



Ride with Respect
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2020 had been a tough year for most people, and 2021 was more of the same in some ways. The same is true for motorized trails around Moab, which has at least a couple of benefits. First, as the plot thickens, it has increased interest and hopefully engagement. Second, if handled well, the challenges can make everyone stronger and smarter. This year in review focuses on RwR's planning and advocacy because there's an immediate need to explain off-highway vehicle (OHV) rider perspectives, the sense of freedom inherent to recreation, and the responsibility that goes along with it. We also need riders to understand the issues, so please read through each section, perhaps a section per day before or after your outdoor excursion! RwR remains on the front lines of OHV issues, and we depend on the support of anyone who enjoys Moab trails. This is the last day to donate for a tax-deduction in 2021 (by sending a check to Ride with Respect, 395 McGill Avenue, Moab, UT 84532). We welcome contributions of any size to supplement the major support from [Utah's OHV Program](#), the [Yamaha Outdoor Access Initiative](#), [Trails Preservation Alliance](#), [Rocky Mountain ATV/MC](#), and several individuals, plus the Grand County Recreation Special Service District for funding an educational music video to be unveiled next year.

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Education

With more people enjoying public lands, especially people who are new to OHVs or the backcountry setting, spreading a trail ethic (i.e. minimum-impact practices) is critical to the future of recreation. RwR injects education into tourism promotion, even into other media coverage, such as [this segment of the Utah Explored TV show](#) (@utah_explored) on the 50th anniversary of Utah's OHV Program. We greatly appreciate the OHV Program for featuring its partnership with RwR, the trail work, and parlaying it into our motto of Caution, Consideration, Conservation. When people see how much work goes into trails, they become less likely to roost the steep sections or go off trail, knowing that a fellow rider would have to clean it up. Another service that RwR does behind the scenes is reviewing OHV-related content. It often takes a full day to thoroughly review the draft from a commercial map maker, a land manager's new kiosk, or the forthcoming water bottles that Grand County is producing with trail tips. We appreciate these entities for incorporating our input, and Grand County for committing six figures to its new Sustainable Trails Promotion, utilizing its Motorized Trails Committee for feedback.

In contrast, Moab City hasn't contributed to OHV education beyond conveying the requirements for street-legal ATVs. In fact the city rejected RwR's grant application to reimburse the vehicle costs of volunteer OHV trail hosts because "the entirety of the program takes place in the backcountry" despite that the host's educational message would apply to city neighborhoods, that some of the trails are actually in city limits, and that nearly every other groups' applications were approved including some that would take place entirely outside of city limits. Council Member Guzman-Newton spoke up for the RwR application, and Mayor Niehaus agreed, but the

other council members disagreed. The city receives millions of dollars from OHV tourism each year, spends none of it on the management of OHVs, and spends a lot of time criticizing OHVs. The city's grant process included many other worthy applications, and the city is welcome to help in other ways (that don't involve funding RWR), but the city and any other beneficiaries of OHV tourism should start pitching in toward its management.

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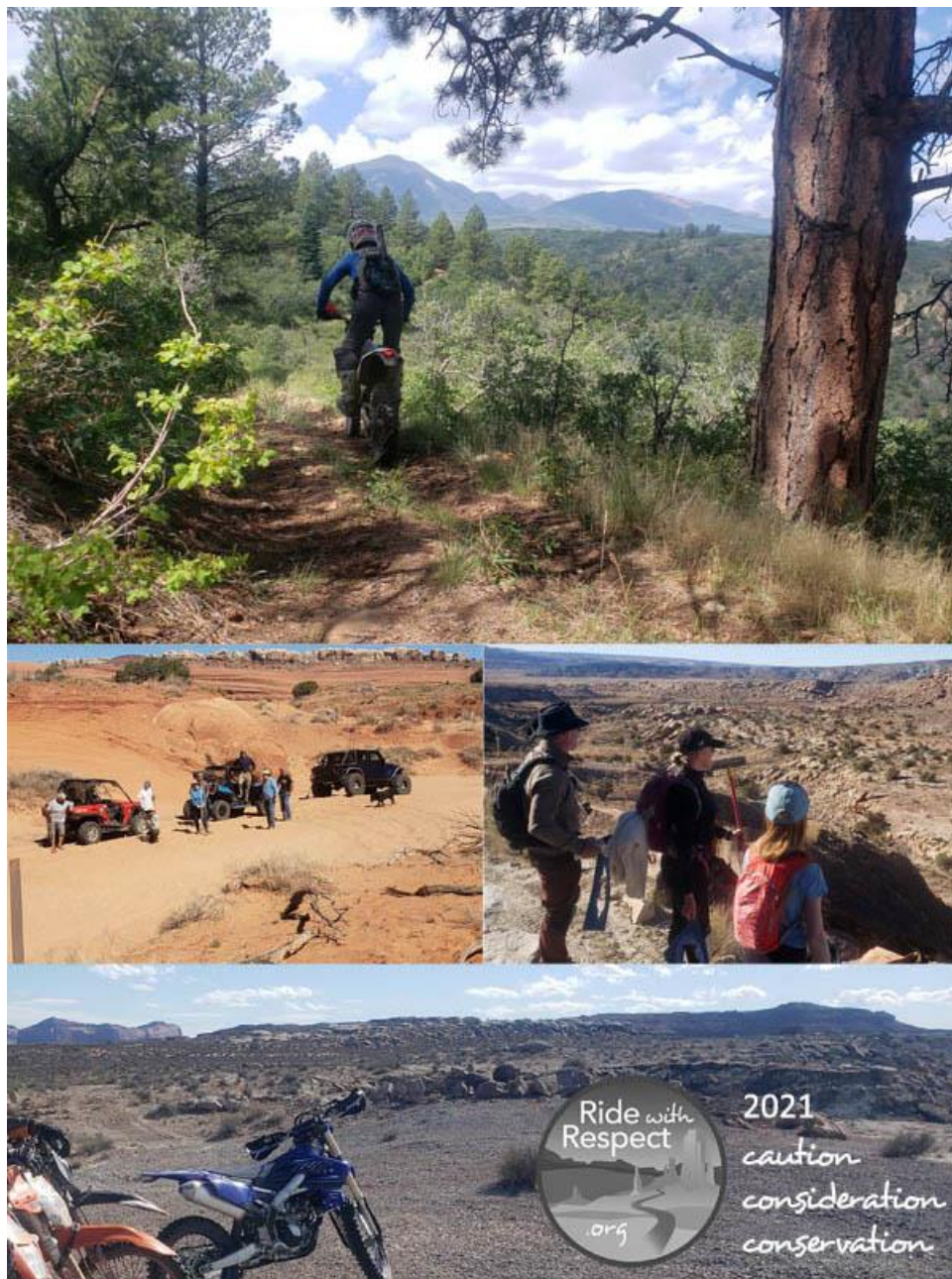
Trail Work

