

# **CAPITAL TRAIL VEHICLE ASSOCIATION (CTVA)**

**P.O. Box 5295  
Helena, MT 59604-5295**

May 20, 2022

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Darrington Ranger District  
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Re: North Fork Stillaguamish Landscape Analysis #61659

Dear Project Team,

We have assembled the following comments, information and issues from our members and other motorized recreationists for the project record. We appreciate the opportunity to provide our comments for the North Fork Stillaguamish Landscape Analysis #61659 Project. 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 North Fork Stillaguamish Landscape Analysis #61659 project area 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.
- 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.
- Responsibility to use vehicles in a proper manner and in designated places.

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- 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, 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. 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 an outline of the significant issues and information that should be adequately considered during the evaluation and decision-making. 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 spectrum of the human environment adequate consideration.

Our position is that the existing system of motorized routes does not adequately meet the needs discussed above. The lack of high-quality motorized trails including motorized singletrack is an over-arching significant issue. The closing of any motorized routes or the conversion to non-motorized is contrary to the needs of the public.

The public would greatly benefit from continued management for multiple-uses including an enhanced system of OHV routes and less designated or defacto wilderness area. The pandemic has brought visitors back to our public lands and 98% of them are looking for multiple-use activities. Therefore, we oppose the closure of any motorized access and motorized recreational opportunities and the development of a Pro-Recreation Alternative.

North Fork Stillaguamish Landscape Analysis #61659 project area should adequately address 19 significant issues associated with inadequate consideration of motorized recreational opportunities and the significant impacts on motorized recreationists that have occurred in the past 40 years. We strongly oppose the excessive closure of motorized access and motorized recreational opportunities. We are providing this information to assist you with the development of a purpose and need

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statement and evaluation that will fully develop and support a reasonable Pro-Recreation alternative.

We understand that the Project Team is under pressure from those opposed to motorized access and recreation. We have experienced the vast closure of motorized access and motorized recreational opportunities that have gone far beyond reasonable and justifiable decisions because of that influence. We ask that the Project Team review our issues and work on refinements to the analysis and plan that would adequately address and mitigate these significant issues. We ask the Team to use these comments and information as support and justification for more motorized access and recreational opportunities.

We are looking forward to reviewing to your consideration of these significant issues and your use of them to develop a reasonable Pro-Recreation Alternative for the North Fork Stillaguamish Landscape Analysis #61659 Project.

Thank you for considering our comments and issues.

Sincerely,

/s/ CTVA Action Committee on behalf of our 240 members and their families and friends  
Capital Trail Vehicle Association (CTVA)<sup>1</sup>  
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Helena, MT 59604-5295  
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Contacts:

Mike Sedlock, President

Attachments: Scoping and Significant Issues Information

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<sup>1</sup> CTVA is also a member of Montana Trail Vehicle Riders Association ([mtvra.com](http://mtvra.com)), Blue Ribbon Coalition ([sharetrails.org](http://sharetrails.org)), and New Mexico Off highway Vehicle Alliance ([nmohva.org](http://nmohva.org)),. Individual memberships in the American Motorcycle Association ([ama-cycle.org](http://ama-cycle.org)), Citizens for Balanced Use ([citizensforbalanceduse.com](http://citizensforbalanceduse.com)), Montana 4X4 Association, Inc. ([m4x4a.org](http://m4x4a.org)), Snowmobile Alliance of Western States ([snowmobile-alliance.org](http://snowmobile-alliance.org)), and United Four Wheel Drive Association ([ufwda.org](http://ufwda.org))

# **SCOPING AND SIGNIFICANT ISSUES INFORMATION FOR THE NORTH FORK STILLAGUAMISH LANDSCAPE ANALYSIS #61659 PROJECT**

The following are significant scoping and overarching issues that should be adequately addressed by the North Fork Stillaguamish Landscape Analysis #61659 Project. 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 scoping and significant issues. We ask the project team to use these issues to reverse the massive, motorized closure trend and as justification for the development of enhanced motorized access and recreational opportunities in the North Fork Stillaguamish Landscape Analysis #61659 Project areas.

