



MEMORANDUM

To: ~~Sigene Sather Blain / USFWS~~ (OFFICE)
 Karen Steenhof / BLM (OFFICE)
 Sam Mattise / BLM (OFFICE)
 Dan Henrig / USFWS (OFFICE)
 Alan Sands / Cons. Affairs (OFFICE)
 Alan Thomas - Cons. Aff. / Craig Groves / Cons. Affairs (OFFICE)
 Paul Moroy - Cons. Aff. / Bob Jones / BLM (OFFICE)

From: Chuck Blain (OFFICE)
 Date: 9-24-87 Project No. _____
 Re: Egin-Hamer Road

As you all know by now, BLM Director Burkford has brached Delmar Vail's decision to grant a right-of-way for construction of the Egin-Hamer Road. Enclosed you will find a copy of our letter of protest to Burkford along with the BLM's response. The Chapter is now faced with a decision on its course of action. It would appear that we have two options - 1) to let the decision stand or 2) to challenge it in the courts. The Executive Board feels that the decision should be challenged but we must carefully weigh the basis of a suit, should we pursue that route.

I feel we can only file a suit based on the question "Will the road closure be effective in preventing impacts? This leads to other questions - 1) Will Fremont and Jefferson counties enforce the closure? and 2) if they do, how effective will the closure be, i.e. how complete will it be, and 3) if enforced, how long will it be enforced; 2 yrs, 5, 10 ... what happens after that? and 4) what is the BLM's record on revocation of Rights-of-way (see Issue 2 in BLM's letter).

A law suit would require lots of time on the part of several chapter members, are we willing to commit that time? It would also be expensive. I will be talking to other groups and attorneys to better assess the situation. Please review the attached material and plan to attend a meeting to discuss this matter at 5⁰⁰ (1700 for you BLM'ers) on Wednesday, Sept 30 at ^{USFWS} ~~CH2M HILL~~. If you can't make it please call me at 345-5310, I want your comments anyway.

