

Data Submitted (UTC 11): 3/26/2024 4:13:29 PM

First name: CTVA

Last name: Action Committee

Organization: Capital Trail Vehicle Association

Title:

Comments: Please accept and use the attached comments for the Lolo Forest Plan Revision. We are looking forward towards your development of a Pro-Recreation alternative. Thank you.

CAPITAL TRAIL VEHICLE ASSOCIATION (CTVA)

CAPITAL TRAIL VEHICLE ASSOCIATION (CTVA)

PP..OO.. BBooxx 55229955

Helena, MT 59604-5295

Helena, MT 59604-5295

March 26, 2024

Attn: Amanda Milburn - Lolo Plan

Lolo National Forest Revision

24 Fort Missoula Road

Missoula, MT 59804

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 in addition to those dated March 17, 2024 and March 21, 2024 for the project record. We appreciate the opportunity to provide our comments for the Lolo National Forest Land Management Plan Revision #62960.

We enjoy riding our OHVs on primitive trails and roads in our public lands. All multiple-use land managed by the Forest Service including 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 and stress.
- * 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.

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

Page 1 of 47

- * Responsibility to use vehicles in a proper manner and in designated places.

- * 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 (24 years of observation data). 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 a presentation of significant issues and information that will 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.

We ask for adequate consideration of the following significant issues and needs that would advance motorized recreation:

1. Adequate development and evaluation of a Pro-Recreation Alternative in the alternatives analysis.
2. Adequate analysis of all cumulative effects that are impacting motorized recreation including all motorized closures.
3. Adequate mitigation of all cumulative effects on motorized recreation.
4. Adequate consideration of the human environment related to motorized recreation,

5. Adequate consideration of the needs of motorized recreationists.
6. Adequate consideration of the popularity of all forms of motorized recreation.
7. Adequate representation of all types of motorized recreationists on agency teams.
8. Adequate grant programs and return of motorized recreation gas tax to motorized recreationists.

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

Page 2 of 47

9. Adequate education programs for motorized recreationists using motorized recreation gas tax monies.
10. Adequate use of motorized recreation gas tax monies to employ trail rangers to educate motorized recreationists and help maintain routes.
11. Adequate assistance for motorized recreation grant programs.
12. Adequate site-specific data and analysis for all motorized route decisions.
13. Adequate sense of magnitude when considering impacts and benefits on both the natural and human environment.
14. Adequate consideration of social justice issues related to motorized recreationists.
15. Adequate consideration of sufficient recreation opportunities to address mental health needs.
16. Adequate user-friendly mapping and GPS files showing a complete picture of all available routes including BLM, Forest Service, State and County available for download from a common web site.
17. Following pages provide further information on these significant needs and issues.

All of the current proposed alternatives do not adequately identify, evaluate, and address the needs of the human environment for all of the existing recreation opportunities and the development of new recreation opportunities. The significant closure of existing motorized routes is contrary to the over-arching needs of the public. 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 #62960.

We appreciate your consideration of our comments and issues.

Sincerely,

/s/ CTVA Action Committee on behalf of our 240 members and their families and friends

1

Capital Trail Vehicle Association (CTVA)
P.O. Box 5295
Helena, MT 59604-5295
ctva_action@q.com

Contacts:

Gary Peterson, President
Jody Loomis, VP
Ken Salo, Land Use Action

Attachments: Significant Needs and 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)

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

Page 3 of 47

SIGNIFICANT NEEDS AND ISSUES THAT SUPPORT
DEVELOPMENT OF A PRO-RECREATION ALTERNATIVE
FOR THE
LOLO NATIONAL FOREST
LAND MANAGEMENT PLAN REVISION #62960

The following are significant needs and overarching issues that should be adequately addressed by development and implementation of a Pro-Recreation Alternative for the Lolo National Forest Land Management Plan Revision #62960.

These scoping and significant issues deserve to be given a hard look. We ask that the Project Team review this information and work on refinements to the analysis and plan that will adequately address and mitigate these needs and significant issues by development of a Pro-Recreation Alternative that reasonably benefits the human environment.

We ask the project team to use the following information on significant human needs and issues to reverse the massive recreation closure trend and as justification for the development of a Pro-Recreation Alternative with enhanced motorized access and recreational opportunities in the Lolo National Forest Land Management Plan Revision #62960.

1. Develop a Reasonable Alternative to Address the Public's Need for More
Motorized Access and Motorized Recreational Opportunities

1. The agency should adequately consider the range of miles necessary to provide a rewarding OHV experience. The miles covered each day will vary dependent on many factors including the topography, destinations and points of interest, tread characteristics, rider capability, and technical difficulty. A wide range of technical difficulty can be ideal to accommodate a wide range of riding capabilities from novice/ family outings to experts looking for challenges. A site-specific desired range of miles for specific levels of experience should be developed for the project area based on input from OHV recreationists.

2. The desired condition for most OHV recreationists are opportunities to disperse camp and ride their OHVs.

3. For a sense of magnitude, the typical network of routes needed for a day visit in the project area is estimated to range from 20 to 100 miles per day with a variety of factors including those listed above. A fulfilling two-day weekend could require a network of 40 to 200 miles and a

three-day weekend could require network with 60 to 300 miles.

4. The agency should adequately consider the needs of individuals and families that enjoy motorized recreation but do not belong to an organization that lobbies for their interests.

5. The agency should adequately consider that motorized recreationists are hardworking individuals and need quality recreation opportunities to support their well-being.

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

Page 4 of 47

6. The agency should adequately review recent aerial photographs of the project area and ride the area on an OHV with all types of OHVs and skill levels to determine the routes that the public currently uses and needs in the project area.

7. Most closed roads are small side trails that provide access to camping areas, lookouts, mountain tops, historical sites, river access areas, active small-scale mineral claims, and sometimes private property and have significant value to the human environment.

8. The agency should adequately consider the 2008 Off-Highway Vehicle Recreation in the United States and its Regions and States report found the 18.62% of the U.S. population over 16 years of age or about 50,000,000 (current estimate) enjoy OHV recreation and in Montana 28.7% of the population over the age of 16 or about 230,000 residents (current estimate) enjoy OHV recreation plus a significant number of out-of-state OHV visitors.

Cordell, H.K., C.J. Betz, G.T. Green, and B. Stephens. 2008. "Off-Highway Vehicle Recreation in the United States and its Regions and States: An update National Report from the National survey on Recreation and the Environment (NSRE)."
Earlier version at https://www.srs.fs.usda.gov/pubs/ja/ja_cordell013.pdf

9. The agency should accurately account for the significant number of youth under 16 years of age not counted in the Southern Research report. There is a significant number of under 16 OHV recreationists and they are an exceptionally important sector.

10. The agency should adequately consider that OHV recreationists are a significant number of the population that actually visit our public lands which is only about 1/6 of the total population.

11. The agency should adequately consider that access to motorized trails is the most frequently cited issue by OHV recreationists.

(<https://bber.umont.edu/pubs/survey/MontanaOHVStudy2013.pdf>).

12. The agency should adequately recognize that in the big picture motorized recreationists are underserved.

13. The agency should adequately consider that motorized recreationists now include e-bike enthusiasts who have been excluded from sharing hiking, walking and mountain bike trails.

14. The agency should adequately consider and carry forward an alternative that would provide a reasonable level of motorized trail opportunities to meet the existing and future needs of OHV recreationists.

15. The agency should adequately consider that adjacent travel plans did not adequately consider the needs of motorized recreationists at the time. Moreover, conditions and information has changed dramatically as documented by our comments.

16. The Agency should adequately identify and consider the needs of motorized recreationists and OHV recreationists including those motorized recreationists that the process does not comfortably accommodate and reasonably provide for those needs.

17. The agency should adequately consider that E-bikes have become popular in the last 5 years including:

a. E-bikes have significant positive impacts on the human environment.

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

Page 5 of 47

b. E-bikes do not have any greater impact on the natural environment than mountain bikes.

c. E-bikes should be allowed on all non-wilderness trails.

d. E-bikes should be legal to use everywhere except for congressionally designated wilderness for people who are over 55 years of age or have a qualifying physical limitation.

e. The Agency should give E-bikes proper procedural consideration including public input on their use on all existing non-wilderness trails.

18. The agency should adequately consider and understand the needs of motorcycle single-track recreationists and adequately provide for those needs.

19. The agency should adequately consider that the pandemic and social distancing requirements have significantly increased the public need for more OHV opportunities.

20. The agency should adequately recognize that closure takes away needed motorized recreational opportunities and education in place of closure can be used to address issues with existing motorized recreational opportunities.

21. The agency should adequately consider that education can be part of creating new motorized recreational opportunities.

22. The agency should adequately consider that all potential negative issues associated with non-motorized and motorized recreationists can be mitigated by education and that education of all visitors should be used as an alternative to closure.

23. The project team should include an adequate number of enthusiasts for all types of motorized recreation including OHVs, 4x4s, and e-bikes.

24. The agency should adequately consider the full recreation opportunity spectrum for motorized recreationists including e-bikes, e-motorcycles, singletrack motorcycles, ATV, SxS, 4x4, and automobile.

