NGO-CTVA

Comments

NGO-CTVA-88 that this procedure be used by this project and all future agency projects. Additionally, we request that the cumulative negative impact on motorized recreationists resulting from this lack of adequate accounting be evaluated and adequately mitigated.

Issue:

NGO-CTVA-89 The unstated but obvious goal or policy of the agency is to close as many recreational resources to motorized recreationists as possible. The trend to date of overall recreational opportunities (sum total) for motorized recreationists is a large negative amount. This cumulative effect is forcing motorized recreationists into a smaller and smaller resource base. The ultimate outcome of this unstated goal or policy will result in unreasonable impacts to both the natural and human environments. It is also an unreasonable policy or goal with respect to fair and equal treatment of motorized recreationists.

NGO-CTVA-90 Environmental impacts are not unreasonable under the current conditions but environmental impacts will become unreasonable given the agency's current direction to close as many motorized recreational opportunities as possible and that divide will be crossed soon. Therefore, agency management actions are ultimately creating significant unnecessary negative impacts on both the natural and human environment. We are concerned that this unstated goal or policy is not in the best interest of protecting the natural or human environment and ask that goals and policies by modified to allow the public continued use of all reasonable access and recreational opportunities on all multiple-use lands.

Issue:

NGO-CTVA-91 Agency planning including travel management projects should be a process to quantify and address the needs of the public for motorized access and motorized recreational opportunities. Instead, it is approached in just the opposite direction as a closure process that ignores the needs of the public for motorized access and motorized recreational opportunities. Every travel planning process listed in Table 2 has reduced motorized access and motorized recreation. A travel planning process has never resulted in increased recreational opportunities for motorized recreationists. The travel management process as currently practiced is not equitable because: (1) it does not adequately address the needs of the public for multiple-use recreational opportunities including motorized access and motorized recreation, and (2) it is deceptive to represent the process as a travel management process that will address the needs of the public when it is really just the opposite, i.e., a closure process that does not fairly and adequately address the needs of the public. We request that the process either be renamed to "Travel Closure Process" in order to end the deception of the public **OR** (as we strongly prefer) that the process be redirected to meet the needs of the public for a functional network of motorized roads and trails for access and recreation with practical and reasonable consideration of the environment.

Issue:

Idaho's Trail Ranger program combined with cooperative management of National Forest lands provide over 9,000 miles of trail riding opportunities (http://www.idahoparks.org/rec/ranger1.html). This is provided as an example of the level of OHV programs and recreational opportunities that motorized recreationists need in each state and we ask that this project adopt a similar goal.

Issue:

Responses

NGO-CTVA-88: See response to NGO-CTVA-2.

NGO-CTVA-89: As stated in the RMP, the management objective for OHV travel designations is to "Designate OHV Vehicle Travel Management Areas based on protection of resources, promotion of user safety, and minimization of conflicts among various uses of the public lands." Cumulative impacts of route designations will be addressed through the Transportation and Travel Management Plan process.

NGO-CTVA-90: See response to NGO-CTVA-1.

NGO-CTVA-91: See response to NGO-CTVA-54

NGO-CTVA	Comments	Responses
NGO-CTVA-92	The starting alternative proposed to eliminate motorized access and motorized recreational opportunities without first adequately addressing the needs of the public for motorized access and motorized recreation and without proper evaluation of facts and information. This procedure is evidence of a significant predisposition in the process.	NGO-CTVA-92: See response to NGO-CTVA-1.
NGO-CTVA-93	Issue: The negative social and economic impact experienced by motorized recreationists when motorized recreational opportunities do not exist in nearby public lands must be adequately evaluated and considered in the decision-making. This is especially significant now that fuel is over $2.00 per gallon. These impacts include the complete loss of recreational opportunities and the cost of having to travel farther and farther in search of fewer and fewer motorized recreational opportunities in times of increasing travel costs. For example, the lack of adequate OHV systems in the Helena National Forest requires us to travel at least 180 miles to adjacent national forests and many more miles to other states including Idaho and Utah. A 180 mile roundtrip costs at least 3 hours and $70 and that cost will increase substantially in the future. This added cost is a waste of time and energy resources and has not been adequately considered by the agency. Additionally, OHV routes in adjacent forests are being reduced at an alarming rate and are compounding the cost in time and energy even further. We request the evaluation of the economic cost of fewer motorized recreation opportunities on motorized recreationists and the significant cumulative negative effect of all travel management decisions that contribute to these social and economic impacts on motorized recreationists.	NGO-CTVA-93: See response NGO-CTVA-30. Social and economic impacts, including those from OHV restrictions, are analyzed in Chapter 4.
NGO-CTVA-94	Issue: The different management plans being developed by the BLM and Forest Service are using generated, estimated and inadequate data to forward an agenda of eliminating access and motorized recreation from public lands. The economic impact of these closures will be devastating to small communities throughout the West. Models can be manipulated to predict any result. Economic models such as Implan should not be used when the input data is estimated and not factual or actual. Adequate effort must be exercised by the agencies to gather true on the ground data from businesses and individuals that use our public lands. We request that the economic analysis use actual local data to determine the true economic and social impact of proposed motorized access and closures on the public. Issue: While we respect other perspectives, one must also realize that the extreme ideals of the environmental groups such as the public should not be able to enjoy and use public lands, that everything should be wild, and that their use is the only reasonable use are not generally acceptable ideals for public policy nor are they supported by the laws. We are practical environmentalists who believe in a reasonable balance between the protection of the natural environment and the human environment and we believe that the laws are intended to support this ideal. Our position is to restore balance, practicality and fairness to the system.	NGO-CTVA-94: See responses NGO-CTVA-25 and NGO-CTVA-56 and NGO-CTVA-93.
NGO-CTVA-95	Issue: The existing level of access and motorized recreation is a reasonable starting position and alternative. An even fairer position given that this should be a travel plan seeking to address the needs of the public for motorized access and recreation would be an alternative based on an	NGO-CTVA-95: The existing level of access and motorized recreation was analyzed under Alternative A.

NGO-CTVA	Comments	Responses
NGO-CTVA-96	enhanced level of opportunity. However, a starting position of massive closures is completely unreasonable and tells us a lot about where the process is heading. It seems to be predisposed. This strategy is outrageous because it forces the public to fight to get every inch of motorized road and trail added back into the preferred alternative. This strategy is designed so that motorized recreationists are destined from the outset to lose big time. The damage has been done as we hear many people saying "what's the point of participating, the process is rigged and the Bureau of Land Management has already made up its mind". We request that this strategy be corrected by presenting a starting alternative that addresses the need for multiple-use access and recreational opportunities.	NGO-CTVA-96: See response to NGO-CTVA-25. The PRMP (alternative D) proposes about 17,577 acres to be closed to OHV.
NGO-CTVA-97	Issue: The planning team should formulate an Alternative that maximizes all existing recreational opportunities, as well as anticipates and plans for an increase in recreational use in the future. None of the Draft Alternatives maximize recreational alternatives and most of them fail to provide adequate recreational opportunity to meet the current need.	NGO-CTVA-97: See response to NGO-CTVA-37. Alternative B offered a more use intensive alternative.
NGO-CTVA-98	Issue: The agency must develop a true No Action alternative in compliance with NEPA and other planning regulations. The agency must formulate a lawful "No Action" alternative so that the public and decision makers may reasonable compare and contrast other management alternatives. A No Action alternative is a vital component in assuring full public disclosure of all foreseeable direct, indirect, and cumulative environmental impacts of the project, and consistency with environmental and public involvement requirements of State and Federal laws, Executive Orders and policies. The twin goals of NEPA (to inform the public and disclose anticipated effects) are not met without a properly written and accurate No Action alternative. An accurate No Action alternative provides for a clear, logical and comprehensive analysis process and disclosure of effects, both to the human environment and especially in this case, effects to visitors. An accurate No Action alternative is the prescribed way the agency discloses existing conditions of Federal lands and serves as a baseline for discussion of guidance and rationale for proposed changes to travel management direction and programs for implementation. Under the existing conditions motorized recreationists have a reasonable number of choices and variation of opportunities. Under most proposed conditions, motorized recreationists have a significantly reduced number and variety of opportunities. We do not want to be forced to go to the same place over and over nor do we want to be squeezed out from public lands. Therefore, the No Action (existing condition) alternative must be accurately and reasonably evaluated.	NGO-CTVA-98: The BLM has developed a reasonable range of alternatives including the "no action" alternative, Alternative A - existing management. Effects of Alternative A were discussed in Chapter 4.
NGO-CTVA-99	Issue: There is an increasing demand for OHV recreation opportunities on public lands. The BLM, Forest Service, as well as environmental groups, state and local governments and OHV and recreational access organizations have all acknowledged that many Land Use Plans woefully failed to anticipate the increased public demand for all types of outdoor recreation and related OHV uses. Additionally, and importantly, the Bureau of Land Management's National OHV Strategy states: "Motorized off-highway vehicle use on public lands administered by the Bureau of Land Management (BLM) has increased substantially in recent years. … Some of [the factors contributing to growing OHV popularity] are:	NGO-CTVA-99: See response to NGO-CTVA-37. Comment acknowledges BLM manages public lands in accordance with FLPMA

NGO-CTVA

Comments

- greater public interest in unconfined outdoor recreational opportunities;
- rising disposable income …
- advances in vehicle technology
- the rapid growth of the West's cities and suburbs …
- a population with an increasing median age with changing outdoor recreational interests.

This [growing OHV] popularity is evidenced by the fact that recreational enthusiasts are buying OHV's at the rate of 1,500 units per day nationwide, with nearly one-third of them doing so as first-time buyers." "[BLM's OHV] Strategy recognizes, as does policy outlined in BLM Manual 8340 (May 25, 1982), that off-road vehicle use is an 'acceptable use of public land wherever it is compatible with established resource management objectives.' As established by the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM is required to manage public lands on the basis of multiple use and sustained yield, while protecting natural values. … Motorized OHV use is now firmly established as a major recreational activity on BLM-administered public lands".

NGO-CTVA-100

Unwisely, rather than work to accommodate the increased demand for OHV recreation, BLM and many National Forests have frequently reacted by restricting OHV opportunities. But more importantly, opportunities to manage OHV use by developing OHV trail systems, marking roads and trails, providing usable maps, identifying OHV trails and systems and entering into cooperative management agreements with OHV user groups have, by and large, been ignored by most federal land managers. Although more pro-active management is clearly permissible within the existing management plans, a quick search on the BLM's and National Forest's websites indicates that land managers more often choose to implement parts of their OHV policy associated with limitations and closures.

Suggestions:

NGO-CTVA-101

a) The agency cannot legitimately address increasing demand for OHV recreation opportunity by refusing to accommodate such demand. Alternatives must prudently provide for increased OHV recreation opportunities to meet current and anticipated demand.

NGO-CTVA-102

b) The planning team should look to individuals and user groups for assistance in identifying opportunities for OHV recreation.

c) The planning team should develop management alternatives that allow for proactive OHV management. All alternatives should include specific provisions to mark, map and maintain existing OHV opportunities. All alternatives should include instructions to engage in cooperative management with OHV groups and individuals.

d) Alternatives should include areas where OHV trails can be constructed and maintained when demand increases.

Issue:
When developing management alternatives the agency must recognize the public's desire to keep existing opportunities open.

OHV's are by far the most desired and utilized means to obtain solitude in nature. Most public land visitors strongly favor maintaining exiting roads and trails open to disperse use and address environmental concerns regardless whether or not the road or trail is classified by the agency. The

Responses

NGO-CTVA-100: Maps identifying OHV trail systems and trails would be made available through the Transportation and Travel Management Plan process. See also responses to NGO-CTVA-I and NGO-CTVA-2

NGO-CTVA-101: BLM developed a range of alternatives to address OHV use – See Recreation Table 2-1. These alternatives offer a wide range of travel management alternatives – See R-10.1.

NGO-CTVA-102: See response to NGO-CTVA-33.

NGO-CTVA

Comments

agency must recognize that providing for OHV use and protecting the environment means fully utilizing the inventory of existing roads and trails.

NGO-CTVA-103

Suggestions:
a) The public wants the existing roads and trails left open to vehicle use.
b) The existing network of roads and trails in the planning area should be considered an inventory with which to develop recreational trail systems.
c) The Planning Team should look for management alternatives that provide for mitigation instead of closure. Options other than closure should be emphasized in each alternative.

NGO-CTVA-104

d) Alternatives, or management guidance, directives etc that require closure as the first or only option when resource impacts are identified should be avoided.
e) The Planning Team should carefully consider displaced use. Assuming that closures are eminent in some areas, one could calculate approximately how much existing motorized will be displaced to other areas. The Planning Team should develop alternatives that allow for additional access and additional recreational opportunities in suitable areas in order to properly manage the displaced use.
f) The Planning Team should avoid overly restrictive management prescriptions that limit the land manager's ability to respond to changing recreational patterns.

NGO-CTVA-105

Issue:
Agency managers seem to be directed to close as much public land as possible to motorized visitors by a top down management directive that is conflicting with the needs of the public for multiple-use access and recreational opportunities and contrary to the laws established by congress. Congress has not designated this area to be wilderness and existing congressional laws clearly intend for this area to be managed for multiple-uses. Why are legally designated multiple-use lands being managed for limited-use instead of multiple-use? The top down closure directive is in violation of the will of the people and in violation of congressional laws.

Issue:
Because of the excessive closures proposed, motorized recreationists are forced once again into a confrontational position with the agency in order preserve any sort of reasonable solution. This is not our choice and we are disadvantaged by being placed in this position. We would prefer to work collaboratively with the agency but once again the travel planning process is being approached as a "closure" process. We are concerned that this is a conscious strategy to put motorized recreationists, who are largely unorganized, at a disadvantage. We ask that this concern be adequately addressed and that significant changes be made to the procedures in order to eliminate this disadvantage.

Issue:
All of the existing motorized routes are very important resources to us. For example, we have enjoyed trips to project area and these have usually been extended weekend trips that are special events for us. We have ridden over most of the open routes in the project area and have thoroughly enjoyed them but we could not accurately draw lines on a map to describe where we have been and what routes we want to remain open. We are puzzled by this requirement. We have never had to identify and inventory backpacking routes that we wish to remain open. Additionally, most motorized recreationists do not have the expertise or equipment required to provide a comprehensive inventory of roads and trails. We are very concerned about the burden and disadvantage that is placed on motorized recreationists by this procedure and we request that it be changed.

Responses

NGO-CTVA-103: See response to NGO-CTVA-1. A separate Travel and Transportation planning process will identify existing road networks, and address applicable mitigation measures and access – See – DR 10.2.

NGO-CTVA-104: See response to NGO-CTVA-2.

NGO-CTVA-105: The PRMP proposes about 17,577 acres closed to OHV use. The PRMP does not propose wilderness. Inventory of roads is part of the Travel and Transportation planning process.

NGO-CTVA

Comments

Issue:
We are very concerned that motorized recreationists must identify and inventory specific routes that we want to remain open. These resources are there now and they are being used by the public and in almost all cases, it is entirely reasonable type and level of use. Motorized recreationists should not have to identify and inventory motorized routes as part of the process. This is the work of the agency. No other visitor group is saddled with this requirement. Our concern is that the agency is using public involvement in a discriminatory way to establish which motorized routes will remain open. For example, the Bureau of Land Management has concluded that the level of use by motorcycles is low based on the level of public participation in the environmental process. There is no actual data or comparison of motorcycle use to hiking use or direct discussion with motorized recreationists to substantiate this.

Issue:
We respectfully maintain that the agency can not establish the motorized routes to remain open based solely on formal written public input because the process did not have a high enough level of participation by motorized recreationists to develop meaningful input. Therefore, the needs of motorized recreationists are not adequately or accurately represented. Our comments submitted during the EA further explain why this condition exists but basically the process, as practiced, is overwhelming and intimidating to the public. There are ways to more directly involve motorized recreationists including interviews at club meetings and interviews on the trails and at trailheads. Continuing to use the practice of formal written comments to establish the need for motorized routes will leave motorized recreationists with only a few main roads and with no high quality motorized trails. We object to this process and respectfully request that it be corrected. Additionally, the current practice is discriminatory because non-motorized recreationists are not required to submit written formal comments that identify and defend each and every recreational opportunity that they want to enjoy in the future. Again, we respectfully ask that this practice be corrected.

