

BCNM RMP/EIS
5575 Cleora Road
Salida, CO 81201

Submitted via electronic Web submission via <https://go.usa.gov/xn2eC>

June 20, 2019

Dear BLM and USFS;

Please accept and consider these comments on behalf of the Quiet Use Coalition and the undersigned regarding the Browns Canyon National Monument RMP-EIS Public Draft Planning Criteria Report.

We appreciate and thank you for the opportunity to comment on this Public Draft EIS Planning Criteria Report.

Develop and offer an alternative that emphasizes conservation

We believe that the agencies must develop and offer an alternative that better protects, preserves and conserves the objects of historic and scientific interest for which the Browns Canyon National Monument (BCNM) was created.

Although Preliminary draft Alternative B claims to focus on protecting Monument resources and objects, we believe it does not adequately protect elements such as wildlife, designated areas, cultural areas, riparian areas, etc.

We recommend that the BLM develop and offer an additional alternative to ensure that a sufficient range of alternatives is considered, as required by 40 CFR 1502.14(a), and to capture and consider additional conservation oriented issues.

We have included numerous recommendations in these comments that could be used to develop this alternative.

Monuments and recreation

While we support and encourage responsible recreational use on public lands, we believe that this management plan must focus primarily on protecting the objects of scientific and historic interest for which the Monument was created and less on providing additional recreational opportunities.

We disagree with the statement “In accordance with the Antiquities Act of 1906, the BLM and USFS will ensure protection, conservation, and proper care and management of all identified BCNM ROVs as described in the Planning Assessment Report” on page 6 of the proposal.¹

The Antiquities Act of 1906 states, in Section 2
“That the President of the United States is hereby authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of

¹ Throughout this document, when we refer to a page number, record number, or alternative letter, or state ‘the proposal’ we are referring to the posted document “Planning Criteria Report: Preliminary Alternatives and Basis for Analysis”

which in all cases shall be confined to the smallest area compatible with proper care and management of the objects to be protected.”

Was Browns Canyon National Monument created for recreation?

A primary question in the management plan is if recreation is, or is a significant, object of scientific or historic interest that is to be protected, preserved or enhanced in the Monument?

The Monument Proclamation includes approximately three pages of text detailing Native American presence and other history, biodiversity, flora, fauna, geology, cultural aspects of the Monument as objects of scientific, prehistoric and historic interest. The Antiquities Act allowed President Obama to create the Monument to preserve objects of scientific and historic interest. Is recreation an object of scientific or historic interest?

The Proclamation states on page 4:

“The protection of the Browns Canyon area will preserve its prehistoric and historic legacy and maintain its diverse array of scientific resources, ensuring that the prehistoric, historic, and scientific values remain for the benefit of all Americans. The area also provides world class river rafting and outdoor recreation opportunities, including hunting, fishing, hiking, camping, mountain biking, and horseback riding.”

Almost as an afterthought, the Proclamation states in a single sentence the “area also provides” a list of outdoor recreation opportunities. That is the only place in the Proclamation where the word ‘recreation’ appears. The Proclamation does not state that recreation will be protected or preserved. It does not specifically state the recreation opportunities are a value.

The Proclamation states the area also provides those recreation opportunities, implying that they are currently provided. Nothing is mentioned about the Monument providing, preserving or maintaining recreation opportunities in the future, let alone providing for a possible expansion of such opportunities.

We believe it is clear that the Monument was not created to protect or preserve recreation opportunities. The protection and preservation of those objects of prehistoric, historic and scientific interest must be prioritized above recreational use or development.

Page 5 of the Proclamation states, “For purposes of protecting and restoring the objects identified above, the Secretaries shall jointly prepare a management plan for the monument”... Those objects are objects of prehistoric, historic and scientific interest. The management plan is not to be prepared to ‘protect’ or ‘restore’ recreation.

We agree with the statement on page of the monument, and variations in management of recreation are therefore the driving factor behind much of the variation in the management alternatives.” As the primary human use of the Monument, recreation also is viewed by some as providing the greatest anthropocentric value of the Monument. Recreation is also, however, the greatest threat to objects of scientific and historic interest for which the Monument was created according to the Antiquities Act. We believe there is a great need in this Management Plan to provide land managers with tools and clear direction that will help avoid, minimize and mitigate the adverse impacts of recreational use on wildlife, natural, ecological, geologic, cultural and other resources.

Throughout the planning process, it must be recognized that the best and most effective method of protecting and/or maintaining a resource or value is to avoid, or at least minimize, human impacts to that resource or value. Where impacts cannot be avoided, they must be minimized as needed to protect the resources and values. We believe all objectives should be modified, where appropriate, to include avoidance as a component to be considered in order to protect a resource or value.

We believe emphasis on enhancing, promoting and developing recreation in the Monument is misplaced.

The emphasis of the Management Plan should be to protect the objects of scientific and historic interest in the Monument.

Special Designations

Retain the ACEC

We disagree with the proposed loss of the Browns Canyon ACEC designation within the Monument, as suggested in record 1002 on page 11 for Alternatives B and C.

The 11,697 acre (according to RGFO RMP record of decision from May 1996) Browns Canyon ACEC designation within the Monument must be maintained. There is no guarantee that a National Monument designation, and any protections that go with it, will be retained. Administrative efforts in 2017 to reduce the size of Bears Ears and Grand Staircase-Escalante National Monuments suggest that National Monument designations may not be permanent.

This ACEC includes BLM lands beyond the Monument Boundary. Maintaining the ACEC within the Monument would promote continued consistent management of BLM within a larger 11,697- acre area.

The Browns Canyon ACEC was designated to protect wildlife and scenic values in the area. The 1996 BLM Royal Gorge Field Office Resource Management Plan Record of Decision (ROD) states (at 2-1-13) that within this ACEC:

- livestock grazing will be excluded in some areas and adjusted on other areas
- timber harvesting and wood gathering will be allowed only for enhancement of protected values
- locatable mineral entry will not occur
- mineral materials development will not occur
- VRM class II avoided for major rights-of-way
- retention in public ownership
- off-highway vehicle use limited to designated roads and trails.

In addition, the ROD also states that within this ACEC:

- wildlife values will be enhanced (at 3-18)
- protection of historical values and resources will be enhanced (at 3-23)
- archaeological resources will be protected (at 3-24).

We believe that the BLM should continue to manage this entire ACEC to at least the minimum levels described above.

Wild and Scenic River

We support the proposed action for Record 1004 on page 12, which suggests that the 7.1 miles of the Arkansas River Segment 2 within the Monument be determined to be suitable as a recreational Wild and Scenic River. This segment of river and the lands extending from its banks possess numerous outstanding remarkable values worthy of protection. The protections afforded to this river segment by the Monument proclamation are similar, but there is no guarantee those protections and the lands along the river will remain as a National Monument. It is our understanding that the river itself is not included as part Monument and cannot be directly protected by the Monument. (See, e. g, Proclamation at 6.) Protections associated with a Wild and Scenic River determination would apply to the river itself. A determination of suitability for Segment 2 of the Arkansas River would apply additional protection

that would extend well beyond the Monument boundary, since Segment 2 includes sections of the river both upstream and downstream of the Monument.

Protect Wilderness Values in the WSA

Under all alternatives, the BLM Wilderness Study Area (WSA) must be managed to protect its wilderness values, as required by the Federal Land Policy and Management Act. 43 U.S.C. 1782(c).

The BCNM Management Plan should include direction to manage the WSA as designated Wilderness, even if Congress releases it as a WSA.

We recommend that additional management actions be applied within the WSA in order to protect its wilderness values.

Limit group size to 12 individuals

In order to preserve and protect the wilderness character of this WSA, we suggest limiting group size to 12 individual heartbeats, i.e., total of humans and animals. This WSA is to be managed as Wilderness, and it is important to keep the group size down in order to preserve the expected primitive recreational experience of those seeking solitude in this area. Larger groups detract from this experience. Furthermore, this is a relatively small WSA and much of the terrain in this area is very steep, rugged and rocky. This serves to concentrate most human visitation in smaller portions of this small areas. Thus, larger groups will have a relatively greater impact on solitude in this WSA than they might in larger areas with more accessible terrain.

It is especially important to have party size limits where camping is allowed. Impacts from camping (sanitation, cooking, fires, persistent trampling of vegetation, etc.) are much greater than those for most day use activities.

Dogs, horses and other animals brought in by the group should all count toward the 12 'individual heartbeat' limit.

Dogs horses and other animals must be under physical constraint at all times.

Dogs cannot be allowed to chase, bother or harass wildlife or other human visitors. They must be under physical restraint at all times in the WSA.

Prohibit overnight camping within 300' of any surface water.

All of this WSA is are relatively dry and arid, and any surface water that does exist (rivers, streams, ponds, springs, seeps, etc.) are vitally important for wildlife. Camping should not be allowed within 300' of any surface water sources, in order to protect these fragile riparian areas and allow unencumbered wildlife access. All washing of dishes or people should take place at least 300' from surface water.

The exception to this should be within 300 feet of the Arkansas River within the WSA, where camping should be restricted to designated sites due to the popularity of use in this area.

Limited overnight camping to 3 nights in the same location.

In order to limit excessive vegetation disturbance and soil compaction, camping should be limited to three consecutive nights in the same location. Users should be encouraged to camp in existing, previously disturbed campsites located on durable surfaces.

Prohibit camping within ¼ mile of Ruby Mountain Trailhead

A prohibition on camping within one-quarter mile of the Ruby Mountain Parking area and trailhead within the WSA will help prevent this area from being used as an extended car camping area for those parking at the trailhead. It will help preserve some wilderness values in this heavily used area.

Campfires should be limited

Users should be encouraged to use portable stoves for cooking to minimize campfires.

If an open fire is desired, it must be in an existing fire ring or fire pan. The creation of new fire rings should be prohibited. Any fires should be kept small. The entire WSA is within the ACEC, where wood gathering is supposed to be allowed only for the enhancement of protected values. Users that wish to have a campfire should be required to bring wood in from outside the Monument and WSA.

Activities should be non-competitive

Competitive events should be prohibited to maintain wilderness characteristics.

Travel should be limited to designated routes

In order to prevent the damaging proliferation of user created routes, users should limit their travel to designated routes whenever possible. Where there are no designated routes, but already used routes are visible, the users should travel on durable surfaces and/or the existing routes whenever possible, provided use of the routes is not causing resource damage, such as eroding soils or streambanks or adversely impacting water quality.

Any visible undesignated travel routes that exist or forms should be evaluated for length, sustainability, impacts to wildlife, cultural resources, etc. Undesignated routes with unacceptable impacts should be closed with natural appearing materials and the use of native species for re-vegetation.

Frequency of use should be restricted.

Commercial and educational uses in these WSAs should be limited to 30 days per year for each group applicant.

Seasonal restrictions on use should be implemented.

Use should be seasonally restricted from in certain areas or sections of areas to protect wildlife, such as big game winter range, birthing areas or other sensitive wildlife from disturbance during critical seasons. We recommend that the Turret Trail be seasonally closed from December 1 through April 15 each year at a point a few feet east of the junction with the River Access Trail to coincide with any seasonal closure on Forest Road 184 (Currently December 1 through April 15).

We recommend that the Catkin Gulch Trail be seasonally closed each year from December 1 through June 30. This would coincide with seasonal closures of Trail 1434 outside the Monument for big game winter range, and help protect a Bighorn Sheep Production Area already heavily fragmented by use of this route.

Educate users to leave no trace.

All users, and especially commercial SUP holders, should be strongly encouraged to practice and educate their clients on basic leave no trace principles. We recommend educational material be readily available online and clearly posted in a kiosk at the Ruby Mountain Trailhead.

Wilderness Special Use Permits (SUPs) should be adaptively managed

The BLM should use adaptive management with special use permits in these WSAs. The BLM should err on the side of wilderness resource protection in permitting special uses in these WSAs. This means starting small when it comes to the number, duration, size, frequency, scope and type of permitted special uses, and number of people for each use, within these WSAs. The impacts of these uses should be monitored, and then the SUPs may be adjusted accordingly if conditions change and/or it is shown that the resource can handle more use. We suggest keeping these SUPs on a yearly renewal cycle until it is proven that resources are being maintained with use from these SUPs. The BLM should reserve the right to terminate or require modifications to these SUPs if it is determined that changing conditions warrant this.

