

Friends of Allegheny Wilderness seeks to foster an appreciation of wilderness values and benefits, and to work with local communities to ensure that increased wilderness protection is a priority of the stewardship of the Allegheny National Forest.

January 25, 2017

Tracy Ridge Project
USDA Forest Service
Allegheny National Forest
Bradford Ranger District
Attention: Rich Hatfield
29 Forest Service Drive
Bradford, PA 16701

Dear Mr. Hatfield,

This comment letter from the Warren-based non-profit organization Friends of Allegheny Wilderness (FAW) is submitted in response to the Environmental Assessment (EA) for the proposed Tracy Ridge Shared Use Trails and Forest Plan Amendment Project (hereinafter the "Project") outlined in documents dated December 22nd, 2016, and released to the public – surreptitiously at the 11th hour before Christmas break – on Friday afternoon, December 23rd, 2016.

INTRODUCTION

As you know, FAW's *Citizens' Wilderness Proposal for Pennsylvania's Allegheny National Forest*, including the 9,700-acre proposed Tracy Ridge Wilderness Area (pages 36 through 38), received the support of 6,800 commenters – more than 80 percent of all comments received – on the Allegheny National Forest (ANF) Draft Forest Plan during the most recent Forest Plan revision. The *Citizens Wilderness Proposal* is hereby incorporated into this comment letter in full by reference.¹

FAW and the *Citizens' Wilderness Proposal* also have the formal support of 50 local, regional, state-wide, and national conservation organizations representing hundreds of thousands of Americans. Further, 70 Pennsylvania scientists with Ph.D.s in biology, forestry, ecology, economics, and related fields have formally signed on to a letter to Congress advocating for the *Citizens' Wilderness Proposal*.²

It can be seen that FAW has substantial interest in commenting on significant actions affecting important portions of the ANF such as Tracy Ridge. The Eastern Wilderness Areas Act of 1975 (EWAA) legislated that "...in the more populous eastern half of the United States there is an *urgent need* to identify, study, designate, and preserve areas for addition to the National Wilderness Preservation System" [emphasis added]. Further, as the U.S. Forest Service's own sociological surveys of Americans' feelings about wilderness demonstrate, the stakeholders for wilderness on our federal public lands are

¹ A PDF of the document can be viewed online and downloaded here
<http://www.pawild.org/pdfs/CitizensWildProp.pdf>

² This science letter we incorporate in full by reference into this comment letter:
<http://www.pawild.org/pdfs/fawscienceletter1611.pdf>

copious. Nor are they all by any means “users” or would-be “users” of wilderness. The Forest Service-identified “legacy value” and “existence value” both outrank any value that requires that one physically be in a designated wilderness area to experience it. Those are of course values such as “knowing that my children and grandchildren will have the opportunity of wilderness,” and the value of “simply knowing that the wilderness is there as wilderness.”

The Project is inappropriate, unnecessary, irresponsible, and should not go forward. The ANF neglected its responsibility to consider all required Project factors, leading to its hasty and ill-informed decision to issue a Finding of No Significant Impact (FONSI) rather than performing a full Environmental Impact Statement (EIS). Without a full EIS, it is impossible to sincerely evaluate the potentially irreversible effects that opening the proposed Tracy Ridge Wilderness Area trails to mountain biking would have. After raising serious concerns with the Proposal in our comment to the Project’s Scoping document, regrettably, the ANF again failed to adequately address the issues raised by concerned wilderness advocates in its issuance of its EA.

Because of the ANF’s failure to take a serious look at the significant impacts that mountain biking will have, considering the unique wild character of Tracy Ridge, the decision to issue a FONSI was arbitrary and capricious. The EA fails to adequately address concerns about conflicts and public safety; erosion concerns; potential disturbances to sensitive species; threats to the national treasure North Country National Scenic Trail (NCT); threats from motorized recreation; and the possibility of permanently barring Tracy Ridge from consideration for wilderness designation under the Wilderness Act of 1964.

In addition to the technical deficiencies in the EA, the Project’s proposal and management shows inherent bias towards the interest of mountain biking groups, a disregard for the concerns of conservation groups like the FAW, and marked unprofessionalism that threatens to damage the reputation and character of the ANF among many of its staunch and stalwart supporters. This bias is often referred to as “confirmation bias,” which Science Daily defines as “a phenomenon wherein decision makers have been shown to actively seek out and assign more weight to evidence that confirms their hypothesis, and ignore or underweigh evidence that could disconfirm their hypothesis.” The ANF’s whole process on this proposed Project, from its inception, to the Scoping documentation, to the current EA, is rife with blatant confirmation bias.

FAW is not unilaterally and unreasonably opposed to mountain biking, and was is pleased to have worked in the past with representatives of the International Mountain Bike Association, Northern Allegheny Mountain Bike Association, and Pennsylvania Kinzua Pathways. FAW is happy to see their long-sought plans for a state-of-the-art 40-mile-plus Epic mountain bike trail network destination in the ANF now operational.

FAW and our supporters were happy to endorse the Jake’s Rocks Epic Mountain Bike Trail Project. Having a high-quality, appropriately designed and engineered, environmentally-friendly destination built specifically to withstand the rigors of constant bicycling will benefit the mountain biking community, and can help alleviate the problem of illegal mountain bike trespass elsewhere in the ANF where the use is not allowed – such as within designated and proposed wilderness.

With regard to the current Project however, providing mountain biking opportunities in the ANF should not include expropriating the existing popular footpaths of Tracy Ridge, and in the process degrading one of last remaining wild areas of the forest. Therefore:

- Due to the context and severe impacts of the proposed Project, and the fact that a formal amendment to the 2007 ANF Forest Plan is being sought, a full EIS in accordance with the National Environmental Policy Act of 1969 (NEPA) must be prepared for the Project.
- Following the careful considerations of the findings of a full EIS, the 2007 ANF Forest Plan should not be amended to allow mountain biking at Tracy Ridge.

- The 2007 ANF Forest Plan should be amended to establish the entire 9,700-acre proposed Tracy Ridge Wilderness as a Wilderness Study Area (Management Area 5.2).

I. THE ANF'S FAILURE TO PREPARE A FULL ENVIRONMENTAL IMPACT STATEMENT WAS ARBITRARY AND CAPRICIOUS

The Forest Service has an obligation to consider the quality of the human environment in its decision making under the National Environmental Policy Act ("NEPA"). 42 U.S.C. §§ 4331.³ In order to fulfill that obligation, the Forest Service is required to prepare an EIS for any substantial commitment of resources having a significant effect on the human environment, or an EA for any project which the agency determines does not require an EIS. While the agency has initial discretion on deciding whether or not to complete a full EIS, that decision is subject to judicial review.⁴ The Supreme Court established the arbitrary and capricious standard of review when evaluating an agency FONSI in *Marsh v. Oregon Natural Resources Defense Council*, 490 U.S. 360 (1989). In determining whether a decision was arbitrary and capricious, a court must consider "whether the decision was based on a consideration of relevant factors and whether there has been a clear error of judgement." *Id.* at 377. After reviewing relevant statutory and decisional law, past practices of the Forest Service, and the content (or lack thereof) of the Project EA, it is clear the ANF has failed to meet their burden under the NEPA, and, therefore, the agency must reevaluate the proposal and complete a full EIS.

a. The ANF failed to account for factors influencing the intensity of the impacts of mountain biking

When preparing to take action that will impact the environment, the Forest Service is required to consider both the context and intensity of an action in order to determine if the action's environmental effects would be significant.⁵ The regulations under § 1508.27 provide further guidance on what the Forest Service must take into account when making this determination, including (1) unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas; (2) the degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks; (3) the degree to which the action may adversely affect...or may cause loss or destruction of significant scientific, cultural, or historical resources; and (4) the degree to which the action may adversely affect an endangered or threatened species that has been determined critical under the Endangered Species Act. 40 C.F.R. § 1508.27(b). While these topics are nominally present on the final pages of the EA, it is clear that the ANF did not take care in considering these factors.

