



July 7, 2023

United States Department of the Interior
Bureau of Land Management
Royal Gorge Field Office
3028 E. Main Street
Cañon City, CO 81212

SUBJECT: Public Comments, Penrose Commons Recreation Area Management Plan (RAMP) and Environmental Assessment (EA), DOI-BLM-CO-F020-2023-0001-EA

Please accept these comments from the Trails Preservation Alliance (TPA), our partner motorcycle clubs, the Colorado Off Highway Vehicle Coalition (COHVCO), and Colorado Off Road Enterprise (CORE) jeep club per the BLM's request for comments concerning the Penrose Commons Recreation Area Management Plan (RAMP) and Environmental Assessment (EA), DOI-BLM-CO-F020-2023-0001-EA.

The TPA is a Colorado based 501(c)(3) nonprofit advocacy organization whose primary mission is to preserve the opportunities for motorized single-track riding on public land. We routinely partner with land management agencies to ensure that a fair and equitable amount of public land is available for motorized recreation. For this specific action at Penrose Commons and in preparing the enclosed comments, the TPA has partnered with the Chaffee County based motorcycle club, Central Colorado Mountain Riders (CCMR), the El Paso County based motorcycle club, Colorado Motorcycle Trail Riders Association (CMTRA) and the Douglas County based motorcycle club, Rampart Range Motorized Management Committee (RRMMC), and the state of Colorado organizations COHVCO and CORE who represent full-size OHV interests and jeeping interests.

We appreciate the opportunity to engage with this process and recognize the issues that are challenging the Royal Gorge Field Office (RGFO) in the Penrose Commons area and causing resource concerns associated with all forms of recreation currently ongoing in Penrose Commons. The TPA is committed to helping the RGFO find reasonable solutions to provide high-quality recreational opportunities for motorcycles at Penrose Commons.

The TPA along with our partners have several concerns about this proposed project and the process that the RGFO is currently proposing for this project. Our concerns have been based on documents prepared by the RGFO and posted to the project website (<https://eplanning.blm.gov/eplanning-ui/project/2012291/510>).

1. General Comments:

The TPA and our partners must spotlight the inequity and unbalanced amount of singletrack opportunities available to non-motorized users versus motorized users/motorcycles. Although our statistics may not be completely accurate, the order of magnitude certainly exists. We contend that within the RGFO's Area of Responsibility over 297 miles of singletrack opportunity exist exclusively to non-motorized users while only approximately 10 miles of singletrack is available to motorized users, and these 10 miles are generously shared and available for use by any non-motorized users. This inequity and lack of opportunity should be addressed by the RGFO and the Penrose Commons RAMP provides an excellent opportunity for the RGFO to collaborate with the motorized community, the TPA, and our partners and begin to correct this unbalanced availability of an underserved and unique recreational opportunity.

The TPA and partners had hoped this EA would be an opportunity for the RGFO to engage with motorized users and proactively address challenges at Penrose Commons. As the RGFO planning efforts have demonstrated, there is a strong interest from all types of motorized users in motorized opportunities in the RGFO. This was clearly demonstrated in the 2015 Recreation Survey that was performed as part of the Royal Gorge RMP update, which provided the following summary of responses:

Question 8. Thinking of the location you indicated on the map, please check each activity in which you participated.

Answer	Response	%
4x4 Driving	374	31%
Art/Writing Activities	147	12%
ATV/UTV Riding	163	14%
Backpacking	300	25%
Car Camping	212	18%
Cross-Country Skiing	32	3%
Downhill/Telemark Skiing	42	3%
Exploring or Discovering New Areas	306	25%
Other	37	3%
Hiking/Walking/Running	528	44%
Horseback Riding	79	7%
Hunting	158	13%
Learning Activities (Interpretive Programs, Educational Outings, Etc.)	165	14%
Motorcycle Riding	119	10%
Nature Study (Wildlife Viewing/Bird Watching/Geology/Plants)	240	20%
Organized Events	84	7%
Mountain Biking	309	26%
Stand-Up Paddle Boarding	39	3%
Photography	457	38%
Picnicking	399	33%

Answer	Response	%
Ranching Activities	56	5%
Scenic Driving	518	43%
Snowmobiling	67	6%
Snowshoeing	49	4%
Swimming	178	15%
Volunteering	46	4%
Walk and Wade Fishing	110	9%
Whitewater Kayaking or Canoeing	64	5%
Whitewater Rafting	107	9%
Rock Climbing	175	15%
Float Fishing	85	7%
Total Responses	1,204	

