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Issue:

All public lands were largely open to motorized access prior to the 1960's. Many existing roads and trails were created by legal logging, mining and public access during this period. Nearly all of the roads and trails in the project area have been in existence for many years with many dating back to the turn of the century. The term "unclassified road or ghost road" may give the impression that these roads evolved illegally. We request a clarification in the document that travelways with these origins are legal travelways as recognized by all policies and decisions including the 3-States OHV ROD, national OHV and route designation policy, and BLM OHV policies. We are very concerned that the agencies are not honoring this agreement and decision. Additionally, we request that these roads and trails continue to provide recreation opportunities for motorized visitors and that mitigation measures be used, as required, to stabilize or address any environmental concerns.

Issue:

We are concerned about the loss of access and impact on the handicapped, elderly, and physically impaired produced by each motorized closure to historic sites and traditional use areas. The proposed closures deny these citizens access to public lands that are especially important to them. We request that all the roads, trails, and features of interest be analyzed for the access and recreation opportunity that they provide for handicapped, elderly, and physically impaired visitors.

Issue:

The concept of area closure is not consistent with Forest Service regulations as established by appeals to the Stanislaus National Forest Travel Management Plan (http://www.fs.fed.us/r5/ecoplan/appeals/1998/fy98_stanislaus.htm). We request that the findings of that appeal including the following excerpts be included in this evaluation:

- 1) Pursuant to regulations and policy, the Forest Service shall "Designate all National Forest System lands for off-road vehicle use in one of three categories: open, restricted, or closed" (FSM 2355.03-3). Restricted is defined as "Areas and trails on which motorized vehicle use is restricted by times or season of use, types of vehicles, vehicle equipment, designated areas or trails, or types of activity specified in orders issued under the authority of 36 CFR 261" (FSM 2355.13-2).
- 2) The Forest Supervisor decided to manage motorized use as closed unless designated (signed or mapped) as open (DN, p. 3). This affects over 2,500 miles of Level 2 roads and trails on the Stanislaus. His decision is inconsistent with Federal regulations, which require signage for closed routes, not open ones.
- 3) I found the Forest Supervisor's decision on signing inconsistent with Federal regulations, which require signage for closed routes, not open ones. The Forest Supervisor is directed to managed motor vehicle travel as restricted to designated routes unless signed or physically closed. Vehicle restrictions must be processed in accordance with 36 CFR 261.50 and posted in accordance with 36 CFR 261.51. 36 CFR 295.4 addresses additional requirements for public information regarding Use of Motor Vehicles Off Forest Development Roads. Restrictions on motor vehicle travel will be addressed through site specific NEPA analysis with consideration of any civil rights impacts.
- 4) Where RS 2477 rights are asserted, these routes may be considered for motor vehicle use.
- 5) Route maps were not included in the planning documents and the quad maps of the Opportunity Classes were difficult to read due to their scale.

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Issue:

The signing of “closed unless posted open” is not consistent with the 3-States OHV ROD and national OHV policy. It is also very confusing to the public. The 3-States OHV decision and national OHV policy logically defines what constitutes an open road or trail and the appropriate vehicle for that route. This is a more reasonable approach than “closed unless posted open”.

Issue:

Closed unless posted open is an impractical concept because signs do not last very long for many reasons including vandalism, animals and weather knocking them down, rotting of posts, etc. It is not fair to the public and will be very confusing to have somebody pull down a sign and then it is technically illegal for the public to travel on that route. Signs will become damaged and/or destroyed and then the public does not know whether they are legally open or closed. Additionally, “closed unless posted open” will have a huge annual maintenance cost that will be difficult to fund. Also, posting signs as required to adequately define open routes under “closed unless posted open” will be extremely unsightly which should not be considered reasonable or acceptable.



Issue:

A science-based approach to the analysis of forest roads is presented in the Forest Service publication FS-643 Roads Analysis which was published in August 1999. This document includes a comprehensive overview of considerations and issues, suggested informational needs and sources, and analytical tools that should be evaluated during the analysis of forest roads. Many of the considerations and issues presented in FS-643, if evaluated adequately and fairly, would support keeping primitive roads and trails in the project area open for motorized recreation, handicapped, elderly, and physically impaired. We request that FS-643 be used in this evaluation to determine the specific values of each motorized road and trail.

Some of the considerations and issues are:

Economic (EC)

EC (1) How does the road system affect the agency's direct costs and revenues?

EC (2) How does the road system affect priced and non-priced consequences included in economic efficiency analysis used to assess net benefits to society?

EC (3) How does the road system affect the distribution of benefits and costs among affected people?

Timber Management (TM)

TM (2) How does the road system affect managing the suitable timber base and other lands?

Minerals Management (MM)

MM (1) How does the road system affect access locatable, leasable and saleable minerals?

Special Use Permits (SU)

SU (1) How does the road system affect managing special user permit sites?

Protection (PT)

PT (1) How does the road system affect fuels management?

PT (2) How does the road system affect the capacity of the FS and cooperators to suppress wildfires?

PT (3) How does the road system affect risk to firefighters and public safety?

Road Related Recreation (RR)

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RR (1) Is there now or will there be in the future excess supply or excess demand for roaded recreation opportunities?

RR (2) Is developing new roads into unroaded areas, decommissioning existing roads, or changing maintenance of existing roads, causing significant changes in the quantity, quality, or type of roaded recreation opportunities?

RR (3) Who participates in roaded recreation in the areas affected by road constructing, maintaining, or decommissioning?

RR (4) What are these participants' attachments to the area, how strong are their feelings, and are there alternative opportunities and locations available?

Social Issues (SI)

SI (1) What are peoples' perceived needs and values for roads? How does road management affect people's dependence on, need for, and desire for access?

SI (2) What are people's perceived needs and values for access? How does road management affect people's dependence on, need for, and desire for access?

SI (3) How does the road system affect access to historical sites?

SI (4) How are roads that are historic sites affected by road management?

SI (5) How is community social and economic health affected by road management?

Civil Rights and Environmental Justice (CR)

CR (1) How does the road system, or its management, affect certain groups of people (minority, ethnic, cultural, racial, disabled, and low-income groups)?

We request full use of the FS-643 Roads Analysis Manual in order to adequately account for the social, economic, cultural, and traditional values that motorized roads and trails provide to the public. FS-643 should be used on every road and trail segment in order to adequately identify and evaluate the needs of motorized visitors and in order to avoid contributing to additional cumulative negative impacts to motorized visitors.

Issue:

The environmental document should be an issue driven document as required under NEPA and the Council on Environmental Quality guidelines. The driving issue is the development of a reasonable travel management alternative that addresses the needs of the public. NEPA requires that agencies "Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated" [40 CFR 1502.14(a)]. We request that the environmental document adequately addresses the social, economic, and environmental justice issues associated with multiple-use access and motorized recreation. We request that the environmental document include a travel management alternative for the project area that adequately responds to these issues and the needs for multiple-use access and recreation.

Issue:

The underlying strategy of past travel management actions has been to eliminate as many motorized recreational opportunities as possible and to avoid the creation of any new motorized opportunities. We request that the underlying principle of all new travel management actions be to maintain the existing level of opportunities for motorized visitors. We also request that the document and decision-making: (1) evaluate the cumulative negative effect of past strategies to eliminate motorized recreation opportunities including the conversion of multiple-use lands to all designations of non-motorized areas including pre-Columbian scheme, monuments, wilderness,

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wilderness study areas, roadless areas; and (2) enact actions that will offset the cumulative negative effect of past strategies to eliminate motorized recreational opportunities.

Issue:

A new strategy for travel management actions should be to enhance the level of opportunities for motorized visitors in order to be responsive to the needs of the public. Enhancement could include roads and trails systems with loops, exploration destinations such as lakes, mines, scenic overlooks, and inter-connections to other public lands and regional trails. We request that the preferred alternative include the enhancement of motorized recreational opportunities.

Issue:

We request evaluation of the loss of opportunities for off-highway vehicles due to the lack of a continuous system of roads and trails on which off-highway vehicles can be legally ridden and the formulation of a preferred alternative to address that issue. In areas where OHVs must use a roadway, we request that a reasonable travel management alternative be developed that includes the designation of a reasonable network of dual-use roads to allow inter-connection access to OHV recreational resources.

Issue:

The preferred travel management alternative should maintain existing travelways that provide motorized access to recreational loops and destinations. We also request that the preferred alternative avoid cutting off access to motorized looped trail systems, exploration opportunities, destinations, and motorized access areas located outside the project area. The cumulative negative effect and lack of motorized access to loop trail systems and destinations outside of the project area should be adequately addressed in the analysis and decision-making.

Issue:

A reasonable travel management alternative is needed in order to avoid contributing to the significant impacts that motorized recreationists have experienced from the cumulative effect of all closures. A reasonable alternative would incorporate all existing motorized roads and trails and restrict motorized travel to those travel ways. Under the requirements of NEPA, all reasonable alternatives should be addressed in the environmental document and decision-making. In order to avoid contributing to further cumulative negative impacts, we request that an alternative based on incorporating all existing motorized roads and trails and restricting motorized travel to those travelways be included in the analysis and selected by the decision-makers.

Issue:

The environmental document should consider the following visitor profiles in addition to OHV enthusiasts as motorized visitors who use roads and trails within public lands. People out for weekend drives, sightseers, picnickers, campers, hunters, hiking, rock climbing, target shooters, fisherman, snowmobile enthusiasts, woodcutters, wildlife viewing, berry and mushroom pickers, equestrians, mountain bikers, and physically challenged visitors who must use wheeled vehicles to visit public lands. All of these multiple-use visitors use roads and motorized trails for their recreational purposes and the decision must take into account motorized designations serve many recreation activities, not just recreational trail riding. We request that the significant impact from all cumulative statewide-motorized closures on all of these visitors be included in the environmental document. A statewide analysis is required because cumulative negative effects are forcing all

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motorized visitors to travel farther and farther to fewer and fewer places to find motorized access and recreation opportunities.

Issue:

Visual and other impacts associated with motorized trails have been cited as significant negative impacts. Many non-motorized trails have environmental impacts similar to motorized trails. Existing wilderness and non-motorized areas include many trails that are visually and functionally similar to primitive motorized roads and motorized trails. For example, the Mount Helena trails, and the main trails into the Bob Marshall and Scapegoat Wilderness at Benchmark, Holland Lake, and Indian Meadows and the main trails into the Anaconda Pintler Wilderness are similar visually and functionally to many primitive motorized roads and motorized trails. Additionally, trails resulting from activities including wild animals and Native Americans have always been a part of the natural environment. We request that the existence of trails be considered part of the natural landscapes, and that the visual appearance of motorized trails and non-motorized trails be recognized as equal in most cases and that the environmental impacts of motorized and non-motorized trails be addressed fairly and equally.

Issue:

If the issue of cross-country motorized travel is significant enough to justify closures, then the issue and restrictions should also be applied to cross-country hiking and mountain climbing. Motorized recreationists relinquished cross-country travel opportunities as part of the Three-State OHV and National BLM Record of Decision. Because of this wholesale action, motorized recreationists gave up recreational opportunities such as retrieval of big game and trials bike riding in areas where cross-country travel was acceptable. Cross-country hiking and mountain climbing also create trails that provide visible evidence of human activity. Non-motorized trails and motorized trails are often equal in visual and resource impact.

Issue:

Page 57 of Big Snowy Mountains Access and Travel Management Decision Notice. *Specifically, the following table on motorized and non-motorized roads/trails on the Lewis and Clark National Forest indicates a mix of opportunities.*

With the elimination of cross-country travel and millions of acres of area closures, motorized recreational opportunity can only be expressed as miles of roads and trails open to OHV visitors. Land area in acres cannot be used as a measure of motorized recreational opportunity. However, non-motorized recreational opportunities can be measured in acres of cross-country travel area available and miles of trails available. It is not equitable weigh motorized use on the same scale as non-motorized use. Non-motorized users are not held to the same standard as motorized use in that they are not confined to only trail access. Therefore, motorized recreational opportunities are limited to a set number of designated motorized routes while non-motorized recreational opportunities can include cross-country travel opportunities and are, therefore, unlimited. This distinction has not been adequately recognized and we request that this distinction and advantage be recognized in the analysis, formulation of motorized alternatives and decision-making.

