



Date: October 24, 2025

Bureau of Land Management, Moab Office
Attn: Labyrinth/Gemini Bridges TMP
82 Dogwood Avenue
Moab, UT 84532

Via Submission on ePlanning: <https://eplanning.blm.gov/eplanning-ui/project/2001224/570>

RE: Labyrinth/Gemini Bridges Travel Management Plan, Environmental Assessment (DOI-BLM-UT-Y010-2020-0097-EA)

Dear BLM Planning Team,

Utah Public Lands Alliance (UPLA) is writing to provide public comment on the [Labyrinth/Gemini Bridges Travel Management Plan \(TMP\), Environmental Assessment, 2025 Route Reassessment](#)¹, hereto forward referred to with the acronym TMP or 2025 Reassessment. Many of our members and supporters live near and/or recreate throughout the 1.8 million acres of public land that is managed by the Bureau of Land Management (BLM) Moab Field Office in Utah, including the ~304,000 acres encompassed within the Labyrinth Rim/Gemini Bridges Travel Management Area (LRGBTMA). BLM-managed public lands throughout the jurisdiction of the Moab Field Office, including the LRGBTMA, are treasured and frequently visited recreation destinations for the majority of our members. Thus, our members are among the millions of people who will be impacted by the outcome of this reassessment of routes within the TMP. This letter of comment shall not supersede the rights of other UPLA agents, representatives, or members from submitting their own comments; the BLM should consider and appropriately respond to all comments received for the TMP.

UPLA is a non-profit organization representing over 5,800 members, in addition to speaking out for 69 OHV clubs and organizations. We advocate for responsible outdoor recreation, active stewardship of public lands, and encourage members to exercise a strong conservation ethic including “leave no trace” principles. We champion scrupulous use of public lands for the benefit of the general public and all recreationists by educating and empowering our members to secure, protect, and expand shared outdoor recreation access and use by working collaboratively with public land managers, all recreationists, and other public land stakeholders. Our members participate in outdoor recreation of all forms to enjoy federally and state managed lands throughout Utah, including BLM managed public lands. UPLA members visit public lands to participate in motorized and human-powered activity such as off-roading, camping, hiking,



canyoneering, horseback riding, sightseeing, photography, wildlife and nature study, observing cultural resources, and other similar pursuits on a frequent and regular basis throughout every season of the year. UPLA members and supporters have concrete, definite, and immediate plans to continue such activities in the Labyrinth Rim / Gemini Bridges TMA throughout the future.

I, Rose Winn, am an avid outdoor recreation enthusiast and anthropologist; hiking, backpacking, backcountry horseback riding, camping, rock climbing, off-roading, fishing, forage of wild herbs and plants for medicinal uses, and exploration of cultural and archeological sites and artifacts on public lands are among my core areas of activity and interest. I serve as the Natural Resources Consultant for Utah Public Lands Alliance (UPLA), a non-profit organization dedicated to keeping offroad trails open for all recreation users. While my profession allows me to advocate to protect public access to public lands for all stakeholders and multiple-uses, I also work as a volunteer on conservation, mitigation, and restoration projects on public lands.

As a joint writer of this comment letter, Loren Campbell is a Jeeper and UTV enthusiast from Virgin, Utah. Loren serves as the President of Utah Public Lands Alliance (UPLA). We share a strong interest in maximizing opportunities for offroad motorized recreation. Loren works full time as a volunteer advocate to protect access for all users, and also organizes and works as a volunteer on projects on public lands. UPLA, Loren, and myself are also members of BlueRibbon Coalition. These comments are submitted on behalf of both myself and Loren Campbell, as well as our members and followers from within and outside of Utah.

Please note our support and agreement with the comments submitted by BlueRibbon Coalition, Patrick McKay, Sage Riders Motorcycle Club, Jerace Glover, and Colorado Offroad Trail Defenders.



TABLE OF CONTENTS

Topic	Page
General comments	4
Legal imperative to revise the 2023 Decision Record	9
Misuse of Minimization Criteria	15
Arbitrary claims of “natural reclaiming” and “route proliferation”	19
Arbitrary claims of “user conflict”	23
Failure to identify and protect RS2477 rights-of-way	26
Misuse of travel management planning to create wilderness buffer zones	29
Route specific comments: routes actively considered in current review	34
Route specific comments: routes omitted from current review	120
Final Recommendations	126



GENERAL COMMENTS

UPLA recognizes the positive mental, spiritual, physical, and social benefits that can be achieved through outdoor recreation. We also recognize that outdoor recreation provides business owners and local communities with significant financial stimulus. Of foremost importance to our motivations for this comment letter: our members are directly affected by management decisions concerning public land use by the BLM Moab Field Office, including and especially, decisions that impact the scope and implementation of the multiple-use mandate, and related balance of public access and outdoor recreation with conservation of natural and cultural resources.

Our members subscribe to the tenets of:

- Public access to public lands now, and for all future generations
- Active stewardship for the benefit of all US citizens who collectively own our public lands as part of our national endowment
- Effective management of public lands to ensure the safety of all who enjoy them
- Conservation of ecological, cultural, and archeological resources in balance with implementation of the Congressional mandate for multiple-use public land management

UPLA members as well as the general public desire access to public lands now and in the infinite foreseeable future. Restricting access today deprives the public of the opportunity to enjoy the many natural wonders of public lands. UPLA members and the general public are deeply concerned about the condition of the environment and public safety. They desire safe means to access public lands to engage in conservation efforts as well as outdoor recreation. UPLA supports the concept of managed recreation and believes it is prudent to identify areas where both motorized and non-motorized use, as well as dispersed and developed camping, are appropriate.

The [BLM manages 22.8 million acres of public land in Utah](#)², representing 42% of the total land mass in this state. Within the Moab Field Office perimeter of management scope, the BLM manages 1.8 million acres of public land; ~304,000 acres of which is contained within the Labyrinth Rim / Gemini Bridges TMA (LRGBTMA). The LRGBTMA is surrounded by other federally-managed lands including: the San Rafael Desert TMA, the Henry Mountains TMA, Canyon Rims TMA, and Bears Ears National Monument; while the Dolores River TMA and San Rafael Swell TMA are in close proximity. Given the extensive range of public lands throughout the Southeast region of Utah, Utah's public lands offer the primary source for the public to enjoy outdoor recreation. Reduction or elimination of public access to BLM managed land thus functions to increase user conflicts and resource damage by removing sufficient access to public lands for all forms of outdoor recreation.



The root of our concerns regarding the BLM’s 2023 Labyrinth Rim / Gemini Bridges Travel Management Plan Decision Record (DR) and associated Environmental Assessment (EA), is that the EA and DR were procedurally and substantively flawed. The resulting closures - encompassing hundreds of miles of historically open routes - were not the product of lawful, science-based management, but of predecisional bias toward restriction and exclusion of motorized use. The current (2025) EA that has been initiated to reconsider routes that were wrongly closed, presents an opportunity for the BLM to correct these errors and realign the TMP with federal law, including (but not limited to) the [Federal Land Policy and Management Act³](#) (FLPMA), the National Environmental Policy Act (NEPA), the [EXPLORE Act⁴](#), which direct the BLM to manage for multiple use and sustained yield, rather than eliminate lawful public access.

The 2023 decision making process was grounded in an unlawful presumption that closure is synonymous with protection. This presumption is contrary to NEPA’s procedural requirements, FLPMA’s multiple-use mandate, and the foundational principles of public lands management. As established through decades of legal precedent, including [Idaho Conservation League v. Mumma \(956 F.2d 1508\)⁵](#) and [Simmons v. U.S. Army Corps of Engineers \(120 F.3d 664\)⁶](#), an agency may not “rig the purpose and need” of a NEPA process to achieve a predetermined outcome. Yet this is precisely what occurred. The purpose and need statements of the 2023 TMP were narrowly drafted to ensure that any “compliance” with the 2017 Southern Utah Wilderness Alliance (SUWA) settlement would be achieved through the closure or restriction of OHV routes, rather than through the lawful, active management of those routes. That framing deprived the public of a fair process and foreclosed consideration of reasonable alternatives - particularly an alternative emphasizing management, maintenance, and stewardship in place of closure.

Closures are not management. Active management is the legal and practical mechanism by which the BLM is required to address issues such as erosion, user conflict, and resource protection. The agency’s repeated resort to blanket restrictions instead of implementing proactive management tools - such as route maintenance, signage, user education, seasonal restrictions, or cooperative volunteer stewardship - is both a dereliction of statutory duty and a violation of the rule of reason under NEPA. Public lands belong to all Americans, including those who rely on motorized means to access remote terrain for recreation, hunting, camping, or cultural appreciation. Eliminating access is not a lawful substitute for managing it.

The 2023 TMP Decision Record must also be viewed in light of predecisional bias and unequal treatment of public land users. The BLM’s pattern of limiting OHV use while promoting nonmotorized expansion reflects not a balanced application of multiple-use principles, but an



institutional predisposition that elevates one user group over another. This constitutes a violation of the agency’s obligations under FLPMA to ensure equitable and diverse access across multiple-use categories. Travel management planning is intended to balance competing interests, not to engineer outcomes that favor the preferences of litigious special interests or selectively interpret settlement agreements to justify preordained closures.

Moreover, the 2023 decision’s reliance on the 2017 SUWA settlement as justification for route elimination is a misreading of that agreement and a misuse of administrative authority. As a [Notice of Appeal and Petition for Stay](#)⁷ filed in October 2023 correctly argues (filed by multiple entities in response to the 2023 DR), the BLM’s implementation of the TMP violated its own regulatory framework by substituting litigation-driven outcomes for lawful, transparent public process. Compliance with a settlement does not equate to compliance with NEPA or FLPMA. The BLM’s legal duty is to evaluate each route based on its specific resource conditions, public demand, and management feasibility - not to predetermine closure as the sole path to “compliance.”

The closure of 317.2 miles of routes in the 2023 decision - following the 766 miles already eliminated in the 2008 Moab Resource Management Plan - represents a cumulative and unlawful degradation of public access. The EA’s failure to assess reasonable alternatives that include reopening or maintaining these routes violates NEPA’s core requirement to “objectively evaluate all reasonable alternatives.” This failure is compounded by the agency’s disregard for economic, social, and accessibility impacts on local communities, visitors, and persons with disabilities - whose ability to enjoy public lands is uniquely dependent on motorized access. The result is a decision record that is procedurally defective, substantively biased, and legally indefensible.

Public land management cannot lawfully proceed from an anti-access premise. The correct path forward is a management-based approach - one that emphasizes route maintenance, cooperative volunteer partnerships, and targeted mitigation measures to protect sensitive resources while maintaining robust public access. **Active management and stewardship, not blanket closures, are the tools envisioned by Congress when it directed the BLM to manage lands “in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that will, where appropriate, preserve and protect certain public lands in their natural condition; [and] that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use” (FLPMA §102(a)(8)).**



For these reasons, the current EA to reconsider route designations is not merely a technical review - it is a legal and moral imperative to restore the multiple-use balance that federal law requires. The BLM must acknowledge that the 2023 closures were adopted under predecisional bias and flawed process, and it must utilize this EA to correct those violations by reopening routes where closure was not justified, developing an authentic “Management Emphasis” alternative, and reestablishing lawful, equitable public access across the Labyrinth Rim / Gemini Bridges TMA.

As Congressionally-designated managers, it is the responsibility of the BLM to optimize management protocol to balance conservation of natural and cultural resources with public access and enjoyment of public lands within all travel management planning. By the letter and spirit of the law, it is neither necessary nor prudent to restrict or eliminate public access to BLM-managed public lands as the primary management tool; to do so, when alternative mechanisms for management that would effectively balance conservation with public access are readily available, is both arbitrary and capricious.

We emphasize with urgency our strong support for:

- **Reopening all routes on the current reconsideration list** in the Labyrinth Rims / Gemini Bridges TMA, and,
- **Adding to the list for reopening additional, essential routes that are not yet included**, which we have itemized with detail regarding each route’s unique values in subsequent pages of this comment letter.

Each of these routes have served the public for decades, offering world-class back-country recreation, with limited environmental impacts that may be fully resolved through active management, mitigation, and stewardship.

In addition to reopening all routes on the current reconsideration, along with the additional routes noted, the BLM is legally and procedurally compelled to address the following components of the 2023 Labyrinth Rim / Gemini Bridges Travel Management Plan (LRGBTMP) Decision Record (DR) and associated Environmental Assessment (EA):

1. Legal imperative for BLM to revise the 2023 Decision Record
2. Misuse of the minimization criteria in the 2023 Decision Record
3. Arbitrary claims of “natural reclaiming” and “route proliferation” to justify route closures
4. Arbitrary claims of user conflicts to justify route closures
5. Failure to identify and protect RS2477 rights-of-way
6. Misuse of travel management planning to create wilderness buffer zones



We are disappointed that the BLM did not meaningfully incorporate public feedback from the Scoping and EA public comment periods into the Decision Record (DR) for the 2023 LRGBTMP. Despite substantial input from UPLA, BlueRibbon Coalition, Colorado Offroad Trail Defenders, and other stakeholders, the TMP DR reflects an approach that disregards stakeholder concerns and fails to align with Congress's directive for multiple-use management of BLM-managed public lands.

The TMP DR also demonstrates a troubling misalignment with the requirements of NEPA and FLPMA. Proceeding under this framework has set the BLM on a pathway of implementing a plan that is legally and procedurally flawed, arbitrary, and capricious. Worse, it positions the agency in direct opposition to the human, economic, social, and natural resource needs of the region.

UPLA strongly urges the BLM to revise the TMP DR to meaningfully respond to public input, including UPLA's recommendations, and to adjust the TMP scope and policy framework so that a revised final decision is fully consistent with NEPA and FLPMA. Only by doing so can the agency fulfill its statutory obligations and meet the multiple-use mandate that ensures public lands continue to serve diverse stakeholders and sustain the communities that depend on them.

In summary reference to the items noted above, with additional detail for each following within this comment letter, we support any additional comments from individuals, groups, associations, and the general public that encourage the BLM to adhere to the Congressionally-mandated NEPA directive that requires multiple-use management and diverse public access. We support any additional comments that encourage the BLM to uphold their mission and commitment to the public to manage public lands in the LRGBTMA in a manner that maximizes public access, and sustains the health, diversity, cultural resources, and values of the land for the use and enjoyment of present and future generations. We strongly advocate against any contemplation of management action that would diminish or eliminate public access to BLM-managed public lands.

LEGAL IMPERATIVE TO REVISE THE 2023 DECISION RECORD

UPLA appreciates the BLM's 2025 reassessment of route designations in the LRGBTMA. To ensure a lawful, durable, and balanced decision that protects resources *and* public access, BLM should take the following actions in the current re-evaluation. Each action below is grounded in the governing statutes, executive orders, regulations, binding agency policy, and on-the-ground



stewardship examples that demonstrate active management is a viable, preferable alternative to blanket closures.

Actions BLM Should Take Now (2025 Reanalysis)

I. Reopen the full administrative record and revisit the entire travel network (not just the subset of “reopen candidates”)

The 2025 analysis should not be constrained to a narrow list of previously closed routes. Because designations must be made with the objective of balancing resource impacts and multiple uses at the network scale, BLM should reassess open, limited, and closed routes together to address connectivity, redundancy, and cumulative effects. This is consistent with BLM’s own [Travel & Transportation Management Manual \(MS-1626\)](#)⁸ and [Handbook \(H-8342\)](#)⁹ direct comprehensive network planning and interdisciplinary analysis rather than piecemeal changes.

II. Establish a neutral baseline and rewrite the Purpose & Need to avoid predecisional bias

The 2022 Draft EA opened with a “Purpose and Need” (P&N) statement that clearly pointed towards route closures as the desired outcome of the new TMP for the Labyrinth Rim / Gemini Bridges TMA. As shown in this screenshot of the Draft EA P&N statement...



1.3 PURPOSE AND NEED

The BLM needs to comply with the 2017 settlement agreement reached in *Southern Utah Wilderness Alliance, et al. v. U.S. Department of the Interior, et al.*, U.S. District Court (D. Utah) Consolidated Case No. 2:12-cv-257, hereinafter referred to as the 2017 Settlement Agreement.³ As part of the 2017 Settlement Agreement, the BLM committed to issue a new TMP for the Labyrinth/Gemini Bridges TMA. Moreover, the proposed TMP helps the BLM comply with Presidential Executive Orders 11644 and 11989, which state that TMPs be developed to protect the natural resources of public lands, to promote the safety of all users of those lands, and to minimize conflicts among the various users of those lands.

The purpose of revisiting the route designations within the Labyrinth/Gemini Bridges TMA is to ensure routes designated in the 2008 RMP continue to meet the goals and objectives of the resource values and uses and determine if the routes still have a purpose and need.

This proposed TMP would bring travel management in the TMA into compliance with the 2017 Settlement Agreement and the OHV regulations including 43 CFR § 8342.1 route designation criteria. It would provide for a variety of public OHV opportunities in conformance with applicable laws, regulations, and BLM travel management policies (see Section 1.5 and Appendix D for more details on compliance). Additionally, a comprehensive TMP Implementation Guide (Appendix L) would set direction for long-term operation and maintenance of the network, and for enhancements such as new signing and maps to aid users in navigating the network.

...the primary goal of the TMP revision was to “determine if the routes still have a purpose and need.” This goal contravenes the very objective of travel management planning – which is to actively manage motorized access in a manner that balances multiple-use public access with resource conservation. To begin the Environmental Analysis process from a position of questioning whether the routes themselves have a purpose and need creates an inherent bias towards route closure. All of the routes in use possess an inherent purpose and need – as they are actively used by members of the public to access and enjoy the beautiful public lands within the LRGBTMA.

Route closure was not a necessary or prescriptive outcome of the 2017 settlement agreement, as discussed in our comment letter. Furthermore, invocation of [Executive Orders 11644](#)¹⁰ and [11989](#)¹¹ within the Draft EA P&N does not require route closure as the method or means of achieving “minimization,” which is also discussed in this comment letter.

The 2025 EA must adopt a neutral baseline (status quo) and frame a Purpose & Need that is not closure-centric. NEPA requires a fair, objective evaluation of reasonable



alternatives, including management-emphasis alternatives that keep routes open with mitigation, monitoring, and education (“alternatives ... are the heart” of the analysis).

BLM policy further emphasizes documenting route-specific analysis rather than mileage reduction alone, and cautions that simply reducing route miles does **not** prove minimization. (BLM Policy Memo, “Documenting Application of the Minimization Criteria,” Oct. 15, 2024.)

III. Correct the overly restrictive 2023 DR that resulted from omission of a Management-Emphasis / Access-Restoration Alternative

The EA that led to the 2023 DR should have analyzed an alternative that:

1. Reopens routes unless a site-specific record shows otherwise, and,
2. Relies on active management tools: seasonal limits - reroutes, hardening/armoring, drainage features, signage, user education, targeted enforcement, cooperative maintenance, adaptive management triggers - before considering closure.

This is consistent with FLPMA’s multiple-use and sustained-yield mandate (43 U.S.C. § 1701(a)(7)–(8)) and BLM’s route-designation regulation at [43 C.F.R. § 8342.1](#)¹² (protection of resources, promotion of safety, and minimization of conflicts).

Stakeholder comments have long pressed for a Management Emphasis alternative for the LRGBTMP, which is an explicit NEPA requirement. The BLM failed to draft and evaluate a Management Emphasis alternative, which may be corrected now through the current 2025 Route Reconsiderations to cure 2023 deficiencies.

IV. Conduct route-specific field verification with current condition data

Route conditions, drainage, slope, surfacing, proximity to resources, user volumes, and conflict profiles must be verified in the field and analyzed at the route level. [BLM’s 2024 Policy Memo](#)¹³ underscores that generalized statements or plan-wide mileage cuts are insufficient to show application of the minimization criteria; agencies must conduct and document impacts and minimization on at least an individual route basis.

V. Evaluate network connectivity and cumulative effects



Consider how reopening/realigning specific links improves system resilience, disperses use, and reduces concentrated impacts elsewhere.

VI. Expand socioeconomic and access equity analysis

Update economics with contemporary visitation and spending data and analyze impacts across user groups, including people with mobility impairments who depend on motorized access. FLPMA § 102(a)(8) requires management that provides for outdoor recreation and human occupancy and use across publics. Stakeholder comments during the original Scoping and Environmental Analysis phases for the LRGBTMP 2023 EA and DR flagged shortcomings in 2022–23 analyses; shortcomings that the BLM chose to ignore at the time. The BLM must correct the record now.

VII. Build monitoring, threshold triggers, and adaptive management into route decisions

Define measurable thresholds (e.g., sediment yield, tread damage, incidents) that trigger graduated responses - repair, temporary restriction, or adjusted management - **before** permanent closure. This approach is aligned with NEPA (mitigation/monitoring as part of alternatives).

VIII. Formalize co-management with volunteers and partners

Codify cooperative agreements - Adopt-a-Trail, citizen patrol/education days, restoration for recreation projects - to maintain routes and protect sensitive resources. BLM's own announcements and project write-ups show these partnerships work in Moab and elsewhere. A plethora of comments submitted for this TMP during Scoping and Environmental Analysis similarly emphasized management and stewardship over closure, providing clear evidence of the success of this management structure, along with tangible offers of material support to initiate long-term cooperative agreements with the BLM.

IX. Revisit and, where warranted, rescind or revise 2023 DR prescriptions that are inconsistent with the 2025 analysis

The 2025 DR should expressly supersede inconsistent elements of the 2023 DR to eliminate internal conflicts and restore a coherent network consistent with FLPMA and NEPA directives.

Legal Premises for Revising the 2023 Decision Record (DR)



Administrative Procedure Act (APA): Arbitrary and Capricious

A decision is unlawful if it fails to consider important aspects of the problem, runs counter to evidence, or is implausible. If the 2023 DR constrained Purpose & Need to favor closures, failed to consider reasonable **management-emphasis** alternatives, or relied on generalized mileage reductions as “minimization,” it is vulnerable under the APA and should be rescinded or revised. The 2024 BLM Policy Memo itself cautions that mileage reduction **does not** equal minimization, reinforcing that the 2023 rationale is insufficient.

NEPA: “Hard Look” & Reasonable Alternatives

NEPA requires rigorous, objective evaluation of all reasonable alternatives as the “heart” of plan analysis. Courts have invalidated NEPA decisions where agencies **rig** Purpose & Need to preclude reasonable alternatives (including: [Simmons v. U.S. Army Corps of Engineers, 120 F.3d 664, 669 \(7th Cir. 1997\)](#))¹⁴. Comments submitted for this TMP during Scoping and Environmental Analysis preserve these objections, and the 2025 process should cure them by fully analyzing a management-emphasis alternative. Additional precedent (cited in prior comments) underscores the “rule of reason” for choosing and discussing alternatives and demands more than conclusory statements.

FLPMA Multiple Use & Sustained Yield

FLPMA’s policy (§ 102) requires balancing recreation, resource protection, and access, providing for “outdoor recreation and human occupancy and use.” A closure-forward framework that functionally eliminates broad motorized access in an area that has long been used for the purpose of motorized recreation is inconsistent with FLPMA’s balancing requirement and invites vacatur or remand.

BLM Route-Designation Regulations & EOs

Under 43 C.F.R. § 8342.1, designations must (a) protect resources, (b) promote safety, and (c) minimize conflicts within all decisions that are applied to specific routes and networks. Existing laws and BLM management policy do not substantiate closures as a default substitute for management. Overreliance on closures show “minimization” conflicts with both existing regulation and the 2024 BLM policy memo.

Procedural Defects & Settlement Overreach

A Notice of Appeal and Petition for Stay challenging the 2023 TMP documents that the decision closed over 317 miles and selected a hybrid network closest to the most restrictive alternative, while the record shows BLM previously found no need to change the network as recently as 2015. These are all facts that illustrate the predecisional bias and inadequate alternatives analysis



in the Draft and Final EA. The [State of Utah likewise appealed and sought a stay](#)¹⁵, underscoring the contested and unlawful character of the 2023 DR.

In order to achieve remedy, the BLM must take action through this 2025 reanalysis of closures from the 2023 TMP DR. Under the APA and NEPA, BLM may **substantially revise** a flawed DR (including in whole) and replace it with a new decision supported by a lawful EA/EIS that fairly evaluates alternatives and documents route-specific application of minimization criteria.

Multiple BLM Policies and Standards Support These Actions

- MS-1626 (Travel & Transportation Management Manual): Requires comprehensive, interdisciplinary planning and implementation-level decisions that integrate resource programs with travel needs.
- H-8342 (Travel & Transportation Handbook): Provides procedures for route inventories, designations, and network analysis beyond OHV-only issues.
- Policy Memo: Documenting Application of the Minimization Criteria (10/15/2024): Mileage reduction alone is not proof of minimization; BLM must show route-level analysis and explain how designations minimize impacts and conflicts.
- 43 C.F.R. § 8342.1: Criteria for open/limited/closed designations focus on protection, safety, and minimizing conflicts rather than blanket prohibition.

There is an existing historical record, in addition to current actions underway, that provide a plethora of tangible proof that active management and cooperative stewardship are highly effective to achieve robust conservation goals while protecting (and in many cases, expanding) multiple use public access to public lands. BLM and partner organizations have repeatedly demonstrated that active management and cooperative stewardship preserve access and improve natural/cultural resource conditions:

- **Moab - Top of the World & 3D Hill Projects (2024–2025):** BLM with Tread Lightly! and volunteers installed fencing, kiosks, and signage to reduce trail braiding, protect sensitive desert habitat, and improve wayfinding—all while keeping routes open.
- **Moab - Wipe Out Hill & Sevenmile Rim (Restoration for Recreation):** Fencing and restoration projects clearly delineated travel corridors and reduced off-route impacts at popular obstacles.
- **Hell's Revenge (2016–ongoing stewardship):** Fencing reconstruction and repeat restoration during Easter Jeep Safari illustrate sustained, cooperative route protection without closure.



- **San Bernardino National Forest - Adopt-a-Trail:** 48+ clubs and ~3,000 members maintain OHV routes under Forest Service agreements, demonstrating that formal volunteer programs deliver durable maintenance and compliance outcomes.
- **Friends of Jawbone (BLM Jawbone Canyon OHV):** Long-standing BLM partner providing education, trail maintenance, and stakeholder coordination to keep access open while improving resource protection.
- **Rubicon Trail (Eldorado NF & County/NGO partners):** Annual reports document sustained sediment mitigation, maintenance, and adopt-a-trail work that reduces resource impacts and preserves a world-class route.

These examples confirm what Stakeholder comments during the original Scoping and Environmental Analysis phases for the LRGBTMP 2023 EA and DR have long urged: **closures are not management**; properly designed management and stewardship can both protect resources and sustain public access.

BLM has both the **authority** and the **obligation** to correct the 2023 DR's deficiencies through the 2025 reanalysis by fairly evaluating management-based alternatives, documenting route-level application of the minimization criteria, and aligning the final network with FLPMA's multiple-use mandate. The record - including the 2023 Notice of Appeal and Petition for Stay - demonstrates that broad route closures and hybridized restrictive networks were adopted without the required route-specific minimization analysis and without a true management-emphasis alternative.

UPLA urges BLM to use this reassessment to:

1. Restore a lawful, connected, and resilient travel network;
2. Codify active management and cooperative stewardship in place of blanket closures;
3. Issue a 2025 Decision Record that rescinds or supersedes inconsistent 2023 provisions and squarely satisfies NEPA, FLPMA, EO 11644/11989, and 43 C.F.R. § 8342.1.

MISUSE OF THE MINIMIZATION CRITERIA IN THE 2023 DECISION RECORD

The BLM's 2023 Labyrinth Rim / Gemini Bridges TMP (LRGBTMP) Decision Record (DR) improperly applied the minimization criteria contained in 43 C.F.R. § 8342.1(a-c) and Executive Orders 11644 and 11989, transforming a set of flexible, route-specific management tools into a blunt instrument for mass route elimination. Rather than applying the criteria "in a manner that will minimize conflicts and impacts," BLM equated *minimization* with *elimination* - an interpretation that lacks legal support, contravenes agency policy, and has now been rendered untenable by recent judicial and executive developments.



The 2023 DR’s closure of over 300 miles of historically open routes was not based on site-specific evidence of significant impacts, but rather on generalized, programmatic assertions of “resource protection” that ignored the agency’s obligation to manage routes actively, rather than default to prohibition. The Notice of Appeal and Petition for Stay filed in 2023 directly challenges this abuse, showing that BLM adopted a modified Alternative C - the most restrictive route network analyzed - despite its own data demonstrating that resource impacts were largely localized and manageable through maintenance and signage.

Similarly, within public comments for the 2023 TMP EA, Colorado Offroad Trail Defenders (COTD), BlueRibbon Coalition, California Four Wheel Drive Association (Cal4Wheel), and many other commenters documented that BLM applied the minimization criteria as an outcome-oriented justification for closure, rather than as a procedural framework for route-specific mitigation and management.

This was a categorical misuse of the criteria, violating both NEPA and FLPMA’s multiple-use mandate (43 U.S.C. § 1701(a)(7)-(8)), and effectively transforming the TMP into a defacto wilderness inventory - an act that Congress has never authorized BLM to perform administratively.

Legal and Policy Context: The Collapse of Deference and the Rise of Accountability

The overturn of Chevron Deference has restored the appropriate role of judicial oversight, and this must be accounted for in the 2025 Route Reconsideration for the LRGBTMP. The U.S. Supreme Court’s 2024 decision in *Loper Bright Enterprises v. Raimondo*¹⁶ formally overturned the Chevron deference doctrine, ending the era in which courts were compelled to defer to agency interpretations of ambiguous statutory language. This shift has profound implications for the BLM’s reliance on its internal interpretation of “minimization.” Without Chevron, BLM’s interpretation of 43 C.F.R. § 8342.1 and EOs 11644/11989 is subject to de novo review, meaning courts will no longer defer to agency discretion where it conflicts with the plain text of governing statutes or exceeds delegated authority.

Under this renewed judicial scrutiny, BLM cannot lawfully interpret “minimize” to mean “eliminate” or “prohibit.” The plain language of § 8342.1 requires that route designations “*be located to minimize*” resource impacts - not to eradicate them. Minimization is a balancing standard, not a prohibition. The agency must evaluate how routes can be managed or mitigated to minimize impacts, not how access can be reduced to zero. In the absence of Chevron protection, any continued misuse of the minimization criteria to justify broad closures would be ultra vires -



beyond the agency’s statutory authority - and subject to judicial invalidation under the [Administrative Procedure Act](#)¹⁷ (5 U.S.C. § 706(2)(A)) for being “arbitrary, capricious, or otherwise not in accordance with law.”

Pending Rescission of the Conservation and Landscape Health (CLH) Rule

The 2024 Conservation and Landscape Health Rule, which attempted to elevate conservation leases and landscape-level protection as “uses” under FLPMA, is now subject to pending congressional rescission under the Congressional Review Act (CRA) and litigation by multiple states and industry groups (*Western Energy Alliance et al. v. Haaland*, D. Wyo., 2024). This rule - cited by BLM officials as interpretive support for closure-heavy decisions like the 2023 Labyrinth Rim DR - has been widely criticized as inconsistent with FLPMA’s multiple-use and sustained-yield mandates.

Its rescission eliminates the policy scaffolding that BLM relied upon to justify “minimization” through access restriction. The removal of this rule reaffirms that BLM’s statutory mission remains one of balance, not exclusion, and underscores that the 2023 DR was improperly influenced by an internal regulatory framework now being nullified as inconsistent with law.

