



November 9th, 2023

Bureau of Land Management
GSENM RMP Project Manager
BLM Paria River District
669 S Highway 89A
Kanab, UT 84741

RE: Grand Staircase-Escalante National Monument RMP (DOI-BLM-UT-P010-2022-0006-RMP-EIS)

Dear BLM Planning Team:

Please accept this correspondence from the above organizations as our official comments regarding the Grand Staircase-Escalante National Monument (GSENM) Draft Resource Management Plan (DRMP).

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.

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 GSENM encompasses a vast area with over a thousand miles of motorized routes that are of high quality for responsible riding and driving. In addition to providing access to remote places of varied geology among other resources, the motorized routes provide opportunities for exploration, a sense of harmony with nature, camaraderie with one's group, and even some exercise or challenge from the roughest routes. These primitive routes and even the graded roads to some degree are the very types of opportunities described in Proclamation 10286, which states "The Grand Staircase-Escalante region retains the frontier character of the American West, providing visitors with an opportunity to experience a remote landscape rich with opportunities for adventure and self-discovery."

3. Context of National Monument Designations

The designation of GSENM, then scaling it back, and most recently expanding it were quite political acts, and this context should not be ignored when revising its RMP. On January 16th, 1997, Deseret News published "Making a Monument" that stated:

When BLM state director Bill Lamb announced [the appointment of Jerry Meredith as Monument Manager], he seized the occasion to speak in conciliatory tones to those who opposed the preserve, suggesting long-established land uses such as grazing and hunting will continue beside "various types of recreation" in the area.

"We have an opportunity, if not the obligation, to try to build something completely new and fresh here - something that adds diversity to the forms of land management heretofore found on the federal lands of the West," said Lamb.

"If we do it right," he said, "(the monument will) protect some of the most remarkable land on Earth while sustaining the cultural identity that makes the region so special and rare. We just need to work together.

Accommodating various types of recreation and forging a different path than the NPS has done with national monuments took a setback shortly thereafter, as the BLM attempted to prohibit OHV use of graded roads, similar to the NPS policy in national parks (although NRAs now allow OHV use). In fact, back then GSENM staff discouraged some of the Organizations' members and contributors from riding routes designated open in the 2000 MMP even though their motorcycles were registered for interstate highway use. This attempt to ban OHVs and discourage registered motorcycles failed but, over two decades later, the DRMP attempts to adopt a much more concerning aspect of NPS policy, which is route density. At least one of the DRMP alternatives for OHV area designations would almost certainly result in a route network that's as sparse as the ones in each district of Canyonlands National Park.

Meanwhile there's cognitive dissonance south of GSENM in the Baaj Nwaavjo I'tah Kukveni National Monument that was designated just a few months ago. On August 17th, 2023, the Moab Times-Independent published "Biden's new Arizona national monument exposes Grand Canyon-like divide between supporters and critics" that stated:

Amber Reimondo, energy director for the environmental nonprofit Grand Canyon Trust, said such assertions are just plain wrong. She said the monument will not involve the seizure of private property, threaten existing livestock or water rights or limit access to recreation.

“If these [claims] were true,” she said, “they’d have legitimate ground to stand on. But they are just not true.”

So Baaj Nwaavjo is touted to not limit access to recreation while GSENM would further limit access to recreation, and dramatically so. It's not too late for GSENM planners to prove the Grand Canyon Trust representative or the former BLM state director right. Fix the DRMP to provide far more diverse recreation opportunities than Canyonlands National Park provides.

