



SAN RAFAEL CHAPTER BACK COUNTRY HORSEMEN

An organization of men and women concerned about sustained equestrian access and proper use on our public lands

President - Rod Player 435-653-2440

Vice President - Wayne Ludington 435-472-8249

Secretary/Treasurer - Priscilla Burton,

AUGUST 2011

"Welcome to our Newest Member"

From the President's Desk:

Once again I can not believe how fast the month went by. I have been working with the UCC trail crews at least two days a week. They have done, are doing, a great job. I have had many people, both SRBCH members and nonmembers comment on how nice it is to actually be able to ride or hike the trails. As I write this the trail crew is camped out on top of Candland Mountain. By the end of the week they will have cut out all the trails on, or leading to Candland Mountain (all the Forest Service trails in Huntington Canyon for that matter). Last week we discovered two small landslides that bisect the trail at the top of Mill Fork Canyon. The trail crew was able to clear a way through the slides but it is still very wet there and it is likely the slides are still moving. Please do not pass up an opportunity to tell others about Back Country Horsemen and our mission. I have submitted a comment letter to Emery County regarding the Draft Emery County Public Land

Management Act (see on back page of newsletter). You can review the Draft Act and it's associated map on the Emery County web-site. If you have comments about the plan you need to submit them to the county ASAP. At the August meeting (on the 11th) I will have a map of the proposal so we can all review and discuss it.

Emery County Public Lands Bill

Emery County Public Lands Council has completed their draft lands bill. They held public meetings to get input on the bill. They are still looking for input and we would suggest that you review the bill and look at the map and make comments on this issue. We will be discussing this issue at the SRBCH meeting this July 14 meeting.

Candland Mountain Pack Trip



Trail crew talking with the SRBCH packers part way up the mountain. SRBCH packed the trail crew up on Candland Mountain. The trail crew has been busy clearing trails in Huntington Canyon. The last remaining trails were on the top of Candland Mountain, where the crew could not easily hike to for a days work. Rod Player, Wayne Ludington, Lane Justice, Tie Justice, and Ken Snook packed tools and camping equipment on to Candland Mountain. The crew was able to clear trails they had not been able to reach before that. On Thursday, Rod Player, Wayne Ludington, Lane Justice, Tie Justice, and Kevin Albrecht rode back up and packed all of the equipment back down to the trail head. Thanks to the efforts of these riders as well as the trail crew all of the trails on Candland Mountain have been cleared of downed trees (at least once).

Appreciation Dinner



Ken Snook and Dale Wharram prepared a dutch oven dinner for the trail crew to show our appreciation for all of the work they have done.

They prepared barbecue chicken, "dirty" rice and peach upside down cake and chocolate cherry cake. Lane Justice provide the drinks. The crew was very happy to get such a good meal after having been camped on top of Candland Mountain for the past three days. At least one of the crew members had never had a dutch oven dinner. It was a great time for the SRBCH members and the trail crew to become familiar with each other.

August Meeting

We are meeting on second floor of the Emery County Court House at 6:30 on August 11. This give us a more central location for the Emery Co members. For those members in Carbon Co we will meet at the K-Mart Parking lot to car pool at 5:30 PM. Please let Wayne (650-3639) know if you want to car pool so that we can have enough room for everyone.

Facebook page

For those who have not noticed, Priscilla set up a facebook page for SRBCH. This page has information on our rides, pictures of our past rides and even some information on work projects. If you have not visited this page you are missing out on a lot of good information and some beautiful pictures.

UPCOMING EVENTS

August 11 - SRBCH meeting, 6:30 in Emery County Court House in Castle Dale on the second floor.

August 20 – Work Project, location to be determined.

August 27 – BCHU state meeting in Logan, Utah. The meeting will start at 9:00 AM in Hunters Education Building at 2851 West 200 North, Logan. There are rides planned for Friday. For more information please contact Wayne Ludington.

Sept 8 - SRBCH meeting, 6:30 in Emery County Court House in Castle Dale on the second floor.

Sept 17 - Work Project, location to be determined.

Oct 13 - SRBCH meeting, 6:30 in Emery County Court House in Castle Dale on the second floor.

Oct 15 – Trail ride, location to be determined.



Rod Player,
President - San Rafael Back
Country Horsemen

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Comments on the Draft EMERY COUNTY PUBLIC LAND MANAGEMENT ACT OF 2011

Two of the primary purposes of the San Rafael Backcountry Horsemen are: **To perpetuate the common sense use and enjoyment of horses in America's back country and wilderness; and To work to insure that public lands remain open to recreational stock use.** Our local Chapter has spent hundreds of hours and thousands of dollars maintaining and improving non-motorized trails in Emery County on both Bureau of Land Management and Forest Services lands.