Relevant observations and superlatives formally documented about Tracy Ridge by ANF personnel in their 2006 wilderness evaluation document⁶ include:

"The majority of the area appears natural and untrammelled."

³ The Forest Service's policies regarding NEPA compliance are codified at 36 C.F.R. §§ 220.1-220.7

⁴ See *Marsh v. Oregon Natural Resources Defense Council*, 490 U.S. 360 (1989).

⁵ See *Delaware Dep't of Nat. Res. & Envtl. Control v. U.S. Army Corps of Engineers*, 685 F.3d 259, 270 (3d Cir. 2012)

⁶ Tracy Ridge Roadless Area Evaluation, Forest Service, 2006, <http://www.pawild.org/pdfs/TracyRidgeEvaluation2006.pdf>

"There are approximately 31 miles of hiking trails which include the North Country National Scenic Trail and the Tracy Ridge trail system. Approximately 5 miles of the Tracy Ridge trail are also a designated National Recreation Trail."

"The Tracy Ridge area is entirely forested and all forest is considered mature or greater than 50 years of age."

"Mountain bike use on designated trails within the area is prohibited as per Forest Supervisor closure order."

"Two types of trail users can be found, the long distance hiker or backpacker which hikes between trailhead locations and may camp along the way, and the day-use hiker who hikes a portion of a trail to access the Reservoir, a vista or one of the boat-to campgrounds."

"Tracy Ridge is characterized by steep rugged terrain leading to high plateau uplands set in a wooded landscape intermixed with streams and continuous forest cover."

"The scenic integrity of Tracy Ridge is high."

"The area has a large component of late successional forest habitat, especially in comparison to the remaining Forest which reflects the high importance of Tracy Ridge in achieving habitat conservation goals for a variety of wildlife including neotropical birds as well as less mobile species such as reptiles, amphibians and small mammals."

"The most significant characteristic of the Tracy Ridge area lies in the predominance of mature forest conditions, combined with the remote, undisturbed nature of the area."

"Tracy Ridge provides optimum habitat conditions for species that are sensitive to human disturbance, as well as species that require large blocks of mature forest habitat such as the bald eagle, great blue heron, red-shouldered hawk, black bear, northern goshawk and bobcat."

"Due to the proximity to the Allegheny Reservoir, the remote nature of the area and the presence of superior white pine trees that are preferred for nesting, the Tracy Ridge area provides some of the most desirable bald eagle nesting habitat in the Forest."

*"Tracy Ridge is considered occupied Indiana bat habitat. The bald eagle (*Haliaeetus leucocephalus*) also occurs within the Tracy Ridge area....eagles have been observed roosting along the western boundary of the area adjacent to the Allegheny Reservoir. Suitable habitat for the Northern long-eared bat (*Myotis septentrionalis*) occurs throughout the Tracy Ridge area."*

"Designation as wilderness would benefit those species seeking remote, undisturbed habitats and those that benefit from a mature, continuous forest."

"There is a mix of opportunity for solitude and serenity, self-reliance, adventure, challenging experiences, and primitive recreation in Tracy Ridge."

"Tracy Ridge has high potential to provide the wilderness attributes and values appropriate for wilderness designation."

"There are few places on the Forest that offer as high quality scenery, natural integrity and wide scale ecosystem function as Tracy Ridge. The presence of a significant old tree component enhances the scenic quality of the area for potential wilderness."

- b. The question of mountain biking at Tracy Ridge has already been decided. In 1993, ANF personnel embarked on a major trail analysis for Tracy Ridge to

determine which trails could be upgraded, and, importantly, it was also asked whether mountain biking should be allowed in the area. During the subsequent public comment period, essentially everyone who wrote in supported the ANF's efforts to maintain the Tracy Ridge hiking-only trail system – including the NCT – for hiking use only. All of the major hiking groups opposed mountain bike use in the area.

The ANF agreed with the abundant public comment that they received on this project, and ruled mountain biking on the Tracy Ridge hiking-only trails untenable:

<http://www.pawild.org/pdfs/TracyRidgeDecisionMemo61094.pdf>

ANF Bradford District Ranger Stanley Kobielsky wrote in his June 10, 1994 decision notice (linked to above and incorporated in to this comment letter in full by reference) that the “soils and topographic conditions of the area will not support equestrian and mountain bike use...the channeling effects of tire tracks would create additional erosion problems. These effects could be mitigated but not without extensive shoring up of our sideslopes and hardening of the tread with additional surfacing material. These actions would be expensive, are likely to change the character of certain trail segments, and would add additional maintenance costs to the system. I also believe that adding...mountain bike use to the existing trail system would increase the number of user contacts, which in turn, would adversely effect the Recreation Opportunity Spectrum, (ROS), class of semi-primitive non-motorized, (SPNM). Such changes would not be acceptable. Based on these factors, equestrian and mountain bike use will be prohibited on designated trails within...Tracy Ridge.”

As was well-documented in 1994, mountain biking at Tracy Ridge was unacceptable then, and the same is true today. Nothing has changed in that regard. To suddenly suggest anything differently is arbitrary and capricious. Certainly, the above dictates that at the very least a full EIS must be prepared for the Project.

i. Tracy Ridge has unique characteristics, including proximity to wild and scenic rivers and ecologically critical areas.

The EA (page 39) in responding to the law's requirement that these factors be considered, states with characteristic apathy that the proposal will not “impact any historical/ cultural resources, parklands, farmland, wetlands, wild and scenic rivers, or ecologically critical areas.” This statement is not only incorrect, but represents a misunderstanding of the requirement under the Forest Service regulations, which require the ANF to consider the unique character of the land impacted by the proposal, not just whether or not it is in proximity to one of the listed features.

To begin with, it is clear that Tracy Ridge is unique in its wilderness character, not only in the context of the ANF, but in the context of the entire United States. Only two percent of the continental U.S. land base is protected as wilderness under the Wilderness Act,⁷ making land with the roadless, primitive character of Tracy Ridge incredibly unique. Federal Courts have held impact statements to be inadequate where they have failed to recognize the unique character of pristine wilderness in evaluating environmental impacts.⁸ Also, Tracy Ridge is located approximately 10 miles up-river from a portion of the Allegheny River classified as a

⁷ See Wilderness Designation FAQs, The Wilderness Society, <http://wilderness.org/article/wilderness-designation-faqs>

⁸ See *Sierra Club v. Kimbell*, 595 F.Supp.2d 1021 (D. Minn 2009), *aff'd* 623 F.3d 549 (8th Cir. 2010).

Wild and Scenic River.⁹ Tracy Run, a stream located within the Project area, feeds directly into Allegheny River north of the Wild and Scenic segment. The EA makes no mention of any potential impacts this may or may not have, presumably because the ANF does not know and has not investigated this possibility.

Both the National Park Service and the North Country Trail Association have adopted policies encouraging local managers to prohibit bicycling except when the NCT is: (1) specifically designed for wheeled vehicles, (2) where the bikes would not damage part of the NCT route, (3) where bicycles could be physically restricted to the designated section, and (4) where bicycle use would not adversely affect the recreational experience of hikers. These conditions generally are not found on the typical, single-track, forested and rural segments of the NCT.

