

**FAQ SHEET**  
**West Needles Wilderness Study Area**  
**3/18/13**

**Q: How did Wilderness Study Areas come into existence?**

A: As part of the Federal Land Policy and Management Act (FLPMA), the Bureau of Land Management (BLM) was directed to inventory the lands under its management, including inventorying for wilderness characteristics.

- 1976-Federal Land Policy and Management Act (FLPMA) approved by Congress October 21, 1976. Section 603 authorized BLM participation in Wilderness Act process.
- 1977-BLM began initial wilderness inventory (review) of public lands
- 1980-BLM identified WSAs covering approximately 22 million acres, all to be managed under the BLM Interim Management Policy (IMP) until decision(s) relating to such are made by Congress.

**Q: What is a section 603 WSA vs. a section 202 WSA?**

A: BLM Handbook 8550-1 describes the three 'types' of WSAs:

*"There are three categories of public lands to which this policy applies: (1) Wilderness Study Areas (WSAs) identified by the wilderness review required by Section 603 of the Federal Land Policy and Management Act (FLPMA), (2) legislative WSAs (WSAs established by Congress), and (3) WSAs identified through the land-use planning process in Section 202 of FLPMA. These categories together are referred to as "lands under wilderness review." (H-8550-1, pg 1).....*

*"The wilderness review required by Section 603 of FLPMA focused on roadless areas of 5,000 acres or more and on roadless islands. The BLM as a matter of policy used its general management authority under Sections 302 and 202 of FLPMA to include in the wilderness review certain other roadless areas. These included: (1) areas smaller than 5,000 acres that were not islands, (2) areas less than 5,000 acres that had wilderness characteristics in association with contiguous roadless lands managed by another agency, and (3) lands placed under BLM administration after the wilderness inventory was conducted in 1978-80. The management mandate in Section 603(c) does not apply to roadless areas being studied under Section 202 of FLPMA. However, as a matter of policy, the BLM will use its management authority under Section 302 of FLPMA to apply a modified form of interim management to these areas, as is explained in Chapter I.A.5." (H-8550-1, pg 2).....*

*"Lands Under Wilderness Review. The BLM conducted a wilderness inventory under procedures described in the Wilderness Inventory Handbook, issued by BLM on September 27, 1978 (Organic Act Directive No. 78-61). The inventory sorted lands into two categories: (a) WSAs, to which the IMP applies, and (b) lands determined not to have wilderness characteristics and not subject to the IMP. A complete study was conducted on all the identified WSAs and suitable/nonsuitable wilderness recommendations submitted by the Secretary to the President by January 1993. All of these WSAs remain under the IMP (except as noted in A.5 above) until a final decision is made by Congress. Lands being reviewed for wilderness values in future planning efforts are subject to the IMP once identified as a WSA and remain under IMP until*

*either released by the State Director as nonsuitable or until a final decision is made by the Congress on the land's wilderness status.” (H-8550-1, pg 8)*

**Q: Does the West Needles area fall under section 603 or 202?**

A: The West Needles WSA falls under section 603 because 1) it was inventoried and identified in the November 1980 Intensive Wilderness Inventory, 2) it is (was) greater than 5,000 acres, 3) It was included in the Federal Register Notice dated December 27<sup>th</sup>, 1983, and 4) It was directed for continued review and management pursuant to section 603 by Public Law 98-141.

**Q: Is the West Needles area a Wilderness Study Area?**

A: Yes, the West Needles area, located just east of Molas Pass, is a Wilderness Study Area (WSA):

The West Needles Contiguous WSA was identified in the BLM Intensive Wilderness Inventory Final Wilderness Study Area report (November 1980)(pages 172-175) and assigned a unique identifying number , CO-030-229A. This Final Inventory found the following:

- *Proposed WSA Decision (2/1/1980)-Unit does qualify as WSA*
- *Final WSA Decision (11/1980)-Unit does qualify as WSA*
- *Size: 5,930 acres intensively inventoried; 5,820 acres proposed as WSA in 2/1/1980 recommendation (removed 40 acres of Railroad ROW, 40 acres due to major imprint of man from mining, and 20 acres to exclude a road); 5,780 acres identified as WSA (adjacent to USFS RARE II Area #303 of 15,650 acres). 40 acres deleted due to public comment*
- *Area description: “..... Portions of the unit are leased for grazing and it contains several unpatented mining claims.”*
- *Naturalness:*
  - *Imprints of Man: “Unit CO-030-229A is primarily natural in character. There are some mining prospects within the unit but these are substantially unnoticeable.”*
  - *Evaluation of Public Comments: “Twelve comments addressed the naturalness of the unit. Seven of these felt that the unit was not primarily natural in character. They cited the narrow-gage railroad on the boundary of the unit, an active uranium mine near Elk Park, roads near the unit, mining claims, exploration activities, a power line on the boundary of the unit, and ways. The town of Silverton, additionally, mentioned the periodic need to dredge the creeks which fill Molas Lake. Outside sights and sounds such as the railroad, power line, or roads which do not enter the unit cannot be considered during the inventory phase of the wilderness review, but will be analyzed during the study phase.....The only way within the unit (near Molas Lake) was not determined to substantially impair the naturalness of the area....No roads were found within the unit, but a vehicle way which is substantially noticeable is located south of Molas Lake. Approximately 40 acres were deleted because of this vehicle way and area heavily used by campers with motorized vehicles.”*
- *Opportunities for Solitude:*
  - *Area Description: “That portion of Animas Gorge within the unit is densely forested with steep, narrow side drainages. Above the Animas Gorge, there is the rugged mountain terrain around Snowdon Peak....The combination of topographic and vegetative screening*

- with a large area of contiguous wildlands provides for outstanding opportunities for solitude in Unit CO-030-229A.”*
- *Evaluation of Public Comments: “Eleven comments supported BLM’s evaluation that this unit does provide outstanding opportunities for solitude. Nine of them offered no specific data but only made general statements. Two comments attributed the outstanding opportunities for solitude to the outstanding river campsites, rugged terrain, large mountainous expanses and forested areas. One comment stated the area did not provide outstanding opportunities for solitude but gave no specific reasons for this judgment.”*
  - *Opportunities for Primitive and Unconfined Recreation:*
    - *Area Description: “Outstanding opportunities for primitive and unconfined recreation are present in the West Needles Contiguous unit due to a combination of several factors. The large acreage of federal lands being managed for wilderness values, the rugged mountain landscape, the spruce and aspen forest, the narrow side canyons with cascading creeks, and the Animas River provide for diverse and outstanding opportunities for primitive and unconfined recreation such as hiking, backpacking, fishing, hunting, horseback riding, mountain climbing, and cross-country skiing.*
    - *Evaluation of Public Comments: “Eight comments were received which supported BLM’s finding that the area does provide outstanding opportunities for primitive and unconfined recreation. Most statements provided no specific information on factors provides for recreation opportunities, while several mentioned the outstanding scenery. Activities mentioned were hiking, backpacking, fishing, photography, and geologic study. No comments indicated the unit does not provide outstanding opportunities for primitive and unconfined recreation.”*
  - *Non-Inventory Information*
    - *“Other resource values and potential resource conflicts are not a consideration in the designation of Wilderness Study Areas. These considerations will be addressed during the study phase of the wilderness review, which will begin after November 1980. Comments addressing the following concerns will be retained for these future land use decisions. Three comments stated the area had potential mineral values. Two of these comments noted there is an operating uranium/silver mine near the boundary of the unit. One comment indicated possible range conflicts and one stated there could be access/right-of-way problems. The Colorado State Highway Department is concerned with the possible need for obtaining a ½ mile wide buffer zone on Highway 550 to allow for roadway use and necessary expansion.”*

1982- Forest Service -- Draft Report West Needle Wilderness Study Area<sup>1</sup>

- Figure I-2 shows area determined not capable for wilderness, that section of the West Needle Contiguous WSA north of Molas Creek.