4. OHV Area Designations

The Organizations are very concerned by the extent of areas proposed to be closed to OHV travel in all three action alternatives, which would force the subsequent travel planning to severely reduce motorized recreation opportunities that are already lacking when one considers the sheer expanse of GSENM. All three action alternatives would force the closure of some motorized routes by zoning their locations are closed to OHV travel. This enormous impact of travel planning isn't even addressed let alone analyzed at the route-specific or cumulative scales, which violates NEPA and hampers our ability to meaningfully review and comment. Even where the route is "cherry stemmed," boundaries are so tight that it sort of straitjackets the route and hobbles potential management actions such as a reroute. Further, the closed area designation prohibits even the mere consideration of adding a route in future. Obviously approving any additional routes has proven very difficult, as few routes have been added across the entire GSENM over the past couple decades. Nevertheless it's important to preserve this flexibility for future planners to discover those instances when adding a route may be appropriate to benefit recreation or mitigate its negative effects. After all, such routes could be as minimal as an e-bike trail, or as useful as a short road to cluster campsites in order to close dispersed sites elsewhere. This RMP may be in effect for decades, by which time the majority of motorcycles and possibly automobiles may become electric and even quieter. The organizations accept some scrutiny when it comes to subsequent travel planning and certainly when new routes are proposed, but area designations at this highest level of land-use planning should only be closed to motorized use outright if it's certain that the given area won't ever become suitable for any extent of e-biking or other emerging uses. The fact that the BLM can manage more proactively than the NPS is a distinction that could help GSENM achieve the aspirations of the former BLM state director.

5. Coordination with Resource Advisory Councils

When developing the current RMPs for GSENM and the KEPA in June of 2019, the BLM consulted its Utah Resource Advisory Council (RAC), which deliberated to reach a set of recommendations focused on making management more effective for conservation, recreation, and other uses so that they would be optimal plans regardless of national-monument status. Most of this work is discarded by the action alternatives, which is disappointing because the current RMPs' reliance on active management and adaptability achieved the kind of consensus espoused by the former BLM state director.

6. Coordination with Motorized Trail Groups

Local OHV groups such as the UT/AZ ATV Club are key partners, as they perform countless hours of service work, provide the unique perspective of motorized trail enthusiasts, and promote responsible visitation that's peer to peer. In particular the UT/AZ ATV Club's exceptional work on Inchworm Arch has been a model partnership that should be nurtured, yet it's jeopardized by the DRMP, which should be rectified immediately by ensuring that Inchworm Arch and all other routes will get a fair shake when it's actually time for travel planning. Please see the enclosed comments from UT/AZ ATV Club's DRMP, which the Organization's fully incorporate as our own comments to the BLM.

7. Coordination with Garfield and Kane Counties

In the GSENM, perhaps the most important partners to recognize are Garfield and Kane Counties. The general public greatly benefits from their maintenance of the road network that's owned jointly between the counties and State of Utah. Both of these counties have been outstanding in their assistance with motorized routes of all kinds. The DRMP must be improved to honor the critical role these counties play in successfully managing GSENM. Please see the enclosed comments from Garfield County regarding motorized routes, which the Organization's fully incorporate as our own comments to the BLM.

8. Conclusion

The Organizations urge GSENM planners to recognize the motorized route network and its stewards as vital to providing diverse recreation opportunities, which are indeed compatible with Proclamation 10286.

Sincerely,



Clif Koontz
Executive Director
Ride with Respect



Chad Hixon
Executive Director
Trails Preservation Alliance



Marcus Trusty
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October 16, 2023

Scott Whitesides, GSENM Project Manager
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Dear Mr. Whitesides:

The Utah/Arizona ATV Club has over 250 members, all of which frequently enjoy the spectacular scenery of the GSENM. Many of our members were born and raised locally and have been using the routes in this area long before it was designated a National Monument by President Clinton in 1996 with Proclamation 6920.

It concerns us, as it should all motorized vehicle users, that a new management plan will lead to more travel route reductions and further limit motorized access. Just recently, under the current administration, additional restrictions have been implemented to motorized user groups that prohibit people from seeing what in the past has been open and easily accessible. There are thousands of people that use the monument for both work and recreation and whenever those of us that use motor vehicles within a monument hear that a new Management Plan is being written, it gives us cause to take notice.