Issue:
Similar to non-motorized recreationists, motorized recreationists also like plenty of dispersed recreational opportunities and the current trend is limiting motorized recreationists to a very few locations. Additionally, eliminating dispersed motorized recreational opportunities and concentrating the few remaining motorized recreational opportunities in relatively small areas significantly increases negative impacts on both the natural and human environments to the point that the impacts become unacceptable and this trend is neither reasonable nor equitable. The following are some typical comments found on the different OHV forums: *This area gets a lot of traffic. I wouldn't dare go on a weekend, it's almost like Hollister with the crowds. Just too small of an area for the amount of riders.*

NGO-CTVA-106

Issue:
Requiring motorized visitors to identify and inventory roads and trails is seen as part of a strategy to reduce the number of motorized routes because the public cannot undertake this huge effort. Additionally, the national OHV decision required that site-specific planning be analyzed at a number of different scales and across different boundaries. Site specific planning includes an adequate evaluation by the agency of all of the impacts being experienced by motorized recreationists including motorcycle trail riders in both the project area and the surrounding region.

Responses

NGO-CTVA-106: See response to NGO-CTVA-25.

NGO-CTVA

Comments

NGO-CTVA-107

The scale and boundaries of impacts being experienced by motorized recreationists are discussed in throughout these comments. Site specific analysis was an important part of the national OHV decision and was discussed many times in that document. The agency should commit the resources and has an obligation to evaluate the needs of OHV recreationists at a least the same level of detail as key wildlife and natural resource areas. Site specific analysis includes adequate identification and inventory of all existing motorized routes and adequate evaluation of the public's need for those routes. An example of adequate site specific analysis to be used as a guideline are the comments dated May 1, 2004 and prepared by John Borg for the Caribou Travel Plan Revision. A copy of these comments can be obtained from the project record for the Caribou Travel Plan Revision or at www.mtvra.com.

Issue:
The new National OHV Policy describe the second level of planning involving the analysis and implementation of management practices referred to as "site-specific" planning. Site specific planning detailed information including the location, condition, and current uses of individual roads and trails, and the identification of when and where individual roads and trails will be open or closed to various types of use. We supported the restriction of cross-country travel because we felt the document assured the identification of on the ground trails and their consideration as designated routes. Currently in Montana, the only forest to conduct an inventory that includes adequate detail and includes trails that are current routes on the ground is the Lewis and Clark National Forest in the Little Belt Range. Adequate site specific planning as outlined above must be provided as part of this project.

Issue:
A reasonable test of significance of impacts from motorized closures on motorized recreationists must be used. A reasonable test would include evaluation of indicators including:

1. Where else can motorized recreationists go within a reasonable distance and with equal recreation value?
2. Do motorized recreationists have an adequate selection of the recreational resources with the proposed motorized closure(s)?
3. What is the balance of recreational opportunities in the area and region as demonstrated by the information developed from the outline shown in Table 3?
4. Are the existing motorized recreational opportunities sufficient for the needs of the public?
5. Are there documented user conflict and can the recreational resources be reasonably shared? Note that it is not reasonable to define user conflict a merely seeing someone else on a trail.
6. What are the cumulative effects of this motorized closure combined with all other motorized closures?

Issue:
In order to adequately evaluate and disclose motorized and non-motorized recreational resource and opportunity information to the public, the following information using tables and maps must be used and presented in an accurate and concise manner.

Table 3
Comparison of Non-motorized and Motorized Opportunities

Responses

NGO-CTVA-107: Site specific planning occurs through the Transportation and Travel Management Plan process. Baseline data will be addressed at that time.

NGO-CTVA	Comments	Responses

1. the miles of non-motorized recreational opportunities available in the project area including all possible cross-country routes and the number of acres available for cross-country non-motorized recreation under the existing condition (it is infinite),
2. the miles of roads and trails and number of acres to be closed to non-motorized recreationists in the proposed condition,
3. the miles of existing motorized roads, atv trails, and motorcycle trails in the project area meeting the 3-States OHV decision definitions,
4. the acres within the project area open to motorized recreationists under existing and proposed conditions,
5. the percent of motorized and non-motorized recreational opportunities in the project area,
6. the miles of atv trails, motorcycle trails and roads and acres closed to motorized recreationists under both existing and proposed conditions,
7. the cumulative miles of roads, atv trails, motorcycle trails meeting the 3-State OHV definitions and number of acres closed to motorized recreationists over the past 35 years at 5 year intervals in both the project area and regional area.

Once this information is adequately and concisely presented, one can easily see that motorized recreational opportunities are limited in the existing condition and then severely reduced in the proposed condition. This information must be presented in order to understand the significant imbalance of recreational opportunities that exists and the decision is deficient without this information.

NGO-CTVA-108

Issue:
The evaluation of a balance of opportunities should also include an accounting and comparison of facilities including trailhead facilities at wilderness areas versus trailhead facilities at OHV areas. Most wilderness trailhead facilities include parking lots, horse handling facilities, kiosks with information, campgrounds, and restrooms and they are funded without any direct connection to the users. Motorized recreationists generate more than adequate gas tax and OHV sticker revenues (over $500,000 in FY 2003 in Montana, FWP OHV program and RTP) but have few facilities to show for it versus a great need for facilities. Additionally, another $311,274 that was designated for motorized programs and that could have been spent on badly needed motorized recreational facilities were instead spent on non-motorized facilities. We request an adequate evaluation and consideration of these imbalances be made part of this project and actions taken that will correct these imbalances.

INGO-CTVA-108: Inventory of recreational facilities would occur during the SRMA planning process.

NGO-CTVA-109

Issue:
The reason often given by the agency that motorized trail projects including those using OHV grant money cannot be undertaken is that there is a current travel planning process under way or one about to begin or that NEPA compliance must be undertaken. There is a continuous cycle of travel planning undertaken and the public is not able to undertake NEPA compliance. The result is that motorized RTP funding is often under-utilized. At the same time, there is a tremendous need to projects on motorized routes. We need to find a way to break this Catch-22 situation.

NGO-CTVA-109: See response to NGO-CTVA-33.

Issue:
Because of the cumulative negative effects of the motorized closure trend, the resource base for motorized recreationists is generally be reduced to a limited number of motorized routes and the lesser used routes are becoming hard to find and, therefore, they must be considered invaluable to

NGO-CTVA

Comments

motorized recreationists. The level of use should be evaluated along the logic that the most valuable motorized routes now days are the ones that are remote and see less use. Therefore, barely visible 2-track roads and single-track trails are invaluable to motorized recreationists and must be evaluated as such. It is not fair that motorized recreationists practice "tread lightly" principles and are then penalized for that practice. This is another example of predisposition.

NGO-CTVA-110

Issue:
Throughout this document we may refer to motorcycle trail riders and atv riders as motorized recreationists because the relationship between them are inter-twined. For example, many trails that were once single-track have become atv trails. Additionally, the trend of motorized trail closures affects all OHV recreationists and puts additional demands on the few motorized recreational opportunities that remain. However, motorized single-track trails are a uniquely different resource and experience compared to atv trails and must be recognized as such.

Issue:
Existing single-track trails or potential single-track trails were not adequately identified and included in the project. There are many single-track "cow" trails that motorcycle trail riders could use in the project area. It is critical to preserve the integrity of the existing motorized single-track trails. Single-track trails offer a highly desirable experience for trail bike riders, equestrians, hikers, and bicyclists. They offer a different, more primitive experience than ATV trails or forest roads.

Issue:
Motorcycle trail riders were the original motorized trail users and have a long history of trail maintenance and trail etiquette. The availability of motorized single-track trails has declined dramatically. At the same time, nearly all of the single-track trails see very little hiking or other use. Therefore, it is a reasonable alternative to designate all single-track trails on multiple-use lands open to motorcycle use. The South Fork of the Boise River in the Sawtooth National Forest is specifically referenced as the best example of an excellent multiple-use single-track trail system that is open to mountain bikes, equestrians, hikers, and motorcyclists. It is also an excellent example of a reasonable travel plan process (http://www.fs.fed.us/r4/sawtooth/projects/). We commend the Sawtooth National Forest for providing such a valuable recreation resource and for taking such a reasonable approach to travel planning that both perpetuates existing motorized access and recreational opportunities and also provides for enhancement and growth. The project team is encouraged to visit and observe the use of this area and to follow a similar travel plan process.

NGO-CTVA-111

There is no significant impact from the level of dispersed motorcycle trail use in the project area. There is no legitimate or documented conflict of uses between motorcyclists and other uses on single-track trails in the project area. Note that it is not reasonable to define user conflict a merely seeing someone else on a trail. There is a significant need for an adequate number of miles of single-track for existing and future motorcyclists. There is no legitimate reason why the single-track trails in the multiple-use areas of the project should not be shared between motorized and non-motorized recreationists to a much greater extent. This reasonable alternative must be included.

Issue:
Motorcyclists have co-existed for years with other recreationists in the project area. There is no documentation of a wide-spread problem with this multiple-use. We do not believe that it is reasonable to suddenly consider this multiple-use a problem.

Responses

NGO-CTVA-110: See responses to NGO-CTVA-2 and NGO-CTVA-62

NGO-CTVA-111: Impacts from OHV use on various resources, including recreation, are discussed in Chapter 4 of the Draft RMP/EIS.

NGO-CTVA

Comments

Issue:
Mountain bikes and motorcycle use should be considered compatible uses. Both are mechanized and both prefer a single-track or narrow trail. Additionally, motorcyclists have been keep single-track trails that mountain bikers have recently discovered, open for many years.

Issue:
As part of the planning process, the agency is requiring motorized recreationists to provide an inventory of motorized routes that are important to them. It is not reasonable to expect motorized recreationists to inventory all existing motorized access and motorized recreational opportunities that they would like to use over the course of a lifetime. For example, motorized recreationists may be planning to visit an area that is 200 miles away for a week long summer vacation to enjoy motorized routes or we know people from several hundred miles away that routinely hunt in the fall and use many of the primitive roads and trails within the project area. They are not aware of the planning process and, even if they did, would not be able to inventory all of the primitive roads that they use. They simply expect the agency to look after their needs and that these motorized access and recreational resources will always be there for them. They will be extremely disappointed when they go out to their favorite hunting camp and find 50% of the access closed. This is also an example of why the results of travel planning are generally poorly supported by the public.

Under the current process if motorized recreationists are not involved in the planning process for that area they will undoubtedly lose use of one-half of the existing routes and be extremely disappointed when they do visit in the future. Given the significant number of actions as demonstrated in Table 2, it is impossible for motorized recreationists to participate in each action and provide inventories of routes for each action, so motorized recreationists are destined to lose because the agency will not adequately consider our needs unless we provide inventories of routes. Again, a significant predisposition exists because the needs of non-motorized recreationists are given significant consideration without the requirement for inventories and identification of resources, i.e. non-motorized recreationists are not subjected to the same requirement to identify trails now in order to keep them open for future use and generations.

NGO-CTVA-112

Issue:
The amount of use that a route receives is not a criterion for non-motorized routes (see later comment about solitude on CDNST) and should not be a requirement for motorized routes. Solitude, challenging, and remote motorized routes are highly valued by motorized recreationists also.

Issue:
The document and decision must clearly disclose on maps and tables and summaries all existing areas, and existing roads and trails that would be closed to motorized access and motorized recreationists. Summaries should include overall closures percentages. Otherwise public disclosure has not been adequately provided and the public will not be informed and the public including motorized recreationists will not be able to adequately participate and comment.

NGO-CTVA-113

Issue:
The document and decision makers must prove by use of facts and data and without reasonable doubt that the claimed improvements to the natural environment are significant enough to justify the

Responses

NGO-CTVA-112: Criteria for identifying types of routes will be addressed through the Transportation and Travel Management Plan process. Any routes identified to be closed would be disclosed through this process as well.

NGO-CTVA-113: Impacts from OHV use on various resources are discussed in Chapter 4 of the Draft RMP/EIS.

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NGO-CTVA

Comments

Responses

significant impact on the human environment associated with the closure of motorized routes. There must be a measurable and significant improvement. Additionally, there must be monitoring to backup the claimed improvements to the natural environment.

Issue:
All of the motorized routes that are important to the public cannot be identified by clubs and individuals. Everyone that visits our public lands has a special road or trail that they like to visit. Getting everyone to participate and identify all of these routes is neither practical nor reasonable. All of the existing routes exist because they are important access and recreational opportunities. Therefore, all existing routes without significant environmental considered as the preferred alternative. Additionally, all available mitigation measures must be adequately considered for those routes with environmental concerns. We strongly support mitigation before motorized closure and, in fairness to the public, encourage the agency to adopt this policy also.

Issue:
NGO-CTVA-114 Due to the trend of motorized closure after motorized closure, the prevailing question is not will we lose access and recreation opportunities but rather how much will we lose in each action. Motorized recreationists are the only group to lose in every action on local, regional and national levels, yet the cumulative negative effect of this significant negative impact has never been tabulated or addressed. This obvious predisposition must be adequately addressed. The magnitude of these undisclosed cumulative negative impacts on multiple-use interest including motorized recreationists has increased to the point where the livelihood and recreation of nearly everyone has been significantly impacted yet an adequate assessment has not been conducted nor included in the decision-making. Allowing the cumulative effects of the closure trend to continue over and over without any consideration of impacts or mitigation will certainly allow the cumulative effects to eliminate any meaningful motorized recreation. The burden of establishing the cumulative negative effect of all motorized access and motorized recreational closures should not fall on motorized recreationists. Table 2 is a partial listing of projects that have had a negative impact on motorized recreationists. All of these actions and others must be included in the tabulation and evaluation of cumulative negative effects on motorized recreationists. Most of these projects have not adequately disclosed the true number of miles of roads and trails and recreational opportunities that were in use by the public and then closed to motorized use as part of their implementation. This lack of disclosure is not acceptable and we request that the lack of disclosure be addressed by establishing the true magnitude and cumulative negative effect of all motorized access and motorized recreational closures. When tabulated, this cumulative negative effect must be considered in the evaluation and decision-making for this action. Additionally, adequate mitigation must now be implemented to counter the cumulative negative effects that motorized recreationists have experienced.

NGO-CTVA-114: See response NGO-CTVA-2. Cumulative impact to recreation including OHV is addressed in Chapter 4. A separate impact analysis would be prepared during the development of the Travel and Transportation Plan.

Issue:
NGO-CTVA-115 If the loss of motorized routes cannot be mitigated within the project area, then a Motorized Access and Recreation Mitigation Bank must be established. This mitigation bank would keep an overall accounting of the miles and acres of motorized access and recreational opportunities closed and the new motorized access and recreational opportunities created to offset that loss. It would be the responsibility of a cooperative group of public land management agencies to monitor the balance sheet and work towards no net loss/closure of motorized access and motorized recreation. Similar to other mitigation banks, motorized access and routes closed to motorized use would be replaced with

NGO-CTVA-115: See response to NGO-CTVA-25.