Issue:

The use of the existing network of motorized roads and trails is part of local culture, pioneer spirit, heritage and traditions. All of these values have ties to the land. Visitors to public lands benefit from all of the motorized roads and trails that exist today. The quality of life for the multiple-use

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public is being impacted by the cumulative negative effects of all motorized and access closures. The significant closing of motorized routes in the project area does not meet the basic requirement of the NEPA act of 1969 as stated in “Sec. 101 (b) (5) *achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life’s amenities*”. We request that the criteria for high standards of living and a wide sharing of life’s amenities include the preservation of motorized roads and trails based on the recognition of the values (ties to the land) that they provide to local culture, pioneer spirit, heritage, traditions, and recreation.

Issue:

The proposed action promotes management of our public lands as if they are public lands close to the large urban areas in California. If and when our population is equal to California, then an alternative could reasonably consider requirements necessary to manage urban impacts. Until then, local standards and culture should be the over-arching criterion.

Issue:

The prevailing trend of the past 35 ± years has been to close motorized recreation and access opportunities and not create any new ones. Additionally, roads or trails closed to motorized access are seldom, if ever, re-opened. The underlying objective of the Bureau of Land Management and Forest Service has been to restrict the public to a few major roads within public lands. We request that the cumulative negative effects of these policies be thoroughly evaluated so that a reasonable travel management decision is made. The evaluation of cumulative negative impacts should include all associated impacts such as social, economic, cultural, and the recreation needs of motorized visitors. It should also address the dilemma facing motorized recreationists after so many closures, i.e., Where can motorized visitors go when a functional network of roads and trails is eliminated? How can the public enjoy public lands when there is a lack of adequate access and recreational opportunities? Where can our children and grandchildren recreate?

Issue:

We are concerned about the preservation of historic mines, cabins, settlements, railroads, access routes and other features used by pioneers, homesteaders, loggers, settlers, and miners. These are important cultural resources and should not be removed from the landscape. Western culture and heritage has been characterized by opportunities to work with the land and preservation of all remnants of this culture and heritage is important. Current management practices are not adequately protecting western culture and heritage including the opportunity to work with the land. We request that the ties to the land that are part of our local western culture and heritage be protected and that the preferred travel management alternative include opportunities to visit these features as part of motorized interpretative spur destinations and loops.

Issue:

We live in this area and accept the economic compromises of living here so that we can access and recreate on our public lands. We are fortunate to have an abundance of public lands and there is no valid reason why we should not have reasonable opportunity to enjoy them. Our local culture is built on the foundation of access to visit and use these lands. Now travel planning and other initiatives are severely restricting that access and recreational opportunities. We have only one lifetime to enjoy these opportunities and these opportunities are being systematically eliminated. The impacts of lost opportunities on motorized recreationists are significant and irretrievable and irreversible. We won’t be living this life again. NEPA requires adequate evaluation and consideration of irretrievable and irreversible impacts. We request that the evaluation and decision-

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making adequately identify and address these impacts. NEPA also requires adequate mitigation of irretrievable and irreversible impacts. We request that the decision-making provide for adequate mitigation to avoid the irretrievable and irreversible impacts of lost opportunities on motorized recreationists.

Issue:

Judge Molloy May 21, 2001 Order bottom of page 13. *In 1996, District Ranger Larry Timchak of the Judith Ranger District noted "While motorized users typically have a high tolerance for non-motorized recreationists, the reverse is typically not the case."*

We are concerned about the protection of our western culture. This culture is characterized by access to the land for multiple-uses, friendliness, good neighborliness, tolerance and sharing. Motorized access to the land provides opportunities for sightseeing, exploring, weekend drives and picnics, hiking, rock climbing, skiing, mountain biking, riding horses, camping, hunting, target shooting, fishing, viewing wildlife, OHV recreation, snowmobiling, accessing patented mining claims, gathering of firewood, rocks, natural foods, etc. and physically challenged visitors who must use wheeled vehicles to visit public lands. Both our observations and the Social Assessment for Beaverhead-Deerlodge National Forest found that these multiple-use visitors represent over 97% of the total visitors and that these visitors rely on motorized access. We are fortunate to have extensive public lands to support the western culture. While mechanized and multiple-use recreationists are tolerant of others as noted by the District Ranger, this does not mean that non-motorized interests should be allowed to dominate resource allocation decisions. We request that multiple-use management principles be used to protect western culture and values including access to the land for multiple-uses, friendliness, good neighborliness, tolerance and sharing.

Issue:

Our public lands are a tremendous national resource both in total area and features. Public lands should be available for conflict-free use and enjoyment by everyone. Unfortunately public lands have been turned into a conflict zone by non-motorized fanatics. What is right about this situation? It is a great disservice to the public. We request a management initiative be introduced that will return public lands for the use and enjoyment of everyone for once and for ever.

Issue:

In reality, the most significant conflict of users/user conflict/conflict of uses is not out in the woods. The most significant conflict has been created by non-motorized groups and imposed on motorized recreationists in the courtroom, in the legal filings, and by the organized campaigns and continual visits to the agencies by paid staff where non-motorized groups continually work to influence the agency and the public against motorized recreationists. This conflict of users/user conflict/conflict of uses must be recognized and addressed by this action.

Issue:

The environmental document should evaluate how the number of policy proposals over the past several years has overwhelmed the public. There is no way that the public could evaluate and comment on each proposed action (see partial listing of actions in Table 2). The cumulative negative impact of the overwhelming number of proposals has been decision-making that does not provide for the needs of the public and a significant reduction in multiple-use and motorized access and recreation opportunities. We request that this cumulative negative impact be adequately evaluated and factored into the decision-making for this action. Additionally, we request that an

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adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts on the public associated with the overwhelming number of NEPA actions.

Issue:

Motorized visitors have had to devote the majority of their available energy and time addressing local and national level travel management actions. The combination of these actions has created a significant cumulative negative effect on motorized visitors by consuming their free time and money, and significantly impacting their quality of life.

Additionally, this cumulative negative effect has led to the loss of opportunity for motorized recreationists to further the awareness and education of other motorized visitors in areas such as proper riding ethics, safety, and environmental protection. This cumulative negative effect has also reduced the opportunity for motorized recreationists to improve and maintain existing motorized opportunities. This cumulative negative impact includes reduced maintenance of trailheads and trails and reduced ability to undertake mitigation projects to protect the environment and public safety. We request that these cumulative negative effects be addressed in the analysis, preferred alternative and decision-making.

Issue:

With the agency's commitment in the current management plan to the application of "Limits of Acceptable Change" (LAC) for determining management strategies there is an inherent obligation on the agency's part to provide specific direction that certain measures, such as visitor education and the provision of new facilities, would be implemented before limiting use. A common thread in LAC application nation-wide is that these regulations apply to all visitors, not to specific groups. Why are motorized recreationists being disenfranchised from this directive? There has not been an adequate attempt by the agency to educate the public that areas and trails in the project area or anywhere else must be shared by all users and that new facilities are needed to address the needs of motorized recreationists. The decision for this project must correct this deficiency.

Issue:

Motorized recreationists are very concerned that a reasonable alternative will not be adequately addressed in the environmental document and decision-making and that the process is predisposed. To prevent this from happening again, we request a Multiple-Use Review Board be established to assure that the decision-making reflects the multiple-use management goals and the needs of the public. We request that a Multiple-Use Review Board look into all past travel management decisions within public lands to determine whether all decisions have adequately considered the needs of multiple-use and motorized recreationists. Where decisions have not adequately considered the needs of multiple-use and motorized recreationists, we request that the reasons be identified and that corrective actions be taken.

Issue:

Oftentimes, the text and maps in travel management documents do not effectively communicate or describe to motorized visitors the trails and roads that they are accustomed to visiting. Therefore, motorized visitors do not realize that the Agency proposes to close many of the roads and trails that have been used for decades by generations of motorized visitors.

The public has not developed a clear understanding as to what is about to happen to the roads and trails that they routinely visit because the travel management process has not effectively

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communicated the extent of the roads and trails proposed for closure. Instead, the public will go out to their favorite road and trail and find it closed to their use after the proposed action is enacted.

It will take different approaches to effectively communicate to the public, which roads and trails are subject to the proposed action. For example, one alternative communication method could include posting of the roads and trails proposed for closure with signs for a period of 1 year prior to the EIS process stating “Road or Trail Proposed for Closure, for more information or to express your opinion please call xxx-xxxx or send written comments to xxxxx.”

Other methods could include the use of information kiosks and trail rangers as discussed in other sections. We request a commitment by the agencies to these sorts of direct communications with motorized visitors to reach and involve them. NEPA does not preclude these types of methods and, in fact, requires the process to be user friendly.

Issue:

Current management philosophy seems to be that the only way to address a problem is by closing access to public lands. Eliminating opportunities does not solve problems. An approach that is more reasonable to the public including motorized visitors is to maintain recreation opportunities by addressing problems through mitigation measures such as education, signing, seasonal restrictions, user fees, and structural improvements such as water bars, trail re-routing, and bridges. There may be problems with certain motorized roads and trails but we should work to solve and mitigate them and not to compound them by enacting more closures. We request the agencies to support and use mitigations and education as a means to address and mitigate problems rather than closures.

Issue:

Most problems associated with visitors can be addressed by education. Education should be the first line of action and all education measures should be exhausted before pursuing other actions. There are situations where education is far more effective than law enforcement. The elimination of much needed recreational opportunities is not reasonable without first exhausting all possible means of education to address the problem. Educational programs could include use of mailings, handouts, improved travel management mapping, pamphlets, TV and radio spots, web pages, newspaper articles, signing, presentations, information kiosks with mapping, and trail rangers.

Restrictions or closures are not always obvious to the public. Education can also be in the form of measures such as the use of jackleg fences with signs at the end of motorized trails in sensitive areas so that public is made aware of the end of the motorized trail and the surrounding area closure. The use of public education to address problems may require effort and time but it is more reasonable than the use of closures. We request the full use of education to address visitor problems. Additionally, individual motorized recreationists and groups can be called upon to assist with the implementation of the educational process.

Issue:

An alternative to motorized closures in many cases would be to keep motorized opportunities open and use education on principles such as those found in the Tread Lightly program and Blue Ribbon Coalition Recreation Code of Ethics and Principles to address and eliminate specific issues associated with motorized recreationists. These efforts could include the use of pamphlets, information kiosks, and presentations. Education can also be used to address and eliminate issues

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associated with non-motorized recreationists by encouraging their use of reasonable expectations, reasonable tolerance of others, and reasonable sharing of our land resources.

To date, educational measures have not been adequately considered, evaluated or implemented. We request that educational measures be incorporated as part of this proposed action and that the cumulative negative impact on motorized recreationists of not using education in all past actions involving motorized recreational opportunities be addressed. Additionally, we request that an adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts associated with inadequate use of education measures in past actions.

Issue:

In addition to the education initiative discussed above, we also request that the agency undertake a special management initiative that would evaluate areas where the public is not following the designated system of routes. This initiative should include evaluations before and after the respective travel plan, forest plan or resource management plan. In order to adequately understand the needs of the public, it is important for the agency to determine why the public is resisting the plan in effect. Reasons may include an attractive destination or loop that was not adequately addressed and an overall inadequate level of opportunities. This management initiative should also include a mitigation process to allow use of these routes where logical and reasonable. One example is the Globe-Sailor-Branham Lakes area in the South Fork Boulder River drainage in the Deerlodge National Forest. A long-time motorized route was closed 20 years and the public is still struggling to accept it. There are no other similar atv opportunities in the area. There are several high quality non-motorized routes in the area so there is an imbalance. It appears to be logical and reasonable to use the existing historic mining route to meet the needs of the public for a high quality motorized opportunity in this area.