25. The agency should adequately consider that singletrack trails can be used by motorcycles, MTBs, and hikers and motorcycle trail riders are willing to share and maintain singletrack trails.

26. The agency should adequately consider that motorcycle single-track enthusiasts carry chainsaws and perform maintenance on the trails that they ride. The agency should adequately consider allowing motorcycle single-track riders access to all single-track trails for the trail maintenance benefits that they provide.

27. The agency should adequately consider that the public has effectively lost the use of a significant number of trails and routes each year due to inadequate maintenance including vegetation and timber projects, erosion and flood damage, blockage from beetle kill downfall, and obliteration of the trail tread and downfall from wildfires.

a. The cumulative effect of this continual loss has become significant and should be addressed and mitigated.

28. The agency should adequately consider that our season for motorized camping and OHV riding is short due to the climate and should not be restricted further than the time frames that nature provides.

29. The agency should adequately consider that many motorized recreationists enjoy watching wildlife and the wildlife are not disturb by this activity.

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

Page 6 of 47

30. The U.S. Bureau of Economic Analysis (BEA) released statistics today measuring the outdoor recreation economy for the nation, all 50 states, and the District of Columbia. The report confirms the significant economic value of motorized access and recreation which includes RVing, boating, motorcycling, ATVing, driving for pleasure, and snowmobiling at about \$80 billion.

<https://www.bea.gov/news/2023/outdoor-recreation-satellite-account-us-and-states-2022>

31. "Trails, if designed well, can promote equitable access to the outdoors for people of all ages and abilities, bringing together people with diverse social, racial, gender, and economic identities. Inclusive trails don't just happen. It takes a robust public engagement process, inclusive approaches to trail programming, public awareness efforts and trail enhancements to meet the diverse needs of the entire community."

https://www.americantrails.org/resources/trails-are-inclusive?blm_aid=1087976

32. The following table is summary information of the U.S. market from the Specialty Equipment Manufacturers Association (SEMA). This organization represents manufacturers, after-market equipment, and parts suppliers to the motorized recreational industry and closely tracks data from that market for use by their members.

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

Page 7 of 47

33. Column B in the SEMA table is total vehicle owners as a percentage of the total U.S. Population.

a. The table below is created by using the SEMA percentages (green shading) for motorized recreational categories and an estimate of the current U.S. population from the Census Bureau.

i. The total number of RVs is estimated at approximately 30 million.

ii. The total estimated number of OHVs, snowmobiles, and dune buggies is nearly 80 million.

iii. The total estimated number of watercrafts is about 36 million.

b. Most of these vehicle categories are enjoyed by multiple recreationists. The typical number of individuals in each vehicle category is estimated in column E. Column F estimates the total population enjoying vehicles in each category.

i. The total estimated population enjoying RVs is nearly 120 million or 36% of the total U.S. population.

ii. The total number of individuals enjoying OHVs, snowmobiles, and dune buggies is nearly 150 million or 45% of the total U.S. population.

iii. The total estimated number of individuals enjoying watercrafts is nearly 120 million or 36% of the U.S. population.

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

Page 8 of 47

34. The agency should adequately consider, quantify, and disclose the significant negative impact of motorized route closures on the human environment including re-creation, quality of life, and socio-economic for each alternative including No Action.

35. The agency should adequately consider the significant societal need to maximize recreation opportunities for the benefit of the human environment versus the significant cumulative impacts from the current management trend that is minimizing outdoor recreation opportunities.

2. Develop a Reasonable Alternative to Address the Need for Motorized Access and Motorized Recreation for Youth

1. The agency should adequately consider that youth need motorized recreational opportunities that are relatively close to town.
2. The agency should adequately consider alternatives that would adequately provide motorized opportunities to replace the closure of opportunities close to town.
3. The agency should adequately consider and address the youth suicide issue that exists in every western state and the critical need that youth have for healthy activities such as OHV recreation.
4. Consideration for motorized trail riding opportunities for the youth should be given a hard look.

3. Develop a Reasonable Alternative to Address the Need for Motorized Access and Motorized Recreation for the Elderly, Handicapped, and Disabled

1. The agency should adequately consider that the elderly, handicapped, and disabled need motorized recreational opportunities that are relatively close to town.

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

Page 9 of 47

2. The agency should adequately consider that the project area is used extensively by elderly, handicapped, disabled and veterans and motorized closures significantly impact this user group.
3. The agency should adequately consider alternatives that would adequately provide motorized opportunities to replace the closure of opportunities close to town.
4. The agency should adequately consider reasonable alternatives that would adequately provide motorized opportunities that adequately meet the needs of the elderly, disabled and veterans.
5. Consideration for motorized trail riding opportunities for the disabled, elderly, and veterans should be given a hard look.

4. Adequately Address the Impacts on and Benefits of Motorized Recreation on the Human Environment

1. The agency should adequately consider that the human environment needs significantly more positive experiences.
2. The agency should adequately consider that use of the existing network of motorized roads and trails is part of our culture and pioneer heritage and traditions which all rely on adequate access to the land.
3. The agency should adequately consider that historic mines, cabins, settlements, railroads, access routes and other features used by pioneers, homesteaders, loggers, settlers, and

miners are important cultural resources for motorized recreationists and must be protected.

4. The agency should adequately consider that the public looks forward to retirement and being able to enjoy using OHVs in many different states and places but now we find that an excessive amount of those places has been closed to us and our retirement experience has been significantly impacted by inadequate consideration by the agency.

5. The agency needs to implement readily-available user-friendly visitor maps in both paper and digital formats in order to expect the public to follow the current land use planning. See <https://drive.google.com/file/d/1jMOc-Wrb5LR58qVj28lud-fvaY0QjCKH/view> for a good example of a user-friendly map.

6. Travel Plan Maps should be made available to the public in a variety of user friendly formats including PDF, KMZ, and GPX as demonstrated at http://trails.dirtdevils.org/mw/index.php?title=National_Forests

7. The agency should adequately recognize that motorized recreationists have a significant history of working on and maintaining trails.

8. The agency needs to adequately consider that all of the motorized closures to date have eliminated a significant number of our happy places which has significantly impacted the quality of life and the human environment.

9. The agency should conduct the scoping process so that all significant issues relating to human environment including the significant impact of motorized closures are identified for adequate and reasonable evaluation.

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

Page 10 of 47

10. The agency should adequately consider that motorized recreationists have been under-served during the past 40 years.

11. The agency should adequately consider the significant impact on the public when there is inadequate motorized access and motorized recreation on public lands.

12. The agency should adequately consider the need for OHV opportunities close to population areas so that youth have adequate OHV education and recreation opportunities.

13. The agency should adequately consider that many OHV recreationists prefer Backcountry OHV opportunities.

14. The agency should adequately consider the economic loss associated with the loss of motorized access and motorized recreation as demonstrated in the following report <https://extension.usu.edu/apec/files/OHVeconomicimpacts.pdf>

15. Attractive recreational trails improve the quality of life in all regions, and this has been used as an important recruiting tool by local businesses, chambers of commerce and public agencies, which target people with special skills or talents, and encourage new and expanding businesses.
https://headwaterseconomics.org/wp-content/uploads/Trail_Study_4-trail-use-in-minnesota.pdf

16. The agency should adequately consider that in a time of decreasing maintenance budgets motorized recreationists routinely haul shovels, chainsaws, pulaskis, etc. and do maintenance work to keep routes open for everyone.

17. The agency should adequately recognize that the public cannot find or figure out how many motorized routes interconnect because of the lack of adequate mapping or incomplete mapping that only shows snippets of motorized routes without a useable base map.

18. The agency should adequately address the need for a comprehensive mapping platform that identifies all routes open to the public regardless of the management agency and land ownership and the uses that each route is open to.

a. This tool should be web-based and allow for download of routes to GPS devices and maps to PDF format.

b. This tool could allow for posting of user photographs and reports to help describe the route.

c. Idaho Trails is a good starting point to review at

<https://idaho.maps.arcgis.com/apps/webappviewer/index.html?id=ec451196747346558c999bc7cdf1a728> .

19. The agency should adequately consider that every road, trail, and camp site closed to motorized recreationists causes significant loss, misery and other negative impacts on the human environment.

20. The agency should adequately consider the emotions of motorized recreationists so that they are not devalued.

4.a Camping and Dispersed Camping

1. The agency should adequately consider the needs of the human environment. The public needs more not less dispersed camping opportunities in the project area.

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

Page 11 of 47

2. The agency should adequately recognize that signs of human use for campgrounds and dispersed camp sites are reasonable for land designated for multiple-use.

3. The agency should adequately consider that the public prefers dispersed camping spots and that is consistent with the need for social distancing.

4. The agency should adequately consider that there is an inadequate number of dispersed camping spots in the project area. The preferred alternative should address this significant issue.

5. The agency should adequately consider that the pandemic and social distancing requirements have significantly increased the public need for more dispersed camping opportunities.

6. The agency should adequately consider that abundant dispersed camping sites and motorized trails are essential to keep the public healthy and sane during and after this pandemic.

7. The agency should adequately consider that every dispersed camp site closed to motorized recreationists causes significant loss, misery and other negative impacts on the human environment.