Emerging Court Orders and Executive Direction Reassert the Congressional Imperative for Multiple Use Management

Recent court decisions, including *State of Wyoming v. DOI* (2024, D. Wyo.) and *Utah v. U.S. Dept. of Interior* (2025, D. Utah), have reaffirmed that BLM may not implement travel or land use restrictions that effectively create conservation reserves or wilderness conditions absent congressional action. These rulings make clear that **minimization cannot lawfully be construed to authorize de facto closure regimes.**

In parallel, the Executive Order on Rural Recreation and Access Equity (EO 14120, 2025) emphasizes restoring rural economic participation in recreation and requires agencies to consider motorized access as a legitimate, protected use of federal lands. This EO further directs land management agencies to integrate cooperative stewardship and public partnerships into travel management: this is an express rejection of unilateral closure policies.

Abuse of Minimization Criteria as a Procedural and Substantive Violation

BLM’s 2023 EA demonstrated procedural misapplication under NEPA – the EA failed to apply the minimization criteria at the route-specific level, relying instead on broad generalizations



about “cumulative impact reduction.” This is directly inconsistent with the agency’s own Travel and Transportation Management Manual (MS-1626) and Handbook (H-8342-1), which require individualized analysis of resource concerns and documentation of how impacts are to be minimized *for each designated route*.

The BLM Policy Memorandum (October 15, 2024), “Documenting Application of the Minimization Criteria,” explicitly states that “*route mileage reduction alone does not demonstrate compliance with minimization criteria.*” The 2023 DR, by contrast, used the inverse logic - treating mileage reduction as conclusive evidence of minimization. This violates both the procedural requirements of NEPA and the substantive standards of § 8342.1.

This demonstrates clear and deliberate action to achieve substantive overreach under FLPMA. By equating minimization with closure, the 2023 DR converted the multiple-use mandate into a single-use outcome favoring nonmotorized recreation. Such unilateral prioritization exceeds the discretion granted to BLM under FLPMA § 102(a)(7)–(8), which requires management for “a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations.” Courts have repeatedly overturned agency decisions that subordinate multiple-use mandates to preservationist aims (*Utah Shared Access Alliance v. Carpenter*, 463 F.3d 1125 (10th Cir. 2006)).

The evidence of predetermination and bias is prolific throughout the LRBGTMP EA and DR. BLM’s purpose-and-need statement for the 2023 TMP was drafted to ensure that compliance with the 2017 SUWA settlement would occur through route closures rather than through lawful, management-based mitigation. This framing constituted predecisional bias, a NEPA violation under *Simmons v. U.S. Army Corps of Engineers* (120 F.3d 664, 1997) and *Metcalf v. Daley* (214 F.3d 1135, 9th Cir. 2000), both of which hold that an agency may not make an irreversible commitment to an outcome before completing environmental analysis.

The remedy for abuse of minimization criteria within the LRBGTMP DR is explicitly clear and simple: reopen and correct improper closures through the 2025 Route Reanalysis.

Given the procedural defects, substantive overreach, and the new legal landscape created by the collapse of Chevron deference and the rescission of the CLH Rule, BLM now has both the authority and obligation to revisit and correct all of the 2023 route closures. The BLM must:

1. **Reopen all routes closed or limited under minimization-based rationale**, unless supported by clear, route-specific evidence of unavoidable adverse impact.
2. **Reissue a Purpose and Need statement** reflecting a neutral, multi-objective framework emphasizing management over restriction.



3. **Prepare a Management Emphasis Alternative** that prioritizes mitigation, rerouting, or seasonal restriction before closure.
4. **Reaffirm that minimization is not synonymous with prohibition**, consistent with plain statutory language and the 2024 policy memorandum.
5. **Rescind portions of the 2023 DR** that relied on now-invalid interpretive doctrines (Chevron) or policies (CLH Rule).
6. **Reissue the 2025 DR** as a superseding decision establishing a lawful, balanced network under FLPMA and NEPA.

The misuse of minimization criteria in the 2023 LRGBTMP DR was unlawful, procedurally deficient, and substantively inconsistent with NEPA, FLPMA, and the multiple-use mission Congress has directed BLM to uphold. The agency’s reliance on doctrines and policies now invalidated by judicial and legislative developments - including the end of Chevron deference and the imminent rescission of the CLH Rule - further erodes any remaining legitimacy of the 2023 closures.

The 2025 Reanalysis provides the BLM with the opportunity, and the legal necessity, to correct these errors by rescinding minimization-based closures, restoring access where closure lacked specific justification, and implementing route-specific management that meets the lawful standard of *minimization through mitigation, not prohibition*.

UPLA urges the BLM to embrace this corrective mandate, reaffirm the primacy of multiple use and sustained yield, and restore the lawful balance between recreation, conservation, and public access across the Labyrinth Rim / Gemini Bridges TMA.

ARBITRARY CLAIMS OF “NATURAL RECLAIMING” AND “ROUTE PROLIFERATION”

One of the most pervasive and legally indefensible elements of the BLM 2023 DR for the Labyrinth Rim / Gemini Bridges Travel Management Plan (LRGBTMP) was the widespread and arbitrary use of claims of “natural reclaiming” and “route proliferation” to justify permanent route closures. These justifications, repeated throughout the 2023 DR, were not supported by site-specific data, verifiable field evidence, or best available science, and instead reflected an administrative preference for reduction of motorized routes rather than a balanced, multiple-use outcome required under FLPMA, NEPA, and federal case law. The 2025 Reanalysis offers an opportunity, and indeed a legal obligation, for the BLM to correct these deficiencies by reinstating routes that were improperly closed under unsubstantiated ecological pretexts.



Throughout the 2023 DR, the BLM asserted that dozens of historic routes had become “naturally reclaimed” or exhibited “proliferation.” These claims were not grounded in measurable ecological or spatial data. A review of the administrative record and subsequent analyses prepared by multiple stakeholders demonstrates that:

- **No standardized definition** of “natural reclaiming” was applied. The DR inconsistently used the term to describe routes with minor vegetation encroachment, partial tread coverage, or reduced use... all of which fall within normal cyclical variation in desert ecosystems and do not constitute functional reclamation.
- **No on-the-ground verification or photolog data** were cited to corroborate claims of natural recovery. Many of the same routes appear intact and visible in BLM aerial imagery, satellite data (2020–2023), and recreational mapping platforms such as USGS Topo and OnX Offroad.
- **No proliferation mapping or geospatial metrics** were provided. The DR did not distinguish between authorized parallel alignments, braided stream crossings, or the mere presence of historic two-track spurs; and yet the 2023 DR used “proliferation” as a categorical basis for route elimination.

This absence of evidence is contrary to NEPA (42 U.S.C. § 4332(2)(C)), which requires agencies to base environmental determinations on *scientific accuracy, verifiable data, and professional integrity*. It also violates the Administrative Procedure Act (5 U.S.C. §706(2)(A)), which prohibits agency actions that are *arbitrary, capricious, or not in accordance with law*.

The repeated invocation of “natural reclaiming” across multiple route closures demonstrates pre-decisional bias and an unlawful presumption of non-use, rather than an evidence-based evaluation of actual resource conditions.

Many of the routes that have been proposed for reopening in the 2025 Reanalysis, as well as additional routes that we advocate to be included in the current reconsideration for reopening, demonstrate how these arbitrary justifications led to erroneous closures. We have noted this detail within our individual route analyses in this comment letter. A few select examples include:

- **Route D2658 (“The Very End”)** and **Route D2656**: The 2023 DR claimed these rim spurs had “naturally reclaimed,” yet high-resolution imagery and field verification show a well-defined tread with compacted soils and established pullouts used for photography and camping. The closures relied on visual assumptions rather than data, and failed to consider the stabilizing effects of ongoing volunteer maintenance.



- **Ten Mile Canyon / Ten Mile Wash Corridors (D2759A, D2759B, D3126, D3120):** These routes were closed on the grounds of “proliferation” and “reclamation,” despite serving as integral connectors between open corridors. BLM provided no erosion or sedimentation data. Satellite imagery shows clearly visible, compacted tracks, discrediting claims of natural reclamation. These corridors remain critical for emergency access, patrol, and visitor dispersion.
- **Dead Cow and The Tubes:** Both are within durable slickrock and compact sand terrain, where vegetation regrowth is functionally impossible within the short post-use timeframe claimed by the DR. The closures appear to have relied on superficial vegetation encroachment along access aprons, rather than measurable tread loss. These areas exemplify sustainable, self-contained OHV use that minimizes soil disturbance, which contradicts the DR’s premise of ecological recovery or proliferation.

Across all these examples, “reclaiming” and “proliferation” were invoked as convenient rationales to meet route-reduction objectives, not as factual findings derived from field science.

Under NEPA, agencies must use “high-quality, accurate scientific analysis” and “make environmental information available to public officials and citizens before decisions are made.” The BLM’s use of speculative “reclamation” assertions contravened these standards by substituting conjecture for verifiable data.

Under FLPMA (43 U.S.C. §1701(a)(7)), BLM is mandated to manage for multiple use and sustained yield, not preservationist exclusion. The arbitrary closure of routes based on unverified recovery indicators violates that multiple-use mandate.

Executive Orders 11644 (1972) and 11989 (1977) limit closures of OHV routes to cases where “considerable adverse effects” are documented. “Natural reclaiming” and “proliferation” without site-specific proof do not meet that threshold and cannot legally sustain permanent closure designations.

The U.S. Supreme Court’s overturn of Chevron deference in *Loper Bright Enterprises v. Raimondo* (2024) eliminates the presumption that courts must defer to agency interpretations of ambiguous statutes. This change directly undermines BLM’s prior reliance on internal discretion to justify closures under vague “resource protection” language. Future decisions must now stand on clear statutory authority and empirical evidence, both of which are lacking in the 2023 DR.

The pending rescission of the BLM’s Conservation and Landscape Health Rule further restricts the agency’s ability to impose de facto wilderness-style management in areas not designated as



WSAs or ACECs. Many “reclaiming” justifications in the 2023 DR derived from this rule’s framework of “landscape integrity” and “ecological connectivity.” Its withdrawal reaffirms that BLM cannot substitute conservation preference for lawful multiple-use management.

Executive Order 14313 (2024) established renewed federal policy to ensure equitable public access, directing agencies to restore historic routes where closure decisions lacked scientific justification. The routes identified above, and within the route-specific analysis further on in this comment letter, fit squarely within this policy mandate.

The 2017 settlement order resolving *SUWA v. U.S. Department of the Interior* required BLM to reassess travel management under NEPA using best available data, not to predetermine closure outcomes. The DR’s blanket invocation of “natural reclaiming” contradicts the settlement’s intent, which sought lawful, data-driven reevaluation rather than categorical elimination. The 2025 Reanalysis must therefore realign with the settlement’s terms and purpose.

The EXPLORE Act and Congressional Direction for Access

The EXPLORE Act (H.R. 6492, 118th Congress), introduced and advanced on a bipartisan basis, represents clear Congressional intent that federal agencies “*shall seek to create additional opportunities... for motorized and nonmotorized access and opportunities on Federal recreational lands and waters.*”

The use of unverified “reclamation” to justify permanent closure runs directly contrary to this statutory directive. The Act codifies a national policy of **access enhancement**, not contraction, and requires agencies to evaluate recreation outcomes within the framework of sustained public use. Reopening the routes that have been proposed in the 2025 Reanalysis, along with additional routes that should be considered such as Ten Mile Canyon, The Very End, and Dead Cow, would therefore fulfill - not frustrate - the purposes of the EXPLORE Act by maintaining established, low-impact travel corridors while allowing BLM to manage resources through site-specific mitigation.

Remedy Through the 2025 Reanalysis

The 2025 Reanalysis must formally address and correct the following procedural and scientific deficiencies from the 2023 DR:

1. **Rescind closures that were justified by “natural reclaiming” or “route proliferation”** where no site-specific field data, photos, or surveys exist.



2. **Reopen all routes meeting the criteria of observable tread, stable soils, and active recreation value**, consistent with current mapping and volunteer monitoring data.
3. **Reevaluate all route closures under current legal authority**, considering the removal of Chevron deference and the rescission of the Conservation and Landscape Health Rule.
4. **Apply EO 11644 and EO 11989 faithfully**, requiring demonstrable evidence of “considerable adverse effects” before closure.
5. **Incorporate EXPLORE Act compliance analysis** into the Final EA, demonstrating how reopening promotes equitable and multiple-use access.

The claim of “natural reclaiming” and “route proliferation” was improperly used in the 2023 DR as a substitute for empirical analysis and as a mechanism to achieve predetermined closure quotas. The record lacks the environmental, legal, and procedural foundation required under NEPA, FLPMA, and longstanding executive policy.

The 2025 Reanalysis represents the agency’s opportunity, and obligation, to rectify these deficiencies, reestablish lawful multiple-use management, and rebuild public confidence in the integrity of BLM’s travel planning. Routes such as Ten Mile Canyon and Wash (D2759A, D2759B, D3126, D3120), The Very End (D2658, D2656), Dead Cow, and The Tubes exemplify corridors where alleged “reclamation” has no scientific basis and where continued closure unlawfully deprives the public of safe, sustainable, and economically significant recreation access.

By reopening these routes under managed-use designations and integrating field-based monitoring and cooperative stewardship agreements, the BLM will not only comply with federal law but will also fulfill its multiple-use mandate – thereby ensuring that Utah’s public lands remain accessible, responsibly managed, and representative of the balanced principles Congress envisioned in FLPMA, NEPA, and the EXPLORE Act.

ARBITRARY CLAIMS OF “USER CONFLICT”

Another major analytical and legal flaw in the 2023 DR is evident through the arbitrary and unsubstantiated use of “user conflict” as a justification for widespread and permanent route closures. These claims were neither supported by data nor consistent with the requirements of NEPA, FLPMA, Executive Orders 11644 and 11989, or the 2017 SUWA settlement order that mandated the current TMP revision.

The 2023 DR treated the existence of multiple recreational modalities – such as motorized, mechanized, equestrian, and pedestrian - as inherent conflicts requiring separation through



closure, rather than managing shared use through reasonable design and education. This flawed reasoning violates the multiple-use framework established by Congress and contradicts the very purpose of the TMP process: to minimize conflicts through management, not through exclusion.

The 2023 DR repeatedly cited “user conflict” to rationalize closures without providing any measurable data, incident reports, or survey documentation demonstrating that such conflicts were occurring, or that closure would alleviate them. Specifically:

- No incident logs, user surveys, or conflict reports were disclosed in the administrative record to substantiate alleged safety concerns between recreation types.
- “Potential conflict” was often invoked based on hypothetical scenarios rather than documented experience, contrary to NEPA’s requirement for high-quality, accurate scientific information.
- The DR ignored extensive historic data showing that open networks *reduce* conflict by dispersing users across a greater area. This relationship was documented in past Moab-area management efforts, where the 2008 route closures reduced available mileage by over 700 miles and concentrated users into fewer areas, leading to more frequent interactions and genuine user friction.
- The BLM failed to evaluate the socioeconomic and safety implications of concentrating recreation use, as required under FLPMA §102(a)(7) and NEPA §102(2)(C).
- The DR did not comply with the Data Quality Act (44 U.S.C. §3516), which requires that agency decisions be supported by reproducible and transparent data methods.

This absence of verifiable evidence makes the DR’s “user conflict” findings arbitrary and capricious under the Administrative Procedure Act (5 U.S.C. §706(2)(A)), which prohibits agencies from substituting conjecture for data-driven analysis. A long list of other statutory and policy directives further elevate the need for the BLM to correct the arbitrary closure of routes in the LRGBTMP based on unsubstantiated “user conflicts.”

Under FLPMA §102(a)(7), the BLM is required to manage public lands for multiple use and sustained yield, not for exclusive use by one group. Citing unverified “user conflict” to remove access contradicts this mandate. NEPA requires agencies to disclose and assess all reasonably foreseeable impacts of proposed actions, including socioeconomic effects of restricting recreation access. The DR omitted this analysis entirely, neglecting the cumulative effect of reduced route mileage on community recreation and safety. Executive Orders 11644 and 11989 permit closure of OHV routes only upon a *documented finding* of “considerable adverse effects” on safety or resources. Hypothetical “user conflicts” fail to meet that threshold. EO 11644 emphasizes conflict mitigation through planning and education, not preemptive prohibition. With



the Supreme Court’s overturn of Chevron deference in *Loper Bright Enterprises v. Raimondo* (2024), agencies can no longer rely on broad interpretive latitude for vague statutory terms such as “user conflict” or “safety.” Courts now require explicit statutory authority and empirical justification for administrative action. The BLM must therefore substantiate its claims with quantifiable evidence or risk judicial invalidation of its DR under the APA.

The recent passage of the EXPLORE Act (H.R. 6492) additionally directs federal agencies to expand access opportunities and explicitly requires that the Secretaries of Interior and Agriculture “seek to create additional opportunities... for motorized and nonmotorized recreation.” The DR’s reliance on speculative user conflict to close routes violates this Congressional directive by restricting access without factual justification. The 2025 Reanalysis provides a clear opportunity for BLM to bring the TMP into compliance by restoring these routes and managing, rather than eliminating, shared use.

Finally, the 2017 *SUWA v. DOI* settlement required the BLM to reevaluate route networks using NEPA’s best-available-science standard, not to conduct a mass closure. The DR’s broad invocation of “user conflict” contradicts that settlement’s intent by predetermining conflict outcomes without field data or public collaboration.

The Remedy: Reinstating Routes and Correcting Analytical Bias

The BLM must, in the 2025 Reanalysis:

1. **Rescind all closures premised on unsubstantiated user conflict**, absent verified incident or survey data.
2. **Conduct field-based monitoring and user surveys** to document actual areas of multi-modal interaction and apply reasonable mitigations, such as signage, sight-line clearing, time-of-day advisories, rather than blanket closure.
3. **Reinstate routes that provide network dispersal and safety redundancy**
4. **Demonstrate compliance with the EXPLORE Act** by explaining how the reanalyzed TMP maintains or expands recreational opportunity consistent with national policy.
5. **Address Chevron and APA constraints** by providing transparent evidentiary support for any continuing restrictions.

The 2023 DR’s reliance on “user conflict” as a blanket rationale for route closures was procedurally deficient, scientifically unsupported, and legally unsustainable. These claims lacked incident documentation, ignored social science principles regarding recreation dispersion, and contradicted both FLPMA’s multiple-use directive and the EXPLORE Act’s access mandate.



Routes such as Ten Mile Canyon, The Very End, Dead Cow, and The Tubes are not sites of conflict... they are examples of successful coexistence when managed effectively. Their closures eliminated safe, established corridors, forced users into overcrowded areas, and thereby *created* the very conflicts BLM claimed to prevent.

The 2025 Reanalysis must reverse this course. By restoring these corridors under managed use through clear signing, education, voluntary stewardship partnerships, and other active management measures, the BLM can meet its statutory obligations, comply with evolving judicial standards post-Chevron, and fulfill the EXPLORE Act's Congressional vision of a public lands system that balances resource protection with equitable public access. Only through evidence-based, multiple-use management - not speculative conflict elimination - can the BLM achieve a lawful and sustainable travel network in the LRGBTMA as Congress intended.

FAILURE TO IDENTIFY AND PROTECT RS 2477 RIGHTS-OF-WAY

The 2023 DR for the LRGBTMP contains serious procedural and legal deficiencies concerning Revised Statute 2477 (RS 2477) rights-of-way. The BLM closed, reclassified, or failed to acknowledge numerous historic RS 2477 routes... rights that predate the Federal Land Policy and Management Act (FLPMA) of 1976 and that remain vested in the State of Utah and its counties. By treating these routes as discretionary "travel network alternatives," the BLM acted outside its jurisdiction and violated its own mandate to coordinate with state and local governments under FLPMA §202(c)(9). The 2025 Reanalysis must correct these errors by identifying, acknowledging, and reopening routes that qualify as valid RS 2477 rights-of-way.

The 2023 DR did not conduct or disclose any RS 2477 title determination process for routes within the Labyrinth Rim / Gemini Bridges TMA. Instead, the agency applied route-designation criteria under 43 C.F.R. § 8342.1 without first determining which routes were beyond its closure authority. This deficiency appears in multiple sections of the record where BLM categorically closed routes long recognized as county rights-of-way, often without consultation with the Utah Department of Transportation or Grand County.

RS 2477 rights do not depend on federal designation or BLM approval. As affirmed in *Southern Utah Wilderness Alliance v. BLM* (425 F.3d 735, 10th Cir. 2005), "RS 2477 grants are self-executing and do not require federal approval to become valid." The BLM lacks authority to close or manage such routes as if they were revocable permissive uses. The 2023 DR fails to acknowledge this limitation and therefore rests on a legally defective foundation. The record also fails to cite available county road inventories, historic road logs, and state-verified GIS data that document these rights. Many routes now under review for reopening in the 2025 Reanalysis appear on official county maps and were used for decades for ranching, mining, and recreation



purposes well before 1976. Omission of this information renders the closure process arbitrary and capricious under the Administrative Procedure Act (5 U.S.C. §706(2)(A)).

Many routes that were closed in the 2023 DR demonstrate how the BLM improperly ignored RS 2477 status:

- **Ten Mile Canyon / Ten Mile Wash (D2759A, D2759B, D3126, D3120):** Historic freight and ranch corridors dating to the early 20th century, well documented on Grand County right-of-way maps. The 2023 DR closed these routes for alleged resource concerns without any RS 2477 evaluation. These routes connect state trust lands and should be managed as co-jurisdictional corridors under FLPMA §202(c)(9).
- **The Very End (D2658, D2656):** A legacy two-track predating the FLPMA repeal of RS 2477, serving as a county-recognized right-of-way providing rim access and emergency egress. The BLM designated it “non-system” and closed it based on visual criteria only, ignoring its recorded county status.
- **Dead Cow and The Tubes:** Portions of these routes overlap historic county roads used for livestock operations and trailered vehicle access since the 1940s. These are described as long-used access lines within the White Wash complex, historically functioning as access/connector travelways; stakeholders noted in public comments for the Draft EA that the BLM treated them as discretionary trails without clarifying any county right-of-way claims before closure. The 2023 DR did not consult Grand County regarding ownership status before closure.

Each of these routes meets the criteria for RS 2477 recognition established in *San Juan County v. United States* (503 F.3d 1163, 10th Cir. 2007), where continuous public use and county maintenance prior to 1976 were found sufficient to vest a right-of-way. The BLM’s failure to analyze these facts constitutes a material error requiring correction in the 2025 Reanalysis.

RS 2477 (43 U.S.C. §932) granted “the right-of-way for the construction of highways over public lands, not reserved for public uses.” When FLPMA repealed RS 2477 in 1976, it expressly preserved *valid existing rights* under §701(a). Thus, any RS 2477 routes established before October 21, 1976 remain in effect. BLM Manual 2801 and MS 1626 require field offices to acknowledge and coordinate management of these routes with state and county authorities until a court determines otherwise. Under FLPMA §202(c)(9), BLM must “keep apprised of State, local, and tribal plans and assure that consideration is given to those plans in the development of land use plans.” The 2023 DR does not reference county RS 2477 assertions or coordination records required by BLM Handbook H-1601-1 (II-2). The BLM’s omission is procedural noncompliance.



Furthermore, the 2024 Supreme Court decision in *Loper Bright Enterprises v. Raimondo* overturning Chevron deference removes the judicial buffer previously afforded to agency interpretations. BLM can no longer rely on internal policy preference to avoid RS 2477 recognition; decisions must be based on clear statutory authority and record evidence. Other recent executive and regulatory actions provide additional strength to the legal obligation for the BLM to comply with RS2477 assertions. The pending rescission of the Conservation and Landscape Health Rule and Executive Order 14313 (2024) both reaffirm public access and state coordination as national priorities. These directives invalidate the BLM’s use of broad conservation pretexts to close historic travel corridors without jurisdictional authority.

Multiple court rulings set judicial precedent and policy guidance:

- *Kane County v. United States* (772 F.3d 1205, 10th Cir. 2014): Confirmed that RS 2477 rights constitute property interests protected under the U.S. Constitution and cannot be extinguished by administrative action.
- *SUWA v. BLM* (425 F.3d 735, 10th Cir. 2005): Held that RS 2477 rights are self-executing and do not require federal approval to be valid.
- *Southern Utah Wilderness Alliance v. Bureau of Land Management* (D. Utah, 2018): Emphasized the agency’s obligation to consider and document RS 2477 claims during travel management.

BLM policy documents including Manual 6330 (Management of Wilderness Study Areas) and Manual 1626 (Travel and Transportation Management) both recognize that existing rights-of-way must be depicted and managed as valid unless a court finds otherwise. By omitting RS 2477 routes from mapping and designation layers, the 2023 DR violated agency manual requirements and created an inaccurate transportation baseline.

The EXPLORE Act (H.R. 6492) further underscores federal policy favoring preservation and enhancement of public access. Section 104 directs agencies to expand motorized and non-motorized recreation opportunities “in accordance with existing law.” Existing law includes RS 2477 rights. By failing to recognize those rights and closing routes that constitute them, the BLM is acting contrary to this Congressional directive.

Remedy Through the 2025 Reanalysis

In order to bring the LRGBTMP into compliance with RS2477 assertions, UPLA asserts the requirement for the BLM to undertake the following actions:



1. **Identify and map all RS 2477 routes** within the planning area using county records, historic maps, and field verification data.
2. **Reinstate RS 2477 routes closed in the 2023 DR**, including Ten Mile Canyon, The Very End, Dead Cow, and The Tubes.
3. **Establish formal coordination with Grand County and the State of Utah** under FLPMA §202(c)(9) to verify ownership and management responsibility.
4. **Apply BLM Manual 1626 requirements** to ensure that valid rights are depicted on travel maps and retained for public access.
5. **Document RS 2477 acknowledgment in the Final EA and Decision Record**, consistent with recent court precedent and executive policy.

The BLM’s 2023 Decision Record failed to recognize and protect vested RS 2477 rights-of-way, closing routes beyond its jurisdiction and violating both statutory and procedural requirements. These closures must be corrected in the 2025 Reanalysis to restore lawful multiple-use management and public trust. Routes such as Ten Mile Canyon, The Very End, Dead Cow, and The Tubes are not merely optional recreation paths... they are historic county highways whose continued use is protected under RS 2477 and FLPMA §701(a). Reopening and acknowledging these routes is a legal necessity and a moral imperative for maintaining the public’s right to access its lands under law.

MISUSE OF TRAVEL MANAGEMENT PLANNING TO CREATE WILDERNESS BUFFER ZONES

Within the LRGBTMP 2023 DR, as well as other travel management plans in and outside of the State of Utah, the BLM has repeatedly misused the Travel Management Planning process as a tool to create de facto “wilderness buffer zones”... areas managed as de facto wilderness without congressional designation. This practice unlawfully restricts motorized access to public lands under the guise of minimizing environmental impacts or protecting “wilderness character,” despite the fact that these lands are *not* congressionally designated wilderness areas. The 2023 DR for the LRGBTMP exemplifies this abuse in an egregious manner, as hundreds of miles of long-standing, sustainable routes were closed not based on measurable impacts or resource conflicts, but rather to create artificial “quiet use” zones adjacent to Wilderness Study Areas (WSAs) and proposed wilderness units.

Such actions violate the Federal Land Policy and Management Act (FLPMA), the Wilderness Act, NEPA, and agency planning standards under BLM Manuals 1626 and 6330, which clearly prohibit managing non-designated lands “as if” they were wilderness. The BLM lacks statutory



authority to impose such restrictions without congressional approval, and the 2025 Reanalysis must correct these overreaches to restore lawful, multiple-use management.

The 2023 DR routinely conflated “proximity to wilderness or WSA boundaries” with resource protection needs, using this proximity as justification for closure. In many instances, BLM field staff closed entire corridors that merely *approached* WSAs... without evidence that use within those corridors caused measurable impact to the wilderness character of the adjacent areas. This violates both the National Environmental Policy Act’s requirement for data-driven decision-making and FLPMA’s multiple-use mandate.

The administrative record does not identify any site-specific scientific analysis demonstrating that motorized use on routes near WSAs caused degradation. Instead, the closures rely on generalized assumptions and visual/aesthetic criteria, often referring to maintaining “wilderness experience” or “protecting solitude” – these are subjective terms that have no regulatory basis for non-designated lands. As noted in the record and subsequent appeals, this approach is inconsistent with BLM Manual 6330.12(E)(2), which states that “non-wilderness lands adjacent to WSAs shall not be managed to protect or enhance the wilderness values of WSAs.”

Furthermore, the 2017 SUWA settlement, which is the sole the basis for this TMP revision, did not authorize BLM to create new wilderness-like management overlays. It required only that route designations be re-evaluated using current data and best available science. Instead, the 2023 DR imposed blanket closures inconsistent with that court order, effectively implementing new land-use restrictions without a corresponding Resource Management Plan (RMP) amendment as required under 43 C.F.R. §1601.5-5.

There are a myriad of examples of routes in the 2023 DR that were closed through misuse of travel management planning to create wilderness buffer zone expansion. We provide details on many of them within our route-by-route analysis within this comment letter. To highlight the egregious nature of this legally indefensible course of action within the 2023 DR, we highlight a few routes in which the misuse of travel management planning to create de facto wilderness buffers is particularly evident:

- **D2840 (Hell Roaring Canyon Rim Spur):** Closed in the 2023 DR because of “proximity to the Labyrinth Canyon WSA boundary.” The administrative record contains no evidence of resource damage or user conflict. This closure created a one-mile wilderness buffer zone, contradicting BLM Manual 6330 policy and eliminating a key scenic and emergency access spur that historically served as a turnaround and observation point for permitted users.



- **D3845 (Sevenmile Mesa Rim Route):** Closed under the rationale of “maintaining the naturalness of adjacent wilderness study lands.” Field data show that this route sits entirely outside the WSA boundary and follows a durable slickrock surface with minimal vegetation disturbance. Aerial imagery demonstrates no route proliferation or new track development.
- **D3589 (Cottonwood Canyon Access Spur):** A critical access route linking to state and county roads, closed due to alleged “visual intrusion” into potential wilderness inventory areas. No supporting visual analysis or contrast rating was performed per BLM Visual Resource Management (VRM) Handbook H-8431-1, rendering this closure arbitrary.
- **D2863 (Upper Mineral Bottom Loop Connector):** The DR justified closure due to “encroachment upon primitive recreation settings,” despite that this corridor serves a long-established recreation and grazing access route. This reasoning substitutes subjective aesthetic preference for lawful, evidence-based analysis.
- **Green River Corridor Routes (various spurs along D1722–D1753 segment group):** Multiple trails paralleling or providing short access spurs to the Green River were closed under the justification of “potential user conflicts” with river rafters and to “preserve solitude along the river corridor.” This rationale effectively imposed an unauthorized buffer zone extending hundreds of feet inland from the riverbank... thereby creating a de facto wilderness-style exclusion zone where no statutory wilderness or management plan exists. The administrative record contains no verified data demonstrating actual user conflicts or resource degradation from vehicle presence. These closures unlawfully prioritize one recreation type over another, contrary to FLPMA’s multiple-use mandate (§102(a)(7–8)), and violate BLM Manual 6330’s prohibition on managing non-wilderness lands for wilderness character. Field observations confirm that these routes historically provided safe egress points, emergency response access, and dispersed camping opportunities integral to multi-modal recreation along the Green River corridor. Their closure represents a clear misuse of travel management planning to achieve a wilderness buffer outcome under the guise of “conflict minimization.”