Issue:

Management of public lands to maximize wild game populations at the expense of other uses is not reasonable and does not meet the requirements of multiple-use laws and policies. We support hunting but we question why hunting's impact on wildlife is acceptable and non-destructive viewing by motorized visitors is not acceptable. We are concerned that public lands that were designated for multiple-use management are not being managed for multiple-use as required under:

1. The Multiple Use Sustained Yield Act of 1960 (16 U.S.C. 528 et seq.) defined Multiple-Use as *"The management of all the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people..."*. Outdoor recreation is the first stated purpose of the act.
2. Public Law 88-657 states that *"the Congress hereby finds and declares that the construction and maintenance of an adequate system of roads and trails within and near the national forests and other lands administered by the Forest Service is essential if increasing demands for timber, recreation, and other uses of such lands are to be met; that the existence of such a system would have the effect, among other things, of increasing the value of timber and other resources tributary to such roads; and that such a system is essential to enable the Secretary of Agriculture (hereinafter called the Secretary) to provide for intensive use, protection, development, and management of these lands under principles of multiple use and sustained yield of products and services"*.
3. The Federal Land Policy and Management Act of 1976 (FLPMA) states that *"(7) goals and objectives be established by law as guidelines for public land use planning, and that*

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management be on the basis of multiple use and sustained yield unless otherwise specified by law; and, (c) In the development and revision of land use plans, the Secretary shall -- (1) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law;”.

4. The BLM Strategic Plan FY 2000 to 2005 states that: *“To achieve this mission, the Bureau of Land Management follows these principles: Manage natural resources for multiple use and long-term value, recognizing that the mix of permitted and allowable uses will vary from area to area and over time.”*

We request careful consideration of the multiple-use needs of the public and implementation of the objectives of multiple-use laws and policies as part of the proposed action.

Issue:

The roads and trails in the project area are not new or “user created” travelways. These roads and trails have existed for many years. The public has relied on them for access for many years and for many purposes. This pattern of use is well established. A reasonable travel management alternative would use area closure to prevent the creation of unwanted trails by visitors and, at the same time, allow the public to use all of the existing motorized routes. Too many management actions have been enacted without the development of this reasonable alternative. The cumulative negative impact of the travel management process on motorized access and recreation opportunities has been significant. We request that the preferred alternative be based on the existing motorized routes that are considered important resources by motorized recreationists.

Issue:

A reasonable Travel Management alternative would maintain existing travelways that provide motorized recreationists with a system of loops and destinations. The preferred alternative should provide access to motorized looped trail systems, spurs for exploration and destinations, and motorized access to areas located outside the project area. We request that the cumulative negative effect of reduced recreation and access opportunities for motorized visitors within the project area be adequately considered in the document and decision-making. The cumulative negative effect of eliminating motorized access to loop trail systems, provide exploration opportunities and destinations outside of the project area should also be adequately considered in the document and decision-making.

Issue:

Current management trends are attempting to restrict public access to narrow corridors along major roads. This management trend is widespread among all agencies. If allowed to continue, this trend will concentrate over 95% of the visitors to less than 10% of the area. The cumulative negative impact from concentrating visitors to narrow corridors will result in poor management of public lands and unreasonable access to public lands and recreational opportunities. We request the evaluation of the cumulative negative impacts from management goals that tend to concentrate visitors to narrow corridors and reduce recreation opportunities for motorized visitors. Other associated negative impacts that should also be evaluated include loss of dispersed recreation opportunities, reduced quality of recreation, loss recreation diversity, and unequal of recreation opportunities.

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OHV and other motorized recreationists seek the challenge and sense of exploration that primitive roads and motorized trails provide. The preferred travel management alternative should not restrict motorized access and recreation to narrow corridors along a few major roads. This restriction would not provide for the type of experiences that most motorized visitors are seeking and, therefore, does not meet the needs of motorized visitors. We request that the analysis and decision-making avoid restricting motorized access and recreation opportunities to narrow corridors along major roads.

Issue:

In the past, timber harvests have been conducted without consideration for maintaining existing motorized trails through the area. Therefore, motorized recreation opportunities have been eliminated as part of timber sales. The Little Blackfoot and Telegraph Creek areas are examples of motorized closures done as part of timber harvests that have fragmented the motorized road and trail system. Now as mitigation measure to offset the significant impact from the cumulative effect of all past actions, motorized trail systems should be developed using timber sale roads and trails. Existing timber sale roads and trails should be inter-connected by construction of new trail segments or rehabilitation of existing trail segments to provide mitigation for lost motorized recreation opportunities. Connector trails should be constructed to avoid dead-end trails. These systems could provide recreation opportunities for a variety of skill levels and visitors.

Issue:

In some cases conflict of uses has been created by Visitors Maps that are not consistent with Travel Plan maps. All visitors (motorized and non-motorized) need to clearly understand what areas, roads or trails are open for motorized travel and what areas, roads, or trails are closed to motorized travel. We have experienced a number of misunderstandings by both non-motorized and motorized visitors. We recommend that the Travel Plan Map and Visitors Map be the same and that this combination map should include as much detail as possible (such as contour information) so that the public can better determine the location of roads and trails that are open or closed.

Issue:

There is a significant need to standardized signs within and across all agencies. For example, there are often misunderstandings about seasonal motor vehicle restrictions due to the “No” symbol with the actual closure period shown below in small text that is often not seen or understood. When a picture of a motorcycle, 4x4, ATV and snowmobile are shown at the trailhead with a circle and red strike through them, it portrays to the non-motorized user that this trail is closed to motorized users. Many people do not notice the dates that are associated with the sign showing when the motorized closure applies. This confusion created by the agencies signs creates many of reported conflicts between users which are then used against motorized recreationists. A standardized multiple use sign for these areas must be posted to clearly inform people of the uses allowed in these areas. This corrective action would stop many complaints that the FS receives on user conflicts and would be more equitable to motorized recreationists.

We suggest that travel management signs be made easier to understand and standardized. Signs are the backbone of a good management program. Some examples of how signs could be used to implement management are:

- Signs should be displayed at key access points to public lands explaining the basics; “OHV’s allowed on designated routes to protect foliage and prevent erosion”; “Expect to

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see other visitors on the trails – shared trail area”; “Report violations to 1-800-TIP-MONT”; etc.

- Trailhead signs should not only list restrictions but should also tell visitors what to expect. Signs that say “expect to see other trail users” with universal symbols indicating the uses they can expect to see would work well. This approach is used successfully in nearly every forest across the country except those in Forest Service Region 1.
- Reinforce travel allowed and restricted at intersections.
- Reinforce important messages; say the same thing in a different way.

Issue:

Along with the standardization of signs, there is also a significant need to standardize or simplify seasonal closure dates as much as possible. We suggest that the number of different closures periods should be kept to a maximum of two, if possible, in order to avoid confusion and resulting misunderstandings.

Issue:

The environmental document should be an issue driven document as required under NEPA and guidelines published by the Council on Environmental Quality. The driving travel management issue is the development of a reasonable alternative that meets the needs of the public. NEPA requires that all reasonable alternatives be evaluated. We request that the environmental document include a travel management alternative that is responsive to the public’s multiple-use needs. A reasonable alternative would incorporate all existing motorized roads and trails and restrict motorized travel to those travel ways. A reasonable travel management alternative should provide a continuous system of roads and trails on which off-highway vehicles can be legally ridden. A reasonable travel management alternative is needed in order to avoid contributing to the significant impact that cumulative negative impacts have had on motorized recreationists. In order to avoid contributing to further cumulative negative impacts we request that the preferred alternative be based on incorporating all existing motorized roads and trails and restricting motorized travel to those travel ways.

Issue:

The evaluation team is being strongly directed to seek segregation of visitors for this action. This is not a reasonable goal. Multiple-use lands are public places. Segregation in public places has not been acceptable since the Civil Rights Act of 1964. We do not seek to separate the public in other public facilities and, in fact, it is illegal. Sharing of public resources among all visitors and especially on multiple-use lands is the over-arching goal that is most reasonable expectation for visitors to those lands. Additionally, segregation of visitors is being used to manipulate recreation resource allocation such that motorized visitors are ending up with a less than adequate and less than representative share of access and recreational opportunities, (miles, acres, and number of quality opportunities). Moreover, the use of segregation as a goal is also a tactic that works against the majority multiple-use/motorized recreationists by dividing and conquer the different interests within that large sector.

Issue:

A reasonable alternative instead of all motorized closures is a sharing of resources. A reasonable alternative for accomplishing this can be done by designating alternating weeks for motorized and non-motorized use. Another reasonable approach to sharing would be to share areas with non-motorized use allowed one year and then motorized use in the following year. The schedule can be

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communicated to the public by signs at each end of the trail segments, newspaper articles, and through local user groups. This alternative eliminates any reasonable concern about conflict of users (which we think is over-stated and over-emphasized based on reasons discussed elsewhere in this submittal).

Issue:

We are unaware of any documented or justifiable reports of user conflict in the project area. We request copies of any documentation of user conflicts in the area and request that it be categorized and weighed against the overall number of visitor-days to the area. Additionally, a difference in opinion about whether certain recreationists should be able to visit multiple-use public lands should not be considered a user-conflict.

Issue:

Executive Order 11644 was passed on February 8, 1972 and Executive Order 11989 was passed on May 24, 1977. These Executive Orders have been used to enact thousands and thousands of motorized access and recreation closures since the 1970's. The cumulative negative effect of Executive Orders 11644 and 11989 has been a dramatic loss of recreation and access opportunities for motorized recreationists and a dramatic increase in recreation opportunities for non-motorized recreationists.

Executive Orders 11644 and 11989 allow agencies to “minimize conflicts among the various uses”. The Executive Orders did not state “minimize conflict with other users”. However, the implementation of Executive Orders 11644 and 11989 has been largely based on the incorrect interpretation to “minimize conflict with other users”. The bottom line is that "use" conflict is rather different from "user" conflict. There are certainly "uses" that are incompatible from an objective standpoint. For example, a ski run and a mine cannot operate in the same place at the same time...it is physically impossible and therefore a clear "use conflict." However, in the case of a mine located next to a ski hill, both can operate without a use conflict.

Issue:

Whether there is a "user conflict" or not depends primarily on user attitudes. Just because someone says it is a conflict does not mean that it is a “reasonable” or “significant” conflict. We request that a reasonable definition for “significant” conflict be developed and used as part of this action.

Issue:

Conflict on multiple use trails: Synthesis of the Literature and State of Practice; Report No.: FWWA-PD-94-031 “Conflict in outdoor recreation settings (such as trails) can best be defined as “goal interference attributed to another’s behavior” (Jacob & Schreyer 1980, 369). As such, trail conflicts can and do occur among different user groups, among different users within the same user group, and as a result of factors not related to users’ trail activities at all. In fact, no actual contact among users need occur for conflict to be felt. Conflict has been found to be related to activity style (mode of travel, level of technology, environmental dominance, etc.), focus of trip, expectations, attitudes toward and perceptions of the environment, level of tolerance for others, and different norms held by different users. Conflict is often asymmetrical (i.e., one group resents another, but the reverse is not true).

Issue:

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The use of Executive Orders 11644 and 11989 to “minimize conflict with other uses” should be evaluated from the perspective of “fair-mindedness of expectations”. To provide non-motorized experiences we have designated and set-aside wilderness/non-motorized use areas. Just as motorized recreationists do not expect to be able to use motorized vehicles in wilderness/non-motorized use areas, non-motorized enthusiasts should not expect to go to multiple-use areas and experience wilderness conditions. If some non-motorized recreationists cannot accept motorized recreationists in multiple-use areas, then they need to become familiar with travel plan maps and restrict themselves to the many wilderness/non-motorized areas that are available to them.

Issue:

Congress has recognized the need to share our lands for multiple-uses and has directed federal land agencies to manage for multiple-uses under laws including the Federal Land Policy and Management Act of 1976, Multiple Use Sustained Yield Act of 1960 and Public Law 88-657. Executive Orders 11644 and 11989 tend to conflict with these multiple-use directives. These two executive orders interfere with the management of public lands for multiple-uses and promote non-sharing and intolerant attitudes. We request that the analysis, preferred alternative and decision-making not let Executive Orders 11644 and 11989 interfere with an equitable management of public land for multiple-uses.