NEPA Scoping requirements are outlined in 43 CFR § 46.235 - NEPA scoping process and CEQ guidance ([https://ceq.doe.gov/docs/get-involved/Citizens\\_Guide\\_Dec07.pdf](https://ceq.doe.gov/docs/get-involved/Citizens_Guide_Dec07.pdf)) including “The scoping process is the best time to identify issues, determine points of contact, establish project schedules, and provide recommendations to the agency. The overall goal is to define the scope of issues to be addressed in depth in the analyses that will be included in the EIS. Specifically, the scoping process will identify people or organizations who are interested in the proposed action and identify the significant issues to be analyzed in the EIS.

NEPA is required to be a process that adequately addresses significant issues associated with a proposed action. NEPA definition of significantly is established by <https://www.govinfo.gov/content/pkg/CFR-2011-title40-vol33/pdf/CFR-2011-title40-vol33-sec1508-27.pdf>

§ 1508.27 Significantly. Significantly as used in NEPA requires considerations of both context and intensity:

(a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

(b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action.

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

1. 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.
2. The agency should adequately consider that there are over 50,000,000 OHV recreationists in the United States and over 1,00,000 OHV recreationists in Washington plus a significant number of out-of-state OHV visitors.
3. The agency should adequately consider that motorized access and motorized recreation are the #1 use of the project area.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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).
9. 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.
  - 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.
10. The agency should adequately consider and understand the needs of motorcycle single-track recreationists and adequately provide for those needs.
11. The agency should adequately consider that the public prefers dispersed camping spots and that is consistent with the need for social distancing.

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12. The agency should adequately consider that there is an inadequate number of dispersed camping spots in the project area and the preferred alternative should address this significant issue.
13. The agency should adequately consider that the pandemic and social distancing requirements have significantly increased the public need for more OHV opportunities.
14. The agency should adequately consider that the pandemic and social distancing requirements have significantly increased the public need for more dispersed camping opportunities.
15. 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.
16. The agency should adequately consider that education can be part of creating new motorized recreational opportunities.
17. 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.
18. The project team should include enthusiasts for all types of OHVs, 4x4s, and e-bikes.
19. 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.

## **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.
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.

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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 a healthy human environment includes adequate motorized access and motorized recreational opportunities as required to meet the needs of the public.
2. 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.
3. The agency should adequately consider that with increasing fuel costs that motorized recreational opportunities are needed that are relatively close to town.
4. 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.
5. The agency should adequately consider that the motorized closure trend enacted by federal agencies is destroying a culture which is based on motorized access and motorized recreation in our public lands.
6. The agency should adequately consider that our pursuit of happiness has been significantly impacted by the magnitude of all motorized closures.
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".
8. The agency should adequately consider that any closure action will significantly affect our pursuit of happiness and the quality of the human environment.
9. The agency should adequately consider the significant positive economic impact that motorized recreationists have on the economy.
10. The agency should adequately consider that because of the excessive motorized closures that have taken place, our memories and conversations are dominated by stressful discussions of places that we used to go and can no longer access.
11. The agency should adequately consider that a pandemic affects our ability to participate in and comment on planning actions.
12. The agency should adequately consider that the evaluations and decision are out of date now that the quality of the human environment has been significantly impacted by a crippling pandemic.
13. The agency should adequately consider that recreation opportunities should now become the priority for land management plans now that the quality of the human environment has been significantly impacted by a crippling pandemic.

14. 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.
15. The agency should adequately consider that it is not OK to create significant impacts on the human environment by closing motorized access and motorized recreational opportunities.
16. The agency should adequately consider that all travel management and resource management evaluations and decisions made over the past 40 years have closed a significant amount of motorized access and motorized recreation.
17. The agency should adequately consider that creating any additional significant impacts on the human environment including any closures of motorized access and OHV recreation contributes to a significant cumulative effect.
18. The agency should adequately consider that we dream of getting out camping and using our OHVs and at the same time federal land managers are working to close these recreational opportunities.
19. The agency should adequately consider our local heritage which is based on generations of access to public land and reasonable use of public land.
20. The agency should adequately consider that the recreation time lost to motorized closures is recreation time that we will never get back.
21. The agency should adequately consider that multiple-use is now squeezed into an unreasonably limited area.
22. The agency should adequately consider that we dreamed about retiring and visiting places that we were not able to visit while working and now we find that those places are closed to us.
23. The agency should adequately consider that we need to get out during this pandemic more than ever, but we are finding more closed motorized recreation opportunities than ever before.
24. The agency should adequately consider that the human environment should receive equal attention in the Agency's analysis and decision.
25. The agency should adequately consider that there is so little motorized singletrack riding opportunity left that trail riders are not willing to share any information about singletrack trails.
26. The agency should adequately consider that all forms of motorized outdoor recreation are more popular than ever. [https://helenair.com/news/state-and-regional/great-outdoors-a-great-escape-as-forest-visits-soar/article\\_16e1b9e9-4b59-5bd7-bd2c-183aa701e1f9.html#tracking-source=home-top-story](https://helenair.com/news/state-and-regional/great-outdoors-a-great-escape-as-forest-visits-soar/article_16e1b9e9-4b59-5bd7-bd2c-183aa701e1f9.html#tracking-source=home-top-story)
27. The agency should adequately consider that the pandemic has reconnected visitors to our public lands as a critical way to counter the stresses of everyday life.
28. The agency should adequately consider that ninety-eight percent of the visitors are visiting public lands to enjoy activities associated with motorized access and motorized recreation, yet the agency continues to close these opportunities.
29. The agency should adequately consider that comments from motorized recreationists are minimal for many reasons.
30. The agency should adequately consider that a large transient population of out-of-state visitors are unaware of the process.