Adaptive management should be used throughout the WSA

The BLM should regularly monitor conditions and use throughout the WSA, and adjust management if conditions exceed acceptable limits of change. Additional management may include, but not be limited to, requiring permits for overnight camping, limiting camping to designated sites, seasonal area closures to protect sensitive wildlife habitat, etc.

Protect Roadless Area Characteristics

Almost all US Forest Service land within the Monument is part of the larger Aspen Ridge Upper Tier Roadless Area. We believe that additional language must be included in the Management plan to ensure that Roadless Characteristics are maintained throughout Roadless lands within the Monument, in case Roadless Designations are removed or modified.

On page 54, an assumption states “Adverse impacts on Roadless areas are those that do not protect sources of drinking water, important fish and wildlife habitat, and semi-primitive or primitive recreation areas that include both motorized and non-motorized recreation opportunities, and naturally appearing; beneficial impacts are those that preserve and enhance these resources and areas.” We believe this fails to adequately include all nine characteristics identified in the 2001 Roadless Area Conservation Rule. Undisturbed soil, water and air; biodiversity; reference landscapes; traditional cultural properties and sacred sites; and other locally identified unique characteristics must also be specifically included.

Lands with Wilderness Characteristics

We agree with and support all proposed actions for Records 1001-1004 on pages 18 and 19 for Alternative B. This management will only affect 625 acres of BLM land and should not significantly modify current and proposed uses of those land areas. These lands have repeatedly been included in proposed Wilderness Bills, which have received widespread public support and past BLM and USFS endorsement.

When the Browns Canyon Wilderness Study area boundaries were defined and delineated, they were somewhat arbitrarily set boundaries on the north and south end. This was contrary to the generally accepted practice of establishing Wilderness boundaries so they are based on visible, on-the-ground features, such as human linear disturbances and/or geographic features.

Recommend Wilderness

We support a wilderness suitability determination be included as part of the management plan.

We believe the Management Plan should consider recommending most lands east of the river for Wilderness designation.

Most lands east of the Arkansas River within the Monument boundary have been previously included in numerous Wilderness proposals, including bills introduced in Congress. Both the BLM and USFS have gone on record as supporting previous Wilderness designation for much of the Monument. The 2019 Colorado Wilderness Act, introduced in May, includes most lands east of the river within the Monument as part of a larger proposed Browns Canyon Wilderness Area. There has been widespread public support for a Browns Canyon Wilderness Area.

We support Wilderness designation for all land within the Monument included in the WSA, the Aspen Ridge Roadless Area, and additional BLM lands inventoried as having Wilderness Characteristics north and south of the existing WSA.

We question the assumption on page 72 that states “Recreation along the Arkansas River will continued to be primarily managed by the AHRA.” The WSA boundary extends all the way to the edge

of the river in some parts of the Monument. Although the river itself and its use is not included in the Monument or this management plan, river based recreation along the river on its banks must be fully considered in this plan.

Page 69 contains an assumption, with which we fully agree, detailing threats of river based recreation to fish and wildlife. The potential threat that river based recreation poses to wilderness values in the WSA, however, must also be mentioned and considered. Large river based groups can adversely affect the desired experience of solitude for WSA users when they come ashore within the WSA. The development of non-system, undesignated routes and heavily used dispersed camping areas along the river can affect the untrammelled appearance of the land and result in the imprint of man becoming noticeable.

Although AHRA might primarily manage recreation on the river, the BLM has an obligation to ensure that land-based recreation in the Monument protects wilderness values in the WSA, and wildlife and scenery in the ACEC.

Cultural Heritage, Tribal Values and Uses

We support objective CR 2.2 on page 14. One of the greatest threats to cultural resources is the deliberate or unintentional vandalism or destruction of those resources due to public use of the areas those resources are located. Keeping the public out of areas with significant cultural resources is one of the best ways to protect those resources. Designated routes within these areas facilitate additional public visitation and use on and off those routes, which has the potential to result in additional impacts to those resources.

We support objective 3.2 and proposed actions associated with Record 1004 in the proposal, as long as this use is based upon traditional ways. For example, Native Americans should be allowed to access locations off designated routes within the Monument by foot or horse travel, but special exceptions for motorized access off designated routes should not be allowed.

Geology, Minerals, and Paleontology

We agree with and support Record 1002 actions for Alternatives B and C on page 16 to “Work with the rock-climbing community to prevent damage to sensitive geological features.” We believe this action should be expanded, or an additional action created, which clarifies that actions will require work with all Monument users to prevent damage to sensitive geologic features, not only the rock climbing community. Recreational mineral collectors, recreational target shooters, hikers, campers and other users of the Monument can potentially damage sensitive geologic features via their use in the Monument.

We agree with and support Record 1003 on page 16 including proposed actions to “Apply mine hazard mitigation in a manner that protects resource values of the area including wilderness characteristics, wildlife habitat, and cultural site integrity and in a way that protects public safety while employing minimal resources.” We believe this should be expanded to also include the protection of scenic values; natural, botanical and geologic resources; and existing designated facilities if and when any mitigation occurs. We have witnessed damage to other resources and facilities as a result of mine hazard mitigation in other locations on public lands near the Monument.

We agree with and support Record 1004 on page 16 and proposed actions for Alternatives B and C to “Prohibit collection of monument resources and objects: rocks and minerals; petrified wood and fossils of plants, animals, fish, insects, invertebrate animals; bones, waste, other products from animals; or

other naturally occurring items at all other locations beyond Ruby Mountain.” Rocks, minerals, petrified wood, fossils, etc. are all objects of historic and scientific interest that must be preserved in the Monument. We have noted extensive damage to lands resulting from the apparently legal collection of resources and objects just outside Monument boundaries, and this must be prevented from occurring within the Monument. There are hundreds of thousands of acres of public land adjacent to the Monument and nearby in which collectors may practice their hobby, so that this prohibition does not constitute a significant hardship.

We support Record 1005 on page 17 to “Allow garnet collection and mineral collection at Ruby Mountain only for educational, experiential, or scientific purposes via SUP/SRP.” Ruby Mountain has been extensively ‘picked-over’ for garnets and other minerals for decades, to the extent that all obvious and visible collectables are gone. It requires extensive work with a pick and hammer to expose new collectable minerals. Actively breaking apart rocks within the Monument in an attempt to expose minerals has a high potential to permanently deface and modify rock surfaces in this area.

All of Ruby Mountain within the Monument is within the Browns Canyon Wilderness Study Area. Extensive digging for minerals has the potential to modify this Mountain so that parts of the area no longer appear natural. Digging and chiseling in the search for minerals may create caves, rubble piles, or other features that would noticeably appear to be created by humans. Such excavations could compromise the wilderness values of this WSA, which the BLM is required to protect.

While we support the continued non-commercial hobby collection of small amounts of minerals at Ruby Mountain, we believe that this use must be regulated to protect geologic features and wilderness values in the Monument. Requiring collectors to obtain a permit (which could be issued for no or minimal fee) would allow the BLM to maintain some oversight into mineral collection activity in this area. A requirement to obtain a permit would provide the BLM opportunities to better educate collectors about appropriate practices, amounts, regulations, etc. associated with mineral collection in this area.

The BLM should develop clarify and distribute specifications and regulations regarding rock and collection at Ruby Mountain. These should include a prohibition of collecting for commercial use, a prohibition on fossil, petrified wood or artifact collection or removal; limiting collection to use of hand tools; and limiting the amount of collection that can occur per day and per year.

It must be noted that the collection of minerals is different from the search for minerals. A required permit for collection would not prohibit anyone from non-invasively searching for minerals at Ruby Mountain, as long as they do not remove those minerals.

If mineral collection is allowed at Ruby Mountain, the boundary in which this activity is allowed must be delineated so the public can easily determine it. The outer boundary of the Monument and this area on the west and north side can be marked on the ground with signage. We recommend that the south and eastern boundaries be defined using easily identifiable natural land features rather than signage, to preserve wilderness values.

Vegetation and invasive species

We support proposed actions for Alternative B associated with Records 1002-1009 on pages 21-24. We believe the majority of the Monument should be managed consistently across agency boundaries as suggested on page 7. The majority of lands within the Monument are within the Aspen Ridge upper tier Roadless Area and the Browns Canyon Wilderness Study Area, which limit and restrict the amount of vegetation treatments that may occur.

We recommend any new trail or other development avoid individual/groups of sensitive plants with a 100 foot buffer around the plants. This will help protect soils, hydrology, the micro-ecosystems, pollinators, and the plants themselves from disturbance and human use resulting from the presence of the facility and any use off the facility.

We are particularly concerned about the allowance in the Proclamation for development of new motorized roads and trails west of the Arkansas River in the Monument. This area has known occurrences of Arkansas Canyon Stickleaf (*Mentzelia densa*) and likely occurrences of Brandegee Wild Buckwheat (*Erigonum brandegeei*) on it, particularly south of County Road 194.

A trained botanist must survey areas for sensitive plant species before any ground disturbing activity is approved and implemented. It must be noted that some plants may not be easily visible at all times of the year. Some plants may not be visible during abnormally dry years.

Special attention needs to be given to the following species known to occur in the Monument:

Brandegee Wild Buckwheat (*Erigonum brandegeei*)

Arkansas Canyon Stickleaf (*Mentzelia densa*)

Fendler's False Cloak Fern (*Argyrochosma fendleri*)

Fendler's Townsend Daisy (*Townsendia fendleri*)

Pale Blue-eyed Grass (*Sisyrinchium pallidum*)

Colorado Tansy-aster (*Xanthisma coloradoense*)

Hall's Milkweed (*Asclepias hallii*)

Livermore Fiddleleaf (*Nama dochotum*)

Any revegetation that occurs within the Monument should only use native plant species.

Regulations for use within the Monument should include requirements that prevent the introduction of invasive species. Only local firewood and weed-free hay should be allowed in the Monument.

Night Skies, and Natural Soundscapes

We believe that the preservation and enhancement of dark night skies and natural soundscapes is important and must be fully considered in the Plan. Skies that remain unimpaired by light pollution are important for nocturnal wildlife, ecological processes, and desired visitor experiences. Impaired natural soundscapes can affect desired recreational experiences and the sense of place. Anthropogenic noise is recognized as a significant stressor to many wildlife species impacting behavior, physiology and important life cycle events.

The Management Plan must include language to proactively manage for natural night skies and natural soundscapes.

Objective VR 1.1 on page 25 must be modified to specifically state that the maintenance of natural soundscapes is an objective for lands within the Monument.

Objective VR 1.2 must be modified to specifically include and state that infrastructure will avoid and minimize impacts to night skies and natural soundscapes as an objective.

Watersheds, Soils, and Water Resources

We support proposed actions for Alternative B associated with Records 1005 and 1006 on page 28.

We recommend that additional GIS riparian and wetland area data be used to identify riparian areas and fully protect them during planning. We have attached two sources for this data as kmz files.

Wildlife and Fish

We support additional protections for wildlife and fish, and their habitats, to be included in the Monument Management plan.

Maps 8 and 9 in the Appendix of the proposal must be modified to depict priority wildlife habitat areas extending at least one half mile outside of the Monument Boundary. We believe the study area for determining the effects of the alternatives on terrestrial and avian wildlife and special status species as suggested on page 68 must be expanded to include additional lands outside the Monument Boundary.

Proposals may be considered and actions may be implemented just within or outside of the Monument boundary that have the potential to impact priority wildlife habitat not currently depicted just outside the boundary. Impacts to wildlife at the boundary are not limited to species habitat connectivity. Map 9 correctly indicates that nest buffers extend across the boundary, and the impacts to other priority habitat areas across the boundary must also be considered. Wildlife do not recognize or limit their use of land and behaviors based upon artificially created invisible anthropocentric boundaries. Wildlife will sense and respond to visual, auditory, olfactory and other sensory stimuli that are detectable across any boundary lines.

