



July 29, 2026

Rio Grande National Forest
Att: Dennis Kuhnel, Forest Supervisor
1055 9th Street
Del Norte, Colorado 81132
Submitted Via Portal only

Re: Rio Grande Winter OSV Planning DEIS
Project Number 291552

Dear Planning Team Members;

Please accept this correspondence as the input of the American Motorcyclist Association (“AMA”) identified above regarding the DEIS on the Rio Grand NF Over the Snow travel designations. For more than 100 years the AMA has advocated to protect and preserve motorized opportunities. The AMA is unable to support any Alternative of the Proposal as no analysis is provided on many of the issues of highest importance to the motorcycle community, such as development of an improved seasonal decision making process for public access. While the AMA is aware the Proposal is most directly addressing winter travel planning, this planning effort will impact summer motorized access on the Forest as well. The AMA vigorously supports the proper application of the Explore Act and other Congressional changes recently enacted. Additionally, several recent Executive Orders addressing access public recreational efforts, such as the MABA EO and Executive Order are not addressed in the Proposal.

The AMA is VERY concerned the analysis portion of the Proposal fails to accurately address legal standards that have changed in the past 5 plus years, such as the additional clarity of adequate access Congress provided in the Bipartisan Infrastructure Act of 2022 and the Explore Act of 2025. These are changes that have been finalized into law more than 18 months before this Proposal was released. The Proposal was released in June of 2026, almost a month before the minimization criteria and EO11644 and 11989 were withdrawn by President Trump’s EO 14408. Despite the removal of “minimization criteria” as a management standard, the Proposal provides significant analysis on the “minimization criteria” are being applied in the decision-making process which is concerning in isolation.

This type of analysis is even more problematic as it fails to comply with President Trump's MABA EO as streamlined management and removal of management barriers on public lands was the goal of both the MABA and 14408 Executive Orders.

The AMA is concerned best available science for lynx management is not applied and the incorrect application of Best Available Science has been a significant barrier to public access. As an example, the Proposal applies the 2008 Southern Rockies Lynx Amendment ("SRLA") despite this standard being superseded multiple times. The AMA does not oppose the Lynx administrative units ("LAU") management structure developed in the SRLA but this model still must apply best available science, which the US Forest Service and US Fish and Wildlife Service agree is dispersed recreation of all types has no identifiable impact on the species. High intensity developments, like ski areas, only require further management. Proper application of the lynx management standards were addressed in detail in Judge Rodriguez decision on the merits in challenges to the RMP and must be applied in this related matter.

1(a) Who We Are.

The American Motorcyclist Association ("AMA") mission to promote the motorcycle lifestyle and protect the future of motorcycling. Founded in 1924, the AMA is the premier advocate for the motorcycling community, representing the interests of millions of on- and off-highway motorcyclists nationwide. Our mission is to promote the motorcycling lifestyle and protect the future of motorcycling. Our members have pursued recreational access throughout the planning region for decades.

1(b) USFS partnerships are the focus of national and state efforts.

With the passage of the National Forest System Trails Stewardship Act in 2016, Congress mandated the creation of a volunteer strategy report to improve partnerships between land managers and user groups for the benefit of trails on federal public lands. This report was highly relevant in addressing budgetary shortfalls and identifying partners where resources are more limited and partners where resources are more available as the report requires:

- “(b) REQUIRED ELEMENTS.—The strategy required by subsection (a) shall—
- (1) augment and support the capabilities of Federal employees to carry out or contribute to trail maintenance;
 - (2) provide meaningful opportunities for volunteers and partners to carry out trail maintenance in each region of the Forest Service;
 - (3) address the barriers to increased volunteerism and partnerships in trail maintenance identified by volunteers, partners, and others;

(4) prioritize increased volunteerism and partnerships in trail maintenance in those regions with the most severe trail maintenance needs, and where trail maintenance backlogs are jeopardizing access to National Forest lands; and"¹

The largest single partner with the Rio Grande NF is the motorized trail user community, both in terms of direct funding to land managers through the CPW Trails Program and with direct funding and resources from clubs in the Rio Grande NF planning area. The partnerships impact is further expanded by the fact that all motorized routes on the Rio Grande are available for all other recreational activities. In many other planning areas, a major barrier to partnerships is closures of routes or areas due to resource concerns when resources are available to address the resource concerns. This type of management decision is highly frustrating to partners and the public.

