



July 22nd, 2024

Bureau of Land Management  
Price Field Office  
125 South 600 West  
Monticello, Utah 84501

RE: San Rafael Swell Travel Management Plan (DOI-BLM-UT-G020-2019-0019-EA)

Dear SRS TMP Project Manager:

These comments on the BLM's Draft Environmental Assessment of the San Rafael Swell (SRS) Travel Management Plan (TMP) are a supplement to the primary comments that all three of our groups submitted earlier today along with the Colorado Snowmobile Association and Colorado Off-Highway Vehicle Coalition.

### 1. Background of Our Organizations

In our comments, the "Organizations" will refer to the following three 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.

**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. RwR has performed over 20,000 hours of high-quality trail work on public lands, most of which was in the Moab Field Office. In the Price Field Office, RwR has participated in the 2008 RMP and subsequent travel planning.

**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. Clarification of our Primary Comments**

Regarding the primary comments that we submitted earlier today, which suggested amending the 2017 Settlement Agreement mentioned herein, please note that the Organizations (CORE, RWR, and TPA) were referring only to amending the SRS TMP deadline originally set forth in that Settlement Agreement. Specifically the deadline should provide sufficient time to complete Price Resource Management Plan (RMP) amendments related to the Dingell Act and to develop the SRS Recreation Area Management Plan (RAMP), both of which are identified in the BLM's 2023 scoping report for RMP amendments, and then to finish the subject TMP. The Organizations (CORE, RWR, and TPA) see this deadline extension as being necessary due to the unforeseen superseding event of the Dingell Act and its wide impact on the planning area for the SRS TMP.

## **3. The draft TMP baseline for analysis is inaccurate.**

The planning area's current management situation under the 2008 Price RMP is not accurately described in the draft TMP's No Action Alternative, Alternative A. That Alternative as currently drafted misstates and misinterprets on-the-ground and management conditions under the no-action scenario. For example, many routes reflected in the 2008 baseline map are not included in the 2024 Alternative A map. These routes are critical to any analysis seeking to create a new travel plan in 2024 for many reasons.

## **4. The TMP stepdown plan should be done after completing its foundation in the RMP and RAMP.**

It is nonsensical for the draft TMP to leapfrog the Dingell Act and tether the Alternative A No-Action scenario directly to the 2008 RMP. There was no Dingell Act Congressional Wilderness in the planning area in 2008. This results in an incorrect rendering of the No-Action Alternative, particularly given the Dingell Act's at-law and factual releases of significant parts of the planning area back into multiple use management.

The state of Alternative A as described above, shows among other things that the current San Rafael Swell travel management planning effort must be put on hold, until the Price FO RMP is properly amended under a NEPA compliant FLPMA 202 process to reflect and implement all changes brought to the planning area by the Dingell Act. Otherwise, this TMP process is "cart-before-the-horse," premature, and unlawful under NEPA, FLPMA, and the Dingell Act itself. Examples of impacts to travel planning from general RMP amendments include WSA releases and the important consideration of potential changes to the SRMA, Natural Areas, and resulting fragmentation of such polygons here and there in the planning area as a result of implementing the Dingell Act in the 202 plan amendment process. These weighty potential impacts to travel planning considerations point to only one rational and NEPA compliant sequence: Amend the RMP first, consider its effects, and then and only then turn to travel planning.

The foregoing considerations apply equally to the SRS RAMP. The Dingell Act's designation wilderness acres, release of acres from WSA status greatly impact the ability to gauge the extent and character of sufficient recreational opportunities in the area. All of this needs to be considered and implemented to provide an accurate baseline understanding of Alternative A for TMP purposes, and counsels strongly for putting the current TMP process on hold. The Swell RAMP is only at the development stage and far from complete. Any potential change in the Swell RAMP must first be considered. This sequencing problem

renders the current travel planning effort out of order and thus inherently NEPA, FLPMA, and Dingell Act deficient.

Further under FLPMA Section 602 and 603, the Dingell Act's release of certain public lands in the planning area from further WSA/ISA status, returns those lands to the default FLPMA multiple use and sustained yield management regime. The current draft TMP has failed to adequately consider and provide for this reality.

No amount of excuse-making by the BLM in the draft TMP could reasonably alter the foregoing fundamental NEPA planning requirements, but in any event, the draft TMP omits any mention of the RMP amendment process at all and makes only scant reference to the RAMP, at Section A.4 of Page 117.

In addition to halting the current TMP process, the BLM as a party to the 2017 Settlement Agreement should seek an extension of the Agreement's TMP deadline long enough to implement the Dingell Act and do the needed plan amendments referenced above. The Dingell Act brought significant changes to conditions and controlling standards for the planning area. Those changes were unforeseen, and they render the current travel planning effort premature, out of order, and without crucial foundation in relation to the fundamental planning area changes that must first take place in light of the Dingell Act. These conditions warrant extension of the Settlement Agreement TMP deadline.

#### **5. Sound planning must clearly articulate the rationale for each proposed decision.**

The information set forth in the draft TMP, including the route reports (however voluminous they may be), is NEPA deficient when it comes to explaining the basis or rationale for the various proposed route closures in the range of alternatives. The information amounts to little more than route-by-route conclusions as to what will be closed, with little to no underlying data, and no analysis and application of data or other criteria to explain any of the proposed route closures. The NEPA deficiencies here include (a) failure to take a hard look at the routes and the conditions in support of or against closure, (b) a failure of transparency, (c) failure to inform the public, and (d) arbitrary and capricious governmental decision making.