On public lands, RWR performed another few-hundred hours of trail work and trail hosting (see photo), and so did Grand County's Motorized Trails Committee that includes members of RWR, the Moab Friends For Wheelin' (MFFW), and Red Rock 4-Wheelers (RR4W). One project brought RWR to Richfield as a demonstration of heavy equipment for NOHVCC's Great Trails training workshops hosted by Utah's OHV Program. The OHV Program and the Yamaha Outdoor Access Initiative (OAI) outfitted RWR with a pair of enduro bikes for lighter-duty trail work, field trips, and monitoring in the most efficient manner. This was the sixth [Yamaha OAI](#) grant in the past fourteen years, totaling \$50,000 in tools and trail infrastructure around Moab.

Much more trail work is needed, and a lot of it could be done if every trail user were to volunteer just one day out of the year. More paid trail crews are also needed, and we are optimistic about that need being met by the state OHV Program's grants or an expansion of their own crews. Currently Grand County doesn't fund any work on motorized trails (with the exception of Sand Flats where entrance fees are put to good use). Grand County does spend six figures in county funds on non-motorized trails, and their staff do an impressive job, as you can hear from [this local radio show](#). The same show [interviewed me \(Clif\)](#) in early January at the height of election turmoil and another wave of the pandemic so, although my mind was scattered, it was nice to reflect on the history of RWR and the potential future of e-bikes among other things.

In June, for a podcast of the American Motorcyclist Association, I felt honored to have a [half-hour conversation with Paul Slavik](#), one of the founders of NOHVCC and many OHV initiatives in California. Paul's perspective spans back before the BLM and USFS even had their current organic acts, so it was interesting to learn how we've gotten to where we are, and inspiring to hear Paul's enduring enthusiasm. You can hear another great half-hour conversation between two other former leaders of NOHVCC. From [the AMA's podcast page](#), scroll down to "AMA Motorcycle Hall of Famer Mona Ehnes and her son, AMA Board Chair Russ Ehnes." Like Paul, Mona and Russ have advocated motorcycle trail riding for over half a century, and they convey the leadership skills to prepare for the next half. Be sure to join the AMA and other national, state, and local OHV groups wherever you ride.





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Utah DNR Evolution

There will be a couple big changes in the state's Department of Natural Resources (DNR), plus the retirement of Chris Haller after coordinating the OHV Program in its 50th year. Twelve years ago, Chris brought RWR further into the fold of state OHV operations, and he brought heart to the difficult job of coordinating many interests. Some of the operations Chris developed are highlighted in [his eight-minute presentation to the Western Governors' Association](#) (WGA). RWR was invited on the panel comprised of Chris and other great leaders of the DNR and PLPCO. With an audience of agency and elected officials from across the west, we took [thirteen minutes to showcase the importance of trail work](#) and other things for which OHV groups can help. Many of

RwR's operations are helped by the OHV Program, much of which was developed by Chris, and we're proud of the progress.

We're also excited for the OHV Program's future since moving from the Division of Parks to a new Division of Recreation, which should continue to assist the state parks that offer OHV riding, yet allow more focus on the majority of riding opportunities that exist on federal lands. The OHV Program isn't just the "hub of the wheel" of managing OHVs within state government, but of managing OHVs within the state, period. The new division has potential to refine that wheel, and we look forward to working with the new division's director, Pitt Grewe, in addition to continued work with DNR Director, Brian Steed.

