



April 28, 2013

USDA Forest Service
Planning Directives Comments
P.O. Box 40088
Portland, OR 97240

RE: Forest Service Planning Rule Implementation Handbook

Dear Sirs:

Please accept this correspondence as the comments of the Organizations identified more specifically below regarding the Forest Service Planning Rule implementation handbook ("Planning Handbook"). Prior to addressing the specific concerns regarding the Planning Handbook, a brief summary of each Organization is needed. The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization of approximately 2,500 members 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 Trail Preservation Alliance ("TPA") is a 100 percent volunteer organization whose intention is to be a viable partner, 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 of

the sport and takes the necessary action to insure that the USFS and BLM allocate to trail riding a fair and equitable percentage of access to public lands.

Colorado Snowmobile Association ("CSA") was founded in 1970 to unite winter motorized recreationists across the state to enjoy their passion. CSA currently has 2,500 members. CSA has become the voice of organized snowmobiling seeking to advance, promote and preserve the sport of snowmobiling by working with Federal and state land management agencies and local, state and federal legislators. For purposes of these comments, Colorado Off-Highway Vehicle Coalition, the Trail Preservation Alliance and Colorado Snowmobile Association will be referred to as "the Organizations" in these comments.

The Organizations are aware that the development of a new planning rule and implementation process is a significant undertaking, as there are numerous specific issues that must be addressed. The Organizations are very concerned with the blurring of designations in the rule between Congressionally designated Wilderness areas and those which may result from previous planning initiatives and/or citizens proposals. These are different standards of management and must remain separate. In addition to blurring the lines of Wilderness designations, the Planning Handbook proposes to require absolute limits on how an existing route is analyzed in a possible Wilderness area. The Organizations believe meaningful analysis must be given to balance wilderness inventory in any planning process with the need for multiple use access. The Organizations are intimately aware that once an area is inventoried for Wilderness suitability, the area will become an on-going issue in management and on-going public petition to elected officials. Both the Roadless area inventory process and WSA analysis conducted by BLM provide significant evidence in support of these concerns as areas that were inventoried in the 1980's and 1990's remain hot button issues for any management decisions that are made in the areas, despite expansive areas being found unsuitable for Wilderness. The Organizations believe the controversy that consistently results from merely inventorying an area for possible designation should cause the agency to proceed with caution regarding possible inventory of any new area that does not clearly fit the criteria required for designation of Wilderness by Congress.

It has been the Organizations experience that the public process needs good information to allow for meaningful comments and to develop public support for any proposal, and this need is not consistent with blurring the lines of Wilderness designations. The Planning Handbook also fails to address proper incorporation of economic analysis in the planning process, which is a frequent issue with any Wilderness discussion. In addition to Wilderness areas, there are many issues where economic impacts are a high priority for local communities and localities. While there are many issues that fall into this category, the Planning Handbook does not

identify these opportunities and an appropriate resource, such as National Visitor Use Monitoring data, that could be relied on to address these concerns. A brief comparison of comparative spending levels and usage of areas would be exceptionally helpful for many user groups and local communities to develop meaningful input on issues that are presented in any forest level plan.

1. The on the ground effectiveness of the Planning Handbook for use must be addressed.

The Organizations are very concerned that the desire to streamline the planning process, that was a significant concern in the promulgation of the new Planning Rule, has been lost in the development of the Planning Handbook. In the review of the Handbook, several days were devoted to merely reading the Planning Handbook as it was over 550 pages in length. The Organizations are aware that federal resources for management of public lands are exceptionally limited. Based on the current federal budget situation, the Organizations believe any assertion that the Forest Service budget situation will improve would lack any basis in fact. making cost effectiveness a major concern. Providing a more streamlined document would minimize up-front costs, insure the document was actively used in planning initiatives at the forest level and provided good information to the public. Providing quality information on issues would allow user groups that are most concerned with a particular issue to target that issue through partnerships with the Forest Service and achieve resolution of the issue in a more timely manner.

