



File Code: 2720
Date: May 1, 2020

Jeffrey Williams
Race Director
1013 Jefferson Street SE
Albuquerque, NM 87108

Dear Mr. Williams,

I appreciate your time on Tuesday, April 21, 2020 to discuss the La Luz Trail Run (LLTR) special event proposal you submitted on February 10, 2020. As discussed, I must deny the LLTR special event proposal requested for August 2020 as the proposed event is inconsistent with the Wilderness Act of 1964 and Forest Service regulations. The proposal as stated is denied in accordance to our initial screening process under 36 Code of Federal Regulations (CFR) Part 251 Subpart B Special Uses 251.54 (e)(i) which states,

“The proposed use is consistent with the laws, regulations, orders, and policies establishing, or governing National Forest System lands, with other applicable Federal Law, and with applicable State and local health and sanitation laws.”

I know this is unexpected and comes as a surprise. Unfortunately, recent information has come to light that affects my ability to continue authorizing the LLTR event. During part of the revision efforts of the Cibola National Forest Land and Resource Management Plan an issue was raised that the LLTR may conflict with the Wilderness Act of 1964. I recognize this is the 55th year and this competitive run has been authorized under special use permit by the Sandia Ranger District, Cibola National Forest (Cibola).

The Cibola has historically authorized the LLTR under a special use permit with the apparent belief that the language in the current 1985 Land and Resource Management Plan (LRMP) was tiered to legislation allowing the race. It was presumed that the event could continue as the LRMP standard states,

“Limit La Luz Trail Run to 400 people. Minimize impacts of the run to wilderness resource and recreation experience. Start and finish run outside of wilderness.”

The issue is that the La Luz Trail Run as it has been conducted in the past and proposed for 2020 conflicts with the Wilderness Act of 1964 and Forest Service regulations and policy guidance. The LLTR event is a commercial activity as defined by the USDA Forest Service special use regulations. A commercial activity is defined in 36 CFR § 251.51 as,

“any use or activity on National Forest System lands(a) where an entry fee or participation fee is charged, or (b) where the primary purpose is the sale of a good or service, and in either case, regardless of whether the use or activity is intended to produce a profit.”

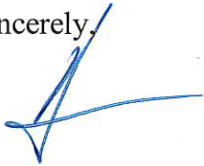


The Wilderness Act of 1964 (16 U.S.C. § 1133(b)) contains a general prohibition of commercial enterprises. In addition, the Forest Service wilderness regulations at 36 CFR Part 293, specifically 293.6 provide that commercial enterprises and other uses prohibited by the Wilderness Act of 1964 shall not be allowed subject to existing private rights or unless otherwise excepted by applicable law. Exhaustive research found no legislative exception for the LLTR event. Forest Service policy further addresses competitive events in Forest Service Manual 2300, Chapter 2320, Wilderness Management which states that competitive events in Wilderness are not authorized:

“do not permit competitive events, including competition involving physical or mental endurance of a person or animal, foot races, canoe or boat races, competitive trail rides, survival exercises (including military), or other activities of this nature in wilderness.”

In consultation with the Office of General Council, legislation authorizing the LLTR event in the Sandia Mountain Wilderness would be required to continue the La Luz Trail Run event. Please contact me if you have questions or would like to discuss further. You may email me at crystal.powell@usda.gov or call at 505-281-3304.

Sincerely,



CRYSTAL POWELL
District Ranger

cc: Schuster, Elke