Back to the Division of Parks, it will develop the new Utahraptor State Park to encompass most of Sovereign Trail System (including Fallen Peace Officer Trail). Twenty years ago, RwR organized the area's OHV use into a trail system, and has maintained it ever since. We haven't kept pace with increasing use, especially from camping, so we supported the bill to establish Utahraptor State Park. It will preserve natural and cultural resources like dinosaur bones and a Civilian Conservation Corps camp that, unfortunately, was used for the internment of Japanese Americans during World War II. In addition to developing interpretation of this history and paleontology, the park will use entrance fees to enhance recreation opportunities including motorized trails. RwR has surveyed the trails with the new park manager, Josh Hansen, who previously managed Coral Pink Sand Dunes. Developing a state park in an area that is already well-used will have its hiccups, in part because a third of the trail system isn't encompassed by the park. We can work through these things, and are optimistic that Sovereign has a bright future.

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Noise concerns

Excessive vehicular sound is a serious problem around Moab, and RwR has advocated reasonable limits for nearly twenty years. Part of the issue stems from operators failing to reduce engine speed (RPMs) in residential areas or when encountering others on the trail. Most of the issue stems from inadequate mufflers, which is true for up to an eighth of the 4WD vehicles and a quarter of motorcycles (with many of that quarter being way too loud). So far, few UTVs are way too loud, but about three quarters of them are a little too loud because the two loudest models happen to be some of the most popular ones around Moab. A "little too loud" multiplied by a lot of vehicles equals contempt everywhere from the neighborhoods to the backcountry. If your vehicle is one of the louder ones, just because you don't see other recreationists out there doesn't mean they can't hear you from miles away, not to mention the wildlife for which our playground is their home.

It's not feasible to enforce a limit based only on the sound of a moving vehicle, as sound meters don't pinpoint sound from a single source, and even light wind adds significantly to a pass-by measurement. Fortunately it's quite feasible to enforce a limit based on the sound of a stationary vehicle (generally measured at half-throttle twenty inches from the exhaust outlet). Fortunately industry and enthusiast groups support a limit of 95 dB by the SAE J1492 method for automobiles, 96 dB by J1287 for off-highway motorcycles, and 96 dB by J2825 for on-highway motorcycles (with the exception of 3- or 4-cylinder motorcycles that are given 100 dB since J2825 calls for them to be measured at a higher RPM). These stationary sound limits penalize as many loud vehicles as possible without penalizing vehicles that actually comply with the federal limits (which measure an accelerating

vehicle in a controlled setting from fifty feet away). UTVs don't have a federal sound limit, and industry hasn't endorsed a particular stationary limit for UTVs, but it should be at least 4dB lower than the limit for motorcycles to compensate for the fact that UTVs (when actually moving) produce more non-muffler sounds (like tire and driveline sounds) and require sustaining a higher RPM due to the additional weight and snowmobile-style transmission. Nearly all stock UTV models are under 92 dB by J1287, and the RZR 1000 is under 92 dB when outfitted with quieter aftermarket mufflers like the HMF Twin Loop, and the KRX has plenty of space around the muffler for HMF to produce a Twin Loop. The OEMs should make these models quieter in future (like they used to do for all models until about six years ago), and ought to help retrofit the existing models. Even if UTV owners have to spend a thousand dollars for a muffler to get below 92 dB, a quarter of motorcyclists will need to do the same thing to get below 96 dB. This simple fix is well-worth the cost to maintain motorized access and, frankly, it's a reasonable expectation of the general public.

The dedicated members of Grand County's Motorized Trail Committee (MTC) sorted through hundreds of hours of research from RwR, and unanimously supported the aforementioned sound limits, including 92 dB by J1287 for UTVs even though many states allow 96 dB (by erroneously regarding UTVs as motorcycles when it comes to stationary sound testing). In March, the MTC submitted to the county commission and Moab City seven pages of comprehensive recommendations, from checking spark arrestors to prohibiting "throttle jockeying," essentially handing our local leaders a stringent-yet-practical sound ordinance on a silver platter (see Page 13 of attachment "2021-04-27 RwR noise letter"). MTC members volunteered at sound testing demonstrations for local officials that RwR coordinated, which included street-bike and car enthusiasts, as we were building consensus. Yet the county's draft ordinance went from bad to worse in the hours leading up to their April 20th meeting, in which the county attorney spoke inaccurately about key elements of OHV sound, and the commission voted unanimously to approve the ordinance. On Class B roads (i.e. every graded road and most paved roads), all vehicles (under 9,000 lbs GVWR) must operate at under 74 dB from fifty feet away, which can be difficult for stock vehicles to meet when climbing a hill or accelerating from a stop. It would actually be fine for the purpose of screening vehicles to measure them stationary, but the ordinance authorizes citations based on pass-by measurements alone. Everywhere in Grand County, it requires automobiles (including 4WD vehicles) to be under 92 dB by J1492, which penalizes thousands of vehicles that are simply not bothering anyone. Everywhere in Grand County, it requires on-highway and off-highway motorcycles to have an EPA-compliance label on its muffler that matches the code on its head tube. Federal law requires this label at the point of sale, but not at the point of use, and it's often impractical to reach. No muffler with an EPA-compliance label is available for many models, including all modern two strokes. Worst of all, many mufflers with EPA-compliance labels are excessively loud due to tampering or deterioration, making the requirement completely ineffective.

