



April 21st, 2023

Bureau of Land Management
Moab Field Office
Attention: Camping Proposals
82 East Dogwood
Moab, UT 84532

RE: Managing Camping within Labyrinth Rims/Gemini Bridges SRMA (DOI-BLM-UT-Y010-2021-0094-EA)

Dear BLM Planning Team:

Please accept this correspondence from the above organizations as our official comments regarding the Labyrinth Rims/Gemini Bridges camping proposal. In addition to being a premiere destination for motorized trails, this area is renowned for dispersed camping that should be managed carefully.

1. Background of Our Organizations

In our comments, the "Organizations" will refer to the following four groups:

Colorado Off Road Enterprise (CORE) is a motorized action group based out of Buena Vista Colorado whose mission is to keep trails open for all users to enjoy. CORE achieves this through trail adoptions, trail maintenance projects, education, stewardship, outreach, and collaborative efforts.

The Colorado Off-Highway Vehicle Coalition (COHVCO) is a grassroots advocacy organization of approximately 2,500 members 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.

Ride with Respect (RwR) was founded in 2002 to conserve shared-use trails and their surroundings. Since then, over 750 individuals have contributed money or volunteered time to the organization. Primarily in the Moab Field Office, RwR has educated visitors and performed over twenty-thousand hours of high-quality trail work on public lands. RwR has also participated greatly in the Moab Resource Management Plan 2008 revision and subsequent amendments.

The Trails Preservation Alliance (TPA) is an advocacy organization created to be a viable partner to public lands managers, working with the United States Forest Service (USFS) and the Bureau of Land Management (BLM) to preserve the sport of motorized trail riding and multiple use recreation. The TPA acts as an advocate for the sport and takes necessary action to ensure that the USFS and BLM allocate a fair and equitable percentage of public lands to diverse multiple-use recreation opportunities.

2. Introduction

The updated Draft Environmental Assessment (Draft EA) has begun to incorporate the Organizations' comments from June 22nd, 2022, but more work is needed to ensure the success of limiting dispersed camping to designated sites. Most notably the public deserves a chance to comment on an actual proposal of which sites would be designated open or closed in this camping mecca. Nevertheless the Organizations continue to support the other three proposals (requiring a portable toilet, fire pan, and bringing one's own firewood instead of cutting/gathering), and suggest establishing those supplementary rules without delay. In fact, those supplementary rules could apply to a larger geographic area, provided that wood collection is still accommodated where appropriate.

3. The socioeconomic impact of dispersed camping should be more thoroughly analyzed.

Unless the BLM commits to providing an adequate quantity and quality of dispersed campsites to meet current and future interest, then the agency should more thoroughly analyze the activity's social benefits and economic impact in order to make informed tradeoffs. Even if campers tend to contribute less than tourists who choose lodging, the cumulative contribution of campers is substantial. Even at the furthest reaches of the planning area, some campers frequent Moab or Green River for supplies including some dining at restaurants, and most of their money comes from out of state. Dispersed camping opportunities remain one of the main draws to visit Moab.

4. More work is needed to inventory all existing campsites.

The inventory of 356 existing campsites is a great start, but the planning area includes well-over a hundred more sites that have each been used for camping many times over many years. These missed sites tend to be further from graded roads, which are particularly valuable to growing segments like overlanding, so it warrants more expansive inventory work. Missed sites also tend to be lower in impact, which should be encouraged rather than overlooked, so it warrants repeated inventory of the same area for detecting sites when they're in use. For example, an overlanding camp may appear to be merely a wide spot where someone parked, as the camping activity is contained to the vehicle. Thus, along with the opportunity to comment on a complete inventory, there ought to be opportunity to review the method of inventory. Also note that, if the Labyrinth Rims Travel Management Plan (TMP) is done before this camping plan, then the campsite inventory should inform the TMP so that access to campsites is considered. Granted, routes could be reopened through subsequent TMP amendments, but it's a lot less work to simply leave a route open than to close it only to reopen it later.

5. More work is needed to estimate current use levels.

To inform planning, the BLM should estimate how many campsites are used at the busiest time of year. A simple method would be to count the total number of vehicles that appear to be camping during the mornings or evenings of popular days like Fridays or Saturdays in April or May. Different parts of the planning area could be counted on different dates so long as all counting occurs at popular times in order to capture peak use.

6. A proposal of which sites to designate open or closed should be provided for public review.

The Organizations appreciate the BLM's stated intention to "remove only those campsites which pose unacceptable resource damage" and the agency's stated criteria for protecting various resources, but more information is needed for the public to meaningfully engage in this planning process. Less information may have sufficed in previous planning efforts, but this area contains the last remaining dispersed campsites near Moab, making these sites greater in value and greater in number than the sites in those previous plans. Showing which sites the BLM proposes to designate open or closed will surely generate a lot of feedback, including points that the BLM wouldn't otherwise consider. These points may involve assessing or mitigating the campsite impacts to natural and social resources. Knowing the qualities of each site that are important to campers (e.g. views, accessibility, solitude versus connectivity to neighboring sites, etc.) is an important factor in determining whether the site is designated or perhaps replaced by a new site that can provide similar qualities in a more appropriate location. Inviting input on proposed site designations could also increase buy-in for whatever is eventually decided. Last year the BLM's Royal Gorge Field Office invited comments on its proposal that specified which dispersed campsites would be designated open or closed for free camping, which is why this year's final decision on the project garnered broader support.