NGO-CTVA	Comments	Responses
	equivalent routes on a one to one basis. Where equivalent routes cannot be found, then mitigation would be provided at 2 to 4 times the length of the closed route. Where equivalent access and/or areas cannot be found, then mitigation would be applied at 2 to 4 times the area closed depending on the quality of the closed route or area.	
NGO-CTVA-116	Issue: The cumulative negative effects of more restrictive travel plan decisions include the concentration of use on fewer miles of road and trail, such that traffic density is increased and recreation enjoyment is reduced. As shown in Table 2, the magnitude of this impact is significant and yet it is ignored. To experience the cumulative effects of motorized closures first hand one can visit the Whitetail-Pipestone area on Memorial Day and Copper Creek near west of Phillipsburg on July 4th and see hundreds to thousands of multiple-use recreationists forced into small areas with limited opportunities by the cumulative effects of many motorized closures produced by forest plans and travel plans. Travel decisions affecting public lands that restrict motorized recreation in one area may consequently increase motorized use in another where site-specific travel plans are not yet in place. Cumulatively then, this "leapfrog" effect may increase resource damage, create more law enforcement problems, generate discord between motorized and non-motorized recreationists, and make future site-specific travel planning more difficult. This cumulative negative effect must be adequately considered as part of this project.	NGO-CTVA-116: See response NGO-CTVA-2
NGO-CTVA-117	Issue: The list of projects in Table 2 demonstrates that motorized routes are all too commonly closed for exclusive non-motorized use. The proposed action continues this massive trend. The Forest Service looks out for the interests and needs of non-motorized interests and is willing to create many miles of new non-motorized trails as demonstrated by a number of projects such as the CDNST. We request the same cooperation between the Bureau of Land Management and a recreation group be extended to motorized recreationists. We request that the Bureau of Land Management provide the same attention to our needs. Now it is time for a route to be closed for exclusive use by motorcycles. We request that trails be closed for exclusive use by OHVs and that 100 miles of new motorized recreational opportunity be created as a demonstration of equal opportunity.	NGO-CTVA-117: See responses to NGO-CTVA-33 and NGO-CTVA -37.
	Issue: The following are examples of adequate OHV trail systems that should be used to guide development of this project. The alternatives for this project should be compared to these OHV trail systems. Also, it would help the project team understand the needs of OHV recreationists by visiting these area and experiencing them on an OHV. Examples of the types of systems that should be developed in the project area include: a. Danskin Mountain in the Boise National Forest (http://www.stayontrails.com/assets/content/maps/Danskin-Mountains-map.pdf) b. South Fork Boise River in the Boise and Sawtooth National Forests c. Winom-Frazier in the Umatilla/Whitman National Forest d. Prospect OHV area in the Rogue River National Forest e. Paiute OHV System in the Fishlake National Forest f. East Fork Rock (http://www.fs.fed.us/r6/centraloregon/recreation/cohvops/efrindex.shtml), g. Mendocino National Forest (http://www.fs.fed.us/r5/mendocino/recreation/ohv/ , and	

NGO-CTVA

Comments

h. High Lakes and Blue Lake Trail System in the Gifford Pinchot National Forest (http://www.fs.fed.us/gpnf/recreation/trailbikes/documents/trails5269small.pdf).
i. In order to meet the public's need for motorized recreational opportunities, the project area and every national forest and BLM district must have OHV systems comparable to these examples.

NGO-CTVA-118

Issue:
The process is predisposed because without adequately considering the needs of the public it immediately proposes to add to the vast opportunities for non-motorized recreationists that are not over-used and further impacts multiple-use visitors, who make up 97.45% of the visitors by further limiting their recreational opportunities. It has now reached the point now where multiple-use recreationists do not have an equal opportunity to enjoy our public lands. Multiple-use recreationists feel like they are being treated as second class citizens. It is bad public policy when that policy affects 97% of the public in a negative way.

Issue:
The prevailing trend of the past 35± years has been to convert large areas of federally managed lands in the project area and region from multiple-use lands to wilderness/non-motorized/exclusive-use lands which is direct contradiction to the number of visitors and their needs. How many "land of many uses" signs do you see anymore? The remaining multiple-use areas are the only areas where most of the public can access and experience our public lands. Therefore, the remaining multiple-use lands must remain open for multiple-use, motorized access and motorized recreation in order to adequately and reasonably meet the needs of 97.45% of the public.

Issue:
The greatest communal need for public lands is for multiple-use opportunities. We promote management for multiple-use because it allows everybody to enjoy the resources and it also promotes sharing and non-polarization of visitors. Other management schemes promote non-sharing and polarization of visitors. We can solve more problems by resisting non-sharing and polarization and working together. Additionally, non-sharing of multiple-use lands is not an acceptable concept and motorized recreationists have never considered non-sharing as a reasonable alternative to pursue.

Issue:
The most equitable management of public lands is for multiple-uses. Congress has recognized this need with many laws including the Multiple Use Sustained Yield Act of 1960 (16 U.S.C. 528 et seq.) and National Forest Management Act of 1976. Multiple-Use was defined as "*The management of all the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people...*". **Outdoor recreation is the first stated purpose of the act**. Note that the pre-Columbian management scheme has not been enacted by Congress. Therefore, the Bureau of Land Management and Forest Service have a responsibility to provide recreational opportunities that meet the needs of the public just as government entities provide road, water and wastewater systems that meet the needs of the public.

Public Law 88-657 states that "*the Congress hereby finds and declares that the construction and maintenance of an adequate system of roads and trails within and near the national forests and other lands administered by the Forest Service is essential if increasing demands for timber,*

Responses

NGO-CTVA-1118: See responses to NGO-CTVA-1 and NGO-CTVA-62.

NGO-CTVA

Comments

recreation, and other uses of such lands are to be met; that the existence of such a system would have the effect, among other things, of increasing the value of timber and other resources tributary to such roads; and that such a system is essential to enable the Secretary of Agriculture (hereinafter called the Secretary) to provide for intensive use, protection, development, and management of these lands under principles of multiple use and sustained yield of products and services.".

The Federal Land Policy and Management Act of 1976 (FLPMA) states that "*(7) goals and objectives be established by law as guidelines for public land use planning, and that management be on the basis of multiple use and sustained yield unless otherwise specified by law;* and, *(c) In the development and revision of land use plans, the Secretary shall -- (1) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law;".*

The BLM Strategic Plan FY 2000 to 2005 states that: "*To achieve this mission, the Bureau of Land Management follows these principles: Manage natural resources for multiple use and long-term value, recognizing that the mix of permitted and allowable uses will vary from area to area and over time.*"

NGO-CTVA-119

Multiple-use management goals are the only goals that will "best meet the needs" of the public and provide for equal program delivery to all citizens including motorized visitors. All of visitors have a responsibility to accept and promote diversity of recreation on public lands. Diversity of recreation opportunities can only be accomplished through management for multiple-uses and reasonable coexistence among visitors. Multiple-use lands are public places. Multiple-use lands must be managed for shared-use versus segregated-use or exclusive-use. Segregation in public places has not been acceptable since the Civil Rights Act of 1964.

A significant closing of roads and motorized trails in the project area is not consistent with meeting the needs of the public and the goals of Multiple-Use Management as directed under Federal Land Policy and Management Act of 1976 (FLPMA), Multiple Use Sustained Yield Act of 1960 and P.L. 88-657. Why are legally designated multiple-use lands being managed for limited-use instead of multiple-use? This is a significant issue and must be adequately addressed. The cumulative negative effects of other proposed and enacted federal land management policies have resulted in a significant reduction of multiple-use and OHV recreation opportunities. The result has been a significant conversion of multiple-use areas to exclusive non-motorized areas. We request compliance with multiple-use policies and laws and a preferred alternative that will support these policies and laws and the needs of the public

Issue:
Beginning in the early 1970's, Congress and the American people began a debate on whether or not to change national policy for vast areas of the west known as "public lands". Congress wanted to change the policy from "disposal" to "retention". This policy shift meant the Federal government would stop holding lands until they were sold (or otherwise transferred to the states), and would retain and manage the lands for the benefit of the general public.

Responses

NGO-CTVA-119: The RMP does not propose significant areas to be closed to OHV travel (Approximately 35,483 under Alternative D). See D-R 10.1.

NGO-CTVA

Comments

Many citizens and especially those in western states were concerned. Entire communities relied upon access to resources existing on adjacent public lands. Indeed, western custom and culture grew from a tradition of open access and use of public lands. Many felt the "retention" policy would unduly influence the lives and livelihoods of citizens in the west.

In 1976, Congress struck an agreement with the western states. The basic agreement was that the western states would not oppose the retention of these lands if the Federal Government would manage them under multiple use/sustained yield principles, protect valid existing rights, limit wilderness review and consider the needs and concerns of adjacent communities when formulating land use plans. Thus the FLPMA (Federal Land Policy and Management Act) was adopted.

There are 4 important elements within FLPMA:

First, and very important, was the mandate to manage lands under the principles of Multiple Use. The Section 202, subsection (c)(1), specifically requires development and revision of land use plans on the basis of "principles of multiple use and sustained yield." FLPMA section 102(a)(7) also specifically requires that goals and objectives be established by law as guidelines for public land use planning, and that management be on the basis of multiple use and sustained yield unless otherwise specified by law.

Second was the preservation of valid existing rights, including grazing rights, mining claims, oil and gas leases, water rights and rights of access granted pursuant to R.S. 2477. Therefore, the R.S. 2477 law is a very important and germane issue for this project.

The third element was specific instructions to the Secretary of the Interior to formulate land use plans that are consistent with State and local plans "...to the maximum extent he finds consistent with Federal law and the purposes of this Act." This element includes provisions to coordinate land use inventory, planning and management activities not only with other federal agencies, but specifically with agencies of the State and local government.

The fourth element of FLPMA consists of very specific instructions regarding Wilderness. Those instructions are contained in Section 603 of FLPMA, wherein Congress instructed the agency to inventory all of their lands, identify which were definitely not of wilderness quality, and then begin an intensive inventory and analysis to determine which of the remaining lands would be recommended for inclusion into the National, Wilderness Preservation System. Congress even set a deadline for the completion of this task. A critical part of the agreement was that FLPMA sets no mandates and no process requirements for engaging in an ongoing, never ending wilderness inventory and review. Once the "603 Process" was completed, the agency would be finished with wilderness inventory and review. Congress and the American People would then decide which lands to include in the National Wilderness Preservation System.

We simply ask that all of the instructions and requirements of the law as agreed to under the Federal Land Policy and Management Act be honored and applied to this project.

Issue:
Any language in existing management plans for multiple-use areas that does not support multiple-use is inconsistent with directives from Congress, the needs of the public and should be struck. Any

Responses

NGO-CTVA

Comments

NGO-CTVA-120

proposed language for the management plans for multiple-use areas that does not fully support multiple-use is inconsistent with directives from Congress, the needs of the public and should be dropped.

Issue:
Under the Organic Act of 1897, 16 U.S.C. § 475, ("Organic Act"), National forests were expressly reserved for two purposes: to maintain favorable conditions for water flows and to ensure a continuous supply of timber. With passage of the Multiple Use and Sustained Yield Act, 16 U.S.C. § 528 et. seq. ("MUSYA"), Congress allowed the Forest Service to manage "renewable surface resources of the national forest for multiple use and sustained yield of the several products and services obtained therefrom." However, while the "multiple use" mandate of MUSYA broadened the purposes for which National forests may be managed, the Act did not further reserve National forests for multiple use purposes. See United States v. New Mexico, 438 U.S. §§ 696, 706-18 (1978). MUSYA defines "sustained yield of the several products and services" as "the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of various renewable resources of the national forests without impairment of the productivity of the land." 16 U.S.C. § 531(b). Nowhere does MUSYA mention ecological sustainability or authorize it as a dominant use.

Although the National Forest Management Act ("NFMA") does not define sustained yield or sustainability, NFMA requires forest planning to be consistent with the MUSYA. 16 U.S.C. §§ 1602,1604. Like the MUSYA, NFMA requires the Forest Service to consider environmental and ecological factors in land use planning. However, also, like MUSYA, NFMA does not elevate ecological factors above any other multiple-use nor does it require that National forest land use plans be contingent only upon ecological sustainability considerations. The proposed alternative effectively elevates "ecological sustainability" above all other uses is based upon several faulty assumptions.

First, the proposed alternative wrongly assumes that the "sustained yield" mandates of MUSYA and NFMA require "sustainability." Thus, the proposed alternative expands the concept of sustained yield significantly beyond what is allowed by the MUSYA and NFMA. As stated above, "sustained yield" under the MUSYA simply means the maintenance of a regular output of several renewable resources.

Second, the proposed alternative wrongly assumes that all sustainability must be predicated upon ecological sustainability. The proposed alternative assumes that sustainability (or sustained yield) of any sort cannot be achieved without first achieving ecological sustainability. However, this assumption is false. While biological diversity undisputably affects certain legitimate uses of National forests, it is not essential to multiple use and sustained yield, as defined by the MUSYA. For example, timber harvest and water flows can be managed on a sustainable yield basis (as required by statute) with little species diversity. On the other hand, some uses, such as recreation, may require a high degree of species diversity (fishing, research, wildlife watching), while recreational uses of the forest require little or no species diversity (rock climbing, skiing). Still others, such as mining, require no species diversity whatsoever. Certainly, ecological sustainability and species diversity are important considerations in forest land use planning, and are often essential to maintaining certain legitimate uses on a sustained basis. However, the assertion that species diversity is absolutely necessary to maintain the sustained yield of multiple goods and

Responses

NGO-CTVA-120: FLPMA mandates that the BLM administered land be managed for multiple uses.

NGO-CTVA

Comments

services is unsupportable, and cannot justify elevating the primary focus of land use planning to species diversity. In sum, the proposed alternative should report and reflect the true nature and role of ecology in multiple use and sustained yield management not elevate it over the Congressional mandates.

Third, the proposed alternative wrongly assume that ecological sustainability as the primary focus of forest planning best meets the needs of the American people. The MUSYA defines "multiple use" as the management of various renewable resources in a combination which best meets the needs of the American people. 16 U.S.C. § 531(a). Elevation of biological diversity and ecological sustainability to the chief planning factor assumes a priori that such values, in all cases, best meet the needs of the American people; this presumption is in error and must be established on a case by case basis.

Fourth, in addition to not following the mandates of the Organic Act, MUSYA, and NFMA, the document states that the enactment of various other laws, including the National Environmental Policy Act ("NEPA"), the Endangered Species Act ("ESA"), the Clean Air Act ("CAA") and the Clean Water Act ("CWA") "reinforce ecological sustainability as the first priority of National Forest system management." Id. Again, this is incorrect; none of these statutes in any way change the mandates for the management of National forests. See e.g. Platte River Whooping Crane Trust v. Federal Energy Regulatory Commission, 962 F.2d 27, 34 9D.C. Cir. 1992) (holding that the ESA does not mandate that federal agencies violate their statutory authority in protecting listed species). For example, the document cites a policy statement set forth in the preamble to NEPA as a mandate to manage for ecological sustainability. However, as the courts have made clear, the NEPA is a procedural act only, designed to promote consideration of environmental impacts in federal decision-making, and cannot mandate any substantive result. See Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 350 (1989).

In summary, the proposed alternative is built upon a tenuous foundation which assumes that: (1) various statutes require that ecological sustainability be the dominant consideration for all management of National forests; (2) sustained yield of various goods and services derived from the forests cannot be achieved without first achieving ecological sustainability; and (3) that ecological sustainability in all cases is the highest and best use of the forests for the American people. To be supportable, these assumptions would require significant legal, scientific, and economic data. As it is, such data has no been provided and these assumptions are false, therefore, the proposed alternative is flawed and should not be adopted.

NGO-CTVA-121

Issue:
In order to achieve ecological sustainability as the proposed alternative defines it, the ecological condition of the project area must be within the range of those found prior to European Settlement.

1. This standard is illegal and inappropriate under applicable law. First, legitimate multiple use activities such as timber harvest and mining rarely occurred on a large scale prior to European settlement. Thus, to achieve ecological sustainability, such activities must be excluded. This is a violation of the Organic Act, MUSYA, and NFMA.
2. Second, no statutory authority exists which mandates that ecological conditions of any kind must reflect pre-European settlement conditions.

Responses

NGO-CTVA-121: BLM authority is provided from FLPMA not the Organic Act. Past Actions analyzed under the cumulative impacts section date back to 1982. Ecological sustainability as defined by commenter is not included in the RMP.

NGO-CTVA

Comments

3. Third, the assumption that ecological conditions prior to European settlement are better than conditions at any time since then is a purely subjective value judgment, and is not appropriate to consider during the planning process.
4. Finally, the scientific evidence which suggests what ecological conditions were like prior to European settlement is highly speculative. Basing all planning and management around a range of variability which can never be definitively determined is illusory, arbitrary and capricious and violates the Organic Act, MUSYA, and NFMA.

Issue:
Identification of "high social, cultural, or economic value" and "desired" levels are subjective and requires an assessment and balancing of public values. For example, a particular species may have a high social value to a particular segment of the population, but a low social value to another. Similarly, a species may have significant economic value for a particular use (trees cut for timber), but have high social value in the context of an entirely different use (trees observed by hikers). Furthermore, these conflicting values may require entirely different "desired" levels. Despite these extremely complex and subjective determinations, the proposed alternative provide virtually no explanation or guidance regarding how these levels and values were established. This extreme discretion is not allowed by the Organic Act, MUSYA, and NFMA, which require that forests be managed for a variety of uses.

