

PART III

OREGON/MORMON TRAIL

GENERAL MANAGEMENT POLICY

This policy describes how the Oregon/Mormon, California, and Pony Express Trails will be managed on the public lands in the State of Wyoming. It is intended to be a general policy applicable to all three districts having management responsibility for the above trail resources. It is designed to be flexible to ensure that unforeseen problems or circumstances can be handled without major policy changes.

LIMITATIONS OF THE MANAGEMENT PLAN

This management plan is limited to lands managed by the Bureau of Land Management. State, private, and other federal lands are not included in the BLM's management program for these trails, except where exchanges, acquisition, or easements are planned.

SPLIT ESTATE LANDS

Management of surface resources is constrained by split ownership of the surface and mineral estates. Mineral estate and surface management responsibilities will be closely coordinated to minimize impacts on the Oregon and Mormon Pioneer Trails when private surface owners are willing to cooperate.

The specific policy is as follows:

Federal Minerals -Private or State Surface

The BLM is required by law to protect the environmental integrity of National Register eligible sites from potentially damaging federal actions. Surface ownership is not an issue unless the private owner denies access for cultural resource investigations and clearance for oil and gas wells in an area of proposed impact.

Whenever a significant split-estate segment of trail is discovered the District Manager will consult with the private surface owner to

determine whether or not the owner wants the trail to be protected. If protection is desired, protective stipulations will be attached to the authorization of the action, and the owner will be referred to NPS for possible certification of the land as a protected segment of the National Historic Trail(s). If the owner does not want the trail to be protected, then the district will consult with the Advisory Council on Historic Preservation, in accordance with Section 106 of the National Historic Preservation Act of 1966. After comments have been received and considered, the landowner's wishes will be followed.

Federal Surface - Private or State Minerals

Under this situation, the BLM, as surface manager, cannot reasonably prohibit development of mineral resources. The BLM can influence how development would take place. Where significant trail resources are found, the BLM could influence the location of access roads, the manner of construction, final location of sites, and have input into design of reclamation measures. In the event that mineral development would result in the loss of significant trail resources, the BLM would work with mineral owners or developers to develop a satisfactory mitigation program. This would consist of interpretive facilities to replace lost wagon ruts, restoration of the site, or other measures on a case-by-case basis.

PROTECTIVE CORRIDOR CONCEPT

The protective corridor will not apply to the entire routes of the trails across Wyoming. However, where warranted, a protective corridor may be established on a site specific basis for significant sites and segments (for criteria see Appendix IV) at the discretion of individual districts along primary routes and important alternatives to the Oregon and Mormon Pioneer National Historic Trails. A width of 1/4 mile either side of the trail or the visual horizon, whichever is less, is the recommended protection. This

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corridor should be considered for an Area of Critical Environmental Concern.

Establishment of Corridors

The protective corridors should be established by the respective districts through the BLM's land use planning process. They will be established at the discretion of the district managers after full public input.

Requirements for Corridor Segments

Lands within the corridor segments should possess a reasonable degree of environmental integrity. The trails themselves should be in a relatively unmodified condition. For the most part they should appear as they may have in the mid- 1800s.

The following define how the protective corridors will be managed. However, final recommendations for mitigating trail impacts will be determined by BLM in consultation with the Advisory Council on Historic Preservation.

Certified National Historic Trails

Priority for consideration as protective corridors will be given to the certified segments of the Oregon and Mormon Pioneer National Historic Trails.

Fencing

New fencing projects will cross the trail corridor at right angles to minimize the number of feet per miles of fence within the corridor. Gates and, in some cases, cattleguards will be installed in the fence at trail crossings. Fragile or pristine trail ruts will be avoided with fence crossings.

Range Improvements

Range improvements in addition to fencing will be considered case-by-case. If environmental analysis indicates that they could be developed in the protective corridor without degrading the trail resources or affecting the trails natural setting (environmental integrity), they will be approved. Location of salt licks and stock reservoirs should be outside the corridor where possible.

Rights-of-Way

Right-of-way crossings of the protective corridors may be made. All crossings will be accomplished to minimize surface disturbance in the protective corridor. Crossings will be allowed in areas where trail ruts have been modified by modern uses, where previous crossings exist, or where new corridor crossings would not damage trail remains. All crossings will avoid fragile trail resources. Crossings should be made at right angles to the trail and corridor unless they follow a previous crossing, in which case they may deviate from a right angle. Vegetative species indigenous to the protective corridor will be used to rehabilitate right-of-way related surface disturbance. Any disturbed area will be returned to a natural contour.