After the county rejected giving the MTC recommendations a try, most of which RwR has been suggesting even before the emergence of UTVs, the AMA facilitated its members to submit comments. After all, with industry support, the AMA literally wrote the book on resolving noise concerns. Several-hundred AMA members commented to Grand County and Moab City, including over a hundred comments that had personal writing, and a dozen comments from Moab residents. The county administrator, who has since been promoted to strategic development director, regarded these comments as spam that is annoying the commissioners with a thousand of the exact same letter, all from non-locals. During Moab City's April 27th meeting, they included zero of the AMA-facilitated comments when reporting on the comments they received, later explaining that they only report on the form-submitted comments (not emailed ones like the AMA-facilitated comments). However the city has in fact included emailed comments when reporting on other agenda items in past. Anyway RwR called in

to the meeting and encouraged the city council to review our ten-page letter (see Page 1 of attachment "2021-04-27 RwR noise letter") that painstakingly explains flaws of the city's draft, but the city dismissed it, and the attorney spoke inaccurately about key elements of OHV sound. The city approved its ordinance, which shares the shortcomings of the county ordinance, plus a few more. Everywhere within city limits (which includes parts of Hells Revenge and Moab Rim 4WD trails), the city ordinance limits all vehicles (under 10,000 lbs GVWR) to 92 dB by a method that's similar to J1287 but is left to city staff to define, which will leave the public unable to predict the compliance of their own equipment (let alone equipment they're interested in buying). The 92 dB limit will outlaw motorcycles that meet the federal sound limits and, unlike a 96 dB limit for motorcycles in which aftermarket options are available, there's no way for some models to dependably comply with a 92 dB limit. Worst of all, this limit is reduced to 85 dB from 8pm to 7am. The 85 dB limit will prohibit nighttime use of some cars, many trucks, the vast majority of motorcycles, and virtually all UTVs. This limit and other aspects of the city and county ordinances are not legally defensible, which greatly concerns RwR because we want to ensure that all OHVs are reasonably quiet. Active enforcement depends upon sound standards that are practical for prosecutors, officers, and the public.

Over the past several years, various local officials contested but eventually accepted all of the dozen primary points that RwR has made (see list on Page 2 of attachment "2021-04-27 RwR noise letter", and check out the whole attachment to overview fifteen years of RwR's guidance on sound). So we're disappointed that they wouldn't start to trust our judgement instead of a consulting firm that they keep paying despite knowing they'd gotten bad advice. Still we must remember that, even if the consulting firm and local officials have exacerbated the problem of excessive sound, they never caused the original problem. Some OHV and muffler manufacturers made products that are too loud, and some OHV enthusiasts bought them or neglected / tampered with effective mufflers, not to mention 'pinning it' at inappropriate times and places. We all need to discourage the noisiest riders from ruining our sport, and encourage quiet mufflers, even if it means sacrificing one or two horsepower. Ideally Utah would specify the stationary sound limits statewide but, since no other state has yet to set a limit that's actually designed for UTVs, the legislature seems unlikely to do so without more significant support from UTV enthusiasts and industry. The Motorcycle Industry Council and AMA laid the groundwork for government to enforce motorcycle sound limits, and the same kind of leadership is desperately needed for UTVs, otherwise thousand of miles of trail will be closed over the next decade all in the name of noise abatement.

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Manti-La Sal National Forest LMP

This year RwR continued participating in the Land Management Plan (LMP aka "Forest Plan") for the Manti-La Sal National Forest that is located above the towns of Monticello, Moab, and Price. Our [2020 Year In Review](#) explained how the draft LMP would essentially prevent planners from considering new routes, reroutes, and in some cases even leaving old routes open in the upper half of each forest district (i.e. the half that's actually forested with aspen, fir, and spruce). Representing RwR along with the Trails Preservation Alliance (TPA) and Colorado Off-Highway Vehicle Coalition (COHVCO), the Utah nonprofit Balance Resources refined our scoping comments (see attachment "2021-10-25 RwR et al Manti-La Sal NF comm"), imploring the USFS to seriously question departing from the current LMP so drastically, and to reject analyzing the "conservation alternative" developed by Grand Canyon Trust (GCT) and other groups seeking to vastly expand the designation of

wilderness across public lands. GCT has annual revenues of over \$6M and net assets of over \$28M, so they can afford to develop a 134-page alternative even though it proposes to rewild most of the forest (see attachment "2021 Grand Canyon Trust alternative Wilderness") in violation of the agency's multiple-use mission among other laws, as they know that their alternative could skew the debate in order to skew the balance point.