31. The agency should adequately consider that non-motorized agendas and campaigns have created a significant impact on the quality of life for motorized recreationists.
32. The agency should adequately consider that memorials for deceased OHV recreationists should be protected as cultural sites.
33. The agency should adequately consider that it created a significant human environment crisis by closing an excessive number of motorized recreational opportunities and creating an excessive amount of defacto wilderness.
34. 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.
35. The agency should adequately consider that all existing dispersed motorized camp sites need to be included in the plan as well as new sites to meet the growing need.
36. The agency should adequately consider that some reasonable visual evidence of public use on multiple-use land including dispersed camp sites is acceptable.
37. The agency should adequately consider that all dispersed camp sites are highly-valued contemporary cultural sites.
38. The agency should adequately consider that excessive protection of threatened and endangered species has had a significant impact on the quality of the human environment.
39. The agency should adequately consider that this unintended consequence of the threatened and endangered law has created a significant unintended consequence on the public.
40. The agency should adequately consider that it is time to accept reasonable threatened and endangered recovery and mitigate the negative impacts on the human environment.
41. The agency should adequately consider that threatened and endangered species should be delisted when a reasonable recovery within the available habitat is reached.
42. The agency should adequately consider the significant negative cumulative impact from the motorized closure trend has created a significant unintended negative consequence on the public.
43. The agency should adequately consider that available time for the working public is extremely limited by commitments to work, family, and friends and recreation time is even more limited, and therefore, invaluable.
44. The agency should adequately consider that many motorized recreationists do not have the time or emotional energy required to participate in NEPA actions, RACs, etc. and the overarching need of the public is for recreation to relieve their stress.
45. The agency should adequately recognize that the working public at-large should not be expected to counter organized anti-public limited-use interests.
46. The agency should adequately recognize that a healthy human environment depends on adequate access to dispersed camping and motorized recreational opportunities.
47. The agency should adequately address that a healthy human environment is equally important as the natural environment.
48. 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

49. The agency should adequately recognize that many motorized recreationists enjoy the history and heritage of a time when nearly everyone made a living from the land including mining, timber harvest, farming, and ranching.
50. The agency should adequately recognize that we have a short trail riding season due to winter weather, therefore, excessive spring and fall closure dates should not be used.
51. The agency should adequately address the value of motorized recreational opportunities for the mental health of the public.
52. The agency should adequately recognize that the e-bike discussion has once again brought forward the unreasonable position of the anti-motorized community, i.e., no sharing of trails with other users including e-bikes.
53. The agency should adequately address the need for motorized recreational opportunities on public land including e-bike and adequately provide for those needs.
54. The agency should adequately recognize that a significant percentage of the public does not have the knowledge, training, or time necessary to function in the NEPA process.
55. The agency should adequately recognize that there are plenty of opportunities and resources if we share.
56. The agency should adequately recognize that motorized recreationists agreed to be managed and supported the original Travel Management initiative with the understanding that our needs would be reasonably met.
57. The agency should adequately address the need to honor our support of the original travel management initiative by pursuing a Pro-Recreation alternative.
58. The agency should adequately address meeting the current needs of the public by maximizing recreation in proportion to the numbers that visit and use public lands based on actual observations of recreationists such as ours.
59. The agency should adequately address that there is a shortage of motorized recreational opportunities on public lands.
60. The agency should adequately address that recreational opportunities on public lands are the greatest beneficial use available for those lands.
61. The agency should adequately address that the fall motorized recreation season should be extended in years when the motorized summer recreation season is shortened by wildfire smoke, agency restrictions, and red flag alerts.
62. The agency should adequately address that the because of the extremely short supply of OHV recreational opportunities, new motorized opportunities should be created whenever existing ones are destroyed by fire.
63. The agency should adequately address that the stresses of life and recreation in the Rocky Mountain Region has increased dramatically because of wildfires and smoke, access closures, population migration, climate cycle, and covid.
64. The agency should adequately commit to pursuing actions that reduce the stresses of life and recreation.
65. The agency should adequately recognize that all federal lands are owned by the same government and any volunteer effort on any federal land should be accepted for grant credit by any federal agency.