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<sup>1</sup> Available online at: <http://babel.hathitrust.org/cgi/pt?id=umn.319510028936521;seq=8;view=1up;num=1>

- Total land area in the West Needles WSA consists of 15,800 acres administered by the Forest Service, and 5,780 acres administered by the BLM. On the BLM portion, **approximately 1,240 acres are in the area north of Molas Creek.** (pg III-10).
- A Bill (H.R. 3433) has been submitted to the Congress that would modify the boundary of the San Juan National Forest. If passed, this Bill would transfer the area of the West Needle Contiguous Area south of Molas Creek to the Forest Service. The entire WSA, **excluding the area determined unsuitable for wilderness management,** would then be under Forest Service administration. (III-10).
- The second element of Wilderness capability is manageability, and this report found that the “area of the West Needle Contiguous WSA north of Molas Creek” failed this aspect. “This land is adjacent to Molas Lake and Molas Lake Campground, which is on land owned by the town of Silverton. Recreation activities in the vicinity of Molas Lake include fishing, developed site camping, and off-road vehicle use. The terrain is such that there are not topographic or other natural barriers separating the developed recreation area from the WSA. **Significant manageability problems would exist in attempting to prevent motorized use from taking place within designated wilderness. This is why, under the suitable alternative, and adjustment has been made to exclude this 1,240 acre area which is determined as incapable for wilderness.**” (IV-10).
- “[Boundaries] can be located in most areas to use features that constitute a barrier to prohibited use or a shield to protect the wilderness environment. An exception is the area of the West needle Contiguous WSA adjacent to Molas Lake. Here, no barriers exist, and manageability with respect to prohibited uses would pose problems. This area of 1,240 acres is excluded under the suitable alternative.” (IV-12).

#### 1982- Mineral Resource potential of the West Needle Wilderness Study Area, USGS<sup>2</sup>

- Geological Survey, summer of 1982.
- Both the West Needle WSA (managed by Forest Service) and West Needle Contiguous WSA (managed by BLM) are studied simultaneous and discussed in this report as single area. (pg. 1).
- North boundary “is in part marked by Three Lakes Creek and Molas Creek.” (pg. 1)
  - This USGS survey includes a map (page 2), as well as description of the boundaries on the first page, that suggest that the West Needle Contiguous WSA (CO-03-229A) is further south than the area in question east of Molas Lake. The north boundary on this document is Molas Creek.

#### 1983- Forest Service Final EIS San Juan National Forest<sup>3</sup>

- ROD signed, Sept. 1983. Alternative H adopted.
- “An inter-agency cooperative agreement, the EIS also makes recommendations for the BLM administered West Needle Contiguous Wilderness Study Area (5,780 acres adjacent to the West Needle Wilderness Study Area). Congress will make the final decision on the recommendation. (San Jan National Forest EIS, pg. 1).

<sup>2</sup> Available online at: <http://pubs.usgs.gov/mf/1983/1632a/report.pdf>

<sup>3</sup> Available at: [http://www.fs.usda.gov/detail/sanjuan/landmanagement/planning/?cid=fsbdev3\\_002252](http://www.fs.usda.gov/detail/sanjuan/landmanagement/planning/?cid=fsbdev3_002252)

- When a recommendation as to the suitability of unsuitability for wilderness is made for the West Needle Wilderness Study Area, it also includes the same recommendation for the capable portion of the adjacent West Needle Contiguous Wilderness Study Area administered by the Bureau of Land Management.” Pg. 12
- EIS pg IV-33 shows a chart of WSA acres, including West Needle, BLM West Needle Contiguous 4,540 acres, which has a note underneath saying “The capable portion of the West Needle Contiguous (BLM administered land) is determined suitable for wilderness designation in Alternative H. Total acres shown do not include the BLM acres.”
- H- Proposed Action. West Needle (15,800 acres) WSA would be recommended suitable for wilderness designation. Management of all wildernesses would be in accordance with the Wilderness Act of 1964 with minimum restrictions on visitor use. (EIS II- 54)
- **Current recreation use** includes: off-road motorized recreation, which includes four-wheel drive use, trial biking, and snowmobiling (4 percent). (EIS III-23)
- Wilderness and Wilderness Study Areas acre are included in the semi-primitive non-motorized and primitive acres shown above. (EIS III-24).

