

Suggested Questions for Travel Management Plan Comments



People often ask what they can say to make their comments effective, or “substantive”. Most comments do a pretty good job at telling What you want, what’s often missing is the Why which justifies your comments. There are many justifications that BLM cites for every proposed closure or restriction to access for each trail, and it is impractical for you to write meaningful comments on all of them. If everyone running a trail just picks the items most important to you from the list below and states specific reasons why the trail should remain open.

We really need your input on individual routes, we can’t get it any other way. The more detail you give the better, but even if you only write about one or two - that will make a tremendous impact in preventing BLM from making arbitrary decisions to close or restrict OHV access to that trail, and give us better grounds for legal challenges. Perhaps the most important things for recreationists to convey about a given route are its value and its manageability.

For Trail Reports, focus on the first 7 shaded items.

1. **Review the BLM Route Reports and ask questions. Cite the pages of the Route Report you are looking at. I recommend you do this not when you initially prepare your notes, but when you are ready to submit the comments to BLM. You’ll be able to access Route Reports from UPLA’s Resource Page for that TMP, a sample Route Report is attached at the end.**
 - a. Is the GPX/GIS inaccurate for this trail or ones surrounding it?
 - b. Is the Route Inventory missing an important trail?
 - c. Does the route provide connectivity to other routes?
 - d. Are any uses missing from the route inventory?
 - e. Is the Use Level accurate? Low use trails are more likely for closure
 - f. Does the route provide access to private or state lands?
 - g. Does the route provide access for grazing, permittees or other land uses?
 - h. Does elimination of the route also take out primary access to **dispersed camping**?
 - i. Does the route provide access to hunting or fishing areas?
 - j. If it causes considerable adverse effects to resources, what alternatives have been tried in the past, and why were they not successful?
2. **Route Redundancy**-Tell them why each route is unique, different difficulty levels, scenery, distance, views, etc. Photos really help.
3. **Intermittent Stream, Washes, Erosion, or Steep terrain** Ask what remedies have already been taken, and provide documentation when they were tried and the results. Ask what and when other remedies have already been tried, and explain why they have not worked. What other mitigations have not been attempted yet. Ask them to show when and how they asked for help from the community, and the community did not respond. This is especially important if you are a club member.



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4. **Off Route Travel**-Ask why they think it is occurring and what measures have been taken to remedy it and why they have not worked.
5. The **Route Report** has a question that reads something like “**Can the anticipated potential impacts to the identified resources be avoided, minimized, i.e. reduced to acceptable levels, or be mitigated**”
 - a. **If the answer to this is Yes**, dive into a series of questions asking Why they are recommending closure or more limited restrictions?
 - b. **If the answer to this is No**, ask them which resource impacts on this route could not be minimized or avoided by any strategy other than closure? What other options were considered but discounted, and Why?
6. **Historic use of the route**. If you know that this route has been used historically, indicate the depth of your knowledge. If you have old photos of the route being used, attach those as supporting documentation. If it is listed in a guidebook, published material, or event, list that as evidence to the best of your knowledge. If you have a personal history of using this trail, tell it.
7. **Handicapped, Elderly, or Special Needs** - If you are prevented from recreating as a result of this decision, explain how specifically it will affect you. Be specific about your prior use or desire to recreate here, and why it is important to have this area/route available for motorized OHV. The ADA focused on equality of opportunity, but Biden’s “Executive Order on Advancing Racial Equity and Support for Underserved Communities through the Federal Government” targets equality of outcome, a significantly higher standard than ADA’s Opportunity standard. If you are a disabled veteran, this particularly has an impact and should be mentioned.

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Clubs and Organizations Should Also Consider These Comments

8. The Wilderness Act specifically states by Congress that “it **does not intend for the designation of the wilderness areas to create protective perimeters or buffer zones.**” Thus, all of the routes surrounding the borders of WAs or WSAs are protected by the Wilderness Act. The stated purpose of the Dingell Act was to dedicate additional wilderness areas within Emery County, and reserving the area outside those borders for multi use. The borders of the WAs and WSAs are not fuzzy lines, they are very well defined and marked. Route # SSXXXX intersects or parallels the XXXX Wilderness Area, what authority gives you the the right to close this route?
9. **For wildlife concerns, the focus is on Conservation (Use this language)**. Where in the scientific literature or research reports does it indicate that closure is the only option. If special status or endangered species are listed as a concern, ask them to point out in the EA that OHV use has been specifically identified as a major concern compared to other uses, and what mitigations were considered and not chosen, why not? Possibilities include alternate routing, seasonal closure, fencing, barriers, cattle guards, temporary closures for unusual wildlife movement.



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10. **Habitat Expansion**-The goal of FLPMA is to sustain multiple use, where in the science reports does it indicate how much habitat is needed? Are there reports contained in the EA that conflicted with the need for expansion of habitat, please provide those references. How did they arrive at that conclusion that led to this action? Did they consider only the TMA, or the entire surrounding landscape including the already existing Wilderness areas and areas outside the affected area? How do you balance the need for expanded habitat with the multi use purpose of human use. What scientific basis requires that you restrict only motorized OHV, and not other users?
11. **For Archaeologic or Cultural concerns**-What mitigations could be adopted to minimize the impact? Some details will be in Draft EA report, but they are prohibited by Federal law from discussing any details about these resources, but Comments focused on efforts to **Preserve the Resource (Use this language)**, and questioning what possible mitigations, rerouting, avoidance, containment, barriers, preventing parking, interpretive signing were considered to Preserve the Resource. Why did none of these measures work?
12. **Provide New Information you have that you cannot find in the EA**-Ask them to point out to you that it was considered.
13. **Have external conditions changed** since scoping was done? Closures in Moab, San Rafael Swell Desert, Grand Staircase, Bears Ears, others are coming. How many of the Open and Closed routes did you measure the traffic for, and how do you project the impact will be on the remaining routes?
14. **What criteria were used to balance decisions for the route? What was the predominant impact that required you to conclude closure was the only option?**
15. The public's desire to recreate via motorized OHV has been expanding exponentially in recent years in Utah, please consider this and **show the results of your user traffic studies that demonstrates visitors by various user groups over the last 5 years. Where in the EA have you considered and addressed the demand for public access by various means?**
16. **Economic Impact**-If you have information about economic impacts by the closure, it should be mentioned somewhere in your comments.
17. **If you have concerns with the Alternatives.** Was the big picture presented fairly, or was it inaccurate or biased? For example, in the Swell, I do not believe Alternative A depicts the current management practices of the Swell. Active management has in fact been closer to Alternative D. BLM has adopted the narrative that Alt B would only eliminate 200 miles of routes, but most of us believe the loss will be closer to 1000 miles. The standard BLM policy is that existing trails on the ground are open for OHV unless specifically closed. All previous inventories of the Swell have been inaccurate, incomplete, or completely missing, resulting in poor management of the resources and enforcement. Please provide the current Swell Management Plan with all amendments, and point out exactly where they indicate the status of routes as open, limited, or closed to motorized OHV. Please be sure to include the date that these rules were adopted, and how they were adopted (prior TMP, RMP, Dingell Act, etc)
18. How were the **boundaries of the TMA** established?
19. If you are an expert in any of the scientific fields involved in the report and have questions, you can state your experience and credentials, and **request a meeting with the specialists**



that drafted the report (e.g. Archeology, Paleontology, Wildlife, or Soils) Advise UPLA or BlueRibbon Coalition if you are requesting such a meeting.

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