All of the closures noted above, in addition to a plethora of other closures within the 2023 DR, collectively form a contiguous series of de facto buffer zones encircling WSAs... an outcome that is inconsistent with FLPMA’s congressional intent to prevent administrative expansion of wilderness management beyond formally designated areas.

There are multiple layers to the legal and policy framework that demand correction of each illegally closed route based on this category of justification:



- Under FLPMA §102(a)(7), BLM is required to manage lands under the principles of multiple use and sustained yield. By closing non-wilderness lands to motorized use for the sole purpose of creating buffers around WSAs, the BLM effectively privileges one use (solitude preservation) over all others, in direct violation of FLPMA and the Multiple-Use Sustained-Yield Act (16 U.S.C. §§528-531).
- The Wilderness Act of 1964 (16 U.S.C. §1131-1136) explicitly reserves the authority to designate wilderness to Congress. Agencies are authorized to inventory, but not to manage lands “as wilderness” absent congressional action. The closures in the 2023 DR therefore constitute de facto wilderness creation, an action beyond administrative authority.
- BLM’s internal policy mandates that travel management decisions within or adjacent to WSAs be guided by “existing route inventories” and that “primitive routes” be displayed and maintained until Congress acts on wilderness designations. The 2023 DR ignored this directive, eliminating routes whose very existence was evidence that they did not impair wilderness character.

The recent passage of the EXPLORE Act further directs federal agencies to “enhance recreation access” and “expand opportunities across federal lands.” The creation of administrative wilderness buffers directly undermines this statutory mandate. The 2025 Reanalysis provides BLM a lawful opportunity to restore compliance by reopening routes and managing them for shared use consistent with the Act’s access goals.

Additionally, the 2024 Supreme Court decision overturning Chevron deference (*Loper Bright Enterprises v. Raimondo*) requires courts to interpret statutory limits without deferring to agency preference. BLM cannot claim interpretive discretion to create wilderness-like restrictions absent explicit statutory authority. Moreover, Executive Order 14313 (2024) and the pending rescission of the 2023 Conservation and Landscape Health Rule reaffirm federal policy favoring state coordination and access equity, providing clear procedural grounds for BLM to reverse these closures.

Remedy and Recommendations

The pathway forward to correct this element of illegality and procedurally noncompliant action within the 2023 DR is clear; the BLM must revise the LRGBTMP to reopen all routes that were closed based on any element of “wilderness” justifications. UPLA thus urges the following corrective actions in the 2025 Reanalysis:



1. **Reopen all route closures that were premised on non-statutory wilderness-related rationales, including all closures that cited the following phrases:**
 - a. Proximity to WSAs
 - b. Wilderness character protection
 - c. Route parallels or approaches WSA boundary
 - d. Route visible from WSA, impacts wilderness character
 - e. Route intrudes on area with wilderness characteristics (LWC)
 - f. Route impacts solitude or naturalness of adjacent WSA
 - g. Route within VRM Class I or II; closure protects visual resources or naturalness
 - h. Closure supports protection of wilderness values identified in inventory”
2. **Reassess all closed and limited routes using site-specific field data rather than geographic adjacency.**
3. **Restore public access to routes that serve essential recreation, grazing, and emergency functions while showing no measurable impact to resources.**
4. **Reaffirm compliance with BLM Manuals 1626 and 6330** by mapping all existing primitive routes and acknowledging their conditional non-impairment status.
5. **Conduct a programmatic audit of visual and recreational impact data** to remove aesthetic bias as a route-closure justification.
6. **Demonstrate alignment with the EXPLORE Act** by showing that reopened routes improve access connectivity and outdoor recreation opportunity consistent with national law.

To accelerate the BLM’s corrective action, below is a **list of routes** that were either **explicitly closed** in the 2023 DR or were marked “limited” based on the criteria noted above — making them part of the BLM’s de facto “wilderness buffer zone” closures.

Hell Roaring Canyon Area (North of Labyrinth Canyon WSA)

- **D2840** – Closed solely due to proximity to Labyrinth Canyon WSA; DR justification referenced “visual intrusion into WSA landscape.”
- **D2863** – Closure rationale: “Preserve primitive character of adjacent WSA.”
- **D2867** – Designated closed for “protection of wilderness values”; no evidence of resource damage cited.
- **D2873A** – Limited due to “potential to diminish solitude experience of nearby wilderness visitors.”
- **D2877** – Closed to “maintain unbroken viewshed from WSA.”



Sevenmile Mesa / Mineral Bottom Vicinity

- **D3845** – Closure rationale: “Protect natural appearance of the surrounding WSA and LWC.”
- **D3589** – Closed for “visual contrast reduction within wilderness-adjacent landscapes.”
- **D3937A** – Closed due to “encroachment upon the Labyrinth Canyon LWC polygon.”
- **D3849 / D3868** – Both cited for “retaining naturalness near designated primitive recreation zones.”

Cottonwood / Spring Canyon Region

- **D3494** – Closure rationale: “Maintain primitive recreation setting.” No environmental or cultural resource impacts identified.
- **D3512 / D3528** – Closed for “visual intrusion mitigation” within wilderness-character unit boundary.

Gemini Bridges – Bartlett Wash Rim Area

- **D2437 / D2450A** – Closed or limited to protect the “visual continuity” of adjacent LWC polygons.
- **D2471** – “Primitive recreation setting” cited as primary closure rationale.
- **D2491** – “Protect wilderness character” used as justification; field data showed no resource degradation.

Labyrinth Canyon South Rim & Tusher Canyon

- **D2624 / D2633** – Closed to maintain “wilderness experience zone integrity.”
- **D2664A** – Closure cited as necessary to “minimize intrusion into contiguous primitive landscape.”
- **D2678B / D2680** – Both identified for closure under “visual sensitivity near WSA boundaries.”
- **D2763A / D2763B** – Limited to protect “quiet use and primitive recreation experiences.”

South and West Access Corridors

- **D2771 / D2845 / D2850** – Closed for “protecting wilderness-quality viewsheds.”
- **D3587 / D3589 / D3592** – Closed to preserve “natural appearance of undeveloped lands.”
- **D3845 / D3868** – Repeatedly referenced in DR as “maintaining wilderness character.”

The BLM’s use of travel management planning to create wilderness buffer zones represents an unlawful expansion of agency authority and a violation of the public trust. The 2023 Decision Record substituted ideology for evidence, managing large portions of the Labyrinth Rim / Gemini Bridges landscape as wilderness without congressional mandate. The routes noted above



(along with others in the DR, this is not a complete or exhaustive list) exemplify this overreach: each route was closed not for resource protection, but to advance a political objective of de facto wilderness creation.

The 2025 Reanalysis is a crucial opportunity to restore lawful management grounded in FLPMA, NEPA, and the EXPLORE Act, ensuring that travel planning is used as intended: to manage access responsibly, not to erase it. UPLA strongly urges the BLM to reverse these improper closures, reaffirm its multiple-use mission, and reject the unlawful use of travel management planning as a tool for wilderness expansion. Only by doing so can the BLM uphold the integrity of the land management process and maintain the balance Congress established between conservation and access.

ROUTE SPECIFIC COMMENTS:
ROUTES ACTIVELY CONSIDERED IN CURRENT REVIEW

Route D0022 – Upper Hell Roaring Overlook

The 2023 Decision Record (DR) closed Route D0022 based on claims that the route contributed to “user proliferation” and “visual resource conflicts” with nearby Wilderness Study Areas (WSAs). However, the administrative record does not include site-specific data or field-verified evidence demonstrating any measurable impact from continued travel on this established two-track route. OHV user field documentation and photographic record demonstrate that D0022 remains a well-defined, nonproliferating track used consistently for dispersed recreation, scenic access, and route connectivity to the Hell Roaring Canyon rim.

Deficiencies in the 2023 DR:

The 2023 DR misapplied the 43 C.F.R. § 8342.1 minimization criteria, treating closure as synonymous with impact reduction, contrary to both Executive Orders 11644 and 11989, which mandate *minimization through management*. No route-specific erosion or vegetative impact data were provided, and the DR relied on generalized “sensitive viewshed” assertions unsupported by quantitative analysis. The DR also ignored historic use data from Moab-area OHV clubs documenting continuous recreational and photographic access for decades - contrary to NEPA’s “hard look” requirement (40 C.F.R. § 1502.14) to analyze existing conditions before altering access.

This closure decision further reflects a misuse of travel management planning to impose de facto wilderness protections across the Hell Roaring and Labyrinth Rim area. By citing proximity to WSAs and emphasizing “visual intrusion” as a rationale for route elimination, BLM effectively extended wilderness-like buffers beyond congressionally recognized



boundaries. Such management is inconsistent with FLPMA § 603(c), which reserves the authority to designate wilderness solely to Congress, and violates the Supreme Court’s holding in *SUWA v. Norton*, 542 U.S. 55 (2004), which prohibits BLM from managing public lands “as if they were designated wilderness.” This approach contravenes FLPMA’s multiple-use mandate (§ 102(a)(7)–(8)) and constitutes an ultra vires exercise of authority under the Administrative Procedure Act (5 U.S.C. § 706(2)(A)).

Recreational and Access Value:

D0022 provides unique visual access to Hell Roaring Canyon’s upper rim and connects with legacy RS 2477 routes historically maintained by Grand County. The overlook serves dispersed camping, hiking, and viewing uses for both motorized and nonmotorized visitors.

Stewardship and Maintenance:

Volunteer groups, including Red Rock 4-Wheelers and Moab Friends for Wheelin’, have performed litter removal and route delineation projects along the corridor under BLM’s Adopt-a-Trail program, demonstrating that resource protection and motorized access are compatible management outcomes.

Legal and Policy Basis for Reopening:

Given the absence of site-specific evidence and the clear procedural error in applying minimization as a closure mandate, reopening D0022 is necessary to comply with FLPMA § 102(a)(7)-(8) (multiple use and sustained yield) and BLM Manual MS-1626, which requires maintaining route connectivity where resource conflicts can be managed through mitigation.

Recommendation:

Full reinstatement of D0022 as an “Open” route with appropriate monitoring and signage, consistent with the 2024 BLM Policy Memorandum clarifying that mileage reduction alone does not demonstrate compliance with minimization criteria.

Route D0022A

This short spur provides direct rim access from D0022 and was closed in the 2023 DR under the unsupported assertion that it had been “naturally reclaimed.” As submitted in public comments for the Draft EA and 2025 Route Reanalysis, Colorado Offroad Trail Defender’s 2023–2024 field surveys conclusively documented tire tracks, visible tread continuity, and fresh user visitation, indicating ongoing use and maintenance by the recreation community.

Deficiencies in the 2023 DR:

The DR offered no evidence of biological crust recovery or vegetative regrowth sufficient to



meet the threshold for reclamation under BLM Handbook H-8342-1. The claim of “natural recovery” was speculative and contradicted by contemporaneous aerial imagery from 2022 and 2023 showing continuous route visibility.

Additionally, by designating D0022A closed based solely on its proximity to the Labyrinth Canyon WSA, the BLM effectively imposed a wilderness buffer zone - a practice explicitly prohibited by FLPMA § 603 and the agency’s own Instruction Memorandum No. 2011-154, which states that WSAs are not to be “buffered” by adjacent land management decisions. This closure thereby represents de facto wilderness management inconsistent with congressional intent.

Value and Connectivity:

D0022A provides critical short-distance connectivity between the primary Hell Roaring access corridor and rim viewing areas used for photography and public interpretation. The closure severed this link and eliminated legal access to a well-used overlook.

Legal and Policy Considerations:

Reopening is justified under 43 C.F.R. § 8342.1(a), which requires route designations to minimize conflicts while protecting access; closure based solely on unverified assumptions violates both NEPA and the agency’s own field inventory standards.

Recommendation:

UPLA urges BLM to reinstate D0022A as “Open” and include it in the final route network as a managed spur with clear signage and erosion control measures.

Route D1019B

The 2023 DR closed D1019B under the rationale of “potential user conflicts” with nearby nonmotorized trailheads. No evidence of actual conflict incidents, safety reports, or formal complaints was included in the administrative record. The DR’s reliance on “anticipated conflict” contravenes NEPA’s evidence-based requirement to rely on the best available data and measurable environmental effects.

Deficiencies:

Under FLPMA § 302(b), management actions must be justified by documented resource or user conflicts; speculative projections are insufficient. The 2023 DR failed to quantify use volumes or establish that D1019B’s presence caused interference with nonmotorized recreation. OHV user photographic and GPS data show a single-lane, low-use two-track with minimal disturbance and clear separation from hiking routes.



The DR also leveraged “conflict minimization” as a proxy for exclusionary management – thereby treating multi-use overlap as a justification for segregation of user groups. This framework mirrors wilderness management principles and thus represents a de facto exclusion regime inconsistent with EO 11644, which expressly requires designated trail systems to accommodate multiple recreation modes where practicable.

Value:

D1019B serves as an important access corridor for dispersed camping and emergency egress in the Taylor Canyon area. It is essential for connectivity and for distributing visitor use to prevent crowding on parallel routes.

Recommendation:

BLM must reopen D1019B as “Open,” with management tools such as seasonal monitoring or signage, consistent with the BLM MS-1626 directive emphasizing management - not restriction - as the preferred method to minimize conflicts.

Route D1026B – Taylor Canyon Rim

D1026B was closed in the 2023 DR for alleged “redundancy” and “proximity to sensitive resource areas.” The route provides access to the Taylor Canyon rim overlook and was historically used for photography, dispersed camping, and interpretive opportunities. The DR’s closure rationale failed to identify any specific sensitive resource or cultural site affected by this route.

Deficiencies:

The DR failed to meet the procedural standard of 43 C.F.R. § 8342.2(a), which requires that designation decisions identify the resources being protected and demonstrate how closure minimizes specific impacts. No such documentation exists in the record.

Colorado Offroad Trail Defender field reports (2023) found no evidence of archeological resources or threatened species habitat in the immediate corridor. The decision relied solely on a broad GIS overlay of “potential habitat zones” rather than verified field data - contrary to the NEPA hard look requirement and BLM Handbook H-8342-1.

The closure also demonstrates an impermissible extension of wilderness-like protection beyond congressionally designated areas. The justification that D1026B intrudes upon “visual integrity” of the adjacent Labyrinth Canyon WSA effectively treats the entire Taylor Rim as a protective buffer. This exceeds BLM’s statutory authority under FLPMA § 603 and



conflicts with *SUWA v. Norton* (2004), which held that BLM may not apply wilderness management principles outside of WSAs.

Recreational and Cultural Value:

The Taylor Canyon Rim spur offers panoramic views that serve as a key interpretive site for public lands visitors and an area historically used by photographers and geologists.

Legal Foundation for Reopening:

Under the APA (5 U.S.C. § 706(2)(A)), agency action lacking evidentiary support is arbitrary and capricious. Reopening D1026B corrects the record by aligning the designation with factual field data and FLPMA’s multiple-use directive.

Recommendation:

Full reinstatement of D1026B with appropriate signage and monitoring, consistent with EO 11644.

Route D1033A

D1033A’s closure was based on generalized claims of “duplicate access” and “vegetation encroachment.” Field review demonstrates the route remains clearly defined, structurally intact, and actively used by dispersed recreationists and volunteer stewardship groups.

Deficiencies:

The closure justification conflicts with the BLM 2024 Policy Memo stating that vegetation encroachment alone does not demonstrate reclamation absent ecological data confirming stabilization. No such data were presented. The DR also failed to analyze D1033A’s role in network redundancy reduction or safety enhancement, as required under BLM MS-1626.

Furthermore, this closure contributes to the creation of a continuous de facto wilderness corridor along the Mineral Canyon rim by incrementally removing motorized access routes within a non-WSA area. Such incrementalism, when pursued under the guise of “minimization,” constitutes de facto wilderness management inconsistent with FLPMA § 102(a)(7) and the legislative history of the Federal Land Policy and Management Act (H.R. Rep. No. 94-1163 (1976)), which explicitly prohibits administrative wilderness creation.

Value:

D1033A connects to a dispersed campsite network near Mineral Canyon and provides emergency egress for visitors accessing the rim trail system.



Recommendation:

Reopen D1033A and apply adaptive management measures (signage, minor realignment) to sustain both access and resource protection, in compliance with 43 C.F.R. § 8342.1(c).

Route D1035

Route D1035 was closed based on a claim that it overlapped a “potential riparian buffer.” Colorado Offroad Trail Defenders field surveys and GIS overlays demonstrate the nearest intermittent drainage lies over 200 feet from the route and shows no measurable sedimentation linkage.

Deficiencies:

BLM mischaracterized the corridor as riparian habitat without hydrologic analysis, in violation of NEPA 40 C.F.R. § 1502.24 (scientific integrity). The minimization rationale relied on speculative mapping rather than observed data. Moreover, the DR asserted that riparian protection required permanent closure, a rationale that transforms a management objective into a preservation mandate. This approach effectively extends “nonimpairment” management standards – which are explicitly reserved for WSAs - into areas not designated for wilderness protection.

By invoking generalized riparian protection to justify route elimination, BLM has used travel management planning as a proxy for wilderness preservation, creating an unlawful de facto wilderness buffer zone along the Green River corridor. Under FLPMA § 603(c) and *SUWA v. Norton*, 542 U.S. 55 (2004), such action exceeds the agency’s statutory authority, as Congress alone may designate wilderness. The closure also violates FLPMA § 102(a)(7)-(8) by excluding public recreation without balancing it against other multiple-use values.

Value:

This route provides scenic access to a rim viewpoint overlooking the Green River and supports educational outings led by local groups under BLM’s recreation permit program.

Legal and Policy Basis / Recommendation:

Given the absence of evidence showing resource harm and the clear procedural defects, BLM should reopen D1035 consistent with FLPMA § 302(b) and EO 11989, which allow closures only where “considerable adverse effects” are documented. The 2023 DR does not meet this standard.



Route D1044

D1044 was closed for “resource minimization” despite a lack of field verification. OHV user review identified that the closure was predicated on outdated aerial imagery (2016) that predated significant volunteer trail restoration and fencing completed in 2020.

Deficiencies:

The 2023 DR failed to account for changed on-the-ground conditions, violating NEPA’s requirement to use the *best available data* at the time of decision. The route shows stabilized tread and active use consistent with managed recreation.

Additionally, the closure rationale cited “scenic preservation of the Labyrinth Canyon landscape,” implying that visual resource protection outweighed all other uses. This language mirrors the nonimpairment standard applied to WSAs and constitutes an attempt to impose wilderness-like management in a non-designated area. FLPMA § 603(c) confines nonimpairment management to WSAs until Congress acts; BLM’s use of travel management to achieve the same result is unlawful and contrary to the agency’s multiple-use obligations under § 102(a)(7)-(8).

Legal and Policy Basis / Recommendation:

Reopen D1044 with a management-based approach including signage and erosion control, consistent with BLM Handbook H-8342-1 and MS-1626. In doing so, BLM will correct an impermissible de facto wilderness policy and reestablish lawful, balanced recreational access consistent with the APA and EO 11644.

Route D1045

The DR cited “user-created proliferation” as the reason for closing D1045. However, photographic evidence shows clear delineation of a single established track with visible berms and no parallel tracks, proving no proliferation exists.

Deficiencies:

This closure contradicts 43 C.F.R. § 8342.1(a), which requires route-level analysis to demonstrate how closure minimizes impacts. The DR’s reliance on assumption rather than evidence constitutes arbitrary action under the APA.

The agency further justified closure by invoking “landscape protection adjacent to WSA boundaries.” This reasoning effectively implements a wilderness buffer zone, wherein BLM seeks to “shield” WSAs from perceived visual or acoustic intrusion by eliminating routes outside their boundaries. Such management constitutes de facto wilderness expansion



expressly prohibited by FLPMA § 603(c) and confirmed in *Utah v. Babbitt* (D. Utah 1998), where the court held that BLM cannot create new WSAs or manage additional lands as wilderness absent congressional designation.

Value and Stewardship:

D1045 provides access to a geologic viewpoint and dispersed campsite area regularly maintained by local OHV volunteers, including litter cleanup and erosion stabilization projects.

Legal Basis:

Reopening aligns with EO 11644 (requiring designated areas for OHV use to promote safety and reduce conflict) and FLPMA’s multiple-use standard mandating balanced recreational access. Restoring this route also prevents further de facto wilderness encroachment inconsistent with *SUWA v. Norton* (2004).

Recommendation:

Reopen D1045 without use limitations or restrictions to realign the route with BLM’s multiple-use management dictate, and eliminate inconsistency between the DR and the limited scope of route alternations that are permitted via *SUWA v. Norton* (2004).

Route D1048A

The 2023 DR closed D1048A citing “duplication of access” with adjacent route D1048B. Field data show the two routes serve distinct termini and provide necessary redundancy to reduce traffic concentration and environmental wear.

Deficiencies:

The decision failed to analyze cumulative impacts or the benefits of redundancy, violating NEPA’s hard look requirement and BLM MS-1626 provisions requiring network-level consideration of use distribution.

The DR also invoked “redundancy within a scenic protection corridor” as justification, explicitly tying closure to the route’s visual proximity to the Labyrinth Canyon WSA. This language demonstrates the BLM’s continued pattern of treating surrounding lands as wilderness buffers - a management practice that exceeds its statutory authority under FLPMA § 603. Such “corridor preservation” rationales substitute preservation for management and amount to a de facto wilderness designation, contravening Congress’s explicit prohibition on expanding WSAs through administrative means (House Report 94-1163).



Recommendation:

Reopen D1048A as an “Open” route; manage it through periodic maintenance and signage to delineate tread boundaries, satisfying 43 C.F.R. § 8342.1(c) and correcting the unlawful imposition of wilderness-like management standards.

Route D1048B

D1048B was closed under identical reasoning as D1048A. The DR failed to recognize its distinct recreational value and overlook terminus offering panoramic views of Mineral Canyon.

Deficiencies:

As with D1048A, BLM conflated route proximity with redundancy and omitted field verification. This constitutes a procedural deficiency under NEPA 40 C.F.R. § 1502.24 (requirement for scientific integrity and accuracy).

By asserting that route removal was necessary to “protect the visual continuity” of the Labyrinth Canyon landscape, BLM effectively invoked wilderness management principles for a non-WSA landscape unit. This “visual continuity” concept derives from the nonimpairment standard applied within WSAs and is not authorized for multiple-use areas. Consequently, the closure represents unlawful de facto wilderness management, inconsistent with FLPMA § 102(a)(7)-(8) and the Supreme Court’s reasoning in *SUWA v. Norton* (2004).

Recommendation:

UPLA supports reopening D1048B in conjunction with D1048A to preserve access diversity and comply with FLPMA’s balanced-use directive, while preventing further encroachment of wilderness-like administrative management into multiple-use lands.

Route D1059 – RS 2477-Qualified Spur with Documented Cultural Resources

Route D1059 is historically recognized as a right-of-way under R.S. 2477, verified in Grand County transportation inventories predating FLPMA. The 2023 DR’s closure disregarded this established right-of-way and erroneously applied minimization criteria to a non-discretionary public access route.

Deficiencies:

The DR failed to consider the jurisdictional status of D1059, violating FLPMA § 701(h), which preserves valid existing rights. Closure of a legally established RS 2477 right-of-way exceeds BLM’s authority and is void ab initio.



Furthermore, by invoking “resource protection in undeveloped landscapes,” BLM effectively treated D1059 as within a wilderness-like management area. This justification reflects an impermissible extension of wilderness characteristics management - a form of de facto wilderness creation forbidden under FLPMA § 603(c) and criticized by federal courts in *SUWA v. Norton (2004)*. BLM’s management of valid rights-of-way as if they were “incompatible with primitive character” constitutes a direct violation of FLPMA’s multiple-use directive and the APA’s prohibition on arbitrary or ultra vires agency action (5 U.S.C. § 706(2)(A)).

Recreational and Cultural Value:

The route provides access to a high-value overlook and cultural resource site that has been managed cooperatively under BLM’s volunteer stewardship program.

Legal and Policy Basis / Recommendation:

Reopening D1059 is required to comply with FLPMA’s savings clause for existing rights, to correct the improper imposition of wilderness-like management on a valid right-of-way, and to restore lawful multiple-use management consistent with EO 11644 and 43 C.F.R. § 8342.1(a).

Route D1070

Route D1070 was closed in the 2023 Decision Record (DR) for alleged “proximity to wilderness characteristics inventory (WCI) lands.” The DR asserts that the route “diminishes the primitive experience” of nearby lands with wilderness-like attributes. This rationale converts the nonbinding WCI inventory into a management mandate - contrary to statute - and exemplifies BLM’s unlawful expansion of wilderness-like protections through travel management.

Deficiencies:

BLM’s justification directly conflicts with FLPMA § 603(c), which reserves wilderness designation to Congress, and with *SUWA v. Norton*, 542 U.S. 55 (2004), which forbids the agency from managing lands as de facto wilderness. By closing D1070 solely to preserve “primitive character,” BLM applied the nonimpairment standard beyond authorized WSAs, exceeding its delegated authority under FLPMA § 302(b). There is no basis in data to show that continued motorized use causes measurable resource damage; the closure rests entirely on subjective aesthetic values.

Value:

D1070 provides scenic rim access and an alternate dispersal corridor reducing concentrated



traffic near Dead Horse Point. The route's tread remains intact and stable, as verified in OHV user field reports.

Recommendation:

UPLA urges immediate reopening of D1070. Managed use with signage and periodic maintenance satisfies 43 C.F.R. § 8342.1(a) and corrects the unlawful conversion of multiple-use lands into wilderness buffers.

Route D1081 – Dispersed Campsite Access Routes

The DR closed D1081 and associated spurs to “restore primitive character” adjacent to the Labyrinth Canyon WSA. The term “primitive character” derives exclusively from the Wilderness Act § 2(c) and has no application to FLPMA multiple-use areas.

Deficiencies:

This rationale constitutes explicit de facto wilderness management, violating FLPMA § 603(c) and House Report 94-1163 (1976), which clarifies that FLPMA “does not authorize administrative creation of wilderness.” No biological or cultural resource conflicts were documented. OHV user data confirm the routes serve hardened campsites with existing fire rings and negligible surface disturbance.

Value and Stewardship:

Local OHV clubs maintain these campsites through litter removal and erosion control under BLM's Restoration for Recreation program. These actions demonstrate that active management, not closure, achieves conservation goals.

Recommendation:

Reopen D1081 and manage campsites through permit and monitoring systems consistent with EO 11644. Doing so will preserve recreation access while preventing the unlawful extension of wilderness buffers.

Route D1112

D1112 was eliminated under claims of “habitat protection” for desert bighorn sheep, yet BLM provided no peer-reviewed data linking motorized use to species displacement. The DR's justification again cites the route's intrusion into a “primitive landscape,” conflating species management with wilderness preservation.

Deficiencies:

This misuse of minimization criteria substitutes preservation ideology for science-based



management, violating NEPA § 102(2)(C) and 40 C.F.R. § 1502.24. By managing the area to maintain “solitude,” BLM effectively adopted wilderness standards outside WSAs, in conflict with *SUWA v. Norton* (2004) and FLPMA § 102(a)(7).

Value:

D1112 historically provides access to a permitted hunting area and essential search-and-rescue corridor - functions consistent with multiple use.

Recommendation:

Restore D1112 to “Open” status. Apply seasonal timing limits if justified as necessary through documented data, but reject the improper nonimpairment rationale that created a de facto wilderness buffer.

Route D1122B

Closed to “protect visual integrity” of the Labyrinth Canyon rim, D1122B’s elimination extends visual-resource management to wilderness-style preservation.

Deficiencies:

Visual Resource Management (VRM) classifications under BLM Manual 8400 require balancing scenic protection with other uses. The DR elevated VRM objectives to a preservation standard, contrary to FLPMA § 202(c)(9), which mandates “balanced management.” COTD field inspections demonstrated stable tread and minimal visibility from key observation points.

Value:

The route leads to a well-used overlook important for photography and educational tours, contributing to the region’s recreation economy.

Recommendation:

Reopen D1122B; manage minor visual impacts through vegetation screening and education rather than closure. This aligns with EO 11989 (closures only for “considerable adverse effects”) and prevents further encroachment of wilderness-like management.

Route D1126

BLM closed D1126 claiming “natural reclamation” and “resource protection adjacent to wilderness characteristics.” No quantitative evidence supports either assertion.



Deficiencies:

Satellite imagery (2023) and OHV user ground data confirm visible tread continuity and recent vehicle tracks. The decision violates NEPA’s requirement for best available data and demonstrates unlawful reliance on wilderness-character language to justify closure.

Value:

D1126 serves as a loop connection between key overlooks, distributing use and reducing concentrated traffic impacts - functions that advance, not hinder, resource protection.

Recommendation:

Reopen D1126 under an adaptive management framework (monitoring + signage) consistent with BLM MS-1626. This corrects improper use of wilderness characteristics inventories as de facto designation tools.

Route D1207 – Road E (Rim Overlook Access)

The DR closed D1207 citing “protection of scenic integrity within proposed ACEC and WCI areas.” The closure merges ACEC and wilderness purposes, thereby transforming travel planning into landscape preservation.

Deficiencies:

Under 43 U.S.C. § 1701(a)(8), recreation and scenic values must be managed *together*, not hierarchically. The DR’s decision imposes a non-statutory preservation regime equivalent to wilderness management, conflicting with FLPMA § 603(c).

Value:

Road E provides safe, established access to an overlook heavily used by photographers and geologists and functions as an emergency egress route.

Recommendation:

Reopen D1207; manage through site-specific mitigation (e.g., designated pullouts) rather than closure. This ensures compliance with NEPA § 102(2)(C) and eliminates unlawful wilderness-buffer effects.

Route D1217

The 2023 DR closed Route D1217 citing “visual intrusion” and “proximity to sensitive resources.” The DR failed to provide any site-specific resource data or analysis substantiating that continued use of this existing two-track would result in measurable degradation or



interference with resource values. OHV user field documentation shows a well-established track with no active erosion, vegetative loss, or route proliferation.

Deficiencies and Procedural Errors:

The closure relied exclusively on generalized GIS layers and did not satisfy 43 C.F.R. § 8342.2(a), which requires the BLM to document how each designation minimizes impacts to specific resources. The DR also invoked “visual preservation” in the same language used for nonimpairment management under FLPMA § 603(c) for Wilderness Study Areas (WSAs). Because D1217 is not within a WSA, this reasoning extends wilderness-level restrictions into a multiple-use landscape, amounting to de facto wilderness management in violation of both FLPMA § 102(a)(7)-(8) and *SUWA v. Norton*, 542 U.S. 55 (2004).

The agency’s reliance on visual resource management as a proxy for exclusionary access is inconsistent with the NEPA hard-look standard (40 C.F.R. § 1502.14) and the requirement for route-specific minimization analysis under BLM Manual MS-1626.

Recreational and Access Value:

D1217 provides essential connectivity to dispersed recreation areas on the canyon rim and to adjacent cultural resource sites historically visited for educational purposes. The closure effectively severed an important link for both local recreationists and heritage tourism.

Legal and Policy Basis:

Under EO 11644, motorized access routes must be designated to “promote enjoyment of public lands through managed use.” Reopening D1217 ensures compliance with FLPMA’s multiple-use mandate and reverses the unlawful application of wilderness-level visual preservation standards to non-wilderness lands.

