

MEDIA RELEASE

## **RECREATION VICTORY - RICO WEST DOLORES LAWSUIT DISMISSED**

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DENVER, CO – A lawsuit challenging motorized access to 14 key motorcycle trails in the Rico West Dolores area appears to have been finally and decisively rejected. A May 27 order by Tenth Circuit Judge Neil Gorsuch directed the district court to dismiss the case for lack of jurisdiction, ending over three years of litigation. The Rico West Dolores area includes epic outdoor recreation opportunities ranging from desert to high alpine sites managed by the San Juan National Forest. There are abundant and extensive Wilderness and other areas closed to motorized use within the Forest. “We are relieved and satisfied to see this decision,” observed Gary Wilkinson, President of the San Juan Trail Riders, a recreation advocacy group that opposed the lawsuit.

The suit was filed in early 2012 by the Colorado Chapter of the Backcountry Hunters and Anglers (CBHA), with support of Dunton Hot Springs, Inc., the Rico Alpine Society, and San Juan Citizens Alliance. The Circuit Court found that CBHA lacked standing to even bring the suit. CBHA’s complaint challenged a 2010 Closure Order which eliminated cross-country vehicle travel, and the Court stated that a decision striking down that order would reinstate an earlier management scheme which would have allowed much more motorized access. The Court determined that “a victory for [CBHA] in this case would seem to do nothing to help – and perhaps much to hurt – its cause. And by anyone’s reckoning that’s a problem, because to show standing to sue in federal court you have to show that it’s ‘likely, as opposed to merely speculative’ that you’ve suffered an injury that can be ‘redressed by a favorable decision.’” Order at 3 (citing cases). The district court also ruled emphatically against CBHA, but the Circuit Court vacated that decision, reasoning that CBHA should not have been allowed out of the jurisdictional starting gate.

“We have defended and will continue to defend the remaining motorized access routes in the Rico area,” explained Wilkinson. “These routes have been used for decades. They are regularly maintained and environmentally sustainable. We hope this outcome will instill caution in those who have been too quick to adopt the claims of CBHA and its allies,” Wilkinson concluded.

The recreation groups defending the suit alongside the Forest Service include the Colorado Off-Highway Vehicle Coalition, Trails Preservation Alliance, San Juan Trail Riders, Public Access Preservation Association and BlueRibbon Coalition. They were represented by Paul Turcke of Boise, Idaho.

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San Juan Trail Riders is nonprofit organization based in Durango with about 400 members, which promotes active participation in trail management, educates land managers and trail users about conservation practices and other trail issues, and encourages cooperation between users and organizations.

[www.sanjuantrailriders.org](http://www.sanjuantrailriders.org)