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**Ben Burr, Executive Director**

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**July 5, 2024**

**Susan Eickhoff, Forest Supervisor**

Ashley National Forest  
355 North Vernal Avenue  
Vernal, Utah 84078

Dear Ms. Eickhoff,

BlueRibbon Coalition (BRC) is writing to provide feedback for the Flaming Gorge National Recreation Area Management Plan Environmental Assessment. 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, boats, horses, mountain bikes, and hiking to enjoy federally managed lands and waters throughout the United States, including those of Flaming Gorge. Many of our members and supporters live in Utah and Wyoming or travel across the country to visit Utah and Wyoming and recreate on USFS managed lands throughout these states. BRC members visit Flaming Gorge for recreation, sightseeing, bouldering, photography, rockhounding, fishing, wildlife and nature study, camping, observing cultural resources, and other similar pursuits. We would like to add our support to any comment submitted by any individuals or organizations that advocate for recreation use. BRC members and supporters have concrete, definite, and immediate plans to continue such activities in the future. We support any comments made by our members.

## **Project Specific Comments**

BlueRibbon Coalition strongly supports Alternative C. Both Alternatives B and C greatly consider the environmental impacts of proposed actions. BRC believes Alt. C does the best job in balancing environmental impacts as well as recreation, multiple use and economic opportunities. We would like to see the approval of the three new group sites, paving Antelope Flat Road and the installation of the attenuator.

01 Developed boat ramps and day use areas include adequate parking and amenities for current use and anticipated growth in use over the planning period.

*BRC Response: We want to ensure the USFS has accurate anticipated growth projections. We recommend using information from the Dyrst, the Bureau of Economic Analysis, boat sales as well as other resources to develop plans to increase amenities and have adequate parking and boat ramps.*

02 There are many opportunities for water recreation, including but not limited to powerboating, waterskiing, paddle sports, and fishing. The Green River below the Flaming Gorge Dam provides fishing, floating, and rafting opportunities with a high level of visitor satisfaction and user conflicts are managed.

*BRC Response: BRC supports opportunities for all forms of recreation. We often see allegations of user conflict that are arbitrary and are one user group trying to restrict another user group. One form of recreation should not take precedence over another. User conflict needs to be appropriately defined and reported before it is used as justification to restrict use.*

05 At developed marinas, place special emphasis on providing for boat and water-oriented sanitation needs, including floating toilets and pump out stations.

06 Construct and maintain improvements to meet public needs. They should be aesthetically pleasing and blend with or complement the surrounding area and include defensible space for wildfire.

*BRC Response: We fully support and appreciate the USFS including this in the draft plan. Providing adequate resources and amenities is crucial.*

07 Developed boat ramps and associated facilities are safe, well maintained, and accommodate current use.

*BRC Response: We recommended editing this line to read “Developed boat ramps and associated facilities are safe, well maintained, and accommodate current **and future use.**”*

### **Water Recreation**

All forms of water recreation are very important to the Flaming Gorge National Recreation Area. We appreciate the USFS recognizing the importance and use of motorized users in this area. We support maintaining infrastructure “to meet changes in use and environment”. As water levels change, USFS must adapt to provide continued access to the lake and surrounding areas. Because of the economic value water recreation brings in this must be analyzed and be a top priority for the agency. We support the proposed paddle trails.

### **Dispersed Camping**

We support allowing dispersed camping and believe it provides a valuable user experience that the Forest Service should be protecting. Only allowing designated campsites would be detrimental to many users. While some may prefer a designated campsite, many prefer to find their own secluded area of nature to enjoy. Research shows that having an experience in nature where no one else has been has many mental and physical health benefits. Restricting dispersed camping will hinder these benefits. Outdoor recreation has grown incredibly the last few years because the public is starting to recognize the value that enjoying nature brings to your life. In fact, NASA claims that human exploration is innate and what leads to discovery.<sup>1</sup>

BRC believes that all users can and should be accommodated. This plan should ultimately identify reasonable standards for allowing dispersed camping. According to The Dyrt, 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 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.<sup>2</sup> Another issue is those who make reservations and don't show up, it takes away opportunities to utilize public