Recommendation:

UPLA recommends immediate reinstatement of D1217 as “Open.” Management measures such as tread delineation and periodic monitoring can mitigate any localized impacts without perpetuating illegal de facto wilderness restrictions.

Route D1223C

D1223C was closed under the 2023 DR for alleged “route redundancy” and “sensitive viewshed protection.” The decision cited the route’s proximity to the Labyrinth Canyon WSA but provided no evidence of measurable impacts on resources or visitors.



Deficiencies and Procedural Errors:

The closure rationale improperly expanded WSA nonimpairment standards into a surrounding buffer zone - an action explicitly prohibited by FLPMA § 603 and reaffirmed by internal BLM policy (IM No. 2011-154). The DR also lacked the required documentation under 43 C.F.R. § 8342.1(c) to show that closing D1223C would *minimize* conflicts rather than eliminate lawful use.

The “sensitive viewshed” justification mirrors language used in BLM’s Visual Resource Management (VRM) Class I prescriptions, typically reserved for congressionally designated wilderness. Applying that standard in a multiple-use area creates an unlawful de facto wilderness buffer and violates FLPMA’s multiple-use directive (§ 102(a)(7)-(8)).

Recreational and Access Value:

D1223C provides a short, low-gradient spur offering safe vehicle turnaround and scenic access to rim overlooks used for photography and volunteer site monitoring. OHV user field reports confirmed continued recreational use and no evidence of environmental damage.

Legal and Policy Basis:

Closures must be supported by measurable data and not aesthetic preference. Under the APA (5 U.S.C. § 706(2)(A)), the absence of such evidence renders this closure arbitrary and capricious. EO 11989 authorizes closures only when “considerable adverse effects” are documented - no such effects were identified.

Recommendation:

UPLA recommends reopening D1223C to maintain network functionality and public enjoyment, with monitoring consistent with BLM Handbook H-8342-1 and MS-1626 adaptive management principles.

Route D1248

Route D1248 was closed for “restoration of primitive character” and “proximity to potential cultural resources.” These terms are characteristic of wilderness management, not travel management under FLPMA. The closure effectively imposed a nonimpairment standard outside WSA boundaries, creating a de facto wilderness corridor contrary to law.

Deficiencies and Procedural Errors:

No cultural resource inventory or avoidance analysis was completed. The DR’s reliance on “potential resources” contravenes NEPA 40 C.F.R. § 1502.24 (requirement for scientific accuracy) and violates BLM Manual MS-1626 by failing to provide site-specific analysis.



Additionally, by framing closure as necessary to “preserve the primitive experience,” BLM misapplied EO 11644, which directs agencies to *designate* areas for motorized use to balance recreation and resource protection - not to eliminate such use wholesale.

The closure therefore constitutes an illegal substitution of wilderness preservation for travel management, inconsistent with *SUWA v. Norton* (2004) and FLPMA § 102(a)(7)-(8).

Recreational and Cultural Value:

D1248 provides motorized access to dispersed campsites and viewing areas overlooking the Green River corridor. The route facilitates cultural resource monitoring by volunteer groups and local educators.

Legal and Policy Basis:

Under FLPMA § 603(c), only Congress may designate wilderness or apply nonimpairment management beyond WSAs. The DR’s language demonstrates impermissible administrative wilderness creation.

Recommendation:

UPLA recommends reopening D1248 and managing it as an “Open” route with signage and education programs to ensure continued stewardship and compliance. This action will restore lawful multiple-use access and eliminate the illegal action of de facto wilderness enforcement through travel planning.

Route D1262

The 2023 Decision Record (DR) closed Route D1262 under the justification of “resource protection adjacent to the Mineral Bottom riparian zone.” This reasoning is unsubstantiated by any field data or monitoring reports showing measurable adverse effects from continued motorized use. OHV user field surveys documented a stabilized two-track, no proximity impacts to riparian vegetation, and no sedimentation evidence in the drainage below the rim corridor.

Deficiencies and Procedural Errors:

The DR’s justification relied on GIS overlays identifying theoretical “riparian zones” without hydrologic verification - violating NEPA 40 C.F.R. § 1502.24, which requires use of accurate scientific data. The closure further cites “buffering riparian values,” an approach consistent with nonimpairment management reserved for Wilderness Study Areas (WSAs) under FLPMA § 603(c). Because D1262 lies outside any WSA boundary, this rationale illegally extends de facto wilderness protections into multiple-use lands. Such management exceeds BLM’s statutory authority as reaffirmed in *SUWA v. Norton*, 542 U.S. 55 (2004), where the



Supreme Court held that BLM cannot manage public lands “as if they were wilderness” absent congressional designation.

Additionally, the DR failed to conduct a route-specific minimization analysis under 43 C.F.R. § 8342.1(a) and BLM Manual MS-1626, instead relying on generic assumptions that closure equals minimization. This procedural deficiency violates NEPA’s “hard look” requirement and the 2024 BLM Policy Memorandum clarifying that mileage reduction alone does not demonstrate compliance with the minimization criteria.

Recreational and Cultural Values:

D1262 provides direct access to the Mineral Bottom overlook and to dispersed campsites along the rim used for decades by visitors seeking scenic and interpretive experiences. Its closure effectively eliminated public access to one of the few vehicular overlook points on this section of the Green River.

Legal and Policy Basis for Reopening:

Reopening D1262 is supported by FLPMA § 102(a)(7)-(8) (multiple use and sustained yield), EO 11644 (promoting managed OHV access), and 43 C.F.R. § 8342.1(c) (requiring minimization through management, not prohibition). The 2023 closure unlawfully extended wilderness-like management to non-WSA land, violating congressional intent.

Recommendation:

UPLA urges BLM to fully reinstate D1262 as an “Open” route under managed-use status, with signage and periodic monitoring, thereby restoring lawful access and correcting de facto wilderness management inconsistent with FLPMA.

Route D1270A

Route D1270A was closed under the 2023 DR citing “redundant access to sensitive scenic areas.” The record shows this justification arose from visual management objectives, not resource impacts, intended to preserve the “primitive character” of the landscape near Labyrinth Canyon.

Deficiencies and Procedural Errors:

The reliance on “primitive character” language constitutes direct application of nonimpairment standards to a non-WSA area, thereby imposing de facto wilderness management contrary to FLPMA § 603(c). Visual preservation alone does not satisfy the closure standard under EO 11989, which requires a finding of “considerable adverse effects” from OHV use before closure. No such finding was made.



Further, BLM failed to document how D1270A’s closure minimized site-specific impacts as required under 43 C.F.R. § 8342.2(a) and BLM Handbook H-8342-1. The decision relied exclusively on a general statement that “redundancy in high-value landscapes” warranted closure, with no evidence of overlapping routes or resource harm.

Recreational and Access Values:

D1270A provides access to high-quality scenic overlooks and photographic vantage points used by visitors for decades. Field data confirms visible tread, sustainable soils, and existing rock delineation installed by volunteers in 2019, illustrating successful active management that protects resources without eliminating access.

Legal and Policy Basis for Reopening:

Because the closure was founded on visual or “primitive character” criteria rather than measurable environmental effects, it constitutes arbitrary and capricious agency action under the APA (5 U.S.C. § 706(2)(A)). The decision further contravenes FLPMA § 102(a)(7) by subordinating recreation and access values to aesthetic considerations typical of wilderness preservation.

Recommendation:

BLM must reopen D1270A to restore balanced multiple-use management, apply active mitigation (erosion control and tread delineation), and cease use of travel management to achieve de facto wilderness outcomes contrary to statute.

Route D1395

D1395 was closed in the 2023 DR on the grounds of “user-created proliferation and visual conflict with WSA values.” This justification is contradicted by photographic evidence from the COTD’s route inventory showing a single, stable track with no parallel trails or soil disturbance.

Deficiencies and Procedural Errors:

BLM failed to substantiate the “user-created” designation; the route appears in pre-FLPMA county transportation maps, establishing it as an existing, historic access corridor. The DR’s assertion of “visual conflict” with nearby WSAs effectively applies nonimpairment management across non-designated lands, thereby creating wilderness buffer zones that extend WSA protections beyond legal boundaries. This approach violates FLPMA § 603(c) and the precedent established in *Utah v. Babbitt* (D. Utah 1998), which prohibited BLM from expanding WSA-type management administratively.



The closure also violates NEPA 40 C.F.R. § 1502.14, as the DR failed to analyze a reasonable alternative (such as signage, erosion control, or rerouting) that would preserve access while protecting visual resources.

Recreational and Access Values:

D1395 provides critical linkages between established rim trails and dispersed campsites overlooking Mineral Canyon. It disperses use, thereby reducing crowding on nearby open routes - an outcome consistent with EO 11644’s objective to promote managed recreation and reduce conflict through network connectivity.

Legal and Policy Basis for Reopening:

Reopening D1395 is consistent with BLM MS-1626 and H-8342-1, which direct managers to address impacts through management actions before considering closure. The 2023 DR failed to comply with these directives and instead implemented preservation-based restrictions that exceed statutory authority.

Recommendation:

UPLA recommends reopening D1395 and managing it with minimal infrastructure improvements (route markers and tread stabilization), ensuring compliance with FLPMA and ending the unlawful practice of wilderness-buffer management.

Route D1398A

The 2023 DR closed D1398A citing “redundant access” and “reclamation progression.” No field data supported these claims. OHV user inspections found visible tread, active use, and evidence of recent volunteer maintenance activities such as rock stacking and erosion control.

Deficiencies and Procedural Errors:

The closure lacked any documented analysis of environmental impact or field verification, violating NEPA’s hard look requirement (40 C.F.R. § 1502.24). The DR also improperly justified closure to “protect scenic qualities and wilderness characteristics,” conflating travel management objectives with wilderness preservation - an illegal application of FLPMA authority.

The record reveals that BLM used “wilderness characteristics inventory” data as a controlling factor in route designation. This is contrary to FLPMA § 603, which restricts such management to officially designated WSAs, and inconsistent with the Supreme Court’s direction in *SUWA v. Norton* (2004) that “wilderness characteristics” do not grant new statutory powers to manage lands as wilderness.



Recreational and Cultural Values:

D1398A offers access to a well-known dispersed camping area and connects to a network of volunteer-maintained interpretive overlooks along the rim. Its use has historically been low-volume and sustainable, providing valuable recreational diversity.

Legal and Policy Basis for Reopening:

Because the closure improperly relied on wilderness-character data to justify route elimination, it constitutes arbitrary and capricious action under the APA. Reopening the route aligns with FLPMA's multiple-use mandate (§ 102(a)(7)), the BLM 2024 Policy Memo, and EO 11644, which emphasize mitigation and management over prohibition.

Recommendation:

UPLA urges the BLM to reinstate D1398A as "Open," restore its legal designation, and prohibit further misuse of "wilderness characteristics" data in travel management planning.

Route D1398B

The 2023 DR closed D1398B as a "redundant access route" adjacent to D1398A, using the same justification. However, the DR's environmental analysis does not distinguish between the two routes, violating the route-specific analysis requirement of 43 C.F.R. § 8342.2(a).

Deficiencies and Procedural Errors:

The closure rationale again relied on "protection of wilderness character and scenic integrity." This reliance represents an impermissible **extension of nonimpairment management** into a multiple-use area. By using wilderness-character mapping to preclude motorized access, BLM effectively designated a wilderness buffer zone - an action explicitly beyond its authority under FLPMA § 603(c) and reaffirmed as unlawful in *SUWA v. Norton* (2004).

Additionally, the DR's statement that "reclamation was occurring" is unsupported by field evidence; aerial imagery shows a continuous track with recent tire imprints. This constitutes a factual deficiency and violates NEPA's requirement to base conclusions on the best available data.

Recreational and Access Values:

D1398B provides an alternative loop that reduces user concentration on parallel open routes, a critical safety and resource-management function. It also serves as an access spur for photography and volunteer trail maintenance efforts.



Legal and Policy Basis for Reopening:

Reopening D1398B is consistent with EO 11989, which requires closure only upon documented, considerable adverse effects. The 2023 DR made no such finding. Restoring the route also supports FLPMA’s directive to balance recreation, resource protection, and economic benefit.

Recommendation:

UPLA recommends that BLM reopen D1398B, manage it under adaptive use protocols, and remove wilderness-character considerations from its travel management criteria to bring the decision-making process back into compliance with law and policy.

Route D1402A

The 2023 Decision Record (DR) closed Route D1402A citing “visual impacts to primitive landscapes” and “redundant access to non-motorized recreation zones.” This rationale is unsupported by the administrative record, which includes no route-specific environmental data or documented user conflicts. Aerial imagery and COTD’s field documentation confirm the route remains in stable condition, with a clearly defined tread, no off-route proliferation, and no proximity to designated Wilderness Study Areas (WSAs).

Deficiencies and Procedural Errors:

BLM’s closure rationale for D1402A improperly invoked “primitive character” and “visual integrity” as management objectives, effectively applying nonimpairment standards outside designated WSAs. This is a direct violation of FLPMA § 603(c), which confines wilderness management to congressionally designated areas, and contravenes the holding in *SUWA v. Norton*, 542 U.S. 55 (2004), which reaffirmed that BLM lacks authority to manage lands “as if they were wilderness.” The DR also failed to meet the procedural standard of 43 C.F.R. § 8342.2(a) by not providing a route-specific minimization analysis, instead relying on conclusory assertions about redundancy and aesthetics.

The “redundant access” claim is unfounded under NEPA 40 C.F.R. § 1502.14, which requires evaluation of alternatives, including management or seasonal restriction, before permanent closure. BLM offered no such alternatives.

Recreational and Access Values:

D1402A provides essential scenic access to the upper Mineral Point overlook and supports dispersed camping and photography. It also functions as a safety bypass for adjacent routes that become seasonally impassable.



Legal and Policy Basis for Reopening:

Reopening aligns with FLPMA § 102(a)(7)-(8) (multiple use and sustained yield) and EO 11644, which require managed access systems to balance recreation and resource protection. Closure for “visual protection” alone lacks statutory foundation.

Recommendation:

UPLA recommends reinstating D1402A as “Open,” with signage and monitoring to address resource management needs while preventing continued misuse of travel planning to impose de facto wilderness standards on multiple-use lands.

Route D1434

The 2023 DR closed D1434 due to “proximity to WSA boundaries” and “protection of wilderness characteristics.” The DR did not include supporting data, field notes, or photographs verifying adverse impacts to WSA resources. The closure thus represents an unlawful wilderness buffer zone, where BLM extended nonimpairment management beyond the legal boundaries of WSAs.

Deficiencies and Procedural Errors:

Under FLPMA § 603(c), only Congress can designate wilderness. By managing adjacent multiple-use lands to preserve “wilderness characteristics,” BLM exceeded its authority. The DR’s justification lacked compliance with 43 C.F.R. § 8342.1, which requires the agency to demonstrate how each closure minimizes resource impacts. Instead, BLM used “proximity to wilderness” as a proxy for minimization, a legal error that directly conflicts with BLM Handbook H-8342-1 and the 2024 BLM Policy Memorandum clarifying that closures cannot substitute for management.

The DR also failed to analyze the recreational, economic, or social impacts of removing this route, violating NEPA’s hard look requirement under 40 C.F.R. § 1502.14.

Recreational and Access Values:

D1434 provides rim access to the upper Labyrinth Canyon corridor, offering panoramic views for educational, interpretive, and recreational uses. It is also an integral link within the regional travel network, distributing visitor use and reducing concentration on open routes.

Legal and Policy Basis for Reopening:

Reopening D1434 restores compliance with FLPMA’s multiple-use directive, corrects an unauthorized extension of wilderness-like management, and fulfills EO 11644’s requirement



that motorized access be designated where practicable to promote safety and resource stewardship.

Recommendation:

UPLA urges reopening of D1434 and incorporation into the final network as a managed route with monitoring and signage, ensuring lawful multiple-use management and eliminating de facto wilderness expansion.

Route D1454

The 2023 DR closed D1454 under the rationale of “redundant access” and “erosional vulnerability.” However, no field hydrology or soils analysis was conducted, and no photographs or monitoring data were included in the administrative record to support this claim.

Deficiencies and Procedural Errors:

The DR’s justification relied on speculative mapping of “erosional potential” without quantitative data, violating NEPA 40 C.F.R. § 1502.24 (scientific integrity). BLM also invoked “protection of wilderness characteristics” and “preservation of visual quality” as closure factors, thereby managing this route under a wilderness-like nonimpairment framework that is unlawful under FLPMA § 603(c).

This management approach substitutes preservation for active mitigation, directly contradicting BLM Manual MS-1626, which emphasizes mitigation, maintenance, and user education before closure. The decision thus fails both procedural and substantive standards required for lawful route designation under 43 C.F.R. § 8342.2(a).

Recreational and Access Values:

D1454 is a critical spur route to rim overlooks along the upper Mineral Canyon drainage. It is well defined, stable, and used seasonally for low-volume sightseeing and dispersed camping.

Legal and Policy Basis for Reopening:

Reopening D1454 restores compliance with FLPMA § 102(a)(7) and EO 11989, which permit closure only upon documented, considerable adverse effects. None were found. Reinstating the route would also align with the Supreme Court’s holding in *SUWA v. Norton* (2004), reaffirming that BLM may not manage non-WSA lands as de facto wilderness.

Recommendation:

UPLA recommends reopening D1454 as “Open” under managed-use status with erosion



control and monitoring, correcting the procedural and legal errors underlying its 2023 closure.

Route D1474A

The 2023 DR closed D1474A to “protect visual resource integrity near the Labyrinth Canyon rim.” This closure rationale is based solely on aesthetic considerations, not environmental data, and therefore fails to meet NEPA’s requirements for evidence-based decision-making.

Deficiencies and Procedural Errors:

The DR substituted visual management goals - typically associated with wilderness character preservation - for legally mandated multiple-use management. This constitutes de facto wilderness creation, contrary to FLPMA § 603(c) and *Public Lands Council v. Babbitt*, 529 U.S. 728 (2000), which held that agency discretion cannot be used to subvert statutory mandates.

The record also lacks any minimization analysis under 43 C.F.R. § 8342.2(a), no monitoring data on scenic degradation, and no proof of resource damage. Thus, the closure is arbitrary and capricious under the APA (5 U.S.C. § 706(2)(A)).

Recreational and Access Values:

D1474A offers essential scenic and cultural interpretation opportunities and provides an established access route for volunteer maintenance crews and educational groups. Its closure curtailed low-impact, managed recreation that posed no documented resource risk.

Legal and Policy Basis for Reopening:

Reopening D1474A reinstates lawful multiple-use management consistent with FLPMA § 102(a)(7), the BLM 2024 Policy Memo, and EO 11644, which requires designation of OHV routes through managed access systems rather than exclusionary preservation.

Recommendation:

UPLA recommends reopening D1474A as “Open,” with route markers and visitor education signage, restoring lawful public access while maintaining resource protection through active management.

Route D1501

Route D1501 was closed due to alleged “user-created route proliferation.” OHV user analysis and imagery conclusively demonstrate that D1501 has a single well-defined tread with no proliferation or cross-country tracks.



Deficiencies and Procedural Errors:

The DR failed to produce field data or photographs verifying proliferation, violating NEPA 40 C.F.R. § 1502.24 (scientific integrity). Instead, BLM used the closure to enforce “primitive landscape preservation,” effectively managing the area as wilderness. This oversteps statutory limits under FLPMA § 603(c) and violates the principle affirmed in *SUWA v. Norton* (2004) that agencies cannot create wilderness conditions by administrative fiat.

The decision also neglected route-level minimization documentation under 43 C.F.R. § 8342.1, rendering the closure procedurally invalid.

Recreational and Access Values:

D1501 provides access to rim viewpoints and dispersed camping areas regularly maintained by volunteer stewards. It functions as an important safety bypass for adjacent routes that experience seasonal washouts.

Legal and Policy Basis for Reopening:

Reopening D1501 is consistent with EO 11989 (closures require evidence of “considerable adverse effects”) and FLPMA’s multiple-use directive (§ 102(a)(7)). The 2023 closure constituted unlawful de facto wilderness management.

Recommendation:

UPLA recommends reinstating D1501 as “Open,” supported by stewardship partnerships and periodic condition monitoring to ensure sustainable access.

Route D1507 & D1507B

The 2023 DR closed D1507 and its short spur D1507B as “redundant” and “visually intrusive.” No field data was provided, and the administrative record offers only generalized statements about “scenic preservation.”

Deficiencies and Procedural Errors:

Both closures exemplify BLM’s use of travel management to impose wilderness-like visual management across non-wilderness-designated lands. The reliance on “visual intrusion” and “redundancy” violates 43 C.F.R. § 8342.2(a) (requiring site-specific impact evaluation) and NEPA’s mandate for evidence-based environmental analysis. The decisions also extend wilderness-like protections into multiple-use areas, contrary to FLPMA § 603(c) and the prohibition on administrative wilderness creation affirmed in *Utah v. Babbitt* (D. Utah 1998).



Recreational and Access Values:

These routes provide distinct access to rim overlooks and dispersed camping locations utilized by local and visiting recreationists. They also function as alternative corridors reducing congestion on nearby open routes.

Legal and Policy Basis for Reopening:

Reopening D1507 and D1507B would restore compliance with FLPMA § 102(a)(7)-(8) and EO 11644, which emphasize managed multiple-use access. The closures violated the APA by substituting aesthetic preference for statutory management criteria.

Recommendation:

UPLA recommends reopening both D1507 and D1507B as “Open” under adaptive management, with clear delineation and signage to prevent unauthorized expansion while restoring lawful access.

Route D1510

The 2023 DR closed D1510 under the assertion that it “interferes with natural character of adjacent lands.” This vague language indicates BLM’s reliance on wilderness-character management standards, a use of authority beyond its statutory limits.

Deficiencies and Procedural Errors:

The phrase “natural character” derives from wilderness evaluation criteria under the Wilderness Act and is not a valid basis for route closure under 43 C.F.R. § 8342.1. By incorporating wilderness language into travel management decisions, BLM engaged in de facto wilderness management, violating FLPMA § 603(c) and *SUWA v. Norton* (2004). No data demonstrate that D1510 caused resource degradation, and the DR lacked the route-specific minimization analysis required by regulation.

Recreational and Access Values:

D1510 serves as an important scenic spur providing public access to canyon viewpoints and established dispersed camping sites.

Legal and Policy Basis for Reopening:

Reopening D1510 is necessary to restore lawful multiple-use management under FLPMA § 102(a)(7) and EO 11644. The 2023 closure improperly substituted wilderness character preservation for measurable impact mitigation.



Recommendation:

UPLA recommends reinstating D1510 as “Open,” with managed-use conditions and monitoring, ensuring compliance with statutory mandates and eliminating unauthorized de facto wilderness expansion.

Route D1515A & D1515B

The DR closed D1515A and D1515B for “resource protection in undeveloped areas.” No data substantiate adverse resource effects, and both routes appear on historical maps confirming long-term public use.

Deficiencies and Procedural Errors:

The “undeveloped area” rationale equates to wilderness management language, impermissibly applied outside WSAs. This exceeds BLM’s authority under FLPMA § 603(c). The closures lack route-level minimization documentation under 43 C.F.R. § 8342.2(a) and fail NEPA’s hard look standard for evidence-based decision-making.

The decisions also ignored economic and recreational access impacts in violation of FLPMA § 102(a)(8) (human occupancy and use).

Recreational and Access Values:

Both routes provide access to dispersed campsites and scenic overlooks, frequently maintained by local volunteer clubs. Their continued availability supports balanced public access and visitor distribution, reducing concentrated impacts elsewhere.

Legal and Policy Basis for Reopening:

Reopening these routes is consistent with FLPMA’s multiple-use framework, EO 11644, and BLM MS-1626, which direct active management of recreation access rather than exclusion. The 2023 closures represent unlawful substitution of preservation for management.

Recommendation:

UPLA recommends reopening D1515A and D1515B as “Open,” applying management-based mitigation measures as needed, thereby restoring lawful access and correcting the procedural and substantive errors underlying their closure.

Route D1515C

The 2023 Decision Record (DR) closed D1515C citing “resource minimization in undeveloped landscapes” and “visual sensitivity.” The administrative record contains no route-level monitoring data, hydrologic analysis, or documented incidents to substantiate “considerable



adverse effects,” as required before closure under EO 11989. The decision instead employed generalized assertions about “primitive character,” a wilderness-management term unlawfully imported into travel planning.

Deficiencies and Procedural Errors:

- No route-specific application of the minimization criteria as required by 43 C.F.R. § 8342.1 and § 8342.2(a) (route-level analysis and documentation).
- Reliance on aesthetic/“primitive character” objectives amounts to de facto wilderness management beyond WSA boundaries, contrary to FLPMA § 603(c) and *SUWA v. Norton*, 542 U.S. 55 (2004).
- Failure to evaluate reasonable, management-based alternatives (signage, tread hardening, seasonal limits) violates NEPA 40 C.F.R. § 1502.14 (alternatives are the heart of NEPA).
- Substitution of mileage reduction for analysis contradicts the BLM Policy Memorandum (Oct. 15, 2024) clarifying that route-mile cuts do not prove compliance with minimization.

Recreational and Access Values:

D1515C provides dispersed-camp access and a safety bypass that distributes use away from higher-volume corridors - advancing objectives (safe, designated systems to reduce conflict).

Legal and Policy Basis for Reopening:

FLPMA § 102(a)(7)–(8) (multiple use; human occupancy and use), EO 11644/11989, BLM MS-1626 and H-8342-1 all favor management over prohibition; the DR’s de facto wilderness rationale is ultra vires.

Recommendation:

Reopen D1515C as “Open,” with route markers and periodic condition monitoring consistent with MS-1626; document route-level minimization per § 8342.2(a).

Route D1520A

Closed for “redundant access” and “emerging reclamation,” D1520A’s closure relied on desktop mapping and an unverified claim of natural recovery. Field photography and recent use reports show visible tread and ongoing, low-volume recreation consistent with a stabilized two-track.



Deficiencies and Procedural Errors:

- No ecological data (soil stability, crust recovery) to substantiate “reclamation,” contrary to NEPA 40 C.F.R. § 1502.24 (scientific integrity) and BLM H-8342-1 (inventory/verification).
- “Redundancy” asserted without network analysis of connectivity/dispersion benefits required in MS-1626; no consideration of management alternatives (40 C.F.R. § 1502.14).
- Closure near WSA edges premised on “visual integrity” effectively creates a wilderness buffer zone - an unlawful extension of nonimpairment beyond WSAs (FLPMA § 603(c); Utah v. Babbitt, D. Utah 1998).

Recreational and Access Values:

D1520A serves a small cluster of campsites and a scenic pullout, dispersing use and reducing pressure on parallel routes.

Legal and Policy Basis for Reopening:

Restore compliance with § 8342.1 (minimize through management), FLPMA § 102(a)(7), and EO 11644. Absent evidence of “considerable adverse effects,” EO 11989 does not support closure.

Recommendation:

Reopen D1520A with signage and tread delineation; include adaptive triggers for repair if thresholds are exceeded.

Route D1522

The DR closed D1522 for “potential conflicts with nonmotorized users” and “resource sensitivity,” yet produced no incident data, visitor counts, or site-specific resource findings.

Deficiencies and Procedural Errors:

- Speculative “potential conflict” fails NEPA’s best-available-data standard and APA review (arbitrary/capricious, 5 U.S.C. § 706(2)(A)).
- No route-specific minimization documentation (§ 8342.2(a)), and alternatives (e.g., signage, speed management, sight-distance improvements) were not analyzed (40 C.F.R. § 1502.14).
- Framing “conflict minimization” as segregation/exclusion replicates wilderness-style separation of uses - de facto wilderness beyond statutory authority (FLPMA § 603(c); SUWA v. Norton).



Recreational and Access Values:

D1522 provides a short overlook spur and emergency egress; its existence lowers congestion on the principal corridor.

Legal and Policy Basis for Reopening:

FLPMA § 102(a)(7)–(8), EO 11644, MS-1626 (manage conflicts; do not presume prohibitions).

Recommendation:

Reopen D1522; implement conflict-reducing measures (wayfinding, pullouts, education) and monitor outcomes to satisfy the minimization criteria.

Route D1526B

Closed for “erosional vulnerability” based on coarse GIS layers, D1526B’s record lacks hydrology/soils data or evidence of sediment delivery.

Deficiencies and Procedural Errors:

- Failure to use accurate, site-specific data violates 40 C.F.R. § 1502.24.
- No explanation of why mitigation (drainage dips, armoring, micro-reroute) would not minimize impacts as required by § 8342.1.
- “Scenic protection” language near WSA boundaries points to a wilderness-like nonimpairment objective outside WSAs—unlawful under FLPMA § 603(c).

Recreational and Access Values:

D1526B is a low-use spur serving a rim vista and two established campsites; redundancy here distributes travel, reducing concentrated tread wear elsewhere.

Legal and Policy Basis for Reopening:

EO 11989 requires documented “considerable adverse effects” for closure; none are shown. MS-1626/H-8342-1 favor mitigation before closure.

Recommendation:

Reopen D1526B with small-footprint drainage features, signage, and trigger-based monitoring.

Route D1527A

The DR characterized D1527A as “duplicate access within a scenic preservation corridor,” with no field verification.



Deficiencies and Procedural Errors:

- No route-specific minimization documentation (§ 8342.2(a)).
- “Scenic preservation corridor” is a preservationist construct mirroring wilderness character management; applying it to multiple-use lands is de facto wilderness contrary to FLPMA § 603(c).
- Alternatives (seasonal limits, one-way designation, education) were not considered (40 C.F.R. § 1502.14).

Recreational and Access Values:

D1527A offers a short, low-impact vista spur and turn-around, improving safety and dispersing parking.

Legal and Policy Basis for Reopening:

FLPMA § 102(a)(7), EO 11644, BLM MS-1626 (design the network to manage use, enhance safety).

Recommendation:

Reopen D1527A; designate one-way ingress/egress with clear markers and establish a small hardened pullout.

Route D1527B

Closed as “redundant” to D1527A, yet the record does not distinguish termini or management function.

Deficiencies and Procedural Errors:

- Consolidated analysis for two distinct spurs contravenes § 8342.2(a)’s route-specific requirement.
- Re-use of “visual integrity” rationale functions as WSA-style nonimpairment - de facto wilderness beyond legal boundaries (FLPMA § 603(c); Utah v. Babbitt, D. Utah 1998).
- No consideration of management alternatives (40 C.F.R. § 1502.14).

Recreational and Access Values:

D1527B provides alternative staging/turn-around, reducing congestion and resource scarring at a single point.



Legal and Policy Basis for Reopening:

EO 11644 (designated systems to promote safety/conflict reduction); MS-1626 (network connectivity/redundancy where it reduces impacts).

Recommendation:

Reopen D1527B with signed, hardened turn-around; monitor use and adjust as needed.

Route D1528

The DR cited “user-created proliferation” and “reclamation trajectory.” The record includes no photos, measurements, or post-decision monitoring to validate these claims.

Deficiencies and Procedural Errors:

- Lack of empirical evidence violates 40 C.F.R. § 1502.24.
- Minimization treated as closure rather than management, contrary to § 8342.1 and the 2024 BLM Memo.
- “Undeveloped character” rationale replicates wilderness criteria - de facto wilderness management beyond WSAs (FLPMA § 603(c); SUWA v. Norton).

Recreational and Access Values:

D1528 is a short connector serving two dispersed sites; it reduces roadside parking/blowouts on the main corridor.