On the face of the Draft EA, it is unclear whether the BLM will, as part of this EA and its resulting Decision Record, actually decide which of the inventoried campsites will be designated as open. Some parts of the Draft EA suggest that the BLM will so decide. See, for example, the Draft EA Introduction (underlines added):

The Bureau of Land Management (BLM) Moab Field Office (MFO) proposes to manage camping by designating campsites within a 120,037-acre area of the Labyrinth Rims/Gemini Bridges Special Recreation Management Area (SRMA)

Also see Section 2.1 Proposed Action Alternative A (underlines added):

In order to manage camping and recreation/uses, the BLM proposes the following rules that would apply year-round: 1. Camping on BLM-administered public lands within the project area would be limited to designated campsites or developed campgrounds. These campsites would be located where resource impacts are minimal.

Also see Section 2.2 Alternative B - No Action Alternative (underlines added):

The BLM would not manage camping opportunities by designating campsites on 120,037 acres of the Labyrinth Rims/Gemini Bridges SRMA [implying that the Proposed Action Alternative A would designate campsites]

Yet other parts of the Draft EA suggest that the BLM will not so decide. See, for example, the following language in Section 2.1 following sub-paragraph 4 (underlines added):

At the conclusion of the EA process, the BLM would seek to establish a Supplementary Rule (through publication in the Federal Register, in accordance with 43 CFR 8365.1-6) governing camping within the 120,037-acre area. Following the establishment of Supplementary Rules, campsites would be chosen for designation following an interdisciplinary team process. Existing dispersed campsites would first be inventoried.

These contradictory provisions render the EA ambiguous on the whole, risking an "arbitrary and capricious" IBLA or Court finding. Better for the BLM to resolve the ambiguity by having the draft clearly and unambiguously direct that no actual open-or-closed campsite designations will be decided as part of this EA process.

To further ensure compliance with the public participation requirements of NEPA as well as FLPMA Section 202 and its associated regulations, the BLM should specify and confirm now, in this draft EA, that it will provide the opportunity for the public to review and comment on a proposal of which sites to designate open and closed. The public deserves to see and have opportunity to comment on the BLM's open/closed proposal, before the BLM makes a final decision. This is fundamental to not only a fair and open public NEPA process, but a fair and open to FLPMA Section 202 planning process. The inventorying of the planning area campsites (something that apparently has already been done despite the above highlighted language suggesting the inventory would not happen until after the EA process) is part of the FLPMA Section 201 process of inventorying of planning area resources. Subsequent determinations on which of those inventoried campsites shall remain open is part of the FLPMA Section 202 process of planning how to manage those inventoried campsites. Section 202 processes are, under FLPMA and associated regulations, a public process. FLPMA at 43 U.S.C 1712(f) states:

(f) Procedures applicable to formulation of plans and programs for public land management. The Secretary shall allow an opportunity for public involvement and by regulation shall establish procedures, including public hearings where appropriate, to give Federal, State, and local governments and the public, adequate notice and opportunity to comment upon and participate in the formulation of plans and programs relating to the management of the public lands.

This means, at the very least, that the public has an obvious right to comment on proposed open/closed campsite planning decisions, and the BLM is obligated to consider in good faith those public comments. Once the open/closed campsite planning decisions have been made, then the actual management of the inventoried campsite areas, according to their open or closed planning level designations, are deemed "management decisions and actions" for FLPMA and NEPA purposes.

7. A proposal of buffer distances around campgrounds should be provided for public review.

The Organizations acknowledge the utility of keeping dispersed campsites a certain distance from developed campgrounds so dispersed campers don't poach the campground facilities. However the BLM should openly plan for this buffer so the public can provide input. Ideally the BLM would also openly anticipate the development of any additional campgrounds in order to designate dispersed sites that would be compatible with such development in future. The Draft EA mentions developing a campground

on Mineral Bottom Road, but also the 2008 RMP provides for a campground to be developed around Bartlett Wash, and any others should be openly discussed to set the stage for clustered sites surrounded by buffers where appropriate.

8. To minimize displacement, extend the planning area to encompass all comparable terrain that is desirable for camping.

All around Moab, piecemeal camping restrictions have caused a net increase in negative impacts, so it's far better to plan for the full area where there's significant camping interest even if doing so would take longer to fully implement. Interim measures could be taken as described later in these comments. Restricting camping in the current planning area is quite likely to displace camping north of the Tenmile Point Road since it's equally appealing in terms of providing the scenery and shade of red rock formations, and in fact camping north of Tenmile Point Road has increased dramatically since 2008. The Mancos Shale is less desirable and less sensitive to camping impacts, so it makes more sense for the planning area to continue following the Blue Hills northwest to Green River, which would benefit the Orange Trail and Crystal Geyser 4WD trails as well as the Dubinky motorcycle/ATV trails up to Crystal Geyser (not to mention the Athena trail for mountain biking).

9. A proposal of interim management should be provided for public review.

Although it will take longer to more thoroughly analyze and develop a proposal for public review, interim measures could be taken for more immediate action provided that they are also spelled out in the proposal. The process of designating campsites across the whole planning area is likely to take years, but more could be done in the meantime, in addition to more specific education and law enforcement. After all, despite increased education about trail use and waste disposal, there's been little education on minimum-impact camping around Moab. One option would be to define existing campsites and notify visitors through words and illustrations that vehicle travel and parking is limited to previously-disturbed, barren surfaces within a certain distance from designated routes. If that's not sufficiently enforceable, the BLM could actually map and mark all inventoried sites, but not until a thorough inventory is complete. The Organizations can understand a sense of urgency, but interim measures would allow the BLM to follow the best process and reach the best decision, which is most important in the long run.

10. Conclusion

The Organizations appreciate the BLM's initiative to manage dispersed camping. Conserving a high quality and quantity of sites would be key to maintaining the socioeconomic benefits of dispersed camping and preventing the displacement of camping to other areas in an unmanaged fashion. This goal can be reached by more thoroughly analyzing and developing a proposal for public review.

Sincerely,



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