Stipulations will be developed in consultation among the project proponent, adjacent private landowners, and BLM personnel. The stipulations will govern exactly where and how the right-of- way will cross the corridor and how rehabilitation procedures will be used to restore the area. Qualified cultural resource specialists or BLM personnel may be on-site during the construction phase of the project to ensure that the requirements of the right-of-way permit are met.

MINERAL MANAGEMENT

Mineral Leasing

The BLM will continue to issue mineral leases on public lands where both the surface and mineral estate are in public ownership. The leases will contain no surface occupancy stipulations to prevent disturbance of trail resources in the corridor. Access to mineral resources such as oil and gas may be available through off-site drilling or directional drilling.

Salable Minerals

The BLM will continue to consider applications for sand and gravel and other salable minerals in the trail corridor on a case-by-case basis. Approval of applications or the decision to attach special surface protection stipulations will be based on environmental review and analysis of each proposal.

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Locatable Minerals

The portions of the protective corridor that are presently withdrawn from mineral location will continue under present management. Those portions presently open to location will be managed under the BLM's surface management regulations governing exploration and development. Plans of operations governing requirements may be instituted on sensitive trail segments and sites if necessary to protect significant trail resources, see *Code of Federal Regulations*, Title 43, 3809.1- 4. Any future modifications of the present withdrawal status will be considered in the respective district's resource management plans.

Valid Existing Rights

The BLM will recognize all valid existing rights in the protective corridors. Examples of valid existing rights are existing oil and gas leases.

TRAIL MARKING

The BLM will adopt a uniform system to mark the trails statewide on public lands. The marking program will include the five actions listed below.

1. Trail ruts and segments will be marked with 6" x 6" x 6' treated wooden signposts with routed names on the sides (see Figures 1 and 2). The posts will be treated to retard decay.
2. Major trail signs identifying the trail (see Figures 3 and 4). Road crossings of the trails may be marked with and 4).
3. Signs will be labeled with standard BLM signs showing legal description of sign location. BLM sign S-8 will be used (see Figure 5).
4. Trail posts will be located every mile, or a distance determined to be appropriate by the individual area managers.
5. An inventory of the signs will be maintained. Annual field checks will be conducted and missing or damaged signs will be replaced. Signs will be supplied by the National Park Service or the BLM Rawlins sign shop.

INVENTORY REQUIREMENTS

1. All previously unsurveyed segments of the trails will require intensive inventory prior to authorization of any action which might adversely affect the trails.
2. BLM's policies and procedures for inventory are delineated in the Bureau's 8143 manual, as well as NTL 85-1. See Appendix III.
3. No intensive inventories will be required on those areas which have already been adequately surveyed.

NATIONAL REGISTER OF HISTORIC PLACES

Selected sites and segments of the Historic Trails may, from time to time, be nominated to the National Register of Historic Places. All agencies involved with management of the trail resources (BLM, U.S. Fish and Wildlife Service, U.S. Forest Service, National Park Service, State of Wyoming) have agreed to cooperate in the development of a thematic nomination for the Oregon and Mormon Trail routes across Wyoming. The Wyoming State Historic Preservation Officer has completed the draft Statement of Significance. Individual site and segment nominations will be done at the discretion of the individual district managers. Subsequent nominations would be made as needed for selected sites or trail segments.

MONITORING AND USE SUPERVISION

The BLM will implement a monitoring and use supervision program on the trails. It will consist of the following:

1. Monitoring recreational use through the use of volunteers or seasonal employees patrolling trails and historic sites. This may include visitor contact and live interpretation as time and budget permit;