While the Organizations understand the desire to address every alternative in the Planning Handbook development process, the Organizations must also question the effectiveness of this attempt based merely on the size of the manual. This is simply not a manual that will develop a more streamlined planning process or improve the end result of the process, as there is very little reference to a process to be used in explaining the basis of a decision. A detailed statement of high quality information regarding the need for a decision and reasoning behind the decision can be a significant step towards finalizing a decision. Often even the best decisions made on the best science and good reasoning are hampered by a poor explanation in the planning process. The Organizations are aware that frequently a poorly explained basis for a decision can result in significant frustration from members of the public during the development of any resource plan and can directly negatively impact the desire of the public to partner with land managers in the future.

The Organizations believe that much of the size of the Planning Handbook results from the inclusion of many examples of suitability and unsuitability for a particular issue or concern from

a national perspective, such as timber production. The Organizations believe the overwhelming scope of the suitable/unsuitable examples is clarified by the fact that if the suitable/unsuitable examples were removed from the Planning Handbook and consolidated into a single document, this document would look suspiciously like a local forest plan. Clearly this is not an successful way to develop a more cost effective manner to undertake local planning with and is arguably outside the scope and intent of the original planning rule proposal.

While there are many issues which attempt to be managed in this manner, timber is used here as an example of the concern and should not be relied on as a complete list of the concerns. The Organizations believe that many of these suitability issues are addressing concerns that will be heavily impacted by local conditions or issues. Asserting timber should not be cut on slopes of more than 35 degrees or not within 100 ft of a riparian area, will not streamline local planning, but rather will require the local forest to valid any decision to alter or allow harvest of these areas. The Organizations are not timber harvest experts but would point to the fact that the Discovery Network's *Ax Men* television program appears to provide a compelling discussion of the effectiveness of timber harvest at angles much greater than 35 degrees.

The Organizations believe the timber management guidelines provides a second compelling example of why national standards on suitability are not effective. Region 2 in partnership with many local Colorado water districts has promulgated extensive guidelines to address the impacts of the pine beetle to watershed areas and stress the need to remove dead trees from these areas. As a result of the significant localized issue, these national guidelines are wholly inconsistent with the standards that are now proposed to govern suitability of an area for timber, as the Region 2 guidelines address local concerns and local issues effectively. Timber issues and concerns on the Ocala National Forest in Florida will simply be totally different than concerns which are faced by National Forests in Colorado simply due to climate impacts and the impact of the mountain pine beetle on Colorado Forests. Local or regional issues are best managed at the local or regional level and the inclusion of national guidelines on particular issues will not streamline regional or local management as many local issues will need to generate an exception to the national suitability requirements.

The Organizations believe management of any type of suitability with a single national standard will not result in greater efficiency in planning but will result in forest plans that are forced to explain why the plan is going in a different direction on an issue than those standards that are recommended in the example in the forest plan. The Organizations are also aware that these limited resources are most effectively used when they are addressing issues on the ground, rather than developing a plan that simply has no funding for implementation of the Plan after it

completion. Implementation of a manual that is of this length and contains many specifics simply will not improve the ability of federal planners to get an ever reducing amount of resources to the management of issues on the ground.

2. Economics are not properly addressed in the Planning Handbook.

In the Planning Handbook there are only a few pages devoted to proper incorporation of economic impact analysis in the planning process, despite the Planning Handbook being 550 pages in length. This lack of analysis is deeply troubling as a known weak point in current forest planning requirements is simply not addressed. Tourism and the outstanding recreational opportunities provided by the public lands in Colorado are the lifeblood of much of the Colorado economy. The dispersed multi-use trail network currently available on public lands provides significant opportunities for all users to obtain these highly desirable recreational experiences, as directly evidenced by the Forest Service recently identifying that 5 out of the top 6 uses of public lands directly relates to multiple use access.

The only tool available in the planning process to incorporate these heightened concerns for local economies is with the incorporation of quality economic analysis early in the process. The Organizations concerns are intensified after a comparison of the small number of proposed standards to protect economic interests to the much larger number of national standards that are proposed on issues which could negatively impact economic benefits flowing from public lands to local communities and states. The Organizations will simply note this relationship is highly out of balance.