The high levels of motorized usage in the area were clearly identified by the fact that more than 50% of respondents identified some form of trail based motorized usage as a usage they participated in. Despite the RGFO providing no motorized singletrack at the time of the survey, 10% of the respondents identified motorcycle riding as their activity of choice. Despite the strong interest of all forms of motorized recreation in opportunities in the Field Office, motorized usage was not addressed in the Draft RMP. Our concerns on this issue we raised and meetings occurred in the hope that more SRMA type designations could be created given the

growing populations in the area and continued strong demand. Those concerns were never addressed.

In meetings between managers and OHV users that were undertaken to develop a better understanding of the desires of the motorized community, there was discussion that everyone wanted the Penrose area to become a management success such as the Rampart Range area in the South Platte Ranger District. In these discussions, users confirmed that opening areas for access was a critical component of the success of the management of Rampart Range. Unfortunately, that management direction was not adopted in the Proposal. The Organizations are very concerned that the Penrose effort is another effort that fails to deal with the growing population along the Colorado Front Range and their strong demand and desire for recreational opportunities in all forms. We are very concerned that this direction of management will result in growing conflicts between users and managers, and that these conflicts could be avoided.

a. The RGFO must fully utilize resources available from existing “Friends” groups before seeking or creating additional “Friends” groups

While a “Friends” group could in theory be easily established in the short term, the development of and requirement to establish a new “Friends” group is a significant burden – e.g., tax returns, administrative oversight, etc. The value of any “Friends” group would be greatly impaired if other users and interests are not fully and completely engaged in the effort. It has been our collective experience that “Friends” groups only work if they are convened by the agency or a local government interest.

We are collectively concerned that existing “Friends” groups continue to be underutilized by the Office. The CPW OHV grant program is a substantial “Friends” group to numerous agencies and other partners across the state that remains underutilized by the RGFO. We would contend that existing programmatic OHV grant resources are not being utilized to the fullest extent by the RGFO. In this proposal, the RGFO seeks to require long-term funding commitments from the motorized community along with additional funds for the Penrose area. We are concerned about this request as the RGFO has not been able to fully use the existing funds provided. We are also very concerned that obtaining funding as proposed in the EA would commit state funds in a manner(s) that violates state law and would be pre-decisional.

While we cannot enter into discussions that would guarantee funding for any project, the motorized community has frequently seen strategic planning being developed for areas that generally outline how management will occur. These types of basic strategic

plans have been successful in elevating scores and increasing the odds of receiving funding for the project.

b. Why would previous options not be considered or included?

While the actual levels of visitation applied between levels of usage in the 2004 Gold Belt Travel Plan are not clearly identified, we are forced to assume that current levels of visitation to the area are at or beyond the levels of visitation that were used to develop the alternative of the Proposal. The “High-use alternative” option from 2004 had several single-track options and a 50-inch trail that could be reduced in width to provide an additional recreational single-track riding opportunity. None of these options appear to have been considered or reconsidered here or as part of this project.

c. The TPA and our partners are concerned that the Proposal suggests illegal or ill-advised requirements of the RGFO’s recreational partners.

Within the Proposal, some of the activity sought to be undertaken is likely illegal. For example, the repeated concerns about OHV usage impacting “dirt roads” in the area and the need for local motorized users to grade/maintain roads that are under the jurisdiction and responsibility of the County or BLM. Maintenance of any municipal road by the general public is illegal under Colorado Revised Statutes¹ and cannot be a requirement of the BLM’s recreational partners.

d. Underutilization of existing resources to address demand.

OHV recreational users have worked hard to provide resources to the RGFO/BLM for maintenance and so far, this resource has been under-utilized by the RGFO. For more than a decade, maintenance crews across the state have had approximately \$85k available annually through the CPW OHV program while the RGFO has typically only utilized \$45-50k of this funding. Our concerns are compounded when reviewing the visitation trend to Penrose Commons. Over the same period of time that the RGFO staff asserted monies provided for management and maintenance of motorized facilities could not be spent, visitation had been consistently increasing:

