



December 21, 2016

State Recreational Trails Committee  
Trails Program  
Colorado Parks & Wildlife  
Submitted via e-mail to: [dnr\\_trails@state.co.us](mailto:dnr_trails@state.co.us)

**RE: Public Comments**  
**West Magnolia Trails: Phase 1 Implementation**  
**Arapaho and Roosevelt National Forest, Boulder Ranger District (BRD)**  
**Boulder Mountainbike Alliance (BMA)**

Dear State Recreational Trails Committee:

The following public comments are submitted in regards to the **West Magnolia Trails: Phase 1 Implementation Project**, on behalf of the Trails Preservation Alliance ("TPA") and the Colorado Off-Highway Vehicle Coalition ("COHVCO"). The TPA is a volunteer organization created to be a viable partner to public lands managers, working with the United States Forest Service (USFS) and the Bureau of Land Management (BLM) to preserve the sport of trail riding. The TPA acts as an advocate for the sport and takes the necessary action to ensure that the USFS and BLM allocate a fair and equitable percentage of public lands access to diverse trail riding opportunities. COHVCO is a grassroots advocacy organization representing approximately 170,000 registered off-highway vehicle ("OHV") users in Colorado seeking to represent, assist, educate, and empower all OHV recreationists in the protection and promotion of off-highway motorized recreation throughout Colorado. COHVCO is an environmental organization that advocates and promotes the responsible use and conservation of our public lands and natural resources to preserve their aesthetic and recreational qualities for future generations. The TPA and COHVCO are referred to collectively in this correspondence as "The Organizations."

The Organizations submit these comments as part of the public record for the referenced non-motorized trail project grant request and have very serious concerns about this project.

The Organizations have previously submitted formal, written objection and protest comments to the USFS, Objections Reviewing Officer in protest of the Magnolia Trail Proposal ("The Proposal") in the Boulder Ranger District ("BRD"). The objection and protest document was submitted to the USFS on September 21, 2016. The Organizations specifically objected to the proposal since it seeks to convert a historic multiple-use area to an area for the exclusive use of a small and limited user group under the guise of a lack of area maintenance, and the Organizations are absolutely opposed to the proposed closure of the winter multiple

usage of the area to allow for the exclusive use of cross-country skiing. The Organizations would be remiss if the relationship of the Magnolia proposal/project, which accepts over 40 miles of user created routes into the BRD route inventory, to ongoing closures of other existing multiple-use routes (such as Lefthand Canyon area and the Bunce School area routes) in the BRD based on a lack of maintenance funding. The Magnolia proposal/project adds more mileage for bicycle recreation than currently exists for **all other forms of multiple-use recreation** on the BRD. If there is not sufficient funding to maintain existing routes and areas within the BRD, how can over 40 miles of new and additional routes and the associated parking areas be supported and adequately maintained? The Organizations submit that it cannot, and that this is simply inconsistent with the consideration and treatment of other user groups and other forms of recreation within the BRD.

The Organizations have vigorously asserted that closure of the Magnolia area to multiple-use is simply unacceptable. To address the historic lack of management of this area by the USFS and a lack of ongoing funding for maintenance, which has been repeatedly identified as the basis for additional closures to multiple-use recreation on the BRD, while allowing the Magnolia project to move forward is inconsistent, unfair and biased. The Organizations submit that the multiple-use access to the Magnolia area in all seasons is a critically important resource to those residing in the vicinity of the Magnolia area, along with those residents that live elsewhere within or near the BRD. Multiple-use opportunities are already exceptionally limited within the BRD, and have declined even further during the duration of the Magnolia proposal/project, and closure of the Magnolia area will further exacerbate the imbalance of recreational opportunities in the BRD. Even the BRD has asserted that there are no other areas where multiple-use recreation can be expanded within the BRD.

The Organizations list the following concerns and issues that must be addressed prior to the approval of and obligation of funds to this project:

- We are aware that there are substantial wildlife concerns for this area (e.g., affects upon wildlife migration corridors, impacts to elk calving areas, etc.). We are very familiar with the process that multiple-use projects must endure, and the mitigation measures that must be developed to address wildlife concerns when multiple-use project apply for State funded grants. We question why this project is not being held to the same or similar standards and why stated wildlife concerns are being ignored and put aside for this project. Again, the Organizations cite this as inconsistent and biased treatment between one particular user group (non-motorized users) and other multiple-use user groups.
- As stated in the grant application, the Final Environmental Assessment Decision has not been made. The Organizations contend that approving funds for this project prior to rendering of the Final Decision is premature and puts valuable grant funds at risk. As we have observed in the past with several multiple-use grant applications, circumstances can and often do arise that delay decisions on Environmental Assessments, projects are unable to move forward in a timely manner and precious grant funds languish as the decision process skulks forward. All the while, the allocated grant funds could have been used and committed to another project where the Final Decision had been made, documented and in place.
- This project specifically “rewards” and encourages future bad behavior from trail users. By the application’s own admission, this area has seen rampant expansion and creation of user created social trails. This activity to proliferate “illegal trails” is simply a blatant disrespect for the area and the law, and now this grant and the BRD seek to legitimize this outlaw behavior