Since the NCT now approaches being a sacred cultural resource beloved by thousands on par with the legendary Appalachian Trail to most hikers of this area, it is both an historical and cultural resource similar to National Wild and Scenic Rivers. There is no signage that will discourage exuberant mountain bikers from the enthusiastically exploring the trails beyond the point where they are supposed to turn around. Encouraging bicycle access to the area that the ANF itself acknowledges in the EA will impact the NCT challenges the FONSI with regard to cultural and historical resources.

ii. Tracy Ridge provides habitat for federally endangered species

As formally documented in the aforementioned 2006 Tracy Ridge wilderness evaluation, Tracy Ridge "...has a large component of late successional forest habitat, especially in comparison to the remaining Forest which reflects the high importance of Tracy Ridge in achieving habitat conservation goals for a variety of wildlife including neotropical birds as well as less mobile species such as reptiles, amphibians and small mammals."

The evaluation goes on to document the fact that Tracy Ridge provides high quality habitat for the federally endangered Indiana bat (*Myotis sodalis*), bald eagles (*Haliaeetus leucocephalus*), northern long-eared bats (*Myotis septentrionalis*), great blue herons (*Ardea herodias*), red-shouldered hawks (*Buteo lineatus*), black bears (*Ursus americanus*), northern goshawks (*Accipiter gentilis*), and bobcats (*Lynx rufus*).

In addition, the 2007 ANF Forest Plan states that essentially the entire Tracy Ridge area could potentially contain habitat for the federally endangered small whorled pogonia (*Isotria medeoloides*): "...small whorled pogonia is present, but populations have not been documented on the ANF"¹⁰ (page 3 of Appendix B of the Forest Plan). The EIS prepared for the Project must consider in detail potential impacts to all of the above listed species at Tracy Ridge, and many others, including a wide variety of neotropical migratory songbirds. Potential impacts to all threatened, endangered, sensitive, and all other species must be fully analyzed.

The EA baselessly asserts that there will be no ground disturbance as a result of the proposal and therefore no loss, fragmentation, or alteration of habitat would occur.¹¹ First and foremost, it is important to recognize that ground disturbance is not the only potential avenue for impacting wildlife at Tracy Ridge. As the Forest Service itself recognizes in its "Tread Lightly!" campaign, mountain bikers also have a greater potential to frighten and stress a variety of animals than hikers, especially when they travel at high speeds and ride aggressively.¹² Man-made noise can reduce

⁹ See Pennsylvania, National Wild and Scenic Rivers System, <https://www.rivers.gov/pennsylvania.php>

¹⁰ See 2007 ANF Forest Plan, Appendix B, page 3.

¹¹ EA, page 25.

¹² Tread Lightly! Mountain Biking Guide, p. 6

quality of natural experience and continued exposure can cause chronic stress to wildlife.¹³

There are also admissions in the EA itself that ground disturbance *will* occur.¹⁴ Since the ANF admits that disturbance will occur, the assessment necessarily must include an analysis of those potential impacts. The EA itself provides no scientific records or details on the plants and wildlife present in the Project area, but refers to a “complete biological evaluation/assessment” in the project record (EA page 25).

The Biological Assessment (BA) that was prepared for the EA is wholly inadequate to ascertain the effects to threatened, endangered, sensitive, and all other species of concern. It is obvious that no in-depth analysis was performed, and that standard boxes such as “no impact” and “no suitable habitat,” etc. were simply rotely ticked off and the BA rubber-stamped for the purpose of helping to get the Project approved. This cursory BA was obviously just a simplistic protocol to help justify the premade decision to approve the Project. This is further evidenced by the stark contrast between the EA prepared for the Jake’s Rocks Project submitted by the ANF in 2014, which included a Biological Assessment, Biological Evaluation, and a Wildlife Report, which collectively span over 60 pages, compared to the eight-page BA prepared for the Tracy Ridge Project.

The BA also should have been included in the documentation that went out to the full public, automatically accompanying the EA and the EA cover letter, as they were when the ANF released the EA for the Jake’s Rocks Project. Members of the public should not have had to make a special request to acquire the BA. The reason the ANF did not do this is because they are aware of the stark inadequacy of the BA, and so wanted to minimize its visibility to the public because they are aware of this acute vulnerability to their predecided Project.

iii. The effects of mountain biking on Tracy Ridge, including threats to public and ecological health, are highly uncertain.

1. Ecological impacts

The ANF admits in the EA that scientific study of the effects of mountain biking is inconclusive, and thus its effects, particularly in the Tracy Ridge area specifically, are unknown. Erosion is bound to occur on any established trail, even when used by hikers alone.¹⁵ The distinction between hiking on foot and mountain biking through trails is not the type of degradation, but the severity. As mentioned above, there is limited reliable data on the impact of mountain biking on trails, and studies have yielded conflicting results. A study observing the biophysical changes surrounding a new bike trail were observed by one researcher in Wisconsin, who concluded that soil and vegetation underwent a period of rapid change when the trail first opened, but that the change soon tapered off, with the most important factor influencing trail impacts being slope.¹⁶

The most recent study found significant impacts related to erosion from skidding, linear rut development, systematic addition of technical trail surfaces, and additional unauthorized creation of informal trails.¹⁷ Breaking and sliding activities

¹³ Id. at 9.

¹⁴ See EA p. 27, “Soil disturbance may increase to some degree,” “Mountain bikes may cause some soil erosion when they use excessive skidding or when they make sharp turns”).

¹⁵ See Comparing hiking, mountain biking and horse riding impacts, p. 552.

¹⁶ Bjorkman, A.W., 1998. Biophysical Impacts on and User Interactions with Mountain Bicycle Off-road Trail Corridors. PhD Dissertation. University of Wisconsin, Madison.

¹⁷ Davies, C., Newsome, D., 2009. Mountain Bike Activity in Natural Areas: Impacts, Assessment and Implications for Management. In: A Case Study from John Forrest National

loosen track surfaces, displaces soil down slopes and create ruts, berms, or cupped trails.¹⁸ Tire tracks are continuous and therefore form ruts and long rills through which water can flow, exacerbating erosional losses.¹⁹ Riding wet and muddy trails causes ruts to appear and ruts can lead to more damage as users try to avoid them by moving to the side, which widens the trails or causes multiple trail ruts.²⁰ All of these impacts are unique to mountain biking.

Informal trail development is also a problem observed by researchers studying mountain bike biophysical impacts.²¹ In one study, researchers measured a 2.54 kilometer informal trail network.²² Informal trails are created by bikers looking for a more challenging ride, to create a short cut, or to connect to other existing trails.²³ The tendency of mountain bikers to create informal trails or to ride on trails designated for hikers only is an important consideration at Tracy Ridge because of the interconnected trail system that exists in ANF.²⁴ While the Proposal opens up about 12.5 miles of the trail to mountain bikers, those bikers are arguably even more likely to ride straight onto existing prohibited trails connected to the proposed multi-use trails than they would be to forge informal trails. This is exacerbated by the fact that several of the trail cut-off points for use by bikes involve steep slopes that would likely be attractive to mountain bikers.

According to one study, impacts vary depending on the style of riding on the trails, which further confounds the reliability of the little data that does exist regarding trail impacts.²⁵ More aggressive riding styles such as downhill riding, free riding, and dirt jumping tend to be more damaging than the cross-country style that is typically slower paced.²⁶ The ANF appears to dismiss the consideration of aggressive riding techniques. In one breath the ANF claims the need for the Project at Tracy Ridge is to provide a more “backcountry” riding experience with less uniform trails (page 20 of the EA), and in the next the ANF assures us that mountain bikers won’t go off-trail because they prefer the easiest path to travel. (page 27 of the EA). Every assumption in the Project is made to skew the conclusions in favor of opening the trails to mountain bikes. Either the ANF is completely ignorant to the actual practices of mountain bikers or its statements are deliberately disingenuous and misleading.