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<sup>1</sup> <https://www.nasa.gov/feature/the-human-desire-for-exploration-leads-to-discovery>

<sup>2</sup>

[https://www.researchgate.net/publication/359329284\\_Exclusionary\\_Effects\\_of\\_Campsite\\_Allocation\\_through\\_Reservations\\_in\\_US\\_National\\_Parks\\_Evidence\\_from\\_Mobile\\_Device\\_Location\\_Data](https://www.researchgate.net/publication/359329284_Exclusionary_Effects_of_Campsite_Allocation_through_Reservations_in_US_National_Parks_Evidence_from_Mobile_Device_Location_Data)

lands from someone who otherwise would have used the camping spot. The USFS should look 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."<sup>3</sup> 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 research is showing that is discriminatory.

### **Economic Benefits**

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 within Flaming Gorge. Local groups have worked hard to put the area on the map so that they could reap the economic benefits. Creating open OHV areas will help achieve the goals of the local groups. Closing 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 and education. 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 2022. Outdoor recreation now accounts for over \$1 trillion in economic activity. For reference, the oil and gas industry is \$812 billion. Outdoor recreation is popular. It is an economic juggernaut. Motorized forms of recreation account for a shocking \$78 billion in economic value.

### **Organized Events**

Many of our members hold organized events that include organized rides in this area. A significant portion of the education mission of organizations like ours and the fundraising that supports organizations like ours comes from these organized events, and we see the continuation of these events as an integral expression of protected rights including freedom of speech and freedom of assembly. We believe these events are protected by the First Amendment and believe they are crucial to clubs and organizations. Paving Antelope Flat Road and the installation of the new group sites would aid in our ability to hold such events.

### **Users with 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. 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 Flaming Gorge NRA Management plan would disproportionately harm disabled users' ability to access public lands.

Any approach to 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.

### **E-bikes**

BRC strongly encourages a thorough analysis of allowing e-bikes on the proposed bike complex. Education and outreach should always be the first response if USFS confirms there is an issue regarding public safety, wildlife or soil impacts.

There is not a thorough record of analysis on allowing all three classes of e-bikes on this complex. Technological developments already exist for the latest models of e-bikes to allow for conversion between the different classes. Because of this, the class system will likely become obsolete in just a few short years. Managers should focus on riding behaviors and actual environmental impacts in how they regulate biking on the trails. For example, a speed limit is more reasonable and enforceable than determining which class setting is currently being operated on an e-bike. Not allowing e-bikes at all, which is the case in the current alternatives, is problematic. The innovation happening around electronically assisted and powered bikes is almost impossible to predict, and it is likely that any rigid regulatory alternative that is selected will become obsolete and exclusionary. If human-powered mountain bikers want to cultivate a purity culture driven trail system, nothing is stopping them from doing it on private land.

USFS is required to use the best available science per NEPA. Studies by the BLM show that, "Soil displacement was not significantly different"<sup>4</sup> from e-bikes to human powered bikes. The National Park Service is allowing and accommodating e-bikes on public lands more and more as they have found that soil displacement isn't significantly different or more dangerous. In fact many users can't tell the difference between e-bike users and human powered bikes.<sup>5</sup>

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chrome-extension://efaidnbnmnnibpcajpcglcfindmkaj/https://prismic-io.s3.amazonaws.com/peopleforbikes/b178ccd2-e6bc-4837-a4c3-064f71c6605d\_ebike-soil-erosion-study.pdf

<sup>5</sup> <https://parkplanning.nps.gov/document.cfm?parkID=364&projectID=76722&documentID=119660>

## **Conclusion**

We would like to close by saying we support “shared use”. As long as overall visitation numbers are appropriate for the affected resources, users can be compatible with one another so long as individual users understand designations and plan their activities accordingly. Indeed, recreation use often overlaps with 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  
BlueRibbon Coalition  
P.O. Box 5449  
Pocatello, ID 83202  
brmedia@sharetrails.org

Sincerely,

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

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