The identification of partner resources available to Rio Grande managers must be a major priority in the development of the Proposal. While there are many partner groups who volunteer time and resources in partnership with Rio Grande managers, the OHV community is the only partner that provides direct and consistent funds to Rio Grande managers through the CPW OHV grant program to assist in achieving sustainable recreational opportunities. The USFS Regional Office has clearly identified that just the OHV program in Colorado more than doubles the amount of agency funding that is available for recreational activity on USFS public lands. After a review of the CPW Statewide Good Management Crew program based in the Sulphur Ranger District of the Arapahoe/Roosevelt NF managers clearly identified that CPW OHV good management crews were provided money in a more consistent and timely manner than the funding that was provided through USFS budgeting and over time the CPW program funding had significantly increased while USFS budgets had significantly declined. There is simply no basis for a decision that this long term reduction in funding will change and this should be factored into planning for projects on the ground for all user groups.

In 2024, Rio Grande managers asked for almost \$200,000 in direct funding for annual maintenance crews and for site specific projects from the CPW OHV program alone. This funding provides three trained seasonal crews who perform on the ground trail maintenance, provide basic maintenance services for more developed sites and expand the law enforcement presence on the Rio Grande. Additionally, these crews are able to leverage a significant amount of mechanized equipment in the Rio Grande planning area, such as the several Sutter trail dozers, mini-excavators and tractors owned by local clubs to address larger maintenance challenges in a very cost effective manner.

In addition to the OHV grant funding and exceptional partnerships available through summer use clubs, CPW funding through the Snowmobile Registration Program provides an additional \$500,000 in funding to local clubs for operation of the grooming programs, who maintain almost 400 miles of multiple use winter trails on the Rio Grande. The CPW snowmobile registration program further partners with the local clubs to purchase grooming

¹ See, 16 USC §583k-2

equipment used on these routes, which now is consistently exceeding \$200,000 to purchase used. This CPW funding is again leveraged with exceptional amounts of volunteer and community support for these grooming programs from local clubs and often times the CPW funding is less than half the operational budget for the clubs maintaining these routes. These winter trails are the major access network for all users of Rio Grande winter backcountry for recreation and all these opportunities are provided to the general public free of charge.

2(a) The Proposal consistently interchange the concept of proposed action and preferred alternative making comment very difficult.

The development of the Proposal has suffered from internal inconsistencies, unusual public engagement and failure to recognize the success already in place on the Forest. The problematic public engagement continues into the Proposal itself which suffers from widespread inconsistencies in the Proposal. The Proposal is often internally conflicting as EIS often identifies a “proposed action” and “preferred alternative”.² In several locations the term “proposed action” appears to be substantively reflected in analysis and generally outlines Alternative 2, while the “preferred alternative” is identified as Alternative 3. These concepts are separate and distinct standards and steps in the planning process, but the Proposal uses them interchangeably. The interchange of these standards will result in a great deal of confusion for the public at a minimum.

Identifying alternatives with these classifications also violates NEPA requirements, which results in those members of the public having a working understanding of NEPA will probably be misleading. Under NEPA generally a proposed action identifies general project and scope rather than a specific alternative such as “winter travel management on the Rio Grand NF”. CEQ guidance on NEPA clearly defines the relationship of a proposed action and alternatives as follows:

“The alternatives section is the heart of the environmental impact statement. The alternatives section should identify the reasonably foreseeable environmental effects of the proposed action and the alternatives in comparative form based on the information and analysis presented in the sections on the affected environment (§ 1502.15) and the environmental consequences (§ 1502.16). In doing so, the analysis should sharply define the issues for the decision maker and the public and provide a clear basis for choice among options.”³

NEPA processes do not require a preferred alternative to be provided but one could be provided in the process to facilitate public engagement. The preferred alternative would reflect a particular alternative to resolve the proposed action. These steps are not

² See, Proposal at pg. vii.

³ See, 40 CFR 1502.14

interchangeable. The CEQ guidance for NEPA planning outlines the identification of the preferred alternative as follows:

“If an agency has a preferred alternative when it publishes a draft EIS, the draft must identify which alternative the agency prefers. All agencies must identify a preferred alternative in the final EIS, unless another law prohibits it from doing so.”⁴

While the CEQ guidance is clear that the preferred alternative and proposed action are not interchangeable concepts, the proposal frequently identifies a “proposed action” alternative and a “preferred action” alternative. This will only confuse the public and undermine the value of any comment. The possibility of confusion of the public is only expanded did not provide a proposed action alternative or a preferred action alternative.

2(b) The Proposal’s Range of Alternatives fails to provide legal sufficient analysis of many issues.