In the Scoping document for the proposed amendment to the Forest Plan, the ANF cites an inability to maintain the Tracy Ridge trails.²⁷ Studies have shown that mountain bikers prefer to bike on meticulously maintained trails, and that in order to keep bikers interested in riding the trails, decision makers should be prepared to spend public funds on trail maintenance and develop a plan for additional spending on trail

Park, Western Australia. Sustainable Tourism Cooperative Research Centre Report, Griffith University, Gold Coast.

¹⁸http://researchrepository.murdoch.edu.au/2637/1/mountain_bike_activity_in_natural_areas.pdf, p. 6

¹⁹ *Id.*

²⁰ Tread Lightly! Mountain Biking Guide, p. 3

²¹ See Comparing hiking, mountain biking and horse riding impacts, p. 555;

<https://www.imba.com/resources/research/trail-science/environmental-impacts-mountain-biking-science-review-and-best-practices>

²²http://researchrepository.murdoch.edu.au/2637/1/mountain_bike_activity_in_natural_areas.pdf, p. 6

²³ <https://www.imba.com/resources/research/trail-science/environmental-impacts-mountain-biking-science-review-and-best-practices>

²⁴ See Tracy Ridge Hiking Trail System map

²⁵ *Supra* note 13 at 7-8

²⁶ *Supra* note 13 at 7-8

²⁷ See Tracy Ridge Shared Use Trails and Plan Amendment Project Scoping Document, USDA, Forest Service, p. 4

assessments and monitoring in order to obtain the necessary resource protection benefits for users.²⁸ The ANF believes that volunteers from local organizations interested in biking will relieve them of the responsibility they now have to upkeep the trail for hikers, but the EA provides no concrete evidence of that pledge for support.²⁹

2. Invasive Species

Another important impact that was essentially overlooked by the ANF in the EA is the potential for invasive species proliferation. Bikes have potential to operate as significant seed vectors.³⁰ Over 505 species of seeds can be transported over long distances on vehicles, only to be deposited in new and foreign ecosystems.³¹ It is the ANF's stated purpose with this Project to make the ANF a destination for mountain bikers.³² This could draw mountain bikers from across the country who will bring their bikes and ride the trails in Tracy Ridge. With no way to monitor whether or not bikers have properly washed their bikes and removed any residual seeds from a previous ride elsewhere, the Tracy Ridge area will be susceptible to the unwitting transfer of invasive species and/or extensive weed growth deep into the interior of the proposed Tracy Ridge Wilderness Area.

However, on page 25 of the EA, in the "Alternative 2- Proposed Action: Native Plants and Non-Native Invasive Plants," brief mention is made of invasive species potentially increasing due to increased use and that the situation "will be treated accordingly." Due to the Proposal's heavy reliance on the rationale that Forest Service budgets are already too thinly spread to focus on trail maintenance at Tracy Ridge (page 3 of the EA), it logically and unavoidably follows that adding the expense of invasive weed management on top that burden should itself be enough to disqualify the Proposal from proceeding further.

3. Motorized Mountain Bikes

The phenomenon of motorized mountain biking is growing rapidly. These machines are commonly referred to as "e-bikes."³³ Please see the below footnoted

²⁸ Siderelis, Christos; Naber, Michael; Leung, Yu-Fai The Influence of Site Design and Resource Conditions on Outdoor Recreation Demand: A Mountain Biking Case Study, *Journal of Leisure Research*, 42; 4, p. 10 (of pdf, original pagination unknown) (2010)

²⁹ See Tracy Ridge Shared Use Trails and Plan Amendment Project Scoping Document, USDA, Forest Service, p. 4

³⁰ Mount A, Pickering CM. Testing the capacity of clothing to act as vector for non-native seed in protected areas. *Journal of Environmental Management* vol 18, no. 2:239-256 · September 2009, p. 241

³¹ Id. 246

³² Tracy Ridge Shared Use Trails and Plan Amendment Project Scoping Document, USDA, Forest Service, p. 4

³³ https://www.youtube.com/watch?v=Nk5ZkY2n_sY; E-bikes - Fad Or Future? ("We definitely saw a lot of e-bikes popping up. We even saw the first e-bike mountain bike race. They look exactly like mountain bikes, but with an electric assist motor"; "I could see where this [mountain bikes having motors] could be a big change eventually"; "I do see us starting to follow the same trends that have happened in Europe. In the last five years the e-mountain bike scene has really taken off across Europe. We're starting to see those same kinds of indicators here in the U.S."; "We're working to gain more trail access for e-mountain bikers...and give them access to trails that they may not have had access to before."); <https://www.electricbike.com/stealth/>; Stealthy Electric Bikes; For the Discreet and the Cheaters ("In the name of discretion, for those who do not want to stick out when you ride your E-bike, here are the motor kit set ups that are least likely to make you a sore toe while you are among your pedaling counterparts. If you have a desire to be stealthy on your

examples substantiating this observation, and give careful thought to the implications for the ANF. Neither the Scoping documentation or the EA has done so.

With the advent and exploding growth in popularity of motorized mountain bikes, this even further eliminates the possibility of allowing mountain biking on the non-motorized Tracy Ridge trails (and therefore trespass on the NCT). Because it is nearly impossible to distinguish stealth motorized mountain bikes from traditional mountain bikes, allowing any mountain biking at all is tantamount to allowing motorcycles and four-wheelers on the Tracy Ridge trails – motorized is motorized. The skyrocketing growth in use of motorized mountain bikes and their inevitable use on the hiking-only trails at Tracy Ridge cannot be ignored when performing an EIS for the Project.

The EA acknowledges (page 35) that in the eyes of the Forest Service “e-bikes are considered a motorized vehicle, and, therefore, prohibited on non-motorized trails.” Forest Service documentation proves that it is impossible for Forest Service law enforcement officials to distinguish regular human powered mountain bikes from increasingly popular motorized e-bikes without closely inspecting each machine.³⁴ Therefore, it *necessarily* follows that *all* mountain bikes must be prohibited from *all* non-motorized trails in the ANF. This means not only the entire hiking trail system at Tracy Ridge, but all other non-motorized trails in the ANF as well.

But the ANF arbitrarily asserts that such a prohibition would “not tenable or realistic.”

4. Public Safety Impacts

The EA admits (page 15) that scientific research overwhelmingly demonstrates that “hikers report a diminished experience when encountering bikes on trails,” that “introducing another user group to the Tracy Ridge trail system will undoubtedly increase the potential for user conflict on the trail system,” and that “the shared use proposal would increase the risk of undesirable hiker/bicycling interactions.”

On October 25, 1993, Hugh Downing of the Keystone Trails Association wrote to the ANF: “I especially support your proposal to exclude mountain bike use of the trails in this area for the reasons that you set forth plus the concerns for safety that would arise with bicycles using what are already high-traffic foot trails. There would be inevitable physical contact and possible injuries...”³⁵

On October 27, 1993, North Country Trail Association board of directors representative Glenn Oster wrote to the ANF: “You stated that bicycles and horses will not be permitted on the Tracy Ridge, Johnnycake and North Country Trails....I sincerely hope that you continue to maintain that position....In addition to trail damage, we also encounter trail use conflicts...trail bikers get psyched up by the challenge of terrain and ride dangerously fast. The encounters are not pleasant....I know I express the sentiments of most hikers in the following organizations in which

E-bike you are not alone.”); This Electric Mountain Bike Will Make You a Believer (<http://www.outsideonline.com/2090891/electric-mountain-bike-will-make-you-believer>); With Specialized’s new Turbo Levo FSR Comp 6Fattie, the e-mountain bike has finally come of age, *Outside Magazine*, June 15, 2016 (“So it’s a trail bike at heart. Just one with electric benefits. Aside from the glowing green LEDs indicating charge levels and output settings, there is little indicating this Turbo is anything but a typical mountain bike.”)

