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From: **buxtoncompany** <buxtoncompany@comcast.net>

Date: Wed, Mar 31, 2021 at 7:36 AM

Subject: RE: CCOA - confidential - FW: Non Compliance Letter

To: Alan Bachman <alan@mountainwestlaw.com>, WAYNE CRAWFORD  
<w.crawford@msn.com>

Cc: dave robinson <dave.ssconsulting@gmail.com>

Good morning y'all,

I first met the FS law enforcement officer Tucker Wood at a rock slide 2 years ago when I stopped to help move boulders out of the road close to the mouth of Big Cottonwood Canyon on the main highway.

Our communications were awesome. Since then I have given him evidence of criminal trespassers that have continually picked the Cardiff fork gate and driven their 4-wheeler with expired registration on and off a closed road across multiple pieces of private and public property in Cardiff Canyon.

I provided this evidence to Tucker 6 months ago to no avail so then I left another complaint then another with still no response from anyone.

Yes we need a meeting with the FS .

I'm available anytime

Thanks

Cyle Buxton

Sent from my Verizon, Samsung Galaxy smartphone

Ben Kraja, Winter Sports and Special Uses Program Manager at the Salt Lake Ranger District, is available to discuss any questions or concerns you may have. He can be reached at (801) 733-2664.

**From:** Hotze, Bekee - FS <rebecca.hotze@usda.gov>

**Sent:** Monday, March 8, 2021 3:00 PM

**To:** WAYNE CRAWFORD <w.crawford@msn.com>; Alan Bachman <alan@mountainwestlaw.com>

**Cc:** Whittekiend, David -FS <david.whittekiend@usda.gov>; Kraja, Arben - FS <arben.kraja@usda.gov>

**Subject:** Non Compliance Letter

Mr. Crawford and Mr. Bachman,

Attached please find another letter of non-compliance issued to the CCOA signed by Forest Supervisor Dave Whittekiend. We have received a number of complaints and have photo evidence and field reports of CCOA members driving snowmobiles off Forest Road #019. Please see attached letter for more information about the issues of non-compliance.

Should future correspondence be directed at Mr. Bachman only? We have tried unsuccessfully to reach out to Mr. Crawford and in the meantime have received email communication from Mr. Johnson and have had a personal visit from Mr. Buxton.

Thank you for your assistance in resolving these non-compliance issues.

Bekee

**Bekee Hotze  
District Ranger**

**Forest Service**

**Uinta-Wasatch-Cache National Forest, Salt Lake Ranger  
District**

**p: 801-733-2675  
c: 801-372-0926  
[rebecca.hotze@usda.gov](mailto:rebecca.hotze@usda.gov)**

6944 South 3000 East  
Salt Lake City, UT 84121  
[www.fs.fed.us](http://www.fs.fed.us)

**Caring for the land and serving people**

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**File Code:** 5300  
**Date:** March 8, 2021

Wayne Crawford  
9503 Hunts End Dr.  
Sandy, UT 84092

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**Notice of Non-Compliance  
And Opportunity to Cure**

Dear Mr. Wayne Crawford:

This letter is formal notice of non-compliance with the terms and conditions of the 10/30/2015 Special Use Permit authorization issued to the Cardiff Canyon Owners Association (CCOA) for National Forest System (NFS) lands via Forest Road #019 (also known as the Cardiff Fork Road), which crosses four non-contiguous segments of NFS lands, between intervening private lands located in Township 2 South, Range 3 East, Sections 18, 19, 30, & NW ¼ NE ¼ of Section 31, as shown on permit map Exhibit A.

On February 26, 2021, photos (attached below) were sent to the Salt Lake Ranger District of a CCOA member riding snowmobiles off road to bypass the Cardiff Fork Gate. On March 7, 2021, the Salt Lake Ranger District was notified CCOA member riding snowmobiles off Forest Road #019 on March 6, 2021 and March 7, 2021. Both reports contained photos and field reports, photos are attached. The CCOA members were also warned on January 31, 2021 by Salt Lake City Department of Public Utility Watershed Rangers. This is a clear violation between the Special Use Permit set to expire May 31, 2022. The Special Use Permit states: *“Motorized use of the road is authorized only on the route identified on the permit map (Exhibit A). Any motorized use outside of this route on NFS lands will be deemed a violation of this authorization.”* This clause is very specific.

The Salt Lake Ranger District hasn't received an Operation & Maintenance Plan (requested on November 18, 2020) or the annual authorized user list (Exhibit C). As you are aware, Exhibit C lists the appropriate landowners and immediate family members that will be authorized motorized access. An email requesting the annual authorized user list was sent to you on February 17, 2021.

Private uses of NFS lands without special use authorization are prohibited by federal regulations (36 CFR 261). These and similar activities have the potential to modify the natural conditions of these lands, may cause damage to soils and vegetation and can give the appearance of adverse possession of public lands.



CCOA needs to immediately cease and desist all unauthorized motorized vehicle use off Forest Road #019, submit an Operation & Maintenance Plan, and submit the annual authorized user list (Exhibit C). We currently consider CCOA's Special Use Permit to be in non-compliance. This may result in the termination of the permit. Additionally, please re-enforce the agreed upon terms, provisions, and conditions of the Special Use Permit with members of the CCOA.

Failure to fully cure the items of non-compliance by meeting all of the above requirements of the terms and conditions of your special uses authorization may result in the denial of applications submitted for future special uses activities, suspension or revocation of your current special use authorization, or law enforcement action.

Ben Kraja, Winter Sports and Special Uses Program Manager at the Salt Lake Ranger District, is available to discuss any questions or concerns you may have. He can be reached at (801) 733-2664.

I appreciate your cooperation in resolving this matter.

Sincerely,

DAVID WHITTEKIEND  
Forest Supervisor

cc: Rebecca Hotze; Alan Bachman, 50 West Broadway, Suite 1200, Salt Lake City, Utah 84101

**Attached Photos:**

February 26, 2021 photos



February 26, 2021 photos





March 6, 2021 photos



March 6, 2021 photos



March 6, 2021 photos



March 6, 2021 photos



March 7, 2021 photo

