

Data Submitted (UTC 11): 3/20/2026 8:00:00 AM

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Comments: Please see the attached comment on behalf of BRC and comments submitted by our members and supporters.

BlueRibbon Coalition (BRC) is writing to provide scoping feedback for the Tongass National Forest Land Management Plan revision. BRC is a national non-profit organization that champions responsible recreation and encourages a strong conservation ethic and individual stewardship. We champion responsible use of public lands and waters for the benefit of all recreationists by educating and empowering our members to secure, protect, and expand shared outdoor recreation access and use by working collaboratively with natural resource managers and other recreationists. Our members use motorized and non-motorized means of recreation, including OHVs, horses, mountain bikes, and hiking to enjoy federally managed lands throughout the United States, including those of the Tongass National Forest. BRC members visit these national forests for motorized recreation, snowmobiling, sightseeing, photography, rockhounding, hunting, wildlife and nature study, camping, observing cultural resources, and other similar pursuits. BRC members and supporters have concrete, definite, and immediate plans to continue such activities in the future.

General Comments

We support any additional comments that encourage the USFS to designate the maximum number of routes in this area as open. Many of our members are organizations with extensive on-the-ground experience. We strongly advocate against the creation of a [ldquo]conservation alternative[rdquo], as this area is already surrounded by and includes, wilderness areas and highly restrictive management areas. Specifically, we support any comments made by any other pro-access groups and organizations.

The Tongass National Forest is one of Alaska[rsquo]s premier motorized recreation areas, and BRC supports an Open Access, Active Management Alternative that expands motorized opportunities, maintains and enhances the road system, and applies proactive forest management to reduce wildfire risk while sustaining local communities that depend on recreation and access. To comply with NEPA, the Forest Service should develop a true recreation-focused alternative that accounts for the foreseeable growth in outdoor recreation, ensures documented increases in access, and balances multiple-use objectives. Such an alternative is both viable and necessary, particularly because surrounding lands already impose extensive restrictions that minimize OHV-related impacts within the Tongass National Forest.

Restrictive Designations

The Tongass already contain substantial acreage in restricted designations such as Wilderness and Inventoried Roadless Areas. Expanding these restrictions would not only be redundant, but also contrary to the multiple-use mandate Congress has directed the Forest Service to uphold. Due to the current proposal to remove the 2001 Roadless Rule, this planning process should create an alternative that analyses removing all inventoried roadless areas.

The plan should make clear that non-motorized designations such as Primitive or Semi-Primitive Non-Motorized zones cannot be used as a substitute for congressional wilderness designations. Federal courts have repeatedly recognized that only Congress has authority to designate wilderness, and administrative planning processes must not impose wilderness-style restrictions under different labels. In addition, studies from the Property and Environment Research Center (PERC) and others have demonstrated that over-restricting access in national forests has measurable economic costs to rural communities that depend on tourism, motorized recreation, and forest management jobs.¹

Recreation Opportunity Spectrum and Motorized Access

The USFS cannot create buffer zones around wilderness and non motorized through ROS designations or RNA designations. The plan must expand opportunities for motorized recreation to be in compliance with the

EXPLORE Act. The Recreation Opportunity Spectrum (ROS) is an important tool, but it must not be misused to restrict access in areas where motorized use is compatible. The Forest should avoid using ROS classifications as a backdoor mechanism to limit access in ways that are inconsistent with public demand, economic realities, and statutory directives.

The National Recreation Opportunity Spectrum (ROS) Inventory Mapping Protocol² establishes that primitive designations must be 3 or more miles from motorized routes and more than 5,000 acres. Therefore existing roads and motorized trails cannot be located within a primitive designation because that would disqualify the area from being a primitive area in the first place. Semi-primitive non-motorized designations must be $\frac{1}{2}$ mile or more from motorized routes and more than 2,500 acres. Again, if a motorized road or trail is located within a semi-primitive, non-motorized ROS zone then that zone needs to be reclassified as a motorized zone. It's our understanding that a lot of the non-motorized and primitive designations are aligned with the boundaries of designated roadless areas. We have longstanding concerns that the roadless rule was an expansion of agency power without congressional authorization. With recent Supreme Court cases such as EPA vs. West Virginia we believe that advancing the roadless rule through the non-motorized primitive would re-open the questions of the legitimacy of the roadless rule. And expose this plan to litigation.