Legal and Policy Basis for Reopening:

EO 11989 threshold unmet; MS-1626 favors mitigation.

Recommendation:

Reopen D1528; install bollards/markers to keep travel within the tread; set monitoring triggers for adaptive responses.

Route D1584

Closed for “near-WSA scenic protection” and “conflict potential.” No evidence of incidents or measurable resource effects is provided.

Deficiencies and Procedural Errors:

- “Near-WSA scenic protection” is an unlawful wilderness buffer rationale; BLM cannot extend nonimpairment beyond official WSAs (FLPMA § 603(c)).
- Failure to analyze alternatives (40 C.F.R. § 1502.14) or to document route-level minimization (§ 8342.2(a)).
- No best-available-data support (§ 1502.24).



Recreational and Access Values:

D1584 accesses a rim overlook with educational/interpretive value and disperses visitor use.

Legal and Policy Basis for Reopening:

FLPMA § 102(a)(7)–(8), EO 11644, MS-1626.

Recommendation:

Reopen D1584; apply signage and pull-off delineation; monitor for conflicts and address via management before any restrictions.

Route D1607

The DR closed D1607 as “duplicative” and “erosion-prone,” relying on coarse slope models.

Deficiencies and Procedural Errors:

- No field hydrology or soils assessment (§ 1502.24).
- No explanation why mitigation (rolling dips, armoring) would not minimize impacts as required by § 8342.1.
- “Preserving natural character” signals de facto wilderness motives beyond WSAs (FLPMA § 603(c); SUWA v. Norton).

Recreational and Access Values:

D1607 provides a low-grade approach to a vista and distributes traffic off steeper, more fragile alignments - an impact-reduction function.

Legal and Policy Basis for Reopening:

EO 11989 requires evidence of considerable adverse effects—not present here; MS-1626/H-8342-1 favor engineering mitigation.

Recommendation:

Reopen D1607 with minor drainage works and tread hardening; include adaptive triggers.

Route D1625A

Closed for “visual resource protection” and “undeveloped landscape preservation,” with no route-level evidence of damage.

Deficiencies and Procedural Errors:

- Aesthetic “protection” does not satisfy closure standards under EO 11989.



- Importing “undeveloped”/“primitive character” criteria into travel designations is de facto wilderness management beyond statutory authority (FLPMA § 603(c)).
- No minimization documentation (§ 8342.2(a)) or evaluation of alternatives (§ 1502.14).

Recreational and Access Values:

D1625A services a small overlook and campsite node; maintaining it reduces pull-outs and vegetation crushing elsewhere.

Legal and Policy Basis for Reopening:

FLPMA § 102(a)(7)–(8), EO 11644, MS-1626 (manage to minimize; don’t presume prohibition).

Recommendation:

Reopen D1625A; mark the tread and harden a small parking pad; monitor with clear threshold-based responses.

Route D1625B

Closed with D1625A on similar grounds, but the DR failed to differentiate termini or management function.

Deficiencies and Procedural Errors:

- Combined rationale contravenes § 8342.2(a) (route-specific documentation).
- “Wilderness characteristics/visual continuity” rationale again imposes a wilderness buffer beyond WSA boundaries - unlawful under FLPMA § 603(c) and inconsistent with *SUWA v. Norton*.
- No analysis of reasonable alternatives (§ 1502.14) or scientific integrity (§ 1502.24).

Recreational and Access Values:

D1625B provides loop connectivity that disperses use, reduces three-point turns, and improves safety/erosion outcomes on the main corridor.

Legal and Policy Basis for Reopening:

EO 11644 (designated systems for safety and conflict reduction), MS-1626/H-8342-1 (network connectivity; mitigation before closure), FLPMA § 102(a)(7) (balance).



Recommendation:

Reopen D1625B; designate with signage and a hardened turn-out; adopt adaptive monitoring triggers.

Route D1641

The 2023 Decision Record (DR) closed D1641 under the justification of “protecting primitive character and limiting redundant access.” This reasoning substitutes aesthetic and wilderness-like management objectives for legally required, data-driven analysis. The DR provides no evidence of environmental degradation, soil instability, or significant habitat disturbance. The closure rationale improperly extended wilderness-style nonimpairment management outside designated WSAs - an action prohibited under FLPMA § 603(c) and reinforced by *SUWA v. Norton*, 542 U.S. 55 (2004).

Deficiencies in Data and Procedure:

- No field data, photo logs, or route condition assessments were included.
- “Primitive character” and “visual integrity” criteria are not legal bases for route closure under 43 C.F.R. § 8342.1.
- No analysis of alternatives under NEPA 40 C.F.R. § 1502.14, violating the “hard look” standard.
- Closure conflicts with the RS 2477 right-of-way claim historically recognized along this corridor, as identified in public comment documentation prior to the 2023 DR.

Recreational and Access Values:

D1641 provides safe access to a rim overlook popular for photography, stewardship events, and dispersed camping. OHV groups - including COTD and Red Rock 4-Wheelers - have maintained this route since the early 2000s.

Legal and Policy Basis for Reopening:

Reopening aligns with FLPMA § 102(a)(7)-(8) (multiple use), EO 11644, and BLM MS-1626 (management through mitigation).

Recommendation:

Reopen D1641 under “Open: Managed Use” status with signage and monitoring; remove improper wilderness buffer conditions imposed by the 2023 DR.



Route D1642

The DR closed D1642 to “reduce user conflicts and visual impacts.” No conflict data, visitor surveys, or verified resource damage were cited. The “visual impact” rationale was a proxy for de facto wilderness preservation, a policy beyond BLM’s statutory authority.

Deficiencies:

- Absence of route-specific data violates 43 C.F.R. § 8342.2(a).
- No “user conflict” incidents documented; conflicts were speculative, violating APA § 706(2)(A).
- Closure failed to account for the route’s RS 2477 alignment, as referenced in public comment letters prior to the 2023 DR

Values and Use:

D1642 connects several dispersed camping areas and is used for Easter Jeep Safari support logistics.

Legal and Policy Basis for Reopening:

FLPMA § 102(a)(7) and EO 11989 require evidence of “considerable adverse effects” before closure... none exists.

Recommendation:

Reopen D1642; manage potential user interactions through education and seasonal signage, restoring lawful multiple-use compliance.

Route D1645

The DR labeled D1645 as “reclaimed” and “redundant.” Imagery and on-site surveys from 2024 contradict this, showing a visible tread and ongoing use by volunteer stewards.

Deficiencies:

- “Natural reclamation” not substantiated; no botanical or soil data.
- Improper reliance on “undeveloped character” as a closure criterion, this constitutes de facto wilderness.
- Failure to comply with NEPA § 1502.24 (best available science).

Values and Use:

D1645 remains a functional connector to the Hell Roaring system, used during organized events including Easter Jeep Safari.



Legal and Policy Basis for Reopening:

Reopening fulfills EO 11644 and MS-1626 directives to use management to minimize impacts, not closure.

Recommendation:

Reinstate D1645 with signage and limited monitoring to prevent proliferation.

Route D1646

Closed under the justification of “resource protection adjacent to WSA boundary.” No data demonstrate resource damage, and this rationale extends nonimpairment standards beyond WSAs, violating FLPMA § 603(c).

Deficiencies:

- No monitoring data; route was stable per OHV user reports.
- Failure to consider alternatives under NEPA § 1502.14.
- Misapplication of minimization criteria to create a wilderness buffer.

Values and Use:

D1646 serves as a scenic spur and safety route. Volunteers from local clubs maintain drainage and vegetation control.

Legal and Policy Basis for Reopening:

Consistent with EO 11989, FLPMA § 102(a)(7), and MS-1626... management through mitigation, not restriction.

Recommendation:

Reopen D1646 as “Open,” restore lawful access, and apply light stewardship maintenance.

Route D1648A

The DR’s closure rationale, “potential impacts to cryptobiotic soils,” was unsupported by site data. No cryptobiotic mapping or disturbance metrics were included.

Deficiencies:

- Violation of NEPA § 1502.24 (scientific integrity).
- Failure to quantify risk or evaluate alternative mitigation.
- Use of “primitive values” language creates a de facto wilderness buffer.



Values and Use:

D1648A provides a direct access spur to a popular photography overlook and has minimal impact due to low use.

Legal and Policy Basis for Reopening:

EO 11989 requires closure only upon finding “considerable adverse effects.” None exist here.

Recommendation:

Reopen D1648A; mark tread to confine travel, ensuring compliance with MS-1626 and § 8342.2(a).

Route D1658

The DR closed D1658 citing “wildlife disturbance potential.” The administrative record lacks species presence data, population density, or seasonal usage. Assertions contradict BLM Wildlife Manual 6840, which mandates reliance on verified occurrence data.

Deficiencies:

- No biological survey data, violating NEPA § 1502.24.
- Improper presumption of disturbance equates to misuse of minimization criteria.

Values and Use:

D1658 provides access for recreationists and wildlife observers, fostering public engagement with resource stewardship.

Legal and Policy Basis for Reopening:

FLPMA § 102(a)(7), EO 11644, and BLM 6840 direct management via education and temporal limits, not permanent closures.

Recommendation:

Reopen D1658; utilize seasonal limitations if there is a well-documented monitoring record to establish the need for seasonal closure; no basis for permanent closure exists.

Route D1660A

Closed for “route proliferation.” OHV user photographic documentation shows a single, well-defined tread and stable condition.



Deficiencies:

- “Proliferation” claim unsubstantiated; no photo evidence or mapping.
- “Visual resource protection” rationale applies nonimpairment standards beyond WSAs (FLPMA § 603(c)).
- No alternatives considered (§ 1502.14).

Values and Use:

D1660A is an established connector between scenic viewpoints, frequently used for Easter Jeep Safari recovery staging.

Legal and Policy Basis for Reopening:

Reopening restores compliance with EO 11644, MS-1626, and § 8342.1 (managed mitigation preferred).

Recommendation:

Reinstate D1660A; employ clear signage to confine use within tread.

Route D1667

The DR cited “redundant access” and “primitive character preservation.” These are not lawful closure criteria.

Deficiencies:

- Absence of minimization analysis (§ 8342.2(a)).
- Improper substitution of wilderness preservation for multiple-use management.
- No socioeconomic assessment under FLPMA § 102(a)(8).

Values and Use:

D1667 provides camping access and scenic rim viewing. It also facilitates volunteer cleanup and monitoring.

Legal and Policy Basis for Reopening:

Reopening complies with FLPMA § 102(a)(7), EO 11644, and MS-1626.

Recommendation:

Reopen D1667 as “Open: Managed,” applying erosion control where needed.



Route D1673A

Closed for “reclaimed condition.” However, site photos show tire tracks and a visible tread. No reclamation has been observed.

Deficiencies:

- “Reclaimed” status undocumented and contradicted by visual evidence.
- No minimization analysis (§ 8342.2(a)).
- “Primitive preservation” rationale unlawful under FLPMA § 603(c).

Values and Use:

D1673A serves as an alternate rim access spur for scenic and educational tours, promoting balanced use.

Legal and Policy Basis for Reopening:

Reopening consistent with EO 11989, FLPMA § 102(a)(7), and MS-1626.

Recommendation:

Reopen D1673A; harden tread if needed, and manage via signage.

Route D1674

The DR closed D1674 to “maintain contiguous undeveloped landscape character.” This rationale mirrors wilderness management language, exceeding BLM’s authority.

Deficiencies:

- No resource impact data; aesthetic reasoning only.
- De facto wilderness application beyond WSA violates FLPMA § 603(c) and Public Lands Council v. Babbitt, 529 U.S. 728 (2000).
- No economic or social analysis (§ 102(a)(8)).

Values and Use:

D1674 provides cultural site access and dispersed camping used during Easter Jeep Safari. Local stewardship groups perform regular maintenance.

Legal and Policy Basis for Reopening:

Reopening restores compliance with multiple-use mandates, EO 11644, and MS-1626.

Recommendation:

Reopen D1674; designate as managed route with volunteer stewardship partnerships.



Route D1679

The 2023 Decision Record (DR) closed Route D1679 under the stated justification of “protecting sensitive desert soils and reducing redundant access,” yet the administrative record contains no soil studies, hydrological analyses, or on-the-ground assessment supporting this conclusion.

Deficiencies

The DR relied solely on speculative assumptions and desktop mapping, violating NEPA 40 C.F.R. § 1502.24, which requires the use of high-quality, site-specific data. The closure also failed to consider the route’s RS 2477 status and State Institutional Trust Lands (SITLA) access, a coordination failure under FLPMA § 202(c)(9). The BLM’s interpretation of the minimization criteria (43 C.F.R. § 8342.1) improperly equated minimization with route elimination, contrary to the regulation’s intent and the BLM’s 2024 Policy Memorandum on the Proper Application of Minimization Criteria, which reaffirms that impact minimization must be achieved through management - not closure.

Values and Use

D1679 is an essential rim spur providing access to sweeping scenic viewpoints overlooking the Labyrinth Canyon area. It is a route of record used in organized events, including the Easter Jeep Safari, and a mainstay for public land stewards conducting erosion control and cleanup. Longstanding stewardship by volunteer OHV clubs has ensured that the tread remains confined, stable, and in good condition. Field documentation from OHV groups between 2018 and 2023 confirm no erosion or vegetation expansion indicative of “reclamation.”

Legal and Policy Basis for Reopening

The closure was inconsistent with FLPMA § 102(a)(7) (multiple use and sustained yield) and Executive Orders 11644 and 11989, which prohibit route closure absent a finding of “considerable adverse effects.” No such finding exists in the administrative record. Moreover, the DR’s “primitive character” justification imposed wilderness-style management beyond designated WSA boundaries, violating FLPMA § 603(c) and established precedent in *SUWA v. Norton*, 542 U.S. 55 (2004).

Recommendation

UPLA recommends reopening D1679 under “Open - Managed Use” status, installing signage and minimal drainage stabilization as needed. This action would restore lawful access, correct the misuse of minimization criteria, and reestablish compliance with NEPA, FLPMA, and federal coordination requirements.



Route D1683

BLM’s closure rationale for D1683 - “natural reclamation and low visitor value” - was unsupported by field verification, photographic evidence, or vegetation data.

Deficiencies

Aerial imagery from 2022–2024, submitted by OHV users during and following the public comment period for the 2023 DR, reveals a well-defined tread with clear tire marks, consistent with ongoing public use. “Low visitor value” is a subjective and unlawful metric; BLM Manual 8320 explicitly mandates that management maintain diversity in recreation opportunities, including routes used by small or specialized user groups.

Values and Use

D1683 serves as a low-impact connector and training route for dual-sport and adventure riders. It provides safe, confined travel across durable soils and access to dispersed camping areas. Volunteers regularly monitor and maintain the route, ensuring erosion control and litter removal. The route plays a role in dispersing motorized use across the landscape, reducing concentration and resource pressure elsewhere - an outcome consistent with NEPA’s impact minimization intent.

Legal and Policy Basis for Reopening

By declaring “low value” as a justification for closure, BLM acted arbitrarily and capriciously under APA § 706(2)(A). The closure also reflected an unlawful application of “primitive recreation values,” establishing de facto wilderness conditions outside designated WSAs. Reopening D1683 aligns with FLPMA § 102(a)(8), EO 11644, and MS-1626, which prioritize resource protection through management, not exclusion.

Recommendation

UPLA recommends reopening D1683 and reinstating its designation as an open, managed-use route. Minimal signage and continued volunteer maintenance are sufficient to meet environmental and visitor management goals.

Route D1685

The 2023 DR closed D1685 citing “potential impacts to species of concern,” yet no species surveys, habitat models, or biological assessments were included in the record.

Deficiencies

Failure to cite species surveys, habitat models, or biological assessments violated NEPA § 1502.24 and BLM Manual 6840 (Special Status Species Management). The DR also failed to



coordinate with SITLA for state-trust access rights under FLPMA § 202(c)(9), despite the route’s partial overlap with state lands. The absence of consultation or monitoring data renders the closure procedurally and substantively invalid.

Values and Use

D1685 is a durable, compacted corridor providing access to State Trust Lands and historic routes long recognized under RS 2477. It is actively used during Easter Jeep Safari events and by volunteer groups for route inspections and cleanups. No evidence suggests impacts to wildlife or sensitive vegetation.

Legal and Policy Basis for Reopening

Under EO 11989, BLM may close a route only if “considerable adverse effects” are documented - no such effects are present here. Reopening conforms to FLPMA § 102(a)(7) and MS-1626, both emphasizing management through mitigation. The closure’s speculative rationale directly contravenes NEPA’s requirement for evidence-based decision-making (40 C.F.R. § 1500.1(b)).

Recommendation

Reinstate D1685 as “Open - Managed,” with optional seasonal restrictions only if supported by biological evidence. Coordination with SITLA and continued stewardship through volunteer monitoring will ensure compliance with FLPMA’s multiple-use mandate.

Route D1694

D1694 was closed under claims of “redundancy” and “visual protection,” but no redundancy analysis or visual impact assessment exists in the record.

Deficiencies

This route closure violates 43 C.F.R. § 8342.2(a), which requires route-specific evaluation. The closure rationale applied aesthetic standards intended for scenic quality preservation, creating a de facto wilderness buffer inconsistent with FLPMA § 603(c).

Values and Use

D1694 connects several rim viewpoints used during the Easter Jeep Safari and by visitors seeking scenic access. COTD photographic evidence shows an intact tread, no off-route travel, and stable terrain. Volunteer trail monitors have maintained the route’s condition through erosion mitigation.



Legal and Policy Basis for Reopening

Reopening aligns with EO 11644 (designation of managed access systems) and FLPMA § 102(a)(7) (balance among uses). The DR’s reasoning fails the APA § 706(2)(A) “arbitrary and capricious” standard due to lack of data and improper application of wilderness-style protection to a multiple-use landscape.

Recommendation

Reopen; incorporate route signage, visitor education, and periodic monitoring to ensure continued compliance and minimize visual intrusion.

Route D1722

The DR closed D1722 based on “potential for user conflict,” but no incident logs, public comments, or visitor surveys were included to substantiate that claim.

Deficiencies

The BLM’s approach substitutes speculation for evidence, violating NEPA § 1502.24 and APA § 706(2)(A). References to “primitive recreation values” reflect wilderness-style management impermissible under FLPMA § 603(c).

Values and Use

D1722 is a critical dual-sport and motorcycle route historically used and maintained by OHV club volunteers who have conducted erosion repairs, drainage improvements, and litter removal, ensuring that this route remains sustainable. The route disperses motorized use across the planning area, fulfilling NEPA’s minimization intent through use distribution.

Legal and Policy Basis for Reopening

Under EO 11644, agencies must manage user conflicts through signage and education - not route elimination. The closure also disregards FLPMA § 102(a)(7), which mandates coordination among recreation types.

Recommendation

Reopen D1722 with interpretive signage addressing shared-use etiquette and seasonal monitoring. This approach mitigates potential conflicts while preserving lawful access.

Route D1725

BLM closed D1725 under the claim of “natural reclamation,” yet field data from OHV users confirm the route remains visible and intact.



Deficiencies

The DR’s conclusion of “resource recovery” is unsupported and appears motivated by the desire to create a wilderness buffer zone, a practice that violates FLPMA § 603(c) and NEPA § 1502.24.

Values and Use

D1725 is a historically recognized RS 2477 route providing a key linkage between travel corridors. It has been used consistently in Easter Jeep Safari reconnaissance and volunteer stewardship projects. The route is compacted, stable, and exhibits no vegetative encroachment.

Legal and Policy Basis for Reopening

The closure lacks the required “considerable adverse effect” finding under EO 11989 and disregards FLPMA’s multiple-use mandate (§ 102(a)(7)). The 2024 BLM Policy Memorandum emphasizes maintaining established travel networks through management rather than reducing mileage.

Recommendation

Reopen D1725 as “Open - Managed,” including basic tread stabilization and clear route markers to ensure continued use within its defined corridor.

Route D1728

The DR claimed “erosional potential” as justification for closure, yet no slope stability or hydrology analysis was performed.

Deficiencies

Reliance on assumption rather than site inspection violates NEPA § 1502.24. The decision also cited “visual sensitivity,” extending nonimpairment standards beyond WSAs in violation of FLPMA § 603(c).

Values and Use

D1728 functions as a loop route offering access to multiple rim overlooks. OHV user field data shows active volunteer maintenance, including rock placement and drainage stabilization.

Legal and Policy Basis for Reopening

Reopening satisfies EO 11644 and MS-1626, emphasizing mitigation over restriction. The DR’s findings lack any measurable environmental basis, rendering the closure arbitrary.



Recommendation

Reinstate D1728 as “Open - Managed Use,” with continued stewardship and monitoring to ensure compliance with NEPA and FLPMA management principles.

Route D1739

The 2023 DR’s closure rationale - “wildlife disturbance and visual conflict” - was unsupported by biological surveys, population data, or monitoring.

Deficiencies

This route closure violates NEPA § 1502.24 and BLM Manual 6840 (requiring best available science). The closure extended wilderness-style management beyond WSA boundaries, contrary to FLPMA § 603(c) and *SUWA v. Norton* (2004).

Values and Use

D1739 is a short scenic spur used by Easter Jeep Safari participants and volunteers conducting monitoring and cleanup. Concentrating use along this designated spur prevents off-route impacts and protects adjacent habitat.

Legal and Policy Basis for Reopening

Reopening is required to align with FLPMA § 102(a)(7) and EO 11644, which call for designated systems rather than arbitrary closures.

Recommendation

Reopen D1739; use signage to direct visitation to designated viewing areas and to promote education regarding adjacent resources.

Route D1748

BLM closed D1748 due to its “proximity to WSA” and “primitive recreation values,” unlawfully extending nonimpairment management outside the WSA boundary.

Deficiencies

This route closure contravenes FLPMA § 603(c) and the holding in *Public Lands Council v. Babbitt*, 529 U.S. 728 (2000). The DR provided no evidence of resource degradation.

Values and Use

D1748 provides controlled access to cultural monitoring sites and panoramic viewpoints. Volunteer stewardship groups have maintained the route and performed site cleanups in coordination with BLM field offices.



Legal and Policy Basis for Reopening

Under EO 11989, closure is permissible only for demonstrated adverse effects; none exist here. The closure failed to satisfy both NEPA § 1502.24 and FLPMA’s multiple-use balance (§ 102(a)(7)).

Recommendation

Reinstate D1748 as “Open,” managed under partnership with local stewardship organizations to ensure resource protection through monitoring and education.

Route D1753

The DR closed D1753 claiming “user-created proliferation” and “habitat protection,” but no proliferation evidence or habitat data were included.

Deficiencies

Field photos from COTD confirm a single tread, well confined and maintained. The closure violated NEPA § 1502.24, APA § 706(2)(A), and BLM Manual 6840 by relying on unverified assertions.

Values and Use

D1753 is a short connector used during Easter Jeep Safari for event logistics, volunteer access, and safety reroutes. Its continued maintenance minimizes off-route travel and erosion.

Legal and Policy Basis for Reopening

Reopening is consistent with EO 11644, FLPMA § 102(a)(7), and the 2024 BLM Policy Memorandum prohibiting closures for speculative or aesthetic reasons.

Recommendation

Reopen D1753 under “Open - Managed Use,” install signage to confine travel to the established tread, and continue partnership maintenance to prevent unauthorized expansion.

Route D1758B – Bowknot Bend Spur

Route D1758B provides a short but important scenic spur leading to the Bowknot Bend overlook: a premier vista along the Green River corridor. The 2023 DR closed this route on the grounds of “erosional risk” and “user-created proliferation,” yet these conclusions were unsupported by field data. This closure typifies the pattern of speculative, non-evidence-based decisions found throughout the 2023 DR, where closures were justified with general phrases about “sensitive soils” and “visual concerns” rather than verifiable science.



Deficiencies

The administrative record includes no soil stability surveys, hydrologic data, or field photos confirming erosion. The claim of “route proliferation” was contradicted by satellite imagery showing a single, well-defined tread. These omissions violate NEPA 40 C.F.R. §1502.24, which mandates “accurate scientific analysis.” The closure also improperly applied minimization criteria to eliminate recreation access rather than mitigate resource concerns.

Values and Use

D1758B is a destination route: short, durable, and low impact. It has been used responsibly for decades by local recreationists, photographers, and families seeking views of the Green River’s iconic Bowknot Bend. The spur also supports dispersed camping on stable sandstone, avoiding sensitive riparian zones. Its continued visibility and defined tread refute any notion of reclamation.

Legal and Policy Basis for Reopening

By closing D1758B without evidence of “considerable adverse effects,” the BLM contravened Executive Order 11989 and FLPMA §102(a)(7). The closure further imposed wilderness-like management outside designated WSAs, violating FLPMA §603(c). Reopening is consistent with the EXPLORE Act §104(b)(1), which directs the agency to expand recreation opportunities through active management, not arbitrary restriction.

Recommendation

Reopen Route D1758B with signage to prevent off-route travel. Monitoring and visitor education can ensure continued resource protection while ensuring lawful, scenic access to a nationally significant overlook.

Route D1829 – Spring Canyon Connector

Route D1829 functions as a short connector route within the Spring Canyon network, linking open roads that serve both recreational users and land management operations. The 2023 DR closed it due to “potential user conflict” and “redundancy,” yet provided no incident reports, field logs, or data to substantiate those claims.

Deficiencies

No documentation demonstrates conflict between recreation user groups, and there was no evidence of duplicate routing. The closure therefore fails to meet APA §706(2)(A)’s standard against arbitrary agency action. The DR also neglected the requirement under NEPA §1502.24 to use verifiable data, relying instead on conjecture.



Values and Use

D1829 provides efficient connectivity through the canyon, helping to disperse traffic and reduce pressure on nearby high-use corridors. It is used by both motorized and non-motorized visitors, as well as for administrative maintenance access. Volunteers have historically maintained the tread, placing rock reinforcements to prevent washouts.

Legal and Policy Basis for Reopening

Under FLPMA §102(a)(7), BLM must balance conservation with access. Removing D1829 reduced the network’s functionality and limited visitor distribution, contrary to MS-1626, which promotes connectivity and access diversity. Reopening this route also supports the EXPLORE Act §103(a), directing agencies to sustain additional recreation opportunities.

Recommendation

Reopen D1829 as an open connector, maintaining cooperative monitoring partnerships with local volunteers. This will ensure stable conditions and fulfill BLM’s multiple-use obligations.

Route D1833 – Big Flat Rim Spur

Route D1833 provides a short scenic spur to the Big Flat Rim viewpoint. The 2023 DR closed it for “natural reclamation” and “limited recreational value,” neither of which are supported by field observation. Photos and user accounts confirm a visible tread, durable surface, and ongoing use.

Deficiencies

The “natural reclamation” claim was based solely on GIS data, without field verification. This procedural failure violates NEPA §1502.24, as no accurate environmental information supports the decision. The closure also inappropriately applied “recreation value” as a basis for elimination - an arbitrary metric with no regulatory foundation.

Values and Use

This route’s primary value lies in scenic access and visitor safety. It ends at a hardened turnaround point that prevents off-route travel and facilitates controlled use. It provides one of the few rim-top locations where vehicles can park safely away from drop-offs to observe the Green River corridor.

Legal and Policy Basis for Reopening

The closure effectively extended wilderness-like management to non-WSA land, contrary to FLPMA §603(c). Reopening complies with EO 11989 and the EXPLORE Act §104(a),



which encourage sustainable scenic access. Maintaining the route aligns with MS-1626’s guidance on system design that supports “Access, Connectivity, and Experience.”

Recommendation

Reopen D1833 as an “Open – Scenic Spur” with improved signage to direct vehicles to existing hardened areas and deter unauthorized extensions.

Route D1843 – Horseshoe Bend Overlook

Route D1843 provides access to the famous Horseshoe Bend overlook of the Green River. The 2023 DR closure cited “visual sensitivity” and “adjacency to primitive zones” as justification, but neither rationale satisfies the legal threshold for route closure. No resource inventories or visual management studies were presented.

Deficiencies

The closure lacks site-specific data showing any “considerable adverse effect” to scenic or natural values, violating EO 11644. It also fails to meet the procedural standard under NEPA §1502.24 for transparent documentation of field evidence.

Values and Use

The overlook is one of the area’s most visited and photographed sites. The route provides managed access that concentrates use on a single tread rather than allowing uncontrolled visitation. For decades, visitors have maintained the site, filling ruts and clearing debris to prevent erosion.

Legal and Policy Basis for Reopening

Closing this route constitutes de facto wilderness management, prohibited by FLPMA §603(c). Reopening D1843 fulfills EXPLORE Act §102(b), which directs agencies to ensure equitable access to recreation resources for all user types.

Recommendation

Reopen D1843 with boundary signage and hardened parking pads to manage use. This approach restores lawful scenic access while protecting surrounding resources.

Route D1860 – Canyon Bench Access Route

D1860 is a well-established access route to a canyon bench historically used for dispersed camping and recreation events. The 2023 DR closed it citing “wildlife disturbance” and “route proliferation,” but neither claim was supported by biological data or field assessments.



Deficiencies

No wildlife surveys or consultation records were included in the DR. The “proliferation” claim was based on low-resolution aerial imagery, not site inspection. This violates BLM Manual 6840 (requiring verified data for species management) and NEPA’s information quality requirements.

Values and Use

The route remains clearly visible and regularly used for camping and event staging. The hard, compacted surface and minimal vegetation growth make it ideal for controlled use. Its presence reduces off-route travel by channeling visitors onto a durable path.

Legal and Policy Basis for Reopening

Absent findings of “considerable adverse effects,” the closure violated EO 11989. Reopening D1860 supports the EXPLORE Act §104(a) goal of maintaining existing recreation opportunities and complies with FLPMA §102(a)(8) to preserve scenic and cultural values for public enjoyment.

Recommendation

Reopen D1860 as an open designated access route, subject to periodic resource monitoring.

Route D1868 – Mineral Point Spur

Route D1868 leads to a scenic overlook above Mineral Point and provides one of the few vehicle-accessible viewpoints in the area. The 2023 DR closed it as “redundant” and of “limited value,” yet no redundancy study or use data were presented.

Deficiencies

The closure lacked a redundancy analysis, violating NEPA §1500.1(b), which requires verifiable evidence for conclusions. The claim of “limited value” reflects subjective bias rather than measurable impact.

Values and Use

This route provides exceptional views, low-impact dispersed camping, and geologic interpretation opportunities. It has a solid sandstone base and no signs of erosion. It also facilitates public education about natural processes and desert ecosystems.

Legal and Policy Basis for Reopening

Closing this route reduced recreational capacity in violation of EXPLORE Act §104(b),



which directs federal agencies to expand recreation opportunities. Maintaining D1868 also supports FLPMA §102(a)(8)'s scenic resource mandate.

Recommendation

Reopen D1868 as “Open – Scenic Overlook Access,” maintaining its short, durable tread under existing management frameworks.

Route D1908 – Canyon Rim Loop

Route D1908 forms part of a scenic rim loop providing panoramic views of the Green River corridor. The 2023 DR closed it based on “erosional sensitivity” and “redundancy,” neither substantiated by evidence.

Deficiencies

No erosion modeling or sediment control studies were conducted. The closure applied generic minimization language without field data, in direct violation of NEPA §1502.24.

Values and Use

D1908 provides a loop connection critical for dispersing visitor traffic, reducing congestion on primary routes. It's used regularly during local off-road events, and volunteers maintain drainage features to prevent washouts.

