



Utah Rock Art Research Association

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Bureau of Land Management
Green River District
Attn: Daniel Kauffman
Sent via email to: blm_ut_pr_comments@blm.gov

Comments on the San Rafael Swell Travel Management Plan <https://go.usa.gov/xy6uP> DOI-BLM-UT-G020-2019-0019-EA

The Utah Rock Art Research Association (URARA) is the largest organization dedicated to Utah rock art. Our mission is:

- To lead in the preservation and understanding of the value of rock art
- To encourage the appreciation and enjoyment of rock art sites
- To assist in the study, presentation, and publication of rock art research

Our members have professional, academic, and avocational interest in Utah rock art.

URARA has a long history of working with the Price Field Office. We have:

- Paid for and participated in the documentation of rock art
- Participated in clean-up projects
- Participated and cooperated with the field office with site steward programs
- Participated in the development of the West Tavaputs Programmatic Agreement
- Assisted with other projects to maintain and preserve cultural resources
- Participated in the San Rafael Desert Master Leasing Plan
- Participated in the 2019 San Rafael Desert Travel Management Plan

General Comments:

We will provide general comments here that are available for the public to view. We will also provide specific comments that include references to cultural resource locations in a private addendum which would be inappropriate to share with the public.

We recognize the public's interest in expanding travel access. Many of our members use high clearance four wheel drive vehicles and appreciate being able to access areas without extensive hiking. We also know that some of these recommendations provide access to spectacular locations that much of the public would appreciate.

However, we also recognize that many "routes" in the TMP are developed with the specific intent to access cultural sites and that the official designation of such routes is reasonably foreseeable to result in damage to these cultural resources.

We also appreciate the value of wilderness. One experiences the land differently while walking than they do while driving. Balancing motorized vehicle access and the values of wilderness and solitude is difficult but necessary endeavor in any travel plan.

Generally speaking, we understand the extension of motorized vehicle access for reasonable recreation or necessary use for local ranchers but feel this travel management plan (TMP) for the San Rafael Swell vastly over reaches in terms of the proposed routes.

A total of 2,536 miles are proposed for travel routes in the scoping document, compared with 1,490 miles designated in the 2008 TMP, an increase of 70%. However, many of these miles appear to be irrelevant to the TMP since they include the I70 and on/off ramps to that freeway. The confusion about mileage and road designations is a significant error in the TMP and must be removed so that we can all use consistent base and proposed mileage figures.

Poor Route Designations in the TMP

The very concept of a motorized travel route is suspect in this TMP.

- One proposed route is a “crack” canyon so narrow that a hiker’s shoulders are touching both edges of the canyon and, depending on the time of year, swimming may be involved. Why such a route would be proposed for vehicular traffic is beyond our understanding and calls into question whether the BLM has done any work to assess these proposed routes.
- Other “routes” simply circle a juniper or boulder. Why an official “route” would be designated to drive around a juniper is bizarre. All such routes should be removed from the TMP.
- There are many examples of “duplicate” routes all going to the same destination and within a short distance of each other. There is no need of redundant routes and we believe they should be removed from the TMP.



The proposed crack canyon “route” – Jon Bailey

We suspect that many of the TMP routes have not been advocated or even assessed by the BLM but are being proposed by outside entities. If this is the case, we believe it is in the public interest that the BLM disclose who submitted routes so that the public can understand who intends to gain advantage by the disclosure and opening of these routes.



A proposed "route" in the TMP – Jon Bailey

Cultural Sites within the TMP

Transportation routes should be planned and managed to protect cultural resources from reasonably foreseeable adverse effects such as vandalism and looting associated with increased visitation and physical degradation due to vibration, destruction of surface artifacts, airborne particles and dust caused by motorized vehicles on dirt and sandy route surfaces.

BLM is providing cultural location information through route stems which lead the public to rock art and archeological sites, thus creating public sites. Increase in visitation to cultural sites must be done in conjunction with BLM management to provide protective measures consistent with good management practices. Sites must be documented so that adverse effects to the site can be determined and mitigated. Sites can be "hardened" with designated parking areas protecting cultural resources from dust, fencing, footpaths, and interpretive materials provided to educate and describe appropriate use.

The determination of what mitigation must be done at a cultural site and the actual accomplishment of that mitigation must be done before a route is publicized or disclosed to the public.

Legitimizing Illegal Activity

Many of the proposed travel routes are based on illegal off road vehicle activity where tracks have been left on the landscape. The mentality seems to be "if someone has been here before, we might as well make it an official route." This viewpoint is absurd and reinforces the mentality that illegal activity isn't really illegal and people should be able to take motorized vehicles wherever they want. The Bureau of Land Management (BLM) Price Field Office (PFO) should not be enabling a culture where illegal activity is legitimized.

Some of the proposed routes end in a wash. URARA is concerned that, if approved, these routes will provide access to dry wash bottoms that will be used to create additional illegal routes through these easy driving areas.

The problem with illegal motorized vehicle use is that it leaves a relatively permanent mark or route on the environment that may “legitimize” future use. We would like to cite two personal examples:

- One of the authors of this document has been visiting a relatively obscure cultural site in the area of the TMP for over a decade. The site can be accessed by a designated road and then hiking a little over a mile. On my first trip to the site, I discovered an all-terrain vehicle (ATV) track that followed a promising route. In my four or five subsequent trips, that ATV track is still visible. But my footprints, nor those of any other hiker, are not visible. Heavy motorized vehicles with large treads leave tracks in the desert that do not quickly disappear.
- One of the authors of this document was seeking an alternative route to a cultural site and found a well-defined, deeply cut “road” that provided helpful access to the area of interest. To the chagrin of this author, upon reviewing that “road” in this TMP, it is obvious that it was an illegal, but proposed route under this TMP. Once a route is developed, people without detailed maps out in the field have no way of knowing whether the route is legal or illegal and will tend to use what they see, thus perpetuating inappropriate use.