and add these illegal trails to the BRD's inventory. The Organizations certainly agree that non-systems trails can and do exist and that adoption by the USFS of non-system trails to system trails has merits in very specific cases. However, this project condones and rewards bad behavior with the expansion of an existing system of 16.3 miles with 45.7 miles of non-system, illegal social trails. This decision by the BRD to add trail mileage of this magnitude is unprecedented and inconsistent with requests by other user groups to adopt other non-system trails. This vast expansion of route and trail mileage is also inconsistent with recently promulgated guidance by the Chief of the Forest Service to reduce infrastructure.

- Closure of the Magnolia Area to the existing broad spectrum of users for the exclusive use by one particular user group is discriminatory and will certainly foster resentment and poor relationships with other user groups. Instead of excluding users, the BRD and BMA should be working with similar vigor and diligence to be inclusive and accepting of all user groups and embrace an attitude of cooperation and tolerance. A historic moto of the USFS once was "The Land of Many Uses", an attitude that now seems to have gone by the wayside in lieu of an elitist and intolerant attitude toward a public that seeks diverse and balanced use of its public lands.
- The grant application specifically states that the USFS, BRD will be responsible for maintenance. The Organizations question the validity of this statement given the BRD's previous statements that the District continues to have decreasing budgets and lacks funds for maintenance. The Organizations acknowledge that agency funding to the USFS has been in steady decline forcing most Ranger Districts to seek alternative means of funding and manpower to construct and more importantly maintain existing infrastructure. For example, we have routinely observed comments from other USFS Districts when applying for CPW grants that make statements such as *"...the motorized [trail] crew is only funded by CPW's OHV grant. No Forest Service money will be allocated for on-the-ground trail work. For the last few years, the Forest Service funding to maintain trails has been minimal."* For this very reason, we question why the BRD would want to eliminate multiple-use from this area and disqualify the entire area from State OHV grant eligibility. Closure of this area for the exclusive use by mountain bikes and non-motorized users completely eliminates the area from a proven, reliable and sustainable source of funding for resource protection, enhancement, restoration, equipment purchases, travel plan implementation, signage, education and enforcement.
- The Organizations contend that statements made within this grant application that the area is subject to degradation from wind and rain erosion due to fuels reduction are unfounded and merely conjecture in order to secure project funding. The density of trees and condition of the forest prior to fuels reduction was an acknowledged undesirable, un-natural and unsustainable state. Through an effective agency sponsored fuels reduction project, the area has now been restored to a more stable and natural condition, one that the vegetation and soil will expectedly thrive.
- Under **Section 9. Public Comment**, this grant application failed to acknowledge the substantial and significant public input that was submitted during public meetings regarding continued motorized use in this area and areas adjacent. Likewise in **Section 11. Who is Opposed to the Project**, the applicant dismissively states objections were received from the

motorized community, an attempt we feel is purposely meant to minimalize and avoid specifically addressing the 12 pages of objection comments submitted by the Organizations.

- Regarding **Exhibit B, Budget Form**, the Organizations believe the State Recreational Trails Committee should evaluate the stated project match and in-kind values carefully. Based upon our extensive involvement and past support of other CPW grant applications, we question the accuracy and estimation of the stated match and in-kind dollar amounts. It is our judgment that these amounts appear to be over estimated and without basis or documentation.

In conclusion the Organizations have serious concerns about this grant application, one that converts a historic multiple-use area to an area for the exclusive use of a limited, non-diverse user group under the guise of maintenance and are completely opposed to the proposed closure of the year-round multiple-use of the area. The Organizations would be remiss if the relationship of the Magnolia project, which accepts a myriad of user created routes into the BRD route inventory, to other ongoing closures of existing multiple-use routes, such as Lefthand Canyon area and the Bunce School area routes in the BRD based on a lack of maintenance funding was not raised. The Magnolia Trails project adds more mileage for bicycle recreation than currently exists for all other forms of multiple-use recreation on the BRD. If there is not sufficient funding to maintain existing areas, how can over 40 miles of additional routes and associated parking areas be supported?

Sincerely,



D.E. Riggle, Director of Operations  
Trail Preservation Alliance