8. The agency should adequately consider that dispersed camp sites fill a significant need for retirees, family weekenders, boondockers, and nomads whose lives are fulfilled by these motorized dispersed camping opportunities. All existing dispersed motorized camp sites should be included in the plan as well as new sites to meet the growing need.

9. The agency should adequately consider that some reasonable visual evidence of public use on multiple use land including dispersed camp sites is acceptable.

10. The agency should adequately consider that all dispersed camp sites are highly-valued contemporary cultural sites.
11. The agency should adequately consider that a healthy human environment depends on adequate access to dispersed camping and motorized recreational opportunities.
12. The agency should adequately consider that the public has been squeezed into too small of an area with too few motorized routes. Every weekend we talk to fellow motorized recreationists and they ask us where they can go to ride trails and camp in dispersed areas.
13. 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.
14. The agency should adequately consider that motorized recreation and dispersed camping opportunities should not be closed by the Agency without site-specific data and analysis as required by NEPA guidance.
15. The agency should adequately develop and consider site-specific data that demonstrates any impact of significance to the natural environment by motorized recreation and dispersed camping when compared to naturally occurring levels of impact and change.
16. The agency should adequately develop and consider site-specific data that demonstrates that closures of motorized and dispersed camping opportunities produce any significant benefit to the natural environment.

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

Page 12 of 47

17. The agency should adequately develop and consider site-specific data that demonstrates significant measurable impacts (compared to naturally occurring) from motorized recreation and dispersed camping.
18. The agency should adequately consider that the strategy of closing dispersed camping sites using vegetation, resource management, and travel management plans is not aligned at all with the significant public need for these recreation opportunities.
19. The agency should adequately consider that any significant negative impacts on the natural environment from dispersed camping spots can be mitigated to a reasonable level in most locations. The impact analysis should recognize this fact and pursue this alternative.
20. The agency should adequately consider that it is extremely difficult to go off-trail with the amount of deadfall in the forest now, therefore, the off-trail issue is no longer significant.
21. That agency should adequately consider that non-RV campers leave human waste behind and that RV campers dispose of their waste at treatment facilities.
22. The agency should adequately recognize that self-contained campers have an acceptable and minimal environmental impact and more dispersed camping sites need to be created to serve this popular form of recreation.
23. The agency should adequately consider why we must drive over 100 miles one-way to find a reasonable diversity of OHV and dispersed camping opportunities (quantity and quality) when the agency has multiple-use lands located near population centers.
24. The agency should adequately consider the need for RV friendly campgrounds, rehabilitated campgrounds, new campgrounds, and existing and new dispersed camping opportunities in the project area in order to meet the needs of public.
25. The Dyr's 2022 Camping Report (<https://reports.thedyrt.com/2022-camping-report/>) found that it is 3x harder to book a campground now than in pre-pandemic years. While over 8 million new people joined the camping community last year, the campground and dispersed camping capacity has not increased.
26. The opening and closing dates for many campgrounds is too late and too early respectively for the many campers and retirees who enjoy an extended camping season. Adequate dispersed camping opportunities are critically important to these visitors.

27. The agency should adequately recognize that dispersed camping provides a more authentic and fulfilling camping experience.

28. Reservation only camp sites are not user friendly as most trips do not go per a perfect schedule.

29. The agency should adequately consider that the public needs to be able to camp and picnic using at least a 300-foot setback from roads for the safety of children and pets and health (dust).

30. The agency should adequately evaluate and consider the public safety issues created by limiting dispersed camping to within 70-foot of a road. Two of our members recently witnessed a family camping within 70-feet of the road whose dog was hit and killed by traffic. The dog owner was experiencing extreme grief and shock. Just imagine a similar incident involving the loss of a child and how devastating that would be for the parents. The 70-foot limitation is not a reasonable restriction for public safety and safe camping.

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

Page 13 of 47

31. The agency should adequately consider that it uses every opportunity to close dispersed camp sites and has not adequately evaluated and considered the cumulative impact of that trend on the human environment.

32. The agency should adequately consider only site-specific data and analysis that demonstrates that adequately demonstrates a significant impact from camping and dispersed camping opportunities on the natural environment.

33. The agency should use site-specific data and analysis that compares any purported impact from camping and dispersed camping to the naturally occurring levels of impact.

34. The agency should adequately consider that the negative impacts on the natural environment from dispersed camping sites is relatively insignificant when compared to the natural level of environmental impacts.

35. The agency should adequately consider that any significant negative impacts on the natural environment from dispersed camping spots can be mitigated to a reasonable level in most locations.

36. The agency should adequately consider that self-contained campers have an acceptable and minimal environmental impact and more dispersed camping sites need to be created to serve this popular form of recreation.

4.b Human Environment and Mental Health Crisis

1. Recreation should be given the highest priority for public land in order to maintain everyone's sanity.

2. The agency should adequately consider that supporting the human environment is an important function of our public lands and must be considered equally in management actions.

3. The agency's management plan should adequately recognize that humans and their needs are different and diverse.

4. The nation is in a mental health crisis as demonstrated by Sandy Hook, Buffalo, Uvalde, and more.

a. We need more positive mental health activities for everyone including youth and elders.

b. OHV recreation is a positive mental health activity.

c. Everyone needs to learn how to share public lands so that we all have adequate recreational opportunities.

d. We all need to do our part by sharing and creation of opportunities in order to address this problem.

5. The agency should adequately consider that Montana is ranked 5th in the nation for suicides.

6. The agency should adequately consider that veterans are a significant percentage of the national suicide statistics.

7. The agency should adequately consider that the significant closing of motorized routes in the project area should meet the basic requirement of the NEPA act of 1969 as stated in "Sec. 101 (b) (5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities".

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

Page 14 of 47

8. The agency should adequately consider that a healthy human environment includes adequate motorized access and motorized recreational opportunities as required to meet the needs of the public.

9. The agency should adequately recognize its propensity to reduce motorized access and motorized recreational opportunities and that this partiality is contrary to the needs of the public.

10. The agency should adequately consider that the public needs robust access to all forms of recreation for a healthy state of mind including adequate stress relief.

11. The agency should adequately consider the needs of the human environment including recognition of the fact that 97-98% of the visitors to our public lands rely on some form of motorized access and motorized recreation.

12. Motorized recreationists now include e-bike enthusiasts who have been excluded from sharing hiking, walking and mountain bike trails.

13. The agency's project team should adequately consider that NEPA 1969 did not say evaluate natural resources only.

14. The agency should adequately consider the human environment (social, economic, need for recreation, need to address obesity and suicide issues, etc.). NEPA was intended to protect and promote all environments equally. The depth and breadth of analysis of the Human Environment should be equal to that of the Natural Environment.

15. The agency should adequately consider the needs of the human environment. The public needs more not less motorized access and motorized recreational opportunities. The pandemic has demonstrated the significance of this issue and need.

16. The agency should adequately consider that seeking control is a good thing but only up to a point. Beyond that point, the determination to control every little thing can make you miserable.
https://greatergood.berkeley.edu/article/item/why_losing_control_make_you_happier

17. The agency should adequately consider an alternative that would maximize recreation opportunities in proportion to the needs of actual visitors to the project area.

18. The agency should adequately address how its large NEPA budget produces significant impacts on the human environment through recreational closures including motorized. The agency should adequately mitigate these impacts and modify its future budgeting process.

19. The agency should adequately consider that mental health needs for youth is at extremely high levels, continues to rise, and needs to be addressed with healthy activities.

https://helenair.com/news/state-and-regional/montana-youth-mental-health-needs-on-the-rise/article_c9ad3613-68b8-591d-91fc-5dae86b9b364.html

20. The agency should adequately consider that the current lack of adequate positive recreational opportunities is producing a significant impact on the human environment including suicide and mental illness.

21. The agency should adequately consider that when the agency closes motorized recreation

routes that it is contributing to human stress and mental and physical health issues.

22. Every route closed to motorized use obliterates valuable memories of those opportunities and places.

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

Page 15 of 47

4.c Enjoyment and Rewards of Motorized Access And 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.

1. The agency's evaluation of the human environment should include the significant value of flow that is provided by motorized recreation. OHV riding is our time to relax and find the "flow".

"Flow is a state of mind in which a person becomes fully immersed in an activity. Positive psychologist Mihály Csíkszentmihályi describes flow as a state of complete immersion in an activity. Being immersed can be defined as a state of focus in which a person is completely absorbed and engrossed in their work." It often occurs when you are doing something that you enjoy and in which you are quite skilled. "This state is often associated with the creative arts such as painting, drawing, or writing. However, it can also occur while engaging in a sport, such as skiing, tennis, soccer, dancing, or running." OHV riding that provides a balance of skill versus challenge allows one to get so focused that time stops and anxieties, worries, apathy, and boredom disappear.

<https://www.verywellmind.com/what-is-flow-2794768>

<https://youtu.be/8h6IMYRoCZw>

<https://youtu.be/fXleFJCqsPs>

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

Page 16 of 47

4.d 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.
- * 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.

1. 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 overarching 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, 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.

2. 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.

4.e Public Safety

1. The agency should adequately consider public safety by forcing camping, picnicking, and other motorized access activities in close proximity to well-traveled roads.

2. The agency should adequately consider public safety by squeezing motorized activities into limited miles of roads and trails.