The Proposal’s unique engagement and interchange of basic NEPA concepts has resulted in a flawed Proposal being provided for public comment. These NEPA failures have resulted in many viable options for management not being explored. Providing an accurate and reasonable range of alternatives to the public as part of the NEPA process is a critical component of the NEPA process. The rational decision-making process of NEPA is compromised when agencies consider only a limited range of alternatives to their proposed projects.⁵ When reviewing ranges of alternatives provided in a NEPA analysis, the courts have consistently held:

“The alternative section is ‘the heart of the environmental impact statement,’ 40 C.F.R. 1502.14; hence, ‘[t]he existence of a viable but unexamined alternative renders an environmental impact statement inadequate.’”⁶

When determining if an EIS has provided a satisfactory range of alternatives, Courts have held the proper standard of comparison is to compare the purpose and intent of the EIS to the Range of Alternatives provided. The Courts have consistently held:

“[E]nsure that federal agencies have sufficiently detailed information to decide whether to proceed with an action in light of potential environmental consequences, and [to] provide the public with information on the

⁴ See, 2021 CEQ public guide at pg. 14.

⁵ James Allen; *Does not provide a range of alternatives to satisfy NEPA.....NEPA Alternatives Analysis: The Evolving Exclusion of Remote and Speculative Alternatives*; 2005 25 J. Land Resources & Envtl. L. 287.

⁶ See, *Citizens for a Better Henderson v. Hodel*, 768 F.2d 1051, 1057 (9th Cir. 1985).

environmental impact of a proposed action and encourage public participation in the development of that information.”⁷

Given the numerous documents and guidelines that have been overlooked in the creation of the RMP, the AMA believes that these failures has caused a range of alternatives to be presented that are significantly different from the range of alternatives that would have been presented if many priority concerns had been accurately addressed. Given the foundational nature of these documents and challenges, the AMA believes Alternatives 2 & 4 of the Proposal fail to comply with federal law and recent Executive Orders and for that reason along cannot be implemented. Much of the underlying analysis asserted to be implementing Alternative 3 must be addressed for basic alignment with Alternative 3. This leaves the only portion of the Proposal that arguably complies with Federal law, which is the Alternative 3 map.

3(a) Minimization criteria were removed from planning process by President Trump on May 29, 2026.

The AMA concerns around an insufficient range of alternatives being provided only expand when the legal requirements for the Proposal are reviewed. The problematic nature of the legal analysis provided starts from the fact the minimization criteria were removed by Executive Order 14408 issued by President Trump weeks before release of Proposal. Despite the withdrawal of these requirements weeks before the release of the DEIS, the Proposal spends significant time addressing and implementing the minimization criteria factors in the planning process.⁸ As the minimization factors are no longer valid management standards, these provisions must be removed from the analysis and various alternatives corrected to remove the impact of this improperly applied standard.

The AMA is forced to recognize two fold goals of President Trump’s EO 14408 which it clearly states are improving access and removing barriers to efficient planning. The failure of the Proposal to provide an accurate summary of recent legal changes impact the ability to efficiently and effectively plan. Given the Proposal fails to recognize any portion of the Explore Act and clarity provided for identification of adequate access the Proposal has failed to comply with either goal of EO 11408.

3(b) Greater clarity in applicable area and travel standards is needed to align with President Trump’s Make America Beautiful Again Executive Order.

EO 14408 was not issued in isolation but is rather one step in decades of executive and legislative efforts to improve access to public lands. The AMA welcomed President Trump’s MABA Executive Order issued on July 3, 2025, as we believed this was a significant step towards addressing access issues that have come to be common on federal land. Accurately

⁷ Kunzman, 817 F. 2d at 492; see also *Citizens for a Better Henderson*, 768 F. 2d at 1056.

⁸ For example, Proposal at pg. 17.

reflecting the scope of the MABA EO is important to our concern. The MABA EO requires recognition of barriers and then improving regulations to ensure these barriers do not return much like EO 14408. Removing barriers is simply different than an affirmative step to restore and improve access.

The AMA submits any decision limiting the benefits of removing minimization criteria for any local planning effort that would violate the MABA EO and various federal statutory planning requirements. President Trump's MABA EO identifies the first step of recognizing the impacts of mismanagement as follows:

“Years of mismanagement, regulatory overreach, and neglect of routine maintenance require action. Land-use restrictions have stripped hunters, fishers, hikers, and outdoorsmen of access to public lands that belong to them. These bureaucratic restrictions have undermined outdoor traditions and threatened conservation funding.”

President Trump's MABA EO specifically recognizes motorized recreation as a negatively impacted value and mandate the remedy for this situation as follows:

“Sec. 2. General Policies. All Federal land management agencies, as defined by 16 U.S.C. 6801(3), shall, to the extent practicable, ensure that their policies: (a) promote responsible stewardship of natural resources while driving economic growth;

(b) expand access to public lands and waters for recreation, hunting, and fishing;

Sec. 4. Conserving Our National Treasures. The Commission shall advise and assist the President regarding how best to responsibly conserve America's national treasures and natural resources, including by:

(e) developing policies to expand access to public lands, national parks, national forests, and wildlife refuges while promoting a wide range of outdoor recreation opportunities like hunting, fishing, hiking, biking, skiing, climbing, boating, off-roading, and wildlife viewing.”