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66. The agency should vigorously pursue motorized trail maintenance funding as part of the RTP and infrastructure bill.
67. The agency should adequately recognize that the human environment may not be a significant issue in the agency's eyes, but the human environment is a significant issue including motorized recreation in our eyes.
68. The agency should adequately consider that beetle kill and resulting downfall and fires deprive us of the green forest trail experience that we prefer.
69. The agency should adequately consider that wildfires and smoke are significantly impacting the public's ability to recreate during the short summer recreation season.  
<https://apnews.com/article/lifestyle-health-business-environment-and-nature-coronavirus-pandemic-8e98ea74259fb1a087b3e2ea21868a22> or  
<https://abcnews.go.com/Lifestyle/wireStory/wildfires-smoke-snuff-outdoor-adventures-us-79845646>
70. The agency should adequately consider that life is short, motorized recreationists want to enjoy motorized recreational opportunities throughout their lifetimes.
71. The agency should adequately consider that motorized recreational opportunities damaged by wildfire and beetle killed trees need to be restored as soon as possible.
72. The agency should adequately consider that OHV recreation including trail maintenance are activities that provides both mental and physical exercise.
73. The agency should adequately consider that travel management plans currently in place were focused on the closure of motorized access and recreation and consequently the human environment was not given adequate consideration.
74. The agency should adequately consider timely restoration of all motorized routes that existed before the fire.
75. The agency should adequately consider that human stress is at an all-time high while the agency continues to add to human stress by creating new motorized closures and not addressing the need for adequate motorized access and recreation opportunities.
76. The agency should adequately consider an adequate number of miles and an adequate network of singletrack motorcycle trails.
77. 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.
78. The agency should adequately consider the significant need for constructive activities such as OHV recreation to counter the significant drug, alcohol, gambling, and suicide problems that exist in our society.
79. The agency should adequately consider using economic recovery funding for projects that have direct benefits to the human environment and economy including:
  - a. Not using economic recovery funding for closure of motorized routes.
  - b. Use of economic recovery funding for maintenance and enhancement of existing motorized routes.
  - c. Use of economic recovery funding for the creation of new motorized routes.

80. The agency should adequately consider the ever-changing needs of motorized recreationists along with the need to be responsive to these changes.
81. Many of us are seniors who looked forward to enjoying motorized access and motorized recreational opportunities in our retirement that are now closed to us.
82. The agency should adequately recognize that there is room for everybody.
83. The agency should adequately consider the needs of the human environment. The public needs more not less motorized access and motorized recreational opportunities including dispersed camping. The pandemic has demonstrated the significance of this issue and need.
84. The agency should adequately consider the human environment.
  - a. NEPA was intended to protect and promote all environments equally.
  - b. The depth and breadth of analysis of the Human Environment should be equal to that of the Natural Environment.
85. 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](https://greatergood.berkeley.edu/article/item/why_losing_control_make_you_happier)

## **5. Should Not Over-Represent 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 public access to public lands and the use of public lands have declined dramatically over the past 40 years due to management trends.
2. The agency should adequately consider that development of mining claims and other private lands has had a significant cumulative impact on public access to dispersed camp sites and routes.
3. 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 Washington and surrounding states.
4. 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.
5. 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.
6. The agency should adequately consider and mitigate the significant negative cumulative effect of all motorized closures on the public.
7. The agency should adequately consider and mitigate the significant negative cumulative effect of all motorized closures on the youth, disabled, elderly, and veterans.
8. 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 too small of an area with too few motorized routes.

