



BlueRibbon Coalition
P.O. Box 5449
Pocatello, ID 83202
208.237.1008
brc@sharetrails.org

Ben Burr, Executive Director

BlueRibbon Coalition
P.O. Box 5449
Pocatello, ID 83202

March 20, 2023

Patrick Mercer, District Ranger

U.S. Forest Service
810 Front Street
Leadville, CO 80461

Dear Mr. Mercer,

BlueRibbon Coalition (BRC) is writing to provide feedback for the Vehicle Based Camping Plan for Salida and Leadville Districts. 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 these areas 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

Sharetrails.org – it's what we do!

increased recreation access overall. BRC members and supporters have concrete, definite, and immediate plans to continue such activities in the future.

Dispersed Camping

BRC believes that all users can and should be accommodated. This plan should ultimately identify reasonable standards for allowing dispersed camping. The proposed increase of restroom facilities and resources are a good addition to the plan and should be approved and move forward. Keeping open roads for vehicle based dispersed camping without designated sites will allow use for dispersed camping and help mitigate impact as campers won't be concentrated into small areas. Management strategies should be exhausted before restrictions and closures of areas to any type of recreational use.

BRC also is concerned with designating campsites. Although some users prefer this form of camping experience, the USFS should also continue to allow a true dispersed camping opportunity. Because the USFS is proposing to designate only inventoried dispersed campsites, many campsites that the public has used will not be considered because they have practiced no trace principles and therefore are not included in the inventory. The USFS can designate dispersed campsites but should also allow areas with a true dispersed camping experience. Dispersed camping has also grown in popularity and the USFS should not set itself up for failure by limiting the amount of people who can access these campsites as users continue to grow. According to The Dyr, a camping app, camping has grown immensely since 2019. Public lands are needing more camping facilities than ever before as almost 50% of campers are new campers. The number of people who use public land to camp is only growing every year. The USFS needs to strongly consider providing as many camping areas as possible as to not concentrate use in limited sites. Management strategies that accommodate the growing number of users should be exhausted before restrictions and closures of areas to any type of recreational use. Better facilities to address waste issues need to be created before any restrictions. BRC supports all recreational activities if done responsibly.

We are concerned that closing dispersed camping options will eventually lead to reservation systems which ultimately give advantage to upper-class users as oftentimes marginalized groups do not have the luxury of making reservations that far in advance.¹ Another issue is those who make reservations and don't show up, it takes away opportunities to utilize public lands from someone who otherwise would have used the camping spot. The USFS should look

1

https://www.researchgate.net/publication/359329284_Exclusionary_Effects_of_Campsite_Allocation_through_Reservations_in_US_National_Parks_Evidence_from_Mobile_Device_Location_Data

at data of reservation system implementations to see how they affect various user groups before implementing any type of reservation system. According to a study on reservation systems in National Parks, “Results suggest that for each of the five campgrounds, those campers camping in sites that require reservations came from areas with higher median household incomes, on average.”² The study also concludes that the online reservation systems cater to primarily white users. The USFS should stop their proposals to limit free, primitive and dispersed camping as more and more research is showing that is discriminatory.

The routes that are still open for dispersed camping are not highly sought areas for this form of recreation. Limiting the high-recreation-value campsites will be detrimental to the outdoor recreation community. USFS should be looking to accommodate the growing number of users rather than restricting them.

There are serious concerns with the management triggers. Many of the triggers are arbitrary and capricious. An “increase” could be measured by many different things and we are concerned this tool can be weaponized to close more campsites in the future. Responsible users should not be punished by a few irresponsible users. These triggers are management that leads to closures. We encourage the USFS to develop alternatives that analyze management strategies that increase camping opportunities. The triggers watch behaviors that would be justification to close sites and access such as, camping related incidents, trash and waste, complaints, etc.

The Forest Service should also identify triggers that can be indicators for expanded use, such as volunteer hours spent maintaining an area, increased occupancy rates, numbers of campfires successfully extinguished, etc. The adaptive management toolbox could also include education, more facilities, and designation of new system routes (new construction). However, the tools that propose limiting use such as “designate sites, designate new system route (existing), close sites and site and route rehabilitation” will restrict use even further. The proposed action is too vague in which tool would be used when during the adaptive management process. We are concerned that the restrictive management tools would be implemented to close more areas to VBDC.

NEPA

The Forest Service is required to show a broad range of alternatives when undertaking a NEPA process. In order to adequately comply with NEPA the USFS must have alternatives that explore a range of alternatives. The proposed alternative is significantly inadequate to address the implied problems facing the districts. There should be an alternative that protects dispersed camping and analyzes increasing those opportunities. That USFS has conditioned itself to believe that it must never expand or enhance recreation access through the planning processes is an inherent and fundamental flaw of this process and a violation of NEPA. This inequitable privilege of one stakeholder's interest over the interests of other stakeholders taints the integrity of the NEPA process. USFS should form a range of alternatives where each of the alternatives accomplishes the goal of the project. The purpose and need of this plan is to create better management strategies, not to simply close and restrict use. Closure is not management. These areas provide a purpose and need for outdoor access that improves physical and mental health for public land users.