³⁴ U.S. Forest Service’s briefing paper on motorized e-bike machines, <http://pawild.org/pdfs/EBikesBriefingPaper.pdf> (“Forest Service law enforcement staff have expressed concerns regarding enforcement of designations for e-bikes with regard to distinguishing e-bikes from non-e-bikes and identifying different types of e-bikes.”)

³⁵ <http://www.pawild.org/pdfs/HughDowningTracyRidge102593.pdf>

I am active: American Hiking Society, American Youth Hostels, Appalachian Trail Conference, North Country Trail Association.”³⁶

No backcountry hiker wants to be in the middle of their hike with their young and vulnerable children, enjoying the serenity and solitude of Tracy Ridge, only to have several mountain bikers rounding a bend and bearing rapidly down on them. Advocating that mountain bikes have access to the hiking-only trails at Tracy Ridge is a singularly irresponsible threat to public safety. The EIS for the Project must fully analyze potential user conflicts and threats of harm to hikers from the “shared use” of having to contend with mountain bikers on historically hiking-only trails.

iv. There is substantial dispute about the nature and effect of the Project.

The ANF claimed in their FONSI statement that there is no “scientific controversy” associated with the Project to warrant consideration.³⁷ This term “scientific controversy” is not a legal term of art, and was likely an attempt to dissuade commenters from arguing that the Project is, in fact, controversial. The legal standard for controversial in terms of NEPA requirements is “a substantial dispute” as to “the size, nature, or effect” of the action.³⁸ As articulated in detail above, there is a substantial dispute about how the Project will affect Tracy Ridge due to conflicting data on the effects of mountain biking and a complete lack of any data related specifically to mountain biking at Tracy Ridge. There is also a dispute, discussed below, as to whether or not allowing mountain bikes would permanently prohibit a wilderness designation for the area in the future.

II. OPENING THE TRACY RIDGE TRAILS MAY PERMANENTLY BAR A WILDERNESS DESIGNATION

To allow mountain biking on the hiking trails of the proposed Tracy Ridge Wilderness Area could be an irreversible permission for mechanized and motorized use that would moot the potential for future wilderness designation. This would be a shame for all Pennsylvanians, since the ANF contains the only federal public lands that presently qualify as wilderness under the Wilderness Act (although there may be some potential for a small wilderness area designation or two under the Wilderness Act on Erie National Wildlife Refuge lands – but nothing that approaches the size and majestic wildness of Tracy Ridge).

Failure to properly protect the wilderness character of the Tracy Ridge area and instead to proceed with the Project will pre-empt the prerogatives of Congress should members of the Pennsylvania Congressional delegation determine that public support warrants introduction and consideration of wilderness preservation legislation as the most appropriate long-term protection for the abundant natural values and quiet, non-mechanized, non-motorized recreational enjoyment of the area.

The ANF ignored its own rules regarding compliance with NEPA, codified under 36 C.F.R. § 220.5. Section 220.5(a) lists classes of Forest Service activities normally requiring

³⁶ <http://www.pawild.org/pdfs/GlennOsterTracyRidge102793.pdf>. Also see *Hiker treated for injuries after confrontation with mountain biker in Terra Linda open space*, February 27, 2015, <http://www.marinij.com/article/NO/20150227/NEWS/150229813>; and *Hiker injured in crash with cyclist on trail near Danville*, June 17, 2015 <http://danvillesanramon.com/news/2015/06/17/hiker-injured-in-crash-with-cyclist-on-trail-near-danville>

³⁷ EA, page 39.

³⁸ *Society Hill Towers Owners' Ass'n v. Rendell*, 210 F.3d 168 (2000) (quoting *Hanly v. Kleindienst*, 471 F.2d 823, 830 (2d. Cir. 1972).

an EIS, and includes “proposals that would substantially alter the undeveloped character of a roadless area or potential wilderness area.” Tracy Ridge is both a formally recognized “inventoried roadless area,”³⁹ and has been formally considered for wilderness designation under the Wilderness Act. Rather than taking special care when considering what impacts The Proposal would have on the Tracy Ridge and performing a full EIS as required by law, the Forest Service dismissed commenters concerns about the Proposal’s impact on future wilderness designation, claiming it was “unclear” how opening the trails to mountain bikes would impact the area’s candidacy for protection. While the ANF insists over and over again that mountain biking will not alter the character of the Tracy Ridge area, any mention of the area’s unique characteristics is conveniently excluded.

Protecting wilderness in America’s federal public lands under the Wilderness Act is every bit as vital and relevant today as it was when Pennsylvania conservationists Howard Zahniser of Tionesta and The Wilderness Society, and Representative John P. Saylor of Johnstown, shepherded the bill to fruition in the U.S. Congress more than 50 years ago. The Act established America’s National Wilderness Preservation System (NWPS) for present and future generations to use and enjoy, and has applied to the ANF since the moment President Lyndon Johnson put pen to paper and signed this landmark legislation into law on September 3rd, 1964.

Efforts to see wilderness protected in Pennsylvania date back to the early 1970s when members of the Pennsylvania Chapter of the Sierra Club began researching the wilderness possibilities for the ANF. Pennsylvania Senators Hugh Scott and Richard Schweiker subsequently supported the Sierra Club’s efforts by including 30,000 acres of the ANF within the Senate version of the EWAA, which ultimately designated more than 200,000 acres of 14 eastern national forests as part of the NWPS.

One notable area that the Sierra Club identified for wilderness preservation, and that our Senators then supported, was the sprawling 9,700-acre undeveloped roadless tract located along the eastern shore of the Allegheny Reservoir known as Tracy Ridge. Cloaked by a remarkable unbroken maturing forest of hemlock, white pine, and hardwoods, it is the largest and perhaps the most obvious wilderness candidate area in the ANF. It contains dozens of miles of hiking-only trails, including a nine-mile segment of the NCT – a national scenic trail like the legendary Appalachian Trail.

Regrettably, to this day Tracy Ridge still lacks the wilderness protection that it so richly deserves. No management or developments have occurred in the area since the Sierra Club’s 1973 proposal – meaning, axiomatically, that through the inevitable process of natural succession the area has grown only more wild and untrammelled in the intervening 40-plus years, and therefore nothing but increasingly qualified for wilderness designation under the Wilderness Act.

The ANF claims that is it “not clear” how allowing mountain bikes on the hiking-only trails at Tracy Ridge would jeopardize its potential consideration for a wilderness designation under the Wilderness Act of 1964. It is quite clear – mountain bikes are prohibited in wilderness areas. Under the Wilderness Act, mechanized transport is not permitted within Wilderness areas. 16 U.S.C. § 1133(c). While bicycles are not mentioned by name in the Act itself, the Act separates “motorized” and “mechanized” transport, indicating Congress’s intent that the prohibition extend beyond merely motor vehicles like cars, all terrain vehicles, and snowmobiles. Acting on this reasoned interpretation of the language in the Act, the Forest Service has also explicitly excluded bicycles in its own Forest Service Manual. Under Chapter 2320 – Wilderness Management, the Forest Service defines “mechanized transport” as “any contrivance for moving people or material in or over land, water, or air, having moving parts, that provides a mechanical

³⁹ See Inventory of Roadless Areas as designated under the 2001 Roadless Rule, USDA, http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5433333.pdf

advantage to the uses that is powered by a living or nonliving power source, including...bicycles...."