¹ See, CRS 30-11-107

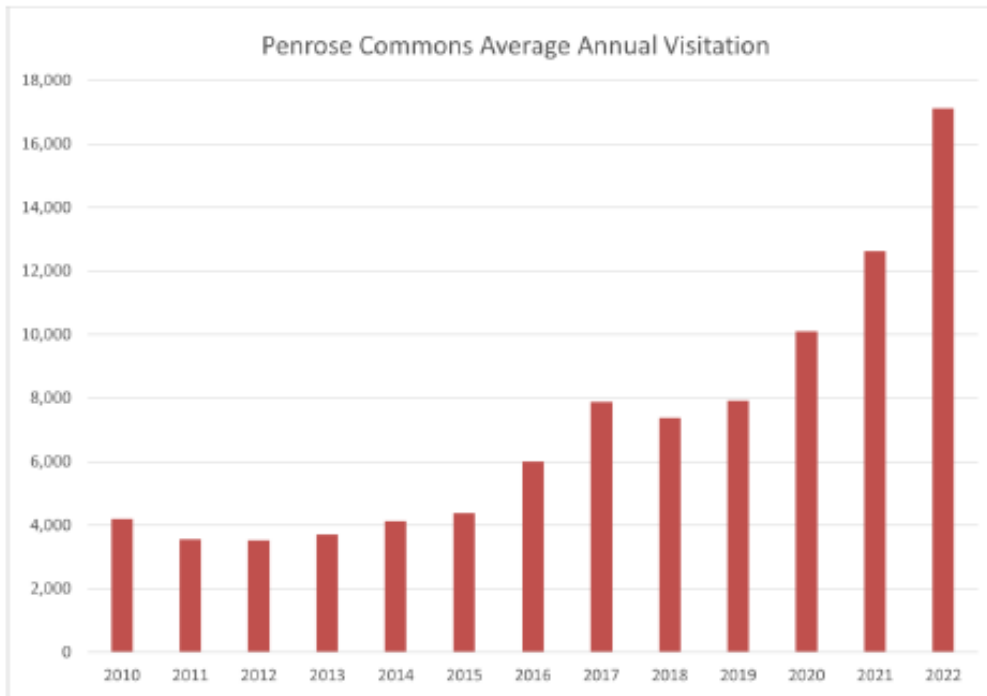


Figure 1 Annual visitation numbers for Penrose Commons (2022 is a projected estimate)

This information has been available for more than a decade but appears not to have been used to address some of the issues that have been developing in the management area. This confirms our concerns about the inability of funding previously provided being utilized to address the expanded visitation. In addition, when the Gold Belt Travel Plan is reviewed and it outlines the previous assumptions about increased visitation have yet to be addressed.² This is problematic considering this usage increase was identified as a management concern less than 10 years after the completion of that plan and, as predicted, visitation started to consistently grow yet there has been no meaningful response by the RGFO.³

While the RGFO has used partner resources for efforts in other areas with some success, their success in using existing funds and partnerships falls short when compared to other BLM offices in Colorado.

e. Illegal camping and homelessness in the Penrose Commons area.

The TPA and our partners are aware that the planning area has seen a marked increase in illegal camping and people residing in the area. While we are concerned about this

² 2004 EA at pg. 17

³ 2023 RAMP pg. 3

issue, illegal camping is not a “public enforcement” or “educational opportunity” as these issues can present major barriers to enforcement or education by laypersons. The public cannot deal with medical waste, possible claims of invasions of privacy from people living there illegally, and other criminal activity. While there are often good people in bad situations in their lives using public lands in this manner, we are also aware that there are many far more nefarious reasons for this type of behavior. Any sort of citizen involvement with this type of challenge has been actively discouraged by land managers in other planning areas.

We would also support addressing camping issues in the Proposal and endorse going to designated dispersed sites that are sufficient to support visitation to the area. Beginning with developed fire rings and perhaps eventually transitioning to fully designated sites. We again expect this type of legal camping activity to continue to be sought out in the area and include some type of guidance for the public to be using when legally camping in the area that would reduce impacts and challenges from this use in the future. Not only would this provide enhanced management for this area, but also would provide resources for users of other recreational opportunities in the area as well.

2. Specific Comments:

- a. **Page 2, last paragraph, the sentence:** *“Although all motorized routes in Penrose allow single track motorcycles, none of the routes are specifically designed or designated for singletrack motorcycles”*
 - i. Inconsistent use of the terms single track versus singletrack
 - ii. Motorcycles are not designated or designed as “single track motorcycles”, they are off-road or off-highway motorcycles and there is not a specific motorcycle exclusively designated as a singletrack motorcycle.