Unfortunately the San Juan County Commission signed a letter urging the USFS to include the GCT alternative, and rejected all parts of a letter carefully developed by San Juan County staff who identified modest revisions to ensure that the more preservation-oriented draft LMP would still facilitate effective management. Likewise the Moab City Council and Grand County Commission rejected all parts of a letter developed by its Motorized Trails Committee, and approved letters urging the USFS to include the GCT alternative. Astonishingly, the Grand County Commission's letter recommended wilderness designation across the upper half of the La Sal Mountains (in addition to studying several parts of the lower half for wilderness suitability). RwR explained to the commission how this wilderness designation would place mountain-bike trails in a straightjacket among other things (see attachment "2021-10-19 RwR Manti-La Sal NF comm to Grand County"). Commissioner Stock replied that the letter doesn't recommend the designation of wilderness, just the analysis of potential wilderness designation. [I \(Clif\) called in before their October 19th meeting to reiterate our point.](#) If it sounds like I hadn't slept the previous night, it's because I hadn't. The previous day I was greeted with three OHV-related issues on the Grand County Commission agenda and two others on the San Juan County Commission agenda. Anyway [the commission deliberated,](#) and Commissioner Walker characterized any concerns about the draft letter as stemming from a desire to add roads, never mentioning the concern that the draft LMP (and especially the GCT alternative) would severely reduce the agency's options to manage recreation as it evolves over the next several decades. He also characterized the draft letter as merely nudging in the direction of "conservation." In practice, the current LMP constitutes conservation, the draft LMP constitutes preservation, and the GCT alternative constitutes rewilding. Commissioner Walker clearly takes issue with current management, as last March he argued to close roads in the La Sals to mitigate the increased noise from increased vehicle use, which was a month before the commission had even approved a noise ordinance (let alone enforced it to evaluate its effectiveness as an alternative to closing roads).

Commissioner McGann justified the draft letter as protecting nature to combat climate change. That same claim had been made in the commission's draft letter, so RwR's comments diverged from recreation management in one paragraph, explaining how wilderness designation often hampers fire-prevention and forest-health efforts. Perhaps we should've elaborated that adapting to climate change warrants conserving water by thinning the forests that were historically fire-suppressed, and that thinning by logging can have a smaller carbon footprint than thinning by fire, particularly if all levels of government were to support community forestry. This could be better explained by state foresters and other experts, some of whom reside in Moab, but the commission's positions reflect a focus on the expert opinion of wilderness-expansion groups. We don't question the sincerity of the commission's beliefs, but do question the independence of the commission's thoughts. Fortunately commissioners Hadler and Clapper demonstrated independent thought by abstaining or voting against the draft letter, expressing concern that recommending so much wilderness may hinder the management of mountain-bike trails.

On another positive note, with the guidance of Balance Resources, RwR / TPA / COHVCO managed to prevent the closure of a couple miles of primitive road above Beaver Creek in the southeast La Sals. The USFS had proposed to close the road since it crossed Beaver Creek in an unsustainable manner. We explained that (a) the

crossing could be improved such as installing a culvert, (b) state OHV grants can largely fund the work, (c) few primitive roads are currently available in the La Sals above 8,000 feet of elevation, and (d) the USFS has made RwR and the state of Utah wait for the past decade to make modest and net-neutral travel plan changes that would reflect actual use patterns, so the agency should essentially get in the line that it created. This background was probably news to the new district ranger and deputy district ranger, and they responded graciously, pledging to install a large culvert at Beaver Creek rather than closing it. Special thanks to Utah's OHV Program for their assistance with this success story.

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Labyrinth Rims / Gemini Bridges TMP

A 2016 settlement agreement requires the BLM to reevaluate its 2008 travel management plans (TMPs) [in a dozen areas](#) (see the colored areas in the southeast half of the state). One is Labyrinth Rims / Gemini Bridges that spans from Moab to Green River and includes many iconic 4WD and motorcycle trails. Along with MFFW and RR4W, RwR has spent thousands of hours in Labyrinth Rims working with the BLM to implement and refine its TMP, which closed half of the existing routes in 2008. The settlement agreement allows the BLM to add routes, but the Moab Field Office chose to only consider subtracting routes in order to meet the deadline in May of 2023, after which point they'll consider adding routes on a case-by-case basis. Representing RwR along with the TPA and COHVCO, Balance Resources submitted thorough scoping comments (see attachment "2021-04-26 RwR TPA COHVCO Labyrinth Rims").

Using its Cooperating Agency status with the BLM to comment prior to the public, the Grand County Commission essentially urged the BLM to analyze closing half of the remaining half of motorized trails (i.e. close three quarters of the routes that were open prior to 2008), demanding a buffer quota (15% of the area to be a mile away from any motorized route and 30% of the area to be a half-mile away) and specifying that none of the BLM's preliminary alternatives close nearly enough routes. They listed a few-dozen routes to be among the additional ones that should be analyzed for closure, and recommended closing (not just analyzing) all of the Dead Cow motorcycle loop, Tenmile Wash, Hey Joe Mine, Hell Roaring Canyon, Day Canyon Point, Rusty Nail, and Gold Bar Rim / Golden Spike (although Gold Bar Rim / Golden Spike would still be open to full-size vehicles). Their primary justification was to reduce conflicts with non-motorized recreation (including wilderness-quality experiences), which is a legitimate concern, but simply doesn't require closing hundreds of miles of routes (especially if the county would fix its noise ordinance so they can start enforcing it). They also cited the health of bighorn sheep, which is vitally important, but any more than a few new closures will make it much harder for RwR and others to assist the BLM in keeping riders and drivers off the trails that have already been closed. The best way to help sheep would be to work together to gain compliance with the current TMP and to refine it more carefully.

