

CAPITAL TRAIL VEHICLE ASSOCIATION (CTVA)

**P.O. Box 5295
Helena, MT 59604-5295**

May 7, 2023

Lolo National Forest Supervisor's Office
c/o Amanda Milburn, Plan Revision
24 Fort Missoula Rd.
Missoula, MT 59804
SM.FS.LFNRevision@usda.gov

Re: Lolo National Forest Land Management Plan Revision #62960

Dear Project Team,

We have assembled the following comments, information and issues from our members and other motorized recreationists for the project record. We appreciate the opportunity to provide our comments for the Lolo National Forest Land Management Plan Revision. We enjoy riding our OHVs on primitive trails and roads in our public lands. All multiple-use land managed by the Lolo National Forest provides a significant source of these OHV recreational opportunities. Moreover, the pandemic has reconnected visitors to our public lands as a critical way to counter the stresses of ever day life. Ninety-eight percent of these visitors are looking for multiple-use activities including OHV recreation. We are passionate about OHV recreation for the following reasons:

Enjoyment and Rewards of OHV Recreation

- Opportunity for a recreational experience for all types of people.
- Opportunity to strengthen family relationships.
- Opportunity to experience and respect the natural environment.
- Opportunity to participate in a healthy and enjoyable sport.
- Opportunity for relief from the pandemic.
- Opportunity to experience a variety of opportunities and challenges.
- Camaraderie and exchange of experiences.
- We like to build and maintain trails for use by everyone.
- We enjoy observing flora, fauna, and landscapes.
- For the adventure and “flow” of it.

Acknowledged Responsibilities of Motorized Visitors

- Responsibility to respect and preserve the natural environment. We are practical environmentalists who believe in a reasonable balance between the protection of the natural environment and the human environment.
- Responsibility to respect all visitors.
- Responsibility to use vehicles in a proper manner and in designated places.

We are a locally supported association whose purpose is to preserve trails for all recreationists through responsible environmental protection and education.

- Responsibility to work with land, resource, and recreation managers. We are committed to resolving issues through problem solving and not closures.
- Responsibility to educate the public on the responsible use of motorized vehicles on public lands.

Motorized recreation represents and supports many different visitor interests. Supporting motorized recreation is the best way to support diversity of uses and multiple-use. This over-arching fact should be adequately addressed in the purpose and need and adequately considered in the analysis and decision. We are representative of the needs of most visitors who recreate on public lands but may not be organized with a collective voice to comment on their needs during the public input process. These independent multiple-use recreationists include visitors who use motorized routes for family outings and camping trips, weekend drives, mountain biking, sightseeing, exploring, picnicking, hiking, ranching and grazing, rock climbing, skiing, camping, hunting, RVs, shooting targets, timber harvesting, fishing, viewing wildlife, snowmobiling, accessing patented mining claims, and collecting firewood, natural foods, rocks, etc. Mountain bikers have been observed to prefer OHV trails because we clear and maintain the trails and the trails have a desirable surface for biking.

Multiple-use also provides for the needs of physically challenged visitors including the elderly and veterans who must use wheeled vehicles to visit public lands. These multiple-use visitors use roads and motorized trails for their recreational purposes and the preferred alternative and decision should adequately consider motorized designations serve many recreation activities, not just recreational trail riding. We have observed and documented that 98% of the visitors to our public lands are represented by the activities discussed above. Ninety-eight percent of the visitors are there to enjoy activities associated with motorized access and motorized recreation.

We have been listening to and documenting significant issues and information from our members, families, and friends for the past 40 years. Following this letter is an outline of the significant issues and information to help the team better understand the needs of the public that enjoys motorized recreation. The agency's decisions have a significant impact on the quality of the human environment related to motorized recreationists and the agency must give the entire human environment adequate consideration.

Our position is that the existing system of motorized routes does not adequately meet the needs discussed above. The lack of high-quality motorized trails including 50" and motorized singletrack in the Lolo National Forest is the over-arching significant issue. The closing of any motorized routes or the conversion to non-motorized is contrary to the needs of the public.

The analysis should adequately consider the human environment. Adequate consideration of the human environment is woven into many of our significant issues. The agency should avoid decisions that make relatively insignificant improvements to natural resources at a cost of significant impacts to the human environment. The agency's decisions should be based on impartial consideration of all issues. The agency's decisions should be made with a reasonable sense of magnitude. The public will be significantly impacted if the agency only considers natural resources without reasonable consideration of the human environment. One-sided consideration of issues is not acceptable for public lands and especially for those designated for multiple-use.