Page 75 includes a number of priority habitats for species that may be found in or near the Monument. Map 9 must be updated and expanded to include additional priority habitats in and near the Monument. This should include Bald Eagle roost sites and winter concentration areas (very high and high priority habitats, respectively) within and near the Monument near Ruby Mountain according to current (2/2019) CPW GIS data. Wild Turkey Production areas are another high priority habitat found within the Monument.² Wild Turkey was specifically listed as one wildlife species included as an object to protect in the Monument Proclamation.

Additional priority habitats must be identified and depicted.

On Map 9, the 1/4 mile buffer zone around a Red-tailed Hawk nest should be expanded to 1/3 mile, to match current CPW recommendations.³

We agree with and support many of the Assumptions and Analysis Issues and Methods described on pages 58-72, although we have some concerns with how these are translated into potential management recommendations in the preliminary draft Alternatives.

We agree with and support Objective WF 1.5 on page 29, with the understanding that enforcement is a component of education. Compliance with regulations pertaining to wildlife is enhanced for some if being caught and cited is a possibility.

For Objective WF 2.3 on page 30, avoidance of new actions and activities must be included as a consideration for areas around certain raptor nests. Avoidance is specifically listed as a Colorado Parks and Wildlife recommendation for certain raptor nests.⁴

On page 30, Objective WF3.1 for Big Game species should be modified to state "Avoid and minimize adverse human disturbance of big game species in BCNM...". Avoidance is the most effective way to

² Based upon the House Bill 1298 Species Impact Assessment

³ Klute, D. 2008. Recommended buffer zones and seasonal restrictions for Colorado raptors. Colorado Division of Wildlife (now Colorado Parks and Wildlife). Pages 2 and 4, Online June 2019
<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf>

⁴ *ibid.*

address adverse human disturbance and impacts on wildlife. Avoidance must be considered as a possible objective when considering management actions to protect wildlife and priority wildlife habitat.

Avoidance is recommended as potential way to minimize adverse impacts to wildlife resources for the following priority species/ habitats:

- Bighorn Sheep production, wintering areas, and migration corridors
- Mule Deer critical winter range and migration corridors
- Elk winter concentration areas, production areas, and migration corridors
- Raptor nests⁵

For Record 1003 on page 31 of the proposal, we strongly recommend the proposed action for all alternatives be modified to state “Consider avoidance, or allow for minimization and/or mitigation and,...”. The proposed action as stated improperly excludes the possibility of avoidance when considering proposed management actions and decisions related to proposed new public and permitted actions in the Monument. Avoidance should always an option when considering methods to minimize adverse impacts to wildlife.

While we support seasonal use restrictions near raptor nests, as suggested in Record 1005 on page 32 of the proposal, we believe this should apply to all human use and not just SRP and large group events. Current Colorado Parks and Wildlife recommendations for buffer zones and seasonal restrictions for Colorado raptors apply to all human use, not just larger events.⁶ The presence of one human can result in considerable impact. Recommended restrictions on human encroachment around raptor nests include any activity that brings humans into the area near the nest.

We do support the concept of seasonal area closures in significant priority wildlife habitat areas, and not just seasonal route closures in those areas, as suggested in Record 1005 on page 32 of the proposal. Although many people will travel on designated routes, not everyone will, and those traveling off designated routes may adversely impact wildlife more so than those traveling on designated routes.

We support seasonal area closures for all human use around site specific priority habitats, such as raptor nests. We also support area closures for locations within larger priority habitat areas where wildlife congregate and/or rely on a more specific locations for a lifecycle need. For example, we would support and recommend area closures for cliffs in Bighorn Sheep Summer use areas (as cliffs provide needed security habitat), specific water sources in winter concentration or production areas (as access to water is needed), or other locations.

We would also support and recommend seasonal area closures for some of the smaller priority habitat areas where human disturbance has the potential to result in significant impacts to the entire area. For example, we would support a seasonal area closure on Monument lands in the elk production area west of the river, since this entire area is only approximately 1800 acres. We would also support a seasonal closure to the part of the ~3500 acre Bighorn Sheep production area within the northern part

⁵ CPW, 2009. Best Management Practices to Minimize Adverse Impacts to Wildlife Resources. Colorado Parks and Wildlife. Species specific recommendations. Appendix A. Online June 2019.

https://cogcc.state.co.us/documents/reg/OpGuidance/Colorado%20DOW%20Final%20BMPs_090309.pdf

⁶ Klute, D. 2008. Recommended buffer zones and seasonal restrictions for Colorado raptors. Colorado Division of Wildlife (now Colorado Parks and Wildlife). Online June 2019

<https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf>

of the Monument, since this area is relatively small and is heavily impacted by existing routes and high levels of use outside the Monument.

We recommend that all existing seasonal closures for wildlife on routes adjacent to and within the Monument be more permanently retained and not subject to review every few years. This includes closures on Forest Roads 184, 185, 185.D, and most of ATV trail 1434.

Even though some of these routes and closures are not within the Monument, they are immediately adjacent to the Monument and define its boundary. The Monument is part of and depends upon a much larger ecosystem surrounding it, and does not exist as an isolated island. This is especially true for wildlife that can move freely across Monument boundaries.

We recommend that the seasonal closures of all of the above routes be modified so that they apply to all human recreational use. Currently the closures only apply to motorized wheeled vehicle use. Hiking, skiing, snowmobiling and all other forms of human use can also result in significant impacts to wildlife. There is direction in the current Forest Land and Resource Management Plan supporting the closure of routes to all human use in order to protect wintering wildlife.⁷ Recent decisions by the Salida District USFS to seasonally close the Vitamin B and Sands Gulch quiet use trails to all human use during the winter recognize and support the concept that all human use during the winter can adversely affect wildlife.

Studies also indicate that human presence and use can affect and displace wildlife.⁸ The impacts of routes adjacent to the Monument affects wildlife within the Monument boundaries.

We generally agree with and support Record 1019 for all Alternatives on page 44 of the proposal, which states that all recreational activities will comply with current posted seasonal closures.

This record supports extending seasonal closures to all human recreational use, and not just certain modes of travel. Although it has been shown that certain modes of travel impact wildlife differently than others, all human travel results in negative impacts.⁹

We believe consideration should be given to seasonally prohibit all human activity, not just recreational activity, in sensitive wildlife habitat. Not every individual would consider all of their activity as recreational activity. Permitted, scientific, monitoring and other non-recreational activities should also avoid using seasonally closed routes. Wildlife will be impacted by human presence in an area, and will not necessarily respond differently depending upon the reason for any humans being present in an area.

This statement in record 1019 refers to current seasonal closures. Current implies that it only apply to seasonal closures that exist now. We believe it should be expanded to include all seasonal closures, including any new seasonal closures which may be applied in the future. We believe there should be

⁷ Forest Plan Transportation System Management 02 Standard/Guideline a,3 at III-159 states "Planned management of road use during winter will prevent or minimize disturbance to wintering big game animals."

Forest Plan Dispersed Recreation Standard/Guideline 02 a at III-152 states "Close management area to cross-country ski trail development and to snowmobile use."

Forest Plan Dispersed Recreation General Direction 02 at III-152 states, "Manage winter use for very low or low densities. Close areas to human use to the degree necessary to prevent disturbance of wildlife."

General Direction and Goals for 5B areas include at III-149 "Existing local roads are closed and new motorized recreation use is managed to prevent unacceptable stress on big game animals during the primary big game use season."

⁸ Wisdom, M. J. et al. 2018. Elk responses to trail-based recreation on public forests.. Forest Ecology and Management. 411. 223-233

⁹ Ibid.

additional seasonal closures applied to travel routes, such as the Catkin Gulch loop. We believe any new seasonal closure should apply to all human activity.

We are concerned with the use of the word “posted” in this statement and its definition. We believe the word “posted” should be defined and clarified to mean enacted/determined in a decision, displayed on site with a sign, contained in an Order, and/or displayed on a map. This removes any ambiguity that may result from the lack of signs in the field as a result of vandalism, removal or other factors. Although we support making educational information available to the public using as many means as possible, these regulations must remain in effect even if one or more of the means is currently unavailable.

The list of seasonally closed routes on page 44 should also include Forest Road 185.D. This road is seasonally closed and it forms the basis for part of the northern boundary of the Monument.

The list of seasonally closed routes on Page 44 of the proposal interestingly lists Trail 1434.A as being seasonally closed. This may be an error, as no part of trail 1434.A is currently seasonally closed. We would support seasonally closing this trail which forms the basis for over 2 miles of the northern boundary of the Monument. This trail slices through elk severe winter range, Mule Deer Winter Concentration Area and Severe Winter Range, and a Bighorn Sheep Winter Concentration Area and Sheep Winter Range.¹⁰ Seasonally closing this trail will benefit wintering wildlife both in and just outside of the Monument. In addition, there have been concerns with unauthorized motorized use on the seasonally closed segment of trail 1434 that helps define the northern edge of the Monument, and also motorized use off Trail 1434.A into the Monument itself.

It must be affirmed that these seasonal route closures are to protect wintering wildlife, even though they also protect route tread surfaces from damage during mud seasons. These seasonal closures not be modified outside of the current December 1 to April 15 time date to accommodate the desires of recreationists that claim the routes are dry. While the seasonally closed routes themselves may be dry, conditions in other nearby locations may not be suitable for wildlife.

Adaptive management should be specified to permit seasonal closures to be extended beyond the April 15 date in the spring. Big game will move in and out of areas in the spring as changing weather and late season storms limit available forage and delay spring green up.

We recommend some modifications to the locations of and/or infrastructure associated with existing seasonal closures on Forest Roads 184, 185, 185.D and ATV trail 1434 to better protect Monument wildlife and resources. See attached Appendix A for details.

We also recommend seasonal closures of a section of the Turret trail and the entire Catkin Gulch Trail to protect wildlife, detailed in the Trails section later in this document.

One of the greatest potential threats to wildlife in the Monument is recreational use, including dispersed recreational use and the development of new trails.

Recreation

A sentence on page 33 should be modified to read “How can rapidly increasing visitor use **be responsibly** balanced with protection of resource values in the monument?”

We believe Objective REC 2.3 on page 35 must also include “close, restore and decommission” as an option for consideration of trails, especially if “permitted non-system trails” are going to be considered.

¹⁰ According to February 2019 Colorado Parks and Wildlife Species Activity GIS Data. Available online June 2019 at <https://cpw.state.co.us/learn/Pages/KMZ-Maps.aspx>

There are current existing and developing non-system trails that should be considered for closure, restoration and decommissioning due to their impacts on resources and private land trespass. To only include “maintain, improve or expand” as options for trail consideration improperly limits the range of potential actions. This objective as written improperly suggests an inherent pro-recreation bias as opposed to a more balanced approach that must also consider resource, plant and wildlife habitat protection.

We believe Objective REC3.4 Recreation Restoration on page 36 must be expanded to include restoration from recreation and other users to be applied to damage that has occurred to land, vegetation and soils also. Unauthorized travel and use has been shown to have the potential to permanently alter soils, land, vegetation, slope hydrology, etc. It should be an objective to provide clear direction to restore damaged areas and prevent further damage.

We agree with and support Record 1003 on page 36 and the action for Alternatives A and B that will prohibit camping at trailheads and day use facilities. Camping occupies space that is intended for parking and access for day users, and negatively impacts desired experiences of other trail and day use visitors.

We believe this action should be expanded to also prohibit dispersed camping within 300 feet of to the initial ¼ mile of all trails where they intersect with a road. This will clarify the definition and intent of prohibiting camping at trailheads, and help prevent the use of the area along trails as extended motorized dispersed campsites.

Recreation and Management Zones

We disagree with, and object to, the assumption on page 72 that states, “Areas designated for recreation management are recognized as a primary resource use. Consideration of specific management strategies is required to protect recreation opportunities.”

This is an extremely anthropocentric oriented assumption, and ignores other inherent and intrinsic values of the Monument. As we detailed on pp. 1-2 of these comments, the Monument proclamation spends three pages describing in detail geologic, wildlife, botanical, biodiversity, etc. related objects to be protected within the Monument. The vast majority of these objects, while currently valued by humans, must be protected according to the Proclamation whether humans value them or not.