The Bradford District Ranger knows very well that implementation of the Project would enormously complicate our ability to have Tracy Ridge designated as wilderness. He further knows that he himself would be an outspoken opponent of wilderness designation for Tracy Ridge, and would use every shifty bureaucratic agency trick in the book to help prevent that from happening, specifically to retain mountain bike use in that area once it has been established.

Furthermore, substantially noticeable human imprint resulting from previous off-road vehicle trail use has, in fact, been cited as a reason to deny wilderness designation under the Wilderness Act.⁴⁰

III. THE ANF FAILED TO SEEK MEANINGFUL INPUT FROM WILDERNESS ADVOCATES WHILE OPENLY COURTING MOUNTAIN BIKING GROUPS

The EA states that "after initial discussions with local mountain biking groups, a proposal was received from the Northern Allegheny Mountain Biking Association and the Western New York Mountain Biking Association," which led to the proposed Project.

By contrast, however, Bradford District Ranger Rich Hatfield has stated: "There's a citizens' group (FAW) that has proposed this area [Tracy Ridge] for wilderness, but that doesn't mean too much to us. *We don't manage the land according to an advocacy groups' recommendations* [emphasis added]." — ANF Bradford District Ranger Rich Hatfield, *The Bradford Era*, August 6, 2016⁴¹

So the ANF evidently feels at liberty to speak out of two sides of their mouth, where one advocacy group — mountain bikers — has their full and undivided attention. At the same time, the ANF has arbitrarily given themselves permission to dismiss wilderness advocacy groups and our concerns out of hand.

The ANF has disqualified the Project from the beginning, as no forethought has been given to any other consideration than mountain biking on the hiking-only trails of Tracy Ridge. Effectively no input from any other user groups was solicited on this project idea, just mountain bikers. It is obvious that the ANF predecided sometime in mid-to-late 2015 that establishing mountain biking at Tracy Ridge was to be singularly pursued.

"Twenty years ago, bikes were prohibited on the Tracy Ridge trail system. There is a thick file here – the reasons provided were user conflicts and erosion. I'm not sure that user conflict is much of an issue today – use on the trail system is fairly low. As to erosion, most of the trails are ridgetop and some were re-routed/established in the 1990s to minimize resource impacts. The reality today is that the trail system is underutilized and minimally maintained by the Forest Service. There is a bike group in Bradford that is preparing a proposal." –Personal correspondence from Bradford District Ranger Rich Hatfield to FAW executive director Kirk Johnson, informing him that the Project was underway, October 19, 2016.

Bradford District Ranger Rich Hatfield, who started in his post in early summer 2015, said that he recognized that the Tracy Ridge area, off of Rt. 321, "wasn't getting a lot of use. The trail system didn't appear to get a lot of use. Maintenance from the Forest Service was just not happening (and I) didn't see that changing any time soon. We don't maintain our trails a whole lot." With that as a background, Hatfield said he "started talking to local mountain biking groups" about "areas they're interested in." He then encouraged the groups to put together a

⁴⁰ National Parks Conservation Association v. US Dept. of the Interior, 835 F.3d 1377 (11th Cir. 2016)

⁴¹ http://www.bradfordera.com/news/tracy-ridge-bike-trail-proposal-causes-contention/article_6e7b75d0-5b7d-11e6-934f-63985bb00509.html

proposal. – ANF Bradford District Ranger Rich Hatfield, *Warren Times Observer*, February 15, 2016

"After discussions with local mountain biking groups last year, I received a proposal to open some trails to shared use (see attached map)." –ANF Bradford District Ranger Rich Hatfield, Tracy Ridge Shared Use Trails and Plan Amendment Scoping Letter, July 15, 2016

This whole endeavor of attempting to ram through mountain biking on the Tracy Ridge trails is a waste of taxpayer dollars. With a more objective posture, including sincerely soliciting substantive input from wilderness advocates from the very beginning, a more suitable, less contentious portion of the ANF than Tracy Ridge could have been identified for additional mountain biking trails. Instead, the ANF predetermined the result of the Proposal. And courts are clear – agency action that is predetermined is plainly arbitrary and capricious.⁴²

IV. THE PROJECT DOCUMENTATION RELIES ON UNSUBSTANTIATED REASONING

As in the "scoping" documentation from last summer, the EA repeatedly claims (page 2 and elsewhere) that the Tracy Ridge trail system is "underutilized" by hikers. The Tracy Ridge hiking-only trail system always has been, is now, and always will be extremely popular as a hiking and backpacking destination. There has been no decline in use by hikers, and the ANF has provided no significant data to back up their patently specious claims. There is not even the smallest kernel of validity to claims that the Tracy Ridge trail system is "underutilized" by hikers.

The claims have been fabricated because the ANF started with the assumption that they wanted to establish mountain biking at Tracy Ridge, and so backward-engineered rationale as to why that activity is suddenly "appropriate" at Tracy Ridge.

The EA cites some cursory usage data (where last summer's Scoping documentation cited none), evidently collected during the late summer and early fall of 2016 – fully a year after the ANF predecided that mountain biking was to go forward at Tracy Ridge. This, coupled with the assertion that it is the "professional opinion" of the ANF that the hiking trails at Tracy Ridge are "underutilized" by hikers is unconvincing and wholly inadequate rationale to use to permanently establish mountain biking at Tracy Ridge.⁴³

According to last summer's Scoping document, and the EA, a primary justification for opening the hiking-only trails at Tracy Ridge to mountain biking appears to be that it would give bikers the opportunity to ride over a "rooty / rocky uneven tread." This too is unconvincing logic to use to justify the sacrifice of wilderness values at Tracy Ridge and the degradation of this special Keystone State wildland.

In the Scoping document it was repeatedly claimed that "mountain biking has very limited trail options available on the Forest," yet details more than 100 miles of trails available for mountain biking at Rocky Gap, Willow Creek, Morrison, Tanbark, and Hearts Content. (The Marienville and Timberline ATV trails were arbitrarily left out just because they lie on the ANF's Marienville Ranger District.) All of these trails have roots and rocks to ride over. It's a forest. Roots and rocks are ubiquitous.

The Scoping document discusses the 40-mile-plus Jakes Rocks Epic Mountain Bike trail, which is already in use and actively under construction. Also, there are thousands of miles of logging roads spider-webbing across the ANF that are available for mountain biking. There is not even the smallest kernel of truth to the assertion that mountain

⁴² See *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989) (The agency must take a "hard look" at the environmental consequences of proposed actions utilizing public comment and best available scientific information. The hard look standard ensures the agency did a careful job a fact gathering and otherwise supporting its position.)

⁴³ EA, page 33.

biking has limited trail options on the ANF. There is no need to open the hiking-only trails at Tracy Ridge to mountain biking.

On page 17 of the EA under “Issue #2 - How would the shared use proposal affect the Forest’s ability to provide various trail / recreation opportunities?” the ANF states: “Some commenters remarked that with the Jakes Rocks trail system under construction, additional mountain bike trails are not needed. Currently, ten miles of trails are constructed at Jakes Rocks (out of 45 miles approved for construction). Funding for the full build out is not yet secured.”