9. 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.
10. 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.
11. 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.
12. 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.
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 a sense of magnitude should be used to identify the significant cumulative impact that motorized recreationists have experienced over the past 40 years.
15. 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.
16. 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.
17. The agency should adequately consider that all of the defacto motorized closures that have resulted from wildfires have a significant impact on the public's opportunity to enjoy motorized access and motorized recreation.
18. The Agency must adequately evaluate and disclose significant cumulative effects that their management decisions have created.
19. 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.

## **8. Recognize the Need for Long-Distance Motorized Trail Systems**

20. 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.
21. The agency should adequately consider that long distance motorized trail systems would see far more use than non-motorized trails.
22. 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.

23. 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 should be part of this decision.

## **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, and dispersed camp sites are reasonable for land designated for multiple-use.

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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.
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.

## **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 CO<sub>2</sub> 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 CO<sub>2</sub> 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 warming that prevents a future ice age and elimination of the human population in the U.S. may not be a bad thing.
8. The agency should adequately consider that climate change is an issue without adequate and impartial scientific basis.
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 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.
13. 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.
14. 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.
15. 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.
16. The agency should adequately consider Paleo climatology, i.e., the earth is still in the warming cycle following the last ice age.
17. The agency should adequately consider that humans did not cause the ice age climate cycle 12,000 years ago.
18. 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.
19. The agency should adequately consider that the enthalpy of the earth (total heat content) has always been increasing.
20. The agency should adequately consider that earth's climate has never been static.
21. The agency should adequately consider that the southern limits of western forests have been moving northward since the end of the last ice age.
22. 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.
23. The agency should adequately consider how changes in the output of the sun including the current hyperactive sun 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>
24. The agency should adequately consider the significant impacts that the massive release of CO2 from wildfires has on the natural and human environment.
25. The agency should adequately consider using a sense of magnitude the significant impacts that foreign conditions have on our climate.
26. 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.

## **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.

### **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. Arbitrary and Capricious Analysis and Decision-Making**

#### **14.a Site-Specific Data and Evaluation**

1. The agency should adequately consider that good decisions cannot be made without good data.
2. Decisions were made based on beliefs. Decisions were not made on site-specific data including OHV impacts on wildlife and the environment for every motorized route in the project area.
3. The agency should adequately consider that repeating a statement until you believe it is true is not a replacement for site-specific data. For example, there is no site-specific data supporting the statement that wildlife are 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. Therefore, motorized routes can enhance the movement of wildlife through forested areas that are impassable by downfall.
4. The agency's decision-making should be based on site-specific data and evaluation as required by NEPA, and CEQ guidance. Site-specific data is emphasized 11 times in the final 2005 travel management rule.
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,
  - 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 and impact analyses should be based on adequate site-specific data and studies.
  - e. The agency should adequately consider only site-specific data that demonstrates that closures of motorized and dispersed camping opportunities produce significant benefit to 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. 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,
  - k. The agency should adequately consider that motorized recreation and dispersed camping opportunities should not be closed without site-specific data and analysis as required by NEPA, CEQ guidance and the 3-States OHV ROD,
  - l. and benefits to the human environment including flow by use of the route.
7. The agency should adequately monitor evaluations and decisions so that they are not made based on beliefs and are made on site-specific data.
8. 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 data and site-specific data.
9. 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.
10. The agency should adequately monitor whether site-specific data that compares any purported impact of significance from motorized recreation and dispersed camping to the naturally occurring levels of impact and change is being used.

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11. 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.
12. The agency should use adequate site-specific data and evaluations to support more motorized recreational opportunities in the decision-making and record of decision.
13. The agency should revisit any motorized closures that were enacted without adequate site-specific data.

#### **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.
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 science and site-specific data 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 data and site-specific data.
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.c Other Areas**

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.
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.

#### **15. Adequately Address NEPA and Environmental Justice Issues**

1. The agency should adequately consider that the human environment which includes motorized access and motorized recreation was included in the 1969 NEPA law and must be given a hard look.
2. The agency should develop a purpose and need that adequately identifies and addresses the needs and significant issues associated with motorized recreation so that they are adequately address in the evaluation and record of decision.
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 the proposed action should not include new non-motorized opportunities without also creating new motorized opportunities.