The entire Monument is proposed to be divided into Recreation Management Zones. We do not favor this approach, as it implies that recreation is the primary resource use of these areas.

We believe there are many areas within the Monument in which recreation must not be a primary resource use. For example, recreation should not be a primary resource use in priority wildlife habitat areas such as birthing and nesting areas. Humans do not need and depend upon recreation in these areas to survive as wildlife depend upon these areas. The Browns Canyon Wilderness Study Area must be managed to protect wilderness values. Recreation is not the primary value of Wilderness.

While the BLM may be required to delineate the type and intensity of recreation opportunities on its lands, it is also required to retain wilderness values in managing the type and intensity of recreation in the WSA.

There are existing areas on USFS lands within the Monument where the current Forest Plan prescribes management to emphasize big game winter range, grazing, and aspen production rather than recreation. Page 34 of the preliminary draft alternatives states that the Forest Service is not required to delineate recreation opportunities on its land as the BLM is. Although the Forest Service considers the Recreation Opportunity Spectrum (ROS) on its lands, we believe ROS determinations are non-binding.

We have concerns with the BLM imposing its regulations on USFS lands merely for the sake of consistency.

The preliminary draft alternatives document does not provide any baseline data regarding current existing BLM or US Forest Service recreation zone management. We request that this information be made available to the public in both online map and GIS data form in order to permit the public to properly evaluate current and proposed recreation management in the monument.

We have concerns regarding proposed actions for alternatives B and C for Record 1004 on page 37. While not opposed to the concept of managing recreation by zoned areas, no explanation is provided for the boundaries of zoned areas as depicted for these zones.

We have the following comments and concerns regarding these zones and Map 10.

- Aspen Ridge zone

We do not understand the basis for the western and northern boundary of this zone. There are no designated facilities adjacent to and west of the Aspen Ridge Road, and the boundary of the Aspen Ridge Roadless Area begins 300 feet west of that road. The proposed boundary does not follow any geographic features or known patterns of public use.

Use on and off a designated road has different impacts on adjacent lands than the impacts from a designated quiet use trail. Auditory, olfactory and visual impacts (including speed of travel) may affect wildlife differently for roads as opposed to trails.

The desired recreational experiences and expectations of users of the Forest Trail 1435 are very different from the recreational experiences and expectations of users of Forest Road 185.

We believe the area around Trail 1435 should not be part of the Aspen Ridge zone and should be managed as a primitive backcountry zone. Very few people use Trail 1435.

Almost all of the user along the Aspen Ridge Road remain in their vehicles and never enter the Monument itself, whose boundary is 100 feet off the road. Some users illegally drive onto unauthorized unclosed routes to the west of this road into the Monument, expecting the routes to lead them to something such as a viewpoint, but only one unauthorized route provides an expansive view.

With one exception to provide for a 200 foot long trail to an overlook (see attached Appendix B), we recommend that this zone be eliminated from consideration for new trails. Any dispersed motorized camping or other modifications along the Aspen Ridge Road could be accommodated outside the Monument boundary within 100 feet of the road.

- Railroad Gulch

We do not understand why this is considered a recreation zone. There are no designated recreational facilities in it. A no-trespassing railway corridor forms the western end. Those who enter the eastern end trespass across private land to do so. The area receives relatively little human visitation.

There are significant wildlife habitats in and adjacent to this zone, which CPW recommends avoiding for new trail development (falcon nest, Red-tailed hawk nest, bighorn sheep lambing area). Seasonal restrictions are difficult to enforce, and the development of new trails will negatively affect wildlife and wildlife habitat.

To label this as a distinct a separate recreation zone in this plan, separate and distinct from Backcountry zones, seems presumptuous. This is especially so since the draft preliminary plan states all new trails will be approved in a separate process outside of this planning process.

We do not understand why the area in upper Stafford Gulch in the Monument would be included in this zone and not the backcountry zone. This area receives little to no human use.

We believe the Railroad Gulch zone should be managed as a Primitive Zone, if not eliminated altogether and combined with the rest of the Monument interior

- Monument Backcountry River East

We believe the Monument Backcountry-River East should incorporate almost all of the Aspen Ridge and Arkansas River Bench and Shore proposed zones, and all of the Railroad Gulch proposed zone areas.

This entire area should be managed as a Primitive Zone.

Our recommendation for the Monument Backcountry East zone is that it coincide with current and past proposed Wilderness Area boundaries east of the river. This zone would extend all the way to the current Monument boundary in most areas. This zone would extend within 100 feet of BLM Forest road 300, 185.D, 185 and 184. It would extend to within 100 feet of ATV Trails 1434 and 1435. It would extend up to the edge of the Monument Boundary in all other areas except along the river, where this zone would be 200 feet east of the river or to the railroad tracks (whichever is furthest east at that point) for areas east of the river.

We support Wilderness designation for the lands within our proposed version of this zone and believe that wilderness values must be maintained and not compromised throughout this zone.

We do not support the proposed framework for this zone as suggested in Appendix B of the proposal. We believe that some of suggested management for this zone does not coincide with direction contained in the Proclamation. For example, on page B4 it is suggested this the desired future condition for this zone be semi-primitive motorized or roaded natural. Management Prescription area 2B on pages III-116-124 of the current Forest Plan emphasizes rural and roaded-natural recreation opportunities. Many of the standards and guidelines, and general direction for 2B areas in that Plan would not be compatible with the Proclamation, the Colorado Roadless Rule, or protection of objects of scientific and historic interest.

- Arkansas River Shore and Bench zone

We believe it is inappropriate to manage lands that are part of a Wilderness Study Area in a manner similar to other BLM lands not part of the WSA.

We believe that the WSA trails (River Access and much of the Turret Trail) have more in common with Monument Backcountry than the Arkansas River Shore on the east side of the river, and thus both in the WSA.

Thus, we recommend that this zone be eliminated and become part of the Monument Backcountry River East zone.

We accept a different management approach for lands adjacent to the Arkansas River that are cooperatively managed with AHRA, due to the high volume of use in this area. We recommend a new zone be created to be named the Arkansas River Zone. This zone would include all lands cooperatively managed with AHRA directly adjacent to the river. This zone should include all lands extending 200 feet from the river in the Monument, except those lands that are part of

the Hecla Junction and Ruby Mountain leased areas. This zone would not include any land within the railroad right of way and east of that right of way where the railroad passes through the Monument.

Management of all lands within this zone in the WSA must consider the need to protect wilderness values.

- Hecla Junction and Ruby Mountain

We generally support including the AHRA leased areas as separate management zones, as depicted on Map 10

Clarification is needed on the extent of the recreational user fee area at Ruby Mountain. Does this extend to the trailhead parking area and the switchbacks on Road 300? Do users who enter this area from the east via Road 300 or the designated Turret Trail need to pay a fee to enter this area?

The proposed preliminary draft plan on page B-7 improperly suggests that garnet collecting be an activity in this zone. Ruby Mountain is not included as part of this zone. Ruby Mountain itself is part of the WSA and not included in the AHRA leased area.

- Turret Road

We do not support the statement on page B-7 of the proposal, which states that a desired future condition for this zone is to 'provide for 4 X 4 driving'. The Proclamation does not specifically include or mention anything about 4x4 driving being provided for along Forest Road 184. Motorized use is not specifically mentioned as a recreation activity that occurs in the Monument and it was not identified as an object of scientific or historic interest.

- Backcountry river west

The northern section of Monument lands west of the river contain some of the least visited and wildest lands in the entire Monument. There are no developed facilities on these lands, and they contain a significant elk production area. We recommend that the northern 811 acres of Monument lands west of the river retain their wild and primitive character and be managed as a Primitive Zone. (See attached Appendix C for details)

Please see attached Appendix D for an analysis that suggests that the majority of the Monument acreage has primitive Recreation Setting Characteristics and should be managed as a Primitive Recreation Zone.

Travel and Transportation

We agree with and support the part of the proposed action on page 46 for record 1005 Alternatives B and C that states "Rehabilitate and reclaim routes within the monument stemming from the Aspen Ridge Road to prevent motorized vehicle use." All of these unauthorized routes improperly extend into the Monument boundary east of the river, where no new motorized use is allowed. They all improperly extend further, over 300 feet from the edge of FR 185, meaning they facilitate unauthorized motorized in the Upper Tier Aspen Ridge Roadless Area. None of these routes have ever appeared on any Salida District Motor Vehicle Use Map (MVUM) produced since 2009. Not appearing on an MVUM means that

these routes were not open or available to public motorized use under new decisions and actions to comply with requirements of the 2005 Travel Management Rule. The publication of MVUMs superseded any previous travel management decisions for motorized use.

The Salida District made previous attempts to close these routes to motorized use via the installation of educational signage. These signs were vandalized and or removed, and never replaced, resulting in ongoing unauthorized motorized use.

Studies have shown that a combination of signage and barriers are the most effective means of educating users about unauthorized route closures.¹¹ We recommend that the management plan specifically include direction for agencies to close any and all unauthorized and undesignated routes with a combination of signage and structures to deter further use.

Direction must also be included to allow agencies to either actively rehabilitate and reclaim undesignated routes, or passively allow these routes to naturally revegetate on their own, with minimal additional site-specific analysis. The reflects and carries over previous decisions made in the 2002 Fourmile Travel Management Plan in this area, which directs agencies to close routes using self-sustaining drainage, revegetation (with native plant species) and closure to discourage future use.¹²

While we believe the unauthorized routes along the Aspen Ridge Road should be a prioritized, we strongly believe there are additional unauthorized routes in the Monument that must be closed and rehabilitated. At a minimum, management direction for unauthorized routes must not be restricted to only those routes along the Aspen Ridge Road. As an example, there is an undesignated and expanding quarter mile long unauthorized motorized route extending into the Monument and Roadless area off Forest Road 185.D that needs similar treatment. The plan must allow agencies to treat all undesignated routes.

Forest Road 184

We recommend that the northernmost .38 miles of Forest Service 184 be closed to all motor vehicle use at 38°42'21.95"N 106° 0'44.75"W and converted to a designated trail open to hiking and horse riding use. This section of road is steep and is experiencing excessive erosion. There is not a suitable or sustainable motor vehicle turn around location at the current end of this road. Much of the last .38 miles of this road is located in a riparian area. This segment of road does not provide significant or desirable motorized recreation opportunities.

There is already a suitable and flatter disturbed area for vehicles to turn around just south of the proposed closure point.

The Proclamation states that Forest Road 184 can only be improved for the care of identified objects of historic and scientific interest or as necessary for public safety. Recreation and motorized use and recreation was not specifically identified as an object of scientific and historic interest in the Proclamation.

The Browns Canyon Proclamation states on page 5 “motorized and mechanized vehicle use in the monument shall be allowed only on roads and trails designated for such use, consistent with the care

¹¹ Lawhon, B., Taff, B. D., & Schwartz, F. (2016). Undesignated Trail Management and Messaging Study Report. The City of Boulder, Department of Open Space and Mountain Parks. Boulder, Colorado.

¹² USFS and BLM (2002) Decision Notice and Finding of No Significant Impact. Fourmile Travel Management Plan.

and management of the objects identified above. After the date of this proclamation, new roads or trails may only be designated for motorized vehicle use in areas west of the Arkansas River... “

Motor vehicle use is currently limited to the designated tread of Forest Road 184 by 36 CFR 261.13. A potential exception would be for parking or motorized dispersed camping, which is currently restricted to within one vehicle length of the edge of designated routes.

The one-vehicle length exception is allowed by the current Salida District Motor Vehicle Use Map, which states “ Where designated parking areas are not available, and where not specifically prohibited, unsafe, or causing resource damage, parking on National Forest System lands within one vehicle length off of designated routes is authorized.’ This is also supported by FSM 7716.1(1) “Parking off of a designated road is limited to either one vehicle length (or a maximum of 30 feet) from the edge of the road. “

The Motor Vehicle Use Map exception to allow motor vehicle use off a designated route to park or camp should not be permitted within the Monument, as the Proclamation states that motor vehicle use “ shall be allowed only on roads and trails designated for such use.” (Emphasis added.) An exception to allow motor vehicle use off the tread surface of a designated road is not allowed according to the Proclamation.

