



October 9, 2015

USFS- Boulder Ranger District
Att: Matt Henry
2140 Yarmouth Avenue
Boulder, CO 80301

Re: Magnolia Trail Proposal

Dear Mr. Henry:

Please accept this correspondence and attachments as the comments in vigorous opposition to the Magnolia Trail Proposal ("The Proposal") in the Boulder Ranger District ("BRD"). The Organizations identified above are strongly opposed to the Proposal as the Proposal converts a historic multiple use area to an area for the exclusive use of a small user group under the guise of maintenance and are completely opposed to the proposed closure of the winter multiple usage of the area to allow for cross-country skiing. While the Organizations are concerned about any unauthorized trails in the area, the Organizations vigorously assert that closure of the entire area to multiple usage is simply unacceptable to address the historic lack of management of this area by the USFS. In an even more offensive step, the analysis of the Proposal is woefully inadequate on a wide range of issues. The Organizations submit that the multiple use access to these areas in all seasons is a critically important resource to those living in the vicinity of the Magnolia area and the BRD more generally. These opportunities are exceptionally limited already and closure of the Magnolia area will further the imbalance of opportunities in the area.

Prior to addressing the Proposal, we believe a brief summary of each Organization is needed. The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization the 150,000 registered 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 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 for trail riding to receive 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 advocates for the 30,000 registered snowmobiles in the State of Colorado. 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 this document, CSA, COHVCO and TPA are identified as "the Organizations".

1. History.

The Organizations must express a significant amount of frustration with the direction that has been taken for development of the Proposal, as there are periodic meetings between BRD and many representatives of local motorized clubs including the Trail Ridge Runners, Boulder County Trail Riders and the Organizations in order to improve communication and partnerships between these groups on issues facing the BRD. None of the motorized users we have spoken with were even aware of the discussion in this area taking the direction of an exclusively non-motorized area. A review of the agenda and meeting minutes from the last several years of these meetings reveals absolutely no mention of issues in the Magnolia area or possible conversion of the area to an area that is completely non-motorized. The Organizations must question how such gaps in communication are even possible and the value of these meetings if issues such as Magnolia area are simply not going to be discussed.

While Magnolia management issues have not been discussed, the Organizations are also aware that several meetings have involved the direct discussion of grants to reopen areas impacted by flooding and the overall impact of the flooding on trail development proposals. These Discussions regarding grants to repair trails have not been supported by the USFS, due to their asserted need to undertake a more complete review of flooding impacts in order to determine priority areas for grants. Additionally, all trail development proposals were on hold indefinitely for the same reasons. Given that many grants take several years to process between initial application and funding, if there were funding needs in the Mangolia area to undertake basic maintenance and other issues, why was that discussion not undertaken in these meetings?

Additional frustration to the motorized community results from the ongoing closures to Rollins Pass Road despite numerous legally sufficient requests to reopen the route from multiple counties and the recent closure of the Lefthand Canyon Area to all usage after flood damage to

the area. The geographic proximity of all these issues and management challenges simply cannot be overlooked or overstated as they are almost immediately adjacent. The Organizations believe management of the Magnolia area has only become more important with the loss of the Lefthand Canyon area and closure of the motorcycle track in Berthoud the demand for the exceptionally limited multiple use opportunities on the BRD will be higher than ever. This situation simply must be balanced in the development of the Proposal.

The Organizations were very involved in the development of the Arapahoe/Roosevelt NF resource Management Plan in the late 1990s. The Organizations are aware that under this RMP the Magnolia area provides significant opportunities to a wide range of recreational users such as camping and other types of day usage that are only utilizable with multiple use access. These activities would basically be prohibited by Proposal as most of the public will not seek to transport camping gear via foot or bicycle. The Organizations vigorously submit that multiple use access could be maintained in the area in conjunction with expansion of opportunities for other recreational usage.

2a. The Organizations must question the purpose and need for the entire Proposal given the strong public demand for multiple use opportunities on BRD.

The Organizations are strongly opposed to the basic principles that appear to be driving the Proposal, mainly that important multiple use areas may be closed for the benefit of smaller user groups. The Proposal clearly states the purpose and need for the Project as follows:

"The Forest Service proposes to determine a sustainable non-motorized trail system for the Magnolia area on the Boulder Ranger District"

This purpose and need is carried forward in each of the associated maps as no routes are identified for multiple use after the Proposal is completed. The Organizations are vigorously opposed to the Proposal both on a landscape and more localized level, due to the fact that BRD has the lowest levels of multiple use trails of any Ranger District in the State of Colorado. This is in direct conflict to the fact that Boulder County is consistently identified as one of the highest levels of registrations for OHVs in the State.¹ The Organizations are simply unable to reconcile this situation and this imbalance has forced many users seeking multiple use opportunities to travel long distances off the BRD to obtain these opportunities and has entirely removed the possibility of riding after work or on a weekend due to the long distance travel that is needed.