There are already non-motorized winter recreation areas that provide quiet winter recreation opportunities within designated Wilderness. The USFS should not be designating any more non-motorized winter ROS zones.

Constitutional Concerns

Many of our members hold organized events that include organized rides in this area. A significant portion of the education mission of organizations like ours and the fundraising that supports organizations like ours comes from these organized events, and we see the continuation of these events as an integral expression of protected rights including freedom of speech and freedom of assembly.

The socioeconomic analysis should acknowledge the direct financial impact that will occur to organizations like ours if the agency were to move forward with restricting and removing any current access. The Administrative Procedures Act is important to a planning process such as the development of this plan, because this statute makes it clear that agency actions that are both contrary to [the constitutional right, power, privilege, or immunity] or [in excess of statutory jurisdiction, authority, or limitations, or short of statutory right] must be held unlawful. The plan should acknowledge these important statutory and constitutional provisions.

We would consider any heavy restrictions proposed in a draft environmental assessment to constitute a scheme of prior restraint that could potentially limit protected rights such as freedom of speech and freedom of assembly. A [scheme] of prior restraint is one which gives [public officials] the power to deny use of a forum in advance of actual expression and [comes to a] Court bearing a heavy presumption against its constitutional validity. Am. Target Advert., Inc. v. Giani, 199 F.3d 1241, 1250 (10th Cir. 2000).

Wildfires

Vegetation treatments that reduce wildfire risk might compromise the current scenery integrity or non motorized recreation opportunity, but if a wildfire happens the impact of the fire will likely cause a greater impact to both of these values. Decision makers should be able to make balance-of-harm or benefit determinations for these resource management activities instead of being required to meet arbitrary objectives.

The USFS should be using non-fire techniques such as mechanical thinning as often as possible to keep the forest healthy and thriving. These techniques are the most effective in preserving wildlife, trails and cultural sites. We prefer proactive management within the forest to avoid closures.

Section 40806 in the Bipartisan Infrastructure Law directs the reduction of hazardous fuels in strategic locations. The law authorizes the construction of fuel breaks adjacent to existing features including roads, trails, powerlines, or similar infrastructure. USFS should be utilizing Section 40806 within the Tongass Forest Plan in order to

create fuel breaks along roads.³ Because this would already create a disturbance, USFS should consider using these disturbances to increase recreation opportunities, such as single track routes, OHV routes or dispersed camping opportunities off of the main used roads.

The Assessment emphasizes the importance of vegetation treatments and fuel reduction, but reduced road systems directly undermine the ability to implement these treatments effectively. Roads are essential for transporting crews, equipment, and materials, conducting prescribed burns, and accessing ignition points during wildfire suppression. Numerous post-fire studies, including USDA analyses of the 2020 fire season⁴, have shown that road closures and limited access delay firefighting response and increase suppression costs.

The Tongass have already experienced the challenges of catastrophic fire. By maintaining and expanding its road system, the Forest can ensure it has the infrastructure necessary to protect communities, watersheds, and ecosystems from wildfire. Roads also play a role in wildlife management, search and rescue, and law enforcement. Removing or neglecting them undercuts the agency's ability to manage the forest holistically.

EXPLORE Act and Executive Orders

The EXPLORE Act of 2024 directs federal land managers to expand recreational access, including motorized access. The law was passed with broad bipartisan support and reflects the reality that public demand for outdoor recreation is growing. Similarly, the Executive Order Making America Beautiful Again Commission specifically calls on agencies to increase opportunities for motorized recreation on federal lands. Any plan that results in reduced access would directly conflict with these directives. Federal agencies are legally and politically obligated to comply with these policies. Therefore, the Tongass plan must be written to expand, not reduce, recreational access, with an emphasis on motorized opportunities that are already underrepresented in the Forest.

Agencies are directed to comply with Executive Orders such as EO 14313, Making America Beautiful Again Commission, which emphasizes the expansion of recreational opportunities—including motorized access—and with congressional directives like the EXPLORE Act, which requires agencies to expand, not restrict, outdoor recreation. Reliance on outdated or rescinded climate directives risks misalignment with the governing statutory and executive framework now in place.