- b. **Page 10, Action Item a:** Agree that limiting dead-end route designations is a good, reasonable, and proper action and that loops should absolutely be provided. However, that action should apply consistently and fairly to ALL route designations and NOT just full-size vehicle route designations.

- c. **Page 10, Action Item c., vii:** Commend the staff’s conclusion that *“Optional routes around advanced skill level obstacles are provided where possible to allow for skill progression and accommodate multiple skill levels...”*

- d. **Page 11, Action Item c., ix:** The development of a small motorcycle skill development area for rider progression [and training] should absolutely be an immediate action and in no way contingent on a vague and arbitrary condition that *“designated singletrack proves successful”*. Areas to train and educate new riders, children, etc. is an immediate need and will only serve to help the BLM in instructing new and impressionable riders on proper techniques, ethics, stewardship, and good behavior. This important and needed facility, especially in the Front Range, must be pursued with vigor and in no way should be contingent or conditionally identified based upon “if” and only if a very arbitrary and subjective condition of *“successful singletrack use”* is achieved.
- e. **Page 11, Action Item d:** The condition to only designate motorcycle singletrack is unreasonable, vague, subjective, and disingenuous to one single user group. To only consider designating motorcycle singletrack IF a “Friends” group is well established is despondently unfair and prejudicial only to motorcyclists. This condition is flawed because:
- i. The adjective *“strong”* is completely subjective and undefined.
 - ii. This condition depends on participation by *“all user groups”* in which the motorcycle community has absolutely no control or influence over other users.
 - iii. The definition of *“all user groups”* is undefined, unclear, and prone to be open to subjective interpretation.
 - iv. To require a myriad of different and undefined user groups to assist in the day-to-day management of the site is completely unreasonable since any availability of volunteers is unpredictable, sporadic, and simply cannot be planned and programmed.
 - v. It is the BLM and RGFO’s *“mission” to sustain the health, diversity, and productivity of public lands for the use and enjoyment of present and future generations.*
 - vi. ONLY the motorcycle community is held captive to the actions of all other, unrelated user groups BEFORE motorcyclists can even begin to realize their desire and needs for even the hint of any singletrack trails. This is abhorrently prejudicial, unfair, and discriminatory.
 - vii. The proposal to single out motorcycle recreation and hold it captive and hostage to unreasonable conditions at Penrose Commons breaches the BLM’s own Vision, *“To enhance the quality of life for all citizens through the balanced stewardship of America’s public lands and resources.”*

- f. **Page 12, Management Object 5. A.:** WHY must the Trials motorcycle community wait an arbitrary period of five years to identify any potential riding areas for what is essentially a very low impact riding discipline? Trials riding is a completely separate and unique type of motorcycle and a type of riding unrelated to singletrack or any other form of motorcycle or OHV use. The consideration of trials riding opportunities should be, and must be separate from any other form of recreation and surely not dependent upon the actions or behaviors of any other user group. In all fairness and equality, consideration of trials opportunities should begin immediately, not be delayed for any length of time, and certainly NOT be conditionally based upon other riders staying on designated roads and trails. Similarly, any condition to only designate a trials riding area if a strong partnership and Friends group is established is once again outrageously unreasonable, vague, subjective, and disingenuous to this single user group. To only consider designating trials opportunities IF a Friends group is well established is unfair and prejudicial to trials riders. This condition is flawed because:
- i. The adjective “*strong*” is completely subjective and undefined.
 - ii. This condition depends on participation by “*all user groups*” which the motorcycle community has absolutely no control or influence over.
 - iii. The definition of “*all user groups*” is undefined, unclear, and prone to be open to subjective interpretation.
 - iv. To require a myriad of different and undefined user groups to assist in the day-to-day management of the site is completely unreasonable since any availability of volunteers is unpredictable, sporadic, and simply cannot be planned and programmed.
 - v. ONLY the motorcycle community (including trails motorcyclists) is held captive to the actions of all other, unrelated user groups BEFORE motorcyclists can even begin to realize their desire and needs for even the hint of any singletrack trails or a trials riding area. This is abhorrently prejudicial, unfair, and discriminatory.
- g. **Page 13, Section 3. Administration, Action Item a:** The action item *to work with OHV groups and grants to provide sufficient consistent funding...* is impractical and the requirement to be “consistent” is very likely to be an unrealistic condition. Motorcycle clubs and motorcycle advocacy groups are among some of the most successful and energetic entities currently participating in the CPW OHV grant program. In addition to competing for grants limited by annual funding ceilings, these same groups invest hundreds of volunteer hours to trail maintenance in the