6. The agency should adequately consider that in the state-wide picture there are many more miles of high quality non-motorized trails and cross-country opportunities (including wilderness and defacto wilderness opportunities) than high quality motorized trails.
7. The agency should adequately consider that motorized recreationists should not be the only group to lose in every travel management planning action and bear a disproportionate share of the negative consequences.
8. The agency should adequately consider that;
  - a. Decisions should not ignore the overall needs of the public for motorized access and motorized recreation,
  - b. Equal opportunity requirements, and
  - c. Congressionally directed management for multiple-uses.
9. The agency should adequately consider that;
  - a. Motorized recreationists cooperated with the travel management rule believing that travel management planning would be reasonable because it was sold to us that way,
  - b. Travel management planning has turned out to be a massive, motorized closure process, and
  - c. Our original trust and cooperation should be honored.
10. The agency should adequately consider that motorized access and recreation opportunity has been marginalized since the 1960's without adequate disclosure and analysis of the significant negative impacts on the public and the needs of the public for that opportunity.
11. The agency should adequately consider that;
  - a. In the past OHV recreationists trusted the Agency with the belief that they would look after our needs and we agreed to cooperate and be managed based on that belief.
  - b. However, in return our needs were marginalized, and OHV recreationists were rewarded with excessive motorized closures.
  - c. This action should compensate and mitigate for this injustice.
12. The agency should adequately consider that the lack of adequate and full disclosure of significant impacts on motorized recreationists and the lack of adequate and meaningful consideration of the needs of motorized recreationists including OHV recreationists should be corrected starting with this action.
13. The agency should adequately consider that motorized recreationists, including our members, have worked hard to maintain routes for over 40 years and should be recognized for that effort and dedication.
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 that the proposed action is overly influenced by well-funded groups that represent less than 3% of the visitors but seek exclusive rights to excessive amounts of public lands and that influence should not be allowed to close public land to 97% of the public visitors and recreationists.

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16. The agency should adequately consider that:
  - a. Exclusive-use groups have the money, time, staff, and expertise required to participate and skillfully negotiate the complicated NEPA planning process.
  - b. The NEPA planning process is too complicated to reach most of the public.
  - c. Agency decision-making must recognize this condition.
17. The agency should adequately consider that recreationists who believe that they are “better” than other recreationists should not be rewarded in this action.
18. The agency should adequately consider that motorized recreationists have lost significant access because we cannot possibly comment on the thousands of planning actions that ultimately close our recreational opportunities.
19. The agency should adequately consider that it is not predisposed to motorized closure.
20. The agency should adequately consider that the NEPA process for this action has been significantly influenced by the number of visits, meetings, telephone calls, correspondence, and information provided by exclusive-use groups.
21. The agency should adequately consider that it is not catering to the 3% of the public land visitors who use wilderness and adequately address the needs of the 97% who seek motorized access and motorized recreation.
22. The agency should adequately consider whether it is providing preferential treatment to non-motorized recreationists compared to motorized recreationists including the adequacy and level of opportunities, quality of opportunities, internal staff representation, and levels of maintenance.
23. The agency should adequately consider that non-motorized recreationists have received preferential treatment for the past 40 years in the form of motorized closures by nearly every planning action.
24. The agency should adequately consider that closing opportunities to the public on multiple-use land in the name of conservation is really code for suppression of motorized recreationists.
25. The agency should adequately consider that a policy of furtiveness against motorized recreation will ultimately blowback.
26. 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.
27. The agency should adequately consider the demands of recreationists who refuse to share public resources and demand exclusive use for themselves and then not accept those demands.
28. The agency should adequately consider establishing procedures that will counter undue influence by professional influencers.
29. The agency should adequately consider motorized recreational opportunities including e-bike with adequate site-specific data and evaluations as required by NEPA and CEQ guidance.
30. The agency should give a hard look at the significant positive benefits of motorized access and motorized recreation including OHV trails.