The agency's project team should adequately consider that NEPA 1969 directed consideration of the human environment and the natural environment. The agency should adequately consider the value of motorized recreation opportunities on the human environment using site-specific data and analysis addressing social and economic values and impacts; the need for recreation and healthy activities; the need to experience "flow" and nirvana; the need to exercise our culture; and the need to address obesity and suicide issues, and the need to address physical and mental health needs. NEPA 1969 was intended to protect and promote all environments equally. The depth and breadth of site-specific data and analysis of the human environment should be equal to that of the natural environment so that the true cause and effect is adequately considered.

The agency should adequately consider that many opinions expressed against motorized access and motorized recreation are lacking site specific data and analysis and are not true.

The public would greatly benefit from continued management for multiple-uses including an enhanced system of OHV routes and less designated or defacto wilderness area. The pandemic has brought visitors back to our public lands and 98% of them are looking for multiple-use activities. Therefore, we oppose the closure of any motorized access and motorized recreational opportunities and the development of a Pro-Recreation Alternative.

We strongly oppose the excessive closure of motorized access and motorized recreational opportunities. We are providing this information to assist you with the development of a purpose and need statement and evaluation that will fully develop and support a reasonable Pro-Recreation alternative.

We understand that the Project Team is under pressure from those opposed to motorized access and recreation. We have experienced the vast closure of motorized access and motorized recreational opportunities that have gone far beyond reasonable and justifiable decisions because of that influence. We ask that the Project Team review our issues and work on refinements to the analysis and plan that would adequately address and mitigate these significant issues. We ask the Team to use these comments and information as support and justification for more motorized access and recreational opportunities.

We are looking forward to your consideration of these significant issues and your use of them to develop a reasonable Pro-Recreation Alternative for the Lolo National Forest Land Management Plan Revision.

Thank you for considering our comments and issues.

Sincerely,

/s/ CTVA Action Committee on behalf of our 240 members and their families and friends
Capital Trail Vehicle Association (CTVA)¹

P.O. Box 5295

Helena, MT 59604-5295

ctva_action@q.com

Contacts:

Mike Sedlock, President

Jody Loomis, VP

Doug Abelin

Ken Salo

Attachments: Scoping and Significant Issues Information

¹ CTVA members also belong to Montana Trail Vehicle Riders Association (mtvra.com), Blue Ribbon Coalition (sharetrails.org), New Mexico Off highway Vehicle Alliance (nmohva.org), American Motorcycle Association (ama-cycle.org), Citizens for Balanced Use (citizensforbalanceduse.com), Montana 4X4 Association, Inc. (m4x4a.org), Snowmobile Alliance of Western States (snowmobile-alliance.org), and United Four Wheel Drive Association (ufwda.org)

**SCOPING AND SIGNIFICANT ISSUES INFORMATION
FOR
LOLO NATIONAL FOREST
LAND MANAGEMENT PLAN REVISION #62960**

The following are significant scoping and overarching issues that should be adequately addressed by the Lolo National Forest Land Management Plan Revision. These scoping and significant issues deserve to be given a hard look. We ask that the Lolo National Forest Project Team review this information and work on refinements to the analysis and plan that will adequately address and mitigate these scoping and significant issues. We ask the project team to use these issues to reverse the massive, motorized closure trend and as justification for the development of enhanced motorized access and recreational opportunities in the Lolo National Forest.

5. Should Not Over-Represent the Public's Need for More Wilderness including Wild and Scenic River Designations

1. The agency should adequately consider that less than 3% of the visits to our public lands are for wilderness recreation and 97% of the visits are for multiple-use.
2. The agency should adequately consider that management of our public lands should reflect the ratio of visitors and meet their needs in an equal manner.
3. The agency should adequately consider that wilderness is not managed for beneficial use and health and to create more defacto wilderness only compounds the problem.
4. The agency should adequately consider that the current planning process is being used as a backdoor process to create defacto wilderness areas by closing motorized access and motorized recreation on lands designated for multiple-use.
5. The agency should adequately consider that the acreage set aside for wilderness and wilderness study areas is significantly greater than the needs of less than 3% of the public.
6. The agency should adequately consider that a sense of magnitude for public needs should be used when managing wilderness versus multiple-use land.
7. The agency should adequately consider that the evaluation and decision should consider the acres per wilderness visitor (3% of the observed visits) versus acres per motorized visitor (97% of the observed visits).
8. The agency should adequately consider that lands designated by congress for multiple-use should not be managed by wilderness standards.
9. The agency should adequately consider the acres per wilderness visitor versus acres per multiple-use visitor both before and after the proposed action.