3. The agency should adequately consider and promote safety programs similar to <https://nohvcc.org/nevada-outdoor-schools-ride-safe-ride-smart-program/>.

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

Page 17 of 47

5. Avoid Over-Representing the Public's Need for More Wilderness

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 land management decisions made during the past 40 years have significantly reduced motorized access and motorized recreation.

2. The following table is a partial list of motorized closures to demonstrate that a significant cumulative impact and a significant issue exist. The Agency must prepare their own table and evaluation that is complete with all planning actions that have impacted motorized access and motorized recreation in the project area and region. During the past 40 years the agencies have implemented a very aggressive program to close motorized recreational opportunities. The following table is a starting list of actions that should be evaluated in a complete and full-disclosure cumulative effect analysis.

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

Page 18 of 47

3. Past actions that have had a significant impact on motorized recreationists in Montana as shown in the table above. Reasonably foreseeable actions including travel plans, forest plans, land management plans, and resource management plans will produce additional significant impacts. These actions have produced or will produce a significant cumulative impact on motorized recreational opportunities in the project area and surrounding areas. Per NEPA and MEPA guidance this significant issue must be adequately addressed.

4. Table 2 is further supported by information from the Montana Environmental Quality Council (EQC) which shows that, accounting for roads that have been decommissioned along with roads considered "unauthorized," the mileage of road closures on U.S. Forest Service (USFS) land in Montana balloons to 21,951 miles.

a. A study (<https://leg.mt.gov/content/Committees/Interim/2015-2016/EQC/Committee-Topics/hj-13/hj13-finalreport.pdf>) commissioned by the state legislature in 2015 and reported to the EQC found that 9,784 - or nearly 31 percent - of the nearly 32,000 miles of roads in Montana managed by the USFS were "level 1 roads," meaning they are closed to motorized traffic and only open for "administrative use."

b. However, the 32,000 total miles of roads does not include the 5,796 miles of officially decommissioned roads or the estimated 6,191 miles of "unauthorized" roads.

c. Counting the decommissioned and unauthorized roads in the total, would equal almost 44,000 miles of open and closed roads in Montana and 21,951 miles of those roads on

USFS managed land are CLOSED.

- d. The report states that there are 22,047 miles of roads open to motorized traffic. By this measure, 50% of the road mileage under the control of the USFS is CLOSED.
- e. Based on our observations, a similar percentage of motorized trails have been closed.
- f. A similar percentage of roads on BLM managed lands have been closed and the BLM rarely identifies and discloses motorized trails.
- g. The public does not want any more motorized closures under the proposed action and the cumulative effects of all past motorized closures must be adequately considered and mitigated.
- h. The cumulative effect of all motorized closures is significant and can no longer be ignored.

Table 2

Partial list of Current and Immediate Past Actions With
Significant Cumulative Impact on Multiple-Use/Motorized Recreation

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

Page 19 of 47

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

Page 20 of 47

5. The agency should adequately consider that both the BLM and Forest Service in surrounding regions and states have implemented a significant level of motorized closures estimated to be at least 1/3 of routes available to the public in 1990.

6. 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.

7. 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.

8. 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.

9. The agency should adequately consider and mitigate the significant negative cumulative effect of all motorized closures on the public.

10. The agency should adequately consider and mitigate the significant negative cumulative effect of all motorized closures on the youth, disabled, elderly, and veterans.
11. Every weekend we talk to fellow motorized recreationists, and they ask us where they can go to ride trails and camp. The agency should adequately consider that the public has been squeezed into an area that is too small to reasonably meet their needs including too few motorized routes and too few camp sites.
12. 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.
13. 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.
14. 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.

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

Page 21 of 47

15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. The Agency must adequately evaluate and disclose significant cumulative effects that their management decisions have created.
21. 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.
22. 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.
23. The agency should adequately consider that multiple-use is now squeezed into an unreasonably limited area.
24. 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 an area that is too small to reasonably meet their needs including too

few motorized routes.

25. 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 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.

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

Page 22 of 47

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>

28. 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.

29. 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.

30. The agency should adequately consider the cumulative impact that has resulted from the conversion of private lands such as those once owned by Plum Creek timber company that were open to the public and then purchased by conservation groups that close public access and use including a significant amount of motorized access and motorized recreation opportunity.

31. The analysis should include a robust cumulative effects analysis which includes maps of all motorized road and motorized trail closures similar to the one produced by Arizona Backroads at the following link and shown below.

Arizona BLM and USFS Road Closures Map

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

Page 23 of 47

32. This interactive map illustrates motorized road and trail closures enacted by travel management planning on Bureau of Land Management land and National Forest land in Arizona. This map is incomplete and does not include travel management plans completed between 1997 and 2014 on Bureau of Land Management land because it is not available to the public. This lack of availability denotes inadequate public disclosure.

Additionally, because of the lack of data available to the public, this map does not illustrate

1,853 miles of motorized roads and trails closed in the Tonto National Forest TMP and 670 miles of motorized roads and trails closed by the Fredonia and Arizona Strip TMP. This lack of availability denotes inadequate public disclosure.

Federal agencies are working on an additional 19 travel management plans across the state. Therefore, the total number of roads closed is far greater than shown on this map. An estimated additional 18,000 miles of closed roads are missing from this map due to the lack of available data or the travel management plan has not been completed.

33. The agency should adequately consider and mitigate the impact on OHV recreationists from 50 years of insufficient engagement with OHV recreationists.

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

Page 24 of 47

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.
5. The agency should adequately consider that;
 - a. Closures of motorized sections of the CDNST have been enacted without adequate consideration of the requirements of the National Trails System Act (16 U.S.C. 1241) (CDNST enabling law),
 - b. Without adequate consideration of the CDNST EIS and ROD dated April 7, 1989,
 - c. Without adequate consideration of the policy memorandum by the Deputy Forester dated July 3, 1997,
 - d. Without adequate consideration of the policy memorandum by the Deputy Forester dated February 1, 2006,
 - e. Corrective action for illegal closures of motorized sections of the CDNST by the Forest Service should be part of this decision.
6. Many areas are looking for new outdoor recreation opportunities to help diversity their economies and bring tourism dollars to local communities. A Backcountry Discovery Route draws thousands of riders a year into your rural towns looking for food, fuel, lodging and supplies.
 - a. Backcountry Discovery Routes is dedicated to developing adventure riding opportunities across the U.S., while making a positive economic impact on local businesses along the way.
 - b. In 2022, BDR surveyed adventure riders to quantify its value in helping smaller communities thrive. In 2022, the total economic impact from all routes was \$60 million

from the existing network of routes.

c. BDR riders are supporting local workforces. BDR related visitor spending on BDR routes supports a total of nearly 500 jobs annually.

d.

https://ridebdr.com/news/economicstudy2023/?mc_cid=6a9e59b98d&mc_eid=2fd77d608c

https://ridebdr.com/BDR_2023EconomicImpactStudy/files/extfile/DownloadURL.pdf

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

Page 25 of 47

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, campgrounds, 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.

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

Page 26 of 47

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

Page 27 of 47

- 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 citizens should be able to recreate on public lands without the need to create and be part of well-funded influence organizations.

30. 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.

11. Avoid the Unreasonable Use of Climate Change as a Reason to Eliminate Motorized Access and Motorized Recreation

1. The agency should adequately consider that motorized recreation is not a significant contributing factor to purported climate change.

2. The agency should adequately consider that if CO₂ is a significant factor, then wildfires and prescribed burns are creating a significant impact and this impact should be adequately addressed and mitigated.

3. The agency should adequately consider that if wildfires are a significant contributor to CO₂ and the agency can do something about controlling wildfires.

4. The agency should adequately consider that it is responsible for wildfire smoke which is creating a significant impact on the climate.

5. Climate Change is really Climate Cycle that has naturally occurred every day since the earth was created.

6. The agency should adequately consider that the climate is always changing and that the last ice age was about 12,000 years ago which is not significant in geologic time.

7. The agency should adequately consider that climate change over the past 12,000 years has significantly reduced the pine forests that once existing in Utah and Nevada, created the rise and fall of the great Salt Lake, and is in the process of reducing them in the central mountains of Idaho.

8. The agency should adequately consider that climate change is an issue without adequate and impartial scientific basis.

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

Page 28 of 47

9. The agency should adequately consider that climate scientists will find only what their minds are looking for (confirmation bias).

10. The agency should adequately consider that climate change nonsense and hysteria should not be used to close motorized recreational opportunities.

11. The agency should adequately consider that 100 years of weather data is not adequate to evaluate the trends of climate change and any conclusions made on this basis are erroneous.

12. The agency should reasonably consider that using average and/or median climate statistics misleads the public because these statistics misrepresent rainfall, temperature, streamflow, etc. as being relatively constant. Instead, the agency should show complete robust data sets and

the natural extremes that they contain.

13. The climate has always been unpredictable and changing during the time frame of human existence. The agency should adequately consider that while we would like to have a controllable and predictable climate, that desire is not a reasonable expectation.

14. The agency should adequately consider that a sense of magnitude must be used to properly identify natural changes that earth has experienced during the time frame of human existence.

15. The agency should adequately consider the big picture climate trends, i.e., there were no humans living in the project area 14,000 years ago due to a sheet of ice and it has been getting warmer and drier ever since that time.