The AMA requests both steps of the MABA EO be undertaken, in order to comply with the mandate of the MABA EO and to accurately apply federal law. Simply assuming or hoping access will improve is significantly different than taking affirmative steps to ensure access improves, such as correcting existing standards to provide a balance of high performing wildlife and access standards. While removing barriers to access is supported, it is also well short of restoring access and avoiding future impacts required by the MABA EO. While the Proposal starts this process, in several provisions the Proposal falls short of achieving this goal and generalized assertions of alignment with existing RMP could be immensely problematic.

3(c) Current federal law must be reflected in the Proposal.

The AMA must request greater clarity and specific recognition of the multiple use mandate as a planning and management goal in the Proposal after withdrawing of the minimization criteria. The AMA believes clarity on what the multiple use mandate actually requires is highly relevant to our position and the need for greater clarity in the provisions throughout Proposal. The MUSYA specifically requires as follows:

“It is the policy of the Congress that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes. The purposes of sections 528 to 531 of this title are declared to be supplemental to, but not in derogation of, the purposes for which the national forests were established as set forth in section 475 of this title.”⁹

The MUSYA specifically identifies recreation as appropriate and equal value on public lands and requires high levels of performance for all protected values on federal lands. §531 of the MUSYA defines both multiple uses and sustained yield as follows:

“(a) “Multiple use” means: The management of all the various renewable surface resources of the national forests so that they are utilized in the combination that will best meet the needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; that some land will be used for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.

(b) “Sustained yield of the several products and services” means the achievement and maintenance in perpetuity of a high-level annual or regular periodic output of the various renewable resources of the national forests without impairment of the productivity of the land.”

In development of the MUSYA management structure in 1964, Congress also clarified mandatory access via roads and trails for all forms of multiple uses as follows:

“The Congress hereby finds and declares that the construction and maintenance of an adequate system of roads and trails within and near the national forests and other lands administered by the Forest Service is

⁹ See, 16 USC §528

essential if increasing demands for timber, recreation, and other uses of such lands are to be met; that the existence of such a system would have the effect, among other things, of increasing the value of timber and other resources tributary to such roads; and that such a system is essential to enable the Secretary of Agriculture (hereinafter called the Secretary) to provide for intensive use, protection, development, and management of these lands under principles of multiple use and sustained yield of products and services.”¹⁰

In the Bipartisan Infrastructure Act of 2022 Congress amended 16 USC §538a to expand and clarify what “adequate” means in relation to multiple use access as follows:

(1)the system of roads and trails on the applicable unit of the National Forest System—

(A) is adequate to meet any increasing demands for timber, recreation, and other uses;

(B) provides for intensive use, protection, development, and management of the land under principles of multiple use and sustained yield of products and services;

(C) does not damage, degrade, or impair adjacent resources, including aquatic and wildlife resources, to the extent practicable;

(D) reflects long-term funding expectations; and

(E) is adequate for supporting emergency operations, such as evacuation routes during wildfires, floods, and other natural disasters; and

The focus of the Proposal on minimization and not accurate application of federal law have resulted in a legally sufficient range of alternatives not being provided. It is unfortunate the added clarity of the Bipartisan Infrastructure Bill provisions are not addressed in the Proposal as the only alternative presented that could satisfy these requirements is the Alternative 3 map. It is only more unfortunate that other federal statutory changes governing recreation are not addressed in the Proposal either.

3(c) Explore Act planning requirements are not addressed in the Proposal despite many being immediately effective on passage.

The AMA is concerned the Explore Act is also never mentioned in the Proposal, despite being passed into law almost 2 years before the release of this Proposal. We are aware much of the Explore Act provides landscape level changes in analysis, which would need new regulations. However, this legislation remains directly relevant to the Proposal as numerous site-specific requirements were required to be applied immediately after passage on January 4, 2025. The changes required under the Explore Act are simply far too large to address in any detail in a public comment. As an example, §127(d) of Explore Act requires

¹⁰ See, 16 USC §532

improved motorized and nonmotorized access prior to the release of new travel maps are highly relevant here as the Proposal is developing travel maps. Explore Act requires planning to improve seasonal access to opportunities in §331. §154 of the Explore Act further requires improved parking and camping opportunities in subsequent planning. If the current Proposal has determined these factors are satisfied, the Proposal must address how this determination was made. It does not provide this analysis.