Members of the San Rafael Backcountry Horsemen have attended most of the Public Lands Council meetings concerning the Draft Emery County Public Land Management Act of 2011. We have reviewed the various drafts of the Land Management Act and the associated maps and appreciate how our comments and concerns have been addressed.

We agree with the management as proposed in the draft act, however we have a concern that wilderness designation may be interpreted by some organizations and agencies to mean that the use of motorized equipment to maintain existing trails will not be allowed. Many of the trails in Forest Service wilderness areas will become impassable if they are not cleared annually. Because of the large number of dead trees that fall across trails it would be extremely costly and nearly impossible to maintain them with only cross cut saws and no chainsaws. It is also much more practical to use power drills to remove rock barriers and other safety hazards.

House Report 95-540 (Endangered American Wilderness Bill) admonishes the Forest Service for their "purity criteria" and provides specific instruction on how the 1964 Wilderness Act is to be interpreted as it relates to certain uses and activities that are important to many of our members – including hunting, fishing as well as trails, bridges and signs. In the report, Congress specifically stated **that trails, trail signs and bridges "... are often important to the recreational access and use of a wilderness area. Trail construction or maintenance can include the use of mechanical equipment where appropriate and/or necessary."** It is our opinion that the use of mechanical equipment IS necessary. As such we request that language allowing the use of such equipment be included in the Emery County Public Land Management Act of 2011.

In addition to the congressional record, as noted above, case law provides valuable insights as to legislative intent. Case law regarding wilderness is somewhat sparse, but the judgment regarding Wilderness Watch and the Forest Service in the Frank Church River of No Return

Wilderness would appear applicable: **“Thus the statute clearly directs defendants (Forest Service) to administer the Wilderness with an eye not only toward strict conservation, but also to ensure the use and enjoyment of the American People. The Wilderness Act does not direct defendants to pursue a single, limited purpose, as plaintiffs (Wilderness Watch) suggest, but it instead requires them to serve a number of public purposes, and to foster recreational, scenic, scientific, educational, conservation, and historical use... For this reason defendants management decisions must consider all these purposes, and defendants must undertake a minimum of administration, in order to make the Wilderness accessible to those Americans who wish to use it.”**

Without the regular use of motorized equipment for trail maintenance not only would recreational uses be adversely impacted but livestock grazing, search and rescue, fire control and other emergency needs would be greatly hindered. Thus “use and enjoyment” of the Emery County wilderness areas by the American People would be limited.

We therefore request that language allowing the regular use of motorized equipment to maintain trails be included in the Emery County Public Land Management Act of 2011.

If you have questions concerning these comments or desire additional information feel free to contact us.

Rod Player

President
San Rafael Backcountry Horsemen

SAN RAFAEL BACK COUNTRY HORSEMEN
P.O. Box 132, Cleveland, Utah 84518
(435) 653-2440

SAN RAFAEL BACK COUNTRY HORSEMEN
MEMBERSHIP APPLICATION

New Membership ____ **Renewal** ____

NAME/S _____

_____*
Please list names for family membership. Children over 18 may be included in family membership or join as individual members.

ADDRESS _____

Street City State Zip

PHONE NUMBERS Home _____ **Work** _____ **Fax** _____

OTHER HORSE/MULE ASSOCIATIONS YOU BELONG TO _____

EMAIL ADDRESS: _____

Liability Release: MUST BE SIGNED

Recognizing the fact that there is a potential for an accident wherever horse/mule use is involved, which can cause injuries to horses/mules, riders, and spectators and also recognizing the fact that Back Country Horsemen of Utah, including units, officers, directors, or members cannot always know the condition of trails or the experience of riders or horses/mules taking part in trail rides or other BCHU functions, I do hereby release the above named from any claim or right for damages which might occur to me, my minor children or horses/mules.

By signing this release, I/WE recognize the following Utah State Law, "UCA 78-27b - Limitations on liability for Equine and Livestock Activities." It shall be presumed that participants in equine or livestock activities are aware of and understand that there are inherent risks associated with these activities. "Inherent risk" with regard to equine or livestock activities means those dangers or conditions, which are an integral part of equine or livestock activities. The equine activity sponsor is not liable for those inherent risks. If you are unwilling to assume these risks for yourself or for those under your supervision, you should not participate in these activities.

Signed: _____ Date: _____ Signed: _____ Date: _____ **MAKE CHECK**

PAYABLE TO THE SAN RAFAEL BACK COUNTRY HORSEMAN

Individual \$30.00 Family \$35.00 Patron \$100.00 to \$299.00 Benefactor \$300.00+

Mail to P.O. Box 153, Cleveland Utah 84518