Over the past 20 years, ATV/UTV use has become one of the fastest-growing recreational activities in southwestern Utah, drawing thousands of visitors each year. ATV/UTV use has become a popular method of recreation and a means of transportation while hunting, fishing, or camping. ATV/UTV use has become a significant use due to the increase in the number of users who participate in this recreational opportunity, their increased commercial availability (purchase and rental opportunities), and the marketing of multi-passenger ATVs and UTVs. This trend is expected to continue because visitors are drawn to this area to experience the numerous routes and trails available for OHV use, the diverse backcountry opportunities and spectacular scenery, and the variety of world-class recreational opportunities that the landscape provides.

This draft RMP states that mountain biking and e-bike use is becoming increasingly popular in GSENM and presents a need for GSENM management to “consider additional trails” designated for mountain bike and/or e-bike use. Using similar logic applied to the above paragraph, regarding the trend of increased OHV travel and the use and popularity of OHV use, the same need to consider additional routes designated for OHV use should exist.

Alternative A would yield the greatest benefits to travel, transportation, and access because it would manage the fewest acres of OHV closed areas of the other three alternatives and maintains the one OHV open area for public use. This would provide the greatest access to OHV opportunities, may reduce unauthorized off-trail travel in other areas, and reduce conflicts between motorized recreations, compared with Alternatives B, C, and D. The “open” area discussed in this plan is the Little Desert Area, which encompasses five one thousandths of one percent of GSENM lands and is the only cross-country OHV travel area provided in the entire GSENM.

Unfortunately, some of the less informed individuals that I have discussed this plan with are interpreting the term “off-highway vehicle travel” synonymous with “open travel.” This is far from accurate, and people should be made aware that off-highway vehicle travel refers to authorized travel over designated routes on the approved transportation map.

Until travel management planning is completed, the route designations in the 2000 MMP, and as amended by the 2020 RMPs, will apply unless otherwise modified by this plan (such as OHV closed areas). Subsequent transportation management planning following the development of the RMP should consider additional routes for inclusion in the TMP. Under Alternative A, travel and transportation would be managed consistent with the current transportation route map and, although the current transportation map has been adequate, it has several shortcomings. There are existing routes within the GSENM that could be easily added to a new management plan that were somehow omitted from past plans. This would give visitors a better opportunity to spread out more and to have less impact on an area, while providing for a more enjoyable recreational experience. If this were to occur, a better educational program designed to communicate the proper use and etiquette of the areas would generate a deeper understanding of the environment. This would naturally generate an increased appreciation of, and a sense of stewardship towards our public lands.

Although Alternative A would offer the least protection for cultural resources and would not designate new ACECs, we believe that our public lands are already protected with many existing laws that were set in place to protect these lands for future generations. Additional access restrictions are unnecessary and are an insult to the character of people that enjoy motorized recreation.

As stated in the draft plan, the highest percentages of human-caused noise in the GSENM are created by high-altitude jets and visitors at popular recreation areas, including Calf Creek, Dry Fork, Devil's Garden, Dance Hall Rock, and the Paria townsite. For the passage and outback areas, sound-attenuation features would be required for any approved uses that generate noise, to keep noise below 10 dBA above the L90 measured background sound level at no more than fifty feet from the source. Because the decibel level of normal conversation is about 60db, it would seem safe to presume that the maximum decibel levels allowed in the primitive or back country areas would often be exceeded. Creating a plan that contains unreasonable and unenforceable guidelines is not responsible and should be avoided.

Our club supports Alternative A which states that the application of BMPs outlined in the 2020 GSENM RMPs would continue with no specific areas identified where noise-producing facilities would be prohibited, no limitation on where drone takeoffs and landing could occur, and no further limitations on where OHV use could occur.