NGO-CTVA-122

Issue:
Under applicable law, economic and social considerations are just as important ecological analyses and should be given equal consideration. This is especially true for the social and economic concerns at the state and local level. Consider the following:

1. The Organic Act has long been interpreted as requiring that National forest lands be managed to promote the local economic and social stability of the dependant communities. The first Chief of the Forest Service, Gifford Pinchot wrote: "*In the management of each reserve, local questions will be decided upon local grounds . . . . sudden changes in industrial conditions will be avoided by gradual adjustment after due notice . . . .* " Forest Service, United States Department of Agriculture, The Use Book (1906 ed.) at 17. The first congressional concerns for the stability of communities dependent on the resources of the National forests arose during debates surrounding passage of the Organic Act. The National Academy of Sciences had criticized past land management practices that allowed companies and individuals to cut excessive quantities of timber without monetary charge. Nevertheless, the debates surrounding the Organic Act centered on protecting the forests from fire and insect damage, ensuring that the forests serve to conserve water resources for the arid West, and managing the forests for economic purposes. S. Rept. No. 105, 10, 19. In fact, after describing the depredations of fire, livestock, and illegal timber cutting, one Senate report concluded: *A study of the forest reserves in relation to the general development of the welfare of the country, shows that the segregations of these great bodies of reserved lands cannot be withdrawn from all occupation and use and that they must be made to perform their part for the economy of the nation. According to a strict interpretation of the rulings of the Department of the Interior, no one has the right to enter a forest reserve, to cut a single tree from its forests, or to examine it rocks in search of valuable minerals. Forty million acres of land are then theoretically shut out from all human occupation or enjoyment. Such a condition of things should not continue, for unless*

Responses

NGO-CTVA-122: See response to NGO-CTVA-30.

NGO-CTVA

Comments

Responses

the reserved lands of the public domain are made to contribute to the welfare and prosperity of the country, they should be thrown open to settlement and the whole system of reserved forests be abandoned. S. Rep. No. 105, 22.

2. The notion of community stability grew out of Congress' concern for the impacts on local communities. During the passage of the Organic Act, Congressman Safroth echoed this concern: *The forestry question is not a matter of great concern from a national stand point, because the purposes for which these reservations are set aside are merely local. It is a matter of interest to people in the West only as to whether these reservations are properly established. It is on account of the waters which are to irrigate our agricultural lands that we are interested in forest reservations. . . . . The timber reserves of that region can never be a subject of national concern although they may be of great interest to the people of that particular locality -- the people of Colorado, Utah and other Western communities.* 30 Cong. Rec. 984 (1897).
3. Congress has never changed its concern for local communities. Eleven years following the passage of the Organic Act, Congress passed the Twenty-Five Percent Fund Act, under which 25 percent of the revenues from the national forests are returned to the states. 16 U.S.C. § 500. In 1913, Congress directed that another 10 percent of the National forest revenues be spent on road construction and local road maintenance. 16 U.S.C. § 501. In 1976, Congress amended the Twenty-Five Percent Fund Act to provide that the disbursement to state and local governments would be calculated from gross revenues, rather than stumpage prices. 16 U.S.C. § 500, National Forest Management Act of 1976, Report of Senate Committee of Agriculture and Forestry, S. Rep. 94-893 (May 1976) 1, 22-3.
4. These examples clearly illustrate that Congress intends National forests to be a driving force in promoting and sustaining state and local communities and governments, both economically and socially. The multiple use and sustained yield of several goods and services mandate of MUSYA and NFMA reinforce this concept. Accordingly, the proposed alternative should give more weight to these concerns. Economic and social impact analysis should be mandatory at all levels of forest planning and management.

Issue:
With regard to wilderness areas, roadless areas, national recreation areas, natural landmarks and monuments, and wild, scenic, and recreational rivers, the Bureau of Land Management and Forest Service are only authorized to delineate such areas and report such findings to Congress. Unless and until Congress actually designates such areas under applicable law, such delineations should have no effect on the multiple use and sustained yield mandates for management of public lands.

NGO-CTVA-123

With regard to research and natural areas and scenic by-ways, the BLM and FS can designate such areas; however such designation should have no effect on the multiple use and sustained yield mandates for management of those public lands. Finally, with regard to critical waterways, geological areas, unroaded areas, botanical areas, and national scenic areas, the BLM and FS have no statutory authority to designate and manage such areas. Any such designations can by law have no effect on the multiple use and sustained yield mandates for management of national forests. Accordingly, these "special designations" should be deleted from the proposed alternative.

Issue:

NGO-CTVA-123: BLM has revised the geology section in the FEIS/ RMP to address any OHV. There are no management actions applicable to Back Country By-Ways proposed that would prohibit multiple uses.

NGO-CTVA

Comments

Note that the Final Roadless Rule published on January 5, 2001 (http://roadless.fs.fed.us/documents/rule/roadless_fedreg_rule.pdf) included the following directive "The proposed rule did not close any roads or off-highway vehicle (OHV) trails". The agency must honor this commitment. The Roadless Rule is all about preventing new roads from being constructed; it is not about banning motorized use of existing motorized roads and trails. United Four Wheel Drive Associations reached a settlement agreement with the Federal Government prohibiting the US Forest Service from categorically closing roads or using the term "unroaded" in establishing roadless areas for Wilderness designation. Under the terms of the settlement agreement the Forest Service is banned from using the Road Moratorium to close a single mile of road". United obtained evidence that many, if not all, of the national forests were using the Temporary Road Moratorium to create de facto wilderness areas as part of forest planning. Carla Boucher of United predicted in early 1998 that this was the plan of the Forest Service all along. "This agreement prevents the creation of de facto wilderness, protecting nearly 347,000 miles of access for motorized recreationists", remarked Boucher. Additionally, the ruling in the State of Wyoming v. USDA by U.S. District Court Judge Clarence Brimmer blocked implementation of the Roadless Area Conservation Rule. This project must include proper interpretation of the Roadless Rule and the roadless rule should not be used to close existing motorized routes in roadless areas.

Issue:
In 1924, the Forest Service established the first de facto wilderness area; by 1964, it had created 88 de facto wilderness areas totaling 15 million acres. In 1964, Congress dealt legislatively with the issue of wilderness: creating wilderness areas, reserving for itself the designation of wilderness areas, and setting a deadline for the study of potential new wilderness areas.

"In 1964, Congress adopted the Wilderness Act, pursuant to which it designated areas of federal land as wilderness; this is the only manner in which such a classification may be attached to federal land," said William Perry Pendley of Mountain States Legal Foundation. "In addition, Congress reasserted its constitutional authority over federal lands and put a clock on when, if ever, federal lands might be designated as wilderness. That clock has run, which requires that lands not designated by Congress as wilderness be managed as non-wilderness and open to all of the American people."

In 1973, the Forest Service completed Roadless Area Review and Evaluation I (RARE I) to recommend land for further evaluation as potential wilderness areas. RARE I failed when courts ruled that the Forest Service had failed to comply with environmental study requirements. Later, the same fate befell RARE II when federal courts ruled the process violated the National Environmental Policy Act (NEPA). Nonetheless, in 2001, the Clinton Administration, relying on these flawed studies, issued the Roadless Area Conservation Rule by which nearly 60 million acres of Forest Service lands were closed to access.

The Clinton roadless rule was challenged in nine lawsuits across the country, including in Wyoming where the federal district court held that the rule was an attempt to circumvent the Wilderness Act of 1964. In 2005, the Forest Service published the State Petition Rule for Inventoried Roadless Area Management by which governors may recommend the management scheme for "roadless" areas of Forest Service lands within their States.

Responses

NGO-CTVA

Comments

NGO-CTVA-124

Mountain States Legal Foundation, which has made numerous appearances before the U.S. Supreme Court and federal courts of appeals, filed comments with the Colorado Roadless Areas Review Task Force and has advised "The U.S. Forest Service may not manage federal land as wilderness unless Congress has designated that land as wilderness". This legal opinion must be considered adequately and made part of this proposed project.

A decision by U.S. Magistrate Judge Elizabeth Laporte in the Forest Service Roadless Rule on September 20, 2006 sets aside the 2005 State Petition Rule as unlawful. The decision concludes the State Petition Rule, which provided a redundant opportunity for State Governors to petition the Forest Service on how roadless areas in their state are managed, violated the National Environmental Policy Act and Endangered Species Act by failing to sufficiently analyze the removal of any protections provided by the prior 2001 Roadless Rule.

Issue:
A November 2003 national voter survey by Moore Information (http://www.cdfe.org/poll.htm) reveals that most Americans agree that the scores of environmental groups in Montana and throughout the nation have lost their focus. Specifically, 61% of voters nationwide agree with the statement; "While protecting the environment is important, environmental groups usually push for solutions which are too extreme for me." Just 33% disagree with this, and 6% have no opinion. In the Mountain/Plains region that includes Montana the divergence is even more severe. A full 71% of respondents agree with the previous statement, and only 25% disagree. Additionally a poll by Market Research Insight (MRI) in December 2003 found that 27% of the public supported environmental groups and 53% opposed their actions.

NGO-CTVA-125

In order to be true and responsive to the public, decisions should not be based on pressure from environmental groups and their litigation. Public opinion supports this position.

Issue:
Environmental groups with substantial funding and paid staff are likely to provide substantial input to the process and to challenge the process through appeals and legal actions. The magnitude of funding and the influence available to these has been documented by the Independent Record in a series of articles found at:
http://www.helenair.com/articles/2002/03/11/stories/headline/1a2.txt ,
http://www.helenair.com/articles/2002/03/10/stories/headline/7a1.txt , and
http://www.helenair.com/articles/2002/03/10/stories/headline/1a1.txt and the Sacramento Bee at
http://www.sacbee.com/static/archive/news/projects/environment/index02.html , at Activist Cash
http://www.activistcash.com/index.cfm and at Green-Watch
http://capresearch.brinkster.net/search/search.asp .

Responses

NGO-CTVA-124: See response to NGO-CTVA-51.

NGO-CTVA-125: BLM issues decisions based on compliance with law, regulations and policy. Public input, through public comments to the DEIS, monitoring data, the environmental analysis and staff expertise, and input from cooperating agencies, are also taken into consideration in the decision process.

NGO-CTVA

Comments

Responses

The greening of the environmental movement

1999 figures, in millions of dollars, for 20 environmental groups with largest contributions

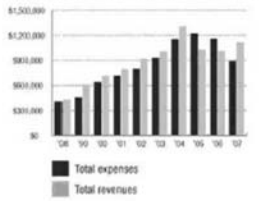
	Group	Public contributions	Total revenue*	Spending	Top executive salary
1	The Nature Conservancy	$403.4	$704.0	$359.4	$210,151
2	Trust for Public Land	$94.9	$105.7	$51.4	$157,868
3	Conservation International	$76.7	$83.5	$26.2	$203,049
4	World Wildlife Fund	$68.4	$111.3	$89.7	$241,638
5	Ducks Unlimited	$63.4	$108.6	$109.1	$346,882
6	Natural Resources Defense Council	$32.6	$36.1	$30.6	$238,964
7	Conservation Fund	$32.5	$41.9	$27.7	$211,048
8	National Wildlife Federation	$31.2	$88.1	85.9	$247,081
9	National Audubon Society	$30.7	$64.7	$53.6	$239,670
10	Environmental Defense	$28.4	$32.0	$26.3	$262,798
11	Sierra Club	$19.1	$56.5	$54.3	$199,577
12	Rocky Mountain Elk Foundation	$17.5	$36.3	$34.9	$186,369
13	The Wilderness Society	$17.4	$18.8	$14.3	$204,591
14	Sierra Club Foundation**	$16.4	$17.8	$12.8	$100,000
15	National Parks Conservation Association	$14.6	$18.3	$16.6	$172,879
16	Earthjustice Legal Defense Fund	$12.2	$16.1	$13.3	$157,583
17	Defenders of Wildlife	$10.3	$14.9	$13.3	$201,337
18	Greenpeace Inc.	$9.9	$14.0	$11.1	$54,033
19	Save The Redwoods League	$9.8	$11.4	$8.9	$165,110
20	Center for Marine Conservation	$8.6	$9.9	$8.7	$135,806

*Includes public contributions and government grants, etc. **The Sierra Club Foundation is the tax-deductible fund-raising arm of the Sierra Club.

Source: Bee research

Sacramento Bee/Scott Flodin

Montana Wilderness Association expenses and revenues 1998-2007



Top 10 private foundation contributors to MWA

Ryss Foundation	Pennsylvania	$700,500 from 2002 to 2006
The Brainerd Foundation	Seattle	$448,000 from 2000 to 2006
Liz Claiborne/Art Ortenberg	Illinois/New York	$257,500 from 2000 to 2005
444 S Foundation	Bellevue, Wash.	$210,000 from 2000 to 2005
LaSalle Adams Fund	New York	$205,000 from 2001 to 2006
Weeden Foundation	New York	$115,000 from 2000 to 2006
Wilburforce Foundation	Seattle	$135,000 from 2001 to 2006
Bullitt Foundation	Seattle	$97,500 from 1999 to 2003
Summit Fund	Chicago	$72,500 from 2002 to 2004
New Land Foundation	New York	$70,000 from 1999 to 2005

Average annual membership funding since 1990 $125,450 per year

Source: IRS, GuideStar and MWA

(Graphic by Penny Lester)

This influence on the agency's decisions must be balanced by the needs and opinions of the public for multiple-use opportunities. Investigation of this balance will determine that the groups listed above are out of line with the majority of the public's needs and interests.

Issue:
A major loophole in the NEPA compliance arena exists. NEPA compliance is not being applied to the actions of foundations that contribute heavily to environmental groups and the actions

NGO-CTVA

	Comments	Responses
NGO-CTVA-126	(campaigns) that those well-funded environmental groups use that funding on. Actions follow funding whether it is for a new highway or an environmental crusade. Certainly these actions such as the environmental crusade against snowmobile use in Yellowstone National Park have affected the quality of the human environment including motorized recreation and interstate commerce opportunities. NEPA was intended to protect the quality of the human environment. Significant funding whether it is used to build highways or finance the campaigns of environmental groups is the source of all actions. NEPA should be applied to the large grant activities (actions) of Foundations and the high dollar action campaigns of environmental groups just as it is for new highway projects.	NGO-CTVA-126: The impacts of any federal undertakings are required to be analyzed through the NEPA process.

NGO-CTVA-127	Issue: Agency decision-making is being driven by accepting actions that will not be challenged in court versus decisions that are in the best interests of the public or that would meet the public's needs. For example, the January 21, 2004 Missoulian newspaper quoted Lolo Forest Supervisor Debbie Austin "Then, too, it's probably not worth taxpayer dollars to propose a big-acreage, big-ticket salvage sale that's likely to be challenged in court, she said." The ethics of making decisions that are in the best interest of the public and that meet the needs of the public must be restored regardless of the dollar cost. Failure to base our government on these principles will be devastating in the end and we must restore decision-making based on these principles.	NGO-CTVA-127: See response to NGO-CTVA-1.
NGO-CTVA-128	Issue: Why are the extreme motorized closure alternatives presented and a middle of the road alternative based on existing routes plus new motorized routes needed to meet the public's need not presented? We are concerned that this demonstrates a significant predisposition in the current process.	NGO-CTVA-128: See response NGO-CTVA-2. The Proposed RMP/ Final EIS designates about 288,105 acres as open for OHV travel management.
	Issue: One of the basic requirements of NEPA is to "achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities" (Public Law 91-190, Title I, Section 101 (b) (5)). The wording of NEPA was carefully chosen and was intended to produce a balance between the natural and human environment. Practice and interpretation since the law has strayed far from that intent.	
	Issue: Over the past 35 years (and it is accelerating in recent years) the overarching public land management trend has been to close access to and use of public lands. This trend of closure upon closure has become epidemic and is out of control as demonstrated by popular public opinion. A	

NGO-CTVA	Comments	Responses

sampling of different users and perspectives is provided below to demonstrate this trend and the cumulative negative impacts that it has produced.

http://www.billingsgazette.com/index.php?display=rednews/2004/04/25/build/local/32-land-use-protest.inc
http://www.mtstandard.com/articles/2004/05/14/newsspecialreports/hjjfjeigjcffhb.txt
http://www.billingsgazette.com/index.php?id=1&display=rednews/2003/11/11/build/wyoming/30-blm.inc
http://www.dailyinterlake.com/NewsEngine/SelectStory.tpl?command=search&db=news.db&eqskudata=57-816431-10&search-var=multiple
http://www.dailyinterlake.com/NewsEngine/SelectStory.tpl?command=search&db=news.db&eqskudata=9-816800-3&search-var=multiple
http://espn.go.com/outdoors/hunting/news/2001/1106/1274551.html
http://www.aapg.org/explorer/2003/05may/slc_publandside.cfm
http://www.nanpa.org/docs/PublicLandsAccess.pdf
http://www.washington-state-rockhounding.info/Trespass-index.htm
http://www.sdorc.org/news/tortoise_lawsuit.html
http://www.amfed.org/sfms/public-lands-access.html
http://www.gamineral.org/land-access.html
http://www.paragonpowerhouse.org/bush_promises_collaboration_on_p.htm
http://www.delalbright.com/landuse.htm
http://www.off-road.com/orcland.html
http://www.hcn.org/servlets/hcn.Article?article_id=5735
http://www.sportsmenslink.org/articles/FinalWhitePage-Total.pdf
http://www.4x4wire.com/access/news/united/dea_2002.htm
http://responsiblerecreation.policy.net/newsroom/
http://www.helenair.com/articles/2003/06/01/opinions/a04060103_02.txt
http://www.maccusa.com/
http://www.sportsmenslink.org/programs/hunter/Issues.html
http://www.ssfta.com/land/land.htm

NGO-CTVA-129

Many additional articles can be found by searching the web for keywords "public lands access". By far the loss of access and the trend of motorized closures upon motorized closure on public lands are the most common themes. From the public's perspective the #1 problem is access to adequate multiple-use access and recreational opportunities and the fact that these opportunities are being eliminated at a record pace by federal land use agencies. It is time to recognize that the trend of closure of public land to the public is inequitable. It is also time to undertake adequate correction to reverse the cumulative negative impact of 35 years of closure upon closure. It is also time to implement adequate mitigation to compensate for the cumulative negative impacts caused by the trend of inequitable closures that are now significant.