Issue:

Executive Orders 11644 and 11989 promote intolerance and non-sharing in a manner that allows one group of recreationists to eliminate another group of recreationists from public lands. The Sierra Club ORV Manual (http://www.sierraclub.org/wildlands/ORV/ORV_report.pdf) states, “Remember, one adverse impact is “user conflict”. We are advising a wonderful legal tactic. Next time you are on a hike and a dirt bike roars by, get 40 friends to all call or write to the Forest Supervisor and say, We demand immediate closure of the trail to dirt bikes....”. Other organizations such as Wild Wilderness provide Incident Reporting Forms (<http://www.wildwilderness.org/wi/report.htm>) to report conflicts with visitors using vehicles and encourage the use of these forms. The National Wildlife Foundation in their June and July 2004 issues of Ranger Rick Magazine presented a strongly anti-OHV cartoon to its readers. As demonstrated by these examples, some non-motorized interests are in the conflict business because they stand to gain by creating conflicts. Actions by some non-motorized special-interests have gotten to the extreme where they should be considered harassment. All visitors to public lands must respect each other and accommodate each other with reasonable expectations and reasonable actions. We have always been respectful of other visitors and have never observed a conflict between non-motorized and motorized visitors during our visits to public lands spanning 40 years.

All users of multiple-use lands must be willing to share and tolerate with all others. Motorized visitors are willing to share and tolerate other visitors. A small minority of non-motorized visitors should not be able to inflict such a large impact on the majority of visitors. We request that the significant negative and inequitable impacts that Executive Orders 11644 and 11989 have imposed on motorized recreationists be adequately evaluated, and factored into the preferred alternative. We request that the decision-making provide for actions necessary to provide responsible use of these two Executive Orders.

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Issue:

User conflict is vastly overstated by non-motorized recreationists for self-serving reasons. This overstatement is confirmed by data collected by the Wildlands Center for Preventing Roads (<http://www.wildlandscpr.org/bibliographic-database-search>). This organization has assembled all of the conflict of users data available from the Forest Service. Records from 134 national forests indicate a total of 1,699 noise violations, 145 smoke violations, and 1,272 safety violations for a total of 3,116 violations during the period from 1987 to 1998. The average violations per year would equal 283 or about 2 violations per forest per year. Most likely, many of these violations were not related to OHV recreationists. Motorized recreationists are committed to reducing the number of violations and using education to increase public awareness of visitor and land use ethics. However, considering the tens of millions of visitors to our national forests during this 11-year period, the 3,116 violations are statistically insignificant and do not support the argument that user conflict is a significant problem. Lastly, the total number of violations reported in Northern Region forests was zero. Therefore, the conflict myth is being perpetuated by and for the benefit of non-motorized recreationists and must be recognized as such.

Issue:

Over the past 8 years we have met 168 hikers in the multiple-use public lands areas that we visit. There have been no conflicts during these meetings. In fact, most often we have stopped and visited with these hikers and exchanged information. At the same time over the past years we have observed over 10,000 motorized recreationists. We have coexisted for years without any measurable conflict. Why is coexistence suddenly considered such a problem by some people? We are concerned that this position has been taken for self-serving reasons. There is no evidence of any real conflict. Motorized recreationists could complain about the presence of non-motorized recreationists but we have chosen not to complain and we have adopted an attitude of sharing. Motorized recreationists should be given credit for being reasonable and willing to share.

Issue:

In our locale, we see so few non-motorized recreationists on multiple-use trails that we cannot understand how a conflict of uses could be substantiated. Additionally, it is not reasonable for non-motorized users to claim a conflict of uses based on their observation of motorized wheel prints on a road or trail (do they feel the same way about mountain bikes?). It is not reasonable to provide

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one group of recreationists with the opportunity to claim a “conflict of uses” and use that as a basis to deny other recreationists equal access to public lands. This form of conflict creation and then resolution by elimination of motorized recreational opportunities is not equitable.

The reasonable and equitable way to deal with differences is to accept each others difference. How else can diversity survive? All of us have a responsibility to accept and promote diversity of recreation on public lands. An unwillingness to accept diversity is a fundamental failing of those who seek to eliminate things that don't fit their perspective. Diversity of recreation opportunities can only be accomplished through management for multiple-use and attitudes that promote tolerance, sharing and coexistence. Behaviors that are non-sharing or intolerant of other recreationists on public lands should not be rewarded yet it is. The continual loss of motorized access and recreational opportunities and the negative attitudes toward multiple-use recreationists is seriously degrading our culture and quality of life. We request that elimination and restrictions of recreation opportunities not be imposed on motorized visitors because other visitors are not able to share and be tolerant. We request that revisions to Executive Orders 11644 and 11989 be made in order to return equitable guidance to federal land-use managers.

Issue:

During the 1970's, when Executive Orders 11644 and 11989 were created, snowmobile and motorcycles were much louder than today's machines. Concern with sound levels lead to the creation of Executive Orders 11644 and 11989. Today's technology provides machines that are significantly quieter than in the 1970's. Furthermore, the technology now exists to make vehicles even quieter. Therefore, concern with sound levels can be mitigated by establishing a reasonable decibel limit for exhaust systems. States such as California and Oregon have enacted sound emission limits. We encourage all jurisdictions to adopt the stationary sound test procedures as set forth in the Society of Automotive Engineers J-1287 June 1980 standard. Public land-use agencies could establish reasonable sound limits and use this approach to address the sound level issue. This alternative would be more equitable than closures. We request that this reasonable alternative to motorized closures be pursued and incorporated into the preferred alternative and decision-making.

Issue:

It is not reasonable to enact motorized closures based on the issue of sound when viable alternatives could be pursued. The Sierra Club's in their ORV Handbook makes the following statement “*The fact is that most ORV noise is unnecessary; even motorcycles can be muffled to relatively unobjectionable noise level*”. We request that agencies initiate an education campaign (loud is not cool) to promote the development and use of quiet machines. OHV brochures such as those published by the Wallowa-Whitman National Forest include public awareness information on the importance of sound control.

Issue:

We request that the process include consideration of the negative impacts that proposed motorized road and trail closures will have on fire management, fuel wood harvest for home heating, and timber management. The analysis should include an analysis of the benefits to the public from the gathering of deadfall for firewood from each of the roads and trails proposed for closure. These analyses are especially significant following a devastating fire season and a period of rising energy costs. The need for firewood gathering is increasing given the increasing energy costs (http://www.helenair.com/articles/2003/11/02/montana/a01110203_05.txt) and we have noticed a significant increase in firewood gathering this past year. The closure of roads and trails is occurring

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at a large scale on all public lands. Therefore, the analysis should also evaluate the cumulative negative impacts of motorized road and trail closures and the conversion of multiple-use lands to limited-use lands on fire management, timber management, and firewood gathering.

Issue:

Page 215 of the Supplement to Big Snowy Mountains EA. *Solitude is a personal, subjective value defined as isolation from the sights, sound and presence of others, and the development of man.*

We acknowledge the value of solitude and point out that there are many acres of wilderness/non-motorized/exclusive-use available to provide that solitude. Our concern is in regards to the diminishing amount of multiple-use lands and the unreasonable concept that multiple-use lands should be managed as wilderness/non-motorized/exclusive-use lands. Managing multiple-use lands by wilderness criteria and for perfect solitude does not meet the communal needs of the public and is not a reasonable goal for multiple-use lands.

The opportunity for solitude must be reasonably balanced with the multiple-use needs of the public. For example, the Montana Standard in an article on December 14, 2000 reported that hikers on the Continental Divide trail “walked for 300 miles without seeing another human being”. This article illustrates a significant long-distance interstate recreational opportunity available to non-motorized visitors and the negligible use that it sees. Additionally, we have been camping in the Telegraph Creek drainage for 27 years and we have met only 2 people using the CDNST in that area. In contrast, a long-distance interstate recreational opportunity similar to the CDNST does not exist for OHV recreationists.

It is not equitable to provide recreationists seeking solitude and wilderness experiences exclusive access to tens of millions of acres and thousands of miles of non-motorized trails while restricting the public seeking multiple-use opportunities access to an inadequate road and trail system. We request an equitable and balanced allocation of motorized access and recreational opportunity.

Issue:

We have seen a low level of use used as a factor to close motorized routes. This criterion should also be applied equally to non-motorized routes. For example, a low level of use by motorcycles was used as a reason to close the Nez Perce trail in the Beaverhead-Deerlodge National Forest. This same reason should be used to open up non-motorized trails experiencing a low level of use to motorized use.

Issue:

When considering the level of use for either keeping a road or trail open or closed, the evaluation must recognize that motorcycle use and tracks are far less obvious on the ground than atv tracks.

Issue:

We request a network of national recreation trails for motorized recreationists equivalent to the Continental Divide Trail (CDT), Pacific Crest Trail, National Recreation Trail and other national non-motorized trails that travel a long distance and interconnect with other forests such as the Pacific Crest Quest (<http://www.advrider.com/forums/showthread.php?t=111885>), Lassen Backcountry Discovery Trail (<http://www.backcountrydiscoverytrail.com/index.html> and http://www.intergate.com/~sue/4wd_Trails/cbdt_lassen/lassen_cbdt.htm), the Modoc Backcountry Discovery Trail (<http://www.fs.fed.us/r5/modoc/recreation/ohv/mcbcdt.shtml>) and

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http://www.intergate.com/~sue/4wd_Trails/cbdt_modoc/modoc_cbd.htm), the California State Motorized Trail System (<http://www.smts.info/>), and the Idaho Centennial Trail (http://4x4stories.typepad.com/4x4/2007/01/idaho_centennia_7.html#more). The interest and adventure of long-distance cross-country trips is captured in trip reports including <http://www.quadtrek.net/> (click English), <http://www.advrider.com/forums/showthread.php?t=255950>, <http://www.advrider.com/forums/showthread.php?t=402442> and <http://www.advrider.com/forums/showthread.php?t=147232> .

If motorized recreationists had trails of regional and national significance, they would see considerable use. Non-motorized recreationists have considerably more national trail recreation opportunities than motorized recreationists. We request that the needs of motorized recreationists for regional and national travelways be evaluated. We request an evaluation of the cumulative negative impacts and environmental justice issues surrounding the lack of regional and national motorized trails for motorized recreationists. We request that regional and national motorized recreational trails be identified and actions be taken to implement those trails.

Issue:

The Elkhorn Wildlife Management Area in the Helena National Forest is an example of management of an area for a relatively narrow range of public needs. The underlying management criterion in the Elkhorn area is for ideal wildlife conditions and not for the diverse needs of the public. The diverse need of the public can only be met by management for multiple-use. While there are designated routes within the area, they are mostly roads with no challenge and limited access to interesting areas and features. There are few OHV loops or destinations. Roads and trails such as those in Section 1 and 11, T6N, R2W; Sections 13 and 4, T6N, R3W; Sections 31 and 31 in T7N, R2W; Section 36, T7N, R3W; Sections 25, 35, and 36, T8N, R1W and others could have been kept open for summer season recreation use and closed during calving and hunting seasons where necessary for wildlife management. Instead, they were closed. The alternative of seasonal closures would have benefited far more people and still maintained a more than reasonable wildlife habitat.

Additional Suggestions for Management of Motorized Recreation

1. Identify any reroutes that are part of the travel plan proposal because the reroutes are often of lesser quality and the reduction in quality needs to be mitigated.
2. The analysis and decision must recognize that semi-primitive motorized opportunities are the highest quality and most sought after experiences.
3. We ask that trails being rerouted not be closed until the reroute is complete so that the public can continue to use the much needed motorized recreational opportunity.
4. We ask that an alternative that includes the conversion roads to atv trails instead of closing the roads be included. Each road should evaluate on a site specific basis. The alternative should also include new construction to connect and complete atv loops where reasonable.
5. Unfortunately rules oftentimes go to the lowest common denominator, i.e., the guy doing the most irrational things. Agencies are encouraged to keep rules as simple as possible and focused on addressing problems that are common and not the exceptions. Motorized recreationists can be called upon to help address the exceptions.
6. Agencies are encouraged to keep all existing trail systems open to motorized visitors.
7. Agencies are encouraged to add all existing road and trails that are not on the trail system inventory to the roads and trail inventory.