Figures 1 & 2 Missing

Figure 3
MORMON PIONEER NATIONAL
HISTORIC TRAIL OFFICIAL EMBLEM

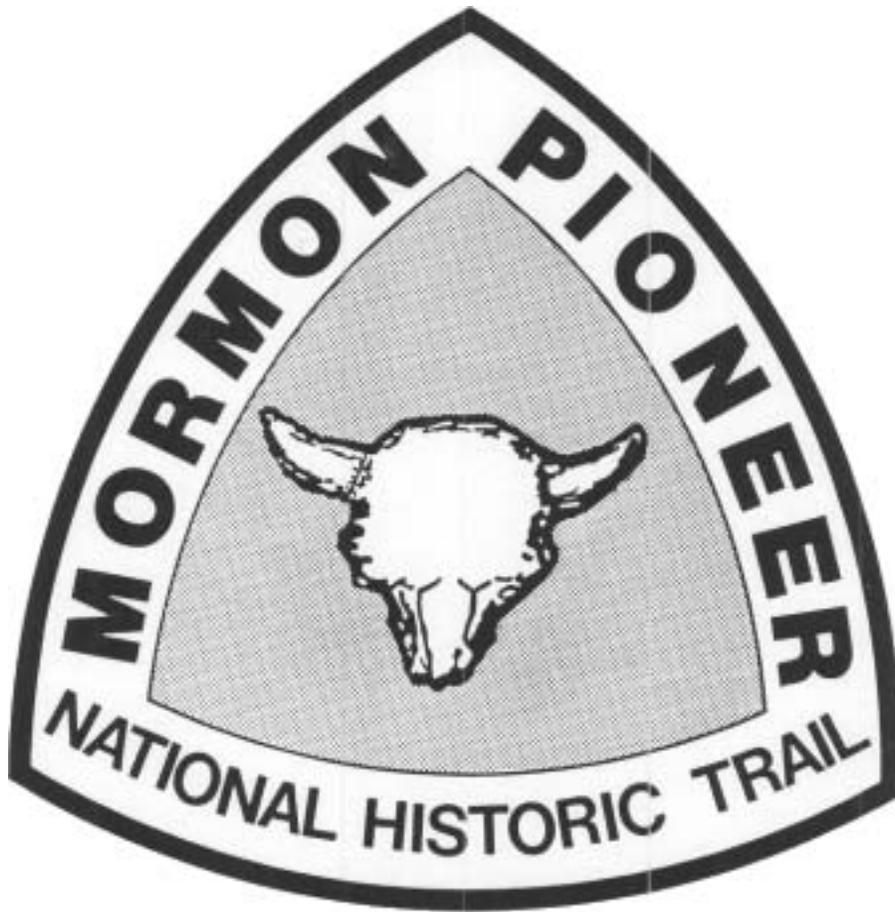
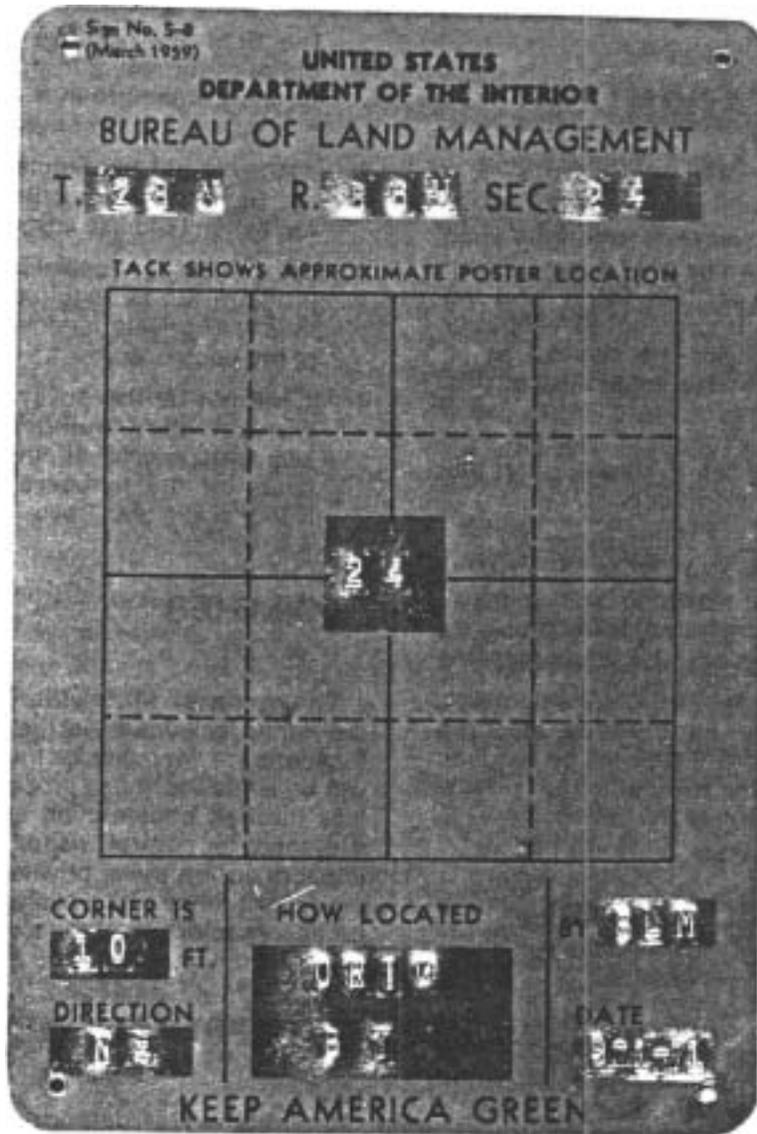


Figure 4
OREGON NATIONAL HISTORIC
TRAIL OFFICIAL EMBLEM



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Figure 5
BLM SIGN 5-8, LOCATION INDICATOR



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2. Placement of visitor registers at all interpretive sites and areas which serve as trailheads;
3. Placement of traffic counters at developed sites; and
4. Monitoring condition of trails and related resources annually. Document with photography to determine trend information.