Another reason to support Alternative A is that it would not require a re-inventory of wilderness characteristics and would not designate additional ACECs within the Monument. Within the GSENM there are currently thousands of acres being managed that are off limits to motor vehicles. These areas provide people, those with the physical capabilities of hiking into these areas, the experience of solitude that they may be searching for. I personally have spent hundreds of hours hiking in these areas and feel there is already more than enough acreage set aside to find quiet and solitude without creating new areas.

Alternative B has a greater area managed as closed to OHV use and our club is strongly against the closure of additional routes within the GSENM. Alternative B would also likely decrease the ability of all recreationists to access non-motorized trails in certain areas due to the greater area managed as OHV closed. Road closures, and the reduction of areas that could be accessed by a motor vehicle, would be reduced which would limit the access to remote areas and areas that the physically impaired could not reach. With the US Census Bureau predicting that in just 35 years 25% of Americans will be 65 years and older, and that the number of 85-plus year olds will triple, having more travel routes to better accommodate our aging population is more important than ever. Any time a historically used route is closed, it limits access and is a form of discrimination against our aging and the less mobile individuals that are physically challenged.

Under Alternative C, visitors would be directed to recreate in more heavily visited areas which would lead to issues of crowding and would also have an impact on social cohesion similar to Alternative B. This would have a negative effect on mental and physical health which was listed as a benefit of the Monument.

Alternate C refers to a reduction of opportunities for motorized travel near petroglyphs, pictographs, and inscriptions or other sensitive cultural sites to reduce impacts. The term "near" is vague and can be interpreted in different ways and should be more specifically defined. In the proposed plan it reads that: "In some cases, motor vehicle access is

particularly impactful, as shown in a study at Tonto National Forest that positively correlated the damage to cultural resources through looting and vandalism with proximity to roads and other vehicular travel routes.” Then, elsewhere in the draft plan it reads: “In other cases, newly created motor vehicle access did not create impacts, as shown in the Falcon to Gonder Transmission Project 5-year Monitoring Study. The goal of this 5-year monitoring study was to document impacts from an increase of traffic to sites related to the construction of a new transmission line and access roads. The second goal was to provide data that could be used to understand potential impacts for future linear projects. After watching sites and the individual artifacts within these sites for 5 years, the archaeologists found that increased accessibility did not lead to any vandalism or looting”. Looking at these two studies would imply that any evidence that the reduction of motorized travel would reduce negative impacts on cultural sites is inconclusive.

As stated in this new draft plan, the BLM GSENM has had a site monitoring component in its cultural resource program since GSENM’s inception. It goes on to state that under current management, cultural resources are in a relatively stable condition and that looting of cultural resource sites is rare and has tapered off in recent years largely due to public education and law enforcement efforts. We would like to see more effort to install additional educational signage that would teach people the importance of cultural sites rather than use exclusionary tactics.

Under Alternative D, the BLM would manage the most acreage as closed to OHV travel of all the alternatives. If chosen, Alternative D would undoubtedly lead to a reduction of visitors to the area due to the increase in acres closed to OHV travel. This reduction in visitors would have a huge economic impact on our local communities which rely on this source of revenue. Our club is not in favor of and does not support a plan that will reduce the miles of travel routes currently designated to OHV use and would be willing to work with the BLM to improve the existing travel routes and to help generate a more extensive and user-friendly travel network system.

The GSENM 2020 ROD amended the GSENM Travel Management Plan (BLM 2000) to include the V- Road and Inchworm Arch Road as open to and available for OHV use. Inchworm Arch Road is a route currently used by local residents and tourists to access a geological formation, known as the Inchworm Arch. Alternative D would amend the current GSENM TMP by closing the Inchworm Arch Road to OHV use. Closing this route would adversely affect recreation users by removing legal access to the Inchworm Arch. The plan states that continued use of this road could create an impact on cultural and paleontological resources, yet this route was recently relocated to protect the cultural resources in this area.