6. Properly Consider Roadless Areas

1. The agency should adequately consider that any conversion of lands designated by congress for multiple-use to defacto wilderness lands circumvents congressional laws regarding multiple use and the wilderness designation process.

7. Adequately Consider and Disclose the Cumulative Impact of All Motorized Closures

1. The agency should adequately consider that many of its land management decisions made during the past 40 years have significantly reduced motorized access and motorized recreation.
2. The agency should adequately consider the significant amount of data on cumulative Forest Service Road closures that the Montana Environmental Quality Council assembled for the 2015 House Joint Resolution 13 study.

3. The agency should adequately consider the significant cumulative impact of motorized closures that have been enacted since 1990 on national forest lands. For example, in Montana the HJ 13 study reported that 21,951 miles of roads were closed which is a significant percentage (about 1/3) of the total motorized routes that were available to the public in 1990.
4. The agency should adequately consider that the Forest Service in other regions have implemented a significant level of motorized closures estimated to be about 1/3 of routes available to the public in 1990.
5. The agency should adequately consider the significant impact of motorized closures on other public lands including those managed by the Bureau of Land Management because they are similar in significant cumulative impact to the motorized closures enacted by the Forest Service and estimated to be about 1/3 of routes available to the public in 1990.
6. The agency should adequately consider that development of mining claims and other private lands has had a significant cumulative impact on public access to dispersed camp sites and routes.
7. The agency should adequately consider, evaluate, and disclose those trends to the public including the significant cumulative impacts of closure and reduced use on the health of the public land and the health of the public including the significant need for motorized access and recreation.
 - a. The health of the human environment must be given a hard look.
 - b. Nothing in NEPA and CEQ guidance says that the health of the natural environment should prevail over the health of the human environment.
 - c. The health of the human environment must be given consideration equal to the natural environment.
 - d. The agency should adequately consider that it has created significant cumulative impacts on the human environment by closing an excessive amount of multiple-use land to motorized access and motorized recreation.
 - e. The agency should adequately consider that motorized recreationists have been hammered by motorized closure after motorized closure in Montana and surrounding states.
8. The agency should adequately consider that travel planning and other planning actions have closed 25 to 75% of the historic motorized routes and all cross-country opportunities since the 1960's.
9. The agency should adequately consider that the analysis should adequately disclose and evaluate the amount of motorized access and motorized recreation that has been lost to public use since the 1960's.
10. The agency should adequately consider and mitigate the significant negative cumulative effect of all motorized closures on the public.
11. The agency should adequately consider and mitigate the significant negative cumulative effect of all motorized closures on the youth, disabled, elderly, and veterans.

12. Every weekend we talk to fellow motorized recreationists and they ask us where they can go to ride trails and camp in dispersed areas. The agency should adequately consider that the public has been squeezed into too small of an area with too few motorized routes.
13. The agency should adequately consider that the cumulative effect of this action combined with many other similar motorized closure decisions significantly affects our pursuit of happiness and the quality of the human environment.
14. The agency should adequately consider that the continual closure of motorized access and motorized recreation on lands managed demonstrates the intent to eliminate motorized access and motorized recreation without adequately disclosure of that intent.
15. The agency should adequately consider that significant cumulative effects have occurred because motorized recreationists cannot successfully change or challenge the Agency's predisposition to motorized closures.
16. The agency should adequately consider that motorized closures since 1985 meet the NEPA and CEQ test for significance with respect to cumulative effects and cumulative effects should be adequately considered in the analysis.
17. The agency should adequately consider that agency actions and mining claims are closing much needed dispersed camp spots during a pandemic when the public needs more dispersed camp sites.
18. The agency should adequately consider that a sense of magnitude should be used to identify the significant cumulative impact that motorized recreationists have experienced over the past 40 years.
19. The agency should adequately consider that the analysis and decision should consider the massive amount of multiple-use land originally used for beneficial use that has effectively been converted to defacto wilderness and limited or exclusive-use land.
20. The agency should adequately consider that it uses every opportunity to close dispersed camp sites, motorized spur routes, and motorized roads and trails and has not adequately evaluated and considered the cumulative impact of that trend on the human environment.
21. The agency should adequately consider that all of the defacto motorized closures that have resulted from vegetation and timber projects, erosion and flood damage, blockage from beetle kill downfall, and obliteration of the trail tread and downfall from wildfires have a significant impact on the public's opportunity to enjoy motorized access and motorized recreation.
 - a. The cumulative effect of this continual loss has become significant and should be addressed and mitigated.
22. The Agency must adequately evaluate and disclose significant cumulative effects that their management decisions have created.
23. The agency should provide full and adequate disclosure of the cumulative effects of all motorized closures on the public so that the decision does not marginalize motorized recreational opportunities.
24. The agency should adequately consider that its past actions have converted a vast amount of multiple use land to limited-use land to the advantage of small numbers of visitors demanding exclusive-use.
25. The agency should adequately consider that multiple-use is now squeezed into an unreasonably limited area.