Legal and Policy Basis for Reopening

Closure of D1908 reduced system redundancy, increasing impacts elsewhere, which is contrary to EO 11644. Reopening it fulfills EXPLORE Act §104(b) by improving recreational connectivity and access diversity.

Recommendation

Reopen D1908 under a “Managed Loop” designation, with annual monitoring coordinated through volunteer stewardship programs.

Route D1908A – Canyon Rim Spur Extension

Route D1908A extends from D1908 to a rim overlook. The 2023 DR cited “natural reclamation,” yet imagery and user reports confirm a defined tread.

Deficiencies

No vegetation mapping, soil data, or photo logs were included in the DR, violating NEPA's data-quality requirements.



Values and Use

This short spur provides elevated views and an established turnaround that limits further off-route use. It has been maintained by recreationists and remains stable.

Legal and Policy Basis for Reopening

Closing D1908A imposed wilderness-like restrictions outside WSA boundaries, inconsistent with FLPMA §603(c). Reopening complies with EXPLORE Act §104(a), supporting scenic recreation while preserving environmental quality.

Recommendation

Reopen D1908A as “Open – Scenic Spur,” maintaining the hardened turnaround to manage use responsibly.

Route D1915 – Klondike Flats Connector

D1915 serves as a primary connector across the Klondike Flats area. The 2023 DR closure cited “habitat disturbance” without supporting data and failed to coordinate with state agencies on adjacent SITLA access.

Deficiencies

The closure lacked biological data and state coordination, violating FLPMA §202(c)(9) and NEPA §1502.24. The decision relied on assumed, not demonstrated, impacts.

Values and Use

D1915 connects major routes used by OHV enthusiasts, campers, and BLM maintenance staff. It remains in excellent condition, showing minimal rutting or vegetation intrusion.

Legal and Policy Basis for Reopening

Reopening D1915 restores compliance with coordination requirements and supports EXPLORE Act §104(b), ensuring improved recreational connectivity. It also upholds FLPMA §102(a)(7)’s mandate for multiple-use balance.

Recommendation

Reopen D1915 as an open connector route with signage marking the state-federal boundary.

Route D1915B – Klondike Flats Spur

Route D1915B branches from D1915 to a scenic overlook and camping area. The 2023 DR closed it as “redundant,” yet it serves a distinct purpose and provides unique scenic and recreational opportunities.



Deficiencies

The redundancy claim is unsupported. No site visit or user data substantiate it. This is a procedural deficiency under NEPA §1502.24.

Values and Use

The spur provides a safe turnaround and panoramic overlook, used regularly for sightseeing and camping. It helps local users avoid creating unauthorized tracks.

Legal and Policy Basis for Reopening

Closure contradicts EO 11644 and EXPLORE Act §104(b), both of which emphasize maintaining access diversity.

Recommendation

Reopen D1915B with route signage and minimal infrastructure to manage use sustainably.

Route D1916 – Klondike Ridge Access Spur

Route D1916 serves as a short spur that provides access to a ridge overlook on the east side of the Klondike Flats area. The 2023 Decision Record (DR) closed this route citing “redundant access” and “erosional potential,” yet neither claim was supported by ground-level data or an environmental condition survey. The route remains visible, compacted, and in stable condition.

Deficiencies

The closure was based on aerial imagery and general minimization language applied without field verification. No erosion or hydrological analysis accompanied the DR, violating NEPA 40 C.F.R. §1502.24, which mandates reliance on accurate scientific information.

Additionally, the DR ignored the route’s long-term use history and its function as an RS2477 connector, inconsistent with FLPMA §202(c)(9) coordination requirements for rights-of-way and state interests.

Values and Use

D1916 offers scenic access to a ridge overlook used for dispersed camping and photography. The route is well-defined on hard sandstone substrate and minimizes resource disturbance. It has been utilized during organized off-highway events and maintained by volunteer groups to mitigate runoff impacts.

Legal and Policy Basis for Reopening

This closure improperly applied wilderness-like management on non-WSA land, contrary to FLPMA §603(c). Reopening aligns with EO 11989, which restricts closure to instances of



“considerable adverse effects.” It also fulfills EXPLORER Act §104(b) by sustaining and improving recreational access opportunities.

Recommendation

Reopen D1916 and install educational signage to maintain controlled use and preserve both recreation access and environmental stability.

Route D1944 – Bartlett Wash Connector

Route D1944 connects existing open routes in the Bartlett Wash area, providing critical east-west passage for both recreation users and land managers. The 2023 DR closure cited “redundancy” and “resource protection,” but no field-based analysis confirmed these assertions.

Deficiencies

The DR offered no quantitative data on resource conditions, sediment load, or duplicate functionality. The closure instead appears to have been made to reduce total mileage under arbitrary minimization goals, which is a misuse of the minimization criteria and inconsistent with Executive Order 11644, which prohibits closures aimed solely at numerical reduction.

Values and Use

D1944 serves as a vital connector facilitating access to recreation loops that distribute user traffic and prevent congestion. The tread remains intact and stable, composed primarily of slickrock and compacted soils that resist erosion.

Legal and Policy Basis for Reopening

Closing D1944 disrupted route system integrity, contrary to MS-1626, which emphasizes connectivity as a core management principle. Reopening this connector supports the EXPLORER Act §103(a) directive to sustain additional recreation opportunities. It also restores system efficiency, supporting BLM’s multiple-use obligations under FLPMA §102(a)(7).

Recommendation

Reopen D1944 under “Open – Connector Route” status and monitor seasonal use to document stability and compliance.

Route D1945 – Bartlett Overlook Spur

D1945 is a short scenic spur providing access to a popular overlook adjacent to the Bartlett Rim system. The 2023 DR closed it on claims of “natural reclamation” and “visual impacts.” However, no reclamation or visual resource inventory was performed to justify either conclusion.



Deficiencies

The closure relied solely on map-based inference rather than field observation, violating NEPA §1502.24. The claim of “visual impact” has no legal standing under EO 11644, which limits closure to demonstrable resource harm. The DR also ignored extensive user documentation showing regular visitation and maintenance.

Values and Use

The overlook accessed by D1945 is a signature viewpoint used by photographers, hikers, and OHV users alike. The route is well-defined and hardened, posing no threat of erosion. User groups have historically maintained it through voluntary cleanups and sediment control work.

Legal and Policy Basis for Reopening

Closing this route imposed de facto wilderness management outside formal designation, contrary to FLPMA §603(c). Reopening complies with the EXPLORE Act §104(a), which calls for increasing scenic access to federal lands through responsible management, not withdrawal.

Recommendation

Reopen D1945 under “Open – Scenic Access,” with minimal management infrastructure such as boundary signage and pull-off stabilization.

Route D1949 – Bartlett Rim Traverse

D1949 follows the Bartlett Rim and provides critical through access connecting multiple loops. The DR closed it citing “route proliferation” and “visual intrusion.” Yet the record contains no proliferation mapping or evidence of new tracks.

Deficiencies

BLM’s rationale lacked on-site verification and misapplied minimization criteria to restrict motorized access categorically. This approach contradicts NEPA’s requirement for data-driven decision-making and EO 11989, which allows closures only after finding “considerable adverse effects.”

Values and Use

D1949 is used annually during organized trail events and connects several established scenic spurs. Its position along the rim allows visitors to enjoy panoramic views while limiting ground disturbance due to the route’s rock-based tread.



Legal and Policy Basis for Reopening

Eliminating D1949 fragmented the route system, contrary to MS-1626. Reopening aligns with EXPLORE Act §104(b) by enhancing connectivity and promoting managed recreational access. It also supports FLPMA §102(a)(8), which mandates protecting scenic and recreational values in balance with resource stewardship.

Recommendation

Reopen D1949 under “Open – Managed Connector.” Employ volunteer monitoring and signage to manage visitor flow.

Route D1953 – Big Mesa Access

D1953 accesses Big Mesa, offering dispersed recreation, scenic viewpoints, and emergency egress for authorized users. The 2023 DR closed it for “erosional susceptibility” and “habitat protection,” neither supported by data or habitat assessments.

Deficiencies

No species occurrence data or soil erosion modeling were included in the DR. The decision lacked consultation records with state wildlife agencies, violating FLPMA §202(c)(9) coordination requirements.

Values and Use

The route’s durable surface minimizes erosion potential. It is regularly used for dispersed camping and scenic drives and remains part of a traditional network of public access across mesa lands.

Legal and Policy Basis for Reopening

Closing D1953 imposed unverified restrictions inconsistent with NEPA §1502.24 and EO 11989. Reopening supports EXPLORE Act §104(a) by sustaining public access to recreational and educational opportunities on durable landscapes.

Recommendation

Reopen D1953 under “Open – Limited Access” with optional seasonal adjustments if warranted by validated habitat studies.

Route D1991 – Mineral Basin Connector

Route D1991 links two high-elevation recreation corridors within the Mineral Basin area. The 2023 DR closed it under claims of “redundancy” and “vegetative recovery,” but aerial and field imagery confirm ongoing use and a well-defined tread.



Deficiencies

The closure failed to include site-level vegetation or hydrology analysis, violating NEPA’s data standards. Claims of recovery contradict visible evidence of continued recreational maintenance.

Values and Use

D1991 is part of a loop network essential for distributing use, reducing trail congestion, and maintaining safe access. It is popular among small-vehicle users and is also utilized during the Easter Jeep Safari.

Legal and Policy Basis for Reopening

Closure contradicts FLPMA §102(a)(7) by undermining multiple-use access. Reopening aligns with EXPLORE Act §104(b) by expanding system connectivity, and with EO 11644, which requires management, not elimination, of routes absent considerable adverse effects.

Recommendation

Reopen D1991 under “Open – System Connector” with continued volunteer maintenance coordination.

Route D1998A – Mineral Basin Spur

D1998A is a short spur extending from the Mineral Basin network, used primarily for scenic access and dispersed camping. The 2023 DR closed it for “redundancy” and “sensitive soils,” yet no site soil analysis or resource inventory was provided.

Deficiencies

The record lacks soil classification data or evidence of surface instability. The closure also disregarded the route’s cultural and recreational significance, ignoring public input and prior maintenance records.

Values and Use

This route provides valuable dispersed recreation access while minimizing resource impacts due to its short length and hardened substrate. It’s a traditional stop for visitors seeking quiet, low-use camping opportunities.

Legal and Policy Basis for Reopening

Eliminating D1998A disregarded NEPA’s requirement for site-specific evidence and EO 11989’s standard of demonstrated harm. Reopening fulfills EXPLORE Act §104(a) by ensuring equitable access for multiple user types.



Recommendation

Reopen D1998A as “Open – Scenic Spur,” managed through routine field inspections and signage promoting Leave No Trace practices.

Route D2014 – Canyonlands Access Spur

D2014 historically provided public access to remote scenic terrain on the north boundary of the Canyonlands region. The DR closed it citing “route redundancy” and “resource protection,” but the justification lacked field verification or supporting analysis.

Deficiencies

No data on soil stability, vegetation, or erosion were presented. The closure failed to consider RS2477 status or state coordination, contrary to FLPMA §202(c)(9).

Values and Use

The route serves as a low-impact scenic spur used for dispersed camping and landscape photography. It’s composed of stable slickrock and gravel surfaces that resist erosion.

Legal and Policy Basis for Reopening

This closure functionally extended wilderness-style restrictions to non-WSA lands, inconsistent with FLPMA §603(c). Reopening supports EXPLORE Act §104(b) by expanding lawful scenic access and preserving system diversity.

Recommendation

Reopen D2014; maintain through annual monitoring partnerships.

Route D2015 – Canyon Rim Access

D2015 provides rim access for recreation and administrative maintenance. The 2023 DR closure cited “user conflict potential” and “adjacency to sensitive resources,” neither substantiated by data or monitoring reports.

Deficiencies

No conflict records, public use logs, or biological assessments were cited. The closure failed to identify specific “sensitive resources,” rendering it arbitrary under APA §706(2)(A).

Values and Use

D2015 enables safe and concentrated recreation on a durable tread, channeling access away from fragile zones. The route is actively used for scenic access and during local OHV events.



Legal and Policy Basis for Reopening

Closure violated EO 11644 and NEPA by lacking factual evidence. Reopening aligns with EXPLORE Act §104(b), which emphasizes maintaining existing recreation opportunities while expanding access.

Recommendation

Reopen D2015 as an open rim access route, retaining the current tread width and implementing signage to direct responsible use.

Route D2017 – Basin Rim Overlook

D2017 offers one of the few vehicle-accessible overlooks into the Basin Rim region. The 2023 DR closure cited “visual concerns” and “reclamation,” though the tread remains visible and functional.

Deficiencies

No visual resource management study or field confirmation of reclamation was conducted. The closure relied on conjecture, violating NEPA §1502.24’s accuracy standard.

Values and Use

The route provides vital scenic access for photography, education, and dispersed camping. It’s stable, low-use, and critical for equitable access by visitors who cannot hike to viewpoints.

Legal and Policy Basis for Reopening

Closing D2017 imposed wilderness-like standards inconsistent with FLPMA §603(c). Reopening complies with EXPLORE Act §104(a) by ensuring continued availability of scenic opportunities.

Recommendation

Reopen D2017 under “Open – Scenic Overlook” management, with appropriate signage and monitoring for resource protection.

Route D2022 – Mineral Canyon Overlook Access

Route D2022 is a short spur extending to an overlook above the Mineral Canyon drainage. The 2023 Decision Record (DR) closed this route on the basis of “redundancy” and “resource protection.” Yet no field-based assessment or resource impact data supported these assertions. This route, long used as a scenic access point, remains intact, visible, and stable.



Deficiencies

The DR cited “redundancy” without a comparative analysis of nearby routes or user data to justify the claim. The closure lacked soil stability or erosion data and provided no record of field inspection, violating NEPA 40 C.F.R. §1502.24. In addition, the minimization criteria were misapplied to eliminate access rather than mitigate potential impacts.

Values and Use

D2022 provides one of the most accessible overlooks of the Mineral Canyon landscape, offering safe parking and photo opportunities without requiring off-route travel. It has long been used by visitors seeking scenic views and dispersed camping on durable terrain.

Legal and Policy Basis for Reopening

Closing D2022 constitutes the application of wilderness-like management to non-WSA lands, in violation of FLPMA §603(c). Reopening supports EO 11989, which allows closures only upon proof of “considerable adverse effects.” It also advances the EXPLORE Act §104(b) directive for agencies to expand access to recreation opportunities through responsible management.

Recommendation

Reopen D2022 with route signage and boundary markers to prevent off-route use.

Route D2029 – Tenmile Point Access

Route D2029 leads to the Tenmile Point overlook and provides one of the most striking vistas within the Labyrinth Rim area. The 2023 DR closed the route on grounds of “erosional risk” and “adjacency to primitive zones,” but these justifications were unsupported by field evidence.

Deficiencies

The DR relied on generalized soil mapping without site-specific data. No erosion inventory or sediment transport study was conducted, and no documentation shows the route intersecting sensitive habitats. This constitutes a procedural failure under NEPA §1502.24, which requires reliance on verifiable scientific data.

Values and Use

D2029 provides an iconic access point for recreationists, including participants in the Easter Jeep Safari, photographers, and casual visitors. The tread remains well-compacted and has shown no signs of expansion or off-route proliferation. Volunteer efforts have routinely cleared debris and repaired minor rutting, demonstrating responsible stewardship.



Legal and Policy Basis for Reopening

This closure applied minimization criteria beyond their lawful scope, treating access as a resource threat rather than an element of multiple-use management. Reopening D2029 aligns with FLPMA §102(a)(7) and the EXPLORE Act §104(a) by promoting balanced recreation access and active management.

Recommendation

Reopen D2029 under “Open – Scenic Access,” maintaining visitor education and voluntary erosion control practices.

Route D2031 – Tenmile Mesa Rim Spur

Route D2031 provides access to a rim overlook on Tenmile Mesa, long valued for its panoramic views and geological features. The 2023 DR closed it for “natural reclamation” and “low recreational value.” However, current imagery and field observations confirm an intact tread with visible vehicle use, disproving claims of reclamation.

Deficiencies

No vegetation survey or soil stability study supported the closure, violating NEPA’s requirement for reliable data. The claim of “low recreational value” lacks any objective basis and represents pre-decisional bias favoring route reduction.

Values and Use

This route has been actively used for decades by both local residents and visiting enthusiasts. It offers safe, designated access to a scenic viewpoint on stable slickrock, minimizing environmental impacts. Its closure limits dispersed camping and photography opportunities, contrary to multiple-use principles.

Legal and Policy Basis for Reopening

The DR’s rationale imposed wilderness-like management inconsistent with FLPMA §603(c). Reopening D2031 fulfills EO 11989 and EXPLORE Act §104(b), which mandate that agencies maintain and expand lawful access to recreation resources.

Recommendation

Reopen D2031 under “Open – Scenic Access,” implementing signage to prevent off-route travel.

Route D2359 – Hell Roaring Rim Overlook Spur

Route D2359 provides access to an overlook along the Hell Roaring Rim complex, an area



prized for its sweeping views and dispersed camping. The 2023 DR closed it under vague claims of “redundancy” and “potential resource impacts.”

Deficiencies

The DR presented no erosion measurements, visitor data, or habitat studies, violating NEPA §1502.24 and EO 11644, which require closures to be justified by site-specific findings of “considerable adverse effects.” The closure also failed to consider the route’s historic use and its role in distributing visitation.

Values and Use

D2359 remains a visible, compacted spur leading to a safe turnaround and overlook point. Visitors have historically used it responsibly for photography and camping. Volunteers have maintained the tread and installed small rock barriers to limit off-route travel.

Legal and Policy Basis for Reopening

Closing D2359 imposed nonimpairment standards from WSA policy onto non-designated lands, contrary to FLPMA §603(c). Reopening aligns with the EXPLORE Act §104(a) and MS-1626, which emphasize access diversity and sustainable route systems.

Recommendation

Reopen D2359 as “Open – Managed Scenic Spur,” monitored through periodic field assessments and public stewardship partnerships.

Route D2375 – Mineral Bench Connector

Route D2375 serves as a vital connector between rim routes along the Mineral Bench area, long used for scenic travel and route monitoring. The 2023 DR closed it for “wildlife disturbance” and “route duplication,” without data to support either claim.

Deficiencies

No wildlife surveys or consultation records exist in the administrative record. The redundancy claim was unsubstantiated, as no alternate route provides equivalent connectivity. The closure therefore fails NEPA §1502.24 and APA §706(2)(A) standards.

Values and Use

This route is critical for dispersing vehicle use across the rim system, reducing pressure on high-traffic areas. It remains well-defined and stable, with minimal vegetation encroachment. It has been used in volunteer maintenance projects and route cleanups.



Legal and Policy Basis for Reopening

Reopening D2375 corrects a procedural error and restores compliance with FLPMA §102(a)(7) and EO 11644, which call for active management rather than unnecessary restriction. It also fulfills the EXPLORE Act §104(b) requirement for improving access connectivity across public lands.

Recommendation

Reopen D2375 as “Open – System Connector,” incorporating signage and cooperative monitoring to sustain low-impact use.

Route D2384 – Mineral Point Rim Access

D2384 provides direct access to a rim viewpoint within the Mineral Point region. The DR closed it on claims of “visual intrusion” and “natural reclamation.” Neither justification was supported by field data or visual resource inventory.

Deficiencies

No visual resource study, topographic analysis, or vegetation data were included in the DR. These omissions violate NEPA’s best available information requirement and demonstrate arbitrary reasoning under APA §706(2)(A).

Values and Use

The route remains clearly visible and is valued for its safe, stable access to panoramic vistas. It also supports visitor education and photographic documentation of the region’s geological features.

Legal and Policy Basis for Reopening

By eliminating this route, the BLM applied a non-statutory aesthetic standard, creating de facto wilderness buffer zones in violation of FLPMA §603(c). Reopening D2384 aligns with the EXPLORE Act §104(a) and MS-1626, promoting equitable access to scenic public lands.

Recommendation

Reopen D2384 as “Open – Scenic Access,” with optional pullouts and signage directing safe parking.

Route D2385 – Mineral Bench Overlook Spur

Route D2385 leads to a short scenic overlook along the Mineral Bench area. The 2023 DR closure cited “redundancy” and “habitat protection,” but no habitat or route overlap analysis was presented.



Deficiencies

The administrative record lacks species data, GIS mapping, or coordination documentation with state wildlife agencies. This violates FLPMA §202(c)(9) and NEPA §1502.24.

Values and Use

D2385 provides a safe, designated endpoint for recreation, photography, and camping. The terrain is durable, composed of slickrock and compacted soils, with negligible evidence of erosion or route proliferation.

Legal and Policy Basis for Reopening

The closure imposed speculative habitat restrictions contrary to EO 11989, which requires evidence of “considerable adverse effects.” Reopening D2385 supports EXPLORÉ Act §104(b) by maintaining lawful recreation access and balancing use with conservation.

Recommendation

Reopen D2385 with signage and monitoring for resource protection.

Route D2387 – Mineral Basin Access Spur

D2387 provides a short access spur to a rim-edge viewpoint along the Mineral Basin complex. The 2023 DR closed it for “redundancy” and “visual concerns,” yet no duplicate routes or visual resource inventories were presented.

Deficiencies

No field verification occurred, and the closure rationale was based on map-layer generalizations. This violates NEPA’s data quality standards and the APA’s prohibition on arbitrary decisions.

Values and Use

The route provides unique scenic access distinct from adjacent trails, facilitating controlled visitation. It also serves as a designated endpoint, preventing informal route extensions.

Legal and Policy Basis for Reopening

Closing this route established wilderness-like restrictions in a multiple-use setting, contrary to FLPMA §603(c). Reopening aligns with EXPLORÉ Act §104(a) by enhancing equitable recreation opportunities and ensuring lawful management of existing routes.



Recommendation

Reopen D2387 as “Open – Managed Scenic Spur,” with hardened surface delineation and interpretive signage.

Route D2398I – Mineral Canyon Connector Spur

D2398I functions as a minor but essential spur connecting two segments of the Mineral Canyon access network. The 2023 DR closed it as “redundant” and “in a sensitive drainage,” but no hydrologic study or impact data were included.

Deficiencies

The closure lacked hydrology or sediment transport data and ignored existing stabilization measures, violating NEPA §1502.24. The decision also disregarded the route’s RS2477 relevance, infringing on coordination obligations under FLPMA §202(c)(9).

Values and Use

This route supports operational connectivity, recreation access, and safety during special-use events. It also provides an established path for emergency response and maintenance vehicles.

Legal and Policy Basis for Reopening

Reopening restores lawful multiple-use balance under FLPMA §102(a)(7) and meets EXPLORE Act §104(b) standards for maintaining system connectivity. It also ensures compliance with EO 11989, requiring demonstrable harm prior to closure.

Recommendation

Reopen D2398I under “Open – Connector Route,” integrating periodic monitoring and cooperative volunteer upkeep.

Route D2421 – Mineral Point Scenic Spur

D2421 is a short spur route that leads to a unique rim overlook with historical and scenic significance. The 2023 DR closed it citing “redundancy” and “resource sensitivity,” but these justifications were unsubstantiated.

Deficiencies

The closure lacked field verification, biological surveys, or soil data. The record demonstrates a pattern of unverified minimization language rather than site-specific findings, violating NEPA §1502.24 and EO 11644.



Values and Use

The spur provides one of the most accessible scenic turnouts for visitors, including those with limited mobility. Its durable surface shows no evidence of erosion or reclamation. The route's continued presence prevents off-route driving and protects nearby vegetation.

Legal and Policy Basis for Reopening

This closure imposed wilderness buffer conditions outside statutory authority, violating FLPMA §603(c). Reopening D2421 supports EXPLORE Act §104(a) by maintaining equitable recreation opportunities while upholding resource stewardship through controlled access.

Recommendation

Reopen D2421 as "Open – Scenic Spur," managed with hardened parking and educational signage.

Route D2434 – Big Mesa Rim Connector

D2434 traverses a section of the Big Mesa rim system, providing a key connector between designated recreation loops. The 2023 DR closed it due to claims of "redundant access" and "potential resource sensitivity," though these were based on GIS interpretation rather than verified field surveys.

Deficiencies

The DR relied on broad "minimization criteria" language without providing evidence of site-level impact or duplication, violating NEPA 40 C.F.R. §1502.24. No erosion, vegetation, or hydrology data were cited, and the decision ignored the route's RS2477 standing as an established access corridor.

Values and Use

D2434 is integral to loop connectivity, reducing traffic congestion on parallel routes. The tread is stable and compact, maintained by volunteers through small-scale drainage work. It is used annually during the Easter Jeep Safari.

Legal and Policy Basis for Reopening

The closure imposed wilderness-like management inconsistent with FLPMA §603(c). Reopening fulfills EXPLORE Act §104(b) and MS-1626 by restoring access connectivity and lawful multiple-use balance.



Recommendation

Reopen D2434 under “Open – Connector Route” classification with ongoing volunteer maintenance and monitoring.

Route D2437 – Mineral Bench Access Spur

D2437 provides access to the Mineral Bench rim and connects to dispersed camping sites. It was closed in 2023 for “visual impacts” and “proximity to sensitive areas,” though neither justification was documented.

Deficiencies

No visual resource inventory or site sensitivity analysis exists in the DR. The closure therefore fails NEPA §1502.24’s requirement for accurate information and EO 11644, which permits closures only for verified adverse effects.

Values and Use

The route is used for scenic viewing and low-impact camping. The slickrock base provides durability, and its closure may push visitors into undesignated areas, increasing unmanaged impacts. Maintaining this route as open ensures well-managed OHV recreation within a defined, balanced, and effectively orchestrated route network.

Legal and Policy Basis for Reopening

The closure created an artificial wilderness buffer contrary to FLPMA §603(c). Reopening is consistent with the EXPLORE Act §104(a) directive to maintain accessible recreation for diverse user types, including those with limited mobility.

Recommendation

Reopen D2437 as “Open – Scenic Spur,” with signage directing traffic to hardened turnaround zones.

Route D2450A – Mineral Point Connector

Route D2450A provides a short connection across the Mineral Point system linking two primary designated routes. It was closed for “redundancy” and “erosional potential,” despite no site-level analysis.

Deficiencies

No hydrological or soil stability data were cited, and the claim of redundancy was unsupported. The DR’s approach was inconsistent with APA §706(2)(A), constituting arbitrary decision-making.



Values and Use

This route reduces travel distances and disperses use, preventing over-concentration on high-traffic routes. It remains clearly visible and durable, with negligible rutting.

Legal and Policy Basis for Reopening

Reopening supports FLPMA §102(a)(7) multiple-use balance and the EXPLORE Act §104(b) requirement to improve system connectivity and recreational diversity.

Recommendation

Redesignate D2450A as “Open – System Connector,” subject to periodic monitoring.

Route D2471 – Canyon Rim Scenic Spur

D2471 provides a short, scenic spur offering exceptional views into the canyon network west of Mineral Point. The DR closed it citing “visual concerns” and “limited value,” both unsupported.

Deficiencies

The closure lacked visual impact analysis and ignored visitor data showing regular use. No field verification occurred, violating NEPA §1502.24.

Values and Use

D2471 serves as a managed endpoint where visitors can safely park, reducing resource trampling. It has been used for decades without evidence of erosion.

Legal and Policy Basis for Reopening

Closing the route imposed de facto wilderness management on non-WSA lands, conflicting with FLPMA §603(c). Reopening meets EXPLORE Act §104(a) goals for maintaining equitable scenic access.

Recommendation

Redesignate D2471 under “Open – Scenic Spur,” maintaining signage and designated pullouts.

Route D2482 – Bartlett Bench Connector

D2482 links open roads across the Bartlett Bench system, creating an important east-west connector. The 2023 DR closed it for “redundancy” and “proximity to sensitive habitat,” though neither was verified.



Deficiencies

No wildlife or vegetation surveys exist in the DR, and no alternate routes replicate this corridor's function. The decision ignored FLPMA §202(c)(9) coordination requirements with state resource agencies.

Values and Use

D2482 supports dispersed recreation, trail connectivity, and resource monitoring access. Its closure isolates several open segments, creating dead-end routes.

Legal and Policy Basis for Reopening

The closure violated EO 11644 by failing to demonstrate considerable adverse effects. Reopening fulfills EXPLORE Act §104(b) by restoring logical route system connectivity.

Recommendation

Reopen D2482 as "Open – Managed Connector," with signage and seasonal access monitoring if clearly justified based on current field studies with comprehensive empirical data to demonstrate the need for seasonal access limitations.

Route D2491 – Mineral Canyon Loop Access

D2491 is part of a small loop that provides dispersed camping and viewing access within the Mineral Canyon region. The DR closed it citing "erosion" and "natural reclamation."

Deficiencies

No erosion survey or photo documentation supports the closure. The route's tread remains visible and compact, and no hydrologic features show instability.

Values and Use

D2491 provides valuable dispersed recreation and access for families, including visitors with limited mobility. Its continued presence prevents creation of unauthorized tracks.

Legal and Policy Basis for Reopening

The closure's rationale violated NEPA's information quality standards and created a wilderness buffer zone contrary to FLPMA §603(c). Reopening supports EXPLORE Act §104(a) by expanding equitable access.

Recommendation

Reopen D2491 as "Open – Scenic Access," with signage for designated parking and turnaround.



Route D2510 – Big Flat Rim Spur

D2510 provides direct scenic access to the Big Flat Rim overlook. The DR closed it for “redundancy” and “resource sensitivity,” though no relevant field data were cited.

Deficiencies

The closure lacked verification of resource conflicts and failed to consider the route’s durable slickrock base. It violated NEPA §1502.24 by relying on unverified GIS mapping.

Values and Use

The spur allows safe rim access for sightseeing, photography, and camping. It serves as a designated turnaround that concentrates activity away from fragile areas.

Legal and Policy Basis for Reopening

Reopening complies with FLPMA §102(a)(8) and the EXPLORE Act §104(a), ensuring sustainable public enjoyment of scenic lands while maintaining environmental integrity.

Recommendation

Reopen D2510 as “Open – Scenic Spur,” with signage to prevent off-route travel.

Route D2512A – Bartlett Rim Extension

D2512A is a spur extension from the Bartlett Rim area, providing short scenic access and dispersed camping opportunities. It was closed in 2023 for “limited recreational value” and “erosional risk,” neither of which were substantiated.

Deficiencies

No erosion data or use metrics were included. The closure improperly applied subjective value judgments, contrary to APA §706(2)(A).

Values and Use

This spur provides low-impact access to panoramic overlooks and avoids route proliferation by concentrating use. Visitors and volunteers have stabilized sections using rock reinforcement.

Legal and Policy Basis for Reopening

Reopening supports FLPMA §102(a)(7)’s multiple-use mandate and the EXPLORE Act §104(b) requirement to maintain and expand recreation access.



Recommendation

Reopen D2512A under “Open – Managed Scenic Access” with periodic inspection and signage.

Route D2520 – Mineral Point Rim Connector

D2520 links existing open routes and serves as a critical connector for loop travel within the Mineral Point network. The DR closed it as “redundant,” but this was never substantiated.

Deficiencies

The decision lacked field data or public use metrics, violating NEPA §1502.24 and EO 11644. The BLM also failed to coordinate with SITLA on adjacent access corridors.

Values and Use

D2520 enhances user distribution and reduces concentration impacts. It remains durable and clearly defined.

Legal and Policy Basis for Reopening

Closing D2520 reduced system connectivity contrary to MS-1626 and FLPMA §102(a)(7). Reopening aligns with EXPLORE Act §104(b) by restoring recreational linkage.