San Rafael Swell Recreation Area

The Emery County Public Land Management Act (ECPLMA) within the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, signed into law on March 12, 2019, makes clear that new roads and routes designated within the San Rafael Swell Recreation Area are illegal:

SEC. 102. MANAGEMENT OF RECREATION AREA.

(d) MOTORIZED VEHICLES; NEW ROADS.—

(1) MOTORIZED VEHICLES.—Except as needed for emergency response or administrative purposes, the use of motorized vehicles in the Recreation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.

(2) NEW ROADS.—No new roads or motorized vehicle routes shall be built within the Recreation Area after the date of enactment of this Act.

It is our opinion, based on the above quote, that the Price Field Office has no authority to designate new transportation routes within recreation area lands subject to the ECPLMA. All routes beyond the 2008 Travel Management Plan within the San Rafael Recreation Swell Area must be removed from consideration. A precise analysis of the new routes in the TMP that violate the ECPLMA is a little difficult at this juncture, but there appear to be over 300 miles of proposed new routes in this TMP within the San Rafael Swell Recreation Area that must be removed from consideration.

Private Land

Several of the proposed routes come up to private property, then cease and start again on the opposite side of the private land. These routes are not viable unless there is permission to cross the private land. We believe that no route, including splinter routes, should be proposed unless there is specific permission from the private land owner in the form of an easement for the proposed route. The current TMP encourages trespassing unless an easement has been obtained.

Prior BLM Land Use Decisions

The BLM seems inconsistent in terms of how and where it designates travel routes. In the past, the Price Field Office has closed areas in the San Rafael Swell with existing travel routes due to concerns about cultural resource protection, Native American tribal requests, wilderness values, and environmental protection. This travel management plan re-opens some of these areas. If travel was not permissible under previous BLM policies, it is unclear why the BLM is including these routes under the proposed travel management plan. See specific comments in the private addendum.

Riparian Areas

There are several areas where routes are being proposed in riparian areas. The most obvious is the long route through Muddy Creek (SS5010). We should note that no route presently exists in this location and even pedestrian access proves difficult in the thick vegetation along the banks.

Riparian areas are subject to additional damage from motorized vehicles and are often associated with cultural sites due to the proximity to permanent water. In other areas of Utah where off-highway vehicle travel was permitted in riparian areas, the damage was so extensive that the land management agencies in question were forced to close the routes to vehicular access. The two most prominent examples are Salt Creek within the Needles District of Canyonlands National Park and the Paria River within the Grand Staircase Escalante National Monument. We believe that the BLM should learn from these examples and that the travel management plan should not include routes in riparian areas.

Areas of Critical Environmental Concern (ACEC)

There are several ACECs within the TMP boundaries. ACECs have special protections that are often unique to each ACEC. We do not have access to the specific details of ACECs within the TMP. There are proposed routes within these ACECs. The protections associated with each ACEC must be reviewed by the BLM to determine if routes are permitted within them.

Conclusions:

- The BLM has publicized a series of travel routes without having done the bare essentials in validating the existence or appropriateness of the routes. In doing so they are encouraging illegal activity and promoting travel where it should not be done.

- The BLM has access to a wealth of cultural resource information and doesn't appear to have used this resource in developing this TMP. It is reasonably foreseeable that any route that approaches a cultural site is likely to result in damage to that site.
- This TMP should be removed from public sources until the BLM has done adequate work to assess the routes they are proposing.
- If routes have been suggested by third parties, the names of those parties should be disclosed.
- Private land ownership issues need to be resolved prior to routes being proposed that essentially pass through them.
- The implications of the ECPLMA must be assessed before the next version of this TMP is disclosed and all new routes removed from consideration within that area.
- Duplicate routes going to the same location should be removed.
- All currently illegal routes should be removed from the TMP unless justified by an essential purpose.
- Proposed routes that provide access to areas easily subject to further OHV trail pioneering should be removed.

To summarize, we are not opposed to reasonable expansion of public routes within the San Rafael Swell TMP area. But we are appalled at the scope of this proposal and we question the BLM's lack of care in its preparation and judgement in even making it public.

Disclosure of Confidential Data

We will disclose private data in a separate document. This includes a list of routes we would like to see closed, but not necessarily associated with cultural sites and a list of routes that we are concerned provide access to cultural sites, along with those cultural site locations. This separate document will only be sent to Chris Merritt (Utah State Historical Preservation Office), Nate Thomas (BLM-Utah Deputy Preservation Officer - State Archaeologist), and Natalie Fewings (Archaeologist PFO) to preserve the confidentiality of cultural site information.

In our private comments we will reference primary routes that we think should be excluded from the travel plan. We will not specifically reference splinter routes that break off from a primary route and can only be accessed from that primary route. But our expectation is that if the primary route is excluded, all splinter routes should also be excluded from the travel plan.

Sincerely,

Troy Scotter - Conservation and Preservation Committee Chair, URARA
 Kent Williams – President, URARA