



**BACKCOUNTRY
HUNTERS & ANGLERS
ARKANSAS**

Date: July 26, 2024

From: Arkansas Chapter, Backcountry Hunters & Anglers

To: U.S. Forest Service, Ouachita National Forest, Mena-Oden Ranger District

Backcountry Hunters & Anglers (BHA) was formed in 2004 to be the voice for wild public lands, waters, and wildlife. The organization seeks to ensure North America's outdoor heritage of hunting and fishing in a natural setting, through education and work on behalf of wild public lands, waters, and wildlife. The Arkansas Chapter of BHA (AR BHA) was formed in 2020 to represent the interests of hunters and anglers who utilize the public lands and waters within the state of Arkansas.

With regard to the application for a Special Use Permit by the Arkansas Department of Parks, Heritage and Tourism – Division of Arkansas State Parks, AR BHA has reviewed the Draft Environmental Assessment. Our organization wishes to raise the following concerns.

Reduction of hunting opportunities within the SUP area.

The Draft EA notes that "hunting and fishing are especially popular in and adjacent to the proposed SUP area" and that currently "hunting is permitted anywhere on the ONF except in developed recreation areas or otherwise posted areas" (page 32). In multiple other locations within the document including Table 2-6, it is stated "Hunting is a specific use that would need to be addressed in this plan and ASP's approach will be informed by public input throughout the NEPA process." The Draft EA also states "While coordination and planning would help address the potential for user conflict in the area and reduce the overall impact the proposed projects would have on hunting activities, *the introduction of a more developed setting may drive some users of NFS lands away from this area and in search of dispersed recreation elsewhere on the ONF, ultimately shifting patterns of use around the project area.*" (emphasis added)

The draft document acknowledges the popularity of hunting and fishing in the area, but it does not quantify the current usage or provide insight into what the actual impact to this user group will be. Displacing a *known* current user group in order to build infrastructure for a *potential* new user group, without first studying the impact to the known group, is an irresponsible use of both financial and natural public resources. More study is needed to determine the true extent of the



**WWW.BACKCOUNTRYHUNTERS.ORG/ARKANSAS
ARKANSAS@BACKCOUNTRYHUNTERS.ORG**

hunter displacement, and then to develop actual, feasible mitigating actions. There is currently one Arkansas State Park which allows hunting, so the precedent for managing the various user groups exists. **AR BHA requests the Forest Service to incorporate stronger language into the Environmental Assessment requiring a better understanding of the current usage by hunters. Further, ASP should be required to develop a comprehensive plan in partnership with the Arkansas Game and Fish Commission to maintain hunter access within the SUP area.**

Another area on which the Draft EA is mute is the subject of traditional hunting practices occurring on adjacent private and public lands, namely the pursuit of deer using dogs. While this practice is not widely understood today, our ancestors and native people have hunted in this way for generations. Today there is a small but proud portion of the hunting community who enjoy this activity near the proposed project. Wildlife and dogs do not understand manmade boundaries, and there is a high potential for conflict between mountain bikers and hunters when a pack of hunting dogs pursues a deer onto the project area. **Given the potential for conflict, further study is advised.**

Impacts to wildlife within the project area

The Draft EA makes mention of several species of animals and plants which may be impacted by the project. **To the greatest extent possible, wildlife experts should be included in site-specific reviews of trail routes once they are developed.** This will help identify and avoid any sensitive areas which may not be known or which may be missed by a less thorough "desktop review". These reviews may also help identify potential impacts to ground nesting birds, like wild turkey or northern bobwhite quail, which are both species of concern within Arkansas.

One species which currently thrives on Rich Mountain but is not mentioned at all is the black bear. In fact, the current state park celebrates the population of bears on Rich Mountain, and anecdotal evidence from hunters indicates a thriving population of black bears on the mountain. The impact of the mountain bike trails on the bears, and the impact of the bears on the mountain bikers, is not mentioned in the assessment. This oversight must be corrected.

Black bears could be expected to be most active and visible in the fall of each year as they prepare for their winter den cycle. Their increased caloric intake has the potential to bring them into direct conflict with bikers who are not accustomed to operating in "bear country". This may happen at



campgrounds or at locations where human food is more readily available. Additionally, it could occur in areas where preferred natural food sources like acorns are abundant. Arkansas does not currently have a large "problem bear" situation, and we all must strive to keep it that way.

There are a few scenarios that could play out. One is that bears would simply move to areas with less activity than the trail system. It is generally understood that a black bear's "zone of impact" from human disturbance is roughly 100 meters. This means there will be a measurable impact to the bear's behavior or physiology when human incursion happens within 100 meters of them. Even in the least densely trailed areas, bears might be pushed out of their current habitat and onto adjacent public lands, increasing their density in those areas and taxing the resources. Or they could end up on private lands where there is potential for increased conflicts with property owners. Another scenario is that some bears might remain within the SUP or even be attracted to it for the chance at an easy meal.

Another impact to black bear populations could come as a result of specific construction practices required by species at greater risk than the black bear. For example, winter tree clearing proposed to reduce the impact on roosting bats may negatively impact denning bears, especially those with cubs. **This impact should be considered within the environmental assessment.**

For these reasons, specific plans should be incorporated to address the impact of this project on the existing black bear population. **We recommend early consultation with AGFC to understand what the population density is and to develop proper plans to minimize conflicts. Again, involving wildlife professionals after trail siting is complete will help minimize future conflicts or loss of habitat.**

Preferred alternative

AR BHA's preferred alternative would be Alternative 1 - No action. This would preserve the current character of the natural environment and user experience within the proposed SUP area. However, AR BHA also understands the desire of the local community for enhanced economic opportunities, and the desire of other user groups to enjoy our shared public resources.

If development must occur, AR BHA's preference is Alternative 3. This option limits the areas of greatest development to portions of the mountain where development is already likely to occur. The Ward Lake Zone contains projects on City of Mena property, and the State Park Zone already



has the Queen Wilhelmina State Park. Uplift infrastructure would be limited to either end of the proposed SUP area and the scenic views in between would mostly be preserved. Regular daily disturbance from the traffic associated with shuttles would still exist but would be reduced compared to Alternative 4.

Conclusion

The Arkansas Chapter of Backcountry Hunters & Anglers recognizes the value of our shared public resources for all user groups. We also appreciate the potential economic benefits communities might realize if they can capitalize on the recreational opportunities available on nearby public lands or waters. In this instance we advocate for a reasonable approach to development along with reasonable expectations of the potential benefits. Once the hand of man reshapes the natural environment, it is up to us to continue to manage and shepherd the resource in perpetuity. We express hope for a balanced approach which respects all current user groups, places appropriate value on the natural resources, and derives economic benefit from the natural resources without destroying them in the process.

Sincerely,



James Brandenburg

Arkansas Chapter Chair

