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The Mystic Ranger District is responsible for managing approximately 350,000 acres of public lands for a variety of uses. One of those many uses is non-motorized recreation, including hiking, running, mountain-biking and horse-back riding. There are approximately 95 miles of officially designated, non-motorized trails managed by the Mystic Ranger District, such as the Flume Trail, Centennial Trail, Deerfield Trail, and Buzzard's Roost Trail system. There are also over 80 miles of unauthorized, user-created trails, some of which are utilized for events under special use permits but are not officially recognized or managed as designated trails.

Over the past few years, we have noticed a considerable increase in construction and maintenance of unauthorized trails on the Mystic Ranger District. One of the most recent examples is the 11 mile View Trail, west of Norris Peak Road. This trail, and others such as Motorboat, Hurtlocker, etc., have been constructed after repeated notices to the non-motorized community that construction of unauthorized trails is not permitted. Not only has the View Trail been constructed illegally, it is also being advertised and posted on a local trail club's web page so users not familiar with the trails in the local area can access it.

As active enthusiasts of these trails, it is vital that you also be stewards of the land, and help provide others the most enjoyable, ethical experience possible. It is also imperative that you help us preserve and protect the land for future generations, and the many resources associated with it such as wildlife, fish, and rare plant habitat, cultural resources, stable soils, and clean water. Unauthorized trail construction and use can damage these resources and those responsible can be criminally and or civilly fined and/or imprisoned. Illegal, user-created trails cost local trail managers and ultimately the taxpayer, time and money by requiring patrols, signage installation, reclamation, and monitoring. Unauthorized trails deflect time and limited funding that trail managers could otherwise be utilizing on maintenance and improvement of the officially designated trail system that would benefit all non-motorized users.

We are asking you, as responsible trail users, to take a stand against construction and use of unauthorized trails. Please pass on to your members or patrons that using unofficial, user-created trails outside the terms of an event special use permit only condones continued illegal trail construction. This letter serves as formal notice that illegal construction, maintenance, or improvement of trails of any kind on the Mystic Ranger District will not be tolerated. For this reason, we will be closing the View Trail, actively monitoring for further unauthorized trail construction and use, and prosecuting any persons or groups found building, maintaining, or improving unauthorized trails.



I regret that we have arrived at this point, as meetings and discussions have not been enough to curb these illegal actions. As a result, please pass on to your members or patrons that applicable violations of 36 Code of Federal Regulations (CFR) are punishable as Class B misdemeanors, by a fine of not more than \$5000.00 for an individual, or \$10,000 for an organization, or imprisonment for not more than six months, or both. More egregious crimes can and will be prosecuted under titles 18 United States Code (USC) and/or 16 USC. Some of those crimes include but are not limited to 18 USC 1361 Destruction/damage of property of the United States, and 16 USC 470 Archaeological Resource Protection Act. Other possible citations include:

- Damaging any natural feature or property of the United States (36 CFR 261.9(a), 36 CFR 261.9(c) (g).
- Constructing, placing or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment or other improvement on National Forest system land or facilities without a special-use authorization, contract or approved operating plan (36 CFR 261.10(a), 36 CFR 261.10(k).
- Operating a bicycle, motorbike or motorcycle on a trail unless designated for this use (36 CFR 261.16 (n).

The Mystic Ranger District has numerous and varied multiple-use activities taking place across the District. The location of user-created, unauthorized trails may not be consistent with other activities in or planned for the area, and may not fit into strategies for the future. The Black Hills National Forest will soon be strategizing on what the future motorized and non-motorized trail systems should look like and where they would best be located. Public involvement by all trail users will be a valuable part of this effort. Together, we are all stewards of these public lands, and we are looking for you to help us achieve and maintain a sustainable trail system for all users. Any ideas you have are welcome.

If you have questions or need additional information please contact Ruth Esperance at the Mystic Ranger District office in Rapid City at (605) 343-1567, or write to us at the above address.

Sincerely,



RUTH ESPERANCE  
District Ranger