#### **6. Minimizing potential adverse effects to cultural sites cannot be the rationale for restricting use on more than a few of the routes that are included in any of the four alternatives.**

The DEA Table 3-5, "TMP Effects on Historic Properties Under Section 106," indicates that, of the routes in any of the four alternatives, only 6 cultural sites could potentially be adversely affected. Therefore any TMP decision that restricts use on more than a few of these routes to minimize potential adverse effects to cultural sites would. Even when it comes to routes that have the potential to adversely affect these 6 sites, closure should only be considered after other remedies such as interpretive signs, route marking, tread work, or relocating the route.

#### **7. The socioeconomic analysis fails to recognize major negative impacts of alternatives B and C.**

Alternative B and even Alternative C would greatly harm the livelihoods and lifestyles of surrounding communities. First, the analysis area should certainly include Wayne County, as Hanksville and Loa are the

closest towns to the southern half of the SRS TMA. Both towns rely on dispersed recreation opportunities across the San Rafael Swell and Mussentuchit areas.

Second, the draft TMP states "On the basis of the above analysis, BLM believes there would be only minimal impacts to the planning area's economy under any alternative, and detailed analysis is not required. There are no past, present or reasonably foreseeable actions that would alter this conclusion" (Section A.10 AIB-10 on Page 126). The idea that alternatives B and C would have only minimal impacts to the planning area's economy is absurd. Motorized recreationists from all over the world visit this area for the network of trails that are generally uncrowded, extensive for exploration, and reaching remote areas with rugged terrain and exceptional views. All of those qualities would be more scarce in alternatives B and C, greatly reducing the effective carrying capacity of the route network, and greatly reducing its word-class nature.

For example, Alternative B would close Five Miles of Hell, VJ, and Waterfall Trail. These are not only some of the best motorized singletracks in the Temple Mountain trail system, but best in Utah, best in the United States, and best in the world. These gems couldn't be substituted by other routes such as the Green, Blue, and Red trails. Even if they could, it'd double the crowding. These gems couldn't even be reproduced by constructing new trails, as the high-quality terrain has been designated wilderness or a recreation area that prohibits constructing new motorized routes. Thus closing these gems could easily reduce the number of people who choose to stay in—or establish residency in—nearby towns such as Green River and Hanksville. Suffice it to say that analyzing socioeconomic impacts is needed.

#### **8. The draft TMP route inventory is substantially incomplete.**

The "total evaluated route network" is missing many existing routes that warrant analysis through a route report and consideration in draft alternatives. Some of these routes are on motorized route maps produced by Emery County as well as the Emery County Trails Committee. Others are not county roads, but are nevertheless viable worth of due consideration. Here are just a couple examples:

A. Parallel route of UT-72 between SS6193 and SS6184 - This old constructed road, which is just west of Highway 72, is three miles long. It allows OHV riders to connect many routes without going on the highway, which benefits recreation as well as highway users. See the enclosed photo, " RWR TPA CORE - parallel route of UT-72 from middle of route looking N."

B. Old Woman Wash from SS2533 to UT-24 - This major wash connects the Reef road to the San Rafael Desert on the other side of Highway 24. It goes under a highway bridge that's unobstructed, at which point it's less than a quarter-mile from a route designated open in the 2022 San Rafael Desert TMP. This route, Old Woman Wash, is what most OHV riders actually use to cross Highway 24 instead of Temple Wash. Also this route, Old Woman Wash on the west side of the highway, is part of BLM-permitted motorcycle race courses including the 1987 Mail Run. See the enclosed photo, " RWR TPA CORE - Old Woman Wash from SS2533 looking E."

#### **9. Alternatives B and C would close many routes without any reasonable justification.**

Alternatives B and C would close hundreds of miles of routes that are of great recreational value, that are quite feasible to manage, and that would not cause considerable adverse effects. These routes have been

continuously used for decades, and should not be closed without compelling reasons. Here are just a couple of examples:

A. Overlook of Blue Trail Canyon (SS66096) - This old bladed road reaches a great view of Blue Trail Canyon. It has a flowing alignment through gentle hills of pinion and juniper that naturally encourage OHV riders to stay on the route. The view is just a half-mile from Interstate 70, thus the setting is already quite motorized. See the enclosed photo, " RWR TPA CORE - view of SS66096 endpoint from N."

B. Farnsworth Tanks Loop (SS2540) - This old bladed road has a sinuous alignment and modest grades, providing a short but fun loop in an area with high OHV use from campers and day visitors alike. See the enclosed photo, " RWR TPA CORE- SS2540 from SS2533 looking S."

## 10. Conclusion

We appreciate the work that your agency has done thus far to develop an SRS TMP, but it is simply premature, and the focus should be turned to amending the Price RMP and developing an SRS RAMP.

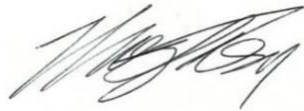
Sincerely,



Clif Koontz  
Executive Director  
Ride with Respect



Chad Hixon  
Executive Director  
Trails Preservation Alliance



Marcus Trusty  
President/Founder  
Colorado Off Road Enterprise