



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Washington, D.C. 20240

<http://www.blm.gov>



AUG 26 2009

The Honorable John T. Salazar
Member, United States House of
Representatives
225 North 5th Street, Ste. 702
Grand Junction, Colorado 81501

Dear Representative Salazar:

Thank you for your July 28, 2009, letter regarding your constituent Mr. Martin Wiesiolek's request for Special Recreation Permits (SRP) in Westwater Canyon in Utah and in Gunnison Gorge Wilderness in Colorado.

I understand that on August 14, 2009, your office contacted the Bureau of Land Management's (BLM) Division of Legislative Affairs for assistance with an urgent issue concerning the scheduled August 19, 2009, guided river trip sponsored by Mr. Wiesiolek's non-profit organization, Colorado Discover Ability (CDA) for a group of disabled veterans. I am informed that the immediate issue was resolved when the BLM's Moab Field Office affirmed it would not prevent the group from entering the Westwater Canyon of the Colorado River solely because CDA displayed its logos, so long as commercial outfitter Adventure Bound River Expeditions, which is guiding the trip, had a valid permit.

Your constituent's correspondence suggests that he is seeking an exception to the rules and regulations governing recreational river use in order to obtain a commercial permit that would allow his organization, CDA, to take its own groups down fully allocated segments of the Colorado and Gunnison Rivers. I would like to briefly describe the BLM's public process for allocating recreational river use. An understanding of this public process may provide the context for the BLM's denial of your constituent's applications for special permits.

In order to protect both the resource and the quality of the recreational experience, the BLM (as well as other Federal land managers such as the National Park Service and the U.S. Forest Service) requires its field offices to use a public planning and National Environmental Policy Act (NEPA) process to determine whether river segments need an allocation (cap) on the number of commercial, group, and individual boaters, and if so, to determine that allocation. Permits and permitted numbers of users are established, with ample opportunities for public comment and input, in the development of the BLM's resource management plans (RMP). In this circumstance, 'commercial' is analogous to 'guided': the key issue is not whether the "guide" is a non-profit or a for-profit organization, but rather the number of guided trips that will be authorized in order to meet the BLM's management objectives of protecting both the resource

and the quality of the experience. This policy is equitable because it requires all river users to abide by the established rules and permit procedures.

The two river segments on which CDA applied for permits are managed under allocation systems. Westwater Canyon of the Colorado River in Utah is managed according to the Moab Field Office RMP (October 2008). For over 20 years, the Moab RMP has maintained a limit of 18 permits for commercial outfitters on the Westwater Canyon to provide public land visitors with recreational opportunities associated with wilderness experiences, and to ensure that the BLM is meeting its statutory responsibilities under the Wild and Scenic River Act and the Federal Land Policy and Management Act. This limit was most recently re-established in a multi-year land use planning process culminating in October 2008. During this public planning process, the Moab BLM did not receive any public comments identifying issues with the proposal to maintain the limit of 18 commercial permits for outfitters on Westwater Canyon. Similarly, guided river trips in the Gunnison Gorge Wilderness in Colorado are managed in accordance with the Gunnison Gorge National Conservation Area (NCA) RMP (November 2004).

These river segments are fully allocated, as set out in their respective RMP. The allocations in the RMPs were developed with full opportunity for public input and comment. Because these segments are fully allocated, no new commercial permits can be issued at this time, and, therefore, Mr. Wiesiolek's permit requests for these river segments were denied.

In order to help CDA provide an opportunity for guided river trips for their clients, the BLM's Moab (Utah) Field Office and the Uncompahgre (Colorado) Field Office recommended the following repetitive options to CDA:

1. CDA could use an existing outfitter who currently has a SRP for Westwater Canyon or Gunnison Gorge. Several authorized outfitters have provided trips for people with disabilities or serve special needs populations. I understand CDA selected a permitted outfitter for its August 19 trip through Westwater Canyon.
2. CDA could apply for a SRP for the Labyrinth Canyon section on the Green River, an unallocated segment of river upstream of Canyonlands National Park.
3. CDA could also apply for a SRP for any of the three other river sections that the Uncompahgre Field Office and Gunnison Gorge NCA manage, including the Forks to Austin segment of the Gunnison River located in the Gunnison Gorge NCA but outside the Gunnison Gorge Wilderness, the Lower Gunnison River, and the San Miguel River.

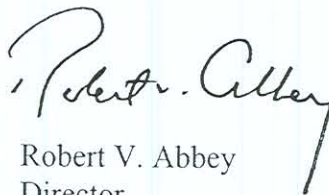
Over the last several decades, numerous organizations representing special populations have requested access to BLM, National Park Service, and Forest Service-managed rivers where commercial or organized group use is regulated by the allocation of permits to protect resources and the quality of the recreation experience. BLM's policy of treating non-profit and for-profit entities the same in the allocation of commercial permits was developed with extensive input from the public including the outfitting and guiding industry, non-profit organizations, educational institutions and many others interested in obtaining commercial permits to operate

on public lands. This policy is based on the recognition by both the agency and the public that it would be impossible for the BLM to equitably decide which groups should obtain a permit.

We encourage CDA to continue to work closely with the BLM Field Offices to obtain Special Recreation Permits for river segments that are not fully allocated. If your constituent has further questions, the following BLM Field Managers would be glad to assist: Barbara Sharrow, BLM Uncompahgre Field Manager, at 970-240-5300; or the Moab Acting Field Manager at 435-259-2100.

I hope this information is useful to you in responding to your constituent. We appreciate your interest in the BLM's management of recreation opportunities on public lands. Please feel free to contact me at any time if you have questions or would like to discuss this matter further.

Sincerely,

A handwritten signature in cursive script that reads "Robert V. Abbey". The signature is written in dark ink and is positioned above the printed name and title.

Robert V. Abbey
Director

cc: The Honorable John T. Salazar
House of Representatives
Washington, D.C. 20515