Recommendation

Redesignate D2520 as “Open – System Connector,” with signage and voluntary stewardship support.

Route D2524 and D2524A – Bartlett Rim Overlook Spurs

Routes D2524 and D2524A provide short scenic overlooks and safe pullouts along the Bartlett Rim area. The DR closed both under “redundancy” and “visual concerns.”

Deficiencies

No site inspection or visual management plan supported the decision. These closures relied on generalized mapping data, violating NEPA §1502.24 and EO 11989.

Values and Use

These spurs are durable, scenic, and integral to the recreational identity of the Bartlett system. They serve as designated turnarounds that prevent unmanaged off-route activity.

Legal and Policy Basis for Reopening

Closure applied de facto wilderness restrictions inconsistent with FLPMA §603(c).



Reopening supports EXPLORE Act §104(a), expanding inclusive access to scenic federally-managed public lands.

Recommendation

Reopen D2524 and D2524A as “Open – Scenic Spurs,” managed with designated parking pads and education signage to sustain responsible recreation.

Route D2562 – Tusher Rim Overlook Spur

D2562 provides direct access to a rim overlook above the Tusher Canyon system, a site historically visited for scenic viewing and dispersed recreation. The 2023 Decision Record (DR) closed the route based on claims of “redundancy” and “erosional potential,” without field verification or hydrologic analysis.

Deficiencies

No erosion study, slope analysis, or soil stability data was included in the DR, violating NEPA §1502.24. The decision was made on map interpretation rather than ground inspection, with no evidence of vegetation encroachment or tread instability.

Values and Use

This route provides safe, designated rim access that concentrates visitor activity on hardened surfaces, preventing informal route sprawl. It remains visible, compact, and intact. Its scenic value supports the EXPLORE Act’s §104(a) goal of expanding equitable recreational opportunities.

Legal and Policy Basis for Reopening

The closure misapplied minimization criteria, prioritizing numerical reduction over multiple-use balance required by FLPMA §102(a)(7). Reopening D2562 restores lawful access consistent with EO 11989, which restricts closures to routes proven to cause “considerable adverse effects.”

Recommendation

Reopen D2562 as “Open – Scenic Spur,” incorporating periodic inspections and voluntary erosion control.

Route D2624 – Bartlett Rim Connector

D2624 links the Bartlett Rim to adjacent open routes, forming part of a system loop used for scenic drives and recreation events. The DR closed it for “proximity to sensitive areas” and “route redundancy,” neither of which were substantiated by data.



Deficiencies

The DR did not include biological survey results, soil assessments, or state coordination records as required by FLPMA §202(c)(9). Assertions of redundancy were unsupported, as no alternate route provides equivalent travel function.

Values and Use

D2624 supports connectivity and user dispersion across durable terrain, minimizing crowding and resource wear elsewhere. It is an integral segment for safety and navigation during organized events like the Easter Jeep Safari.

Legal and Policy Basis for Reopening

Closing this route under broad “sensitivity” language imposed de facto wilderness management in a multiple-use zone, contrary to FLPMA §603(c). Reopening aligns with EXPLORE Act §104(b), which directs agencies to sustain and enhance system connectivity.

Recommendation

Reopen D2624 under “Open – System Connector” classification with appropriate signage and seasonal monitoring.

Route D2633 – Mineral Canyon Rim Spur

D2633 provides access to a rim viewpoint offering panoramic views of Mineral Canyon. The 2023 DR closed it citing “visual impacts” and “natural reclamation,” though aerial and field imagery show the tread remains visible and stable.

Deficiencies

No fieldwork verified reclamation claims, violating NEPA §1502.24’s data integrity standard. The decision lacked any visual resource inventory or visitor-use data.

Values and Use

D2633 has long been valued for its exceptional scenic outlook and serves as a hardened parking site minimizing off-route exploration. Its limited footprint and slickrock base make environmental impact negligible.

Legal and Policy Basis for Reopening

Closing the route contradicts EO 11644, which permits closures only where “considerable adverse effects” are evident. Reopening supports EXPLORE Act §104(a) and MS-1626 by enhancing recreational diversity and sustainable public access.



Recommendation

Reopen D2633 under “Open – Scenic Spur,” maintaining visible signage and resource monitoring.

Route D2664A – Hell Roaring Loop Connector

D2664A provides an essential connection along the Hell Roaring Rim loop, supporting route continuity and emergency egress. The DR closed it for “redundant access” and “wildlife impact potential,” but no wildlife data were cited.

Deficiencies

No habitat mapping or state agency coordination occurred, violating FLPMA §202(c)(9). The redundancy claim is inaccurate since closure severs a logical loop.

Values and Use

This connector disperses vehicle use, improving safety and protecting fragile areas by reducing congestion. Its durable tread supports responsible recreation and management access.

Legal and Policy Basis for Reopening

The closure misused minimization criteria, replacing management with elimination. Reopening fulfills FLPMA §102(a)(7) and EXPLORE Act §104(b) mandates for system-level access and recreation enhancement.

Recommendation

Reopen D2664A as “Open – Loop Connector,” with monitoring and signage for managed travel.

Route D2678B – Mineral Basin Access Spur

D2678B provides short, direct access to a scenic overlook in the Mineral Basin area. The 2023 DR closed it citing “habitat concerns” and “low recreation value,” but no supporting evidence was included.

Deficiencies

The DR lacked wildlife occurrence data, species assessments, or field observations, violating NEPA §1502.24. Claims of “low value” were subjective and unsupported by visitor data.



Values and Use

The route offers scenic and educational opportunities and is often used by smaller vehicles for dispersed camping. The hardened substrate limits ecological disturbance.

Legal and Policy Basis for Reopening

Closure imposed non-statutory habitat restrictions contrary to EO 11989 and FLPMA §603(c). Reopening aligns with EXPLORE Act §104(a) by maintaining equitable access for diverse recreation users.

Recommendation

Reopen D2678B as “Open – Managed Scenic Access,” incorporating field signage and seasonal monitoring.

Route D2680 – Mineral Flats Connector

D2680 serves as a connector route across the Mineral Flats area, facilitating loop completion and distributing visitor use. It was closed for “redundancy” and “visual resource management,” though no assessment supported these claims.

Deficiencies

No visual resource inventory or route proliferation data were provided. The closure was based on administrative preference, not environmental need.

Values and Use

D2680 enables loop travel essential for route diversity and management patrols. Its closure fragmented the system, creating dead ends inconsistent with safety and maintenance efficiency.

Legal and Policy Basis for Reopening

This closure violated EO 11644 and NEPA standards for evidence-based decision-making. Reopening supports EXPLORE Act §104(b) and FLPMA §102(a)(7) by restoring system integrity.

Recommendation

Reopen D2680 as “Open – System Connector,” ensuring stability through monitoring and volunteer upkeep.



Route D2761B – White Wash Access Spur

D2761B provides spur access to dispersed camping sites near the White Wash area. The DR closed it for “proximity to sensitive soils” without conducting a soil or vegetation study.

Deficiencies

No soil classification or erosion analysis was included in the record. The DR also failed to coordinate with state land managers, violating FLPMA §202(c)(9).

Values and Use

This spur offers safe, durable access to an established camping area, minimizing resource damage by directing traffic to designated spots.

Legal and Policy Basis for Reopening

The closure was speculative, violating NEPA §1502.24. Reopening aligns with EXPLORE Act §104(a), ensuring equitable access for users who rely on motorized means.

Recommendation

Reopen D2761B, include erosion prevention measures if first justified by completion of a current erosion analysis that clearly demonstrates the need through field based empirical data.

Route D2763A – White Wash Connector

D2763A serves as an important connector between open trails in the White Wash region, historically used for event staging and emergency access. The DR closed it citing “redundancy,” but no evidence supported this.

Deficiencies

No connectivity analysis or use frequency data was included, violating NEPA §1502.24. Closure disrupted the continuity of designated open routes.

Values and Use

This route facilitates user circulation and supports safety for emergency responders. Its closure isolates multiple open segments, hindering logical travel.

Legal and Policy Basis for Reopening

Closure contradicted FLPMA §102(a)(7)’s multiple-use directive and misapplied minimization criteria. Reopening meets EXPLORE Act §104(b) requirements for network integration.



Recommendation

Reopen D2763A under “Open – Connector Route,” supported by volunteer monitoring partnerships.

Route D2763B – White Wash Overlook Spur

D2763B provides a short overlook above White Wash Canyon, used for scenic viewing and camping. The DR closed it citing “visual impact” and “redundancy.”

Deficiencies

No visual or environmental data supported the closure. The decision lacked public use metrics and field verification, violating APA §706(2)(A).

Values and Use

The overlook offers safe, durable recreation access and serves as a designated endpoint that prevents off-route travel.

Legal and Policy Basis for Reopening

Closure imposed unauthorized wilderness-like management on a multiple-use area.

Reopening supports FLPMA §102(a)(8) and EXPLORE Act §104(a) by maintaining scenic enjoyment for public benefit.

Recommendation

Reopen D2763B as “Open – Scenic Spur,” with hardened turnaround and signage.

Route D2771 – Tenmile Wash Connector

D2771 provides essential access along the Tenmile Wash corridor, functioning as both a recreation and administrative maintenance route. It was closed for “erosion concerns” and “route proliferation,” both unsupported.

Deficiencies

No hydrology, erosion, or route density studies were conducted, violating NEPA §1502.24. The closure ignored decades of established use and regular volunteer maintenance.

Values and Use

The route supports dispersed recreation and facilitates agency patrols. Its durable tread and established drainage mitigate erosion.



Legal and Policy Basis for Reopening

Closure failed to meet EO 11989’s requirement of demonstrated “considerable adverse effects.” Reopening aligns with EXPLORE Act §104(b) and MS-1626 by ensuring route system continuity and management efficiency.

Recommendation

Reopen D2771 under “Open – System Connector” with adaptive management measures to maintain sustainability.

Route D2840 – Mineral Canyon Rim Spur

D2840 is a short scenic spur to a rim vantage above Mineral Canyon, historically used for sightseeing, photography, and dispersed camping on durable slickrock. The 2023 Decision Record (DR) closed the route for “redundancy,” “visual concerns,” and generalized “resource protection,” but the record lacks site-specific field data supporting those claims.

Deficiencies

The DR relied on desktop mapping and generic minimization language rather than on-the-ground verification, contrary to NEPA’s requirement to use high-quality, site-specific information (40 C.F.R. § 1502.24). No visual resource inventory, erosion study, or vegetation survey was provided. “Redundancy” was asserted without a comparative analysis demonstrating a true duplicate function. Treating proximity to scenic resources as a reason to remove access substitutes aesthetics for evidence and amounts to de facto wilderness management beyond WSA boundaries, which FLPMA § 603(c) forbids.

Values and Use

D2840 concentrates visitors at a hardened endpoint, reducing cross-country wandering and protecting adjacent soils and cryptobiotic crusts. It has a long record of responsible use, including trip reports, route photos, and periodic cleanups by local recreation volunteers. Its configuration distributes use across the network, relieving pressure on a small number of remaining overlooks.

Legal and Policy Basis for Reopening

Absent a documented finding of “considerable adverse effects,” closure conflicts with EO 11989. Multiple-use balance under FLPMA § 102(a)(7) and travel-management directives in MS-1626 favor managed access over elimination. The EXPLORE Act (H.R. 6492) instructs agencies to create and sustain additional opportunities for both motorized and non-motorized access where appropriate; restoring this spur complies with that directive.



Recommendation

Reopen D2840 as “Open - Scenic Spur,” limit travel to the existing tread with boundary signage, and continue light monitoring. This corrects procedural errors while maintaining resource protection.

Route D2845 – Tenmile Mesa Scenic Access

D2845 is a mesa-top spur to a well-defined overlook on durable slickrock. The DR closed it for “natural reclamation” and “limited value,” but current imagery and recent site photos show a visible tread and ongoing use.

Deficiencies

No vegetation mapping, erosion measurements, or field logs substantiate reclamation. “Limited value” is a subjective, non-regulatory criterion and cannot replace the evidentiary standard under NEPA or the “considerable adverse effects” threshold in EO 11989. The record shows no user-conflict data, incident reports, or resource-damage documentation.

Values and Use

D2845 provides safe parking and a hardened turnaround that confines use to the existing corridor. It supports dispersed camping and photography and, when combined with nearby open routes, helps disperse visitors rather than forcing concentration on fewer destinations.

Legal and Policy Basis for Reopening

Closing this spur extends a nonimpairment standard to non-WSA lands (FLPMA § 603(c)). Reopening aligns with FLPMA § 102(a)(8) (protecting scenic values for public enjoyment), MS-1626’s emphasis on connectivity and experience, and the EXPLORE Act’s access-expansion mandate.

Recommendation

Reopen D2845; add minimal signage and maintain hardened parking to keep use focused and impacts low.

Route D2863 – Mineral Bench Connector

D2863 is a short connector that completes a loop between two open corridors on Mineral Bench. The DR closed it for “redundancy” and presumed “erosional risk,” without analysis.

Deficiencies

No hydrologic modeling, slope analysis, or soil classification was provided. The redundancy conclusion lacks a network comparison; loop loss forces longer backtracking and



concentrates traffic elsewhere—contrary to impact minimization goals. This is arbitrary under the APA (5 U.S.C. § 706(2)(A)) and inconsistent with NEPA’s information-quality standard.

Values and Use

As a loop element, D2863 disperses use, improves patrol and emergency egress, and reduces congestion on the remaining corridor. Historic use and volunteer maintenance have kept the tread narrow, stable, and well delineated.

Legal and Policy Basis for Reopening

EO11644 favors managing mixed uses through designation and education, not elimination absent proven harm. Restoring D2863 advances FLPMA § 102(a)(7) multiple-use balance and the EXPLORE Act’s directive to improve system connectivity and access.

Recommendation

Reopen D2863 as “Open - System Connector,” with periodic monitoring and light drainage maintenance.

Route D3494 – Bartlett Rim Traverse

D3494 traverses a scenic rim segment, linking several spur overlooks to a through-route used for sightseeing and dispersed camping. The DR closed it for “visual sensitivity” and “route proliferation,” but did not present data substantiating either claim.

Deficiencies

There is no visual resource inventory in the record, nor evidence of multiple parallel tracks. The decision relies on generalizations about “primitive character” that function as wilderness buffer management outside WSAs (FLPMA § 603(c)), contrary to law. NEPA’s requirement for accurate scientific analysis was not met.

Values and Use

The traverse channels use along a single durable tread, provides panoramic viewing opportunities, and connects signed, predictable stopping points, reducing the incentive for informal routes.

Legal and Policy Basis for Reopening

Without demonstrated adverse effects, closure conflicts with EO 11989 and MS-1626. Reopening supports the EXPLORE Act’s call for increased opportunities and network coherence.



Recommendation

Reopen D3494 as “Open- Managed Connector,” with signage at junctions, and maintain tread to preserve the rim’s visual quality.

Route D3589 – Big Flat Access Spur

D3589 is a short access spur to a Big Flat viewpoint. The DR cited “habitat concerns” and “redundancy,” but offered no surveys, species occurrence records, or coordination documentation with state wildlife managers.

Deficiencies

BLM Manual 6840 expects reliance on best available science for special-status species; none appears in the record. Redundancy was asserted without network analysis. The decision therefore fails NEPA § 1502.24 and FLPMA § 202(c)(9) coordination obligations.

Values and Use

The spur provides a hardened endpoint for scenic viewing and small-group camping on robust slickrock, with minimal erosion risk. Keeping this designated endpoint prevents informal spurs.

Legal and Policy Basis for Reopening

Reopening D3589 is consistent with EO 11989, FLPMA § 102(a)(7), and the EXPLORE Act, which together favor managed access where no considerable adverse effects are shown.

Recommendation

Reopen as “Open - Scenic Spur,” with boundary markers and continued stewardship visits to document stable conditions.

Route D3845 – Mineral Canyon Balcony

D3845 reaches a balcony-style overlook above Mineral Canyon used for photography and interpretation. The DR closed it citing “visual impacts” and “natural reclamation,” though the tread remains visible and stable.

Deficiencies

No visual resource assessment, vegetation mapping, or field logs support the closure. The reliance on aesthetics and assumed reclamation, rather than data, violates NEPA’s information standard and EO 11644’s adverse-effect threshold.



Values and Use

With a compacted surface and clear endpoint, D3845 confines recreation to a known place and reduces cross-country excursions. It has a long record of responsible use, including volunteer cleanups.

Legal and Policy Basis for Reopening

The closure effectively applied wilderness-like restrictions on a multiple-use area (FLPMA § 603(c)). Reopening supports the EXPLORE Act's equity and access aims and MS-1626's "Access, Connectivity, and Experience."

Recommendation

Reopen D3845 as "Open - Scenic Access," with a hardened turnaround and low-profile signage.

Route D3868 – Hell Roaring Rim Link

D3868 is a short link tying two Hell Roaring Rim corridors to preserve loop function and emergency routing. The DR closed it for "potential user conflict" and "proximity to primitive zones," yet provided no incident records or monitoring data.

Deficiencies

Speculative conflict is not a lawful basis for closure; agencies must rely on documented evidence (NEPA § 1502.24). Using "primitive" adjacency as a proxy to remove access in non-WSA lands is an unlawful extension of WSA nonimpairment (FLPMA § 603(c)).

Values and Use

The link disperses traffic, shortens turnbacks, and supports management patrols. It has a durable tread and minimal maintenance needs.

Legal and Policy Basis for Reopening

EO 11644 calls for resolving potential conflicts with education and route design, not blanket closure. Reopening also advances the EXPLORE Act's direction to sustain additional opportunities and MS-1626's connectivity guidance.

Recommendation

Reopen D3868 as "Open - Loop Connector," with shared-use etiquette signage.

Route D3937A – Mineral Bench View Spur

D3937A is a short spur to a unique view node on Mineral Bench. The DR cited "redundant



access” and “sensitive resources,” yet did not identify the resources or show duplication with another route.

Deficiencies

No soil, botanical, or wildlife surveys appear in the record; no state coordination is documented (FLPMA § 202(c)(9)). The closure therefore lacks the evidentiary basis required by NEPA and the APA.

Values and Use

The spur provides a managed endpoint, with a small hardened parking pad used by families and visitors with limited mobility. Keeping the spur open prevents informal pull-outs along the main corridor.

Legal and Policy Basis for Reopening

Absent considerable adverse effects, closure contravenes EO 11989. Reopening accords with FLPMA’s multiple-use and the EXPLORE Act’s emphasis on expanding appropriate access.

Recommendation

Reopen D3937A as “Open - Scenic Spur,” maintain the existing pad, and add low-impact interpretive signage.

Route D6940 – White Wash Rim Overlook

D6940 accesses a White Wash rim viewpoint frequently used during permitted events and for dispersed camping. The DR closed it for “erosional risk” and “proliferation,” but provided no erosion inventory or evidence of parallel tracks.

Deficiencies

No hydrologic or sediment data were cited, and the proliferation claim is unsupported by on-the-ground photos. This is inconsistent with NEPA § 1502.24 and EO 11644’s requirement for demonstrable effects.

Values and Use

D6940 focuses visitation at a predictable, durable site, simplifying management and helping event organizers meet safety and staging needs. The tread is mostly rock and packed sand with stable drainage.



Legal and Policy Basis for Reopening

Reopening D6940 advances FLPMA § 102(a)(7) and MS-1626, while the EXPLORE Act’s access language supports maintaining such low-impact scenic endpoints.

Recommendation

Reopen as “Open - Managed Scenic Access,” with minimal drainage touch-ups and signage to direct parking.

Route D7209 – Tenmile Rim Balcony Spur

D7209 is a short balcony spur on Tenmile Rim used for photography and small-group camping. The DR closure invoked “visual concerns” and “low recreation value.”

Deficiencies

No visual resource analysis or public use data substantiates those claims. The record lacks field verification and thus fails NEPA’s accuracy requirement; “low value” is not a lawful criterion.

Values and Use

The spur’s hardened endpoint prevents roadside pull-offs and allows safe viewing away from drop-offs. This route has been a site of consistent, responsible use for many years.

Legal and Policy Basis for Reopening

Closure imported wilderness-like protection to non-WSA lands (FLPMA § 603(c)). Reopening fulfills the EXPLORE Act mandate to maintain and, where appropriate, expand motorized and non-motorized opportunities.

Recommendation

Reopen D7209 as “Open - Scenic Spur,” retain the compacted turnaround, and post low-profile markers.

Route DC3 – Desert Canyon Administrative/Scenic Access

DC3 is a short route historically used for administrative access and public scenic viewing in the Desert Canyon vicinity. The DR closed it for “sensitive resources” and “redundancy,” without identifying the resources or evaluating alternatives.

Deficiencies

No habitat, cultural, or soil surveys are cited; no coordination record with state agencies



appears (FLPMA § 202(c)(9)). The decision substitutes broad labels for analysis, contrary to NEPA § 1502.24 and the APA’s prohibition on arbitrary decision-making.

Values and Use

DC3 offers durable access for monitoring, maintenance, and dispersed recreation. It has functioned as a controlled endpoint limiting off-route incursions, with periodic volunteer upkeep.

Legal and Policy Basis for Reopening

EO 11989 requires a demonstrated, considerable adverse effect before closure; none was shown. Reopening supports FLPMA’s multiple-use and the EXPLORE Act’s direction to improve access and connectivity where consistent with resource protection. MS-1626 encourages retaining such short, durable spurs to protect surrounding resources by channeling use.

Recommendation

Reopen DC3 as “Open - Administrative and Scenic Access,” with clear signing, boundary delineation, and light monitoring to ensure continued compatibility with nearby resources.

Closing Note for Routes Actively Considered in Current Review

Across these routes, the 2023 DR repeatedly relied on non-specific, unverified assertions – such as “redundancy,” “visual sensitivity,” “reclamation,” “potential conflict,” “limited value,” “erosional potential,” “proximity to sensitive areas,” “habitat protection,” among many other vague and highly subjective semantics - instead of measurable, site-specific findings. NEPA, FLPMA, EO 11644/11989, BLM MS-1626 and Manual 6840, and the EXPLORE Act collectively point to the same remedy: correct the procedural deficiencies, restore managed access where no considerable adverse effects are shown, and strengthen connectivity, signage, and monitoring so the network delivers Access, Connectivity, and Experience while protecting resources. Reopening these routes under “Open - Managed Use” designations achieves that balance.

ROUTE SPECIFIC COMMENTS: ROUTES OMITTED IN CURRENT REVIEW

Ten Mile Canyon / Ten Mile Wash (Routes D2759A, D2759B, D3126, D3120)

These four designations encompass the principal motorized access corridors into Ten Mile Canyon / Ten Mile Wash: historic routes that provide system connectivity, dispersed camping, scenic river-bench overlooks, and safe ingress/egress during permitted events. The 2023



Decision Record (DR) restricted and/or closed segments based on generalized assertions of “erosional risk,” “sensitive drainages,” “route proliferation,” and “user conflict,” without route-specific field data or a transparent analysis of hydrology, soils, or use patterns. The closures disrupted loop function and concentrated traffic onto fewer remaining corridors, undermining the very minimization goals the DR cited.

Deficiencies

The administrative record relies on desktop mapping in place of on-the-ground verification. There are no slope stability measurements, cross-sections, pre/post-storm photo points, or sediment yield analyses tied to these route segments. Claims of “proliferation” are not supported by georeferenced photo logs demonstrating multiple treads; imagery and recent site documentation identify a single, confined corridor. The DR does not show coordination with the State on access that interfaces with State Trust Land, contrary to FLPMA §202(c)(9). Minimization criteria (43 C.F.R. §8342.1) were applied as an elimination tool rather than a management standard, and the DR offers no incident logs, surveys, or monitoring to substantiate “user conflict.” These omissions contravene NEPA’s requirement to use accurate, high-quality information (40 C.F.R. §1502.24) and the APA’s prohibition on arbitrary action.

Values and Use

Ten Mile routes are long-used travelways that distribute visitors across durable benches and slickrock, relieve congestion elsewhere, and offer signature overlooks and camping nodes. They are routinely used for event logistics (including Easter Jeep Safari travel in the broader network), volunteer cleanups, and informal tread maintenance that confines use to hardened surfaces. Their loop and connector functions are central to safe patrol, emergency egress, and system coherence.

Legal and Policy Basis for Reopening

EO 11644/11989 permit closures only upon a finding of “considerable adverse effects,” which the DR does not document for these route numbers. FLPMA §102(a)(7) requires multiple-use balance, and FLPMA §603(c) bars importing wilderness-style nonimpairment to non-WSA lands; yet the DR’s “primitive adjacency” language functions as a de facto wilderness buffer. Reopening also advances the EXPLORE Act (H.R. 6492) directive to maintain and, as appropriate, expand motorized and non-motorized opportunities and to enhance system connectivity (§104(a)–(b)). BLM travel-management policy (MS-1626) favors managing access – such as use of signage, drainage, and seasonal advisories - over categorical route loss.



Recommendation

Designate D2759A, D2759B, D3126, and D3120 as “Open - Managed,” with signed termini, hardened pullouts at popular camps, and periodic photo-point monitoring after storm events. Where drainage concerns exist, employ rolling dips/armoring and cooperative volunteer days. This approach restores lawful access, achieves real minimization through management, and satisfies the EXPLORE Act’s access mandate.

“The Very End” (Routes D2658, D2656)

D2658 and D2656 are short scenic spurs on the Hell Roaring Rim/Green River bend that terminate at exceptional overlooks and small dispersed camping pads. The 2023 DR closed them as “redundant,” “visually sensitive,” and “reclaimed,” despite visible treads and enduring public use.

Deficiencies

The record contains no visual resource inventory, no vegetation plots indicating recovery, and no soils/hydrology analysis. “Redundancy” is asserted without a side-by-side network comparison showing a true duplicate destination; each spur terminates at distinct vantage nodes. Closure rationales rely on aesthetic preference and proximity to primitive settings, which is an unlawful substitute for data and an extension of WSA-style management to non-WSA lands (FLPMA §603(c)). NEPA’s best-available-information standard (40 C.F.R. §1502.24) is unmet.

Values and Use

Both spurs are durable, compact, and function as controlled endpoints that prevent roadside pull-offs and user-created traces along the rim. They offer safe access for families and visitors with limited mobility and are commonly included in scenic itineraries; volunteers have historically cleared debris and kept parking pads confined.

Legal and Policy Basis for Reopening

Absent a documented “considerable adverse effect,” EO 11989 does not support closure. Reopening aligns with FLPMA §102(a)(8) (scenic enjoyment for the public), MS-1626 (Access, Connectivity, Experience), and the EXPLORE Act’s directive to sustain equitable scenic access on federal lands.

Recommendation

Reinstate D2658 and D2656 as “Open - Scenic Spurs,” with low-profile boundary markers, hardened turnarounds, and interpretive signage to keep visitors on the established pads.



Dead Cow (D2763B and DC3)

“Dead Cow” is a well-known segment within the White Wash riding complex, providing technical slickrock and sand features that anchor a widely used loop system. The 2023 DR relied on generalized claims of “erosion,” “proliferation,” and “user conflict,” which are not supported by route-specific surveys or incident records.

Deficiencies

The decision lacks hydrologic cross-sections, sediment accounting, or pre/post-storm photo points. Assertions of “proliferation” are not backed by mapped duplicate treads or enforcement logs; onsite documentation shows a single defined line where signing is present. No conflict logs or survey instruments are included to substantiate the conflict claim. Where the corridor interfaces with state interests, the file shows no clear coordination under FLPMA §202(c)(9). The DR’s minimization analysis substitutes elimination for management and does not evaluate reasonable mitigations (seasonal advisories, spot armoring, reroute around a sensitive pocket).

Values and Use

Dead Cow is a destination-quality trail with long-standing recreation use and substantial volunteer stewardship - brushing, packing ruts, litter removal, and sign placement. It disperses riders across a broad complex rather than concentrating them on a few remaining routes and serves event staging and patrol needs. Its durable slickrock stretches make it particularly suitable for managed motorized use.

Legal and Policy Basis for Reopening

Without a site-specific finding of considerable adverse effects, EO 11989 does not justify closure. Multiple-use balance under FLPMA §102(a)(7) and BLM MS-1626 favor managed solutions. The EXPLORE Act’s access provisions support retaining high-value, durable routes and improving connectivity. The post-DR appeal materials further underscore the need for evidence-based, not aesthetics-based, closures.

Recommendation

Reopen D2763B and DC3 under “Open - Managed Technical Route” (DC3 may warrant a dual-designation given that it also functions as an administrative route). Maintain route delineation paint/markers on slickrock, add a short armored bypass around any sensitive pockets, and schedule annual volunteer maintenance. This cures the DR’s analytical gaps while addressing resource concerns through active management.



The Tubes

“The Tubes” is a distinctive slickrock/bedrock drainage feature within the White Wash system, offering a unique scenic and technical experience that has long been a hallmark of the area. The 2023 DR closed access citing “sensitive drainage,” “erosional risk,” and “safety/user conflict,” yet the file shows no route-specific hydrologic modeling, engineering assessment, or documented incidents.

Deficiencies

No baseflow/peakflow modeling, channel cross-sections, or substrate durability testing appear in the record. There is no engineering review of approach/exit angles or traction surfaces, nor a safety analysis comparing incident rates to other designated technical features. Conflict allegations are unsupported by logs or survey data. The DR again applies minimization as a mileage-reduction tool rather than examining reasonable design mitigations (seasonal closure during rare high-flow windows, defined entry/exit lines, rock armoring of soft pockets, signage).

Values and Use

The Tubes is iconic; it is an educational and scenic geologic feature that draws responsible users from across the region and supports the local economy. Access has been accompanied by recurring volunteer stewardship to keep travel on bedrock, remove trash, and address small ruts. By concentrating use on a single, signed line over durable substrate, the feature actually reduces off-route exploration.

Legal and Policy Basis for Reopening

EO 11644/11989 require demonstrable, considerable adverse effects before closure; the record provides none. FLPMA §102(a)(7) and MS-1626 support mitigation-based management for high-value recreational features on durable surfaces. The EXPLORE Act’s direction to create and sustain opportunities for motorized and non-motorized access applies squarely here; managed access to a durable, unique feature fulfills that mandate. De facto wilderness buffering in the surrounding setting is impermissible under FLPMA §603(c).

Recommendation

Reopen The Tubes as “Open - Managed Feature” with: signed single-line entry/exit, rock armoring or geogrid in any short sand pockets, seasonal advisory after extreme precipitation events, and cooperative monitoring days. This balanced package restores lawful access, protects the drainage’s integrity, and satisfies the EXPLORE Act’s access and connectivity objectives while addressing the DR’s stated concerns through active management rather than elimination.



Closing Note for Routes Omitted from Current Review

Together, these routes are essential to achieve a keystone network within the Labyrinth Rims / Gemini Bridges region: an interconnected system that supports safe circulation, resource protection through managed use, and meaningful access to some of the most geologically and culturally significant landscapes in the American West. Each route functions not as an isolated spur, but as part of a broader, purposefully designed framework that balances recreation with stewardship. Their combined presence sustains the integrity of the entire OHV network and fulfills the Bureau of Land Management’s statutory duties under NEPA, FLPMA, and Executive Orders 11644 and 11989, which collectively require decisions to be evidence-based, multiple-use oriented, and limited to closures only where demonstrable, site-specific adverse effects are proven.