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8. Agencies are encouraged to return trails that used to be on trail inventories to the current inventory.
9. Where possible, agencies are encouraged to provide trailheads for motorized trails that are convenient to urban areas.
10. Where possible, agencies are encouraged to provide trailheads for motorized trails that are located at the boundary of urban areas and trails that connect urban areas to public lands and form motorized recreation opportunities similar to the Paiute Trail in Utah (http://www.marvsvale.org/paiute_trail/contents.html).
11. Agencies are encouraged to insure that access to trails is not blocked by private lands and that private landowners do not have special access privileges. Where private landowners have elected to block public access to public lands, the boundary between that landowner and public land should be closed to motorized access using a “boundary closure” in order to avoid special access privileges for private landowners onto public land. Motorized access for the public on the public lands side should remain open to the boundary closure and the acquisition of public right-of-way should be pursued with the private landowner.
12. Agencies are encouraged to keep motorized access through private land open to the public. Every public access closure through private land should be challenged and protected by asserting legal right-of-ways. The cumulative negative impact of this lack of action has created private motorized reserves on public lands or defacto wilderness/non-motorized/exclusive-use areas accessible only to private landowners.
13. Agencies are encouraged to acquire private land and right-of-ways to provide access to public land that is now blocked off to the public. This action is necessary to reverse the prevailing trend over the past 35 ± years of less access to public land and the significant impact that the cumulative effect of closure after closure has had motorized access and motorized recreation.
14. Implement seasonal closures, where required, with input and review by OHV recreationists that will: (1) provide the maximum amount of OHV recreational opportunity during the summer recreation season in order to disperse all forms of trail use and thus minimize impacts to trail users; (2) provide winter OHV recreation opportunities in low-elevation areas that are not critical winter game range; (3) provide OHV recreation and access during hunting season by keeping major roads and OHV loops open while closing spur roads and trails necessary to provide reasonable protection of game populations and a reasonable hunting experience; and (4) provide OHV recreation opportunities during spring months in all areas where erosion and wildlife calving conditions reasonably allow.
15. Existing seasonal closures tend to separate the motorized and non-motorized peak use seasons. One size does not necessarily fit every circumstance but standardize or simplify seasonal closure dates as much as possible. The number of different closures periods should be kept to a maximum of two, if possible, in order to avoid confusion and resulting misunderstandings.
16. Motorized recreationists would be willing to accept area closure when necessary to protect the natural environment in exchange for a reasonable network of OHV roads and trails.
17. In areas where OHVs must use a roadway, travel management plans should include the designation of dual-use roads to allow OHV’s to move from one trail segment to another.
18. Provide open or play areas for motorized recreation opportunity and trials bikes where acceptable in selected areas.
19. Motorcycle trail riders enjoy riding single-track trails. Motorized single-track recreation trails are limited at this time and continue to decline. Some BLM and FS districts do not differentiate between ATV and motorcycle trails in their travel plans. Evaluations and travel plans should differentiate between ATV and motorcycle trails.

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20. We have observed that single-track motorcycle trails require less maintenance for erosion and use. We have also observed that ATV enthusiasts do a good job of clearing downed trees from trails. These characteristics must be adequately considered.
21. Single-track trails that are not appropriate for ATV use should be kept open for motorcycle use.
22. Trails designated for motorized single-track use but do not physical features to prevent ATV use should include adequate signing and barriers to inform ATV enthusiasts and prevent inadvertent use.
23. The number of “single track” motorcycle trails that motorcycle riders seek has been significantly reduced over the last 35 years.
24. The integrity of the “loop” trail system should be maintained. Loop systems minimize the number of on-trail encounters because non-motorized trail users don’t encounter motorized users going both directions, as they do on non-loop trails. Loop trails also offer trail users a more desirable recreational experience. Agencies are encouraged to provide opportunity for “motorized loop trail systems” to lessen impacts and to provide a better recreational experience. Spurs are useful for exploration and reaching destinations.
25. Agencies are encouraged to allow use of specific roads for OHVs that are not licensed for the street use in order to develop a network of roads that tie OHV trails together.
26. Agencies are encouraged to utilize standardized trail signing and marking in order to lessen confusion. Trails closed unless otherwise marked open are not reasonable. Trails, when closed, should be signed with an official, legitimate reason. Monitoring should be implemented to justify the reasons stated.
27. Agencies are encouraged to utilize all trail maintenance and upgrading management techniques, such as, bridging, punchon, realignment, drains, and dips to prevent closure or loss of motorized trail use. Trails should not be closed because of a problem with a bad section of trail. The solution is to fix the problem area or reroute the trail, not to close it. If funding or manpower is a problem, then other resources should be looked to including local volunteer groups, state or national OHV funding.
28. Agencies are encouraged to develop OHV programs that address more than law enforcement needs. OHV programs should actively promote the development, enhancement, and mitigation of OHV recreation opportunities.
29. Agencies are encouraged to develop and use State Trail Ranger Programs similar to Idaho’s program through the State OHV Fund, as well as volunteer trail maintenance programs.
30. Agencies are encouraged to clear trails early in the year to insure maximum availability and reduction of diversion damage caused by routing around obstacles.
31. Agencies are encouraged to avoid yearlong trail closures if wildlife concerns are valid only during certain seasons. In these instances, closures should be seasonal only with the dates consistent with the requirements to protect wildlife.
32. Agencies are encouraged to avoid trail closures associated with other actions including timber sales, mining, and livestock grazing. Corrective action should be taken where trail closures in the past have resulted from these sorts of past actions. Loss of motorized trails because of past timber sales should be mitigated by connecting old and new travelways to create looped trail systems.
33. Agencies are encouraged to re-establish and/or relocate all trails and roads disturbed by other actions such as timber harvest, mining, and livestock grazing.
34. Agencies are encouraged to seek outside review and input by OHV recreationists on all proposed management decisions affecting motorized recreation opportunities including closures.

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35. Agencies are encouraged to establish greater credibility with motorized recreationists by having motorized recreation planners on the interdisciplinary team and a board of motorized recreationists.
36. Agencies are encouraged to align non-motorized area boundaries so that they do not encroach or eliminate trails located at the edge of the boundaries.
37. Agencies are encouraged to provide for motorized trails and vista points on the boundaries outside of the non-motorized areas so the motorized visitors can view those areas.
38. Agencies are encouraged to establish OHV census collection points at road and trail collection points. Include an OHV category on all trail and road census sheets.
39. Agencies are encouraged to treat hiking, horses and mountain bikes as a form of transportation, just as motorized recreation is a form of transportation.
40. Agencies are encouraged to correct the signing at trailheads that suggests that motorized visitors are more damaging than other visitors.
41. Agencies are encouraged to keep trails in proposed non-motorized/wilderness/roadless areas open. Motorized-use on trails in these areas does not detract from the wild characteristics in the proposed non-motorized/wilderness area. Additionally, the Roadless Rule specifically allows for OHV activity in Roadless areas.
42. Agencies are encouraged to provide good statistics on the level of use by the various public land visitors and use these statistics in the decision processes.
43. Agencies are encouraged to avoid the closure of trails to motorized use as the "easy way out" in dealing with issues created by non-motorized users.
44. Agencies should recognize that many roads and trails were not originally laid out with recreation in mind and that changes should be made in some road and trail segments to address environmental and safety problems. In most cases, problems can be mitigated to a reasonable level and closures can be avoided.
45. Agencies are encouraged to recognize, in the form of access, groups who expend effort and money in maintaining and improving roads and trails.
46. Agencies are encouraged to promote multiple-use and not exclusive-use. Exclusive-use is the antithesis of public access and recreational opportunities within public lands. Management for exclusive-use runs counter to Congressional directives for multiple-use.
47. Agencies are encouraged to make Travel Plan maps more readily available. Vending machines could be placed in areas that are accessible at any time of the day or week at BLM and FS offices.
48. Agencies are encouraged to publish all Travel Plan maps in the same format and in an easy to read format. The Travel Plan map and Visitors map should be the same. All visitors need to clearly understand what areas, roads or trails are open for motorized travel and what areas, trails, or roads are closed to motorized travel. Current maps lead to misunderstandings by both non-motorized and motorized visitors.
49. Agencies are encouraged to implement a standard signing convention that is easily understood. For example, there are often misunderstandings about seasonal motor vehicle restrictions due to the "No" symbol with the actual closure period shown below in small text that is often not seen or understood. In this example, the road or trail is open except during the period below but it is often misinterpreted as closed.
50. There needs to be better coordination between adjoining National Forest and BLM lands when making maps, laying out trails, and establishing travel plans. In some cases a trail is open in one jurisdiction but becomes closed when it crosses over the boundary to another jurisdiction resulting in an overall loss of motorized recreation opportunity.

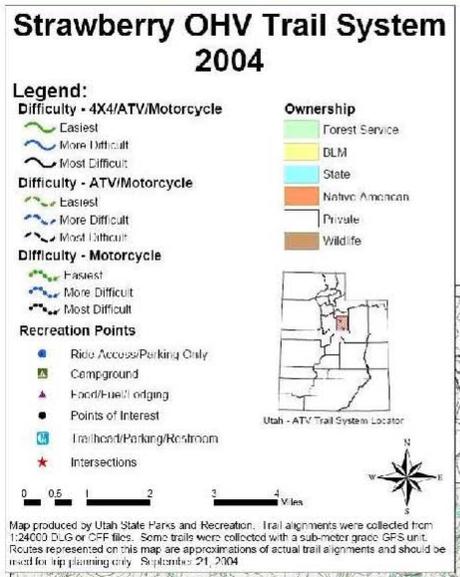
*We are a locally supported association whose purpose is to preserve trails for all recreationists through responsible environmental protection and education.
Page 146 of 148*

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51. Agencies should not use motorized access in areas closed to motorized access by the public because: (a) the public will see the tracks and could become upset that the motorized closure is being violated and/or (b) the public will see the tracks and conclude that motorized access is acceptable.
52. The difficulty of a particular route required can be identified by a signing system similar to ski runs so that recreationists are made aware of the skill levels required and so that a wide variety of routes for all skill levels can be enjoyed.
53. Winter ATV riding has become very popular and winter ATV areas should be considered as part of the proposed action.
54. A new standard for motorized recreational trails could be developed that would be more beneficial for the environment and motorized recreationists. This new standard would be as non-linear as possible (as curvilinear as possible). The original system of roads and trails was constructed with the shortest distance from point A to point B in mind. The new standard for motorized recreational trails would not necessarily follow the shortest distance and would include many curves to keep the speed down and increase the fun factor. Advantages of this approach would include: routes could easily be moved to avoid cultural resources and sensitive environmental areas; less visible on the ground and from the air; aesthetically pleasing; lower speeds and greater safety; easily incorporates dips and swales for diversion of water from the route (environmental protection) and greater enjoyment by motorized recreationists. These sorts of trails could be built as mitigation for any motorized closures required as part of an action. Please contact Doug Abelin of CTVA for more information on the non-linear approach to trail construction.
55. Ruts caused by ATVs in corners are often due to the solid drive axles which do not allow the wheels to turn at different speeds due to the difference in between outside and inside curve radiuses. These ruts could be significantly reduced by encouraging all manufacturers to develop machines with differential axles that allow the outside and inside tires to turn at different speeds.
56. The following sort of motorized trail identification and rating system would be very helpful to the motorized public and would allow users to match up their experience level and equipment to the most appropriate trails. This system is similar to ski trails. Note that the easiest = green, more difficult = blue, and most difficult = black. The original map may be viewed at

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Page 147 of 148*

http://www.stateparks.utah.gov/ohv/maps/strawberry_Final2.pdf



We are a locally supported association whose purpose is to preserve trails for all recreationists through responsible environmental protection and education.
Page 148 of 148

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Fw Buffalo Field office_RMP Revision Comments_Motorized Rec Council of WY

"JR Riggins"
<j.riggins@bresna
n.net>
12/07/2008 06:04
PM
<BRMP_Rev_WYMail@blm.gov>
To
cc
Subject
Buffalo Field office_RMP Revision
Comments_Motorized Rec Council of
WY

Buffalo Field Office
RE: Buffalo RMP Revision
Attn: Thomas Bills
1425 Fort Street
Buffalo, WY 82834
12/7/2008

The Motorized Recreation Council of Wyoming is dedicated to the preservation, enhancement and monitoring of motorized recreation opportunities across the state. The majority of these opportunities reside upon public lands. Our primary concern revolves around the use of ATV's, off-highway motorcycles and 4x4 vehicles on primitive roads and trails where the route is the destination and the act of riding or driving is the desired experience.

