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February 23, 2023

Pagosa Ranger District
San Juan National Forest
Attn: Jackson Mountain project
P.O. Box 310
Pagosa Springs, CO 81147

BlueRibbon Coalition (BRC) is writing to provide scoping feedback for the Jackson Mountain Landscape Project. BRC is a national non-profit organization that champions responsible recreation and encourages a strong conservation ethic and individual stewardship. We champion responsible use of public lands and waters for the benefit of all recreationists by educating and empowering our members to secure, protect, and expand shared outdoor recreation access and use by working collaboratively with natural resource managers and other recreationists. Our members use motorized and non-motorized means of recreation, including OHVs, horses, mountain bikes, and hiking to enjoy federally managed lands throughout the United States, including those of the U.S Forest Service. Many of our members and supporters live in Colorado or travel across the country to visit Colorado and use motorized vehicles to access USFS managed lands throughout Colorado. BRC members visit the Jackson Mountain area for motorized recreation, sightseeing, photography, hunting, wildlife and nature study, camping, water sports, and other similar pursuits. We would like to add our support to any comment submitted by any other individuals or organizations that advocate for motorized use and increased recreation access overall. BRC members and supporters have concrete, definite, and immediate plans to continue such activities in the future.

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Forest Health

BRC supports the broad project objectives to keep public lands healthy and reduce the risk of wildland fires as well as provide safe public lands and roads for all to enjoy. We recommend using commercial treatment in the maximum area possible. Best available science should be used in making these decisions. Past forest fires that have burned rampant because of the lack of forest projects should be looked at when making decisions. The greatest risk to wildlife and habitat is wildfire. BRC supports the proposed fuels treatments on the entire 2,500 acres and vegetation treatments on the entire 1,000 acres.

Economic Benefits for Motorized Recreation

We appreciate the Forest Service recognizing the importance of motorized recreation to the local economies. BRC supports the proposed expansion of Turkey Creek Trailhead and additional parking areas and trailheads along NFSR037. Local communities rely on motorized recreation for economic opportunities. There has been a surge of use throughout the nation on public lands as well as in the Jackson Mountain area. Local groups have worked hard to put the area on the map so that they could reap the economic benefits. Restricting routes or user groups would greatly hinder economic opportunity. Many local organizations and businesses recognize the influx of traffic and believe that any user conflict can be mitigated through better signage and education, therefore the USFS needs to provide as many areas as possible to these user groups.

According to the Bureau of Economic Analysis, outdoor recreation had a record breaking year in 2021. Outdoor recreation now accounts for \$821 billion in economic activity. For reference, the oil and gas industry is \$812 billion. Outdoor recreation is popular. It is an economic juggernaut. Because of this, building new roads, trails, campgrounds, and infrastructure to accommodate the new growth in outdoor recreation is crucial. A deeper dive into the numbers reveals that the engine driving this record-breaking growth is literally the millions of engines that find their way into the various forms of motorized recreation. Non-motorized forms of recreation account for \$33 billion in economic value. Gear that is used in all forms of recreation accounts for \$52 billion. Motorized forms of recreation account for a shocking \$78 billion in economic value.

Ebikes

BRC encourages the allowance of all classifications of e-bikes on current and proposed mountain bike trails. Colorado House Bill Colorado House Bill 17-1151 allows all Class 1 and Class 2 ebikes on biking trails. Jackson Mountain trails should at least be consistent with the state law. Therefore we strongly recommend the USFS thoroughly analyze this added user group so as to not discriminate against certain user groups. BRC also believes that singletrack

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motorcycle trails are needed in the area and if analysis is occurring for mountain bike trails that motorized trails should also be considered.

Education and outreach should always be the first response if USFS confirms there is an issue regarding public safety, wildlife or soil impacts. Education and mitigation strategies need to be implemented before any type of closure or restriction.

BRC does not support the restoration of routes as all routes have been created for a significant reason. If there is a possibility that the route could cause harm to resources the route should be re-routed or the USFS should find adequate ways to manage the impact rather than closure. Land agencies are required to manage the land through proactive management and education and not hardwire closure as the correct first response to mitigate impact.

Users with Disabilities

We recommend that the USFS use this planning process to finally begin to reverse its decades-long systematic discrimination against those with mobility impairment-related disabilities. On his first day in office, President Joe Biden issued an “Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.” This executive order established “an ambitious whole-of-government equity agenda” which focuses on addressing “entrenched disparities in our laws and public policies,” and mandates a “comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality.”

Under this executive order, “The term ‘equity’ means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as ... persons with disabilities....” Historically, there has been no group more greatly marginalized and excluded by public land management policies, and motorized travel management policies in particular, than people with disabilities. Outdoor enthusiasts with ambulatory disabilities frequently rely on motorized travel as their sole means to enjoy recreating on public lands. Not everyone has the ability to hike into a remote wilderness area, but many such people are still able to drive Jeeps, side-by-sides, and ATVs, which are restricted to the designated motorized route network.

Management policies focused on “minimizing” the environmental impacts of motorized recreation have resulted in a dramatic decrease in motorized recreation opportunities on public lands over the last 20 years which has disproportionately impacted people with disabilities.

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Wilderness focused environmental groups with extreme ableist biases have pushed for more and more areas to be closed to motorized recreation and reserved exclusively for hikers, mountain bikers, and other “human powered” and “quiet use” forms of recreation in which many people with disabilities are unable to participate.

Every time motorized routes or areas are restricted, people with disabilities that require the use of motorized means to access public lands are barred from those areas forever. There has been little recourse for such people in the past because the Americans With Disabilities Act does not require public land management agencies to consider disproportionate effects on the disabled community, but only requires that they be given access to public lands on equal terms with everyone else. As a result, the USFS has historically failed to give any real consideration to the impacts of motorized route closures on the disabled community when developing travel management plans.

The Biden Administration’s focus on equity, however, changes the equation. While the ADA focuses only on equality of opportunity, equity inherently focuses on equality of outcome. Any policy that is facially neutral but disproportionately harms a disadvantaged or marginalized group is considered inequitable. The USFS is therefore required by this executive order and others mandating that federal agencies consider “environmental justice” in NEPA proceedings to consider whether any route closures in the Jackson Mountain plan would disproportionately harm disabled users’ ability to access public lands.

Any approach to travel management that presumes the superiority of non-motorized forms of recreation like hiking over motorized recreation, or that justifies closing motorized access on the basis that people can still hike on those routes, is inherently discriminatory toward people with disabilities. Any large-scale closures of existing routes would unfairly and inequitably deprive people with disabilities of the ability to recreate in the area using the only means available to them. It is imperative that the USFS consider the access needs of disabled users in drafting the alternatives for this travel plan and ensure that people with disabilities who depend on motorized means do not lose access.

Conclusion

We would like to close by saying we support “shared use”. As long as overall visitation numbers are appropriate for the affected resources, motorized and non-motorized users can be compatible with one another so long as individual users understand designations and plan their activities accordingly. Indeed, motorized and nonmotorized recreation use often overlap as OHV’s often increase accessibility to non-motorized recreational activities such as hiking,

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camping, equestrian use, etc. We also hold that responsible recreational use of public lands can exist in harmony with ecosystem needs.

BRC would like to be considered an interested public for this project. Information can be sent to the following address and email address:

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Pocatello, ID 83202
brmedia@sharetrails.org

Sincerely,

A handwritten signature in black ink, appearing to be 'BB' followed by a long horizontal line.

Ben Burr
Executive Director
BlueRibbon Coalition

A handwritten signature in black ink, appearing to be 'Simone Griffin'.

Simone Griffin
Policy Director
BlueRibbon Coalition