The AMA would like to highlight two provisions of the Explore Act that are highly relevant to our concerns around the Proposal more generally. The Explore Act further requires identification of unique sites and unique opportunities in **all** subsequent planning efforts. These requirements are specifically outlined as follows:

“SEC. 112. IDENTIFYING OPPORTUNITIES FOR RECREATION.

(a) INVENTORY AND ASSESSMENTS.

(1) IN GENERAL. The Secretary concerned shall—

(A) conduct an inventory and assessment of recreation resources for Federal recreational lands and waters;

(B) develop the inventory and assessment with support from public comment; and

(C) update the inventory and assessment as the Secretary concerned determines appropriate.

(2) UNIQUE RECREATION VALUES. An inventory and assessment conducted under paragraph (1) shall—

(A) recognize—

(i) any unique recreation values and recreation opportunities; and

(ii) areas of concentrated recreational use; and

(B) identify, list, and map recreation resources by—

(i) type of recreation opportunity and type of natural or artificial recreation infrastructure;

(ii) to the extent available, the level of use of the recreation resource as of the date of the inventory; and

(iii) identifying, to the extent practicable, any trend relating to recreation opportunities or use at a recreation resource identified under subparagraph (A).

(3) ASSESSMENTS. For any recreation resource inventoried under paragraph (1), the Secretary concerned shall assess—

(A) the maintenance needs of, and expenses necessary to administer, the recreation resource;

(B) the suitability for developing, expanding, or enhancing the recreation resource; and

(C) the adequacy of the current management of the recreation resource.

(b) EXISTING EFFORTS. To the extent practicable, the Secretary concerned shall use or incorporate existing applicable research and planning decisions and processes in carrying out this section.”¹¹

The AMA are not able to identify any portion of the Proposal applying these requirements to Alternatives 2 & 4. Alternative 3 as mapped is the only alternative that avoids impacts from failing to undertaking this analysis as most of the forest remains open to winter travel. Subsequent planning could identify unique sites and opportunities at some point in the future as access was preserved. The AMA would request that the Explore Act be reviewed to ensure basic compliance with its provisions has been developed, meaningfully analyzed and provided for public comment.

Given the passage of the Explore Act occurred more than 18 months **before** the release of this document, various Explore Act requirements that were to take effect immediately must be addressed in the Proposal. That has not occurred. The AMA submit clarity on the process to implement the Explore Act must be provided to ensure if determinations are made that provisions are inapplicable that these decisions are documented and public comment is provided around that decision. Failure to do so would violate the Explore Act, NEPA and various Executive Orders.

3(d) Explore Act provisions to improve seasonal access must be addressed.

The AMA vigorously assert our concerns around the relationship of the Proposal as various legal requirements is neither abstract or remote as the revisions required under the Explore Act and the Proposal are directly related. Proper application of these requirements improve access for all users of the Forest both summer and winter. Failing to address the requirements under federal law prejudice all users of the forest. Planners must recognize that adequate access requirements are applicable even during application of seasonal closures on public lands as Explore Act §331 requires these closures to be reduced and does not alter other planning requirements such as 16 USC §532, 16 USC §538a and the Explore Act. Explore Act §331 specifically mandates the requirement to improve seasonal access and provides as follows:

“(a) DEFINITION OF SEASONAL CLOSURE.—In this section, the term “seasonal closure” means any period during which—

- (1) a unit, or portion of a unit, of Federal recreational lands and waters is closed to the public for a continuous period of 30 days or more, excluding temporary closures relating to wildlife conservation or public safety; and
- (2) permitted or allowable recreational activities, which provide an economic benefit, including off-season or winter season tourism, do not take place at the unit, or portion of a unit, of Federal recreational lands and waters.

(b) COORDINATION.—

¹¹ See, 16 USC §8412

(1) IN GENERAL.—The Secretaries shall consult and coordinate with outdoor recreation-related businesses operating on, or adjacent to, a unit of Federal recreational lands and waters, State offices of outdoor recreation, local destination marketing AMAs, applicable trade AMAs, nonprofit AMAs, Indian Tribes, local governments, and institutions of higher education—

(iii) opportunities to extend the period of time during which areas of, or infrastructure on, units of Federal recreational lands and waters are open to the public to increase outdoor recreation opportunities and associated revenues for businesses and local governments; and

(d) EXTENSIONS BEYOND SEASONAL CLOSURES.—

(1) EXTENSION OF RECREATIONAL SEASON.—In the case of a unit of Federal recreational lands and waters managed by the Forest Service, the Bureau of Land Management, or the National Park Service in which recreational use is highly seasonal, the Secretary concerned, acting through the relevant unit manager, may—