NGO-CTVA-129: See response NGO-CTVA-2.

NGO-CTVA-130

Issue:
The overarching trend of the last 35 years has been to remove people from the land. This trend has occurred as a result of many different factors including creation of national parks and monuments; creation of wilderness, non-motorized, and roadless areas; policies of the Forest Service and Bureau of Land Management; influx of dollars for conservation easements and land trusts; decline of farming and ranching; and decline of mining and timber harvests. People still have the same need and desire to work and recreate on the land but they no longer have the same opportunity. The cumulative negative effect of the different trends that have removed people from the land is so significant now that any additional impacts must be avoided. Additionally, because the cumulative negative effect is so significant, adequate mitigation measures must be included as part of all future actions.

Issue:
Evaluations and decisions have been limited to natural resource management issues. Issues associated with motorized access and motorized recreation must be adequately addressed during the evaluation and decision-making including social, economic, and environmental justice issues. We are concerned that issues cannot be restricted to just those associated with natural resources. Access

NGO-CTVA –130: Through the public scoping process issues related to recreation, transportation management including OHV travel, and Public Access were identified (See section 1.5.2). These issues have been addressed throughout the proposed RMP. The proposed RMP does not propose significant motorized access closures (see R10.1).

NGO-CTVA	Comments	Responses
	and recreation on public lands are essential needs of the public in Montana and we respectfully request that issues associated with the human environment be adequately addressed.	
NGO-CTVA-131	Issue: Montana ranks very low for social conditions (44th state per Fordham Institute for Innovation in Social Policy,) and social issues are relevant to this action. Motorized recreation is a healthy social activity. These types of issues are associated with motorized access and recreation in the project area and these issues must be adequately addressed. Social issues must be adequately evaluated per the SOCIAL IMPACT ANALYSIS (SIA): PRINCIPLES AND PROCEDURES TRAINING COURSE (1900-03) (http://www.fs.fed.us/emc/nepa/includes/sia.html) and Environmental Justice issues per Departmental Regulation 5600-2. The evaluation and resulting decision must adequately consider and address all of the social and economic impacts associated with the significant motorized access and motorized recreational closures.	NGO-CTVA-131: See response to NGO-CTVA-30.
NGO-CTVA-132	Issue: In the past 30 years, the prevalence of overweight and obesity has increased sharply for both adults and children. Between 1976–1980 and 2003–2004, the prevalence of obesity among adults aged 20–74 years increased from 15.0% to 32.9%. This increase is not limited to adults. Among young people, the prevalence of overweight increased from 5.0% to 13.9% for those aged 2–5 years, 6.5% to 18.8% for those aged 6–11 years, and 5.0% to 17.4% for those aged 12–19 years. (Reference: http://www.cdc.gov/nccdphp/dnpa/obesity/). This disturbing trend has prompted the President to promote a health and fitness initiative (http://www.whitehouse.gov/infocus/fitness/toc.html) and OHV recreation is an activity that meets the physical requirements of the President's fitness program. Recent research by the Ontario Federation of Trail Riders studied 12 off-road motorcycle enthusiasts and found that the physical exertion was on the order of 60% of VO2max, or 80% HRmax, or 9.3 METS which is slightly greater than jogging (Characterizing the Physical Demands of Off-Road Motorcycling, Executive Summary, Jamie Burr, Norman Gledhill, Veronica Jamnik, Ontario Federation of Trail Riders, February 2007, http://www.oftr.org/OFTR_Fitness_Study.pdf). While jogging is considered a very healthy activity it is not that appealing to everyone and OHVs are very popular form of recreation and physical workout. We request that the evaluation include adequate recognition of the serious physical fitness problem affecting all age groups of our population. We also ask that the tremendous value of OHV recreation for both mental and physical health benefits (equivalent to jogging) be recognized in the evaluation and used to justify an increase in motorized recreational opportunities.	NGO-CTVA-132: Outside scope of this RMP.
	Issue: Dr. Martin E.P. Seligman has identified that learned helplessness or *the belief that your actions will be futile* is an epidemic affecting the nation (page 70, ISBN 0-671-01911-2). The evaluation of social issues must also include an evaluation of conditions contributing to learned helplessness including the lack of recognition and attention to the needs of motorized recreationists and the significant social problems that result from these conditions.	
	Issue: Over the past 35 years (and it is accelerating in recent years), motorized recreationists have had to bear a disproportionate share of the negative consequences on the human environment resulting from the significant closure of motorized access and motorized recreational opportunities by federal land management actions and policies. We continue to ask for a reasonable explanation of "Why are	

NGO-CTVA

Comments

we the only ones to lose in every action?" And yet the trend of motorized closures continues at an ever increasing pace. There are tens of thousands of "Closed To All Motorized Use" signs. The time has come for the agency to place an **equal** number of the following signs:

Issue:
We believe that federal environmental justice compliance requirements as initiated by Executive Order 12898 should be applied immediately to correct the disproportionately significant and adverse impacts that motorized recreationists have been subjected to. In order to accomplish this we request that this proposed action comply with U.S. Forest Service Departmental Regulation 5600-2 (http://www.usda.gov/da/5600-2.pdf) including the DEFINITION of environmental justice provided therein:

> *ENVIRONMENTAL JUSTICE means that, to the greatest extent practicable and permitted by law, all populations are provided the opportunity to comment before decisions are rendered on, are allowed to share in the benefits of, are not excluded from, and are not affected in a disproportionately high and adverse manner by, government programs and activities affecting human health or the environment.*

NGO-CTVA-133

While some of the guidance published on environmental justice refers to specific minority and low-income populations, the intent of the guidance must be taken in a broader sense as recommended by the EPA in order to avoid discrimination or unfair treatment of any significantly impacted sector of the public. For example, motorized recreationists working full-time plus jobs and simply looking to get away and recreate in the forest on the weekends are pitted against full-time paid representatives for non-motorized interests that are visiting agency staff on a regular basis during the week. The true popularity of non-motorized recreation is not justly reflected by this influence because it is so heavily funded by foundations and grants yet the agency is subjected to this influence every day and it is influencing the evaluation and alternatives. Non-motorized interests have gained significant influence over individual and family weekend recreationists because of the advantage that paid representatives and legal counsel and legal action brings. Foundations versus individuals, families, and the working class are certainly a social and environmental justice issue that must be addressed. These and other socio-economic and environmental justice issues are obvious. The Forest Service is not exempt from the requirement to adequately address these issues in the evaluation and decision.

Responses

NGO-CTVA-133: Environmental justice was addressed in Chapter 4.

NGO-CTVA

Comments

In order to correct the disproportionately significant and adverse impacts that motorized recreationists have been subjected to we request that the proposed action comply with EPA's Office of Environmental Justice (http://www.epa.gov/Compliance/resources/policies/ej/ej_guidance_nepa_epa0498.pdf) including:

> *The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.*
>
> *The goal of this "fair treatment" is not to shift risks among populations, but to identify potential disproportionately high and adverse effects and identify alternatives that may mitigate these impacts.*

Unfortunately, the treatment of motorized recreationists does not meet the definition of fair treatment and environmental justice requirements must be complied with in order to correct the situation.

We request that the proposed action comply with the Council on Environmental Quality (http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf) recommendations in order to correct the disproportionately significant and adverse impacts that motorized recreationists have been subjected to including:

> *Thus, agencies have developed and should periodically revise their strategies providing guidance concerning the types of programs, policies, and activities that may, or historically have, raised environmental justice concerns at the particular agency.*
>
> *The Executive Order requires agencies to work to ensure effective public participation and access to information.*

NGO-CTVA-134

The cumulative negative impact of all closures on motorized recreationists are significant and warrants a revised strategy to deal with the issues surrounding this condition.

> *Agencies should recognize the interrelated cultural, social, occupational, historical, or economic factors that may amplify the natural and physical environmental effects of the proposed agency action. These factors should include the physical sensitivity of the community or population to particular impacts; the effect of any disruption on the community structure associated with the proposed action; and the nature and degree of impact on the physical and social structure of the community.*

NGO-CTVA-135

To date, all of these factors have not been adequately examined with respect to motorized recreationists and the trend of excessive motorized access and recreational closures.

> *Agencies should encourage the members of the communities that may suffer a disproportionately high and adverse human health or environmental effect from a proposed*

Responses

NGO-CTVA-134: See response NGO-CTVA-2.

NGO-CTVA-135: These factors will be further addressed & brought forward in the subsequent Transportation & Travel Management Planning processes.

NGO-CTVA

Comments

agency action to help develop and comment on possible alternatives to the proposed agency action as early as possible in the process.

NGO-CTVA-136 | Motorized recreationists have not had the opportunity to develop mitigation plans required to address the significant impact resulting from cumulative effect all closures.

When the agency has identified a disproportionately high and adverse human health or environmental effect on low-income populations, minority populations, or Indian tribes from either the proposed action or alternatives, the distribution as well as the magnitude of the disproportionate impacts in these communities should be a factor in determining the environmentally preferable alternative.

We maintain that the intent of identifying low-income populations, minority populations, or Indian tribes is simply to portray examples of affected groups. The EPA guidance included above supports this conclusion. To date, the disproportionate impact on motorized recreationists has not been a factor when determining the preferred alternative and it should be, in fact, just the opposite is occurring (our needs are being ignored).

Mitigation measures include steps to avoid, mitigate, minimize, rectify, reduce, or eliminate the impact associated with a proposed agency action. Throughout the process of public participation, agencies should elicit the views of the affected populations on measures to mitigate a disproportionately high and adverse human health or environmental effect... ...

Motorized recreationists have been affected in *a disproportionately high and adverse manner* by the significant impact that has occurred from all cumulative closures of motorized access and motorized recreational closures including actions by the Forest Service and Bureau of Land Management associated with travel planning, forest planning, watershed planning, water quality districts, wilderness study areas, research areas, timber sales, and creation of monuments, non-motorized and wildlife management areas. We are also concerned that this has occurred on lands intended by congress to be managed for multiple-uses. Multiple-uses include motorized access and motorized recreation.

The efforts to involve motorized recreationists in the process using unique methods as required by the environmental justice regulations have not happened. The process must allow for and accommodate that needs of citizens and families who, for the most part, act and live independently and are not organized to the level of environmental organizations. Thomas Mendyke, Outdoor Editor for the Independent Record made the following statement in his article on November 20, 2003 *Outdoor enthusiasts frequently find themselves at odds with big money interests. Generally speaking, people who pursue outdoor interests tend to be an independent lot. Sporting groups usually are poorly funded, loosely organized and ill-prepared to match the financial and legal power their adversaries often possess.*

The process should not allow well-organized and funded groups to take opportunities away from less-organized and funded individuals. This certainly is an environmental injustice. Moreover, the development of measures as required by environmental justice regulations to mitigate the *disproportionately high and adverse* impacts that have affected motorized recreationists has not happened.

Responses

NGO-CTVA-136: See response NGO-CTVA-2.

NGO-CTVA

	Comments	Responses
NGO-CTVA-137	We request a corrective action and over-arching mitigation plan that will undo the significant impact that all cumulative motorized access and motorized recreational closures has had on motorized recreationists over the past 35 years. We also request a monitoring program be provided by an unbiased third-party to assure that this correction occurs within our lifetime. Issue: A recent study by David Sunding, an associate professor of natural resource economics, David Zilberman, a UC Berkeley professor of agriculture and resource economics, and graduate student Aaron Swoboda to the California Resource Management Institute found that the economic impacts from designation and preservation of special plant and animal habitat areas continue to cost society hundreds of millions of dollars because of delays, court fees and opportunities forgone. Sunding's report, released Feb. 20, found that agencies had underestimated the actual economic and social impact by seven to 14 times.	NGO-CTVA-137: See response to NGO-CTVA-20.
NGO-CTVA-138	Certainly, natural resource decisions cannot and should not be made entirely on economic impacts. However, NEPA requires that both economic and environmental facts should be considered in the final land management decisions. The U.C. Berkeley study displays the fact that the full economic and social facts and impacts are not being adequately considered by the federal land management agencies. We request adequate evaluation of the economic and social impacts of this proposed action be considered in the analysis and decision-making. Additionally, we request that the cumulative negative impact resulting from inadequate evaluation of economic and social impacts in past actions are considered in the analysis and decision-making and that an adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts. Issue: We request that the analysis include an adequate benefit-cost analysis of non-motorized versus motorized trail use. This analysis should include the annual cost of the non-motorized trails per the actual and documented number of non-motorized trail user. The economic analysis should also compare the annual benefit-cost per non-motorized user versus the annual benefit-cost per motorized user if the trails and funding were used as multiple-use/motorized trails. Motorized trail users out-number non-motorized trail users at least 25 to 1 (see summary of local observations). Motorized recreationists need approximately 5 times the miles of trail per day compared to non-motorized recreationists (CBU analysis). Therefore, motorized recreationists need 125 times (25 x 5) the miles of trails as do non-motorized recreationists. However, the current allocation of resources in the forest is significantly weighted towards non-motorized and is no where near this ratio. Additionally, the allocation is moving in the wrong direction towards more non-motorized opportunities with each decision (refer to Table 2 past and current actions). An increased allocation of exclusive non-motorized trails is not a good use of the taxpayer's money. Additionally, non-motorized trails benefit a very limited number of recreationists who already have more than adequate recreational resources when compared to motorized recreationists. It is more reasonable for the decision to focus on multiple-use trail projects and invest our limited financial resources in those types of projects. The benefit-cost analysis should also recognize the significant economic benefit associated with motorized recreation. Motorized economic benefit far exceeds the economic benefit of non-motorized recreation because there are more motorized recreationists and they have a considerable	NGO-CTVA-138: See responses to NGO-CTVA-30, NGO-CTVA-33 and NGO-CTVA-62.

NGO-CTVA

Comments

investment in their recreation. Economic benefits to the local economy associated with motorized recreation include sale of OHVs, parts and service; sale of tow vehicles, parts and service; sale of camping units, parts and service; fuel; meals; motels, etc.

NGO-CTVA-139

Issue:
The positive economic impact on the economy of the area must be adequately considered in the decision-making. Arizona State Parks has prepared a good example of an economic analysis of OHV recreation for Coconino County, AZ (http://www.gf.state.az.us/pdfs/w_c/OHV%20Report.pdf). The economic impacts of OHV recreation in one county are significant with $258.3 million statewide impact and a $215.3 million impact locally that supports 2,580 jobs. Off-highway vehicle recreation activity is an immensely powerful part of the Arizona collective economic fabric, generating nearly $3 billion in retail sales during 2002 (http://www.gf.state.az.us/pdfs/w_c/OHV%20Report.pdf).This evaluation should be used as guideline to evaluate the existing and potential positive economic impacts associated with OHV recreation in the project area. Additionally, the study does a good job assessing the activities and reasons that recreationists enjoy using off-highway vehicles. Another study found that the total estimated itemized expenditures by households participating in OHV Recreation in Colorado in 2000 was $519,333,239.