On October 31 1983, Public Law 98-141 conveyed portions of the West Needles Contiguous WSA (and others) to the USFS and directed the continued study of the remaining portions per Section 603 of FLMPA:

- “(g) Those parts of the areas which on December 15<sup>th</sup>, 1981 were designated as Bureau of Land Management Wilderness Study Areas (Needle Creek, CO-030-229B; West Needles contiguous, CO-030-229A; Whitehead Gulch, CO-030-230B; and Weminuche contiguous, CO-030-238B) contained within area 3 and that are made a part of the national forest system by this section shall be studied in conjunction with the West Needles Wilderness Study Area in accordance with the provisions of section 105 of the Colorado Wilderness Act of 1980, including the requirement that the Secretary of Agriculture review the suitability or unsuitability of such lands for inclusion in the National Wilderness Preservation System and report to Congress by December 31, 1983. All portions of such areas which are not included within the national forest system by this section shall be reviewed as to their suitability or nonsuitability for preservation as wilderness, and recommendations thereon shall be submitted to the Congress, in the same manner as with respect to those areas required pursuant to section 603 of the Federal Land Policy and Management Act of 1976, and during the period of review and until Congress has determined otherwise, such portions shall be managed pursuant to section 603(c) of such Act.”

1987- BLM Final EIS Proposed Wilderness Designation of the Wilderness Study Areas within the Gunnison Basin and American Flats/Silverton<sup>4</sup>

- West Needles Contiguous area was studied separately in conjunction with Forest Service land use plans. (1).
- 1983- the Public Lands and national Parks Act (97- Stat. 909) adjusted the San Juan National Forest boundary to include all or parts of four BLM WSAs. All of the Needle Creek WSA and portions of the Whitehead Gulch, Weminuche Contiguous and West Needles were affected. The

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<sup>4</sup> Available online at: <http://babel.hathitrust.org/cgi/pt?id=umn.31951p00925478y;seq=4;view=1up>

BLM portion of West Needles Contiguous continues to be studied jointly with the Forest Service.  
(4)

1991-Wilderness Study Report: At end of 15 year period mandated in FLPMA, the Secretary of the Interior transmitted his recommendations to the President as to which studied public lands should be designated wilderness and those recommended as not suitable for such designation.

The Silverton area WSAs (including the West Needles Contiguous WSAs) are found in the Overview on pages 12-13 under 'Wilderness Study Areas Not Included in This Report' :

*Colorado: "Three other study areas (West Needles Contiguous 1,240 acres, CO-030-229A; Whitehead Gulch, 1,669 acres, CO-030-230B; and Weminuche Contiguous, 1,533 acres, CO-030-238B), are remnants of study areas that were partially exchanged with the Forest Service in a boundary adjustment completed in 1983. They are contiguous to lands now managed as Forest Service study areas that are recommended for addition to the Weminuche Wilderness. The areas remaining in BLM management, however, are not recommended largely because of their configuration relative to the Weminuche Wilderness. They would constitute appendages, whereas the areas previously exchanged to the Forest Service complement a logical boundary. The areas were studied cooperatively in the San Juan Forest Plan and have been included for release in the Forest Service draft legislation and previously introduced legislation."*

**Q: The 1991 Report says the West Needles Contiguous WSA is 'not recommended'. What does that mean?**

A: The BLM, in its report to the President, provided recommendations as to whether a WSA should be managed as wilderness. An entire WSA may be recommended for management as wilderness, not recommended for management as wilderness, or portions of a WSA may be recommended for management as wilderness. Regardless of this recommendation, however, all portions of a WSA are managed in the same manner; "so as not to impair the suitability of such areas for preservation as wilderness". This report still refers to the West Needles Contiguous area as a WSA, and thus still falls within the management direction for WSAs.

**Q: Was this WSA 'released' by Congress when portions of the original WSA were incorporated into the Weminuche Wilderness Area?**

A: No. Portions of this WSA (along with the Whitehead Gulch WSA and Weminuche Contiguous WSA) were transferred to the United States Forest Service (managed under the Secretary of Agriculture), and then incorporated into the Weminuche WSA by Congress via the 1993 Colorado Wilderness Act, but the remaining BLM lands (managed under the Secretary of the Interior) were never released by Congress:

- *1993-Colorado Wilderness Act of 1993:*
- *Section 2 (Additions to the Wilderness Preservation System)*
  - *(A)(Additions)*
    - *(16)"Certain lands in the San Juan National Forest which comprise approximately 28,740 acres, as generally depicted on a map entitled "West Needle Wilderness Proposal and*

*Weminuche Additions”, dated January 1993, and which are hereby incorporated in and shall be deemed a part of the Weminuche Wilderness designated by Public Law 93-632, as amended by Public Law 96-560.”*