(A) as appropriate, extend the recreation season or increase recreation use in a sustainable manner during the offseason; and

(B) make information about extended season schedules and related recreational opportunities available to the public and local communities.”¹²

The mandates of the Explore Act to improve seasonal access are implementing the adaptive management goals and objectives specifically outlined in the 2020 Rio Grande NF RMP as follows:

“Forest plan monitoring provides feedback for the Forest’s planning cycle by testing assumptions, tracking relevant conditions, and evaluating management implementation and effects of management practices. The monitoring program that is developed as part of the forest plan should be strategic, effective, and useful. Forest plan monitoring is an important part of the continuous improvement of the plan through the adaptive management process. Direction for monitoring and evaluation of forest plans is contained in 36 CFR 219.12, and in planning directives at 1909.12, Chapter 30.”¹³

The AMA partners have developed a detailed revision of the seasonal decision making process for travel management that provides more flexibility in management, engages partners in a meaningful manner, expands access and actually relates to conditions on the ground. AMA vigorously supports planning that expands access as part of a seasonal decision making process.

¹² See, 16 USC §8561.

¹³ See, USDA Forest Service; Rio Grande NF Resource management plan at pg. 88.

3(e). Snow depth requirements fail to provide flexibility to ensure access based on seasonal changes.

The failure to meaningfully address the Explore Act has resulted in secondary impacts from limited decision making. The Proposal does a good job of outlining the variable nature of snowfall on the forest. While the Proposal recognizes this issue, this management challenge is not addressed as the Proposal requires 18 inches to groom any snow on roads. As addressed in other portions of comments previously submitted, snow compaction or sintering is a natural process that significantly alters the characteristics of snow after it falls. Extensive materials on the issue were provided in the scoping comments and we ask these resources be recognized in planning. This failure could impact seasonal access to large portions of the forest as snow is commonly pushed to parking areas in the grooming process to allow public access on roads. This groomed snow is frequently heavily compacted and as a result small amounts of snow provide significant protection of resources. While minimal snow is needed to protect resources, this snow is critical to providing access to areas of the forest that may have dozens of feet of snow and provide high quality recreational opportunities for months to come.

Seasonal access is achieved during periods of limited snow as grooming only occurs on roads, which have been created to avoid impacts from usage of 80k lbs. trucks. While we are aware the 18 inch minimum for grooming is a general goal and requirement for grooming, this fails to reflect much of the grooming on the forest occurs on roads. AMA would ask for additional flexibility for grooming depths to address both snow compaction and seasonal needs on the road network. Access for motorcycle and motorized access that would result from adaptive management standards addressing snow depth would be hugely valuable for the motorcycle community. Closures to public lands that appear lacking legal or scientific basis can be some of the most frustrating for the public.

4(a)(1) Best available science on Canadian Lynx management is not reflected in the Draft EIS.

The Proposal systemic failure to correctly apply current law and best available science in the analysis continues with the species management being analyzed. The need to continually address and correct lynx management in planning efforts is highly frustrating as we have partnered with USFS, USFWS and CPW in the development of these documents in an effort identified as the Lynx Blueprint Project. Our partnership in this effort including printing and shipping hundreds of copies of the 2013 LCAS 3rd to various forests and offices after a funding shortfall on that effort precluded notification to the offices most directly impacted by these updates.

The challenges for the Proposal on lynx management are expanded as Judge Rodriguez addressed this issue with a high level of detail in his decision on the Rio Grande RMP. Despite this clarity from the Court on how these standards should be applied, planners applied interpretations of lynx standards the petitioners had sought to be applied in the challenges to the RMP. The application of the petitioner's interpretation continues despite these being found incorrect already by the Court. The Proposal provides following analysis of conflicting and often completely incorrect summaries of lynx management across several pages of the Proposal. A highlighted summary of this analysis is as follows:

“When the Southern Rockies Lynx Amendment was completed in 2008 it effectively amended forest plan direction for the Canada Lynx on eight existing forest plans in the Rocky Mountain Region of the U.S. Forest Service, including the RGNF. This direction (with edits relating to spruce salvage, i.e. VEG S7), was brought forward and included in the 2020 Forest Plan (USDA 2020a). The required monitoring identified in this direction states:

“Maps of the location and intensity of snow compacting activities and designated and groomed routes that occurred inside LAUs during the period of 1998 to 2000 constitute baseline snow compaction. Changes in activities and routes are to be monitored every five years after the decision.”