We are a locally supported association whose purpose is to preserve trails for all recreationists through responsible environmental protection and education.

- a. Every weekend we talk to fellow motorized recreationists and they ask us where they can go to ride trails and camp in dispersed areas. The agency should adequately consider that the public has been squeezed into too small of an area with too few motorized routes.
 - b. The agency should adequately consider that motorized recreationists have been squeezed into an inadequate area because of other users including hikers, equestrians and mountain bikers who find motorized opportunities, refuse to share with motorized recreationists, and then force motorized recreationists out so that they have exclusive use.
26. The Forest Service should adequately disclose the cumulative effects of all closures of motorized access, motorized recreation, motorized roads, and motorized trails that have been enacted over the past 40 years. Adequate disclosure would include:
- a. On a forest wide basis
 - b. On an adjoining forest and BLM lands basis
 - c. On a Forest Service Regional basis
 - d. On a Forest Service Regional and adjoining BLM lands basis
 - e. On all Forest Service Regions basis
 - f. On all Forest Service Regions and adjoining BLM lands basis.
 - g. The cumulative impact demonstrated by the disclosure of the information outlined above would be extremely significant. The Agency must adequately evaluate and disclose significant cumulative effects that their management decisions have created.
27. The agency should adequately consider how the continual conversion (cumulative effects) of multiple-use land to defacto wilderness land impacts the public including a cumulative effects analysis of all of the motorized opportunities available prior to BLM and USFS planning guidance and rules established in the 2000's compared to the reduced level available today and with the proposed action.
28. In order to adequately evaluate the cumulative effect of all route closures, the agency should adequately consider all mapping that displayed roads and trails in use by the public going back to the 1800's including agency maps and aerials, RS 2477 maps, GLO maps, County Maps, Benchmark, Delorme, and USGS 15" and 7.5" quadrangles.
<https://forestservicemuseum.org/wp-content/uploads/2019/11/Mapping-the-National-Forests-Nov19.pdf>
29. The agency should carefully consider that the current trend of massive, motorized closures has minimized OHV opportunities to the extent that many remaining OHV destinations look like over-crowded refugee camps.
30. The agency should adequately consider that the over-arching long-term trend of excessive motorized access and motorized recreation closures is not a good solution for both the human environment and the natural environment.

8. Recognize the Need for Long-Distance Motorized Trail Systems

1. The agency should adequately consider that it has developed many long-distance non-motorized trail systems including the CDNST and PCT and has not developed any long-distance trail systems for motorized recreationists.
2. The agency should adequately consider that long-distance motorized trail systems would see far more use than non-motorized trails.
3. The agency should adequately consider that long-distance motorized trail systems would provide far more benefit to the human environment including therapeutic recreation and economic benefit than non-motorized trails.
4. The agency should adequately consider OHV back country discovery routes, OHV byways, and long-distance trails for motorized recreationists so that we have opportunities equal to existing non-motorized opportunities.

9. Adequately Identify and Address the Imbalance of Motorized Trail Opportunity in our Public Lands including State Parks, National Forest, BLM, and NPS.

1. The agency should adequately consider that with unrestricted cross-country access, the opportunity for non-motorized recreationists is infinite.
2. The agency should adequately consider the miles of non-motorized trail and cross-country opportunity provided in wilderness and defacto wilderness areas to non-motorized recreationists.
3. The agency should adequately consider the comparison of non-motorized trail and cross-country opportunity to motorized trail opportunity including the miles of trails, quality of experience, costs and conditions, and number of users.
4. The agency should adequately consider that every Agency action creates more non-motorized trail and cross-country opportunities.
5. The agency should adequately consider that;
 - a. Non-motorized recreationists have hundreds of potential opportunities in the project area including cross-country travel to any desired location.
 - b. Motorized recreationists are limited to a small system of designated routes.

10. Provide for a Reasonable Level of Multiple Use

1. The agency should adequately consider that motorized access and motorized recreation are the #1 use of the project area.
2. The agency should adequately consider that the lands in the project area are designated by congress for multiple-use.
3. The agency should adequately consider that lands designated by congress for multiple-use should not be managed by wilderness standards.