- *Section 4 (Wilderness Release)*
  - *(A)“Repeal of Wilderness Study Provisions-Sections 105 and 106 of the Act of December 22, 1980 (Public Law 96-560) are hereby repealed.”*
  - *(B)“ Initial Plans-Section 107(b)(2) of the Act of December 22, 1980 (Public Law 96-560) is amended by striking out “except those lands remaining under further planning upon enactment of this Act, areas listed in sections 105 and 106 of this Act, or previously congressionally designated wilderness study areas”*
- *Public Law 96-560-December 22, 1980-*
  - *Section 105 (a) “The Secretary of Agriculture shall review and within three years after the date of enactment of this Act, shall report to the President and the Congress.....his recommendations on the suitability or unsuitability for inclusion in the National Wilderness Preservation System of the following lands:*
    - *(9)“The West Needle Study Area, consisting of approximately fifteen thousand eight hundred acres in the San Juan National Forest, as generally depicted on the map entitled “West Needle Wilderness Study Area Proposal”, dated June 1980.”*
  - *Section 106 (a)“The Secretary of Agriculture...”*
  - *Section 107 (a) “The Congress finds that....the Department of Agriculture....”*

Note that there is no language directing the release of lands managed by the Secretary of the Interior.

**Q: How does the BLM manage the West Needles Contiguous WSA?**

A: Up until recently, the BLM guidance for management of Wilderness Study Areas was found in the Interim Management Policy Handbook (8550-1). On 7/13/2012, BLM Manual 6330 was released, replacing 8550-1. According to the Purpose of 6330, “This policy is intended to guide BLM personnel in the specific decisions that arise every day in the management of these areas. First issued in 1979 and most recently revised in 1995, previous iterations of this policy were referred to as the interim management policy (IMP). The term “interim” was used because the policy was expected to be in effect only for a limited period of time and focused on the short-term stewardship of WSAs. The BLM will continue to manage WSAs until Congress acts, and therefore the manual addresses the longer term stewardship of WSAs. The Wilderness Study Area Management Manual should be applied in all cases where the IMP is currently applied.”

*Manual 6330 Excerpts of Pertinence:*

*Congressional Direction (pg 1-4)*

*1. Direction in FLPMA*

*Wilderness preservation is part of the BLM's multiple-use mandate, and the wilderness resource is recognized as one of the array of resource values considered in the land-use planning process. Section 603(c) of FLPMA provides direction to the BLM on the management of WSAs and states that with some*

exceptions (explained more fully below in Section 1.6.C.2): “During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner **so as not to impair the suitability of such areas for preservation as wilderness.**” This language is referred to as the “non-impairment” mandate. The BLM developed a non-impairment standard (see 1.6.C) in this manual) to meet this mandate.

#### B. General Policy (pg 1-6)

The BLM’s management policy is, except in the cases stated below (see section 1.6.C.2), to **continue resource uses on lands designated as WSAs in a manner that maintains the area’s suitability for preservation as wilderness.** The BLM’s policy will protect the wilderness characteristics of all WSAs in the same or better condition than they were on October 21, 1976 (or for Section 202 WSAs not reported to Congress, the date the WSA was designated), until Congress determines whether or not they should be designated as wilderness. When managers are in doubt as to a course of action in a WSA, this should serve as a guiding principle.

#### 5. New discretionary uses (pg 1-9)

It is the BLM’s policy not to establish new discretionary uses in WSAs that would impair the suitability of such areas for wilderness designation (see section 1.6.C). For example, identifying a mountain biking route on an existing primitive route may not create new surface disturbance or permanent facilities, but the use of the route may preclude potential designation the area as wilderness and would therefore violate the non-impairment standard .In some cases a local club or business, without consultation with the BLM, may have promoted WSA for a use that may impair the existing wilderness characteristics so as to constrain Congress’ prerogative to designate the area as wilderness. In such cases, the BLM should take appropriate action so as not to allow the discretionary activity to rise to a level that would create an expectation of continued use, thereby impairing the suitability of the WSA for designation as wilderness.