For context, there are a few key glossary terms also included in the Southern Rockies Lynx Amendment (USDA 2020a) that help identify specific actions and impacts. These include:

Area of consistent snow compaction – An area of consistent snow compaction is an area of land or water that during winter is generally covered with snow and gets enough human use that individual tracks are indistinguishable. In such places, compacted snow is evident most of the time, except immediately after (within 48 hours) snowfall. These can be areas or linear routes and are generally found in or near snowmobile or cross-country ski routes, in adjacent openings, parks and meadows, near ski huts or plowed roads, or in winter parking areas. Areas of consistent snow compaction will be determined based on the acreage or miles used during the period 1998 to 2000.”¹⁴

This summary of the advances made during decades of lynx management in the West is simply factually and legally problematic. The Southern Rockies Lynx Amendment (“SRLA”) was completed in 2008, not 2020 as asserted in the Proposal. The SRLA has been superseded multiple times including the 3rd version of the Lynx Conservation Assessment and Strategy in 2013 and the complete update of all planning with the updated Lynx Recovery Strategy in 2025. Each of these plans has specifically and clearly superseded the management strategies developed in previous. This has specifically been stated in the LCAS 3rd as follows:

¹⁴ See, Proposal at pages 69-71.

“This edition of the LCAS provides a full revision, incorporating all prior amendments and clarifications, substantial new scientific information that has emerged since 2000 including related parts of the Lynx Recovery Plan Outline, as well as drawing on experience gained in implementing the 2000 LCAS. The document has been reorganized and condensed to improve readability and reduce redundancy.”¹⁵

The proper management of lynx for planning and habitat designations was again clearly and directly identified in the 2024 Lynx Recovery Plan as follows:

“The Service has also prepared a Recovery Implementation Strategy (RIS) in coordination with partners that will be refined and updated, as needed. The RIS serves as an operational plan for completing the higher-level recovery actions presented in this recovery plan by achieving specific tasks or activities. The RIS is a separate document from this recovery plan and can be modified as needed if monitoring reveals that expected results are not being achieved, therefore maximizing flexibility of recovery implementation. The SSA can also be updated as needed to incorporate the latest scientific information. To summarize, there are three documents under our 3-part recovery planning framework: (1) the SSA, which provides the foundational scientific information to guide recovery planning; (2) the recovery plan (this document), which provides the recovery vision, objective and measurable recovery criteria, site-specific management actions, and estimates of time and cost; and (3) the RIS, which is the operational plan of detailed activities associated with the actions identified in the recovery plan that are needed for recovery.”¹⁶

The AMA will simply assert the management process outlined in the Proposal and the management process identified by the USFWS and repeatedly and clearly stated in Court reviewed documents. Even with this level of clarity from USFWS, the Proposal fails to apply lynx management standards correctly. The problematic nature of the analysis is compounded as the management history and process identified in the 2025 USFWS documents aligns with the decision of Judge Rodriguez in related matters.

The preparation of a TMP or other planning effort does not remove the need to apply best available science in all planning as these are separate and distinct planning requirements. This distinction is concerning on the Proposal as current summary of lynx management provided by USFS is as follows:

¹⁵ See, 2013 LCAS 3rd at pg. 1.

¹⁶ See, U.S. Fish and Wildlife Service. 2024. Recovery plan for the contiguous United States distinct population segment of Canada lynx (*Lynx canadensis*). November 2024. U.S. Fish and Wildlife Service, Mountain-Prairie Region, Denver, Colorado. 51 pp. Pg 6.

“Response to recreation from USFS - We identified habitat is important to both lynx and recreationists, and we found that lynx in our study areas tolerated non-motorized and low-density recreation.”¹⁷

USFWS 2023 Lynx Recovery Plan specifically clarifies and reaffirms previous decisions USFWS conclusions on the lack of a relationship between lynx habitat and dispersed or low to medium intensity recreation usage as follows:

“As we concluded in the 2017 SSA, we find no evidence that habitat loss and fragmentation from anthropogenic activities (e.g., energy development, recreation, urban development and other sources of commercial development) have had population-level negative consequences for resident lynx in the DPS range or resulted in extirpation of lynx from areas that previously supported persistent resident populations. However, recent and projected increases in wildfire size, frequency, and intensity and its potential to permanently convert lynx habitat to non-habitat in some places, could result in future loss and fragmentation of lynx habitats at biologically meaningful scales.”¹⁸

The USFWS 2024 Recovery Implementation Strategy for the contiguous United States population segment of the Canadian Lynx (*Lynx canadensis*) provides clear and specific guidance for the management of lynx in relation to various uses. These standards are reflected as follows:

“12. Minimize sources of human-caused mortality, particularly vehicle collisions and incidental trapping or hunting mortality (including mistaken identity) in each SSA unit (Recovery Criteria 1, 4).

12-1. Evaluate the relative influence of human caused mortality on population viability within each SSA unit.