SPECIAL RECREATION USE PERMITS (SRUP)

The BLM will use the Special Recreation Permit Policy, 43 CFR 8560. Permits will be required for all commercial use of the trails and all noncommercial groups exceeding 10 people or 5 vehicles in size. Vehicles are defined as all vehicles (motor or otherwise), regardless of size. Permits may be required for individual use if special circumstances or conditions warrant. This does not include excursions to sites or short trail segments by groups or individuals.

The permits will be administered by the respective resource area (RA) offices. For events or tours involving more than one district or RA, one permit only will be required. It will be issued by one RA office and coordinated with other RAs through which the tour would pass.

Compliance will be handled by affected resource area offices. Permittees will be required to coordinate the tour with affected private landowners as a condition of the permit.

OFF-ROAD VEHICLE (ORV) DESIGNATION

The Oregon and Mormon Pioneer National Historic Trails should be designated as limited or closed areas. No area should be designated as open.

The designation closed to ORV use will be utilized to protect fragile pristine trail ruts which would be damaged or lost through continued ORV use.

IMPACTS ON PRIVATE LANDOWNERS

Management actions will be designed to minimize impacts on private landowners. BLM actions will consider the following:

1. The BLM will consider adopting a general policy of refraining from developing new use facilities (campgrounds, roadside sites, etc.) near or adjacent to private lands;
2. Users will not be directed into private lands by BLM signing unless covered by a recreation land use agreement;
3. Users under the special recreation use permit program will be required to coordinate their tour with private landowners as a condition of the permit; and
4. It will not be the policy of the BLM to use condemnation authority to acquire trail segments, access, or other interests in private lands for the purposes of management of National Historic Trails.

FACILITIES

The general statewide policy relating to developed facilities is that the existing number and locations are adequate for the trails. New facilities will be limited to those proposed to mitigate trail loss through construction activities or to those designed to control visitor use and minimize impacts on the trails, private lands, and existing uses. They must also satisfy a clear public need for access to or use of the trail.

INTERPRETATION

Interpretive materials and displays will focus on the Oregon and Mormon Pioneer Trails as the primary theme. However, the interpretive displays will provide information about the trail corridor during prehistoric times, the fur trade era, the emigrant period, pony express, California Gold

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Rush, and early ranch settlements in the late 1800s. Interpretive displays will be located at all developed sites.

The overall theme for interpretation of the trails is clearly articulated in Appendix I, Historical Overview of the Oregon/Mormon Pioneer National Historic Trail Routes.

BROCHURE

The BLM will develop National Historic Trail Brochure(s). Brochures will be designed to provide information useful and/or essential for the trail users. They may contain:

1. The main and alternate routes of the Oregon and Mormon Pioneer Trails;
2. Pristine areas where a person can see the trail as it was 130 years ago;
3. Land ownership status: public, state, or private;
4. User ethics, landowners permission, litter, respect of cultural resources;
5. Historic sites;
6. Developed recreation and interpretive sites along the trails;
7. Visitor accommodations within or near the trail corridor;
8. Main highways, towns, and public roads in or near the trail corridor;
9. Public access to the trails and related historic sites; and
10. Limitations on use of the trails. This will consist of information on hazards, off-road vehicle use, special recreation use permit requirements, private land rights, and fragile trail resources.

A key use of the brochures will be to provide information to other users of the lands (oil and gas operators, utility companies, etc.) about the historic trails, related sites, and how the BLM intends to manage them. Advance knowledge about BLM management will help energy companies design and locate facilities in the vicinity of the trails with little or no adverse impacts.

A guide to the Lander Cutoff of the Oregon Trail was prepared jointly by the BLM and the U.S. Forest Service in 1968. The National Park Service has printed general trail brochures for both the Oregon and Mormon Trails.

The BLM and NPS will keep these and similar documents in print. Guides or brochures may be developed for other cutoffs such as the Sublette or Seminoe.

STANDARD LAND MANAGEMENT PROCEDURES

The BLM operates under a large number of regulations which govern management and protection of resources. These regulations are fully operational and apply to the management of the trails. Present management of the Trails is established by Wyoming State Office Instruction Memorandum WY-83-380, Guidelines for the Evaluation and Protection of Historic Wagon Trails. (See Appendix IV.)

