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Salt Lake Tribune, The (UT)

Date: March 9, 2007

Section: Local

Lawsuit filed over OHV restrictions at Factory Butte

The Salt Lake Tribune

Several Utah counties and a town joined an off-road vehicle advocacy group in filing suit Thursday against the Bureau of Land Management over the agency's OHV closures in the Factory Butte area of Wayne County. Wayne and Garfield counties and the town of Hanksville, as well as the **Utah Shared Access Alliance** and six residents are named as plaintiffs in the lawsuit filed in U.S. District Court for Utah.

They charge the BLM improperly closed parts of the Factory Butte area, a popular destination for off-road-vehicle enthusiasts, before completion of a regional management plan.

Citing threats to endangered cactus species from unrestricted OHV use, the agency imposed rules that limited motorized vehicles to 220 miles of trails and to a 2,600-acre "play area" known as Swing Arm City. The entire Factory Butte area comprises nearly 200,000 acres.

The lawsuit charges that action has "permanently biased" the BLM as it completes a management plan that will include how the Factory Butte area can be used.

The suit asks the court to overturn the temporary restrictions pending completion of the plan and an accompanying environmental study. The plaintiffs also want the court to ensure they are allowed to participate in preparation of the management plan and that it is developed "consistent with county land use plans to the maximum extent possible."

The plaintiffs also include Connie and Don Foutz, motel operators in Hanksville; Forrest and Mona Sims, operators of a Wayne County campground; David Loyens, owner of the Caineville Cove Inn; and John Jackson, who holds grazing rights in the Factory Butte area.

- The Salt Lake Tribune

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