RwR elaborated on these points in its third Labyrinth Rims letter to the commission before their December 7th meeting (see attachment "2021 RwR Labyrinth Rims TMP corr w Grand County" that includes maps of the BLM preliminary alternatives, which can also be found on [the BLM's page for Labyrinth planning](#)). The [commission's deliberation](#), covered many points, some that were entirely valid, others that indicated a perplexing mentality. Commissioner Stock stated "The 'no net loss' rhetoric that's coming from special interest groups like Ride with Respect and others who are off-road enthusiasts, it really isn't going to fly moving into the future. We have more

and more users on our public lands. And also there are bigger impacts that go beyond user conflicts. And one of those impacts is the continued aridification of the desert coupled with increasing motorized use even on trails is kicking up so much dust that it's landing on our snow in the mountains and melting our water supply earlier and earlier every year." First of all, "no net loss" isn't rhetoric, it's a policy position. Second, RwR never suggested "no net loss" for the Labyrinth Rims TMP. The Motorized Trail Committee suggested it in response to the commission's request for ideas to develop a public lands bill, which is likely to provide preservationists with the certainty of wilderness designation, so "no net loss" could provide OHV riders with a degree of certainty while providing managers with ample flexibility (see attachment "2021-11-11 MTC Grand County Public-Lands Bill"). Third, RwR is a "special interest group" like any other stakeholder of public lands, but we haven't heard Commissioner Stock use this term to describe horseback riders or others. It's particularly striking because RwR and other OHV groups have performed more service work in Labyrinth Rims than any other nonprofits, work that benefited the land and other stakeholders as much as it benefited the special interest of off-roaders. Fourth, this work prevents off-trail travel in order to promote soil stabilization on the 99% of public lands that's not a trail, which is probably the most effective way to reduce dust caused by OHVs.

Commissioner McGann echoed the dust concerns when stating "When you look at that map, there's a road almost everywhere. Until you look at how many roads are in this area, it's hard to fathom. And it reminds me a little bit of the debate on responsible gun ownership. You know it's like you have that group that is like there is no compromise. We will not change anything because you are taking away. And I can't look at it that way. I need to look at it in a holistic way, like when we talked about the need to look at what's happening with the dust. That is crucial. It has nothing to do with the roads, in a sense, but it does. Global warming and protecting our--the letter we sent saying we support keeping so much land in wilderness, and protecting it is protecting our environment, is taking care of our future generations. And I think when you're elected to an office, your job is not just to listen to what the public wants. That is an important, big part of our job. But our job is also to look beyond that, and look at what our future holds, and study and find ways that we can protect, and make sure that the generations beyond us has some type of water, that they can live here, so they can ride on the roads. If we destroy our water system, that's not going to happen." That's a good articulation of a great goal, but let's determine the extent to which proper use of OHVs is compromising our water before closing so many routes. Before labeling us as uncompromising, realize the enormous compromises already made and additional ones that we're open to, probably against our better judgement. If you can't fathom how many roads there are when looking at a map, it's probably because you're not fathoming how much area the map represents. If the routes were drawn to scale, they wouldn't be visible on the map. Better yet, look on the ground at all of the area between the designated routes, including hundreds of miles of routes that RwR and others helped to close.

Commissioner Walker promoted the buffer quotas when stating "30% would be more than half a mile from a trail. I think that's pretty reasonable, and I think, Clif was pointing out that, if we go with that, that's going to mean closing a lot of trails. We don't start with the present trail network and then that tells us what a fair allocation is." RwR hasn't suggested that the fair allocation is whatever the present trail network may be. In fact, after the 2008 TMP closed half the routes, RwR suggested another closure of a road along the Green. The BLM and local government agreed and, after NEPA approval, RwR blocked off the road. We'd probably support closing another road along the Green if the commission would stop trying to close every single one of them. Likewise we'd support closing routes to expand a non-motorized focus area if the commission would stop trying to close so many hundreds of miles in Labyrinth Rims or to meet arbitrary quotas. Additional statements from Commissioner Walker and the commission's December 7th letter makes clear that they wanted to list even

more routes that should be analyzed for closure on top of those in Alternative B. No one has bothered to quantify the preliminary alternatives, so here are the approximate totals:

- ~2,000 miles of existing routes open prior to 2008
- 938 miles open in A (the "no action" alternative)
- 574 open in B (although the BLM plans to reduce this figure in response to the commission)
- 775 open in C
- 885 open in D

Of that ~2,000 miles, RWR mapped ~200 miles twenty years ago, and Grand County's road department mapped the rest. The road department was funded by the state, but they also received enormous help from MFFW- and RR4W-member Ber Knight, who [passed away two weeks ago](#). Ber was a great guy who inspires us to keep working, and keep recreating responsibly, not to make "user conflict" a self-fulfilling prophecy by perceiving others as user types instead of the individuals that they are. The increased use calls on us to follow the "golden rule" and extend basic courtesy to other people, plants, and even the cows that browse on them.