Examples of some of the important regulations which affect trail management are:

1. Management of Off-Road Vehicles 43 CFR 8340;
2. Special Recreation Permit Policy 43 CFR 8750;
3. Mining Claims Under the General Mining Laws 43 CFR 3800;
4. Preservation of American Antiquities 43 CFR 3;
5. National Register of Historic Places 36 CFR 60;
6. Protection of Archeological Resources: Uniform Regulations 43 CFR 7;
7. Oil and Gas Leasing 43 CFR 3100;
8. Onshore Oil and Gas Operations 43 CFR 3160;
9. Protection of Historic and Cultural Properties 36 CFR 800; and
10. Resource Management Planning 43 CFR 1600.

In addition to the above examples, standard oil and gas lease stipulations have been developed. The purpose of these stipulations is to reserve, for the BLM, the right to modify operations on portions of the subject lease as part of the statutory requirements for environmental protection. The objective of the stipulations is to inform a potential lessee of the environmental conditions that may be present on a lease parcel and alert the lessee of special requirements to be met upon development.

These stipulations are: surface disturbance stipulation; wildlife stipulation; special resource

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Protection stipulation; and no-surface occupancy stipulation.

The above are only a few of the many regulations that would apply to the management of the Oregon and Mormon Pioneer National Historic Trails. Every management action called for in this plan is based on existing laws, regulations, or active BLM instruction memoranda.

VOLUNTEERS

The use of volunteer services to develop, interpret, and manage the Oregon and Mormon Pioneer Trails will continue to be encouraged.

Volunteer services and projects must be coordinated through the respective BLM offices and will be in conformance with the statewide Oregon/Mormon Pioneer Trail Management Plan.

Volunteers may typically come from local clubs and organizations, church groups, individuals, local government, Student Conservation Association volunteers, or national interest group members.

LAND TENURE ADJUSTMENT

As identified in land use plans land tenure adjustment will continue to be a tool to improve management of the trails. Land acquisitions through purchase or exchange are two options. Use of these procedures will be limited in the future due to the expense and difficulty of completing land exchanges or of purchasing private or state lands. Scenic easements would also be considered.

COOPERATIVE MANAGEMENT AGREEMENTS

The BLM will consider the use of Cooperative Management Agreements (CMAs) to manage sites along the trails. CMAs may be entered into between the BLM and state or local governments, adjacent landowners, church organizations, historical societies, NPS, USFS, or other organizations. The purpose of a CMA would be to improve management of historic sites, ensure that adequate management and maintenance was available to properly care for historic sites, provide

for marking and interpretation of historic sites, provide adequate management in the face of budget shortages, and perhaps most important, directly involve local groups and organizations in day-to-day management of the historic sites along the trails.

OTHER PRIVATE SECTOR INVOLVEMENT

To encourage private sector involvement in management of the trails, the BLM will develop a gift catalog for the trails. This will identify projects and developments (signs, monuments, printed materials, etc.) which may be donated to the BLM for the trail. Cash, materials, equipment, or services may be donated. The catalog will identify specific project needs and related costs, and the goals and objectives they would accomplish.

CROSS COUNTRY TREKKING

Trekking the Oregon/Mormon Pioneer National Historic Trails is considered a normal public use of these cultural resources. Trekking occurs on foot, on horseback, and may also involve wagons or handcarts to re-enact the pioneer emigrant experience. The BLM will continue to allow this use on the public lands so long as it does not damage physical trail resources.

Larger groups and commercial outfitters will be required to have a Special Recreation Use Permit.

This plan does not imply that permission to cross private lands will be given. All trekkers are directed to contact private landowners to obtain required permission before beginning the trek.

If trekking causes physical damage to trail resources, that trail segment may be closed to such use and trekkers will be detoured around those segments.

Motor vehicle use will continue to be authorized where it presently occurs on the trails, as long as this use does not damage trail resources. If damage does occur, the trails may be closed to motor vehicle use. Some segments of ruts on public lands will be closed in the near future. (For specific segments, see Part IV, the Management Actions for Trails section.)

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For all trail segments that are now improved roads, no restrictions on trekking or vehicle touring will apply, except the general ORV requirement to remain on the roads.

INDUSTRIAL USE OF THE TRAIL

The Oregon and Mormon Trails and all the cutoffs included in this plan will not be available for use as industrial access roads without special permission from the authorized officer. Industrial activities include use of the trail as oil and gas drilling access roads, seismograph activity, or as haul roads for heavy truck traffic.