The 2020 GSENM ROD required BLM to re-route the original alignment of the Inchworm Arch Road, which crossed through an area with a high density of cultural resources. Now that the route has been realigned to avoid the cultural resources, continued motorized and non-motorized use of this route would not adversely impact cultural resources. The newly established route is far enough away from any important cultural sites to minimize any negative impact and we believe the Inch worm arch road should remain available to motorized travel. Most people traveling the Inchworm Arch Road are there to view this geological wonder and are not even aware of the nearby cultural sites. All the recent attention focused on this route has only highlighted the existence of this cultural resource area.

In Volume 2, Appendix G. Inchworm Arch Road Interdisciplinary Route Evaluation Form & Analysis, there is no specific mention of any paleontology resources that would be impacted by motor vehicles traveling over this sandy route. This analysis also makes no mention of any negative impact from the user created hiking trail that allows people to view the arch.

Alternative D is also recommending the closure of the V Road. This would effectively close seven miles of this approved designated route to motor vehicle use. Again, our club is not supportive of any road closures, and we believe that there must be a more positive way of dealing with the erosion issue affecting this road rather than closure to all motorized use.

The draft plan also hopes to establish an Old Spanish National Historic Trail (OSNHT) National Trail Management Corridor along the Box of the Paria High-Potential Segment. This segment of the Paria River is still under litigation and the creation of an OSNHT corridor seems premature and disingenuous. The OSNHT should be an educational experience and the delineation of a one-mile protected corridor is excessive and unnecessary for the recognition of this trail.

The GSENM has former approved Management Plans that have met the requirements needed for our local land managers to professionally manage this area. Unfortunately, these plans are sitting on a shelf somewhere and our local land managers have been instructed to write a new Resource Management Plan for this area. It appears that any additional restrictions that might be imposed on the monument in this new management plan are politically motivated. Unfortunately, the BLM is being pressured from well-funded environmental groups to limit motor vehicle access to our public lands. I feel confident in saying that most people use a motor vehicle to access the monument for their recreational pursuits, and closing roads and restricting access to motor vehicles is not a good management tool.

Even though Alternative A is less than an ideal situation for the motorized recreationist, it is the least restrictive of motorized access to the GSENM and the alternative that our club is more willing to support.

Respectfully,

Mike Reid, President
UT/AZ ATV Club

Travel Management

Transportation and access are integral parts of every resource value and activity on public and private lands that are of meaning to the County and its constituents, including recreation, timber harvest, grazing, wildlife management, vegetation management, conventional and renewable energy development, mineral exploration and development, commodity resources management, rights-of-way to private inholdings, communications site maintenance, and overall public and private lands management and monitoring. In sum, transportation and access are critical to health and safety, economic development, education, and quality of life. Even Proclamation 10286 recognizes the values of visitation, recreation, roads, routes, and trails.

The importance of roads and motorized access, including OHV access, within the Grand Staircase-Escalante National Monument cannot be overstated. These roads are not just mere pathways; they represent the lifeblood of connectivity for our local communities, facilitating access to our shared public lands, supporting economic activities, outdoor motorized recreational opportunities, greater access off which to base all types of recreational activities, and vital search and rescue and law enforcement activities that ensure the safety and well-being of residents and visitors alike. However, it is with great frustration and disappointment that Garfield County, along with the state of Utah, have witnessed the proposed arbitrary closure of large areas to vehicles within the Monument under alternatives B-D, all without any meaningful coordination with the County, consistency with County road and transportation plans and policies, nor consultation or collaboration with the County and other key stakeholders all of whom are directly harmed and impacted by these arbitrary decisions.

This lack of coordination, consistency, and consultation on such matters violates FLPMA and NEPA and their relevant regulations, the principles of Constitutional federalism, and the Constitutional guarantee of a republican form of government to each State in the Union. These failures disregard the vital role that state and local governments and communities play in the stewardship of our lands. Garfield County recognizes the need for responsible management of natural resources and the protection of sensitive areas within the Monument. Still, it firmly believes that such decisions should be made through a coordinated, consistent, NEPA-transparent, and collaborative process, where the voices and concerns of local governments and residents are not merely heard but actively considered and where the BLM is obligated to achieve consistency with state and local plans and policies to the maximum extent possible while consistent with Federal law.