We believe any action taken to physically allow or facilitate additional motor vehicle use off Forest Road 184 (for a turn-around, dispersed motorized camping, parking, or other uses) would require a decision to permit such use. Such a decision would result in the designation of a new section of road or motorized trail if it extends beyond the edge of the road. The Proclamation specifically prohibits such designations along Forest Road 184 within the Monument and east of the Arkansas River.

Allowing off route motor vehicle use as an exception, and taking specific action to designate, facilitate and directly encourage additional off route motor vehicle use, are two distinctly separate things.

If one reads the Proclamation carefully, motorized use is not specifically identified or mentioned as an object (of historic or scientific interest) to be cared and managed for within the Monument.

The recreation opportunities mentioned on page 5 of the Proclamation that the area also provides notably do not include motorized recreation or use. We strongly believe that motorized use/recreation, and these other recreational opportunities, are not objects of scientific and historic interest for which the Monument was created to protect and preserve.

It is not necessary to improve Forest Road 184 in the Monument for public safety. Forest Road is a rough maintenance level 2 available for high clearance 4WD vehicles that only receives low volumes of motor vehicle use. It is a dead end local road. Users of this route already expect, and likely have experienced, Forest Service roads on the Salida District that are far rougher than the current condition of Forest Road 184.

It must be noted that there is nothing in the Proclamation that would prevent the future closure of all or part of Forest Road 184 within the Monument, and the Monument Management Plan must not include any language to prevent that.

We believe the assumption on page 74 under Travel and Transportation Management, 3.11.2 that states “The Fourmile TMP and Arkansas River TMP would remain in place throughout the planning period” is not correct. While many of the route designations in the Fourmile TMP and Arkansas River TMPs remain in place, aspects of those plans have been superseded and replaced by more recent decisions. More recent decisions the 2005 USFS Travel Management Rule and subsequent publication of Salida District Motor Vehicle Use Maps and Forest Orders, and the Monument Proclamation itself).

As examples, the Fourmile Travel Management Plan allows motorized travel for the purpose of dispersed camping to 100 feet from a designated road or trail (Fourmile Travel Management Plan Decision Notice and FONSI 2002 page 4 From the EA, Page II-3, D., Actions Common to the Proposed Action and Alternative C). The 2005 USFS Travel Management Rule, subsequent Urban Front Country Orders, and publication of MVUMs have changed this and motorized dispersed camping is authorized within one vehicle length of designated National Forest System routes. The Arkansas River TMP limited motor vehicle travel for parking, including camping, to 100 feet from the centerline of a designated road or trail only if this travel does not cause or is unlikely to cause significant undue damage to or disturbances of the soil, wildlife, wildlife habitat, improvements, cultural, or vegetative resources or other uses of the public lands.

The Monument Proclamation, however, states, “motorized and mechanized vehicle use in the monument shall be allowed only on roads and trails designated for such use”. (page 5). The Proclamation does not allow any vehicular use off designated routes for parking or camping. The Browns Canyon Monument Proclamation was signed and went into effect on February 19, 2015. On that date, the Proclamation superseded the previous remaining allowances for motor vehicle travel off designated routes in the Fourmile and Arkansas River Travel Management Plans.

The Fourmile and Arkansas River Travel Management plans did not specify any restrictions for over snow motorized vehicle use. The Monument Proclamation, however, states, “motorized and mechanized vehicle use in the monument shall be allowed only on roads and trails designated for such use”. (Page 5). The statement in the Proclamation did not specify or limit the mode or season of use when referring to motorized and mechanized use, so all modes of motorized and mechanized use, during all seasons, is only allowed on roads and trails designated for such use within the Monument.

The Proclamation thus prohibits all cross-country travel over snow by motorized and mechanized vehicles.

We know of no documented decision that identifies designated specific routes available and open for over snow motorized vehicles (such as snowmobiles) or over snow mechanized vehicles (such as fat bikes) within the Monument. All normally open roads within the Monument that do not have seasonal vehicle restrictions on them (County Road and BLM road 300, County Road 194, and perhaps roads in the Ruby Mtn. and Hecla Jct. recreation sites) would remain open and available for motorized or mechanized over snow use.

An existing Forest Order seasonally closes all of Forest Road 184 from December 1 to April 15 to motorized wheeled vehicle use to protect wildlife habitat. While this order may not specifically apply to over snow motorized or mechanized use, there is no documented decision that states that Forest Road 184 is open to motorized or mechanized use over snow use. We thus believe Forest Road 184 should not be open to mechanized or motorized over snow vehicle use.

See the attached Appendix A for more information about a seasonal closure on Forest Road 184.

Recommended Additions and Additional Comments

Unauthorized and Undesignated routes should not be depicted on public maps

We believe it is inappropriate and misleading to depict and label designated system motorized routes on maps the same as undesignated, unauthorized and/or permitted/administrative roads not open to public use.

Maps 3, 10, 11 and 12 in the Appendix of the proposal depict and label a number of non-system routes that do not appear on the USFS Motor Vehicle Use Map as “Motor Vehicle Use Roads”. Many maps assign non-system undesignated routes a name or a number.

For example, numerous maps label an undesignated non-system route as the ‘Austin Trail’.

It is improper to depict and label all of these routes as “Motor Vehicle Use Roads” when some are legally open to public motorized use while others are legally closed to public use and/or all motor vehicle use. Routes within and outside of the Monument are depicted incorrectly. Improper depiction and labeling of routes confuses the public as to which routes are legally available for their legal motorized use and which are not. This map may tempt some members of the public to illegally use motor vehicles on these closed routes, resulting in safety concerns, resource damage, and exposing them to possible citations.

Private roads are improperly depicted on the map, and this may result in trespassing on those roads and private land.

Depicting closed and non-system routes on a public map is similar to depicting the location of sensitive Native American archaeological sites on a public map. Irresponsible members of the public for illegal and inappropriate behavior could use both types of maps.

The maps fail to consistently and accurately depict all unauthorized and undesignated routes that exist on the ground, if that was the intent. There are numerous routes of similar status that exist on the ground that are not depicted on these maps.

These maps must be modified and rereleased to the public with all undesignated routes and routes not open to public use removed and an explanation provided. Only routes legally designated as open to the public should be depicted on maps released to the public.

The previously printed and distributed Browns Canyon National Monument public visitor brochure did a much better job of only depicting publicly open designated travel routes on its map. The only error we noted on that map was incorrectly depicting routes 185.DA and 185.DB as roads. These routes are motorized trails, as public roads are not permitted within the Aspen Ridge Roadless Area.

Regulatory Objectives and Implementation Plan

Within one year of plan approval, the BLM and USFS must issue orders on Monument lands for the following:

- Restrict all motorized and mechanized use to designated routes
- Seasonally close roads and trails to all human use where determined necessary, in sensitive wildlife habitats, and install signs and gates to educate the public about this
- Prohibit over snow vehicle use except on designated routes
- Prohibit collections of resources and objects, (except possibly) in a defined area at Ruby Mtn).
- Install signage where designated routes enter the Monument
- Develop and Finalize an Implementation Plan

All too often, good decisions made in planning processes that are never implemented.

We strongly recommend that the Management Plan include clear direction that requires implementation of certain key elements of the plan within a set time period.

We recommend that the Management Plan include a requirement to develop and finalize an Implementation Plan within one year.

Private land edge holdings

We believe that it should be a goal and objective to acquire private land edge holdings adjacent to the Monument boundary, should opportunities arise in the future, to include these as public land.

There are three relatively small private land inholdings along the eastern Monument boundary that would be valuable additions if acquired as public land. These parcels are primarily undeveloped, and are virtually indistinguishable from adjacent Monument or other public land.

Certain types of allowed development of and activity on these private land parcels could potentially result in significant adverse impacts to the objects of historic and scientific interest on nearby Monument lands.

Retain Public lands

We believe that a specific goal and objective must be included which states that federal lands or interest in lands within the Monument must not be conveyed out of federal ownership.

There have been proposals in recent years to transfer ownership of some federal lands to states. We believe that it is essential to keep an area as significant as Browns Canyon National Monument in full ownership of the federal government, so that it can be properly managed to be protected and preserved for all.

Rights-of-way & utility corridors

The entire monument should be managed as a rights-of-way exclusion area for new rights-of-way authorizations. Installation, use and maintenance of these corridors will compromise protection of the objects for which the Monument was created.

Parking at Hecla Jct. and Ruby Mtn.

The Monument concept was promoted by suggesting that most visitation and use be focused and concentrated in the developed recreation sites at Ruby Mountain and Hecla Junction. These locations have improved public county roads leading into them, and already have a certain degree of already existing improvements that can accommodate increased use.

Public vehicle parking capacity in these areas is limited and will soon be exceeded. Capacity is already exceeded during some days for brief periods.

The agencies should explore other environmentally responsible means to transport people into these areas. The possibility to develop a shuttle bus system from parking locations outside of the Monument should be explored, especially during peak use times. Such a shuttle bus system should be implemented if determined to be suitable. Reducing the use of motor vehicles will likely reduce emissions, which may help combat and limit climate change.

There are numerous examples of shuttle busses being required for public access to areas on public lands. The shuttle bus system to access Maroon Lake near Aspen is a prominent example.

OHV staging and use at Ruby Mountain

We recommend that OHV parking and staging be prohibited at the Ruby Mountain trailhead parking area, and be directed to the Chinaman Gulch Trailhead.

Parking and staging for OHVs at Ruby Mountain occupies space desired for vehicle, trailer and user parking for hikers and equestrians at Ruby Mountain. While Ruby Mountain is the primary access point

for the designated trail system into the WSA, OHV users have numerous other options from which to park, stage and access the abundant designated OHV route system in the adjacent Fourmile area.

Starting, warming up, and using OHVs in this parking area results in conflicts with other users coming to this area to seek a wilderness experience in the WSA.

The Ruby Mountain Trailhead Parking lot is located in the bottom of a riparian area. Inefficient OHV engine use, and possible oil and gas spills from refueling, are potentially adding unnecessary pollution to the environment in this area.

The possibility of directing all OHV parking to the nearby Carnage Canyon area should be explored, in order to direct and focus OHV parking and staging to another area away from Ruby Mountain.

It is a much shorter, easier and faster drive to reach the Carnage Canyon trailhead from improved highways than it is to reach the Ruby Mountain Trailhead. It is over 3.2 miles from Highway 285 to the Ruby Mountain Trailhead. It is less than 2.4 miles from Highway 285 to the Carnage Canyon Trailhead, and only 2.1 miles from Highway 24 to the Carnage Canyon Trailhead.

A shorter and easier drive to the trailhead translates to more riding time for OHV enthusiasts.

Off road motorcyclists will be able to access designated motorcycle trails almost directly from the Carnage Canyon Trailhead.

The Carnage Canyon Trailhead offers many advantages for OHV users that the Ruby Trailhead does not. The Carnage Canyon Trailhead is already over 1 acre in size, with room to expand. The Ruby Mountain Trailhead is less than a third of an acre in size and expansion opportunities are limited. Overnight camping seems to be accepted at the Carnage Trailhead, whereas it is likely prohibited at Ruby Mountain. State Grant OHV funds could be used to add additional facilities at the Carnage Trailhead.

Use of the Carnage Canyon Trailhead by OHV enthusiasts will relieve some of the congestion and crowding at Ruby Mountain.

There have been management concerns with OHVs driving off Road 300 to the north and east of the parking area/Trailhead in the past, and this road is steep and difficult to maintain. Directing some of the OHV traffic off this road could alleviate some of those concerns.

There is an undesignated pullout to a viewpoint on a hilltop to the south of BLM road 300 at approximately 38°45'12.49"N 106° 3'51.42"W, just outside the Monument boundary. This pullout could be improved and designated to offer OHV riders (and others) coming down Road 300 from the east a great view and turn-around area. Signage could be installed at this location to inform them that OHV use ends on Road 300 in 1/3 of a mile, and there is no OHV access to the River or Ruby Mtn. Recreation site ahead.

