCO), also a Colorado Nonprofit Corporation. We appreciate the opportunity to comment on your proposed Beaver Creek restoration project in the La Sal Mountains.

The Commenting Organizations

Ride with Respect (RwR) was founded in 2002 to conserve shared-use trails and their surroundings. RwR has educated visitors and performed thousands of hours of high-quality trail work in Manti-La Sal National Forest (MLSNF), in addition to thousands of hours of similar work on SITLA property around Upper Two Mile Canyon, which is adjacent to the site of your proposed project.

The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization of approximately 150,000 registered OHV users in Colorado seeking to represent, assist, educate, and empower all OHV recreationists in the protection and promotion of off-highway motorized recreation throughout Colorado. COHVCO is an environmental organization

that advocates and promotes the responsible use and conservation of our public lands and natural resources to preserve their aesthetic and recreational qualities for future generations.

The Trails Preservation Alliance (TPA) intends to be a viable partner, working with the United States Forest Service (USFS) and the Bureau of Land Management (BLM) to preserve the sport of trail riding. The TPA acts as an advocate of the sport and takes the necessary action to ensure that the USFS and BLM allocate a fair and equitable percentage of motorized access to public lands.

The members and supporters of all three organizations depend on motorized routes in the MLSNF and particularly in the La Sal Mountains for responsible recreation. They are concerned to see that those opportunities have dwindled in the Moab Ranger District, despite your agency's mission to manage the lands pursuant to a multiple-use sustained yield standard. A significant concentration of roads exists on nearby SITLA property, but the singletrack and ATV loops there can each be ridden in an hour, so there is a great need to preserve other existing trails, which can be used, improved and/or maintained sustainably.

Comments

I.

The project documents fail to acknowledge the importance of the two subject roads to the overall outdoor motorized recreation resource in the La Sal Mountains, fail to explain the impact to the human environment and outdoor recreation resource from their closures, and fail to explain why closing them is the only reasonable way to adequately restore the stream.

In the stream restoration project documents, there is lacking any acknowledgment of the outdoor motorized recreation resource and value provided by the two subject roads that the Forest Service proposes to close, nor acknowledgment of the negative impact to that motorized recreation resource that would come from the road closures. This is unreasonable given the multiple use mandate under which the Forest Service operates.

There is also lacking any explanation as to why closing the two subject roads is necessary to achieve the desired stream restoration. Reasonable explanations to develop these should occur before even beginning to consider any such closures of established publicly accessible Forest Service roads. NFMA and NEPA and project regulations require no less.

II.

In case the Forest Service is concerned that vehicular stream crossings at and above the restoration project area may cause erosion and produce harmful sediment loads, then the project managers should strongly consider reasonable alternatives to road closures in the name of sediment control such as bars, hardening of stream crossings, and/or culverts and bridges.

Simply closing the subject roads without considering alternative measures to control sedimentation, including but not limited to *hardening stream crossings, installation of bars and rolling dips, and/or installation of bridges and culverts*, fails the Forest Service's management mandate from an environmental basis, a multiple use mission basis, and a cost-benefit basis.

We urge you to redesign your approach to this project and give serious consideration to the alternative measures described above at those road crossing areas where you may perceive a sedimentation threat to aquatic and riparian resources. Instead of simply cancelling the longstanding valuable motorized recreation resource that Forest Service Roads 4733 and the upper part of Forest Service Road 4732 have provided to the public in the overall multiple use mosaic, you make every reasonable effort to the aquatic resource and the travel resource compatible and harmonious in the ways mentioned above. Make it a win-win situation, not a zero-sum game.

Again, it is unclear from the documents, but if you rest proposal to close Forest Road 4733 and the upper part of Forest Road 4733 mainly on a perceived erosion/sedimentation problem that might be caused in the area of the roads' stream crossing(s), then you cannot reasonably just close those roads without giving consideration to wisely making the travel resource *compatible with* the stream and aquatic resource. Your agency has provided no reason why the subject roads could not be preserved for public use through the alternative stream crossing improvement measures described above. Further your proposal makes no comparison of the proposed closures to these other alternatives.

We believe that any stream management issues could be resolved through these alternative measures and education, for which there is now five times more grant funding available from the State of Utah's OHV Program than ever before. We would be more than happy to meet with you on the ground to discuss such measures and possible funding for such.

III.

In any event, road closures should be delayed and taken up only as part of the public NEPA MLSNF plan revision process.

In any event, road closures are such a drastic measure that consideration of such should wait to be taken up as part of the public process in the NEPA public MLSNF Forest Plan Revision process, including a comprehensive travel management planning and revision process.

RwR has been participating in the Forest planning since 2004. Since 2009 RwR requested minor travel-plan amendments near the site of your proposed project, and SITLA made the same request in 2011 (see attached letter). Essentially RwR and SITLA requested that the USFS close one mile of riparian and seldom-used route while opening another mile of non-riparian and often-used route to conform with SITLA's travel plan. Since then RwR was told that your agency will not initiate any travel-plan amendments prior to revising the Forest Plan. If my clients must wait over a decade for minor and pragmatic changes to the travel plan, then why can't the USFS itself wait to go through the full Plan Revision process before closing two roads? We hope this is not a roundabout effort to enable the Forest Plan to zone the Beaver Creek area as non-motorized, thereby preventing the subsequent revised travel plan from considering any form of motorized use on either of those roads.

IV.

The formal notice of this project is inadequate to give the public sufficient notice of road closures.

Your formal public notice was insufficiently titled "Beaver Creek Restoration Project," because it left out the road closure part. Were you to engage in the hardening of subject roads stream crossings instead of the closure of those roads, that would not even require public notice. What requires public notice is the closing of roads, which is not mentioned until six paragraphs into your public notice. Moreover you communicated your formal notice to multiple environmental organizations but no OHV organizations despite the fact that motorized recreationists would be the most adversely impacted by your road closure proposal. It would be appreciated if in the future projects be properly titled and my clients be notified of any projects in MLSNF that would affect OHV recreation.

CONCLUSION

In conclusion, while we take no issue with the other aspects of your stream restoration project, we respectfully urge you to suspend any proposal to restrict access on Forest Road 4732, Forest Road 4733, and instead provide continued public use of those roads by undertaking alternative measures to improve and upgrade each stream crossing location on these and or any other routes in the project area.

At the very least, you should forego consideration of any proposed road closures until initiating comprehensive travel planning as part of the public NEPA Forest plan revision process. We appreciate your careful attention to this matter.

Submitted this 12th day of April, 2021

BALANCE RESOURCES

/s/ J Mark Ward

J. Mark Ward, President and Legal Counsel

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