The uses of off-highway vehicles for recreation cover a variety of disciplines. The popularity of "4-wheelers" for trail riding, hunting, and access to remote destinations for camping and exploring demonstrates that a new generation of adventurer has re-discovered America's public lands.

while OHV recreation has ballooned in the eyes of public land managers over the past decade, the fact is that off-highway vehicles in the form of motorcycles and traditional "jeeps" have been challenging themselves and their machines on public lands for over fifty years.

The sale of off-highway vehicles and the demand for places to use them makes clear that Americans will continue to pursue adventure in the great outdoors and their preferred vehicle will be the OHV.

Motorcycles, ATV's and the full size 4x4 are the vehicles of choice for most enthusiast, but the recent appearance of the dual passenger side by side UTV, reminds us that developing technology never rests. who knows what innovations will appear on show room floors over the next twenty years? we do know that since the invention of off-road capable vehicles, enthusiasts have been using them for recreation, reaching destinations and competitions.

Recreation

Trail riding is the best description when it comes to recreation. The important thing to keep in mind is that enthusiasts have a wide range of abilities and the trails they will be seeking will reflect that diversity.

All the OHV enthusiast groups have their novices and experts. A novice enthusiast

Page 1

Fw Buffalo Field office_RMP Revision Comments_Motorized Rec Council of WY can typically be satisfied with much less challenging trail terrain. In Wyoming's case it seems that public land managers have designated roads as their primary OHV trail system. These designations preclude most beginners and novices from accessing the majority of routes enrolled in Wyoming's State Trails ORV Program. This typically leads to novices, especially young beginners, to do most of their riding in areas near established campsites or other roaded natural areas. Designing a trail system in roaded natural areas has its own challenges with proximity to other users, noise potential or congestion. Those challenges are somewhat off-set when we recognize that trails designed for the beginner enthusiasts don't require the type of mileage associated with advanced enthusiasts.

A novice's skill quickly improves and Wyoming's booming OHV community will be graduating rapidly out of that skill level over the next decade. This leads us to conclude that Wyoming's OHV community will be migrating to more primitive settings in search of trail opportunities that match their expanding skills. Motorized trails in a semi-primitive setting should retain their natural terrain features concentrating on trail stability without undue manmade engineering.

Destinations

The ability of off-highway vehicles to negotiate tough terrain to access remote features has been a mainstay for decades. From favorite fishing spots to hunting camps, today's OHV enthusiasts use these versatile vehicles in place of the expensive SUV or truck that they use for the daily commute.

Access to these locations by recreational OHV's will reduce potential demand for access by full size passenger vehicles. We have consistently seen routes formerly used by full-size vehicles to access these destinations result in less resource damage and a natural reclamation from the smaller foot print of today's OHV.

Competition

Competitive events involving off-highway vehicles on public land hasn't been a regular occurrence on much of Wyoming's public lands. Wyoming competitors can be found attending events on the Thunder Basin National Grasslands here at home. There are considerable more competitive uses occurring on public lands under BLM management and throughout forests in neighboring states.

Organized events put on by area OHV organizations, while not generally competitive, are an increasingly popular activity. These events are a fun and practical way to develop friendships, educate the public about OHV issues, promote OHV ethics, and introduce beginners, young and old to the sport.

An unfortunate condition has developed within public lands administration in regards to organized activities such as these when it comes to permitting. While not consistently applicable on all public lands, there has been a deliberate effort to discourage organized motorized recreation through administration processes. These include, but are not limited to unreasonable special use permit fees and un-realistic insurance requirements. The organizations that sponsor these events aren't corporate giants in Wyoming agriculture and industry, but small non-profit groups that put in a lot of work and only expect in return is that everyone has a pleasant experience.

The RMP and subsequent travel planning should ensure the ability of non-profit organizations to sponsor these competitive and non-competitive events without being subject to unreasonable expenses.

We think there are some basic strategies that should be employed when going through any route designation process. The following are some of the basic principles we subscribe to.

- Allow consideration for dispersed motorized recreation throughout suitable areas.

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Fw Buffalo Field office_RMP Revision Comments_Motorized Rec Council of WY

- . Define the difference between roads and trails that are relative to OHV recreation
- . Establish a definitive trail system that will enhance OHV recreation
- . Be flexible enough to adapt to a changing motorized recreation environment
- . Establish time frames to re-evaluate trail conditions
- . Cooperate with other land managing agencies to facilitate motorized trail opportunities
- . Retain open riding areas that have a historical use in local communities affected by the plan revision

We think that the district has an opportunity through this process to be creative with the route designation process that will enable the district to set an example for Wyoming public land managers. Off highway vehicle recreation is the fastest growing recreation activity occurring on public lands today and this is the time to plan for the future.

Happy trails,
Motorized Recreation Council of Wyoming
President - J.R. Riggins
344 Indian paintbrush
Casper, WY 82604
307-473-1741
trailboss@bresnan.net www.mrcow.org

FW Buffalo RMP comments

"Ronn Smith"
<rsmith@imlinc.com>
m>
12/09/2008 05:16 PM
To
<BRMP_Rev_WYMail@blm.gov>
cc
Subject
Buffalo RMP comments

I attended the Open House in Sheridan last week and wish to submit a couple of general comments:

1. As a member at large of the Wyoming Air Quality Board, I am concerned about the deteriorating air quality in the general area covered by the RMP. Particulate matter (PM) is the pollutant of greatest concern, and I believe heavy traffic on unpaved roads is a principal contributor to increased PM concentrations. I would like to see future oil and gas leasing by BLM conducted in the context of an overall plan to restore air quality in the region. On frequently used roads, oil and gas operators should be held to the same air quality standards and dust management practices as the mining industry. Understanding the jurisdictional issues and the difficulty of applying different standards to public vs. private leases, I still believe that good planning by BLM could enable better regulation and enforcement by Wyoming DEQ.
2. As an outdoorsman who enjoys non-motorized recreation (hiking, mountain biking, horseback riding), I am also concerned about the dramatic growth in off-road-vehicle use on public lands. One area north of Sheridan had to be closed due to extensive damage from ATV's. I encourage BLM to preserve opportunities for non-motorized recreation through its proposed Special Recreation Management Areas, and to develop a strategy for regulating ATV impacts in areas where motorized recreation is authorized.

Thank you for the opportunity to comment.

Ronn Smith
16 Roberts Dr.
Sheridan, WY 82801

1026

Fw comments-RMP revision

"Bellah, Penny
(E&P)"
<Penny.Bellah@williams.com>

12/22/2008 11:17
AM

<Chris_Hanson@blm.gov>,
<Paul_Beels@blm.gov>,
<Casey_Freise@blm.gov>,
<Tom_Bills@blm.gov>

To

cc

Subject

comments-RMP revision

I have conflicting dates of when comments are due- can one of you please help or point me in the right direction?
Thanks

Penny Bellah
Regulatory Team Lead
Williams Production RMT
300 N Works
Gillette, WY 82716
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c:307.680.2397
main office fax:307.686.7574
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1027

"ts"
<travis@snowmobileguys.com>
12/11/2008 09:30 AM
Please respond to
travis@snowmobileguys.com

brmp_rev_wymail@blm.gov
cc
Subject
Snowmobileguys.com Newsletter 2008

(Embedded image moved to file: pic23986.gif)
DECEMBER 2008

Work Hard Play Hard

(Embedded image moved to file: pic13290.gif)

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visit the image gallery. This had to
be one of the best rides ever!We are putting
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individuals that love our sport.I believe
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visitors as well. I would greatly
appreciate it, if you could also add a link to
our web site from your web site.

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we need to make sure everything is up
to date and included. Visit the link below

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and if you can't find your business just click
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add your link to Snowmobileguys.com
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that you see after submitting your site
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***** Sponsorship and
Media information can be found by following this Link

If you would like to discuss this further,
please feel free to contact me at
travis@snowmobileguys.com.

Thanks and Best Regards,

Travis Saunders

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pic24767.jpg)http://www.snowmobileguys.com/events.htm

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email: travis@Snowmobileguys.com
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1028

Fw: interested in obtaining b1m land

"Todd Keyser"
<todd893@cox.net>

12/11/2008 05:15
PM

<BRMP_Rev_WYMail@blm.gov>

To

cc

Subject
interested in obtaining b1m land

1029

"Bellah, Penny
(E&P)"
<Penny.Bellah@Williams.com>
01/05/2009 01:03
PM

To
<BRMP_Rev_WYMail@blm.gov>,
<Paul_Beels@blm.gov>,
<Tom_Bills@blm.gov>

cc
"Olson, Joe (E&P)"
<Joe.Olson@Williams.com>, "Black,
Tom" <Tom.Black@Williams.com>

Subject
comments from Williams Production
RMT

Tom,
Please find attached William's comments, for the RMP revision

Thank you,

Penny Bellah
Regulatory Team Lead
Williams Production RMT
300 N Works
Gillette, WY 82716
w:307.685.5226
c:307.680.2397
main office fax:307.686.7574
personal fax:307.685.5242
(See attached file: RMP_Revision_comments_final1.05.09.pdf)

1029



Production RMT Company
300 North Works Avenue
Gillette, WY 82716-3043
307/686-1636
307/686-7574 fax

January 5, 2009

Via email to BRMP_Rev_WYMail@blm.gov

Buffalo RMP Revision
Attn: Thomas Bills, RMP Technical Coordinator
Buffalo Field Office
1425 Fort Street
Buffalo, WY 82834

RE: Notice of Intent To Revise a Resource Management Plan for the Buffalo Field Office, Wyoming, and Prepare an Associated Environmental Impact Statement, 73 Fed. Reg. 67542 (Nov. 14, 2008)

Dear Mr. Bills,

Williams Production RMT Company (Williams) respectfully submits these scoping comments in response to the above-referenced Bureau of Land Management (BLM) notice of intent (NOI) to revise the Resource Management Plan (RMP) for the Buffalo Field Office and prepare an associated environmental impact statement (EIS). Williams is one of the major gas producers in the Rocky Mountain region and owns numerous oil and gas leases on lands located in the RMP planning area. The natural gas resources developed by Williams will contribute to supplies and help to alleviate the pressure of increasing demand for natural gas in the United States, while providing revenue to the federal, state, and local governments through royalties and taxes on production.

Williams recognizes the public interest in and importance of the environmental resources in the Powder River Basin and Buffalo Field Office management area. Williams uses best management practices and also has implemented, where feasible, some of the latest technology and drilling and extraction practices to reduce impacts of development to the greatest extent practicable. Williams is committed to responsible natural gas development that protects environmental resources, minimizes surface impacts, and contributes to the local economic and social priorities of nearby communities.

Please consider and include these comments in the administrative record for the Buffalo RMP revision and associated EIS.

I. Preliminary EIS Issues

The NOI lists a number of preliminary issues that BLM has already identified for the planning area. Williams has the following comments regarding two of the areas that are identified and another area, socioeconomic impacts, that should be added to that list.

A. Energy and Mineral Resource Exploration

As the BLM fact sheet indicates, the Powder River Basin (PRB) contains 25-27 trillion cubic feet of recoverable coalbed natural gas (CBNG), only 14% of which has already been produced. Furthermore, over 95% of the Federal minerals in the PRB have already been leased. These leases created valid existing rights which must be acknowledged and protected under the Plan revision. More importantly, development of these abundant CBNG resources is vital to our national security, energy independence, and the national energy policy. In order for CBNG to fulfill this role, it will be important for BLM to give top priority to facilitating the maximum reasonably foreseeable development possible.

While such development must be done with sensitivity to the protection of wildlife and other resources, Williams cautions the BLM to resist imposing additional basin-wide blanket mitigation measures and conditions of approval (COAs) to applications for permits to drill and plans of development (POD). Such measures are significantly more effective when based upon site-specific conditions. In the past, the imposition of broad-scale basin-wide mitigation measures has often severely and unnecessarily limited CBNG development, caused needless delay, and added to development costs without providing any meaningful resource protection benefit.

For example, the blanket stipulations for raptors do not account for species presence, nest condition, survey history of nest site, distance from infrastructure, or line of sight, among other things. Many CBNG facilities are subject to the raptor stipulations simply due to their location within the ½-mile buffer surrounding a raptor nest, with no consideration of history of the nest or its location within the POD. Numerous raptor nests that have been in poor condition for multiple years result in the same stipulations as nest sites that have been active and occupied for multiple years. This issue alone has a significant impact on wells and other infrastructure within PODs.