The current use of OHVs on BLM road 300 within the Monument to and west of the Ruby parking area to the campground and other facilities at the Ruby Mountain Recreation site must be clarified. We believe that general OHV recreational use coming down road 300 from the east must end at the Ruby trailhead parking area. Noise, fumes, excessive dust and mixed-use safety concerns from unrestricted OHV use in the campground and other facilities at Ruby Mountain will result in additional conflicts, and will add to traffic and congestion in this area.

We would support prohibiting OHV use on one third mile of Road 300 west from the current Ruby Mountain Trailhead parking area, especially if a new designated pullout/overlook/turn-around area was created at the location described above.

Almost all of Road 300 west of that pullout is within the Monument boundary.

We recommend that a possible exception could be considered for OHV recreationists that pay to occupy a designated campsite at Ruby Mountain. These users could be allowed to ride their OHVs directly to and from their designated campsite on BLM road 300 to the east, in order to access additional OHV opportunities.

We recommend that AHRA monitor the amount of OHV related camping that actually does occur in the designated campground at Ruby Mountain. We believe the number of people that camp at Ruby Mountain in order to ride OHVs from the campground is minimal. We would support prohibiting campers from riding OHVs east of the campground to the Trailhead/parking area, which would simplify and clarify management of the area and eliminate any confusing exceptions.

OHV use in Hecla Junction must be clarified

OHV use on non-county roads within the leased recreation area at Hecla Junction must be clarified. Although there is no OHV use permitted on County Road 194 within the Monument, regulations pertaining to OHV use by campers or others visiting Hecla Junction are not readily apparent.

We recommend that all OHV use be prohibited on the designated routes within the Hecla Junction recreation site. Similar to Ruby Mountain, noise, fumes, excessive dust and mixed-use safety concerns from unrestricted OHV use in the campground and other facilities at Hecla Junction will result in additional conflicts, and will add to traffic and congestion in this area. In addition, the limited designated road network that could possibly be used by OHVs in Hecla Junction does not provide meaningful and adequate OHV use opportunity.

The Management Plan should require clarification of OHV use at and within these recreation sites. Regulations and restrictions regarding this use should be made available to the public posted and printed educational material. Signage at the junction of County Roads and BLM road in these areas should be posted to educate the public about OHV restrictions.

Drone use

We recommend that the use and operation of drones and other unmanned aerial vehicles be prohibited in the Monument and the immediate airspace above the Monument. Drone use is already prohibited in part of the Monument including the Ruby Mountain recreation site as that area is within 5 miles of the Buena Vista Regional Airport. Drone use can disturb wildlife and Monument users, and detract from wilderness values and the quality of the recreational experience for visitors. An exception could be considered for emergency response purposes.

Recreational Target Shooting

Recreational target shooting should be prohibited in all areas within the Monument. This use has a high potential to adversely impact wildlife and recreational users due to noise, perceived conflicts and safety concerns. Noise can affect perceptions of solitude and thus compromise wilderness values.

One of the best designated recreational target shooting areas in the state exists just west of the Monument boundary on BLM land. Use of this area is free and it provides adequate opportunities for recreational target shooting in the general Browns Canyon area.

The proposed Target Shooting restrictions proposed as part Record 1005 on page 37 for Alternatives B do not include existing USFS shooting restrictions as defined in 36 CFR 261.10 (d). These existing regulations prohibit shooting as follows:

(1) In or within 150 yards of a residence, building, campsite, developed recreation site or occupied area,

(2) Across or on a National Forest System road or a body of water adjacent thereto.

Boundary line west of the river

We fully support a survey to determine and mark the Boundary line of the Monument west of the river. Currently most of this line is not marked or delineated on the ground.

We have concerns with what appears to be continued unauthorized motorized use emanating from private land onto Monument lands at locations west of the river. Unauthorized routes must be closed and signed as closed on the ground. Private property owners must be contacted to inform them of Monument regulations.

According to current BLM GIS data, there is an area of land west of the river that is not allocated for grazing. Since there are no fences delineating this boundary, it appears as though stock from adjacent private land can freely cross into the Monument and graze. Since there are no fences separating BLM land from private land, it appears as though open grazing occurs on both private land and Monument land. Some existing grazing fences do not appear to be located on allotment, pasture or private/BLM boundaries. (See the attached Appendix C)

Without fencing, it may be difficult to regulate the timing, amount and other types of grazing regulations within the Monument. Although it appears as though the adjacent private landowner also holds all the grazing permits in this area, grazing use in this area must be clarified.

Impacts on Turret Community

Residents and property owners of Turret are concerned that the potential increased visitation and use of Forest Road 184 and other areas around their community due to Monument designation will result in additional problems such as private land trespass, noise, congestion, parking, etc.

We recommend that promotional literature and information associated with the Monument not focus or direct visitation or use on Forest Road 184. It should be clear and obvious that Forest Road 184 is a rough, unmaintained dead end 4 Wheel Drive road that is seasonally closed. It should be clear that there are limited recreational amenities and opportunities available along Forest Road 184.

We recommend that signage be placed on Forest Land along County Road 184 before the town of Turret to inform users that the Maintained County road ends ahead. The signage could be placed at a point where County Road 184 is wide enough to permit vehicle turn around.

Turret property owners should work with the County to place signage in Turret that better marks County Road 184 through town. Turret property owners should clearly mark private drives and town streets as private.

A sign should be placed at the start of Forest Road 184 on Forest Land at 38°38'28.74"N 105°59'20.42"W that identifies the road as Forest Road 184, and informs users that the road is a rough, steep, dead-end, unmaintained road that is seasonally closed.

Similar signage should be placed along Forest Road 184 at a point just before the road descends into Green Gulch and enters the Monument. This is at 38°39'43.47"N 106° 0'4.73"W where there are places to turn around. Additional signage and structures may be required here to keep motorist from driving off road into the Monument over flat grassy areas to the west.

Trails and new trail development

We agree with, and fully support, the assumption on page 74 which states "Any potential additions to the non-motorized trail system would be designated after the completion of the RMP and require

subsequent site-specific NEPA analysis with additional public input.” It is beyond the scope of this planning process to get into the specifics of considering the additions of new facilities.

We know that there are other proposals being submitted that request new quiet use trails and roads be developed both in and out of the Monument.

We are generally opposed any new trail development within the Monument, outside of the Ruby Mountain and Hecla Junction recreation areas. We question the need for any new trails, especially since existing trails receive relatively little use and are poorly maintained.

It must be recognized that all quiet use trails open to bicyclists, horse riders and hikers have been shown to result in negative impacts on wildlife and wildlife habitat. Trails require funding, time and energy to responsibly and comprehensively manage. Comprehensive management includes more than mere maintenance.

We would support a suitability analysis to determine which areas and locations might be appropriate for new trails and which areas are inappropriate. We recommend that new trails not be developed in the following areas:

- Within one half mile of raptor nests
- In elk production areas
- In Bighorn Sheep production areas
- In elk or deer winter concentration areas
- In riparian areas
- In Bighorn Sheep winter range
- In identified priority habitats of Threatened or Endangered Species
- Where they would significantly fragment sizable blocks of habitat
- Within 300 feet of sensitive plant species.

We believe that any new trails being considered in the WSA must fully consider the impacts upon solitude and primitive unconfined recreation. For example, a designated trail connecting the River Bench Trail with the River Access trail would form a new designated trail loop that would likely attract and increase use of both of these trails, compromise solitude, and remove opportunities for primitive unconfined recreation.

We do not support designating, marking, promoting and opening permitted outfitter/guide trails in the northeast and east side of the Monument as officially designated public use trails. Public use on these permitted trails will result in conflict with permitted use. These permitted trails are not designed or managed for public use.

We question the need to develop new trails when there are existing designated trails that receive very little use. As an example we placed a game camera on Trail 1435 in the Monument last summer and were only able to capture 12 users on that trail from May to the middle of September (not including administrative and permitted use).

We recommend that a type of compensatory mitigation be considered and applied if new trails in the Monument are desired, since existing trails receive so little use. For example, a proposal to add a new trail in the Monument might be conditionally approved if an existing trail such as 1435 that receives little use is closed.

We recommend that no new trails in the Monument should be considered for approval until existing designated trails are stabilized and properly maintained, and a long-term agreement with a local volunteer user group is in place to assist with the management and maintenance of the existing trails. As an example, the designated Turret Trail is extremely eroded in a few locations, as is Trail 1435.

We support placing hard seasonal closures that apply to all users on trails that significantly intrude into sensitive priority wildlife habitats. This should include raptor nesting areas, big game winter concentration and birthing areas, etc.

We support consideration and further analysis to realign, relocate or reroute existing designated trail segments out of areas where they are resulting in resource impacts or are not sustainable. (such as on some steep slopes or to avoid sensitive plant habitat). These reroutes should be considered primarily to minimize resource impacts and not improve user experience.

We have serious concerns about proposals to designate and create a new public road and parking area west of Turret to provide access to a new proposed public trail. There would be impacts to riparian areas, bighorn sheep winter range and production areas, other wildlife, and falcon nests. If these proposals were approved and implemented, and appropriate seasonal closures applied, the routes would only be open three months out of the year. It would be difficult to effectively enforce seasonal closures of these routes for the rest of the year, if they were designated and constructed.

Socioeconomic conditions

We agree with the determination in Table 2 on page 8 that no management actions specific to socioeconomic conditions should be included in the alternatives. It is difficult to quantify the effects of actions on socioeconomic conditions, and an action that may prove beneficial to some may be detrimental to others.

We believe claims by various user groups that their group contributes more to public land management serve to alienate and divide user groups. The amount of funding specific user groups contribute is miniscule when compared to the primary source of funding for federal public land management: federal tax dollars.

We ask that you respectfully consider these comments and offer a range of alternatives that protect the objects of scientific and historic interest identified in the Proclamation.

We thank you for allowing us to comment.

Sincerely

A handwritten signature in black ink that reads "Tom Sobal". The signature is written in a cursive, slightly slanted style.

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Appendix A

Recommended changes to existing seasonal closures.

We recommend all seasonal closures include signage and physical barriers (locked gates and additional fencing to prevent locked gate bypass) unless otherwise specified.

Seasonal closures should apply to all human uses, including over snow vehicle use.

Although the Forest Plan states that winter trailheads and thus parking should not be provided for vehicles along seasonally closed roads in 5B Winter Range areas, all of the selected locations have space for vehicles to turn around in front of the locked seasonal closure gates. Parking should be discouraged at these locations with signage.

Seasonal route closures must be properly depicted on Motor Vehicle Use Maps, and other visitor maps.

Install lockable seasonal closure gates and signage on Forest Road 184

PSICC Order #2016-15 seasonally closed Forest Service Road 184 for 5 years or until rescinded. The order seasonally closes all of the 6.52 miles of this Forest road north of Turret, including long sections of road outside the Monument boundary.

We recommend that a sign be installed at the start of Forest Road 184 just beyond the start of Forest Road 184 near Turret indicating the road is seasonally closed. This sign should be on USFS land at 38°38'28.73"N 105°59'20.46"W.

A locked gate could be installed in this location, but private land owners behind the gate would likely want access to their land and may want a key.

Until the details of private inholding and edgelanding motorized access are sorted out along Forest Road 184, a seasonal closure sign and lockable gate at a pinch point at 38°38'48.17"N 105°59'26.02"W should be installed.

This proposed location of this new locked gate is beyond any known potential private property access in or near Turret. The Head of the Turret Property Owners approved this proposed gate location in May of 2019.

The sign on this gate should indicate that Forest Road 184 is seasonally closed to all human use, including over snow vehicle use. If this is not possible since this gate location is outside the Monument, another gate and sign should be installed at a pinch point just south of Greens Gulch at 38°39'44.10"N 106° 0'4.80"W.

Forest Road 184 is the only seasonally closed route on the Salida District east of highway 285 that does not have a lockable seasonal closure gate on it. For the past few winters, it had an incorrectly placed sign on it.

The entire seasonally closed segment of road 184 is within a 5B management prescription area. There is strong direction in the current forest plan that suggests seasonally prohibiting motorized use and other uses on this route.