The economic significance of recreational opportunities was recently highlighted with the release of a regional economic contribution study by the Western Governors' Association, which found that outdoor recreation contributed \$646 billion dollars to the economies of the western United States.¹ The significance of tourism and recreation to Colorado is evidenced by the fact that Colorado ranks 8th in the nation for total outdoor overnight visits for recreation.² In 2008, Colorado Parks and Wildlife found hunting and fishing contributes approximately \$1.8 billion dollars³ annually to the Colorado economy and COHVCO has identified that OHV

¹ A copy of the Western Governors' economic contribution analysis and companion "Get Out West report" have been enclosed with this correspondence for your convenience.

² <http://www.advancecolorado.com/key-industries/tourism-outdoor-recreation>

³ Colorado Parks and Wildlife's 2008 report on the *Economic Impacts of Hunting, Fishing and Wildlife Watching in Colorado* prepared by BBC Research & Consulting.

recreation provides over \$1 billion⁴ in annual economic contributions to Colorado. The Organizations believe the multiple use trail network currently available is crucial to maintaining these economic contributions and as a result incorporation of economic analysis points at specific points or issues to balance the many suitability standards that could weigh against maintaining access must be undertaken.

The Western Governor's Get Out West report, released with the economic impact study, specifically identified that proper valuation is a significant management concern as follows:

"Several managers stated that one of the biggest challenges they face is the undervaluation of outdoor recreation relative to other land uses."⁵

The Get Out West Report from the Western Governors' Association highlighted how critical proper valuation of recreation is to the development of good management plans. The Get Out West report specifically found:

"Good planning not only results in better recreation opportunities, it also helps address and avoid major management challenges – such as limited funding, changing recreation types, user conflicts, and degradation of the assets. Managers with the most successfully managed recreation assets emphasized that they planned early and often. They assessed their opportunities and constraints, prioritized their assets, and defined visions."⁶

The Organizations concerns mirror those concerns specifically identified in the Get Out West Reports and the Organizations believe these concerns have been significantly minimized in the Planning Handbook. The Organizations are also very concerned that numerous examples are provided in the Planning Handbook, very few of these examples address economic concerns or impacts that should be balanced in the making of these decisions. These suitability standards and examples should at a minimum reflect a balance of multiple uses, rather than merely point out basis for closures or restrictions of usage of areas.

⁴ 2008 Colorado Off Highway Vehicle Coalition report entitled *Economic contributions of Off Highway Vehicle recreation in Colorado* prepared by the Louis Berger Group.

⁵ Get Out West Report at pg 3.

⁶ Get Out West Report at pg 5.

3a. Wilderness areas should not be managed under a single standard.

The Organizations are deeply troubled by the manner the Planning Handbook proposes to deal with Congressional Wilderness designations, Congressionally designated Wilderness Study areas and areas that are merely inventoried by the agency for possible future designation as part of the planning process. These designations are three completely different standards that the Planning Handbook now asserts may properly be managed under a single standard in forest planning. The Organizations believe this single management standard would result in significant public opposition to the planning as Wilderness designations are frequently the basis of significant vigorous discussions among members of the public in areas that may be designated. The Organizations also believe the proposed single management standard may be a violation of FLPMA which grandfathered many uses in Wilderness study areas.

It has been the Organizations experience that early Congressional Wilderness designations may have been somewhat consistent in required management of issues and required closures, but this consistency has been diminishing in more recent Congressional Legislative designations of Wilderness. The end result is each statute that designates Wilderness must be addressed to insure proper compliance with the statutory provisions for management of the areas. The Organizations believe this trend of flexibility in management of Wilderness areas is increasing and will result in management of even Congressionally designated Wilderness areas under a single standard very difficult. This need for increased flexibility must be addressed with multiple site specific analysis, which again directly contradicts with any attempt to manage with a single national standard.

Management of designated Wilderness Study Areas are an issue where even greater flexibility of management exists as under FLPMA §603 and §202 historical motorized access to a Wilderness Study Area is statutorily protected, unless this usage is impairing the possible designation of the area as Wilderness by Congress. The Organizations are familiar with many WSA that have long histories of motorized access and multiple use recreation, and this history of usage is well documented in previous planning and inventories undertaken by the agencies. This makes the management of any Wilderness study area under a single standard of Wilderness virtually impossible and any attempt to manage under a single management standard a possible violation of FLPMA.