Additional information on the importance of OHV recreation to the economy of the project area can be found at:

1. Gilmore Research Group, 1989, Washington DNR, Assessment of ORV impact and use in Roslyn-Cle Elum, WA.
2. Haas, Glenn et al, 1989, Colorado Sate University, Estimated CO recreational use and expenditures for OHV in FY 1988.
3. Tyler & Associates, 1990, CA DOT, A study of fuel tax attributable to OHV and Street Licensed vehicles used for recreation off-highway.
4. CA OHMVR Division , 1994, CA Department of Parks and Recreation, A 26 page study of the $3 Billion economic impact of OHV use in CA.
5. Oak Ridge National Laboratory, 1994, Federal Highway Administration, Report ORNL/TM-1999/100, Federal Highway Administration, An 80 page summary of the fuel used for OHV recreation, http://www-cta.ornl.gov/cta/Publications/Reports/ORNL_TM_1999_100.pdf .
6. CA OHMVR Division, 1991, CA Department of Parks and Recreation, A 119 page summary of the status of OHV recreation in CA.
7. Schuett, Michael , 1998, West Virginia University, 14 page report on OHV user values and demographics.
8. Motorcycle Industry Council (MIC), 1998, 20 page statistical report of motorcycle population, sales and usage.
9. Generoux, John & Michele, 1993, Minnesota DNR, 33-page report on feasibility of Iron Range OHV Rec'n Area.
10. Hazen and Sawyer, 2001; Colorado Off-Highway Vehicle CO, 144-page analysis of economic impact of OHV recreation in Colorado which is estimated at $230 million, (http://cohvco.org/economics/main.html).

Responses

NGO-CTVA-139: See response to NGO-CTVA-30.

NGO-CTVA

Comments

11. Tennessee OHV Economic Impact, A $3.4 Billion Industry, http://www.state.tn.us/environment/ohv/ohvimpacts.pdf, http://www.state.tn.us/environment/ohv/econimpact.pdf .
12. March 2003 Presentation at the National OHV Managers Meeting in Charlotte, North Carolina, http://www.etra.net/Newsletters/2003/July2003.htm.
13. Nelson, C.M., Lynch, J.A., & Stynes, D.J. 2000. Michigan Licensed Off-Road Vehicle Use and Users, 1998-99. East Lansing, MI: Department of Park, Recreation and Tourism Resources, Michigan State University, http://www.prr.msu.edu/miteim/orvspend.pdf .
14. Jonathan Silberman, PhD. The Economic Importance Of Off-Highway Vehicle Recreation, Economic data on off-highway vehicle recreation for the State of Arizona and for each Arizona County Study, Prepared by School of Management, http://www.gf.state.az.us/pdfs/w_c/OHV%20Report.pdf
15. Hazen, S. (2001). Economic Contribution of Off-Highway Vehicle Use in Colorado, Colorado Off-Highway Coalition.
16. Ingrid E. Schneider, Ph.D. and Tony Schoenecker, Graduate Research Assistant, All-terrain Vehicles in Minnesota: Economic impact and consumer profile, University of Minnesota Tourism Center, 2005. http://www.tourism.umn.edu/research/ATVReport.pdf
17. http://sundaygazettemail.com/section/News/2007062328
18. Economic Value of Off Highway Vehicle Recreation 2007-Journal of Leisure Research http://www.trailsintrouble.org/References/EconomicValueOfOHV-2007.pdf
19. Colorado Off-Highway Vehicle Coalition, www.cohvco.org , Economic Contribution of Off-Highway Vehicle Recreation in Colorado https://cohvco.org/forms/2009_Economic_Contribution_Full_Report.pdf

A common theme with the public and local and state governments has been the need for more economic development in the area and they are searching for ways to expand and enhance the local economy. OHV recreation is a significant part of the existing economy. Any reduction in OHV recreational opportunities will hurt the local economy. Additionally, the enhancement of OHV recreational opportunities in the project area will provide a badly needed enhancement of the overall local economy as well.

NGO-CTVA-140:

Issue:
There has never been an accounting of the cumulative negative impact of all motorized closures that have occurred over the past 35 years. Actions that have contributed to the significance of the cumulative negative impact on motorized recreation include millions of acres and thousands of miles of roads and trails associated with Endangered Species Act; Continental Divide National Scenic Trail; forest fires; timber harvests, forest plans; view shed plans; resource plans; watershed plans; roadless plan; creation of wildlife management areas, monuments, non-motorized areas, wilderness areas, and wilderness study areas; area closures, and last but certainly not least, travel plans. This cumulative negative impact has not been quantified and it is significant.

In order to evaluate this cumulative negative effect, an accounting of all motorized closures must be done at 5-year increments going back to the creation of the wilderness act. This accounting needs to be done on a local forest or district level in addition to statewide and regional levels. For example, loss of motorized access and motorized recreational opportunities since 1986 in our immediate area (Helena National Forest) include: 18 separate closures in the Big Belts with the loss of over 100 miles; 130 miles in other areas of the forest; closure of 191,000 acres and 75 miles in the Elkhorn

Responses

NGO-CTVA-140: BLM developed the cumulative impact assessment area based on Land Resource Regions and Major Land Resource Areas of the United States (USDA) The boundary takes into consideration land use, elevation and topography, climate, water soils potential natural vegetation that have similar characteristics to public lands administered by the WD. The cumulative assessment time line begins in 1982, currently 29 years and coincides with the dates our existing LUPs were implemented.

NGO-CTVA	Comments	Responses
	Mountains; and closure of 625,447 acres in the remainder of the forest. Both adjoining public lands and public lands further away have experienced similar trends. Therefore, the cumulative negative impact of all motorized access and recreational closures is significant. Simply, there are very few places left where motorized recreationists can recreate and yet the trend continues. This stealthy attack on motorized recreational opportunities must be acknowledged. Please quantify and consider these cumulative negative impacts and develop a preferred alternative that will mitigate the significant impact on motorized recreationists that has occurred. Issue: We are concerned that the lack of accounting for the cumulative negative impact of all forms of motorized closures over the past 35 years is an undisclosed strategy to squeeze motorized recreationists into the smallest possible area. Once this is accomplished, then the agencies will take the position that the impacts on that small area left for use is significant and everything will be completely shut down. All of the plans, strategies, actions, and evidence support this concern.	
NGO-CTVA-141	Issue: One agency cannot ignore the cumulative negative impact that another agency's actions are having on motorized access and motorized recreation. For example, the BLM cannot ignore cumulative negative impact of all of the closures that have occurred in the Helena National Forest during the evaluation of BLM projects in the area and vice versa. Issue: For the most part, adequate OHV opportunities do not exist. As OHV use becomes concentrated in smaller areas because of closures or restrictions, the frequency of encounters between motorized and non-motorized trail users increases dramatically. Resource damage can also results from use concentrated in smaller areas. Certainly with the acceptance of millions of acres of area closure by motorized recreationists, the use of the existing network of roads and trails including spurs for camping and exploring is reasonable. Additionally, we have seldom asked for any new routes and the level of use would justify many new routes.	NGO-CTVA-141: See response NGO-CTVA-2.
NGO-CTVA-142	Issue: We are concerned that the BLM and Forest Service has created unnecessary significant negative impacts on both the human and natural by their policies that seeks to close as many motorized routes and opportunities as possible over the past 30 years. The cumulative effect of this policy is to crowd motorized recreationists into a relatively small number of areas and trails such the Whitetail-Pipestone area versus widely dispersed and adequate motorized recreational opportunities. The limited opportunities and resulting concentrated use is not the best alternative for either the human or natural environment. The limited opportunities and resulting concentrated use is not equitable for the public and especially when considering that these lands are intended by Congress to be managed for multiple-uses. Issue: The public has a need for more motorized access to dispersed camping spots in the project area including access for RV's trailers, and tent camping.	NGO-CTVA-142: See response to NGO-CTVA-62.
	Issue:	

NGO-CTVA

Comments

NGO-CTVA-143

The travel management process should be initiated with the scoping process and a full and adequate evaluation of all viable alternatives. All existing roads and trails available to motorized recreationists should be used as the starting alternative for all analyses and impact determinations. Establishment of this baseline alternative is crucial to the evaluation of all proposed impacts on motorized recreationists. Time after time the alternatives presented in the travel planning process do not include a reasonable motorized alternative. This seems to be a ploy to get the public to accept less right from the start. The process is predisposed in that a minimal number of motorized access and motorized recreational opportunities are presented as the preferred alternative from the beginning when the needs of the public are just the opposite. We request that the process be restarted and that all existing roads and trails which are available for use by motorized recreationists be adequately identified as the baseline alternative.

Issue:
In an attempt to close as many existing roads and trails and possible, non-motorized interests keep trying to confuse the issues by suggesting that we are asking for illegally created trails. We are not. The term "illegal trails" is being used inappropriately. The term "illegal routes" has been used to describe historic routes that have not been included in an inventory or dropped from the inventory at some point in time. Many of the routes on public lands were created legally as part of mining activities, grazing, and before the 3-State ROD in June 2003. Many of these routes have RS 2477 status. Therefore, these types of routes were created by users at a point in time when it was acceptable and legal and it is misleading to represent it otherwise. We are asking for continued use of routes that are legitimately recognized by the agencies including those defined by the: 3-State OHV decision and route definitions (or similar definitions), RS-2477 access laws, all agency mapping including current travel plan mapping and historic and current visitor mapping. It is not fair to represent routes as "unauthorized" or "illegal" when they were created in times when it was appropriate.

Issue:
The need for more non-motorized hiking trails has not been demonstrated or documented. Non-motorized hiking trails in the project are not over-used. At the same time there is need for more motorized access and motorized recreational opportunities yet the dominant thinking within the agency is to close motorized roads and trails and increase non-motorized recreational opportunities.

We do not understand why the public's needs do not carry any weight in the process. Why is it acceptable to make decisions that fly in the face of public need? It appears to be done as conscious and organized efforts to eliminate a sector of the public from public lands. The needs of the public are being ignored in favor of a management agenda that is contrary to the needs of the public. Why are the needs of non-motorized recreationists given such priority? When it comes to assessing needs it seems that only non-motorized recreationists exist. The problem is that you will only find what you are looking for and the agency is only looking for reasons to justify more and more non-motorized opportunities and less and less motorized opportunities. The priorities for management of public land have swung to this ridiculous extreme. We request that the hidden agenda of closure of motorized roads and trails which is so contrary to the needs of the public be addressed and corrected.

Issue:

Responses

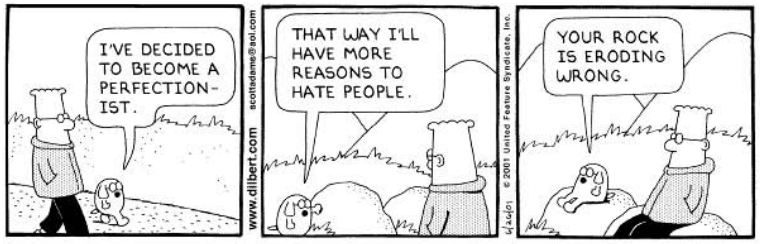
NGO-CTVA-143: Scoping was conducted for RMP in 2005. A separate scoping effort will be conducted for the Travel and Transportation Management Plan.

NGO-CTVA	Comments	Responses
	During a House Resources Committee hearing in San Diego on August 18, 2003, BLM California State Director Mike Pool, made a statement while being questioned by Congressman Bob Filner about closures of the Sand Mountain area to motorized recreationists. Mr. Pool indicated that he, as a public lands manager, is forced to manage lands to avoid litigation. (August 18, 2003. Oversight Field Hearing in San Diego, CA on Access to the California Desert Conservation District with Emphasis on the Imperial Sand Dunes Recreation Area, House Resources Subcommittee on National Parks, Recreation & Public Lands. http://www.louisdb.org/documents/hearings/108/house/house-hearing-108-88929.html) This is an often repeated example of "managing to avoid litigation." This has become a huge issue with the current management of public lands. Neither the butterfly nor the buckwheat plant is threatened or endangered at Sand Mountain. No "critical habitat" is defined or required. But the threat of appeals and lawsuits by environmental groups is real and that's what drives the decision-making. If you don't sue, you lose. In our area, 3 foundation supported environmental groups sue on nearly action. We have yet to sue. Motorized recreationists have not used lawsuits to the extent that the environmental groups have and consequently, motorized opportunities are being eliminated because they are a "lesser threat" of lawsuit and the overarching needs of the public are being ignored. This is the "new" environmental justice issue and we are listing it as an issue. Furthermore, the Forest Service represents one-half of all of the NEPA lawsuits in the United States (http://ceq.eh.doe.gov/nepa/NEPA2005LitigationSurvey.pdf). A sense of magnitude for the number of current appeals filed by environmental groups can be developed by reviewing the Forest Service appeals listing at http://www.fs.fed.us/emc/applit/appeal_decisions.htm. The system is broken because it is neither reasonable nor equitable that motorized recreationists have to appeal and take legal action in order to get a fair decision.	
NGO-CTVA-144	Issue: As documented in the previous comment, nearly all multiple-use actions on Forest Service and BLM lands are challenged and stopped by lawsuits filed by environmental groups. Therefore, the only significant actions occurring on multiple-use lands are travel management plans which eliminate multiple-uses (public access and recreation). This combination of circumstances (whether it is an intentional strategy or not) is effectively converting multiple-use lands to defacto wilderness lands. The cumulative effect of these circumstances on multiple-uses has not been adequately addressed in any evaluation to date and we request that such as evaluation be address as part of this project.	NGO-CTVA-144: See response NGO-CTVA-2
NGO-CTVA-145	Issue: Pursuing environmental perfectionism is not an equitable goal for management of public lands. "The pursuit of perfectionism often impedes improvement" (George F. Will). The unyielding pursuit of environmental perfection could ultimately lead to radical changes in environmental laws and reduced public support for protection of the environment. It is important that a fundamental difference in doctrines be recognized. We believe that public lands are here for us to enjoy and use responsibly for the large number of purposes. The underlying doctrine of the extreme environmentalists on the other hand is that humans are intruders on and have no place in the natural environment. Expecting any or all of the public to be required to live with the consequences of uncompromising environmental perfectionism is an unreasonable expectation and it must be recognized as such. Additionally, the expectation of a static environment is unnatural. Ecosystems have been changing since the beginning of time and they should be expected to continue to change	NGO-CTVA-145: See response to NGO-CTVA-51.

NGO-CTVA

Comments

and adapt at both micro and global levels. We are equally concerned about protection of the environment but we request the pursuit of a reasonable and practical course of action, which will do more to protect the environment in the long-term. We request that the impacts associated with the pursuit of environmental perfectionism on the human environment be evaluated and that the cumulative negative impact of environmental perfectionism on the human environment be adequately considered.



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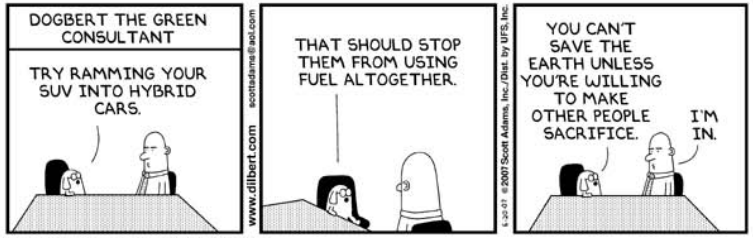

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NGO-CTVA-146

Issue:
There is a shortage of dispersed camping areas along all of our motorized routes. This can be confirmed by going out on any holiday weekend and trying to find a camp spot. In order to meet the needs of the public, camps spots and access to them must not be closed because of access and/or

Responses

NGO-CTVA-146: Management of dispersed recreation is addressed at D-R 6.2. The proposed RMP delineates 4 special recreation management areas (SRMAs) and how they will be managed at D-R 8.1. Many of the SRMAs include OHV use as primary activities within the SRMA. Camping, and access to camping, will be addressed in a site-specific recreation management plan.

NGO-CTVA

Comments

Responses

sanitation concerns. There are ways to mitigate any access concerns. Sanitation concerns can be addressed by constructing vault toilets or limiting camping to self-contained camping units which are the most poplar means of camping now. Additionally, campers that are not self-contained can be required to pack wastes out by using porta-potties or similar devices.

NGO-CTVA-147

Issue:
In order to conserve energy, adequate motorized recreational opportunities are needed within a short distance of the cities and towns in our area. In order to conserve energy, we request that all reasonable OHV routes within short distance of urban areas be developed and that urban OHV trail heads be developed where ever public right-of-way allows access to public land. The motorized trails and trailheads developed by the City of Boise (http://www.ridgetorivers.org/)are a good example of how motorized trails and connections can be incorporated into an urban situation.