Current Colorado Parks and Wildlife GIS data indicates that the entire seasonally closed segment of 184 is in Bighorn Sheep, elk and Mule Deer winter range and a Mule Deer Winter Concentration area and Critical Winter Range. All three of these big game species are impacted by continued winter use on FR 184. CPW considers identified Bighorn Sheep winter range as a sensitive habitat and Mule Deer Winter Concentration areas as very high priority habitat. CPW recommends seasonal closures of these areas during the winter to minimize adverse impacts to these species.

Over 6 miles of designated route 184 are proposed to be better seasonally closed by this gate. A gate will help protect over 4500 acres of winter range habitat. Our analysis indicates that installation of this one gate will result in greater benefits compared to other potential seasonal closure actions on the rest of the Salida District.

This protected area will expand areas that are currently protected by existing seasonal closures (FR 185.D, ATV trail 1434, FR 185) to the north and east. A larger expanded block of seasonally unfragmented habitat will provide wildlife with more feeding options and greater habitat security during the winter months.

Our monitoring has found that people are still using road 184 with motor vehicles during the seasonal closure period. This use is occurring past the seasonal closure sign.

The inconsistent presence of snow on this route cannot be relied upon to prevent unauthorized seasonal use. There are times when sections or the entirety of this route is snow free during the winter closure period, due to variations in weather and precipitation, and the location of this route on the drier east side of the valley.

Inconsistent and lower amounts of snow on this route permit easier unauthorized motor vehicle access on this route during the seasonal closure period. Since this entire route is at a relatively lower elevation than other seasonally closed routes on the District, snow accumulates later and melts off sooner. This allows unauthorized vehicle use later into the winter and earlier in the spring.

The lack of snow on this route does not indicate it is not important for big game. Snows at higher elevations can make forage unavailable for animals during the seasonal closure period. Since this route is at a lower elevation, a gate will help provide habitat security and access to new growth for big game in the early spring when they are most vulnerable.

A seasonal closure gate on road 184 will promote more consistent management of seasonal closures in this area. There are gates on numerous other seasonally closed routes on the east side of the valley, including roads 185, 185.D, 309, 311, 376, 375, 308, 318 and Trail 1434.

Although the current and two previous versions of Forest Visitor Maps indicate that snowmobile use in this area is restricted to Forest Road 184, there is no documented evidence of an order or decision that supports permitting seasonal snowmobile use on Forest Road 184.

We agree that snowmobile use should be restricted in the 5B area through which this segment of 184 passes, as there is clear direction in the Forest Plan to do so.

There is no clear direction in the Forest Plan, however, to specifically permit or allow roads in 5B areas to remain open to snowmobile use. On the contrary, the plan provides clear direction as a Standard/Guideline at III-152 to close 5B management areas to snowmobile use. The seasonally closed segment of Forest Road 184, and the road tread corridor itself, is part of this 5B management area.

The Forest Plan also comprehensively includes all forms of recreation, including snowmobiles, when it provides general direction at III-152 to "Close areas to human use in to the degree necessary in winter to prevent disturbance to wildlife." Prevent is a strong word, and suggests taking action to avoid wildlife disturbance, rather than action to minimize or mitigate disturbance to wildlife as a management decision to accommodate snowmobile use on the road would otherwise do. Prevent suggests something closer to prohibit, rather than accept or discourage. Words like prevent and close certainly do not suggest active management to accommodate or facilitate a use.

Current signage on 184

In 2016, a sign was installed on FS Road 184 at 38°38'40.56"N 105°59'33.01"W which is .25 miles north of/beyond the point at which Order 2016- 15 seasonally closes FS road 184.



Sign in 2016, the post and sign are now gone.

This sign was located just a few feet from the road where it was visible. This sign was not placed at the beginning of the seasonally closed segment of FR 184, where it should be, perhaps because some private land owners have (or expect) permitted or other access to their private land on the first segment of FSR 184.

This sign was not placed in a location where a locked gate could effectively prevent use, due to open terrain, lack of thick vegetation and the presence of unauthorized or unknown status side routes that allow easy motorized bypass of this sign.

Soon after this sign was installed vandalized/removed or possibly even moved to a new location.

As of December 2018, the only sign informing the public that this route is seasonally closed was located at 38°39'24.16"N 105°59'31.94"W. This is 1.4 miles from the point at which Order 2016- 15 seasonally closes FS road 184. This sign is not very visible, as it is located over 20 feet from the edge of the road. It is also located on the wrong side of the road for a traffic and travel management sign. Even if people turned their vehicles around at the location of the current sign, they are disturbing over 1500 acres of quality winter habitat. A December 2018 visit to the area found numerous elk and deer tracks in the snow along the 1.4 mile section of Forest Road 184 that should be closed but is not.

We are not sure why the seasonal closure sign had been installed in the current location. Perhaps someone thought that the posts remaining from the vandalized/removed Browns Canyon National Monument installed in 2015 were the posts for the seasonal closure sign.

Either way, the current location of this sign is unacceptable.



December 2018 location of seasonal closure sign, on old Monument signposts



Same location and posts with National Monument sign in 2015

Relocate seasonal closure on Forest Road 185.D

We recommend moving the seasonal closure point on Forest Road 185.D to a location closer to the intersection with Forest Road 185.

Forest Road 185.D parallels and forms the visible landmark for part of the northern boundary of the Monument at its northeast corner.

There is an existing seasonal closure on road 185.D at 38°45'56.14"N 105°58'23.98"W consisting of a lockable gate in a grazing fence line. This closure allows winter use on Forest Road 185.D for approximately 580 yards west of the intersection with Forest Road 185.

There are a number of concerns with the current location of this seasonal closure. The seasonal closure where it is currently located is difficult to monitor, as it is not visible from Forest Road 185. The 580 yards of currently allowed winter travel on Forest Road 185.D provides no significant motorized recreation opportunity. This 580 yards of human use adversely impacts wintering big game both in and outside of the Monument.

A concern is that motorists avoid a snow-covered Forest Road 185.D. This road is slightly trenched. Wind blows snow into the route trench in this exposed area and the snow becomes hard and packed through the winter. The packed, hard and deeper snow does not melt as quickly or blow away in strong winds. Motorists avoid driving on the snow packed road and drive next to the road, braiding it (see photo below). This use destroys vegetation and forage for stock and big game, as well as exposing bare soil to erosion.

We recommend relocating the seasonal closure on Forest Road 185.D to within 50 yards of Forest Road 185.



Photo taken 4/16/19 looking west at Forest Road 185.D from 38°45'56.78"N 105°58'4.68"W. This is approximately 80 yards west of Forest Road 185. The actual road 185.D is filled with blown in snow and ice since it is slightly trenched.

Water diversion berms are visible as snow free lines across road 185.D. Instead of driving on the actual snow and ice covered road 185.D drivers parallel the road creating a braided route.

Relocating the seasonal closure gate on the north end of Forest Road 185.

We recommend relocating the existing seasonal closure to a point just south of 185.B road, to allow access to Elk Mtn Ranch private development. A gate and supporting/reinforcing fence could be installed at/near 38°44'19.61"N 105°58'13.21"W. This is approx. 1.5 miles north of the existing seasonal closure.

This new location is just south of a point where Forest Road 185 changes from a road open and maintained for passenger vehicles to a rougher 4WD road. The road begins to climb steeply up a north facing slope behind this new closure location, and that segment of road is frequently impassable due to deeper and lingering snow. There is a gulley and ephemeral stream located just south of/behind this gate location, which can be used with fencing to discourage locked gate bypass. Relocating the closure to this location will help preserve the tread surface of FR 185 from damage due to vehicle use when wet or muddy. Relocating this closure point will help preserve and protect wintering elk, deer and sheep both within and outside the Monument.

Reinforcing Closure of Trail 1434

ATV Trail 1434 is seasonally closed with a locked gate at the point where it intersects with trail 1434.A. A longtime concern is that OHVs can easily bypass this gate to ride on Trail 1434 when it is seasonally closed.



Fresh motorcycle tracks on seasonally closed section of Trail 1434, early April 2019 indicating unauthorized use and bypass of seasonal closure gate



Fresh UTV tracks on seasonally closed section of Trail 1434, early April 2019, indicating unauthorized use and bypass of seasonal closure gate.

Some riders know that once they bypass this closure, they can ride make connections on seasonally closed routes and unauthorized routes to other open routes both outside of and within the Monument itself.

The seasonal closure gate on Trail 1434 must be reinforced with the addition of smooth wire wildlife friendly fencing on both sides to prevent the unauthorized vehicle bypass.

Appendix B

Potential Overlook Trail and zone off FR 185 in Browns

Although the development of new trails should not be considered in this plan, below are our recommendations for the

Of the six previously disturbed unauthorized motorized routes along Forest Roads 185 and 185.E in the monument, one is the most suitable as a potential overlook.

This location is most suitable as the best location for an overlook as opposed to other locations for a number of reasons. These include its high elevation (10,150 feet), existing use and disturbance as an overlook, west facing exposure (towards the view), lack of existing vegetation to block sightlines and relatively flat ground for sustainability.



Potential 92 acre overlook zone in Browns off FR 185 as light blue shading.

Centered at 38°42'14.78"N 105°58'34.25"W

Monument boundary as yellow line.

This zone has a 50 foot setback from a proposed walking trail route to differentiate it from other zoning in the area.

Vehicle parking will occur outside the Monument adjacent to FR 185.



Overlook zone on topo map indicating exposure and vegetative cover.



Looking west at the disturbed area/overlook from FR 185. The Monument boundary is just behind aspen trees on the right.



Looking west from FR 185. These OHVs are parked about 60 feet from the edge of FR 185.



Looking east from just within the Monument at the same line of OHVs.



Enhanced aerial image of this route and .25 miles of unauthorized motorized use (red line) with Browns Canyon National Monument boundary (yellow line) and Aspen Ridge Upper Tier Roadless Area (green line and shading)

Note that existing aspen trees (circled in blue) that are between FR 185 and the overlook area and the view to the west are outside of the roadless area boundary. These trees could be managed to improve the view from this location.



Aerial view of potential overlook management.

The dark green line is the extent of about 500 square feet of potential vehicle parking/pullout space, within 30 feet of FR 185. This would permit space for up to 10 full sized vehicles parallel parked or over 15 vehicles with head in parking.

The bright green line is a potential new 200 foot long gently sloping out and back foot trail to facilitate an overlook experience. Existing vegetation blocks the view from most other locations in this area.

Red lines not part of parking or the trail are unauthorized motorized routes that will be closed and revegetated (much of this will revegetate naturally if vehicles are kept off it).

Note the visible Elk Mtn Ranch permitted trail that passes through this area north to south. This would have to be signed as authorized/permitted use only.

No overnight parking, camping or fires should be permitted in this area.

We recommend that the area around this new trail be delineated with a structure (buck and rail fence or low post barrier) to contain human use.

Appendix C

The area west of the river should be primarily managed as a primitive zone.

The northern section of land west of the river contains some of the least visited and wildest lands in all of the Monument, and we recommend primitive management/zoning for 811 acres of those lands.



Recommended primitive management zone
for 811 acres of monument land west of the river (green shading)
Monument boundary as yellow line

Human visitation and use of the lands in this area are extremely low due to a combination of private land (including the railroad line), fences, steep terrain, the river, and a CO state land section that all combine to make public access difficult and very limited.

Access via boat from the river is difficult, due to steep terrain and the lack of suitable and safe pullouts/beaches.

Most of the adjacent private, state and BLM land in that area is also undeveloped.