16. The agency should adequately consider applying the laws of thermodynamics, i.e., the total heat energy (enthalpy) of a thermodynamic system (including earth) will always be increasing.

17. The agency should adequately consider Paleo climatology, i.e., the earth is still in the warming cycle following the last ice age.

18. The agency should adequately consider that humans did not cause the ice age climate cycle 12,000 years ago.

19. The agency should adequately consider that it's not just about carbon, the earth has always trapped solar energy and mass is always being converted to energy.

20. The agency should adequately consider that the enthalpy of the earth (total heat content) has always been increasing.

21. The agency should adequately consider that earth's climate has never been static.

22. The agency should adequately consider that the southern limits of western forests have been moving northward since the end of the last ice age.

23. The agency should adequately consider how its wildfires and the Let-It-Burn policy are creating a significant amount of the earth's current climate change.

24. The agency should adequately consider how changes in the output of the sun including the current hyperactive solar cycle and the earth's change magnetic field produce a significant amount of climate change that is not CO2 based. <https://www.cnbc.com/2022/02/09/why-solar-geomagnetic-storms-destroy-satellites-like-spacex-starlink.html>

25. The agency should adequately consider the significant impacts that the massive release of CO2 from wildfires has on the natural and human environment.

26. The agency should adequately consider that it would be unjust to restrict the recreational activities of U.S. citizens as a means to address climate change created outside of the U.S.

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

Page 29 of 47

27. The agency should adequately consider a plan that avoids burning (both wildfires and planned fires) due to the significant release of CO2 and the significant impact that CO2 is purported to have on the climate.

28. The agency needs to adequately consider the effects of the earth core slowing down, reversing and the 70-year cycle on climate change.

<https://www.sciencetimes.com/articles/41996/20230123/earths-inner-core-reversing-direction-slowing-down.htm>

29. The agency should reasonably consider that climate change should not be used by some as a pretext to control the lives of others.

30. The agency should adequately recognize the misconception that climate should be "normal" year to year and that humankind should be able to control the climate.

31. The agency should adequately recognize that the climate cannot be analyzed using a relatively

short snapshot in time.

32. There has never been a time when climate and evolution stood still.

33. Paleo trends must be adequately considered such as found in the paper 1200 years of Upper Missouri River streamflow reconstructed from tree rings at
<https://www.sciencedirect.com/science/article/pii/S0277379119306985>

34. The agency should adequately consider that restricting recreation in the U.S. to address excessive pollution in other countries including China is not reasonable and does not reduce those excessive foreign pollution.

35. The agency should adequately consider that the carbon cycle has naturally occurred for billions of years, and the most reasonable alternative is to find ways to store it similar to the carboniferous age.

36. The agency should adequately evaluate the increase in CO2 due to a drier climate that has less trees and vegetation to reduce CO2 levels.

37. The agency should adequately evaluate the increase in CO2 due to the mandated reduction in particulates in diesel fuel including agricultural and cargo ship fuel.

38. The agency should adequately consider that in the long run a warmer climate will produce more precipitation which in turn will produce more vegetation which in turn will use more carbon dioxide.

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.

Page 30 of 47

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.

14. Avoid Arbitrary and Capricious Analysis and Decision-Making

1. The agency should adequately consider the true cause and effect for all purported impacts by using adequate and reasonable scientific data and analysis.

2. The agency should adequately consider that people are consumed with the expectation that there will be no change in the universe, earth, climate, flora, and fauna but the environment has never been static.

3. The agency should adequately consider that a truthful scientific analysis is based on open-minded evaluation of all possible causes and effects using appropriate scientific data.

4. The agency should make decisions based on accurate data and evaluations that represent the needs of the public and not on political agendas.

14.a Provide for Adequate Site-Specific Data and Evaluation

1. The agency should adequately consider that sound decisions cannot be made without sufficient data and analysis of the entire spectrum of issues so that all significant causes and effects are adequately identified and evaluated.

2. The agency should adequately consider that many opinions expressed against motorized access and motorized recreation are not substantiated by site specific data and analysis and are not true even though they are repeated (false dogma).

3. The agency should adequately monitor all decisions and eliminate those based on beliefs that are not substantiated by adequate site-specific data and analysis of the entire spectrum of issues so that all significant causes and effects associated with the proposed action are accurately evaluated and verified.

4. The agency should adequately consider that repeating a statement until you believe it is true is not a replacement for site-specific data and analysis. For example, there is no site-specific data supporting the statement that wildlife is negatively affected by OHV trails. There is data that supports wildlife using motorized routes and promoting their movement such as the Swan Valley grizzly bear study where bears preferred to travel on logging roads. Therefore, motorized routes can enhance the movement of wildlife through forested areas that are impassable by downfall.

5. For assessment of negative and positive impacts on the natural environment, the agency should develop site specific data, evaluations and comparisons by:

- a. Collection and development of site-specific data including monitoring for each route,
- b. Development of site-specific positive and negative impact evaluations for each route,

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

Page 31 of 47

c. For both positive and negative impacts on the natural environment, the test of significance should be made using a comparison to the natural level of impacts occurring on each route.

d. The agency should adequately consider that impacts on fish and wildlife should not be assumed based on beliefs and impact analyses should be based on adequate site-specific data and studies and then verified.

e. The agency should adequately consider only site-specific data and analysis that demonstrates that adequately demonstrates a significant impact from motorized use and camping opportunities on the natural environment.

f. The agency should adequately consider that the road density impact criteria are not site-specific and, consequently, not valid for the project area.

g. The agency should adequately consider the need for site-specific data and the value for decision-making as demonstrated by 6 years of monitoring in Yellowstone National Park which demonstrated little impact to wildlife from snowmobiles.

6. The agency should adequately consider that its visitor use monitoring program does not accurately capture the numbers and types of motorized recreationists.

7. For assessment of negative and positive impacts on the human environment, the agency should develop site specific data, evaluations and comparisons by collection and development of site-

specific data and evaluations for each route including:

- a. Interviews with motorized recreations to find out their needs and values for each motorized route,
- b. Document why motorized recreationists enjoy this route,
- c. Who is using each road and trail by development of a Need Factor for each route.
 - i. The Need Factor should be based on category of user (non-motorized or motorized), observed number of users during a reasonable monitoring period, and divided by the total number of users.
 - ii. For example, 90 motorized visitors and 10 non-motorized users observed over 4 weekends equals a Need Factor of 0.90 for motorized users and 0.10 for non-motorized users.
 - iii. Route availability should then be based on these Need Factors.
- d. Is this motorized route part of a network or destination?,
- e. Research to document the history of the route including historic wheeled use and historic pioneer and mining use.
- f. Quality of the route,
- g. Alternatives that would allow sharing of the route,
- h. Document who is working to maintain the route,
- i. Site-specific data for each of the claimed negative impacts from motorized access and motorized recreation on the natural environment,
- j. Site-specific data and analysis of e-bike recreation,

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

Page 32 of 47

- k. The agency should adequately consider that motorized recreation and camping opportunities should not be closed without site-specific data and analysis as required by NEPA, CEQ guidance and the 3-States OHV ROD, and
- l. benefits to the human environment including "flow" by use of the route.

8. The agency should adequately monitor evaluations and decisions so that they are not made based on beliefs and are made on site-specific data and analysis and then verified.

9. The agency should adequately monitor the use of an adequate sense of magnitude in the evaluations and decision-making so that decisions are not arbitrary and capricious by comparing naturally occurring levels of impact to the impacts of human use established by verified site-specific data and analysis.

10. The agency should adequately monitor whether the purported negative impacts of motorized recreation including e-bike have sufficient and appropriate site-specific data and studies and are being compared to natural levels.

11. The agency should use site-specific data and analysis that compares any purported impact from motorized use and camping to the naturally occurring levels of impact.

12. The agency should have their recreation team visit the project area during the weekends and seek out motorized recreationists so that they have site-specific information on needs necessary to adequately evaluate the number of motorized recreationists, types of motorized recreation and visitors accessing the project area.

13. The agency should use adequate site-specific data and evaluations to support more motorized recreational opportunities in the decision-making and record of decision.

14. The agency should not accept opinions against motorized recreation that are not based on site specific data and analysis.

15. The agency should revisit any motorized closures that were enacted without adequate site-specific data and analysis.

14.b Employ a Sense of Magnitude

1. The agency should adequately consider that the public is losing a lifetime of motorized access and motorized recreational opportunities for reasons that are not significant when judged with a reasonable sense of magnitude.

2. The agency should adequately consider that a sense of magnitude for public needs should be used when managing wilderness versus multiple-use land.

3. 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.

4. The agency should adequately consider that a sense of magnitude must be used to properly identify natural changes that earth has experienced during the time frame of human existence.

5. The agency should adequately consider using a sense of magnitude the significant impacts that foreign conditions have on our climate.

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

Page 33 of 47

6. The agency should adequately consider that the analysis and decision-making for claimed impacts should be based on an adequate sense of magnitude which can only be established by comparing impacts based on site-specific data and scientific analysis to natural levels.

7. The agency should adequately consider that a sense of magnitude should be used in the evaluations and decision-making so that decisions are not arbitrary and capricious by comparing naturally occurring levels of impact to the impacts of human use established by verified site-specific data and analysis.