#### Defining the non-impairment standard. (pg 1-10)

The BLM will review all proposals for uses and/or facilities within WSAs to ascertain whether the proposal would impair the suitability of the WSA for preservation as wilderness. Unless excepted under 1.6.C.2, all uses and/or facilities must meet the non-impairment standard (i.e. must be both temporary and not create surface disturbance), as described in the following detailed criteria:

a. The use or facility is temporary. The use or facility is needed for a defined time period to respond to a temporary need, and would be terminated and removed prior to or upon wilderness designation. A chronic, repeated short-term use does not meet this definition of “temporary.” **Uses, activities, or facilities that create a demand for uses that would be incompatible with wilderness management also do not meet the definition of temporary.**

b. The use or facility will not create new surface disturbance. There is no new disruption of the rock, soil, or vegetation, including vegetative trampling, that would necessitate reclamation, rehabilitation, or restoration in order for the site to appear and function as it did prior to the disturbance. Uses or facilities

that would require only passive natural restoration may still be considered surface disturbing. For example, cross-country vehicle use off boundary roads or existing primitive routes is surface disturbing because the tracks created by the vehicle leave depressions or ruts, compact the soils, and trample or compress vegetation. Landing fixed wing aircraft is considered surface disturbing unless it is on an existing airstrip or primitive route open to other motorized use (i.e. identified and documented to exist prior to passage of FLPMA). Certain activities allowed in wilderness areas, such as recreational hiking, use of pack stock, or domestic livestock grazing, are recognized as acceptable within a WSA, although, in the literal sense, they cause surface disturbance.

Motorized/Mechanical Transport. (pg 1-27)

i. Recreational use of motor vehicles or mechanical transport (see Glossary) **may only be allowed when such use is consistent with all applicable laws and meets the non-impairment standard**. The following are examples of motorized or mechanized transport uses that are not likely to impair an area's suitability and therefore may be allowed in a WSA:

A. within "open" areas designated prior to the passage of FLPMA (October 21, 1976), unless the area was subsequently limited or closed in a Land Use Plan decision.

B. on primitive routes (or "ways") identified by the BLM as existing on October 21, 1976 (or prior to the designation date for Section 202 WSAs not reported to Congress) if:

I. identified in the original wilderness inventory; or

II. if not identified as in I., having documented proof that the route existed at that time; and

III. whether I. or II., the route was not otherwise closed through BLM's Travel Management Planning

C. off of primitive routes for the minimum clearance to allow another vehicle to pass when driving or parking vehicles.

Note: Offices may consider issuing supplemental rules where necessary to provide enforcement for this section of the WSA Management Manual.

ii. Because their development causes new surface disturbance, no new motor vehicle or mechanical transport routes will be permitted in WSAs. Vehicle routes other than those defined in b.i.B, above, should be closed and restored.

iii. No improvement or maintenance of any primitive routes will be permitted to facilitate recreational motor vehicle or mechanized vehicle use in WSAs if it does not meet the non-impairment standard or one of the exceptions.

iv. Primitive routes within WSAs may only be used to the extent that the physical impacts of the primitive route are no greater than existed on October 21, 1976.....the BLM must take action to ensure the route does not exceed the approximate conditions of impact to the wilderness characteristics that existed on October 21, 1976....

v. If outstanding opportunities for solitude were identified in the original inventory, the BLM will monitor the remaining primitive routes open to motorized travel within the area and take actions to prevent the impairment of the opportunity for solitude. The BLM cannot allow use (including increased vehicle use

on routes remaining open to motorized or mechanical transport within the area) that would impair these opportunities.

m. Special recreation permits. (pg 1-31)

**Activities that require authorization under a Special Recreation Permit (SRP) will be allowed only if the use and related facilities satisfy the non-impairment criteria (and therefore do not involve a use of the WSA that would be incompatible with wilderness designation).** Examples of uses that may be authorized include river trip outfitters, hunting or fishing guides, group backpack trips, and providers of pack animals and saddle horses.