This is false. In a December 22nd, 2016 article in the *Warren Times Observer* newspaper, Jim Decker, executive director of the Warren County Chamber of Business and Industry was quoted as saying: “We’ve been getting some very generous contributions,” regarding phase two of the Trails at Jake’s Rocks. The Trails at Jake’s Rocks have received a \$100,000 donation from the Community Foundation of Warren County. With \$100,000 in hand, many of miles of trails should be able to be built at Jake’s Rocks. According to their Facebook page, organizers are planning to build 10 miles a year. They have enough money to build 10 miles in 2017 and have made a dent into building 10 more in 2018. There is no evidence anywhere to lead anyone to believe anything other than the full 46-mile Jake’s Rocks Epic Mountain Bike trail will be completed in a reasonably short amount of time. Certainly the waiting period will be nowhere near long enough to justify *permanently expropriating* the cherished hiking trails at Tracy Ridge for mountain biking.

Solely for the purposes of the EA and trying to get the Project approved, the ANF is disingenuously trying to make it appear as though completion of the Jake’s Rocks Trail project is somehow tenuous and doubtful when in fact they know that the Jake’s Rocks project has tremendous community support (including the support of FAW) and financial backing. The purpose of doing this is to try to project on the public through the power of suggestion that putting mountain bikes on the trails at Tracy Ridge is a somehow urgent task needed to give mountain bikers a place to ride, when in fact the Project is unnecessary and superfluous.

Since (according to the International Mountain Biking Association) there are 1,716 miles of mountain biking trails in Pennsylvania, but only 13 miles of federally designated wilderness hiking trail in the Commonwealth (at the ANF’s Hickory Creek Wilderness Area), formally allocating the Tracy Ridge area to be a Wilderness Study Area would more adequately serve Pennsylvanians and others in this under-represented category.

V. THE PROJECT PUTS THE INTEGRITY OF THE NORTH COUNTRY NATIONAL SCENIC TRAIL AT RISK

The EA admits (page 23) that “the shared use trail proposal would increase the potential for bike trespass on to the NCT [North Country National Scenic Trail],” and that under the project “the potential remains for bikes utilizing the NCT.”

The EA claims (page 32) that “there is no known problem of illegal mountain bike trespass on the Allegheny National Forest.” In fact, one cannot hike the NCT in the proposed Minister Valley Wilderness Area, for example, without either encountering mountain bikers trespassing on the trail, or their tracks and ruts in the trail from recent trespass:

https://www.youtube.com/watch?v=_Vs9ZTgDzZ8

The NCT is a 4,600-mile non-motorized foot-traffic-only trail beloved by thousands. As shown, entertaining any mountain biking at all for the trails at Tracy Ridge is inappropriate on its face. Such a radical change in policy at Tracy Ridge would represent a perpetual threat to the integrity of the nine-mile segment of the NCT there. Most NCT enthusiasts wish to perpetuate the unique, remote, undeveloped character of the entire Tracy Ridge area, not see it opened up to new, incompatible uses.

The mountain bikers' proposal openly states "we would like to see all of the trails at Tracy Ridge eventually opened to bicycle use."⁴⁴ We suggest they be taken their word (their linked-to October 30th, 2015 letter is hereby incorporated in full by reference in this comment letter). The Tracy Ridge trail system, including the NCT, is interconnected. There will be perpetual mountain bike trespass on the NCT at Tracy Ridge should that activity be formally established anywhere in the area – whether it is "against the rules" to ride on the NCT or not. Whether rocks, barricades, signs, or other forms of discouragement to riding on the NCT are posted at NCT intersections or not.

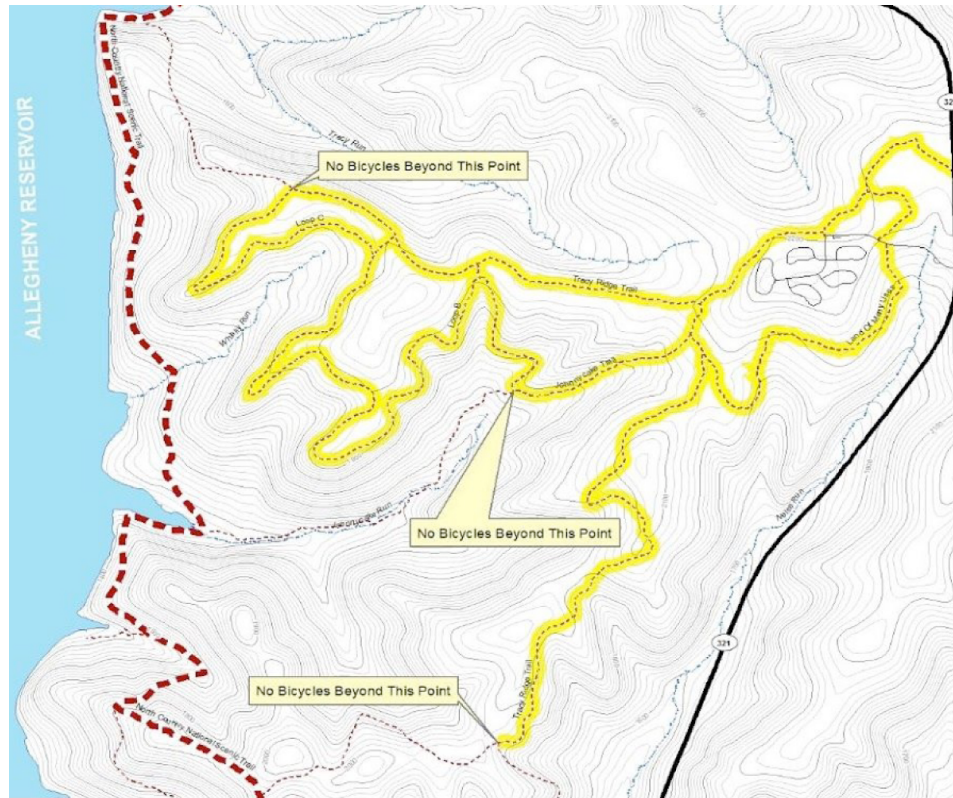


Figure 1.

Some mountain bikers will continue riding beyond the three locations on the Scoping document map labelled "No Bicycles Beyond This Point" (Figure 1) – including onto the NCT. To state or imply otherwise is naïve at best. On the Johnnycake Trail in particular, the lure of riding down to the water's edge at the Allegheny Reservoir will be too great for too many (one is too many and completely unacceptable). There's no plan for how to address those who will cavalierly disobey such signs. It won't be everyone, but there will be some, and where some go others will follow. It is axiomatic that it would be better for the NCT at Tracy Ridge if there was no mountain biking allowed anywhere within this area than if there is "limited" mountain biking established in parts of the area.

⁴⁴ <http://www.pawild.org/pdfs/WNYMBA103015.pdf>

Review Date	Reviewed by: John , from Pittsburgh
July 12, 2001	Summary: Although there is a beautiful piece of National Forest up there, there are no real "mountain bike" trails. I was born in the area and we have some bootleg trails that are in the woods, all single track and very technical. One is called the gook loop and is about 10 miles. Is out toward the Willow Bay section of the kinzua dam. A lot of rocks, stumps, trees, and woods riding. It is one of the better trails I have ridden.
Overall Rating	
👍👍👍👍 4 of 5	

Figure 2.

On a website for mountain bikers called mtbr.com, a post about mountain biking in the ANF generated many comments from defiant mountain bikers alluding to riding where you are not supposed to, and acting put off by the fact that they are (correctly) prohibited from mountain biking on hiking trails in the area. One defiant mountain biker advises his fellow mountain bikers to ride on illegal user-created "bootleg" mountain bike trails (Figure 2), including one he refers to as the "gook loop," described as being located in the Willow Bay area of the ANF – certainly close to the NCT, and perhaps even located within the proposed Tracy Ridge Wilderness Area. See more here: http://trails.mtbr.com/cat/united-states-trails/trails-pennsylvania/trail/allegheyny-national-forest/prd_169901_4573crx.aspx

In the aforementioned 1993 trail analysis for Tracy Ridge, essentially everyone who wrote in supported the Forest Service's efforts to maintain the Tracy Ridge hiking-only trail system – including the NCT – for hiking use only. All of the major hiking groups opposed mountain bike use in the area. See below for examples.