31. The agency should adequately consider whether it is overly influenced by well-funded, vocal and organized exclusive-use groups causing it to ignore the reasonable needs of the multiple-use public who are not well-funded, non-vocal, and not well-organized but represent the majority of the visitors and the greater good of the public.
32. The agency should adequately consider whether the proposed action creates more exclusive access and recreation entitlements for hikers, hunters, mountain bikers, and equestrians at the expense of valuable and much needed access and recreation resources for multiple-use recreationists.
33. The agency should adequately consider that motorized recreationists enjoy mechanical things and that we are not bad people, nor do we deserve to be second class citizens because of our appreciation of mechanical things.
34. The agency should adequately consider that it is not reasonable to reward those who for selfish reasons frame everyone else as unacceptable.
35. The agency should adequately consider that the project area is not designated wilderness and some visual use of multiple-use land is reasonable and acceptable.
36. The agency should adequately consider the closing of dispersed camping sites and motorized recreation opportunities based on vegetation and resource management concerns because this strategy is not aligned at all with the significant public need for these recreation opportunities.
37. The agency should adequately consider the segregation of high-quality back country access and embrace a policy of tolerance for all recreational preferences.
38. The agency should adequately consider rewarding recreationists who cannot accept sharing with anyone that is not closely aligned with their personal form of recreation.
39. The agency should adequately consider catering to non-motorized interests by maintaining non-motorized recreation opportunities at a higher level (both miles and quality) than motorized recreation opportunities.
40. The agency should adequately consider that early and late season motorized closure dates take away the opportunity for motorized recreationists to enjoy fall and spring weather and the colors of foliage.
41. The agency should adequately consider using an interdisciplinary team that includes an adequate number of motorized enthusiasts in order to reasonably evaluate and understand the need for motorized access and motorized recreation.
42. The agency should adequately consider that motorized recreationists provide a significant amount of Trail Steward effort shown in our work logs that should be recognized with an adequate motorized trail system.
43. The agency should adequately consider the current trend which is squeezing motorized recreationists into the smallest possible area and providing non-motorized recreationists with the greatest possible area.
44. The agency should adequately consider that in order to provide equality, the action should not create more defacto wilderness when 3% of the visitors use wilderness and 97% of the visitors enjoy multiple-uses.
45. The agency should adequately consider that the general public is not inclined to participate in the NEPA process and the agency's decision-making process must account for that attribute.

46. The agency should adequately recognize that it posts information on thousands of non-motorized opportunities and posts very little information on motorized recreational opportunities.
47. The agency should adequately consider that completed travel management plans should provide user-friendly maps so that the public can reasonably follow the plan.
48. The agency should adequately recognize that it provides detailed and user-friendly information (maps, web sites, recreation.gov, etc.) for non-motorized recreation and the same level of information should be provided for motorized recreationists.
49. The agency should adequately consider not granting more privileges to non-motorized recreationists than motorized recreationists.
50. The agency should adequately consider that federal land managers have created over-use and lack of opportunity issues by closing an excessive amount of motorized recreational opportunities and that the agency has an obligation to correct the significant issues that closing an excessive amount of motorized opportunity has created.
51. The agency should adequately consider that;
  - a. Segregation is not acceptable in society.
  - b. Its actions should not promote segregation on our public lands.
  - c. Segregation should not be acceptable on public lands and especially on multiple-use lands.
52. Privilege - a special right, advantage, or immunity granted or available only to a particular person or group. The agency should adequately consider that non-motorized recreationists should not be put in the position of being privileged.
53. 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.
54. The agency should adequately consider that repeating and exaggerating nontruths about the level of impacts from motorized recreation does not make them true.
55. The agency should adequately consider that dirt bikes have been reasonably muffled with sound standards since the 1980's yet EO 11644 and 11989 are still used to close motorized opportunities which presents evidence of a continuing strong bias against motorized recreation.
56. The agency should adequately address why motorized recreationists are the only ones to lose in every planning action.
57. The agency should adequately consider that social justice means that any bias, discrimination or segregation should not be allowed on public lands.
58. The agency should adequately consider that the analysis should seriously question the position of those that refuse to share with others.
59. The agency should adequately consider;
  - a. How the world would look without acceptance and tolerance of others,