The application of overly broad and unnecessary restrictions is particularly problematic in the PRB where over 60% of the Federal mineral estate is “split-estate,” and where a patch-work of federal and fee lands and minerals exist. Given this land ownership pattern, federal resource management and protection is often fragmented at best, and COAs often are of questionable value, when other human activities in the area are beyond the reach of federal land use management and regulation. BLM should

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focus its application of COAs on areas of significant BLM oversight, where the implementation of such measures has the opportunity for success.

The RMP revision also should acknowledge that the Fortification Creek Area, which is one of the few remaining undeveloped CBNG areas in the PRB, has been leased for energy development and should not unduly restrict CBNG development in this area. This is particularly true in the area outside the designated Special Management Area but within the so-called year-long elk range, where evidence indicates elk habitation is infrequent and not critical to elk herd management objectives. In addition, this area is not accessible to the general public for recreation, hunting, camping, hiking, etc., but rather is comprised of a checkerboard of private fee surface and small land-locked islands of public lands. For all of these reasons, the RMP revision should not impose additional restrictions on CBNG development in this area.

As the play has matured, much has been learned about the CBNG reservoir and how to most efficiently recover the resource. Currently, wells are typically spaced on 80-acre spacing units. While operators have experimented with different spacing configurations, it has generally been accepted that greater spacing will mean significantly less recovery. Attempts at drilling directionally in the basin have shown marginal results. Williams recently experimented with four directional wells drilled from a single pad in the Powder River Basin. All four wells successfully reached the target depth during drilling, but Williams was only able to successfully get casing to the bottom of the hole on two of these wells. In addition, these wells were extremely expensive when compared to traditional vertical wells. Williams has yet to complete and produce these wells and is still evaluating the reasons why the casing failed to reach bottom, but this experience would strongly indicate that the viability of this technology has very limited utility in terms of technical feasibility and cost. Therefore, Williams would ask that BLM not mandate spacing greater than 80-acres in significant areas of the basin as part of the RMP revision.

B. Sensitive Species – Sage-grouse

BLM's proposed planning criteria appropriately indicates that impacts to sagebrush-dependent wildlife species, including sage-grouse, will be considered as part of the RMP revision process. Williams strongly supports and has been involved in conservation efforts at federal, state, and local levels to improve greater sage-grouse habitat. The company is committed to conducting its business in ways that fully comply with all federal, state and local requirements to provide for the ongoing health and sustainability of the species. Significant efforts have been made on the part of federal, state, and local governments in concert with Williams, other companies, communities, and nongovernmental organizations across the Western United States to conserve the species by reducing or eliminating threats to sage-grouse and their habitat. These efforts have included the State of Wyoming's identification of core population areas and BLM's delineation of high priority nesting and winter habitat areas. The results of such efforts should be ground truthed or otherwise validated before being incorporated into the revised RMP, and should not be applied without site-specific validation.

In addition, in addressing these sensitive species issues, the planning process should acknowledge that projected impacts by oil and gas development in greater sage-grouse habitat have not proved to be as traumatic as predicted or assumed by some members of the scientific community. For example, in the paper *Sage-grouse Population Response to Coal-bed Natural Gas Development in the Powder River Basin: Interim Progress Report on Region-wide Lek-count Analysis*, Naugle, Walker, and Doherty (May 26, 2006), it was asserted without adequate ground truthing that the greater sage-grouse would not continue to use areas of dense gas development.

In the spring of 2008, Williams sponsored a fly over survey of areas identified by Dr. Naugle as no longer being used by breeding sage-grouse within the development of the Wyodak seam in Wyoming's Powder River Basin. This brief survey identified the location of four new leks, one with approximately 16 birds, and another located in an area of high density development (40 acre well spacing). In 2009, Williams has scheduled three additional flights to continue surveying areas previously considered as unsuitable habitat by these earlier reports.

Other reviews of existing data have shown that sage-grouse population trends within energy development fields are consistent with population trends state-wide, regardless of the scope or age of the energy development field. In *Greater Sage-grouse Populations and Energy Development In Wyoming*; Taylor, Dzialak, and Hayden-Wing, (2007) (Taylor, et al.), a study of sage-grouse population trends in six development basins shows that,

regardless of the specific population in question, the male-lek attendance trend is the same throughout the state. Population increases and declines occur at approximately the same time and at the same magnitude regardless of the specific population being evaluated. . . . Greater sage-grouse populations, like many wildlife populations, show periodic fluctuation in abundance and distribution. These fluctuations are likely the result of a suite of factors including climatic trends and anthropogenic influences.

Taylor, et al., p. 38.

This study also concludes that that development density exceeding 100 wells per section and violation of the BLM COAs for sage-grouse appear to negatively impact continued use of breeding areas by the species. Therefore, while development densities and intensity have a potential impact on sage-grouse populations, when existing management stipulations are followed (0.25-mile protective lek buffers and seasonal timing restrictions), sage-grouse populations continue to inhabit energy fields through decades of oil and gas development and production activity. It appears that range-wide and local population fluctuations are the result of numerous factors including significant drought conditions which appear to be subsiding in recent years in the PRB.

Thus, Williams cautions the BLM to avoid falling prey to those who have exaggerated the oil and gas-related impacts on sensitive sagebrush-dependent species, including the sage-grouse.

C. Socioeconomic Impacts

The Council on Environmental Quality's NEPA regulations provide that "[w]hen an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment." 40 C.F.R. § 1508.14. Accordingly, the RMP EIS should identify and evaluate the socioeconomic impacts of the various alternatives analyzed. In particular, the RMP EIS should recognize the socioeconomic benefits of energy development in the planning area, such as increased tax revenue and creation of jobs.

As a corollary, in considering the no-action alternative, BLM should discuss all the impacts—economic, social, and environmental—of a decision not to approve the proposed action and permit increased oil and gas development in the Powder River Basin. In this case, if the no-action alternative is chosen, substantial economic and social benefits that would accrue from increased development will not occur. Additional supplies of oil and gas that would help to alleviate pressure from increasing energy demands throughout the country will not be developed. Substantial funds from the payment of federal royalties and state severance taxes would not be collected. At a local level, the opportunity for local communities to add jobs and experience growth, both directly from workers employed in the development and indirectly from service industries, would be lost. The EIS should acknowledge that these social and economic benefits cannot be realized under the no-action alternative. The EIS should also consider the impact to communities and families from seasonal layoffs resulting from the over-conservative application of wildlife timing restrictions.

II. Preliminary RMP Planning Criteria

The NOI states that "[a] reasonable foreseeable development scenario for fluid minerals will be developed." *Id.* at 67543. BLM should make clear that this reasonable foreseeable development (RFD) scenario does not impose absolute caps on development. *See Wyoming Outdoor Council*, 164 IBLA 84, 99 (2004) (holding with respect to the Pinedale RMP that the RFD scenario does not establish a "point past which future exploration and development is prohibited"). Rather, "the RFD scenario serves as an analytical baseline for identifying and quantifying direct, indirect, and cumulative impacts, which provides the premise for formulating alternatives to a proposed action and strategies for mitigating adverse impacts." *Id.* (citing IM No. 2004-89 (Jan. 16, 2004)). The RFD is a tool for evaluating impacts, not an affirmative planning decision by BLM.

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In conclusion, Williams appreciates the opportunity to submit these scoping comments for the BLM's consideration and asks that they be made a part of the administrative record. Please add Williams to the list of those receiving notice of any scoping meetings, and any other opportunities for public involvement and/or comment throughout the RMP revision/EIS process.

Sincerely,

A handwritten signature in black ink, appearing to read "Penny Bellah", written over a horizontal line.

Penny Bellah
Regulatory Team Lead
Williams Production RMT.

PB
4397624_2.DOC

1030

"Clayson, Tom"
<Tom.Clayson@anad
arko.com> To
<WYMail@blm.gov>,
<Tom_Bills@blm.gov> cc
01/06/2009 09:26 AM
Subject
Comments for RMP Revision

January 5, 2009

Via U.S. Mail and Email
(WYMail@blm.gov)

Mr. Thomas Bills
RMP Technical Coordinator
Bureau of Land Management - Buffalo Field Office
1425 Fort Street
Buffalo, WY 82834

RE: Buffalo Field Office Resource Management Plan (RMP) Revision

Dear Mr. Bills:

Anadarko Petroleum Corporation (APC) appreciates this opportunity to provide the Bureau of Land Management (BLM) with comments regarding the scope of analysis for the referenced RMP revision. Management decisions in the Buffalo Field Office are of particular concern to APC because it holds considerable oil and gas interests in the management area. As with other areas in Wyoming, the Buffalo Field Office contains a myriad of resources that must be managed by the BLM in a balanced manner and APC looks forward to working with BLM in the development of the Buffalo Field Office Resource Management Plan which recognizes oil and gas development as an integral part of multiple use management.

Valid Existing Lease Rights

BLM published a notice of intent for the proposed amendment in the Federal Register on November 14, 2008 (Volume 73, Number 221). The Notice of Intent identified the preliminary planning criteria BLM intends to consider. BLM appropriately included in that list a recognition that valid existing rights must be considered as part of any proposed revision to

BLM's management plan for the area. Lands are already leased within the planning area; therefore, BLM must clearly state in the analysis that new restrictions proposed through the amendment process will not apply, absent the consent of the lessee, to those lands already leased. Moreover, the extent of BLM's authority to impose significant new restrictions on existing leases through Conditions of Approval (COA) is constrained by the scope of the rights already granted through existing leases. Consequently, APC requests that BLM's analysis of any proposed COAs must contain a discussion of BLM's authority to impose any additional measures.

Energy Policy and Conservation Act (EPCA)

BLM must adequately incorporate EPCA and subsequent internal guidance (I.M. 2003-233 Integration of the Energy Policy and Conservation Act Inventory Results into the Land Planning Process) into the planning document and analysis. EPCA directed BLM to identify the nature and extent of any restrictions to oil and gas resource development. This directive was further clarified by I.M. 2003-233 through the requirement to review all lease stipulations to ensure they are the least restrictive necessary to accomplish the desired resource protection. Given the directive to ensure that lease restrictions are the least restrictive necessary, coupled with potentially different objectives and goals for each alternative BLM must assure that EPCA and subsequent guidance is fully integrated into the planning document and analysis. Finally, BLM should clearly disclose in the planning document and analysis how it reviewed all stipulations and potential conditions of approval for existing leases to ensure their appropriateness (i.e. least restrictive necessary) for each alternative.

Resource Values in Need of Special Management (including limitations or use restrictions)

APC urges BLM to evaluate implementation of special management limitations or use restriction in light of its obligations under the National Energy Policy Act and EPCA. Because unnecessary or overly restrictive stipulations may render a lease uneconomic to develop and thereby deprive BLM and the State of Wyoming of royalties, we also urge BLM to evaluate these economic implications of limitations or use restrictions under each alternative analyzed.

Adaptive Management

APC does not object to the use of performance-based parameters as an adaptive management tool. It is vitally important however, that these parameters are specific enough so that the project proponents fully understand the expectations at the time either a lease is issued or projects are contemplated on existing leases. APC requests that the Buffalo Field Office refrain from adopting broad wide-sweeping performance based goals as part of any planning decision. These types of broad statements or goals are un-specific in nature and result in later-to-be-determined monitoring, mitigation and compliance requirements. Such tactics cause project proponents numerous problems including but not limited to; scheduling and timing of operations, designing projects up front with appropriate BMPs, and unanticipated costs and delays.

Reasonable Foreseeable Development Scenario

APC is willing to assist BLM in development of the RFD for fluid minerals.

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Revising the RMP is a lengthy process often multiple years to complete. Traditionally, RFDs have been developed early on and remain fixed in their determinations of future activity throughout the RMP process. This model does not take into account either development of new technologies and or new discoveries that occur after the RFD is completed. In order to complete a RMP revision that has a long shelf life, APC requests that BLM make plans to revisit the RFD between the draft and final EIS document to ascertain if any revisions are warranted.