8. The agency should adequately consider analysis and evaluations based on site-specific data and studies that support an unbiased view and sense of magnitude regarding the impacts of motorized recreation on the natural environment.

9. The agency should adequately compare impacts from all types of visitors to natural impacts in order to demonstrate a true sense of magnitude for all impacts and so that impacts are not over-stated.

10. The agency should adequately consider that a sense of magnitude should be used in the evaluations and decision-making so that potential impacts on the natural environment including fish and wildlife are compared to the naturally occurring range of impacts and that this approach is necessary in order to keep impacts from being over-stated and decisions from being arbitrary and capricious.

11. The agency should adequately consider that impacts from all user groups should be adequately compared to the natural level of impacts in order to demonstrate and use a true sense of magnitude for analysis and decision-making.

12. The agency should adequately consider a sense of magnitude in the evaluations and decision-making so that potential impacts on the natural environment are compared to naturally occurring impacts and decisions avoid being arbitrary and capricious.

13. The agency should employ an adequate sense of magnitude so that the record of decision provides a reasonable level of multiple-use and motorized recreation.

14. The agency should employ a reasonable sense of magnitude so that decisions with relatively insignificant improvement to natural resources do not cause relatively significant impacts on human resources.

15. The agency should adequately consider that vegetation management actions other than burning reduce the fuel loading and result in less damaging wildfires and less CO₂ release.

16. The agency should adequately recognize that impacts from motorized recreationists that are less than the natural level of impacts should not be considered significant.

14.c Other Issues

1. The agency should adequately consider that theories based on impartial data and studies to back them should not be used to close motorized opportunities.
2. The agency should adequately consider studies that support OHV recreation or provide an unbiased analysis of OHV recreation.
3. The agency should adequately recognize when bogus issues based on an anti-motorized bias are presented as justification to close valuable motorized access and motorized recreational opportunities.

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

Page 34 of 47

4. The agency should adequately consider that by assigning equal impacts to single-track motorcycle/e-bike trails versus ATV trails versus gravel roads versus highways that the road density criteria is flawed and should not be used.
5. The agency should adequately consider that;
 - a. Activities other than OHV recreation have a greater impact on wildlife,
 - b. Repeating and exaggerating nontruths about the negative impacts of motorized recreation does not make them true and represents arbitrary and capricious decision-making.
6. The agency should adequately develop site-specific Need Factors for each route and the decision establishing the amount of non-motorized versus motorized opportunity should be informed and reliable.
7. The agency should evaluate the project team to assure that it represents all recreationists equitably and that the personal recreation preferences of team members are not biasing the process and decision-making.
8. It is not reasonable to expect that time and change can be avoided.

15. Adequately Consider NEPA and Environmental Justice Issues

1. The agency should adequately listen to the needs of all of the public and act on those needs on an equal basis.
2. The agency should adequately consider justice for the closure of motorized recreational opportunities that were made without adequate and credible scientific data and analyses and/or without adequate comparison to natural impacts and change.

15.a Avoid Flawed Purpose and Need Process

1. Motorized recreationists need trail opportunities similar the abundant hiking and mountain bike trail systems in the project area. The purpose and need process circumvented identifying and addressing this critical issue.
2. The agency should adequately recognize that restricting comments to only those that address specific routes does not adequately address the overarching significant issues that are negatively impacting motorized recreationists.
3. The agency should not use comment rules so that significant issues and comments from motorized recreationists are dismissed.
4. The purpose and need developed by the agency should adequately address the needs and significant issues associated with motorized recreation.

15.b Adequately Consider the Impacts from the Travel Management Rule And 3-State OHV ROD

1. Prior to the 2005 Travel Management Rule, motorized recreationists had a reasonable opportunity to enjoy motorized access, motorized roads, and motorized trails. Now with nearly We are a locally supported association whose purpose is to preserve trails for all recreationists through responsible environmental protection and education.

Page 35 of 47

20 years under the travel management rule motorized recreationists are subject to motorized closure upon motorized closure and the cumulative impact associated with those closures has become significant yet ignored by the agency.

a. Motorized recreationists did not expect the travel management rule to be a massive closure action and accepted it on that basis.

b. Motorized recreationists did not expect the travel management rule to be a massive closure action, but the agency has chosen to implement the travel management rule that way.

c. Motorized recreationists did not expect the travel management rule and 3-State OHV ROD to be a massive closure actions, but the agency has chosen to implement the travel management rule and 3-State OHV ROD that way.

d. The travel management rule and 3-State OHV ROD were not adequately evaluated and disclosed to the public as massive, motorized closure actions.

e. This implementation and the ultimate significant end impact of the travel management rule and 3-State OHV ROD on the public was not adequately identified, was not adequately evaluated, was not adequately disclosed, and was not adequately mitigated.

f. The agency's implementation of the travel management rule and 3-State OHV ROD must be corrected to address these deficiencies starting with the Lolo National Forest Land Management Plan Revision #62960.

2. The Supreme Court released a decision in *West Virginia vs. EPA* (https://www.supremecourt.gov/opinions/21pdf/20-1530_n758.pdf), that established when federal agencies are exceeding their regulatory powers. This decision should result in opportunities for examination of existing regulatory powers for federal agencies. For example, if Congress hasn't given explicit authorization to create Subpart C travel management rules to regulate OHV and snowmobiling recreation, then the agency may not have the regulatory authority to create these rules.

15.c Avoid Inadequate Disclosure

1. The agency should adequately disclose the miles of existing trails closed to OHV use.

15.d Consider the Human and Natural Environment Equally

1. The agency should adequately consider the need to provide the motorized public with adequate access and recreation on public land.

2. The analysis and decision should consider the Human and Natural Environment equally as intended by 1969 NEPA.

15.e Education - A Reasonable Alternative

1. The agency responsible for management of the State OHV program should be responsible for and take the lead in OHV education within that State.

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

Page 36 of 47

2. The agency should adequately recognize that closure takes away needed motorized recreational

opportunities and education in place of closure can be used to address issues with existing motorized recreational opportunities.

3. The agency should adequately consider that it is overwhelming the public with involvement requirements and catering to well-funded activist groups with paid representatives.
4. The Agency should adequately identify the needs of the silent majority including motorized recreationists and OHV recreationists and reasonably provide for those needs.
5. The agency should adequately consider that education can be part of creating new motorized recreational opportunities.
6. The agency should adequately consider that all potential negative issues associated with non-motorized and motorized recreationists can be mitigated by education and that education of all visitors is a better alternative than closure.
7. The agency should adequately address that the trail rangers should only be used with the purpose of education, mentoring and education of fellow OHV recreationists
8. The agency should adequately consider that;
 - a. Education of all recreationists is a reasonable alternative and the most equitable alternative.
 - b. Education as an alternative to motorized closures should be exercised and increased.
 - c. Education can be used with all ages and is especially effective with our youth.
9. The agency should adequately consider that fish and wildlife can coexist and prosper with OHV recreation when using public education to protect them.
10. The agency should adequately consider alternatives to motorized closures such as public education that would mitigate concerns with the natural environment.
11. The agency's education program should include OHV enthusiasts on the agency's staff and effective outreach to individual motorized recreationists and motorized groups.
12. The agency's education program should include a youth outreach program similar to Kids and Adults on Snowmobiles (KAOS) so that OHV use gets off on the right foot.
(<https://awsc.org/getmedia/22a8a18d-d1ba-4e97-a02e-da6fb92bcc79/Youth-Program-Flyer.pdf>)

15.f Collaboration

1. Use of collaboration is reasonable only if all users benefit.
2. The agency should adequately consider that the outcome of collaboration is not equitable when motorized recreation opportunities are minimized and non-motorized opportunities are maximized.

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

Page 37 of 47

15.g Provide for Reasonable Sharing of Multiple-Use Lands

1. 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 should be given a hard look.

e. The agency should adequately recognize that there is plenty of land for all recreation uses if we all share the land.

f. 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.

g. 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.

15.h Adequately Address Justice Issues

1. Motorized recreationists endorsed and accepted millions of acres of area restriction under the Off-Highway Vehicle Environmental Impact Statement and Proposed Plan Amendment for Montana, North Dakota and South Dakota (3-State OHV) decision (<http://www.mt.blm.gov/ea/ohv/FSROD.pdf>) and the Travel Management; Designated Routes and Areas for Motor Vehicle Use, Final Rule (<http://www.fs.fed.us/recreation/programs/ohv/final.pdf>) as a positive action to control environmental impacts.

a. We accepted area restriction and not area closure. Area closure is permanent. Area restriction allows flexibility as needed to address site-specific conditions. Each motorized road and trail exists because it serves some multiple-use need.

b. Every road and trail is important to some individual for some purpose. Each motorized road and trail should have adequate site-specific data and analysis to determine all of its values including motorized recreational value.

c. Motorized recreationists gave up 97% of the area historically available to them under both the 3-State ROD and the travel management rule as the ultimate act of mitigation so that we would continue to have use of existing motorized routes that cover or provide access to an area estimated at less than 3% of the total area.

d. Now motorized recreationists have been given almost no credit for our cooperation during that action and we have only been penalized for our past cooperation by current route designations, land management plans, forest plans and travel plans that seek to close 50% to 75% of the existing motorized routes.