NGO-CTVA-147: See response to NGO-CTVA-62.

Issue:
The evaluation and decision-making must also take into account that millions of acres of public land near the project area are designated national parks, monuments, wilderness and non-motorized areas where motorized access and recreation is not allowed or severely restricted. Therefore, the project area includes a significant number of non-motorized recreational opportunities that can be quantified in many ways including acres, miles of trails, an infinite number of miles of cross-country travel opportunities, and acres per visitor. At the same time motorized access and recreation is limited to a relatively small corridor and network of roads and trails. We request that the difference in visitor use between designated wilderness/non-motorized/exclusive-use lands and multiple-use lands be acknowledged and adequately addressed in the evaluation. We also request a motorized recreation alternative with a recreation opportunity spectrum (ROS) comparable to the surrounding ROS available for non-motorized recreationists be adopted as the "proposed action".

NGO-CTVA-148

Issue:
We request a starting proposal that is based on all of the existing roads and trails available to the public. The process is required by NEPA to be neutral and a neutral process would include the fair presentation of all reasonable alternatives including all existing roads and trails plus new motorized opportunities required to meet the needs of the public. Why isn't this reasonable alternative being presented? We are concerned that the process is manipulating the public to believe that an entirely reasonable alternative based on existing roads and trails cannot be considered. Again, the process is predisposed towards closures right from the start and this is neither right nor equitable.

NGO-CTVA-148: The Transportation and Travel Management Plan process will consider a reasonable range of alternatives, including existing OHV use areas and trails.

NGO-CTVA-149

We request the full and fair disclosure of this information to the public. The starting benchmark could be considered deceptive. NEPA requires adequate disclosure of the potential impacts of a proposed action as stated in CEQ Sec. 1500.1 Purpose. *Most important, NEPA documents must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail. It shall provide full and fair discussion of significant environmental impacts and shall inform decisionmakers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment. Agencies shall focus on significant environmental issues and alternatives and shall reduce paperwork and the accumulation of extraneous background data. Statements shall be concise, clear, and to the point, and shall be supported by evidence that the agency has made the necessary environmental analyses.* These requirements have not been met. We request that these deficiencies be addressed by developing a starting benchmark alternative that identifies all of the existing roads and trails

NGO-CTVA-149:Impacts of proposed alternatives were addressed in Chapter 4 of the Draft RMP/EIS. The "starting benchmark" would be addressed through the Transportation and Travel Management Plan process.

NGO-CTVA	Comments	Responses

available to motorized recreationists including non-system routes and those falling under some undefined definition of "unusable" and those additional routes required to meet the needs of the public.

NGO-CTVA 150

Issue:
The evaluation needs to distinguish the difference in trail requirements and impacts between atvs and motorcycles and use that difference to justify keeping more single track trails open to motorcycles.

NGO-CTVA-150: Impacts of OHV use will be further addressed & brought forward in the subsequent Transportation & Travel Management Planning processes. Regarding differences between trail requirements and impacts between ATVs and motorcycles, this will be further addressed through the Transportation and Travel Management process.

NGO-CTVA 151

Issue:
Well-funded and organized non-motorized groups have systematically attacked and reduced economic and recreational opportunities associated with multiple-use of public land by ordinary citizens. This attack has included the introduction of an unreasonable expectation into all NEPA and land management processes. This unreasonable expectation is built around the concept that non-sharing of public lands is acceptable and that conversion of multiple-use public lands to non-motorized, narrow-use or defacto wilderness lands is acceptable. Non-motorized special-interests do not use the existing roads and trails as much as the public uses them for motorized access. Non-motorized special-interests simply do not want anyone using them or want to share them with anyone else. This is not a reasonable expectation, it is inequitable to the public and these unreasonable expectations must not be rewarded any further. It is not acceptable to reward people who seldom or never use a road or trail and allow them to shut out those that use them frequently.

NGO-CTVA-151: See response to NGO-CTVA-51.

NGO-CTVA 152

The endorsement of this unreasonable expectation by agency actions has significantly impacted multiple-use opportunities on public lands and the public in general. The cumulative negative impact of this unreasonable expectation is significant. Adequate recognition of this trend and mitigation must now be implemented in order to counter the inequities that have been created by allowing this unreasonable expectation to have so much influence on our land use decisions.

NGO-CTVA-152: See response NGO-CTVA-2. BLM is required to manage for multiple use in accordance with FLPMA.

NGO-CTVA 153

Issue:
For the most part, the existing levels of roads and trails have acceptable natural environmental impacts because of the dispersed level of use that it allows. Mitigation can be implemented in those cases where there are environmental problems. The management trend of closure after closure is concentrating recreationists into smaller and smaller areas. The cumulative negative impact of the closure trend will either produce more impact than allowing use of the existing roads and trails or squeeze us completely out from public lands. There is also a significant public safety aspect associated with squeezing everyone into a small area as accidents will increase with too many motorized recreationists on too few routes. We request that these significant issues be acknowledged and adequately addressed. We also request that the trend of wholesale closures be reversed so that public land can be managed using the most sound natural and human environmental principles.

NGO-CTVA-153: See response to NGO-CTVA-62.

NGO-CTVA

Comments

Responses

NGO-CTVA 154

Issue:
It appears that the agencies do not want to; (1) accept or acknowledge the public need for OHV recreation, and (2) the responsibility as a public agency to provide adequate management for that recreation. OHV recreation is something that the public wants and enjoys and the agencies must get off the fence and accept the responsibility to develop OHV recreational resources and manage public lands for OHV recreation.

NGO-CTVA-154: See response to NGO-CTVA-1. OHV management is addressed in section D-R 10.2.

Issue:
The use of the name "Travel Management" for the process is deceiving the public. History has demonstrated that this is a closure and restriction process. New motorized roads or trails are seldom created by the process. When we ask visitors that we meet about the process they will either tell us; (1) that they expect the Forest Service to look out for their needs, or (2) that the Forest Service has already made up their mind on travel planning decisions and that it is pointless to participate in the process.

NGO-CTVA 155

Issue:
The maps and figures are not easily understood. There are no identifiable or named features and no road and trail numbers on the maps. It is very difficult for the public to orient themselves and to interpret the proposed action for each specific road and trail. Therefore, the public cannot adequately evaluate the proposal and cannot develop comments with reference to specific roads and trails.

NGO-CTVA-155:
Regarding maps, the BLM has furnished maps suitable for an RMP analysis.

Issue:
National Forest officials have stated that all challenging motorized roads and trails would be eliminated due to their concerns about hazards on those routes. For many of us, these are the very routes that we consider to have the greatest recreational value. Again, this is another example of predisposition and discrimination. Discrimination is to make a choice, a distinction. We all make choices, every day. Discrimination becomes illegal when choices made limit the possibilities of some groups or some individuals. Other forest visitors and their recreation opportunities are not subjected to this criterion. For example, this concern has never been used to limit the opportunities for hunters, fisher folks, woodcutters, equestrians, river floaters, campers, hang gliders, rock climbers, hikers, skiers, anyone driving anywhere in the forest, etc. We request that this unreasonable and discriminatory criterion be dropped immediately from the process and that the process be restarted without this criterion.

Issue:
The cumulative negative impact of multiple-use and motorized recreational closures (in acres of unrestricted area, miles of roads and trails, and recreational opportunities) by all past decisions including plans, and the creation of wildlife areas, wilderness, wilderness study areas, roadless areas, monuments, national parks and non-motorized areas has not been adequately recognized and it is significant. We have not seen the agencies tabulate the amount of motorized recreational opportunity lost during the past 35 ± years. Additionally, most of the past actions that have involved motorized closures have not included a comprehensive route inventory. Therefore, many motorized closures have occurred because the routes were not identified during the process and the process ended with a closed unless posted open conclusion. We have experienced the significant cumulative

NGO-CTVA **Comments** **Responses**

loss first hand. We estimate that today's motorized recreational opportunities are less than 50% of the level available in 1970.

Table 2
Partial list of Current and Immediate Past Actions With
Significant Cumulative Impact on Multiple-Use/Motorized Recreation

Route Designation process (all forest on a fast track schedule)
All past, ongoing, and future Forest Service Travel Plans (http://www.fs.fed.us/recreation/programs/ohv/) (hundreds of actions).
All past, ongoing, and future BLM Resource Management Plans and Planning (hundreds of actions)
Rocky Mountain Front legislation December 2006
United States Court Of Appeals for the Ninth Circuit
No. 01-35690 D.C. No. CV-96-00152-DWM
All Resource Management Plans and Planning Actions
(inter-agency) Grizzly Bear Recovery Plan
(inter-agency) ICBEMP
(inter-agency) Northern Rockies Lynx Amendment
(inter-agency)3-States OHV Strategy
B-DNF Norton Creek Trail Relocation
B-DNF Cataract Creek Road and Trail Closures
B-DNF Continental Divide Trail near Jackson, MT
B-DNF Whitetail Pipestone Travel Plan
B-DNF Forest Plan Update
B-DNF Analysis of the Management Situation
B-DNF Continental Divide trail near Feely
B-DNF Continental Divide trail near Whitetail-Pipestone
B-DNF Social Assessment
B-DNF Mussigbrod Post Fire Roads Management
B-DNF Trail #313 and Mormon Gulch Closure
B-DNF & BLM Flint Creek Watershed Project
Big Horn NF Forest Plan Revision
BLM Vernal Field Office RMP
BLM Monticello Field Office RMP
BLM Richfield Office RMP
BLM Blaine County Recreation and Travel Plan
BLM 6 RMPs in Western Oregon
BLM Price Field Office RMP
BLM Owyhee Travel Management Plan
BLM All existing management plans and travel plans
BLM Owyhee Management Plan
BLM Blackleaf Project EIS
BLM Dillon Resource Management Plan
BLM Headwater Resource Management Plan
BLM Arizona Strip Travel Plan
BLM Bruneau Resource Area Travel Plan
BLM Escalante Grand Staircase Monument
BLM Missouri Breaks Monument
BLM Moab Resource Management Plans
BLM National OHV Strategy
BLM National Mountain Biking Strategic Action Plan
BLM San Rafael Travel Plan
BLM Sleeping Giant Travel Plan
BLM Whitetail/Pipestone Rec. Management Strategy
BLM Lake Havasu RMP
BLM Sustaining Working Landscapes Initiative
BLM Rocky Mountain Front Scenery Evaluation Project
BLM Kanab Resource Management Plan
BLM Miles City Resource Management Plan
BLM Price Resource Management Plan
Bitterroot National Forest Travel Plan
Bitterroot NF Fire Salvage EIS
Bitterroot NF Post-fire Weed Mitigation EIS
Bitterroot NF Sapphire Divide Trail
Bitterroot NF Forest Plan Revision
Boise NF Mountain Home RD Travel Plan
Bridger-Teton NF Travel Plan
Caribou NF Travel Plan
Clearwater NF Travel Plan
Custer National Forest Beartooth RD Travel Plan
Custer National Forest Sioux RD Travel Plan
EPA Tenmile Creek Watershed Plan
Flathead NF Robert Wedge Post Fire Project
Flathead NF West Side Reservoir Post Fire Project
Flathead NF Forest Plan Revisions
Flathead NF Moose Post Fire Road Closures
Flathead NF Spotted Bear Road Closures
Flathead NF Spotted Bear Travel Plan
Gallatin NF 2002 Travel Plan Update
Helena NF Whites Gulch Closure
Helena NF Figure 8 Route Closure
Helena NF Blackfoot Travel Plan
Helena NF Blackfoot Water Quality Plan
Helena NF Cave Gulch Fire Salvage Sale
Helena NF Clancy-Unionville Plan
Helena NF North Belts Travel Plan
Helena NF North Divide Travel Plan
Helena NF Noxious Weed Plan
Helena NF South Belts Travel Plan
Helena NF South Divide Travel Plan
Helena NF Continental Divide National Scenic Trail
Humboldt Toiyabe Travel Plan
Humboldt Toiyabe NF Charleston-Jarbidge Road
Humboldt Toiyabe NF Spring Mountains NRA
Kootenai NF Bristow Restoration Project
Kootenai NF McSwede Restoration Project
Kootenai NF Forest Plan Revisions
Lolo NF Forest Plan Revision
L&CNF Little Belt Travel Plan
L&CNF Judith Restoration Plan

NGO-CTVA

Comments

L&CNF Rocky Mountain Front Travel Plan
L&CNF Snowy Mountain Travel Plan
L&CNF Travel Plan update
Mt Hood National Forest Travel Plan
Wallowa-Whitman NF Travel Plan
Wasatch-Cache NF Logan Ranger District Travel Plan
Montana State Wolf Plan
Montana State Trail Grant Program PEIS
Montana State Trail Plan PEIS
Montana FWP Statewide Outdoor Recreation Plan
Nez Perce NF Designated Routes and Areas
Nez Perce NF Travel Plan Revisions
NPS Salt Creek Road Closure
NPS Yellowstone Winter Plan (snowmobile closure)
NPS Glen Canyon NRA ORV Management Plan
Payette NF Travel Plan Revisions
Rogue Siskiyou NF Travel Plan
San Juan National Forest Travel Plan
Sawtooth NF Travel Plan Revisions
Shoshone NF LRMP
USFS Continental Divide National Scenic Trail (http://www.fs.fed.us/r2/trails/cdnst/)
USFS All existing forest plans and travel plans
USFS National OHV Policy and Implementation
USFS Forest Plan Amendments for Grizzly Bear Habitat Conservation Greater Yellowstone Area
USFS Grizzly Bear Forest Plan Amendments Selkirk/Cabinet/Yaak areas
USFS National Strategic Plan 2003 Update
USFS Roadless
USFS Roadless Rule II
USFS Roads Policy
USFS Open Space Conservation Strategy and Implementation Plan
USFS National Land Management Plan Revisions
USFWS Bull Trout Recovery Plan
USFWS Westslope Cutthroat Trout ESA
USFWS CMR National Wildlife Refuge Road Closures
USFWS Sage Grouse Plan
USFWS Rocky Mountain Front Conservation Easements
Central Idaho Economic Development and Recreation Act (CIEDRA)
National Landscape Conservation System Act - S. 1139
Northern Rockies Ecosystem Protection Act HR 1975

Now imagine the 3 inch document that goes with each action and the involvement required to participate in the scoping process, review of draft EIS and comments, review of final EIS and comments, and review of the record of decision. It is simply impossible to keep up with. The motorized closure movement has the upper hand given the process and volume of actions and is effectively eliminating motorized access and motorized recreation at an astounding rate.

The projects listed in Table 2 have typically proposed to or have reduced motorized recreation from 20% to 100%. Additionally, each time an action involving travel management is updated it typically closes another 20% to 50% to motorized access and motorized recreation. The cumulative negative effect of past actions has contributed to a reduction in motorized access and motorized recreational opportunities over the past 35 ± years that is greater than 50%. The magnitude of the cumulative effect of the motorized closure trend must be identified and evaluated as a significant impact on motorized visitors.

NGO-CTVA-156

We request an adequate evaluation of the significant cumulative loss in miles, acres, and quality of motorized recreation and access opportunities within public lands as required under 40 CFR 1508.7 and 1508.25, and guidelines published by the Council on Environmental Quality "Considering Cumulative Effects Under the National Environmental Policy Act". Table 2 is provided as a starting point of the projects that need to be considered as part of that evaluation.

Issue:
Because of the large number of projects affecting the public (Table 2) and the limited amount of time that individuals have including most working class citizens, agencies can not expect the level of public participation to be high. This does not justify taking recreation opportunities from the public including working class citizens.