The BLM has patently failed in this regard by flaunting the County's travel management plan and transportation map of county roads approved for motorized transportation. There was zero effort by the BLM to coordinate and achieve consistency with the County. When access to our public lands is restricted without coordination, consistency, and consultation, it violates federal law, hinders our ability to manage these resources responsibly, and stifles our ability to support the diverse needs of our communities and constituents.

The DRMP undermines the intent under the 2020 Monument RMP to craft a transportation plan that would be balanced in providing access.

The DRMP has greatly misled the public by stating that under alternative C, “Within the areas closed to OHV use, approximately 7 miles of routes would be closed.” In a GIS exercise, Garfield and Kane Counties found that over 500 miles of County recognized and mapped existing routes open to all forms of motorized transportation, currently mapped as part of our transportation plans and used extensively by the public, fall within the “closed” area under alternative C. Over 1200 miles County recognized and mapped existing routes, fall within the “closed” area under alternative D. This effectively removes these routes open to all forms of motorized transportation from consideration during future Travel Management Planning.

It is unacceptable and deeply concerning that the BLM failed to coordinate with the County to achieve consistency with transportation plans and maps. It also neglected to conduct any route inventory to analyze the effects of closures and present them to the public. This is a blatant violation of FLPMA, NEPA, and associated regulations. The BLM must take immediate action to remedy this situation and ensure that the public is given accurate and complete information about the proposed alternatives in the GSENM DRMP EIS. Anything less would be a serious disservice to the residents and stakeholders of Garfield County and a breach of the BLM's duty to manage public lands in accordance with the law and the public interest.

Moreover, many of the more than 500 miles of impacted routes and 1200 miles of affected routes under Alternatives C and D, respectively, are claimed state and county RS 2477 rights of way for all forms of public motorized transportation. The BLM's summarily placing these RS 2477 claimed routes into a “closed” land management status violates the counties' valid, pre-existing rights under RS 2477. This alone renders the DRMP EIS invalid because it has created a range of alternatives that are not legal, let alone feasible, thus violating NEPA.

See Exhibit 7 hereto, entitled “2023 GSENM Draft RMP/EIS Grazing and Transportation Comments,” Prepared on Behalf of Kane and Garfield Counties by Mark Habbeshaw Previous Kane County Commissioner from 2003-2010. (54 pages)

Garfield County takes great pride in being our jurisdiction's foremost authority on roads. Our intimate knowledge of the local road network, accumulated over decades of dedicated management and maintenance, positions us as the primary experts in this field. We are not only responsible for the construction and upkeep of these roads but also for ensuring their safety, functionality, and overall efficiency. Our county's commitment to maintaining and enhancing these transportation corridors is a testament to our dedication to the well-being of our residents and the prosperity of our communities.

Given our and Kane County's unparalleled expertise, experience, and substantial roles in the ongoing coordinated maintenance of these roads, this is further reason why the BLM's failure to coordinate and failure even to attempt to achieve consistency with Garfield and Kane Counties are such blatant legal violations. There was no coordination, consistency, or consultation of any kind that led to these drastic transportation management decisions. This is especially critical regarding the Grand Staircase-Escalante National Monument and the associated road networks. Our local knowledge and hands-on experience make us the most qualified partners in crafting solutions that balance the needs of conservation, land management, and community access.

Failing to consult with Garfield County in this decision violates existing laws and NEPA regulations.

The transportation plan element of the DRMP must be scrapped as a manifest NEPA, FLPMA, and RS 2477 failure. The BLM needs to start over and, this time, comply with its legal obligation to coordinate with the County from the beginning and achieve maximum consistency with our long-standing travel management plan. The law and principles of federalism demand no less.