



The Town of Eagle

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September 15, 2011

United States Forest Service
Rocky Mountain Region
Rick Cables, Regional Forester
740 Simms
Golden, CO 80401

Re: Appeal & Comments on the 03/17/2011 Travel Management Record of Decision

After reviewing the recently released White River National Forest Travel Management Plan record of decision, the Town of Eagle offers the following appeals and comments:

Approximately four years ago the White River National Forest (WRNF) held a district wide Recreation Strategy Planning session. During this meeting many decisions were made regarding how Forest Service Districts in the WRNF would offer specific niche opportunities for recreational use. These decisions were made without public involvement. That meeting also appears to have skirted NEPA requirements in regards to the decisions made.

For example, the decision made at this meeting determined that the Rio Blanco and the Rifle Districts would offer off-highway vehicle niches, while the remaining districts would not. It appears to the town that the decisions made during the Recreation Strategy Planning session became the basis for the now released WRNF Travel Management Plan. The town believes that the NEPA process and full public involvement should have preceded decisions about which districts would offer specific niche opportunities.

The town is also concerned that the WRNF erred in its interpretation of the National Off-Highway Vehicle Law when they determined which roads and what means of travel would be safe for travel.

The town believes the Forest's travel management decision attempting to partially eliminate future off-highway vehicle (OHV) use lacks rational and common sense. The town questions the designations on the following specific roads:

- East and West Brush Creek (4-415.1 and 4-400.2).
- The road over Crooked Creek Pass (4-400.2).
- The road to Fulford from Yeoman Park (4-418.1).
- The power line road from Gypsum Creek to Brush Creek (4-414.1).
- The power line road paralleling the road going over Crooked Creek Pass (4-431.1).
- Spine Creek Road and the east fork of Hat Creek (4-416.1).
- The west fork of Hat Creek (4-436.1).

All of the above-mentioned roads are designated for “Licensed Motorized Only,” thus eliminating “unlicensed” OHVs from traversing these access roads.

The town understands that the decision to eliminate “unlicensed” OHVs was based on safety. We question this premise because many states (not Colorado) license OHVs. Such licensing would make these vehicles legal to operate on the above-listed roads. However, if the same make and model OHV only has a state issued off-highway registration, it is illegal to use on these roads. How is one OHV safe and legal while the other is illegal and considered unsafe?

An additional example regarding the conflicting safety rationale is the local Eagle Ranger District has a policy that does not allow district personnel to use a full-sized, government vehicle to travel the power line road (4-414.1) between Gypsum Creek and Brush Creek when the road is wet, icy or snow covered. This road can be extremely dangerous in these conditions and the only safe way to travel it would be with an OHV, yet the new Travel Management Plan depicts this route as legal only to “Licensed Motorized Only”. To the town’s understanding none of the district’s OHVs are “licensed” thus making travel on this particular road off limits to district personnel during wet, icy or snowy conditions. The current designation also leads the public to believe the only safe travel is with a “Licensed Motorized Only” vehicle, which in most cases is assumed to be a full sized vehicle.

During hunting season large numbers of hunters drive their OHVs on these roads to access deer and elk hunting areas. If these roads are closed to them they will relocate to other areas in the state more tolerable to OHV use and cause significant economic harm to the town of Eagle.

The town requests that the above mentioned issues can be modified prior to the final implementation of the Travel Management Plan.

Respectfully,



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Cc: Scott Fitzwilliams, Forest Supervisor, Glenwood Springs WRNF
Dave Neely, District Ranger, Eagle District, WRNF