OSV Use

We oppose any ROS designations that could set the stage for OSV closures of OSV areas that are currently in use when an OSV use map is developed. According to the Winter Use Monitoring: Summary of Findings 2014-2020 from the National Park Service in Yellowstone.⁵ Regarding the effects on OSV use on wildlife, there is not a significant impact. NPS states, "[d]83% of the observed responses by all groups of wildlife were categorized as no apparent response, 11% look/resume, 3% travel, 1% attention/alarm, and 1% for flight and defense/charge combined." Overexaggerated impacts to wildlife are often used to justify motorized closures. As the Yellowstone study suggests, most wildlife adapt to motorized users. In addition to this study, we recommend that the USFS include the findings found in the Snowmobile Fact Book published by the International Snowmobile Association.⁶

Snowmobiling brings in \$26 billion annually in the United States, and locations within the Tongass are high-value destinations for snowmobiling. Snowmobiles have an added value to Wyoming's economy of \$4,038,321.00 annually. The USFS needs to strongly consider the economic benefits of allowing the maximum amount of area open to OSV possible.

Roads

Current trends show an increase in outdoor recreation the past few years that isn't looking to slow down. With more users on public lands decommissioning and closing routes would be irresponsible as this would concentrate more users into a smaller space which would increase the potential for injury and impact.

Roads and Trails not on the system should be included in the annual MVUM update and the Tongass forest

should consider an annual MVUM update to determine their final designation as open or closed.

Closures should not be seen as legitimate almost hardwired responses to issues that can all be managed through other management strategies. NEPA requires analysis of impacts to everything on this list, and managers should have flexibility to find other ways to mitigate impact besides temporary or permanent closure.

USFS should acknowledge that the Categorical Exclusions that apply for construction of new roads and trails should be applicable to these classes. In many cases these exclusions are for rerouting existing routes because of erosion events, or creating roads to do vegetation treatments that reduce the risk of catastrophic fire. ROS designations should apply only to recreation use and not create unnecessary restrictions on the Forest for adaptive and active management that relates to other uses. BRC opposes closure of routes because of the economic benefits those provide.

Any route closure or decommissioning due to riparian concerns should be removed from the forest plan, as Riparian Management Zones don't exist in USFS manual. USFS is not required to designate these zones especially if it will cause irreparable harm to local communities and economies.

Timing and Public Process

BRC is concerned with the Forest Service's stated intent to release "Preliminary plan content and a proposed SCC list" on March 23, 2026, initiating a new 45-day public comment period ending May 7. Releasing substantive new planning content during or immediately following an existing comment period raises serious concerns about procedural fairness and meaningful public participation. If key elements of the plan, such as Species of Conservation Concern (SCC) designations, are not available during the current comment period, the public is effectively denied the opportunity to provide informed input on the full scope of the proposal.

Dispersed Camping

We have already seen an increase in closing dispersed camping within the Tongass National Forest and Alaska in general. Alaska is one of the most sought after camping destinations in the Western United States and other plans proposed by federal agencies have and will restrict camping access greatly. The need for free, dispersed camping continues to grow. The desire and need for outdoor recreation has grown tremendously the past few years with no end in sight. The USFS should recognize the value that connecting with nature through dispersed camping and recreation brings. Restricting this form of recreation and limiting areas of use will only increase impact. We recommend adopting dispersed camping standards within this plan to require public input for any dispersed camping closures. Allowing dispersed camping should also be seen as a management tool for offsetting the socioeconomic inequities that are taking root as ultra-wealthy residents displace lower- and middle-income individuals and families from the Tongass area. Instead, the USFS has indulged the elitist attitudes of local residents for the alleged "conservation benefits."

Conclusion

We would like to close by saying we support "shared use". As long as overall visitation numbers are appropriate for the affected resources, motorized and non-motorized users can be compatible with one another so long as individual users understand designations and plan their activities accordingly. Indeed, motorized and nonmotorized recreation use often overlap as OHV's often increase accessibility to non-motorized recreational activities such as hiking, camping, equestrian use, etc. We also hold that responsible recreational use of public lands can exist in harmony with ecosystem needs.

BRC would like to be considered an interested public for this project. Information can be sent to the following address and email address:

Footnotes:

1<https://www.perc.org/2016/04/15/access-divided-state-federal-recreation-management-in-the-west/>

2https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd628501.pdf

3<https://www.congress.gov/117/plaws/publ58/PLAW-117publ58.pdf>

4Congressional Budget Office

5<https://www.nps.gov/yell/learn/news/21030.htm>

6<https://snowmobile.org/docs/isma-snowmobiling-fact-book.pdf>