Front Range and throughout the State to include the RGFO's area of responsibility. Any funding from OHV grant funds administered by CPW or other OHV fund sources is competitive and relies upon an annual evaluation process. Each grant is scored independently and is based upon the individual grant application's value to the program and benefits to both the OHV user community and the environment. Consistency and any predictability of recurring funding just cannot be assured and it is improper to assume or infer that an OHV group might be able to influence the process and scoring outcomes. Restrictive conditions that single out motorcycle use, as proposed in this RAMP, are counter-intuitive to support for competitive funding sources and opportunities.

- h. **Page 14, Administrative Objective 6:** Stating that "Group sizes of approximately 50 people or 25 machines..." is vague, arbitrary, and lacks definition. Suggest being specific, eliminate the word "approximately" and perhaps consider being consistent with other land management agencies (e.g., 75 persons).
- i. **Pages 18 & 19, Section 5. Monitoring:** In the table/matrix, specifically under the heading of "Trigger", a trigger of "more than 1 violation" is used at least twice in the **OHV Use** portion of the table/matrix. No timeframe is provided for the single violation in the **OHV Use** portion of the table/matrix like in other portions of the table/matrix (e.g., 1 violation in a week, etc.). Once again this appears to be, and is indeed prejudicial and discriminatory exclusively to the OHV user groups. Also, this Trigger allows for a volunteer to identify a single violation. Volunteers can often be uninformed, simply unfamiliar with, and or biased and should not be allowed to have the authority to determine if a single (1) violation has been made or not. Within the **OHV Use** portion of the table/matrix, staff is acknowledged for the inclusion of the positive language: "*Depending on cause, consider if a short connector or loop is needed or if a trail or hill climb practice area closure is warranted to address impacts to resources that are occurring*".
- j. **Page 20, Section 5. Monitoring: Soils and Vegetation Impacts:** Indicator: Long term increases in erosion, bare ground, and compaction from increased recreational [consider **eliminating the term recreational**] use. Other uses besides recreation (i.e., livestock grazing) can also cause increased erosion, soil compaction and loss of vegetation. Action: ...Management options such as: **closing areas** for restoration,... Recommend considering "**temporary restrictions**" and not exclusively "closures" for restoration.

- k. **Page 21, Prioritization and Timing, bullets 7 and 8:** WHY, are motorcyclists the only user group to be needlessly singled out for specific conditions, and additional scrutiny? WHY must only their desired recreational opportunities be contingent upon the behavior of all other users, and especially upon the actions of others beyond the motorcycle community's control before they, motorcyclists, are able to even begin to realize their specific and unique recreational needs and desires for singletrack trails and an area to ride trials motorcycles? Restrictive conditions on motorcycle use and specifically the motorcycle user group are counter-productive to building a collaborative and cooperative partnership that benefits the BLM, the RGFO, especially the Penrose Commons area, and multiple-use recreation.

3. Summary

- a. To only consider designating motorcycle singletrack *if and after a Friends group is well established* is unfair and prejudicial to motorcyclists. Singletrack opportunities should be pursued immediately and not be conditionally contingent upon the possibility that a Friends group is successfully established.
- b. The development of a small motorcycle skill development area for rider progression and training should begin immediately and not be contingent on a vague and arbitrary condition that future *"designated singletrack proves successful"*.
- c. Development of trials opportunities (i.e., a trials riding area) should begin immediately, not be delayed, and not be conditionally based upon actions or behaviors of other users.
- d. Restrictive conditions that single out motorcycle use, as proposed in this RAMP, are simply discriminatory, unjust, and counter-productive in supporting partnerships and the pursuit of competitive OHV funding sources and opportunities.

4. Conclusion

The TPA and our partners thank the RGFO for reviewing and considering our comments and suggestions. Together we look forward to continuing to work with and partnering with the RGFO to develop a reasonable and achievable plan for the Penrose Commons area. A Plan that provides recreational opportunities for off-highway motorcycles, enhances the recreational experiences of motorcyclists, sustains the health and productivity of the Penrose Commons

area, and most importantly provides opportunities within the RGFO's area of responsibility that simply do not exist or are grossly underserved today.

Sincerely,



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