**Q: Even if snowmobiles cannot be allowed per the 2012 BLM 6330 manual, the Special Recreation Permits and general snowmobile use, date back several years. Aren't they pre-existing uses and 'grandfathered in'?**

A: Prior to 2012, BLM guidance for WSAs came from Handbook 8550-1. The Interim Management Policy for Lands Under Wilderness Review (IMP). In reference to WSAs, 'grandfathered' uses had a very specific meaning: Grandfathered uses are specific to "grazing, mining, and mineral leasing uses that existed on the date of approval of FLPMA (October 21, 1976) (and) may continue on lands under wilderness review in the same manner and degree as on that date, even if this impairs wilderness suitability." (H8550-1, pg 12). However, even if snowmobiling is not a 'grandfathered use', it would have to have been an 'existing use' to be allowed within the WSA. Several sections of the IMP provide insight as to what would be considered an 'existing use':

Within the 'Criteria' section of Grandfathered Uses, the IMP stated, "to be an 'existing use' the use clearly must have been taking place on the lands as of the date of approval of FLPMA (October 21, 1976)." (H8550-1, pg 12). This is the same date of reference found in the newer 6330 manual.

Additionally, on page 10 of the IMP, it stated that, "Wilderness values were identified in Section 2 (c) of the Wilderness Act of 1964. The BLM Wilderness Inventory Handbook (Organic Act Directive No. 78-61, dated 9/19/1978) further defined wilderness values as: roadlessness, naturalness, solitude, primitive and unconfined recreation, size, and supplemental values. ....In order to determine whether a proposed action enhances wilderness values within a given WSA, one must refer to the original wilderness inventory for baseline or benchmark data concerning the particular wilderness value(s) being affected."

Also within the IMP, under Chapter III, Policies for Specific Activities, Recreation, was the following guidance, "Most recreational activities (including fishing, hunting, and trapping) are allowed on lands under wilderness review. However, some activities may be prohibited or restricted because they require permanent structures or because they depend on cross-county use of motorized vehicles (for example: pickup vehicles for balloons or sailplanes). BLM will analyze the magnitude of all recreational activities to ensure that such use will not cause impacts that impair the area's wilderness suitability. An example might be erosion caused by increased vehicle travel within a WSA. To prevent this impairment, the BLM will monitor ongoing recreation uses as well as cumulative impacts, and if necessary, adjust the time, location, or quantity of use or prohibit that use in the impacted area." (H8550-1, pg 45)

**Q: Is there any other guidance for snowmobile use in the Silverton Area?**

A: Yes, there are two other guidance documents in place for these lands; the 1985 San Juan/San Miguel Resource Management Plan (RMP) and the 2010 Alpine Triangle Recreation Area Management Plan (RAMP). The development of both of these documents included public involvement.

An RMP is the planning level document which allocates use of public lands, including designations of Open, Limited, or Closed to motorized travel. The 1985 San Juan/San Miguel RMP identifies the Silverton SRMA as 'Limited to Designated Roads and Trails'. In June, 2001, the BLM and USFS issued a FONSI, Decision Record, and EA regarding snowmobile use in the Silverton Area. The decision included language that the BLM would institute Plan Maintenance to the 1985 RMP which would eliminate the prohibition on motorized use off of designated roads and trail on certain BLM lands. On June 12, 2001, a Plan Change (#34-2) was completed and signed by the Associate Area Manager which allowed snowmobile use on and off trails and roads in the winter throughout the Silverton Special Recreation Management Area. This EA and decision were affirmed by the 10<sup>th</sup> Circuit Court as a result of a lawsuit filed by the Silverton Snowmobile Club (January 12<sup>th</sup>, 2006, #05-1005).

The 2010 Alpine Triangle RAMP also refers to the Silverton area as 'Limited to Designated Roads' (allowing for additions or subtractions to the designated system per section 2.1.6). The only route identified in this plan is the Colorado Trail (no-motorized). It further states that snowmobile use is not allowed in designated Wilderness or WSAs (section 2.1.5), and that WSAs are 'closed to travel' (section 2.1.6).

**Q: What options is the BLM exploring for snowmobile use in the Silverton Area?**

A: Unless 'released' by Congress, the BLM must manage the unit as described in Manual 6330. The BLM is working with the USFS, Silverton Snowmobile Club, and Colorado Snowmobile Association to identify opportunities outside of the WSA. The creation of this FAQ sheet is the first step in that process as the BLM has committed to thoroughly researching the background of this WSA to determine its designation and management status.

**Q: Who can we contact for more information?**

A: The Outdoor Recreation Planner for the BLM Tres Rios office is Jeff Christenson, 970-882-6811, [jchristenson@blm.gov](mailto:jchristenson@blm.gov). The Field Office Manager is Connie Clementson, 970-882-6808, [cclementson@blm.gov](mailto:cclementson@blm.gov).