Economic Benefits

Local communities rely on recreation and dispersed camping for economic opportunities. There has been a surge of use throughout the nation on public lands as well as in these counties. Restricting dispersed camping and recreation access through roads 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, more amenities, and education.

Local communities rely on recreation and dispersed camping for economic opportunities. There has been a surge of use throughout the nation on public lands as well as in these counties. The Bureau of Economic Analysis showed that in 2021 outdoor recreation brought in \$821 billion. Restricting dispersed camping 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, more amenities, and education.

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

Sharetrails.org – it's what we do!

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 has resulted in a dramatic decrease in motorized recreation opportunities on public lands over the last 20 years which has disproportionately impacted people with disabilities. 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 closed, 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 Dispersed Camping Management Plan would disproportionately harm disabled users’ ability to access public lands.

Sharetrails.org – it’s what we do!

Any approach to camping management that presumes the superiority of non-motorized forms of recreation like hiking to a campsite rather than driving to an area, 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.

Wealth Inequality

USFS should avoid creating “buffer zones” to private land. The following proposal should be removed from the plan: “Before designating sites or developing campgrounds within ¼ mile of non-NFS lands, a cadastral survey will be conducted.” The public should be able to access public land up until the property line. Property surveys should be the responsibility of the property owner. BRC advocates for an alternative that does not include buffer zones. The proposed action or any alternative should not restrict access on public land simply because it is within a certain distance of private property.

The Executive Order on Advancing Equity also recognizes that poverty and inequality can lead to systematic discrimination against historically underserved and marginalized communities. We strongly encourage the USFS to incorporate into their planning the findings of *The Slums of Aspen: Immigrants vs. the Environment in America's Eden* by Lisa Sun-Hee Park and David Pellow and *Billionaire Wilderness: The Ultra-Wealthy and the Remaking of the American West* by Justin Farrell. Both of these works document extensively how Western communities surrounded by public land are undergoing significant socioeconomic changes that result in skyrocketing housing costs, use of conservation and land-use restrictions to limit development, and displacement of the local middle and lower classes from Western Communities. Conservation policies and land-use restrictions are the primary tools that the ultra-rich use to disenfranchise the remaining American public from being able to access and enjoy the public benefits of public land. In many cases public lands become the private enclaves for the enjoyment of recreation pursuits and cultural values of the ultra wealthy.

It is often the case when the ultra-wealthy colonize western communities that they use private property and conservation easements to create buffer zones that prevent public access to public lands. Given the land ownership patterns in these counties, it is very likely that privately developed land-use restrictions will inevitably result in decreased access to public lands by the

public. When combined with the socioeconomic forces behind this trend, this loss of access will disproportionately impact those marginalized by poverty and inequality.

Consider this passage from *Billionaire Wilderness* where Justin Farrell describes how land conservation fueled the intense wealth inequality that is becoming increasingly characteristic of Colorado's gateway mountain communities:

But data reveal that this economic thinking is misguided, *especially in places where ultra-wealth and inequality collide with pervasive land conservation*. What this means is that the "rising tide lifts all boats" approach can have the effect of intensifying economic differences. More specifically, and following the same logic as earlier with the protection and production of wealth, I consider the effect of land conservation on which job sectors are growing or declining (that is, available jobs and total income), and as a result, the staggering decline of reasonably priced housing.

First, conservation has directly and indirectly intensified wealth inequality by making the area uniquely attractive to the ultra-wealthy, creating intense housing demand *and* land scarcity that has dramatically reshaped who lives in the community, and how people make their money. [...] As more and more ultra-wealthy people move to the area for natural amenities (for example, protected lands, abundant wildlife), it dramatically restructured the socioeconomic hierarchy - becoming both a cause, and a consequence, of conservation values. Conservation became a form of elite cultural currency, and conservation organizations benefited from the financial flow down, all while it became harder for middle- and lower-income people to survive there (pp. 96-97).

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, 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:

Ben Burr

Sharetrails.org – it's what we do!

BlueRibbon Coalition
P.O. Box 5449
Pocatello, ID 83202
brmedia@sharetrails.org

Sincerely,

A handwritten signature in black ink, consisting of stylized initials 'B' and 'B' followed by a long horizontal line.

Ben Burr
Executive Director
BlueRibbon Coalition

A handwritten signature in black ink, appearing to read 'Simone Griffin' in a cursive script.

Simone Griffin
Policy Director
BlueRibbon Coalition