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

Page 38 of 47

e. This outcome was not part of the 3-State OHV ROD and travel management rule and this level of closure is not acceptable to us for that reason. The 3-State OHV ROD and travel management rule were not made with the intention of massive closures beyond that agreement.

f. We ask that proposed action include proper recognition of the original agreements behind the 3-State OHV ROD and travel management rule decisions which allow continued use of the existing networks of motorized roads and trails without massive motorized closures.

2. The agency should adequately consider that the decision provided recreational opportunities for non-motorized recreationists in greater abundance and quality than the recreational opportunities for motorized recreationists.

3. The agency should develop site-specific data and Need Factors for each route and the decision establishing the amount of non-motorized versus motorized opportunity is uninformed and unreliable.

4. The agency should not create non-motorized recreational opportunities by taking opportunities from motorized recreationists.
5. The agency should adequately consider that Anti-mechanized interests are not free of mechanized. They use vehicles in their daily lives. However, anti-mechanized interests choose to impose their level of mechanized use on others.
6. The agency should carefully consider the social justice issues associated with imposing their will on motorized recreationists.
 - a. Open-minded people do not work to impose their beliefs on other people.
 - b. Open-minded people accept all of life's perspectives and realities.
 - c. Open-minded people do their own thing in peace without judgement of other people.
7. The agency should avoid actions that allow one user group to impose their will on another user group.
8. The agency should adequately consider that the endless lawsuits from environmental groups is an attempt to impose their non-use agenda and is counter to the greater needs of the public for multiple-use of our public lands.
9. The agency should adequately consider that NEPA, CEQ guidance and other environmental laws are not neutral and have not worked equally for all recreation groups.
10. The agency should adequately consider the need for and use of site-specific data and evaluations for each and every motorized route including consulting with an adequate cross-section of local motorized users.
11. The agency should adequately consider the quality of the human environment including the need and value of motorized recreational opportunities.
12. The Agency should not use comment rules so that significant issues and comments from motorized recreationists are dismissed.
13. The agency should not create non-motorized recreational opportunities by taking opportunities from motorized recreationists.

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

Page 39 of 47

14. The agency should adequately evaluate whether it is developing and maintaining motorized trails at a level equal to non-motorized trails.
15. The agency should adequately consider all of the requirements of the Equity Action Plan with respect to motorized recreationists.
16. <https://www.whitehouse.gov/equity/#:~:text=Equity%20Action%20Plans%20were%20required,and%20partnership%20with%20all%20communities>
17. 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.
18. The agency should adequately consider that closing routes to motorized recreationists creates opportunities for non-motorized recreationists who already have unlimited opportunities.
19. The agency should adequately consider that the public comments and votes by how they use public land, and adequate motorized access and recreation is what the public is asking for with every visit regardless of whether they participate in a complicated NEPA process.
20. 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.
21. The agency should adequately consider that "flow" should be provided to all users on an equal basis.
22. Motorized recreationists are disadvantaged in the legal system and are not able to effectively use the legal system to protect motorized opportunities. The agency should adequately

consider management approaches for public lands that do not require the public to defend their recreation opportunities in the court room.

23. The motorized public cannot be involved in every BLM and Forest Service action as demonstrated by the number of projects on their NEPA sites:

USFS NEPA and Planning Projects signup

BLM eplanning for "Recreation only"

24. The agency should adequately consider that everyone's energy would be better spent on ensuring access and education for all that wish to have an enjoyable, safe, and responsible experience outdoors.

25. The agency should adequately consider that the increasing population is all the more reason to support decisions that require sharing of multiple-use lands and avoid decisions that yield to limited-use.

26. The agency should adequately consider and refer to motorized use and access prior to BLM and USFS planning guidance and rules established in the 2000's as "authorized and open to use unless specifically closed". Therefore, all areas, roads and trails that existed prior to the guidance and rules established in the 2000's were authorized and open for motorized use unless specifically closed and should not be referred to as "unauthorized routes".

27. The agency should find ways to adequately involve motorized recreationists in the planning and decision processes.

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

Page 40 of 47

28. The agency should carefully follow the policy of providing equal access to recreation opportunities and resources for people who might otherwise be excluded or marginalized including those disadvantaged in the NEPA process, those who have physical disabilities and members of underserved motorized sectors.

29. The agency should make decisions based on accurate data and evaluations that represent the needs of the public and not on political agendas.

30. The agency should adequately consider that by being overly influenced by organized and well-funded environmental groups that they have created a new underserved sector made up of unorganized motorized recreationists who act individually and trust that their interests will be reasonably considered.

31. The agency should carefully determine who actually visits and uses each route or area so that the decision does not close recreation opportunities to people who need it and use it for the benefit people that never visit and use the route or area and are simply motivated to take the opportunity away from those that do.

32. The agency should not adopt comment rules that favor conservation and environmentally oriented groups.

33. The agency should adequately recognize that under representation on the interdisciplinary team will produce a bias against motorized recreation by an under evaluation of motorized

recreationists needs, an under evaluation of current motorized recreation use, a lack of adequate motorized recreation opportunities and excessive closures of motorized recreation opportunities and make the appropriate changes needed to eliminate this bias.

34. The agency should adequately evaluate why it gives priority to non-motorized recreationists when there are more motorized recreationists with as great or greater needs.

35. The agency should adequately evaluate the lack of equal opportunity for motorized recreationists.

36. The agency should adequately consider that the concept of conflict of use is really intolerance for others which is not reasonable, and this prejudice should not be reinforced.

16. Avoid Overstating the Impact of Motorized Access and Motorized Recreation on Fish and Wildlife

1. The agency should adequately consider the current status of elk populations in Montana at <https://fwp.mt.gov/conservation/wildlife-management/elk/population-and-distribution>.

- a. The elk count is organized by hunting district and shows whether the district is over or under the desired count.
- b. More than 50 districts are over.
- c. Less than 20 district are under.
- d. Just over 20 districts are at the desired count.
- e. Overall, the elk count is at 141,294 and the desired count is 92,138 so there are 49,156 elk above the desired level.

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

Page 41 of 47

2. The agency should adequately consider analysis and evaluations based on verified site-specific data and studies that support an unbiased view and sense of magnitude regarding the impacts of motorized recreation on the natural environment.

3. The agency should adequately compare impacts from all types of visitors to natural impacts in order to demonstrate a true sense of magnitude for impacts.

4. The agency should adequately consider alternatives to wholesale motorized closures that would mitigate fish and wildlife concerns should be given a hard look.

5. The agency should adequately consider that the road density impact criteria are not site-specific and, consequently, not valid for the project area.

6. The agency should adequately consider that the road density impact criteria over-estimates the impact of motorized recreation on wildlife and does not reasonably consider mitigation measures and alternatives that could be implemented.

7. The agency should adequately consider that the road density impact criteria are not a reasonable measure of motorized impact on wildlife habitat.

8. The agency should adequately consider that;

- a. Topography is a significant factor affecting wildlife habitat.
- b. The vertical topography in the project area greatly reduces the impact on wildlife and is just as effective as or more effective than cover.
- c. The analysis should reasonably consider topography.

9. The agency should adequately consider that;

- a. A motorized trail does not have the same impact on wildlife as a road.

b. The impact analysis should not assume that one size of impact fits all motorized uses.

c. A criteria and impact analysis should be developed that differentiates between different tread widths and level of use including traffic counts.

10. The agency should adequately consider that;

a. OHVs cause less severe disturbance of wildlife because the relatively low level of sound that they emit provides a soft warning of human presence compared to non-motorized recreation.

b. For example, OHVs have never had a damaging encounter with a bear including grizzlies while hikers and hunters have had many that have ended badly for both the humans and the bear.

11. The agency should adequately consider that motorized closures are being enacted using the Endangered Species Act when there is no verified site-specific data and studies documenting a significant connection between OHV and e-bike recreation and significant impacts on an endangered species.

12. The agency should adequately consider that there are other impacts on fish and wildlife including natural processes that are far more significant than motorized recreation.

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

Page 42 of 47

13. The agency should adequately consider that adequately documented OHV impacts should be compared to natural levels and natural changes in order to avoid impacts being over-stated and leading to arbitrary and capricious decision-making.

14. The agency should adequately consider that fish and wildlife can coexist and prosper with OHV recreation when using public education to protect them.

15. The agency should adequately consider that;

a. Human activities other than OHV recreation have a greater impact on wildlife and the natural environment.

b. Repeating and exaggerating nontruths about the negative impacts of motorized recreation on fish and wildlife does not make them true and represents arbitrary and capricious decision-making.

16. The agency should adequately consider that a sense of magnitude should be used in the evaluations and decision-making so that potential impacts on fish and wildlife are compared to the naturally occurring range of impacts and that this approach is necessary in order to keep decisions from being arbitrary and capricious.

17. The agency should adequately consider that in many cases wildlife populations are at all-time highs and in excess of the carrying capacity of the land.

18. The agency should adequately consider that negative impacts to fish and wildlife from wildfires are thousands of times greater than OHV recreation.

19. The agency should adequately consider giving much needed motorized recreation opportunities a higher priority in the decision-making.