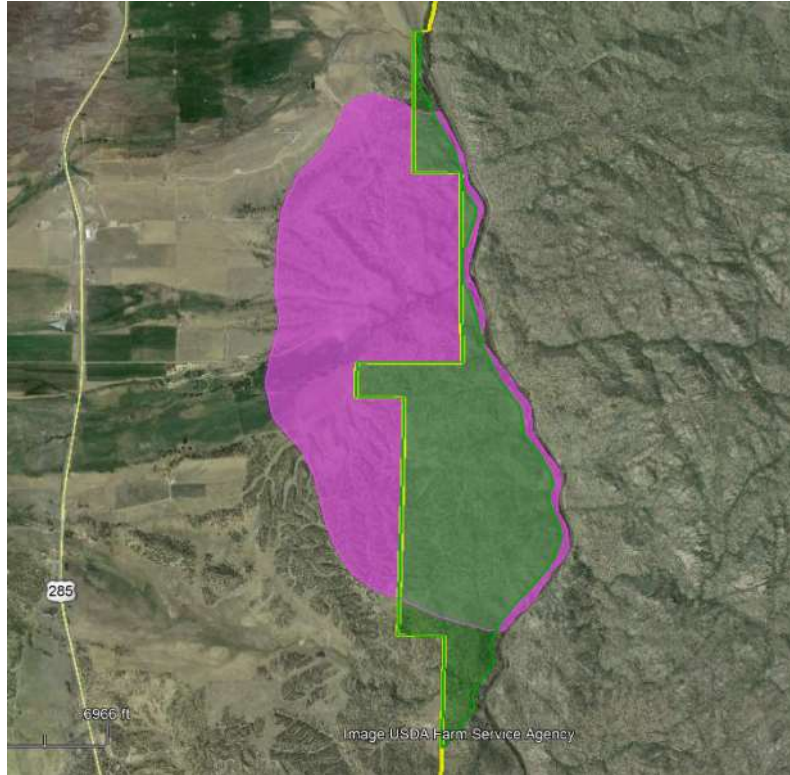
Over 230 acres of this area is over one-half mile from a motorized or mechanized route. This satisfies the physical component for a primitive recreation setting.(see attached Appendix D).

This entire 811 acres could be considered to be in a primitive recreation setting, as it satisfies the primitive social and operational components of a primitive recreational setting.

The remoteness of these Monument lands and lack of human presence make this area an ideal place to experience solitude, primitive unconfined recreation, and untrammelled natural land. This area of the Monument should be managed to maintain these characteristics, with no additional facilities or development.

The lack of human presence in this area makes it ideal habitat for wildlife

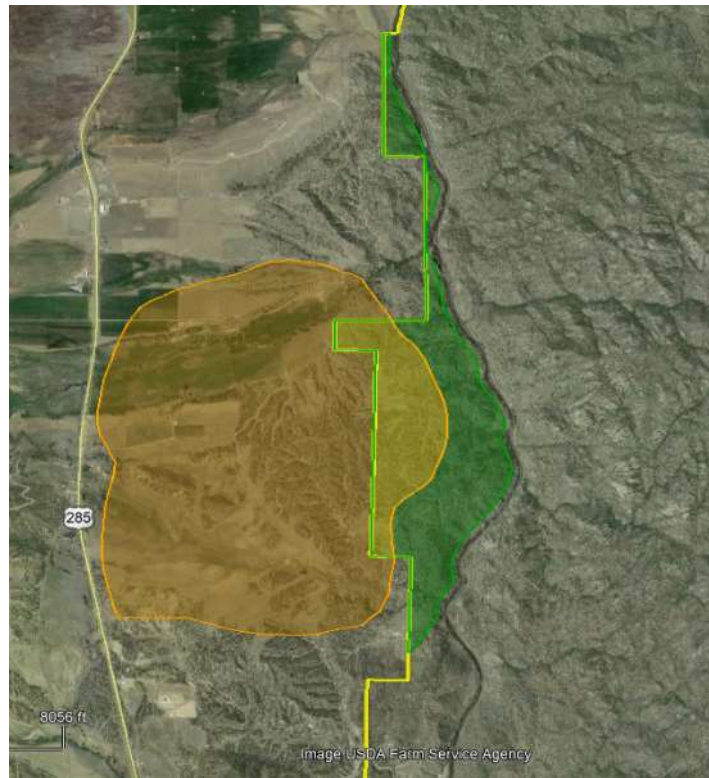
There is a CPW identified¹³ 1800 acre elk production area in this area, of which over 44% is within the Monument. Approximately 33% of this calving area is private land, with 20% of that already subdivided into home sites. Since there is no guarantee that the private land portion of this production area will be preserved as quality suitable elk habitat, the importance of protecting the public lands in this area for wildlife is magnified.



CPW identified elk production area as pink shading including area in Monument to pink line at river..
Recommended primitive area as green shading.

This area is also part of a CPW identified summer concentration area for elk. Encouraging additional activity or development in this area will fragment and negatively impact elk and fragment elk habitat.

¹³ Colorado Parks and Wildlife Colorado Parks and Wildlife Species Activity GIS Data, (updated 2/2019) Accessed online June 2019 via <https://cpw.state.co.us/learn/Pages/KMZ-Maps.aspx>



Elk summer concentration area, shaded as light orange

A proposed high density residential subdivision on the Centerville Ranch to the west will also fragment and impact habitat in this area, making undeveloped Monument lands more important for wildlife.

This area of the Monument is also an important CPW identified winter concentration area and severe winter range for deer and elk.

Much of this area is also within the very high biodiversity Browns Canyon on the Arkansas River Potential Conservation Area as identified by the Colorado Natural Heritage Program.

The southern boundary of this primitive zone in our maps corresponds to an existing fenceline that cuts through the Monument. Although we believe this is a fence related to grazing, this fenceline is not associated with any specific pasture or allotment boundary line, and has some incorrect signage on it. This fenceline is an existing feature on the landscape and could serve as a reference to differentiate a more primitive area/zone from a backcountry zone to the south. This fence also keeps human use low on its north side.

Signage on this fence that suggests that the land is private and hunting is not allowed must be removed.

A kmz file is attached that indicates the southern boundary of this more primitive 811 acre area as this fenceline.



Looking northwest at fenceline at $38^{\circ}40'0.56''\text{N}$ $106^{\circ}3'8.99''\text{W}$
The land on both sides of this fence is within the National Monument, and thus the sign stating that the land is Posted and hunting is not allowed is incorrect.

Appendix D

BLM Recreation Setting Matrix and Primitive Recreation Characteristic Settings

Over half of the lands within the Monument that could be considered as having Primitive Recreation Setting Characteristics when applying the BLM Recreation Setting Matrix and BLM Manual H-8320-1.¹⁴

We calculated over 6300 acres of BLM land within the Monument that could be classified as being in a primitive recreation setting class.. These lands are over one-half mile from a motorized or mechanized route and meet the social and operational components of a primitive recreation setting.

Using the same method, we calculated that there are over 4900 acres of USFS lands in the Monument that could also be considered to be in a primitive recreation setting class (if BLM methodology was applied to USFS lands). There are two USFS areas that would qualify as being in a primitive setting: a 3900+ acre northern area and a 1000+ acre southern area.

In calculating this, we considered routes outside the Monument boundary, including public and private land routes. We only considered the designated roads and trails on public lands as routes.

We did not consider the railroad line as a route, since it receives zero to no official use, and public use on the tracks or corridor is trespassing.

By our calculations, over 11,200 acres of the Monument could be in a primitive recreation characteristic setting.

Many more acres of land currently meets social and operational components of a Primitive recreational setting, although they happen to be within one-half mile of a motorized or mechanized route. Terrain and topography including steep hills, rock formations, and other natural barriers to human use and movement (such as the Arkansas River) allow these additional lands to function as a primitive recreation setting.

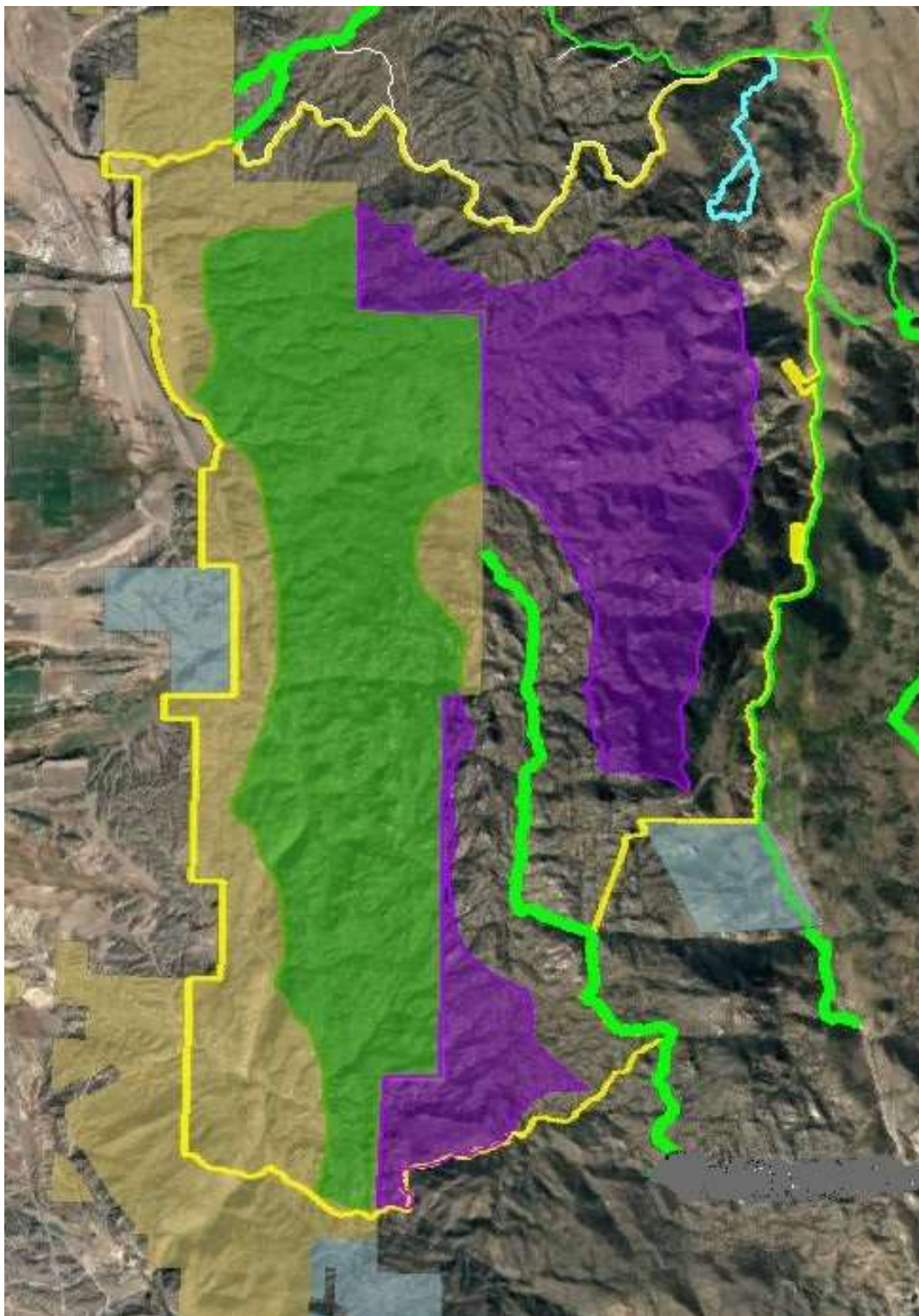
We believe the total overall volume of use, and average party sizes, using trails emanating from Ruby Mountain Trailhead in the WSA allow that area to be considered in the primitive class. This is especially true if one averages the contacts and party sizes over an entire year or even an entire summer season.

Other parts of the Monument, including the Stafford and Railroad Gulch areas and the area near Forest Road 185, function as part of the primitive class, since there are no developed recreational facilities in them.

Trail 1435 receives very low levels of use, so it too could be considered to functionally be part of a primitive recreation setting.

We believe most of the Monument should be within a Primitive Recreation Management Zone, to delineate primitive recreation opportunities and preserve primitive recreation setting characteristics.

¹⁴ Matrix class available online at https://www.blm.gov/sites/blm.gov/files/uploads/IM2011-004_att5.pdf
Manual 8329 online at https://www.blm.gov/sites/blm.gov/files/uploads/Media_Library_BLM_Policy_H-8320-1.pdf



BLM lands with physical primitive recreation setting characteristics shaded as green ~6300 acres
USFS lands with physical primitive recreation setting characteristics shaded as purple ~4900 acres