The non-impairment standard mandated in FLPMA allows significant historical motorized access to Wilderness Study areas for winter recreation, as the recreation occurs on a snow surface that in the western United States maybe many feet above the actual ground level. As

the recreational surface melts each year, there can be no rational argument that winter motorized recreation is impairing the suitability of the area for designation. Any impacts that may be present from winter motorized recreation simply melt away in the spring and no trace is left of even high levels of winter recreation. The lack of impacts is based on an issue where Best Available Science is well settled as a result of the massive amounts of research that have been conducted in response to winter motorized recreational access to the Yellowstone area in Wyoming. Motorized winter usage of a Wilderness Study Area remains protected in these areas and may only be excluded by Congressional designation of the area as Wilderness. Any changes to these standards would be vigorously opposed by the winter motorized community and weigh heavily against any attempt to streamline management with adoption of a single national standard on the issue.

3b. Previous attempts to manage under a single Wilderness standard have been a massive failure.

The Organizations believe a discussion of the recent controversy regarding the Forest Service's release of its OHV Trail Management Handbook is exceptionally relevant to this portion of the comments on the Planning Handbook. In July 2011, USDA and several other agencies issued a management handbook entitled "A Comprehensive Framework for Off-Highway Vehicle Trail Management" ("Trails Handbook"), which included an appendix of best management practices for OHV recreation. ⁷ As part of the Trails Handbook, best management practices were included that proposed to manage all Wilderness under a single standard.⁸

These best management practices were immediately universally criticized from a wide range of recreational user groups and almost instantaneously withdrawn by the agency. This manual was also the basis of extensive questioning of Secretary Vilsack and his staff in Congressional hearings about the standards and development of the manual. The Organizations believe this revisiting this decision should be avoided at all costs in the future, given the issues that have already been experienced on this issue. The Trails Handbook proposed to manage all motorized usage of trails involving a Wilderness related issue in a manner similar to the one proposed, as Congressionally designated Wilderness areas, Wilderness Study areas and proposed Wilderness were all to be treated as Congressionally designated Wilderness.

⁷ Kevin Meyer; *A Comprehensive Framework for Off-Highway Vehicle Trail Management*; USDA Forest Service; Technology and Development Program; July 2011.

⁸ Id at pg 160.

Rather than avoid the best management practices that resulted in significant embarrassment and criticism for the agency, it appears these management standards are again proposed in the Planning Handbook. This decision simply makes no sense as it will again result in significant public opposition to the Planning Handbook and will result in conflict anytime these standards are applied at the forest level. This management proposal was a focal issue for the opposition to the manual and highlights many of the concerns that are again present in the Trails Handbook. The fact that this management proposal appears to have returned within a year of the withdrawal of the Trails Handbook is VERY frustrating for the Organizations.

3c. Recommended Wilderness is a term which develops significant frustration and confusion and must be clarified in the Planning Handbook.

The Organizations are vigorously opposed to the lack of definition of the term recommended Wilderness areas in the Trails Handbook. The Planning Handbook proposes to manage Recommended Wilderness areas under a single standard that fails to provide any management flexibility to address the source of the recommendation. While recommended Wilderness appears to refer to recommended Wilderness areas that are the result of previous forest planning processes, this limitation is not clear. Many Wilderness advocates would take a much broader definition of the term Recommended Wilderness, and define this term to include any area that has ever been the subject of a citizen based Wilderness proposal to Congress. The Organizations do not believe this definition is accurate.

The Organizations would be vigorously opposed to any attempt by the agency to develop management standards that relied on a citizen based Wilderness proposal. The Organizations have a long history of addressing citizen Wilderness proposals in the political arena. The Organizations have uniformly found these Proposals to be very colorful and seeking to address massive areas of public lands. While colorful, these proposals often lack meaningful analysis of usage of areas and previous analysis of the area that found the area unsuitable for designation as Wilderness. The Organizations would note that recent citizen Wilderness proposals have proposed to close military training areas of critical importance to current US efforts in Iraq and Afghanistan and also proposed to close all access to numerous local water supplies that frequently need ongoing maintenance. These proposals also often obtain little local agency support for the proposal as a result of the poor levels of analysis, as the implementation of these proposals is frequently impossible on the ground.