20. The agency should adequately consider that wildlife deaths including grizzly bear deaths are associated with hiking and hunting and that a bear has never been killed by an OHV visitor.

21. The agency should adequately consider the need for site-specific data and the value for decision-making as demonstrated by 6 years of monitoring in Yellowstone National Park which demonstrated little impact to wildlife from snowmobiles.

22. The agency should revisit any motorized closures that were enacted without adequate site-specific data and analysis.

23. The agency should adequately consider that wildlife including deer, elk, and bears are not disturbed by motor vehicles as demonstrated by the lack of concern about motorized visitors by wildlife in national parks.

24. The agency should adequately consider that predators create more significant impacts on wildlife than motorized visitors.

25. We like to watch wildlife using our OHVs during the summer recreation season. Wildlife is seldom concerned about our presence if the motors are idling. The agency should adequately consider the value of wildlife watching for OHV recreationists.

26. The agency should adequately consider that the objectives of both summer motorized recreation needs, and road density criteria can be reasonably met by allowing summer motorized recreation opportunities and then using fall hunting season motorized closures along with education.

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

Page 43 of 47

27. The agency should adequately consider that "Counter to public perception, non-motorized activities had more evidence for a negative effect of recreation than motorized activities, with effects observed 1.2 times more frequently."

Citation: Larson CL, Reed SE, Merenlender AM, Crooks KR (2016) Effects of Recreation on Animals Revealed as Widespread through a Global Systematic Review. PLoS ONE 11(12): e0167259. <https://doi.org/10.1371/journal.pone.0167259>

We have observed that when we are moving in a vehicle wildlife shows very little concern and it is only when we stop and turn off the ignition that they become concerned.

17. Avoid Overstating the Impact of Motorized Access and Motorized Recreation on the Natural Environment

1. The agency should adequately consider that the analysis should develop data and studies that supports an unbiased and a balanced view of how motorized recreation impacts the natural environment.

2. The agency should adequately consider developing and using adequate site-specific data and studies as required by NEPA, CEQ guidance and the 3-States OHV ROD in order to justify closure of any motorized opportunity.

3. The agency should adequately consider that impacts from all user groups should be adequately compared to the natural level of impacts in order to demonstrate and use a true sense of magnitude for analysis and decision-making.

4. The agency should adequately consider alternatives to motorized closures such as public education that would mitigate concerns with the natural environment.

5. The agency should adequately consider that;

a. A motorized trail does not have the same impact on the natural environment as a road.

b. The impact analysis should not assume that one size fits all.

c. A criteria and impact analysis should be developed that differentiates between different trends and level of use.

6. The agency should adequately consider that there are other natural processes that create more significant impacts than motorized recreation.

7. The agency should adequately consider that the analysis of documental OHV impacts should be compared to natural levels and natural changes in order to avoid impacts being over-stated and leading to arbitrary and capricious decision-making.

8. The agency should adequately consider a sense of magnitude in the evaluations and decision-

making so that potential impacts on the natural environment are compared to naturally occurring impacts and decisions avoid being arbitrary and capricious.

9. The agency should not complain about the impact in high use areas because the agency created significant impacts on the natural and human environment by squeezing 93% of the visitors (motorized recreationists) into an inadequate number of areas and opportunities.

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

Page 44 of 47

a. The agency should take responsibility and mitigate all impacts associated with this issue.

10. The agency should adequately consider giving much needed motorized recreation opportunities a higher priority in the decision-making.

11. Compared to pre-travel management rule conditions, the agency has created a greater level of impact on the natural environment by squeezing recreationists into the smallest possible footprint.

18. Adequately Consider Motorized References

1. The analysis should adequately consider all information and references that;

- a. Support the need for motorized recreation,
- b. Document the value of motorized recreation to both the economy and human health,
- c. Identify alternatives that mitigate any impacts that are adequately documented,
- d. Develop alternatives that enhance motorized recreation.
- e. Available motorized trail design and maintenance references include:

- 1. Trail Construction and Maintenance Notebook USDA
- 2. A Comprehensive Framework for OHV Trail Mgmt USDA
- 3. Sustainable ATV Trails USDA
- 4. Designing Sustainable OHV Trails USDA
- 5. Keeping water off the trail USDA
- 6. Off-Highway Vehicle Program Route and Designation Guide USDA
- 7. Standard Trail Plans and Specifications USDA
- 8. Sustainable Trail Bridge Design USDA
- 9. Marshall University OHV Courses
- 10. <https://nohvcc.org/assistance/manager-assistance/online-resource-hub/>
- 11. <https://nohvcc.org/economic-impact-studies/>
- 12. <https://nohvcc.org/assistance/manager-assistance/great-trails-projects/>
- 13. <https://nohvcc.org/education/manager-education/great-trails-guidebook/>
- 14. ATV Route Guideline Manual
- 15. Wernex Report for Design Construction Maintenance AMA
- 16. Off Highway Motorcycle and ATV Trail Management U of I
- 17. <https://go.campendium.com/wp-content/uploads/2022/03/2022CamperReport.pdf>
- 18. Slow and Say Hello
- 19. <https://nohvcc.org/education/manager-education/great-trails-field-guide/>
- 20. <https://nohvcc.org/education/rider-education/>
- 21. <https://nohvcc.org/education/manager-education/great-trails-field-guide/>
- 22. <https://nohvcc.org/assistance/manager-assistance/online-resource-hub/>
- 23. <https://nohvcc.org/assistance/manager-assistance/online-resource-hub/webinars/>
- 24. <https://nohvcc.org/economic-impact-studies/>

We are a locally supported association whose purpose is to preserve trails for all

recreationists through responsible environmental protection and education.

Page 45 of 47

2. The agency should adequately consider that observing motorized tracks cannot always be used as evidence of motorized use because we practice "Tread Lightly" and the rain, wind, and snow erase our tracks.

3. Opening dates should be based on weekends, for example open for use on 2nd weekend in May. Closing dates should be based on a weekday, for example, closed for use on 2nd Monday in October.

19. Adequately Consider Design, Maintenance, Funding and Gas Tax Issues

1. The agency should return all OHV gas tax dollars spend on non-motorized recreation to the OHV recreationists that paid those OHV gas tax dollars.

2. The government should adequately consider the significant impacts on the human and natural environment that are created by not returning an equitable amount of the gas tax paid by offroad users to maintain and develop offroad opportunities.

3. The agency should be 100% committed to pursuing OHV grants, OHV trail maintenance, returning an equitable percentage of gas tax paid for OHVs to OHVs and developing OHV opportunities.

4. The agency should adequately recognize that nearly all OHV routes need maintenance including drainage mitigation and signing.

5. The agency should adequately recognize that the total gas tax paid by OHV recreationists exceeds the maintenance and education needs of OHV recreation but is not returned to OHV recreation.

6. The agency should adequately consider that an equitable percentage of the gas tax paid by OHV recreationists has not been returned to maintain and support OHV recreation.

7. The agency should adequately consider that an equitable percentage of the gas tax paid by OHV recreationists has not been returned to OHV recreation for a very long time and the cumulative effects are significant.

8. The agency should adequately consider the significant issues surrounding the inequality of maintenance funding, design and construction funding and gas tax funding with respect to motorized recreation versus non-motorized recreation.

9. The agency should adequately consider that if motorized is removed, then motorized funds should not have been used in the area at any time in the past.

10. The agency should adequately consider that if motorized is removed, then motorized funds used previously in the area should be equitably returned for use on new motorized projects.

11. The agency should adequately consider that that there are significant new funding sources available for motorized trails at both federal and state levels.

12. The agency should adequately consider that based on the significant need and past inequalities, motorized trail maintenance should be the first priority for all available trail

maintenance funding.

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

Page 46 of 47

13. Without public involvement, motorized route maintenance just goes away and so do rideable routes. The agency is not keeping up with motorized route maintenance. Maintenance takes a long-term commitment, and this should be the agency's priority.

14. Whether intentional or not, lack of maintenance is effectively closing motorized routes.

a. This trend adds to the cumulative effect of motorized closures.

b. This trend is counter to the needs of the public.

c. The agency needs to develop a nationwide initiative to restore and enhance all recreation facilities including trails and roads (REAL).

15. The agency should adequately consider and practice restoring all roads and trails as part of their burned area and flood restoration actions restoration of the trail tread and removal of downfall blocking routes.

16. The agency should team with the Post Wildfire OHV Recovery Alliance (PWORA). PWORA is a national non-profit organization founded to protect and restore sustainable OHV recreation from the devastating effects of intense wildfires and other natural disasters. <http://pwora.org/>

17. The agency should adequately recognize and address the fact that they perform little to no maintenance on motorized routes.

18. The agency can significantly address erosion issues associated with motorized routes by constructing and maintaining water bars, rolling dips, etc.

19. The agency should adequately consider and address the need to adequately sign and maintain motorized routes during times when they are disturbed by timber and vegetation actions.

20. The agency should adequately consider providing pullouts for passing oncoming OHVs on 50" wide trails located in long narrow sidehill areas that do not have adequate safe places for passing and/or where reasonable consideration should be given to designating trails with inadequate passing as one-way trails.

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

Page 47 of 47