Allegheny Outdoor Club:

Donald Dorn (Also a member of the Board of Directors for the North Country Trail Association)

<http://www.pawild.org/pdfs/DonaldDornTracyRidge102093.pdf>

"I agree that these trails should be designated for pedestrian use only....on the steep slopes existing in this area horses and bikes will cause accelerated erosion....[and] can quickly turn parts of the walking tread to a muddy quagmire."

Merl Caldwell

<http://www.pawild.org/pdfs/MerlCaldwellTracyRidge11393.pdf>

"Restricting mountain bike and horse use is a good idea. The area is too wet. The Allegheny Outdoor Club has been talking -- consider these comments as being from the Club."

AOC Vice-President Marcia Ziki

<http://www.pawild.org/pdfs/MarciZikiTracyRidge111693.pdf>

"I would strongly urge you not to consider allowing use of the trail by mountain bikes or horses. I have hiked on sections of the North Country Trail near Kelletville which have been nearly destroyed."

Keystone Trails Association:

Hugh Downing

<http://www.pawild.org/pdfs/HughDowningTracyRidge102593.pdf>

"I especially support your proposal to exclude mountain bike use of the trails in this area for the reasons that you set forth plus the concerns for safety that would arise with bicycles using what are already high-traffic foot trails. There would be inevitable physical contact and possible injuries....There are numerous forest roads within the ANF suitable for bicycle use. Please keep them off the hiking trails."

Thomas Thwaites

<http://www.pawild.org/pdfs/ThomasThwaitesTracyRidge103093.pdf>

"There must be hundreds of miles of forestry roads in the ANF and bicycles...should be restricted to them. By the time you've hardened a [hiking] trail to withstand such use, you have turned it into a road."

Hugh Downing

<http://www.pawild.org/pdfs/HughDowningTracyRidge61994.pdf>

"I'm in full support of your proposals, especially the decision to exclude equestrian and mountain bike use on these trails. I'm sure you'll receive complaints, but I'm also sure that there are other areas of the Forest where their presence would be acceptable."

North Country Trail Association:

NCTA Executive Director Patricia Allen

<http://www.pawild.org/pdfs/TracyRidgeNCTA1993.pdf>

"We sincerely appreciate your efforts to upgrade the trail and for designation of the section for hiking use only. This is consistent with our efforts to assure that trails for hiking be built and maintained so that they will not need constant repair due to erosion."

NCTA Board of Directors Member Glenn Oster

<http://www.pawild.org/pdfs/GlennOsterTracyRidge102793.pdf>

"You stated that bicycles and horses will not be permitted on the Tracy Ridge, Johnnycake and North Country Trails....I sincerely hope that you continue to maintain that position. Mountain bikes...do a great deal of damage to hiking trails....In addition to trail damage, we also encounter trail use conflicts...trail bikers get psyched up by the challenge of terrain and ride dangerously fast. The encounters are not pleasant....I know I express the sentiments of most hikers in the following organizations in which I am active: American Hiking Society, American Youth Hostels, Appalachian Trail Conference, North Country Trail Association."

Warren, Pennsylvania Resident John McKown:

<http://www.pawild.org/pdfs/JohnMcKownTracyRidge112194.pdf>

"Tracy Ridge ain't broke, so don't try to fix it. I suggest that you use your resources in other locations to restore the forest to a more natural condition – like road obliteration, OGM debris removal..."

The nine-mile portion of the NCT in the proposed Tracy Ridge Wilderness Area is one of the premier sections of the entire 4,600-mile trail, not only for the stark untrammled beauty of Tracy Ridge, but also because of the extensive Tracy Ridge trail system with dozens of miles of hiking-only trails linking to the NCT within the area that hikers utilize for side trips. The Project would effectively strip NCT aficionados of the exceedingly rare opportunity to explore side trips from the NCT on a fine network of hiking-only trails in an untrammled wilderness environment.

Wilderness along the NCT is a rare commodity indeed, especially as compared to other national scenic trails across the country. The Appalachian Trail passes through 26 federal wilderness areas, the Continental Divide Trail passes through 20 federal wilderness areas, and the Pacific Crest Trail passes through 48 federal wilderness areas. However, so far the NCT only has five federal wilderness areas along its entire length – the Boundary Waters Canoe Wilderness in Minnesota, the Rainbow Lake and Porcupine Lake Wilderness Areas in Wisconsin, and the McCormick and Beaver Basin Wilderness Areas in Michigan. To squander one of the last best opportunities in America to protect wilderness along the NCT at Tracy Ridge, for the sake of opening the area to mountain biking when that activity is not even needed there would be beyond shortsighted.

The EIS prepared for the Project must fully analyze all potential impacts over time to the nationally-recognized treasure NCT, and the inevitable, perpetual mountain bike trespass that will occur on the NCT.

VI. PERMANENT CLOSURE AND REHABILITATION OF TRACY RIDGE CAMPGROUND LOOPS

Our final comment is not directly related to mountain biking at Tracy Ridge, but it is a good idea nonetheless, and the ANF should implement it as soon as possible. In the “Background” section of last summer’s Scoping document, it is stated that “use of the [Tracy Ridge] campground is quite low – occupancy of the 100+ site campground is rarely above 10%.” In light of this, we recommend that the three western-most loops of the Tracy Ridge campground shown on this map be closed:

http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5052734.pdf

This would be the loops with sites 1-23, 71-91, and 92-119 shown on the map. These three loops should be permanently closed, all picnic tables and fire rings, etc. removed, bathroom buildings demolished, access roads and parking pads at each site obliterated and replanted with native vegetation, and the acreage formerly occupied by these three loops should subsequently be incorporated into the proposed Tracy Ridge Wilderness Area as MA 5.2. acreage, thus helping to increase the overall ecological integrity of the prospective designated wilderness. This action would also cut down on maintenance costs for the Tracy Ridge campground in general.

There are many fine examples of deliberate road obliteration and ecological restoration such as the above described being performed elsewhere around the ANF in recent years. A particularly fine example of which is the recent Forest Road 139 obliteration in the Bradford Ranger District, in Sheffield Township, Warren County. Native grasses and woody vegetation were planted, rocks, boulders, and coarse woody debris were placed along the old roadbed, etc., such that the segment of Forest Road 139 in question may never be used as a road again by anyone for any purpose.

VII. CONCLUSION

It is clear that the ANF abdicated its responsibility to take a serious look at the potential environmental impacts that opening the hiking-only trails in the wild, untrammled proposed Tracy Ridge Wilderness Area would have. The ANF failed to consider the unique characteristics of the area, including potential for its future designation under the Wilderness Act of 1964, and the long-term impacts that allowing mechanized and motorized transport on those trails, including the NCT, would have.

Thank you very much for your time and consideration. Please do not hesitate to contact any of us at FAW if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink that reads "Kirk Johnson". The signature is fluid and cursive, with the first name "Kirk" and last name "Johnson" clearly distinguishable.

Kirk Johnson
Executive Director

The Friends of Allegheny Wilderness board of directors would like to thank Hannah Baldwin and the rest of the staff and students at the University of Pittsburgh Environmental Law Clinic for their assistance in strengthening the legal arguments presented in this comment letter.