12-2. Work with appropriate state and Federal agencies to minimize or mitigate impacts to lynx from new highway development in lynx habitat.

12-3. Increase awareness among vehicle (car and snowmachine) operators in areas of lynx presence of potential for collisions.

12-4. Monitor development of new motorized trails for recreational vehicles and levels of use.”¹⁹

¹⁷ See, USFS lynx management program webpage; [The Canada Lynx of the Rockies Research Program | US Forest Service Research and Development](#)

¹⁸ See, U.S. Fish and Wildlife Service. 2023. *Species Status Assessment Addendum for the Canada lynx (Lynx canadensis)* Contiguous United States Distinct Population Segment. December 2023. Denver, Colorado. 122 pp. at Pg. 46

¹⁹ See, U.S. Fish and Wildlife Service. 2024. *Recovery implementation strategy (RIS) for the contiguous United States Distinct Population Segment of Canada lynx*. November 2024. U.S. Fish and Wildlife Service, Mountain-Prairie Region, Denver, Colorado. 10 pages. @ Pg 7.

Concerning this position is clearly and directly stated on the USFS webpage on the lynx in the Rockies and is not reflected in the EA. At the landscape level, this position does not align with the EA. The concept of “no net gain” as a standard for snow compaction in lynx management decision making has been repeatedly superseded for more than decade by both USFS and USFWS decisions. Best available science must be applied in the Proposal and clearly has not been applied.

4(a)(2) Lynx management applied in the Proposal must align with existing Court decisions in the matter.

The AMA must express our ongoing desire for planning that complies with underlying Court decisions in related matters and planning processes. Lynx management was a cornerstone of Judge Rodriguez 2024 decision on the RGNF RMP which spanned more than 20 pages. The conflict with the Proposal, Judge Rodriguez decision and subsequent lynx management guidance by the USFWS, which even further reduced analysis on issues such as snow compaction cannot be overlooked. Much of what is proposed for lynx management conflicts with Judge Rodriguez decision **and** new USFWS determinations on management of the species moving forward that were issued after the Court decision was argued.

5. Designated Wilderness buffers are illegal in Colorado.

On page 27 of the Proposal, The Proposal outlines public comments seeking buffers for designated Wilderness areas in the Proposal. The Proposal reflects their determination as input that was “considered but not in detail.” We support this conclusion and would request that greater clarity for this issue be provided in final documentation on this issue as these requests are illegal. This should have never been considered as an option as The Colorado Wilderness Act specifically addresses this issue as follows:

“SEC. 110. Congress does not intend that designation of wilderness areas in the State of Colorado lead to the creation of protective perimeters of buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.”²⁰

The clarity of these provisions should be reflected in the Proposal. Designating buffers is equally as illegal as proposing legal OHV/OSV usage inside a designated Wilderness.

²⁰ See, Colorado Wilderness Act of 1980, PL 96-560 §110

6. Conclusion.

Please accept this correspondence as the input of the American Motorcyclist Association. Often the DEIS is internally conflicting regarding basic information such as what is the preferred alternative, proposed alternative and other designations which is problematic in isolation. The AMA is VERY concerned that the analysis portion of the Proposal fails to accurately address legal standards that have changed in the past 5 plus years, such as the additional clarity of adequate access Congress provided in the Bipartisan Infrastructure Act of 2022 and the Explore Act of 2025. These are changes that have been finalized into law more than 18 months before this Proposal was released. The Proposal's problematic legal basis is further compounded as the Proposal was released in June of 2026, almost a month before the minimization criteria and EO11644 and 11989 were withdrawn by President Trump's EO 14408. Despite the removal of minimization as a management standard, the Proposal provides significant analysis on the "minimization criteria" are being applied in the decision making process. This type of analysis is problematic at this fails to comply with President Trump's MABA EO as streamlined management and removal of management barriers on public lands was the goal of both EO.

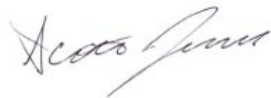
The Proposal direction and scope has already been litigated in Federal District Court and resolved in favor of the US Forest Service as part of legal challenges to the Rio Grand NF RMP. Many of the standards being applied such as snow compaction, have already been addressed in both the winter travel management signed and the decision on the merits issued by the Court on December 13, 2024.

The AMA remains committed to protecting high quality recreational resources opportunities on our nations federal public lands while ensuring adequate resource protections are in place. We would welcome discussions on how to further these goals and objectives with new tools and resources. If you have questions, please feel free to contact a member of our government relations department.

Respectfully Submitted,



Nick Haris
Director of Government Relations



Scott Jones, Esq.
Central States Representative