4. The agency should adequately recognize that signs of human use such as roads, trails, and dispersed camp sites are reasonable for land designated for multiple-use.
5. The agency should adequately consider that sharing should be the expectation on all multiple-use land otherwise multiple-use land becomes exclusive-use land.
6. The agency should adequately consider that the action should not illegally convert lands designated for multiple-use by congress into defacto wilderness areas.
7. The agency should adequately consider that the existing routes, mines, historic use, current use, and greater needs of the public demonstrate that the proposed non-motorized areas do not qualify as wilderness and, therefore, should not be treated as wilderness.
8. The agency should adequately consider that Congress recognized that management for multiple-use best meets the needs of the public and provided that direction in their multiple-use laws.
9. The agency should adequately consider that management for multiple-use best meets the overall needs of the public.
10. The agency should not apply wilderness standards to lands designated for multiple-use.
11. The agency should adequately consider that some visible use of the land for the good of the public is reasonable and acceptable.
12. The agency should not convert congressional designated multiple-use lands to defacto wilderness.
13. The agency should not circumvent congressional law and the wilderness designation process.
14. The agency should adequately consider that equality needs to be restored to public lands by restoring wide-ranging multiple-use management to all multiple use lands.
15. The agency should adequately consider that multiple use land should be used for the greatest good and not manipulated for elite and exclusive use only.
16. The agency should not reward those that demand exclusive use of resources.
17. The agency should adequately consider that public land is for the benefit of all the public (not just exclusive uses) which can only be reasonably accomplished by management for a broad spectrum of uses (multiple-use).
18. The agency should adequately consider that it is not reasonable to reward individuals unwilling to share multiple-use lands with exclusive-use of those lands.
19. The agency should adequately consider that the project area is not designated wilderness and that some visual use of multiple-use land is reasonable and acceptable.
20. The agency should adequately consider that managing lands designated by congress for multiple uses by wilderness standards is not legal.
21. The agency should adequately consider that there is a shortage of multiple-use land to meet the needs of 97% of the public because too much has been converted to wilderness or defacto wilderness which only benefits 3% of the public.
22. The agency should adequately consider that during the past 40 years federal agencies have created a shortage of multiple-use land by management action that have created an excessive amount of wilderness, defacto wilderness, segregated-use, and limited-use land.

23. The agency should adequately consider that it is acceptable and reasonable to put lands designated for multiple-use to beneficial use including putting people to work and providing quality recreational opportunities for the public that owns them.
24. The agency should adequately consider that beneficial use should be the #1 goal for all multiple-use lands.
25. The agency should adequately consider that developing and selecting a robust multiple-use alternative as opposed to a marginalized multiple-use alternative would better serve the over-arching needs of the public.
26. The agency should adequately consider the acres per wilderness/non-motorized visitor versus acres per multiple-use visitor both before and after the proposed action.
27. The agency should seek to develop an alternative and analysis that would provide a reasonable level of multiple-use and a decision that would provide more motorized access and motorized recreation.
28. The agency should adequately recognize that everyone has a duty to participate in sharing of public resources and especially on lands designed for multiple-use by congress.
 - a. The agency should adequately recognize that OHV recreationists are willing to share recreational opportunities with all other recreationists.
 - b. The agency should adequately recognize that motorized recreationists are not rewarded for their willingness to share.
 - c. The agency should adequately recognize that other users are rewarded for non-sharing behaviors.
 - d. The agency should adequately recognize that sharing of public resources by all users is a better solution than segregating all users and was not given a hard look.
 - e. The agency should adequately recognize that motorized recreationists are the only ones to lose opportunities in this planning action and every other planning action and the justice issues associated with that trend.
 - f. The agency should adequately recognize the issue associated with the statistic that a motorized route closed by the agency has never been re-opened even when needs and conditions have changed.
29. The agency should adequately recognize that developing and selecting a robust multiple-use alternative as opposed to a marginalized multiple-use alternative would better serve the over-arching needs of the public.
30. The agency should adequately recognize that citizens should be able to recreate on public lands without the need to create and be part of well-funded influence organizations.
31. The agency should adequately consider that its actions have significantly converted the land of multiple-use for the majority of users to the land of exclusive-use for a limited number of users.

12. Provide Adequate Coordination with Local and State Government

1. The agency should adequately consider coordination with all surrounding counties is required and should be adequately provided.

We are a locally supported association whose purpose is to preserve trails for all recreationists through responsible environmental protection and education.

13. Adequately Recognize and Address RS2477 Route Standing

1. The agency should adequately consider RS2477 route standing and perpetuating those routes for public motorized access and use as originally allowed by the laws and customs in place at the time of their creation.