Sincerely,

Tom Clayson

Tom Clayson
307 233-4503
FAX 832 636-5589

1031

"Emily"
<enelson4@bresnan.net>
01/01/2009 04:56 AM
To
<BRMP_Rev_WYMail@blm.gov>
cc
Subject

Date: January 1, 2009
TO: RMP Project Manager
From: Emily Nelson
Re: POWDER RIVER BASIN

Recreation and wildlife, quiet places and pristine prairies are important to preserve in our public lands. I URGE the responsible management of the Powder River Basin for the following reasons:

Gardner Mountain WSA

- crucial winter habitat for 50-100 elk, important winter range for up to 700 mule deer (WG&F, 1992), yearlong range for both species and habitat for mountain lions and black bears. should be managed to protect its wilderness qualities and its species of interest through habitat preservation.

North Fork of the Powder River

- unparalleled fishing in the area
- crucial winter range for elk, an important antelope migration route, and habitat for black bear, blue grouse and 250-350 mule deer. Mountain lion, North American lynx, also reside in the area (Wyoming Natural Diversity Database (WNDD), 1993).
- The cliffs support peregrine, marlin, and prairie falcons, golden eagles, and many other raptors. In fact, the threatened bald eagle also nests in the area (WNDD, 1993). Lewis' woodpeckers – another Priority Species – may nest within the unit, as suitable habitat exists and [one of only two known?] nesting concentrations in the state is nearby (Ritter 1991).
- BLM should develop easier legal access efforts outside the area, whether or not the area is designated wilderness. Landowners could be encouraged to support this effort.

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Fortification Creek WSA

· Site vegetation represents the Sagebrush Steppe ecosystem/Great Plains Short grass Prairie province □□ an ecosystem not represented or administratively endorsed for inclusion in the NWPS. This is one of the very rare chances to designate such an area. Nearly all of the area is crucial yearlong and winter range for about 300 elk in 1990 now stated that the herd size is about 200.

· Fortification Creek provides roosting habitat for wintering populations of federally protected (Listed Endangered/Threatened) bald eagles (WNDD, 1993). The area also features migrant peregrine falcons, strutting sharp-tailed and sage grouse, coyotes, bobcats, and important deer winter and yearlong range. Visitors here find excellent deer hunting amid rugged dramatic scenery. Swift fox □□ a federal threatened and endangered species candidate □□ likely occurs in the unit's grasslands. The endangered black-footed ferret was last observed in 1975 in the area (WNDD, 1993).

· BLM needs to acquire public access to the area or secure the landowners consent so that the public may access and enjoy this area.

· In regards to the Fortification Creek Elk Management Area, it is totally unacceptable for the BLM to allow the area be developed by Coal bed Methane drilling knowing full well that it will be adversely impacted.

· The Environmental Analysis currently underway should be folded into this Environmental Impact Statement to assure the public that the highest stewardship and analysis will be done to preserve the wilderness of the area.

· The Fortification Creek WSA must be managed in a way that prioritizes the protection of its wilderness characteristics and habitat. Permanent wilderness designation should be sought and secured as soon as possible.

1) Areas of Critical Environmental Concern (ACEC)

According to the BLM website, ACECs are defined as places within BLM land where "special management attention is required to protect and prevent irreparable damage to important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems or processes or to protect life and safety from natural hazards." The following six ACECs are under review for designation. I urge that the BLM designate them all and include the highest protections available to maintain their special values.

- A) Pumpkin Buttes has been found to have active golden eagle and prairie falcon nesting sites, plus bald eagles in the winter. There is indication of historic Native American activity, and was most likely used as landmark for early settlers. There is great variety of wildlife in area
- B) Dry Creek Petrified Tree Environmental Education Area is a 40 acre parcel that already includes adequate public access, interpretive trail, outhouse, picnic table. It is frequented by tourists, local schools and hunters
- C) Fortification Creek Area is currently included among the ACECs. The BLM should take this time to expand it to include the Fortification Creek Elk Area and recommend wilderness designation for entire area. Give Fortification Creek Elk Management Area and ACEC the highest protection

possible as the last remnant of high prairie break country. 20,000 comments have been submitted concerning the Fort Creek Amendment, and the BLM must address public concerns by acting now to grant the area the highest degree of protection possible.

D) Cantonment Reno contains 480 acres and is one of few historic army fort sites along the Bozeman trail that can be found on public lands. The historic values of the area must be protected and could be developed with appropriate signage and trails to experience the history.

E) Hole-In-The-Wall is another significant historic site famous as hideout for outlaws and unique rock uplifts. Because it is a popular tourist destination, the BLM has already done much work to improve public access and to protect the site. Keep up the good work, and go a step further by sanctifying this area as an ACEC.

F) Cow Creek Breaks—Once considered as an ACEC, this area has become the Burnt Hollow Management Area (BHMA). In a land exchange completed in March 2002 the BLM Buffalo Field Office acquired 9,236 acres of land. The acquired lands are contiguous to 9,180 acres of previously inaccessible BLM and State of Wyoming lands, totaling about 18,416 acres of public land, in one accessible block. This block is located in Campbell County, north of Gillette. Wyoming Highway 59 borders the property on the west and the Cow Creek County Road borders the north end of the property.

Powder River Basin Wild and Scenic Status

Wild and Scenic Rivers defined: "possess outstanding remarkable scenic, recreational, geologic, fish and wildlife... or other similar values shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

Areas within the PRB that have been determined by the BLM to meet criteria for WSR include lands along the Bear trap Creek, the Middle Fork of the Powder River, the Powder River at Cantonment Reno, and the North Fork of the Powder River. The Middle Fork has been added to the Wild and Scenic River System, but conflicts with private land and public access conflicts prevented the others from meeting the criteria.

Along with the main Powder River, the BLM should take this opportunity to also review and adopt its upper tributaries and protect them as well.

Energy Development

It is BLM's obligation and responsibility to consider first the people and lands of Wyoming for both the short and long-term success of the state and the preservation of Wyoming's land and livelihood. It is not acceptable to develop public or private lands for oil and gas without the utmost mindfulness and requirement of the best development and reclamation practices available.

Thank you for listening to my concerns,

Emily Nelson
825 Big Horn Avenue
Sheridan, WY 82801
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Barbara Dobos
<bdobos@bresnan.net>
01/06/2009 04:03 PM

To
Bureau of Land Management Buffalo
Field Office
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cc
Board of Directors AHW
<bdobos@bresnan.net>
Subject
BFO RMP/EIS Comments

BFO RMP Revision Project Manager
BLM Buffalo Field Office
1425 Fort Street
Buffalo, WY 82834

Attached please find scoping comments on the BFO Resource Management Plan Revision submitted by the Alliance for Historic Wyoming.

Barbara Dobos
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Alliance for Historic Wyoming
1036 Monte Vista Drive
Casper, WY 82601
307.235.1034

(See attached file: Buffalo RMP.docx)

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Barbara Dobos, President
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January 5, 2009

BFO RMP Revision Project Manager
BLM Buffalo Field Office
1425 Fort Street
Buffalo, Wyoming 82834
BRMP_Rev_WYMail@blm.gov

Re: BFO Resource Management Plan Revision and EIS

Dear Project Manager:

Thank you for the opportunity to comment on the Bureau of Land Management scoping process for the Buffalo Field Office Resource Management Plan Revision and Environmental Impact Statement to govern public land use in Johnson, Sheridan and Campbell counties. Please consider these to be the formal comments of the Alliance for Historic Wyoming (AHW).

As you may know, AHW is a statewide voice for issues related to historic preservation and cultural resources. We work with citizens across the state of Wyoming and across the country concerned about ensuring Wyoming's irreplaceable historic and cultural resources are preserved for future generations. As the RMP revision goes forward we would request that AHW be considered an interested party for all NEPA Section 106 consultation and compliance related to this document. You may contact us at the above listed address and phone number.

We have reviewed the Preparation Plan for the BLM Buffalo Field Office Resource Management Plan Revision of August 6, 2008. With the emphasis on the development of energy, minerals and related issues it is clear that the surface disturbance/human disturbance effects of these developments will likely adversely impact the management of paleontological, archaeological, and cultural resources in addition to off-highway vehicle use, visual resources and wind and solar energy development. We strongly believe that present and future management of these resources should be clearly stated and defined in the RMPR/EIS.

We strongly support your decision to have the plan written by BLM personnel instead of contractors (except for Chapters 3 and 4). The cumulative effects of the many amendments to the existing 1985 RMP are best understood by those professionals who have experienced the long-term impact first-hand, especially when dealing with those areas of rapid energy development that are of urgent concern to us, such as impacts on paleontology, archaeology, historic trails and other cultural/historic sites

Fortification Creek

One area of ongoing concern is the Fortification Creek Planning Area. AHW's position on protecting this area is well documented in your field office. Our prior position urging special protection for cultural, historic, and paleontological resources as recommended in your 2001 Cultural Resources Management Decisions remains essentially unchanged. We would again ask for balancing historic preservation with other land uses as prescribed by the letter and spirit of the National Historic Preservation Act (NHPA) and other federal laws.

TransCanada Pipeline USA, Ltd.

The Federal Energy Regulatory Commission is currently in the process of preparing an EIS on the environmental impact of the Pathfinder Pipeline Projects and reviewing the Bison Pipeline Project — both projects proposed by TransCanada Pipeline USA, Ltd. Their pipeline construction and infrastructure will traverse the entire state of Wyoming from south to north and will cross all nine of the national historic trails in Wyoming, including those in Johnson and Campbell counties.

We would encourage the use of a comprehensive monitoring and cultural resource discovery plan for ensuring on-sight archaeological review and for handling any unexpected discoveries during the course of pipeline and related infrastructure construction. There is always concern in areas close to the old historical trails that important artifacts or human remains may be discovered.

Bozeman Trail

Although the overall Bozeman Trail site has been determined eligible for the Nation Register of Historic Places, Wyoming SHPO has stated that contributing segments in Section 33, T42N R79W and Section 24, T44N R78W have not been evaluated. The proposed location twice crosses the Fort Fetterman to Fort McKinney Telegraph Line that is an eligible, unevaluated segment.

Texas Trail

NRHP Status – eligible under Criterion A as a corridor, not a discrete linear feature as the trail was as much as 20 miles wide and centered on drainages.

BLM should recognize the Texas Trail for historic purposes, including Section 35&36, T58N R71W.

Roads & Railroads

Sawyers Expedition Variant (two routes) and the Chicago, Burlington & Quincy Railroad are also NRHP eligible.

AHW believes it is essential that the potential cumulative impacts on the entire national historic trails system should be evaluated early on and every precaution should be exercised to avoid impacting those contributing segments that remain as evidence of our historic past.

It is assumed Federal laws administered by BLM's 1986 Historic Trails Management Plan dictating trail crossings by right-of-ways such as pipelines will guide the project on federal and state land. In our opinion, doing a project using appropriate avoidance methods is the starting point, not poorly thought out initial plans that violate existing guidelines and best management practices. These plans should definitely include in-house training for heavy equipment operators working in the field on how to identify resources as specified under the Archaeological Resources Protection Act.

Wind/Solar Farms

AHW does not oppose the development of wind and solar energy and the accompanying regional transmission projects that are expanding throughout Wyoming. Again, our concern is that the historic and cultural value of an area be considered in the siting of such projects. Construction, operation, and maintenance of aboveground facilities will have a long-term impact from both such facilities and their accompanying transmission infrastructure. We urge that all of these aspects be considered from the beginning of the permitting process in any development, including subdivisions.

Visual Resource Management

Consideration should be given to the fact that cultural heritage tourism along with a renewed interest in historic research and education is a key factor in economic development in Wyoming. In fact tourism in general is the number two industry in the state. Protection of historic sites and landscapes from over-use and abuse, including use of Off Road Highway Vehicles, need special management practices.

In order to maintain the special values of the public lands containing scenic, cultural, historic, and recreation values it is recommended BLM Visual Resource Management (VRM) general criteria for management be adhered to.

Multiple Use

AHW's overriding concern is that we, as responsible citizens, not lose sight of the fact that the public lands are just that, Public, and multiple-use of these public lands should be safeguarded at all cost. We hope our specific concerns can be fully addressed in the forthcoming Resource Management Plan Revision & EIS and the NEPA process.

Respectfully,

s/ Barbara Dobos