The Organizations must also note that these citizen proposals frequently claim broad public support for the proposal, which claim is not supported in many public hearings in communities

to be impacted by management changes. The limited public support for such proposals is further supported by the exceptionally small number of citizen Wilderness proposals that are ever the basis for introduction of legislation and the even smaller portion of Wilderness bills that are introduced that are ever passed into law. The Organizations believe that any attempt to manage recommended Wilderness areas to include citizen Wilderness proposal areas must be avoided as there can be no similarity between these areas and those that have undergone more extensive analysis provided in forest planning.

4. Specific levels of road analysis should not be identified in the Wilderness analysis.

The Organizations are opposed to the mandatory manner in which the possible existence, usage and maintenance levels of roads in an area being reviewed for possible inclusion in the Wilderness system are proposed to be managed and the fact that Forest Service Trails are simply never included in the Planning Handbook. These concerns are more thoroughly addressed in the comments submitted by the Blue Ribbon Coalition. The Organizations will simply note the presence of a road in any form, would be a concern in addressing the Wilderness Act requirement that an area be untrammelled by man. Clearly the road remaining on the ground directly impacts this designation, regardless of the classification of the road under Forest Service Guidelines. The Organizations believe the only time a road should not be reviewed for possible impact on the untrammelled by man standard is after the road has been closed and rehabilitated or restored to a natural setting or standard.

The Organizations are also very concerned by the complete omission of any analysis of Forest Service Trails in an area that is the subject of Wilderness review. Again a large number of designated Forest Service trails in an area would weigh against any claim the area is truly untrammelled by man. Given the high levels of specificity that are provided in the discussion regarding analysis of Forest Service roads, the omission of any analysis of Forest Service trails could easily lead to a large amount of faulty analysis of areas after the omission is perceived to mean the existence of Forest Service trails has no impact on the untrammelled by man standards. Clearly that is not the case.

The Organizations believe the best alternative for addressing this issue would be to address all roads and trails on the ground and only exclude rehabilitated trails and roads in the analysis area. This would greatly simplify the Planning Handbook and avoid confusion in making these management decisions and recommendations. If the choice is made to maintain these analysis points, the Organizations vigorously assert the same level of specificity must be provided in the

Planning Handbook to insure a proper decision making process for the analysis of Forest Service trails as well.

5. Specific information should be included in the Planning Handbook on how to present an issue in the planning process.

While the Planning Handbook is an exceptionally long document, it suffers from a critical flaw, which is the Planning Handbook fails to provide any guidance on how to make a presentation of facts and issues in the planning process in a manner that is easily understandable and digestible for the public. It has been the Organizations experience that frequently a poor presentation of information and why a decision was made can result in significant public concern and opposition to a decision. These types of issues are currently highlighted in Colorado in the exceptional amount of planning that is being done by the BLM. While the BLM plans have been exceptionally long, they have also failed to include any real organization in the presentation of information. This poor presentation makes any analysis of particular issues very difficult and leads to a lot of public opposition and expands public opposition to decisions that may have a questionable basis. This poor organization and presentation has also allowed many issues that must be addressed in the federal planning process to simply be overlooked as there is no location for the information to be succinctly presented in the plan.

The Organizations are aware the Forest Service has a long history of planning and has significant experience developed regarding the effectiveness of presentation of information on a particular issue or concern. An example of this institutional knowledge that could be summarized in this type of issue presentation section would be the need to provide an itemized list of why trails are being closed and the need for good maps in a travel management plan. Often this understanding has been obtained at a somewhat high non-monetary cost in terms of previous planning and failing for the same reasons in future planning activities would be unfortunate.

6. Conclusion.

The Organizations are concerned the sheer size of the current Planning Handbook will limit the viability and success of the Planning Handbook in the long run. The Planning Handbook simply needs more concise and avoid application of national standards for issues that simply are not suited for application of a single standard. The Forest Service has a long history of effectively managing public lands at the local level, and while there are concerns with these local management objectives, application of national standards will not improve the on the ground

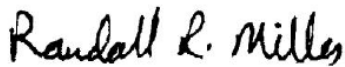
management. Rather these national standards will create more paperwork at the local level as land managers are forced to explain why sound decisions are being taken at the local level that contradict the national standard. The Organizations believe this will only result in significantly more litigation and further reduce the limited Forest Service budget in terms of actively managing issues on the ground.

Sincerely,



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