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- b. How the world would look without sharing with others, and
  - c. How the world would look when only the elite have recreation privileges.
- 60. The agency should adequately consider whether any form of discrimination is legal or justifiable.
- 61. The agency should adequately consider that the most desirable public land should not be available just for the elite.
- 62. The agency should adequately consider that the most desirable recreation opportunities should not be available just for the elite.
- 63. The agency should adequately consider that the balance of opportunity should adequately recognize that non-motorized recreationists have endless miles of cross-country opportunity and that motorized recreationists have little to none.
- 64. The agency should adequately consider that the balance of opportunity should adequately recognize that non-motorized recreationists have significantly more acres per user compared to motorized recreationists.
- 65. The agency should adequately consider that closing motorized recreation opportunities eliminates our pursuit of happiness.
- 66. The agency should adequately consider that travel management alternative maps should be of sufficient detail so that the average citizen can locate all existing routes and evaluate those routes on the ground.
- 67. The agency should adequately consider that given the massive, motorized closure trends of the last 40 years that the time has arrived to add new motorized trail riding opportunities.
- 68. The agency should adequately consider how wildfires and Let-It-Burn policy are violating our right to clean air and a healthy environment.
- 69. The agency should adequately consider the position of property owners near public land that build homes and then complain about public use of adjacent public land.
- 70. The agency should adequately consider that if a private landowner denies access to an established public route, then any public access used by the private landowner should be blocked.
- 71. The agency should adequately consider the mitigation that the agency must undertake to address the excessive motorized closures of the past.
- 72. The agency should adequately consider how it delays the full implementation of travel planning such that when the travel plan is implemented the public has no recourse.
- 73. The agency should not tell the public what kind of comments are most useful because it tends to support a pre-determined agenda.
- 74. The agency should adequately consider that;
  - a. Anti-mechanized interests are not free of mechanized.
  - b. They use vehicles in their daily lives.
  - c. However, anti-mechanized interests choose to impose their level of mechanized use on others.

75. 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.
76. The agency should not create non-motorized recreational opportunities by taking opportunities from motorized recreationists.
77. The agency should avoid actions that allow one user group to impose their will on another user group.
78. 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.
79. 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 including motorized recreationists.
80. The agency should adequately consider 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.
81. The agency should adequately consider that the position taken by environmentalists are not considering the quality of the human environment including the need and value of motorized recreational opportunities.
82. The agency should adequately recognize that restricting comments to only those that address specific routes does not adequately address the significant issues found in these 19 categories.
83. The Agency should not use comment rules so that significant issues and comments from motorized recreationists are dismissed.
84. The agency should adequately consider all of the requirements of the Equity Action Plan with respect to motorized recreationists.  
<https://www.whitehouse.gov/equity/#:~:text=Equity%20Action%20Plans%20were%20required,and%20partnership%20with%20all%20communities>

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

1. 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.
2. 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.
3. The agency should adequately consider alternatives to wholesale motorized closures that would mitigate fish and wildlife concerns should be given a hard look.
4. The agency should adequately consider that the road density impact criteria are not site-specific and, consequently, not valid for the project area.

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5. 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.
6. The agency should adequately consider that the road density impact criteria are not a reasonable measure of motorized impact on wildlife habitat.
7. 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.
8. 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.
9. 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.
10. The agency should adequately consider that motorized closures are being enacted using the Endangered Species Act when there is no site-specific data and studies documenting a significant connection between OHV and e-bike recreation and significant impacts on an endangered species.
11. 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.
12. 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.
13. The agency should adequately consider that fish and wildlife can coexist and prosper with OHV recreation when using public education to protect them.
14. 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.

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15. 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.
16. 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.
17. The agency should adequately consider that negative impacts to fish and wildlife from fires are thousands of times greater than OHV recreation.
18. The agency should adequately consider giving much needed motorized recreation opportunities a higher priority in the decision-making.
19. 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.
20. 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.
21. The agency should revisit any motorized closures that were enacted without site-specific data.

## **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, and CEQ guidance 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.

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8. 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.
9. 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.
10. The agency should adequately consider that wilderness visitors deposit their waste in the wilderness and RV campers dispose of their waste at treatment facilities.
11. 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.
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 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.
  - a. The agency should take responsibility and mitigate all impacts associated with this issue.
14. The agency should adequately consider giving much needed motorized recreation opportunities a higher priority in the decision-making.

## **18. Motorized References Should Be Adequately Considered**

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. [NOHVCC Webinars](#)
    12. <https://nohvcc.org/economic-impact-studies/>

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13. <https://nohvcc.org/assistance/manager-assistance/great-trails-projects/>
14. <https://nohvcc.org/education/manager-education/great-trails-guidebook/>
15. [ATV Route Guideline Manual](#)
16. [Wernex Report for Design Construction Maintenance AMA](#)
17. [Off Highway Motorcycle and ATV Trail Management U of I](#)
18. <https://go.campendium.com/wp-content/uploads/2022/03/2022CamperReport.pdf>

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.

## **19. Adequately Consider Maintenance, Funding and Gas Tax Issues**

1. The agency should adequately consider that an equitable percentage of the gas tax paid by OHV recreationists has not been returned to OHV recreation.
2. 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.
3. 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.
4. 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.
5. 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.
6. The agency should adequately consider that that there are significant new funding sources available for motorized trails at both federal and state levels.
7. 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.