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San Rafael Desert TMP

Our [2020 Year In Review](#) described how the BLM designated open two thirds of the existing routes west of Labyrinth Canyon, which is another area that the 2016 settlement agreement directs the agency to reevaluate. SUWA sued, primarily arguing that most of the existing routes were vegetated, and they requested a stay to halt implementation of the 2020 TMP. With the guidance of Balance Resources, RWR / TPA / COHVCO and other intervenors helped the BLM to successfully block the stay, which prompted SUWA to pursue a do-over by switching from an administrative appeal to federal court. We intervened again, and noticed SUWA's arguments broaden to things like sensitive plant species, but it's obvious that their primary interest is in laying the groundwork for more wilderness or wilderness proxies in the sandy flats of the San Rafael Desert on the heels of designating 660,000 acres of Emery County as wilderness just two years ago. We hope to join Emery County and the State of Utah in defending the 2020 TMP. In the meantime, the public is free to ride the routes that the 2020 TMP designates open for particular widths of vehicle, but it is critical to precisely follow the routes. From [the BLM's San Rafael Desert planning page](#), click on "Documents" to scroll down to the SHP file or click on "Maps" to scroll down to the KMZ file and interactive map. In the absence of trail markings, it is actually helpful to lay tire tracks on the trail so others can follow it more easily, but it would be harmful to lay tire tracks off trail because the resulting confusion (a) would be photographed as SUWA's evidence in court and (b) would damage the soil that all species depend upon (whether or not they're classified as sensitive). If you're good at following trails and maps, this may be the most fun way to help conserve trails and their surroundings.

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San Rafael Swell TMP

RWR participated in the BLM scoping phase of another area that's part of the 2016 settlement agreement, which includes Chimney Rock and Mussentuchit in addition to the Swell that was designated a recreation area two years ago. A fairly thorough inventory of routes is posted on [the BLM's San Rafael Swell planning page](#), where you can click on "Documents" to scroll down to the SHP file or click on "Maps" to scroll down to the PDF files and

interactive map. You can prepare for the next comment period (on a draft Environmental Assessment that is likely to include four alternatives) by photographing routes and noting the recreational value or potential management solutions to any issues that you identify. Just be careful not to create a management problem by going off trail, and consider going the extra mile by kicking out any off-trail tracks that you encounter, even placing dead logs or rocks to prevent others from inadvertently following. This care is a key part of advocating access. Two years ago, half of the Swell was designated as wilderness, but we can prove that multiple-use conservation works in the remaining half.

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Bears Ears National Monument

Regarding the "Bears Ears region" (i.e. everything from Mexican Hat ninety miles north to Hurrah Pass and Chicken Corners), the Biden administration reinstated the 1.35 million-acre national monument (actually now 1.36 million acres), which is more land than the state of Delaware. Some of this area has outstanding archaeological sites that are invaluable, especially to Native Americans, and these areas warrant the more permanent protection that only Congress can provide. Monument proclamation by a president doesn't provide permanence, nor does it provide additional influence for tribes, which already have Cooperating Agency status on federal lands.

A [great summary of the past five years of mega-monument "ping pong"](#) comes from the wilderness-loving yet independent-minded Zephyr. The summary begins in 2016 after monument advocates (with seven-figure support from groups seeking to vastly expand wilderness, which prohibits all mechanized travel including bicycling) derailed a legislative alternative called the Utah Public Lands Initiative (PLI), despite that the PLI offered to satisfy 90% of their demands. If you'd like to explore further back in time, the wilderness-expansion groups' dooming of the PLI is [mentioned by a former contributor to the Zephyr](#). Monument proclamation usually winds up dramatically reducing OHV access to trails, of which there are many in this mega-monument (including some ATV trails and singletrack in the northwestern Abajo Mountains where RwR has spent hundreds of hours improving conditions for all members of the public). The mega-monument proclamation lists nine types of recreation, including whitewater rafting despite that rafting is not possible in the mega-monument, although the San Juan River is adjacent to it. The proclamation doesn't mention motorized recreation, and it claims the area to be one of the "least roaded regions in the contiguous United States," which is false (since the area underwent widespread uranium exploration) and alarming (since "least roaded" sets the stage for the designation of wilderness or its proxies). The proclamation reaffirms the Obama administration's proclamation from 2016, which prohibits increasing motorized access by even a single mile unless it's for public safety or the protection of monument objects. So across the ninety-mile span from the edge of the Colorado to the edge of the San Juan, if the BLM identifies a route that would enhance motorized recreation without impairing other resources, they won't have the option to open it unless it would somehow improve safety or resource protection.

Worst of all, this latest proclamation furthers the executive overreach of the Antiquities Act, which limits monument proclamation to "the smallest area compatible with the care and management of the objects to be protected." Critically the act limits protection to "objects of historic or scientific interest that are situated upon the lands," which shouldn't be interpreted to include things like mountain ranges or "cultural landscapes" because those things are the land itself, not "objects... situated upon the lands." Since the act was passed in

1906, many other laws have been made that prevent the emergency situation which had justified monument proclamation, as all federal lands today are subject to the National Environmental Policy Act, National Historic Preservation Act, Archaeological Resources Protection Act, Paleontological Resources Preservation Act, Federal Land Policy and Management Act, Endangered Species Act, and Native American Graves Protection and Repatriation Act to name a few.