Issue:

Responses

NGO-CTVA-156: See response NGO-CTVA-2

NGO-CTVA

	Comments	Responses
NGO-CTVA-157	The forest, watershed and viewshed planning process tends to influence motorized access and motorized recreation in an undisclosed manner that is deceiving the public. For example, forest plans, watershed plans and view shed plans such as the Helena National Forest Plan, Beaverhead-Deerlodge National Forest Plan, Little Blackfoot River Watershed Plan, Tenmile Creek Watershed Plan and Scenery Evaluation Plan for the Rocky Mountain Front often set management goals for areas that will ultimately result in the elimination of motorized recreation yet motorized recreationists are unaware that these actions will ultimately affect them. This back door process does not meet the NEPA requirement for adequate public disclosure of the impacts of the proposed action. Adequate public disclosure in these cases would require direct means of communication with motorized recreationists to inform them of the potential changes that will result from the respective plan. This process of non-disclosure has been used to effectively eliminate many motorized access and motorized recreational opportunities and contributes to the cumulative negative impact of closures on motorized recreationists. We request that the cumulative negative impact of past planning actions on motorized recreationists be adequately evaluated and considered during the decision-making process.	NGO-CTVA-157: Impacts of management actions to recreation have been analyzed in section 4.3.3. This analysis has been made available to the public through public review of the Draft RMP/EIS.
NGO-CTVA-158	Issue: If allowed to continue the trend of closure after closure of motorized access and motorized recreational opportunities will result in an extremely limited number of motorized access and motorized recreational opportunities. If allowed to continue to that end as proposed by current management schemes, motorized access and motorized will become so concentrated that the impacts on natural resources will become significantly greater than the alternative of continuing to allow a reasonable level of motorized access and motorized recreation on all multiple-use lands. We believe that it is time that this trend to terminate motorized access and motorized recreation on public be evaluated. We request that the trend of cumulative closures, the cumulative negative impacts associated with that trend and the reasonable alternative of maintaining the existing level of motorized access and motorized recreation must be adequately addressed. We also request that the proposed action include an adequate mitigation plan to compensate for the significant impact from the cumulative effect of all past actions that have affected motorized access and motorized recreationists.	NGO-CTVA-158: Existing recreation and OHV areas were analyzed under Alternative A. See also responses to NGO-CTVA-20 and NGO-CTVA-62.
NGO-CTVA-159	Issue: Motorized visitors are continually losing significant recreational opportunities by conversion of multiple-use areas to non-motorized areas. We are greatly concerned about the cumulative negative impact associated with the reduction of multiple-use and OHV recreation opportunities because it is significant. We do not expect to have the freedom to go anywhere and do anything that we want. However, we are losing the basic opportunity to travel to places and experience outdoor recreation that we have enjoyed for decades. We are losing routes that fathers have taught sons and daughters and even grandchildren to ride on. People are calling us and asking where they can go to ride. What are we supposed to tell them? The continual loss of motorized access and recreational opportunities is seriously degrading the local culture and quality of life. Public land is a cultural resource and access to the project area for many uses is part of the local culture. The decision for this project must consider the impacts that any closures will have on this culture.	NGO-CTVA-159: See response to NGO-CTVA-30.
	We are opposed to any proposed action that further contributes to this cumulative negative impact on multiple-use and OHV recreationists because it is already significant. Recreation opportunities for multiple-use and OHV recreationists are being significantly reduced at a time when the need for these categories of recreation is growing. There is no reasonable justification for closing these lands	

NGO-CTVA

Comments

to multiple-uses. Management of public lands for multiple-use is the most equitable and responsive approach available to meet the needs of all citizens including motorized recreationists. We request that the evaluation and proposed action adequately address this condition and not contribute further to this cumulative negative impact because it is already having a major impact on motorized recreationists.

Issue:
The trend of closure after closure after closure after closure of motorized access and motorized recreational opportunities and the associated cumulative negative impacts of that trend is no longer acceptable without adequate mitigation. A reasonable mitigation plan must be developed for each action in order to avoid contributing to significant cumulative impacts on motorized access and motorized recreationists.

Issue:
Current land management trends are applying wilderness standards and criteria to lands intended for multiple-use. For example, total National Forest area equals 191,856,000 acres (http://roadless.fs.fed.us/documents/feis/data/sheets/acres/appendix_forest_acres.html). Total designated wilderness/protected areas equal 42,351,000 acres or 28% of the total forest area. Additionally, there are other non-motorized designations that effectively eliminate motorized access and motorized recreation in large areas of the forest.

Other designations that preclude unrestricted multiple-uses include roadless areas which total 54,327,000 acres or 22% of the total forest area. First, the rules governing identified roadless areas clearly allow motorized recreation and roadless areas currently provide many important motorized recreational opportunities. However, in practice roadless areas are managed with restrictions that severely restrict multiple-use and access of those areas by the public. Therefore, the national forest area with severe access and use restrictions totals at least 96,678,000 acres or 50% of the total forest area.

Similar trends have occurred on lands managed by the Department of Interior (DOI) which total 507 million acres which is about one-fifth of the land in the United States. Acreages managed by each Interior agency include: 262 million acres managed by the Bureau of Land Management, 95 million acres managed by the Fish and Wildlife Service, 84 million acres managed by the National Park Service, 8.6 million acres managed by the Bureau of Reclamation, and 56 million acres managed by the Bureau of Indian Affairs. Statistics summarizing acres of multiple-use and restricted-use on DOI lands are not readily available to the public, however, a significant portion of these lands have limited motorized access and limited motorized recreational opportunities. DOI should adequately disclose these land use statistics to the public including motorized recreationists as quickly as possible.

NGO-CTVA-160

Therefore, the cumulative negative effect of the pre-Columbian scheme, wilderness designations, wilderness study areas, national parks, monument designations, roadless designations, non-motorized area designations, travel management, wildlife management areas and other restrictive management designations over the past 35 ± years have restricted the public land area (USDA and DOI) available to multiple-use visitors seeking motorized access and/or mechanized recreational experiences (over 95% of the public land visitors) to less than 50% of the total national forest and public land area.

Responses

NGO-CTVA-160: Statistics regarding restricted areas and areas available for multiple use were provided to the public in the Draft RMP/EIS.

NGO-CTVA

Comments

It is not reasonable to close this area to the majority of uses. In order to be responsive to the needs of the public all of the remaining (100%) multiple-use public lands should be managed for multiple-uses including motorized access and motorized recreation. Therefore, all public lands such as those in this project area must remain open as multiple-use lands in order to avoid contributing to the significant cumulative negative effect associated with the trend of converting multiple-use lands to limited-use lands. We request that the document and decision evaluate the needs of multiple-use and motorized recreationists and adequately evaluate the cumulative negative impacts that have resulted from inadequate evaluation in past actions. We also request that an adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts.

NGO-CTVA-161

Issue:
We request that the over-arching management goals for all multiple-use public lands be to:

(1) Manage multiple-use lands for the greatest benefit to the public;
(2) Manage multiple-use lands in an environmentally sound and reasonable manner;
(3) Manage multiple-use lands in a way that avoids the pursuit of environmental extremism; and
(4) Manage multiple-use lands in a way that promotes the shared-use that they were intended for versus segregated-use or exclusive-use. Segregation has not been a goal of the federal government since the Civil Rights Act of 1964.

NGO-CTVA-162

Issue:
Sign-in kiosks are routinely provided at wilderness trailheads to record the use of wilderness areas. We have never seen an equivalent facility or program and this lack of data puts motorized recreation at a disadvantage.

Example of an unused non-motorized trail

Issue:
The cumulative negative effect of management trends over the past 35 ± years has significantly increased non-motorized recreational opportunities while motorized recreational opportunities have been significantly decreased. Non-motorized recreationists have many choices while motorized recreationists have few choices. We request that the document evaluate the significant cumulative negative effects of this trend and that the decision be based on correcting this trend in order to equitably meet the needs of motorized recreationists.

NGO-CTVA-163

Issue:
Agency staff has told us that they intend to focus on resource management issues. Issues related to the management of natural resources have received most of the attention during the evaluation while socio-economic issues surrounding motorized access and recreation are largely ignored. This lack of adequate recognition has led to the creation of significant socio-economic issues affecting the quality of the human environment for motorized recreationists. Land management agencies must acknowledge that public land has significant meaning and socio-economic value to the public. We request that all significant issues involving the human environment for motorized recreationists be adequately considered during the evaluation and decision-making process.

Issue:

Responses

NGO-CTVA-161: See response to NGO-CTVA-1.

NGO-CTVA-162: See response. NGO-CTVA-2. Signage will be addressed as part of the travel management plan (see R 10.2, last bullet).

NGO-CTVA-163: See responses to NGO-CTVA-25 and NGO-CTVA-62.

NGO-CTVA

	Comments	Responses
NGO-CTVA-164	Travel management documents have historically over-emphasized the potential positive impacts to some resource areas and under-emphasized the impacts to other resource areas both in numbers of pages devoted to a resource and in the conclusions. For example, in the Clancy-Unionville FEIS and DSEIS there are about 100 pages discussing potential positive impacts to wildlife and fisheries and less than 2 pages discussing negative impacts to motorized recreationists. This emphasis in the process has pre-determined that the human environment will be sacrificed for incrementally small benefits to some resources. The emphasis in the analysis does not reasonably consider incrementally small improvements (0-5%) to the natural environment against an incrementally significant impact (50%) to the human environment. We request that significant human environment issues involving motorized recreationists be adequately considered and weighed in the travel management process.	NGO-CTVA-164: The RMP/EIS is not a travel management document.
NGO-CTVA-165	Issue: The existing level of motorized access and recreation was developed by the community through years of involvement in direct relation to the need for motorized access and recreational opportunities. The community is accustomed and relies on this level of access and recreation. We request that the project area remain open to multiple-use and the public and that a reasonable preferred alternative be based on the existing level of motorized access and motorized recreation.	NGO-CTVA-165: Existing management was analyzed under Alternative A. The preferred alternative was developed based on a balance between resource use and resource protection. See also response to NGO-CTVA-47.
	Issue: Why use so many indirect attempts such as public meetings and open houses to gather feedback from motorized recreationists? Why not just go directly to motorized recreationists in the field and at club meetings and ask them? NEPA encourages direct coordination with the impacted public instead of a process tailor made for special-interest environmental groups.	
	Issue: The dominant direction taken by the agencies is to use the travel planning process as a process to eliminate motorized access and recreation opportunities. Instead, the travel management process should be directed to meet the needs of the public for multiple-use, motorized access and motorized recreation on public lands. NEPA requires that agencies "Rigorously explore and objectively evaluate all reasonable alternatives…." [40 CFR 1502.14(a)]. We ask that you develop a preferred alternative that preserves and enhances multiple-use interests and motorized recreation.	
NGO-CTVA-166	Issue: Managing public lands for exclusive-use by a few people or non-use is not in the best interest of the community. There are limited public lands available. We need to manage those lands for maximum communal benefit. We request that available uses of the project area be maximized as required by NEPA so that life's amenities can be enjoyed by as many people as possible.	NGO-CTVA-166: FLPMA mandates that the BLM administered land be managed for multiple uses.
	Issue: The over-arching intent of NEPA was not to eliminate humans from the natural environment as proposed by some. Instead, the intent of NEPA was to provide for a practical and reasonable protection of the natural environment while providing for a wide sharing of life's amenities. Note that NEPA specifically used the word "sharing". Sharing can only be accomplished by managing public land for multiple uses.	
	Issue:	

NGO-CTVA

Comments

The following statement on Page 117 of the Big Snowy EA is made in regards to cumulative negative effects and OHV recreation; *"It would appear that the combination of all these actions by land management agencies may have a cumulative effect on opportunities for OHV recreation. It is impossible to quantify the effect, because the Forest Service does not have a State-wide tally of number of miles of roads and trails open to OHVs. Likewise, no one has an estimate of numbers of miles of roads and trails needed to meet the demand for motorized OHV recreation."*

Page 262 of the Supplement to Big Snowy EA. *"In looking deeper into the issue of equitable opportunities, we found that the Forest Service reported 133,087 miles of trail nationally in 1996, but unfortunately there is no breakdown of how many miles of these trails are open to motorized travel versus non-motorized travel."*

Page 263 of the Supplement to Big Snowy EA. *"Region 1 of the Forest Service reports 18,024 miles of trail within just Montana. Unfortunately, none of these reports break down the information into miles of road or trail open to motorized use."*

NGO-CTVA-167

These statements in the Supplement indicate that the agency was not able to assess whether the needs of motorized recreationists are being met because data does not exist. It appears that OHV user data is not being collected because the agency does not want to quantify or recognize OHV use and popularity. Our observations of recreationists on multiple-use public lands from 1999 through 2006 (available upon request) indicate that 97% of the visitors were associated with multiple-uses involving motorized access and/or mechanized recreation. This is also consistent with the Social Assessment for the Beaverhead-Deerlodge National Forest which reported that 97.45% of the visitors to Region 1 in year 2000 enjoyed recreation opportunities found in multiple-use areas.

These statements also indicate that the agency was not able to assess the cumulative negative impacts on motorized access and recreationists because data does not exist. This lack of information is a significant reason why motorized recreationists are suffering such significant reductions in recreation opportunity. Because data does not exist, agencies cannot quantify the individual and cumulative negative impacts of each motorized access and recreation closure on motorized recreationists. This lack of data and consideration is being used to the advantage of non-motorized interests because the agency is not recognizing the significant need for multiple-use opportunities including motorized access and motorized recreation.

If the present trend continues for a few more years, the loss of motorized access and recreation will be so significant that the collection of meaningful data will be precluded because motorized opportunities will be largely eliminated and motorized visitors will be permanently displaced (absent from public lands). Based on our observations, we estimate that motorized access and recreation opportunities have been reduced by at least 50% since the 1960's by the significant cumulative negative effect of wilderness designations, wilderness study areas, national parks, monument designations, roadless designations, non-motorized area designations, travel management, wildlife management areas and other restrictive management designations.

Motorized visitors are continually losing significant recreational opportunities by conversion of multiple-use areas to non-motorized areas. This is a significant impact that has occurred cumulatively by a process of thousands of individual closures. The lack of data does not justify imposing a significant impact on motorized recreationists. We request that this cumulative negative impact be addressed by the collection of data and the fair evaluation of the need for motorized

Responses

NGO-CTVA-167: See response to NGO-CTVA-56. OHV use data was identified and updated in Table 3-37. According to the table, OHV has the largest number of dispersed recreational activity participants.

See response to NGO-CTVA-25.

NGO-CTVA	Comments	Responses
	access and motorized recreation. Additionally, we request that an adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts.	
NGO-CTVA-168	Issue: Mailings and telephone interviews as done in past studies do not accurately locate the people visiting public lands. Our field observations of trail use in multiple-use areas and the Social Assessment for the Beaverhead-Deerlodge National Forest have found that over 97% of the visitors were associated with multiple-uses that involved motorized access and/or mechanized recreation. We request that effective methods be developed to involve and account for motorized access and mechanized recreationists.	NGO-CTVA-168: See response to NGO-CTVA-56.
	Issue: There was considerably more human activity in the project area during the period from 1870 to 1940 when mining, logging, homesteading, ranching, and pioneer activity was high. Therefore, there is considerably less human activity and human-caused impact now than during any period in the last 130 years. We request that this trend be in included in the analysis. This trend also contributes to the cumulative negative impact of less access and less use of public lands that has become significant. We request that the decision-making reverse the trend of less access and less use of public lands by including an adequate mitigation plan as part of this action to compensate for past cumulative negative impacts on motorized recreationists.	
	Issue: Motorized recreation is recognized as the fastest growing activity on federal lands yet recreation opportunities for motorized recreationists are always being reduced. In order to be responsive and fair to the public, there should be, at the very least, no net loss of motorized recreational opportunities associated with travel management plans. Moreover, in order to be responsive to this growing public need, the travel management plan should allow for growth and enhancement of motorized recreational opportunities.	
NGO-CTVA-169	Issue: National Forests and BLM lands are effectively being managed as "National Forest Park" or "limited-use" or "exclusive-use" areas because of the volume of lawsuits filed by environmental groups. This is contrary to the needs of the public who enjoy or depend on lands managed for multiple-uses including motorized access and motorized recreation. The concepts of "Multiple-Use" and the "Land of Many Uses" need to be restored as envisioned by the first Forest Service Chief, Gifford Pinchot who directed that "…. National Forest lands are managed for the greatest good for the greatest number of people…". This is no longer the case and, consequently, the Forest Service no longer has any credibility with the public. We request that the document address restoration of these concepts and steps be taken to restore reasonable multiple-use management and decision-making to public lands.	NGO-CTVA-169: See response to NGO-CTVA-1.
	Issue: A CNN poll (available upon request) asked the question "Do you think off-road vehicles (ORVs) should be banned from unpaved areas of natural forest land?" and found about 15% said yes and 85% did not think ORVs should be banned. A poll taken by Backpacker magazine (http://www.backpacker.com/poll/0,3189,,00.html) found that out of 21,000+ responses 96% of the respondents answered "yes" to the question "Should off-road vehicles be allowed in national parks?"	