The 2023 Decision Record failed to meet these legal thresholds. Its closure justifications, rooted in generic assumptions rather than verified field data, fractured network connectivity and concentrated use on fewer corridors, increasing ecological pressure where it could have been avoided. Reopening these routes in the 2025 reanalysis directly corrects those procedural and analytical errors, realigning the TMP with FLPMA §102(a)(7)’s multiple-use mandate and §102(a)(8)’s directive to protect scenic and recreational values for public enjoyment. It also restores compliance with FLPMA §202(c)(9) by recognizing the need for coordination with state and local governments, whose interests in access, economic vitality, and recreation are intertwined with these corridors.

From a management perspective, these routes collectively deliver the system-level connectivity envisioned by BLM Manual 1626 (“Travel and Transportation Management”), which emphasizes the goals of *Access, Connectivity, and Experience*. Ten Mile Wash and Ten Mile Canyon serve as primary arteries linking major subregions of the planning area, ensuring emergency access and dispersing traffic across durable terrain. The Very End spurs (D2658 and D2656) provide defined scenic nodes that channel use away from fragile rim edges while enhancing visitor experience. Dead Cow and The Tubes, long-recognized technical routes within the White Wash system, exemplify managed recreation on highly durable slickrock, where environmental risk is minimal and recreational value is unmatched. Their closure not only diminished public opportunity but also undermined the balanced recreation framework that the agency’s own guidance encourages.

The EXPLORE Act further strengthens the legal foundation for reopening. Section 104(a) directs federal land agencies to “*seek to create additional opportunities, as appropriate, and in accordance with existing law, for motorized and nonmotorized access and recreation.*” By



reinstating these routes under managed-use designations - with appropriate signage, monitoring, and maintenance - the BLM would be acting squarely within this Congressional directive. Far from creating new disturbance, these reopenings restore established, durable corridors that already bear the ecological footprint of historic use while preventing unregulated dispersal.

Each of these routes embodies the principle that sustainable recreation and resource protection are not mutually exclusive; they are achieved through management, not elimination. Volunteers and user groups have repeatedly demonstrated that partnership-based maintenance, responsible travel, and community stewardship can keep these corridors in excellent condition at little or no cost to the agency. The BLM should capitalize on this civic capacity rather than disregard it.

Reopening the Ten Mile Canyon and Wash routes, The Very End spurs, Dead Cow, and The Tubes represents more than correcting an administrative misstep - it reaffirms the agency's commitment to public access, transparency, and lawful multiple-use management. These routes are essential for maintaining a cohesive, connected, and resilient OHV network that satisfies environmental, recreational, and legal obligations alike. The final TMP should therefore designate all of these corridors as "Open – Managed Routes", accompanied by continued monitoring and cooperative stewardship agreements, ensuring their preservation and responsible enjoyment for future generations.

SUMMARY OF RECOMMENDATIONS

1. **Fully revisit all routes that were closed or limited in the 2023 DR's network and associated prescriptions; do not limit the 2025 reconsideration to a pre-screened list of closed routes:**
 - a. Rescind portions of the 2023 DR that relied on now-invalid interpretive doctrines (Chevron) or policies (CLH Rule).
 - b. Reissue the 2025 DR as a superseding decision establishing a lawful, balanced network under FLPMA and NEPA.
 - c. Rescind closures that were justified by "natural reclaiming" or "route proliferation" where no site-specific field data, photos, or surveys exist.
 - d. Reopen all routes meeting the criteria of observable tread, stable soils, and active recreation value, consistent with current mapping and volunteer monitoring data.
 - e. Rescind all closures premised on unsubstantiated user conflict, absent verified incident or survey data.



- f. Conduct field-based monitoring and user surveys to document actual areas of multi-modal interaction and apply reasonable mitigations, such as signage, sight-line clearing, time-of-day advisories, rather than blanket closure.
 - g. Reinstate routes that provide network dispersal and safety redundancy
 - h. Address Chevron and APA constraints by providing transparent evidentiary support for any continuing restrictions.
 - i.
 2. **Reframe Purpose & Need** to incorporate multiple-use objectives, network connectivity, safety, active management, and conflict minimization - without presuming closures
 3. **Incorporate a Management-Emphasis / Access-Restoration approach** with detailed design and mitigation features, monitoring, adaptive triggers, and cooperative stewardship agreements
 4. **If Minimization Criteria is utilized, apply and document the Minimization Criteria** at the **route level**, as required by regulation and the 2024 policy memo; *explain why* selected designations minimize impacts and conflicts
 - a. Reopen all routes closed or limited under minimization-based rationale, unless supported by clear, route-specific evidence of unavoidable adverse impact.
 - b. Apply EO 11644 and EO 11989 faithfully, requiring demonstrable evidence of “considerable adverse effects” before closure.
 - c. Reaffirm that minimization is not synonymous with prohibition, consistent with plain statutory language and the 2024 policy memorandum.
 5. **Correct and expand** socioeconomic and access-equity analysis, including effects on local economies and users with mobility impairments who depend on motorized access.
 6. **Rescind, revise, or supersede** inconsistent portions of the 2023 DR in the new 2025 Decision Record to eliminate contradictions and ensure the final network is coherent and lawful (APA/NEPA remedy; FLPMA multiple-use).
 7. **Institutionalize co-management** and volunteer stewardship (Adopt-a-Trail agreements; Restoration for Recreation workplans) as enforceable commitments in the DR
 8. **Incorporate EXPLORE Act compliance analysis** into the Final EA, demonstrating how reopening promotes equitable and multiple-use access.
 9. Correct the LRGBTMP to achieve compliance with RS2477 assertions:
 - a. **Identify and map all RS 2477 routes** within the planning area using county records, historic maps, and field verification data.
 - b. **Reinstate RS 2477 routes closed in the 2023 DR**, including Ten Mile Canyon, The Very End, Dead Cow, and The Tubes.
 - c. **Establish formal coordination with Grand County and the State of Utah** under FLPMA §202(c)(9) to verify ownership and management responsibility.



- d. **Apply BLM Manual 1626 requirements** to ensure that valid rights are depicted on travel maps and retained for public access.
 - e. **Document RS 2477 acknowledgment in the Final EA and Decision Record**, consistent with recent court precedent and executive policy.
10. **Reopen all route closures that were premised on non-statutory wilderness-related rationales, including all closures that cited the following phrases:**
- a. Proximity to WSAs
 - b. Wilderness character protection
 - c. Route parallels or approaches WSA boundary
 - d. Route visible from WSA, impacts wilderness character
 - e. Route intrudes on area with wilderness characteristics (LWC)
 - f. Route impacts solitude or naturalness of adjacent WSA
 - g. Route within VRM Class I or II; closure protects visual resources or naturalness
 - h. Closure supports protection of wilderness values identified in inventory”
11. **Reassess all routes that were designated as “limited” using site-specific field data rather than geographic adjacency** to wilderness, wilderness study areas, lands with wilderness characteristics
12. **Restore public access to routes that serve** essential recreation, grazing, and emergency functions while showing no measurable impact to resources.
13. **Reaffirm compliance with BLM Manuals 1626 and 6330** by mapping all existing primitive routes and acknowledging their conditional non-impairment status.
14. **Conduct a programmatic audit of visual and recreational impact data** to remove aesthetic bias as a route-closure justification.
- 15.
16. **Reopen all routes on the current reconsideration list** in the Labyrinth Rims / Gemini Bridges TMA, including:
- a. **D0022 (Hells Roaring Canyon Overlook):** full reinstatement of D0022 as an “Open” route with appropriate monitoring and signage, consistent with the 2024 BLM Policy Memorandum clarifying that mileage reduction alone does not demonstrate compliance with minimization criteria.
 - b. **D0022A:** reinstate as “Open” and include it in the final route network as a managed spur with clear signage and erosion control measures.
 - c. **D1019B:** redesignate as “Open,” with management tools such as seasonal monitoring or signage, consistent with the BLM MS-1626 directive emphasizing management - not restriction - as the preferred method to minimize conflicts.
 - d. **D1026B (Taylor Canyon Rim):** full reinstatement of D1026B with appropriate signage and monitoring, consistent with EO 11644.



- e. **D1033A:** reopen and apply adaptive management measures (signage, minor realignment) to sustain both access and resource protection, in compliance with 43 C.F.R. § 8342.1(c).
- f. **D1035:** reopen consistent with FLPMA § 302(b) and EO 11989, which allow closures only where “considerable adverse effects” are documented
- g. **D1044:** reopen with a management-based approach including signage and erosion control, consistent with BLM Handbook H-8342-1 and MS-1626
- h. **D1045:** reopen without use limitations or restrictions to realign the route with BLM’s multiple-use management dictate, and eliminate inconsistency between the DR and the limited scope of route alternations that are permitted via *SUWA v. Norton* (2004).
- i. **D1048A:** redesignate as “Open;” manage it through periodic maintenance and signage to delineate tread boundaries, satisfying 43 C.F.R. § 8342.1(c) and correcting the unlawful imposition of wilderness-like management standards.
- j. **D1048B:** reopen in conjunction with D1048A to preserve access diversity and comply with FLPMA’s balanced-use directive, while preventing further encroachment of wilderness-like administrative management into multiple-use lands.
- k. **D1059 (RS-2477 Qualified Spur with Documented Cultural Resources):** reopening is required to comply with FLPMA’s savings clause for existing rights, to correct the improper imposition of wilderness-like management on a valid right-of-way, and to restore lawful multiple-use management consistent with EO 11644 and 43 C.F.R. § 8342.1(a).
- l. **D1070:** designate immediate reopening - managed use with signage and periodic maintenance satisfies 43 C.F.R. § 8342.1(a) and corrects the unlawful conversion of multiple-use lands into wilderness buffers.
- m. **D1081 (Dispersed Campsite Access Routes):** reopen and manage campsites through permit and monitoring systems consistent with EO 11644. Doing so will preserve recreation access while preventing the unlawful extension of wilderness buffers.
- n. **D1112:** restore to “Open” status. Apply seasonal timing limits if justified as necessary through documented data, but reject the improper nonimpairment rationale that created a de facto wilderness buffer.
- o. **D1122B:** Reopen and manage minor visual impacts through vegetation screening or education rather than closure. This aligns with EO 11989 (closures only for “considerable adverse effects”) and prevents further encroachment of wilderness-like management.



- p. **D1126:** reopen under an adaptive management framework (monitoring + signage) consistent with BLM MS-1626. This corrects improper use of wilderness characteristics inventories as de facto designation tools.
- q. **D1207 (Road E – Rim Overlook Access):** reopen; manage through site-specific mitigation (e.g., designated pullouts) rather than closure. This ensures compliance with NEPA § 102(2)(C) and eliminates unlawful wilderness-buffer effects.
- r. **D1217:** immediate reinstatement of D1217 as “Open.” Management measures such as tread delineation and periodic monitoring can mitigate any localized impacts without perpetuating illegal de facto wilderness restrictions.
- s. **D1223C:** reopen to maintain network functionality and public enjoyment, with monitoring consistent with BLM Handbook H-8342-1 and MS-1626 adaptive management principles.
- t. **D1248:** reopen and manage with signage and education programs to ensure continued stewardship and compliance. This action will restore lawful multiple-use access and eliminate the illegal action of de facto wilderness enforcement through travel planning.
- u. **D1262:** fully reinstate as an “Open” route under managed-use status, with signage and periodic monitoring, thereby restoring lawful access and correcting de facto wilderness management inconsistent with FLPMA.
- v. **D1270A:** reopen to restore balanced multiple-use management, apply active mitigation (erosion control and tread delineation), and cease use of travel management to achieve de facto wilderness outcomes contrary to statute.
- w. **D1395:** reopen and manage with minimal infrastructure improvements (route markers and tread stabilization), ensuring compliance with FLPMA and ending the unlawful practice of wilderness-buffer management.
- x. **D1398A:** reinstate as “Open,” restore its legal designation, and prohibit further misuse of “wilderness characteristics” data in travel management planning.
- y. **D1398B:** reopen and manage under adaptive use protocols; remove wilderness-character considerations from its travel management criteria to bring the decision-making process back into compliance with law and policy.
- z. **D1402A:** reinstate as “Open,” with signage and monitoring to address resource management needs while preventing continued misuse of travel planning to impose de facto wilderness standards on multiple-use lands.
- aa. **D1434:** reopen and incorporate into the final network as a managed route with monitoring and signage, ensuring lawful multiple-use management and eliminating de facto wilderness expansion.
- bb. **D1454:** designate as “Open” under managed-use status with erosion control and monitoring, correcting the procedural and legal errors underlying its 2023 closure.



- cc. **D1474A:** reopen with route markers and visitor education signage, restoring lawful public access while maintaining resource protection through active management.
- dd. **D1501:** reinstate as “Open,” supported by stewardship partnerships and periodic condition monitoring to ensure sustainable access.
- ee. **D1507 & D1507B:** reopening both under adaptive management, with clear delineation and signage to prevent unauthorized expansion while restoring lawful access.
- ff. **D1510:** reinstate as “Open,” with managed-use conditions and monitoring, ensuring compliance with statutory mandates and eliminating unauthorized de facto wilderness expansion.
- gg. **D1515A & D1515B:** reopen both routes, applying management-based mitigation measures as needed, thereby restoring lawful access and correcting the procedural and substantive errors underlying their closure.
- hh. **D1515C:** reopen with route markers and periodic condition monitoring consistent with MS-1626; document route-level minimization per § 8342.2(a).
- ii. **D1520A:** reopen with signage and tread delineation; include adaptive triggers for repair if thresholds are exceeded.
- jj. **D1522:** reopen; implement conflict-reducing measures (wayfinding, pullouts, education) and monitor outcomes to satisfy the minimization criteria.
- kk. **D1526B:** reopen with small-footprint drainage features, signage, and trigger-based monitoring.
- ll. **D1527A:** reopen; designate one-way ingress/egress with clear markers and establish a small hardened pullout.
- mm. **D1527B:** reopen with signed, hardened turn-around; monitor use and adjust as needed.
- nn. **D1528:** reopen; install bollards/markers to keep travel within the tread; set monitoring triggers for adaptive responses.
- oo. **D1584:** reopen; apply signage and pull-off delineation; monitor for conflicts and address via management before any restrictions.
- pp. **D1607:** reopen with minor drainage works and tread hardening; include adaptive triggers.
- qq. **D1625A:** reopen; mark the tread and harden a small parking pad; monitor with clear threshold-based responses.
- rr. **D1625B:** reopen; designate with signage and a hardened turn-out; adopt adaptive monitoring triggers.
- ss. **D1641:** reopen under “Open: Managed Use” status with signage and monitoring; remove improper wilderness buffer conditions imposed by the 2023 DR.



- tt. **D1642:** reopen; manage potential user interactions through education and seasonal signage, restoring lawful multiple-use compliance.
- uu. **D1645:** reinstate with signage and limited monitoring to prevent proliferation.
- vv. **D1646:** reopen; restore lawful access, and apply light stewardship maintenance.
- ww. **D1648A:** reopen; mark tread to confine travel, ensuring compliance with MS-1626 and § 8342.2(a).
- xx. **D1658:** reopen; utilize seasonal limitations if there is a well-documented monitoring record to establish the need for seasonal closure; no basis for permanent closure exists.
- yy. **D1660A:** reinstate as open; employ clear signage to confine use within tread.
- zz. **D1667:** redesignate as “Open: Managed,” applying erosion control where needed.
- aaa. **D1673A:** reopen; harden tread if needed, and manage via signage.
- bbb. **D1674:** designate as an open, managed route with volunteer stewardship partnerships.
- ccc. **D1679:** UPLA recommends reopening D1679 under “Open - Managed Use” status, installing signage and minimal drainage stabilization as needed.
- ddd. **D1683:** reinstate designation as an open, managed-use route. Minimal signage and continued volunteer maintenance are sufficient to meet environmental and visitor management goals.
- eee. **D1685:** reinstate as “Open - Managed,” with optional seasonal restrictions only if supported by biological evidence. Coordination with SITLA and continued stewardship through volunteer monitoring will ensure compliance with FLPMA’s multiple-use mandate.
- fff. **D1694:** reopen; incorporate route signage, visitor education, and periodic monitoring to ensure continued compliance and minimize visual intrusion.
- ggg. **D1722:** reopen with interpretive signage addressing shared-use etiquette and seasonal monitoring. This approach mitigates potential conflicts while preserving lawful access.
- hhh. **D1725:** reopen as “Open - Managed,” including basic tread stabilization and clear route markers to ensure continued use within its defined corridor.
- iii. **D1728:** reinstate as “Open - Managed Use,” with continued stewardship and monitoring to ensure compliance with NEPA and FLPMA management principles
- jjj. **D1739:** reopen; use signage to direct visitation to designated viewing areas and to promote education regarding adjacent resources.
- kkk. **D1748:** reinstate as “Open,” managed under partnership with local stewardship organizations to ensure resource protection through monitoring and education.



- lll. **D1753:** reopen under “Open - Managed Use,” install signage to confine travel to the established tread, and continue partnership maintenance to prevent unauthorized expansion.
- mmm. **D1758B:** reopen with signage to prevent off-route travel. Monitoring and visitor education can ensure continued resource protection while ensuring lawful, scenic access to a nationally significant overlook.
- nnn. **D1829:** reopen as an open connector, maintaining cooperative monitoring partnerships with local volunteers. This will ensure stable conditions and fulfill BLM’s multiple-use obligations.
- ooo. **D1833:** reopen as an “Open – Scenic Spur” with improved signage to direct vehicles to existing hardened areas and deter unauthorized extensions.
- ppp. **D1843:** reopen with boundary signage and hardened parking pads to manage use. This approach restores lawful scenic access while protecting surrounding resources.
- qqq. **D1860:** reopen as an open designated access route, subject to periodic resource monitoring.
- rrr. **D1868:** reopen as “Open – Scenic Overlook Access,” maintaining its short, durable tread under existing management frameworks.
- sss. **D1908:** reopen under a “Managed Loop” designation, with annual monitoring coordinated through volunteer stewardship programs.
- ttt. **D1908A:** reopen as “Open – Scenic Spur,” maintaining the hardened turnaround to manage use responsibly.
- uuu. **D1915:** reopen as an open connector route with signage marking the state-federal boundary.
- vvv. **D1915B:** reopen with route signage and minimal infrastructure to manage use sustainably.
- www. **D1916:** reopen and install educational signage to maintain controlled use and preserve both recreation access and environmental stability.
- xxx. **D1944:** reopen under “Open – Connector Route” status and monitor seasonal use to document stability and compliance.
- yyy. **D1945:** reopen under “Open – Scenic Access,” with minimal management infrastructure such as boundary signage and pull-off stabilization.
- zzz. **D1949:** reopen under “Open – Managed Connector.” Employ volunteer monitoring and signage to manage visitor flow.
- aaaa. **D1953:** reopen under “Open – Limited Access” with optional seasonal adjustments if warranted by validated habitat studies.
- bbbb. **D1991:** reopen under “Open – System Connector” with continued volunteer maintenance coordination.



- cccc. **D1998A:** reopen as “Open – Scenic Spur,” managed through routine field inspections and signage promoting Leave No Trace practices.
- dddd. **D2014:** reopen; maintain through annual monitoring partnerships.
- eeee. **D2015:** reopen as an open rim access route, retaining the current tread width and implementing signage to direct responsible use.
- ffff. **D2017:** reopen under “Open – Scenic Overlook” management, with appropriate signage and monitoring for resource protection.
- gggg. **D2022:** reopen with route signage and boundary markers to prevent off-route use.
- hhhh. **D2029:** reopen under “Open – Scenic Access,” maintaining visitor education and voluntary erosion control practices.
- iiii. **D2031:** reopen under “Open – Scenic Access,” implementing signage to prevent off-route travel.
- jjjj. **D2359:** reopen as “Open – Managed Scenic Spur,” monitored through periodic field assessments and public stewardship partnerships.
- kkkk. **D2375:** reopen as “Open – System Connector,” incorporating signage and cooperative monitoring to sustain low-impact use.
- llll. **D2384:** reopen as “Open – Scenic Access,” with optional pullouts and signage directing safe parking.
- mmmm. **D2385:** Reopen with signage and monitoring for resource protection.
- nnnn. **D2387:** reopen as “Open – Managed Scenic Spur,” with hardened surface delineation and interpretive signage.
- oooo. **D2398I:** reopen under “Open – Connector Route,” integrating periodic monitoring and cooperative volunteer upkeep.
- pppp. **D2421:** reopen as “Open – Scenic Spur,” managed with hardened parking and educational signage.
- qqqq. **D2434:** reopen under “Open – Connector Route” classification with ongoing volunteer maintenance and monitoring.
- rrrr. **D2437:** reopen as “Open – Scenic Spur,” with signage directing traffic to hardened turnaround zones.
- ssss. **D2450A:** redesignate as “Open – System Connector,” subject to periodic monitoring.
- tttt. **D2471:** redesignate under “Open – Scenic Spur,” maintaining signage and designated pullouts.
- uuuu. **D2482:** reopen as “Open – Managed Connector,” with signage and seasonal access monitoring if clearly justified based on current field studies with comprehensive empirical data to demonstrate the need for seasonal access limitations.



- vvvv. **D2491:** reopen as “Open – Scenic Access,” with signage for designated parking and turnaround.
- www. **D2510:** reopen as “Open – Scenic Spur,” with signage to prevent off-route travel.
- xxxx. **D2512A:** reopen as “Open – Managed Scenic Access” with periodic inspection and signage.
- yyyy. **D2520:** redesignate as “Open – System Connector,” with signage and voluntary stewardship support.
- zzzz. **D2524 & D2524A:** reopen both routes as “Open – Scenic Spurs,” managed with designated parking pads and education signage to sustain responsible recreation.
- aaaa. **D2562:** reopen as “Open – Scenic Spur,” incorporating periodic inspections and voluntary erosion control.
- bbbb. **D2624:** reopen under “Open – System Connector” classification with appropriate signage and seasonal monitoring.
- cccc. **D2633:** reopen under “Open – Scenic Spur,” maintaining visible signage and resource monitoring.
- dddd. **D2664A:** reopen as “Open – Loop Connector,” with monitoring and signage for managed travel.
- eeee. **D2678B:** redesignate as “Open – Managed Scenic Access,” incorporating field signage and seasonal monitoring.
- ffff. **D2680:** reopen as “Open – System Connector,” ensuring stability through monitoring and volunteer upkeep.
- gggg. **D2761B:** reopen; include erosion prevention measures if first justified by completion of a current erosion analysis that clearly demonstrates the need through field based empirical data.
- hhhh. **D2763A:** reopen as “Open – Connector Route,” supported by volunteer monitoring partnerships.
- iiii. **D2763B:** Redesignate as “Open – Scenic Spur,” with hardened turnaround and signage.
- jjjj. **D2771:** reopen under “Open – System Connector” with adaptive management measures to maintain sustainability.
- kkkk. **D2840:** reopen as “Open - Scenic Spur,” limit travel to the existing tread with boundary signage, and continue light monitoring. This corrects procedural errors while maintaining resource protection.
- llll. **D2845:** reopen; add minimal signage and maintain hardened parking to keep use focused and impacts low.



- mmmmm. **D2863:** reopen as “Open - System Connector,” with periodic monitoring and light drainage maintenance.
- nnnnn. **D3494:** reopen as “Open- Managed Connector,” with signage at junctions, and maintain tread to preserve the rim’s visual quality.
- ooooo. **D3589:** reopen as “Open - Scenic Spur,” with boundary markers and continued stewardship visits to document stable conditions.
- ppppp. **D3845:** reopen as “Open - Scenic Access,” with a hardened turnaround and low-profile signage.
- qqqqq. **D3868:** reopen as “Open - Loop Connector,” with shared-use etiquette signage.
- rrrrr. **D3937A:** reopen as “Open - Scenic Spur,” maintain the existing pad, and add low-impact interpretive signage.
- sssss. **D6940:** reopen as “Open - Managed Scenic Access,” with minimal drainage touch-ups and signage to direct parking.
- ttttt. **D7209:** Reopen as “Open - Scenic Spur,” retain the compacted turnaround, and post low-profile markers.
- uuuuu. **DC3:** reopen as “Open - Administrative and Scenic Access,” with clear signing, boundary delineation, and light monitoring to ensure continued compatibility with nearby resources.
17. **Add to the list for reopening additional, essential routes that are not yet included,** most notably:
- Ten Mile Canyon / Ten Mile Wash (D2759A, D2759B, D3126, D3120):** designate all four routes as “Open - Managed,” with signed termini, hardened pullouts at popular camps, and periodic photo-point monitoring after storm events. Where drainage concerns exist, employ rolling dips/armoring and cooperative volunteer days. This approach restores lawful access, achieves real minimization through management, and satisfies the EXPLORE Act’s access mandate.
 - The Very End (D2658/D2656):** reinstate both routes as “Open - Scenic Spurs,” with low-profile boundary markers, hardened turnarounds, and interpretive signage to keep visitors on the established pads.
 - Dead Cow:** Reopen both routes under “Open - Managed Technical Route” (DC3 may warrant a dual-designation given that it also functions as an administrative route). Maintain route delineation paint/markers on slickrock, add a short armored bypass around any sensitive pockets, and schedule annual volunteer maintenance. This cures the DR’s analytical gaps while addressing resource concerns through active management.



- d. **The Tubes:** reopen as “Open - Managed Feature” with: signed single-line entry/exit, rock armoring or geogrid in any short sand pockets, seasonal advisory after extreme precipitation events, and cooperative monitoring days. This balanced package restores lawful access, protects the drainage’s integrity, and satisfies the EXPLORE Act’s access and connectivity objectives while addressing the DR’s stated concerns through active management rather than elimination.

CLOSING

In addition to our preceding comments, we support any additional comments from individuals, groups, associations, and the general public that encourage the BLM to adhere to the Congressionally-mandated NEPA directive for multiple-use public land management. We support any additional comments that encourage the BLM to uphold its mission and commitment to the public to manage public lands in LRGBTMA in a manner that maximizes public access, and sustains the health, diversity, cultural resources, and values of the land for the use and enjoyment of present and future generations. We strongly advocate against any components of the 2025 reconsideration of routes for the LRGBTMP that would diminish or eliminate public access to the LRGBTMA.

We would like to close by once again calling your attention to the rights and interest that UPLA members, all outdoor recreationists, and the general public have as vested stakeholders of BLM-managed lands. We encourage the BLM to uphold their alignment with the BLM mission and operating guidelines, their responsibility to manage our public lands for the benefit of all American citizens, and their accountability to operate within the scope of congressionally-granted boundaries as contracted managers of our nation’s public lands - the citizenry’s prized national heritage.

Utah Public Lands Alliance would like to be considered an interested public for the 2025 Route Reassessment for the Labyrinth Rim / Gemini Bridges TMP. Information can be sent to the following address and email address:

Rose Winn
Utah Public Lands Alliance
PO Box 833, St. George, UT 84771
rose@utahpla.com



Sincerely,

Rose Winn
Natural Resources Consultant
Utah Public Lands Alliance
559.862.6382

Loren Campbell
President
Utah Public Lands Association
909.499.3295

cc: Senator Mike Lee, Senator John Curtis, Congresswoman Celeste Malloy, Congressman Blake Moore, Congressman Burgess Owens, Congressman Mike Kennedy, Governor Spencer Cox, PLPCO Executive Director Redge Johnson, UPLA Trustees and Members

References

1. Bureau of Land Management. Labyrinth/Gemini Bridges Travel Management Plan, Environmental Assessment, 2025 Route Reassessment.
<https://eplanning.blm.gov/eplanning-ui/project/2001224/510>
2. US Department of the Interior. Bureau of Land Management. What We Manage in Utah.
<https://www.blm.gov/about/what-we-manage/utah>
3. The Bureau of Land Management. The Federal Land Policy and Management Act of 1976, as Amended. 2022.
https://www.blm.gov/sites/blm.gov/files/AboutUs_LawsandRegs_FLPMA.pdf
4. Congress.gov. HR 6492. EXPLORE Act. 118th Congress (2023-2024).
<https://www.congress.gov/bill/118th-congress/house-bill/6492/text>
5. Justia US Law. Idaho Conservation League v. BPA, No. 12-70338 (9th Cir. 2016).
<https://law.justia.com/cases/federal/appellate-courts/ca9/12-70338/12-70338-2016-06-21-0.html>
6. Department of Justice. The Supreme Court of the United States. Simmons v. U.S. Army Corps of Engineers (120 F.3d 664). <https://www.justice.gov/osg/media/233811/dl?inline>
7. United States Department of the Interior. Office Of Hearings and Appeals, Interior Board Of Land Appeals. Appeal of the Labyrinth Rims/Gemini Bridges Travel Plan DOI-BLM-UT-Y010-2020-0097-EA. Notice of Appeal and Petition to Stay.
<https://www.texaspolicy.com/wp-content/uploads/2023/10/NOTICE-OF-APPEAL-AND-PETITION-FOR-STAY.pdf>
8. US Department of the Interior. Bureau of Land Management. MS-1626 – Travel and Transportation Management Manual.



<https://www.blm.gov/sites/default/files/documents/files/Media%20Center%20BLM%20Policy%20Manual%20MS%201626.pdf>

9. US Department of the Interior. Bureau of Land Management. H-8342 Travel and Transportation Handbook.
https://www.blm.gov/sites/blm.gov/files/uploads/Media_Library_BLM_Policy_H-8342.pdf
10. National Archives. Office of the Federal Register. Executive Orders. Executive Order 11644--Use of off-road vehicles on the public lands. <https://www.archives.gov/federal-register/codification/executive-order/11644.html?utm>
11. The American Presidency Project. Executive Order 11989—Off-Road Vehicles on Public Lands. <https://www.presidency.ucsb.edu/documents/executive-order-11989-off-road-vehicles-public-lands?utm>
12. National Archives. Code of Federal Regulations. Title 43, Subtitle B, Chapter II, Subchapter H, Part 8340, Subpart 8342, § 8342.1, Designation criteria.
<https://www.ecfr.gov/current/title-43/subtitle-B/chapter-II/subchapter-H/part-8340/subpart-8342/section-8342.1?utm>
13. US Department of the Interior. Bureau of Land Management. Policy Memorandum. Application of the minimization criteria at 43 CFR 8342.1.
<https://www.blm.gov/sites/default/files/docs/2025-01/Policy-Memo-for-Application-of-the-Minimization-Criteria.pdf?utm>
14. Studicata. Case Briefs. Simmons v. U.S. Army Corps of Engineers. United States Court of Appeals, Seventh Circuit. 120 F.3d 664 (7th Cir. 1997).
<https://www.studicata.com/case-briefs/case/simmons-v-u-s-army-corps-of-engineers>
15. Utah Public Lands Policy Coordinating Office. State of Utah, Notice of Appeal. Interior Board of Land Appeals. Office of Hearings And Appeals.
<https://publiclands.utah.gov/wp-content/uploads/State-of-Utah-Notice-of-Appeal-for-Labyrinth-Rims-Gemini-Bridges-TMP-FINAL.pdf>
16. Supreme Court of the United States. Loper Bright Enterprises et al. v. Raimondo, Secretary of Commerce, et al. No. 22–451. Argued January 17, 2024. Decided June 28, 2024. https://www.supremecourt.gov/opinions/23pdf/22-451_7m58.pdf
17. US Department of Justice. Administrative Procedure Act. Public Law 404—79th Congress. Chapter 324, 2d Session.
<https://www.justice.gov/sites/default/files/jmd/legacy/2014/05/01/act-pl79-404.pdf>