The BLM's 2008 Monticello RMP adds further protections (such as Areas of Critical Environmental Concern), but in theory these protections could be removed by a changing administration, although not even the Trump administration attempted to do so. Rather the Trump administration used the RMP-level protections to justify scaling back the monument to cover only those areas that lacked RMP-level protections. You may not like how much the boundaries were scaled back, but you can't argue that it endangered the archaeological sites, as they're already protected by federal laws stronger than the Antiquities Act. What's lacking is enforcement, education, and more active management (primarily of recreation in all forms). Monument proclamation doesn't provide any of those things. The unending threat of monument proclamation does give preservationists tremendous leverage when negotiating with other stakeholders, but many of those stakeholders are fed up with what feels like negotiating at gunpoint. Monument proclamation is prohibited in Alaska and Wyoming, yet the public lands in those states are adequately conserved in most cases, suggesting that modern use of this section of the Antiquities Act isn't needed on a large scale if at all.

This year Utah's entire congressional delegation and governor offered to develop Bears Ears legislation (probably to designate a national conservation area (NCA)), but the Biden administration declined, probably confident that dismissing Utah has few political consequences because it's not a swing state. Two thirds of Utah is federal land, and the state's congressional delegation seems to have far less say about its management than SUWA and other wilderness-expansion groups. These groups have proven quite persuasive to administrations, congresspeople, tribes, and even local government through initiatives such as the [Rural Utah Project](#) (RUP). RUP is essentially the more overtly-political arm of SUWA, with both groups sharing most of the same board members, staff, and hundreds of thousands of dollars each year (albeit a fraction of SUWA's annual revenue of \$7M, or its net assets of \$20M). Their voter-registration assistance sounds great, and the predominantly Native American precincts went to the Native American moderate candidate Rebecca Benally in 2018, but the predominantly non-Native precinct of Bluff enabled the primary victory of Native American extreme candidate Kenneth Maryboy thanks partly to RUP propaganda [as outlined in the Zephyr](#). Likewise their COVID-19 relief work sounds great, as the pandemic hit the Navajo Nation particularly hard, but some of the funds ostensibly intended to help tribal members may in practice help tribal leaders.

One week before the reinstatement of the Bears Ears mega-monument, the Navajo Nation officially endorsed the America's Red Rock Wilderness Act (ARRWA), SUWA's perennial bill to designate wilderness on 8.4 million acres of BLM land in Utah (none of which is on the Navajo Reservation). Over 1 million acres of BLM land in Utah is already designated as wilderness, and ARRWA would octuple it, designating wilderness to cover over 40% of the BLM land (while some of the remaining 60% is NCA or other restrictive designations). SUWA touts ARRWA as a solution to stabilizing our climate, primarily by keeping "fossil fuels in the ground," but they don't mention that:

1. Most of the ARRWA acreage has no fossil fuels to profitably extract,
2. Fossil fuel demands would still be met by foreign suppliers with less regulation,
3. NCAs and other tools are available to permanently restrict fossil-fuel extraction,

4. ARROWA would hamper the development of alternative energy such as wind and solar,
5. ARROWA would hamper obtaining rare materials for the production of batteries, and
6. ARROWA would prevent some forested acreage from being logged or thinned despite that these practices can actually reduce the carbon footprint (not to mention improving water quality, wildlife habitat, and recreational opportunities).

Climate instability is too serious a matter to proffer empty promises. SUWA and other self-described conservation groups are also pushing for half of Manti-La Sal National Forest to be designated as wilderness. If this wish and ARROWA were granted, the overwhelming majority of the Bears Ears mega-monument would be wilderness, severely limiting the BLM's ability to actively manage. At that point, tribes would actually have less influence on management, as the BLM and USFS won't be able to so much as push a wheel barrow unless they successfully navigate the onerous process of administrative exception.

At least ARROWA would go through Congress instead of a sweeping land allocation by the executive branch. Since Utah genuinely offered to develop a legislative alternative to the mega-monument, one can hardly blame the state for legally challenging the mega-monument, [as explained by the Utah delegation](#). If Congress won't proactively reform the Antiquities Act, perhaps legal challenges could reasonably clarify the meaning of the smallest area needed to protect objects situated upon the land, as [outlined in this review](#). Until Antiquities Act overreach is curtailed, animosity will breed, and political divisiveness becomes warped into cultural divisiveness. Critics of the mega-monument must resist this phenomenon of conflating issues by supporting their fellow critics who are Native American, and supporting Native American cultures in general. These cultures have unique beauty and value, as do rural and urban cultures, all of which strengthen our nation. Granted it's frustrating when groups spend millions of dollars to rewild public lands in the name of conservation and cultural appreciation, but it's not the conservation or culture that's the problem, rather it's the extent of rewilding and the resorting to unscrupulous means. The problem is that some voices are drowned out of government, and that some levels of government have no say in major decisions on public lands. All are needed to improve conditions in San Juan County, whether on or off the reservations, whether inside or outside of monument boundaries.

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On motorized trails around Moab, there's never been more at stake in terms of impacts, both negative (like noise or erosion) and positive (like the quality of life or livelihood of a tourism economy). If next year is anything like the last couple, it will take tremendous resolve, and it will take everyone to engage. If done right, everyone will be better for it. Until then, let the public lands energize you, which is ultimately what we're advocating for. Thanks for contributing, and Happy New Year.

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