The public's desires for expanded multiple use access have also been directly conveyed to various representatives of the USFS via on-going public input at two recent meetings regarding the Magnolia area. The first public meetings occurred in February 2014 with Boulder County

¹ Various personal communications between the Organizations and representatives of the CPW OHV Program.

regarding reopening of Rollins Pass Road and the second of the public meetings regarding possible expansion of the James Peak Wilderness occurred in Blackhawk in 2011. The Organizations believe both these meetings is highly relevant to the discussions regarding Magnolia given the geographic proximity of these areas to the Magnolia area. Both of these meetings were attended by a large number of members of the public overwhelmingly seeking more multiple use access to these areas. The imbalance of public attendees seeking more access compared to those seeking restrictions for small groups was highlighted at the Boulder County meeting on February 13, 2014 which was attended by hundreds of members of the public and members of the BRD. Only a handful of the people attending this meeting sought to restrict access to the area or for the Rollins Pass Road to remain closed. Despite numerous requests from multiple counties to reopen this road as required by Federal Law²² this route remains closed due to the sole opposition by Boulder County on the basis of expanded multiple use in the area from reopening the area.

The public meeting regarding possible expansion of the James Peak Wilderness on July 2011 also directly evidenced the overwhelming demand for multiple use access to public lands in the BRD, as this meeting was attended by hundreds of members of the public and only three people testified in favor of more restrictions. Many of the same sweeping assertions of the benefits of the Wilderness expansion appear functionally identical to the sweeping generalizations of benefits found in the Magnolia proposal. This meeting was attended by various representatives of BRD who witnessed the basic inability of those seeking the expansion of the Wilderness area to defend these asserted benefits. Most asserted benefits simply had no scientific or factual basis. After this meeting, it was the general consensus of those that attended that the James Peak Expansion proposal was merely an attempt to legislatively mandate closure of these areas to multiple users and to mandate who had recreational access to these areas. The Organizations submit that when the James Peak expansion proposal failed, the supporters of this idea simply changed the location and went to the USFS instead of Congress. The Organizations submit that the answer from the USFS regarding restrictions to multiple usage in the Magnolia Proposal should be the same as the answer that was given by Congress in the James Peak expansion, which was clearly "NO".

The imbalance of multiple use demand and opportunity areas on BRD has been compounded by the loss of multiple usage riding opportunities due to the flooding that impacted the area in 2013. These issues are more extensively discussed in subsequent portions of these comments. The opportunities to areas impacted by flooding must be restored prior to any trail development proposals that further reduce multiple use opportunities in the area. The Organizations would be remiss if the relationship between continuing limitations to multiple use access resulting from the flooding and the sudden desire to close more areas to multiple use was not noted.

²² See, PUBLIC LAW 107-216—AUG. 21, 2002 section 7(b).

2b. The Proposal is a significant restriction on public access to benefit a small user group.

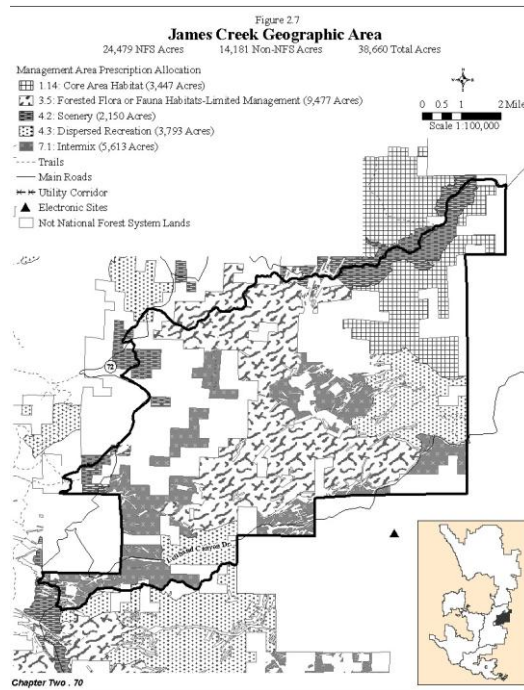
The Proposal asserts there is a significant increase in trail mileage in the Magnolia area as a result of the Proposal. While there technically may be an increase in total mileage, the Organizations submit that there will be a significant decline in visitation to the area as most routes are not open to multiple usage. The Organizations are deeply puzzled as to why the BRD seeks to close the area to most public usage. If the Magnolia area has not been properly maintained, funding and partnerships with the motorized community are available to undertake this activity, but these have not been pursued.

Again, the basic purpose and need of the Magnolia Proposal is a serious concern, as it appears the area may be lost for multiple usage due to a lack of maintenance in the area and funding issues with USFS. The Organizations are unsure how restricting access based on unclear sources of funding to perform maintenance will resolve this issue, as a single group providing funding for maintenance should not impact public access to the area. The Organizations would note that the Lefthand Canyon area has been the recipient of several grants from the CPW OHV program for maintenance and improvement of the area for all users. In a highly frustrating turn of events, maintaining the Lefthand Canyon area for all users has now slowed or completely stalled the reopening of the area to multiple use due to lead levels in the soil as a result of recreational shooting in the area. In addition to these grants the motorized community has consistently removed several dumpsters a year of shooting debris from the area. The Organizations submit these efforts create no greater right for motorized usage of Lefthand Canyon than any other member of the public has to public lands.

If the logic of the Magnolia Proposal was applied to the Lefthand Canyon area, that area should have become a motorized only area as that is the group that is funding and maintaining the area. In an even more frustrating turn of events, now the Lefthand Canyon area is looking at being reopened only to non-motorized usage. Obviously that is not a viable management position for a variety of reasons. The Organizations must ask if this principal is not applicable to the Lefthand Canyon area, why is the management standard anymore applicable to other user groups in the Magnolia area. The answer this type of purpose and need is no more relevant to the Proposal and implied management standard is not acceptable in any location. Public access to public lands should be maintained regardless of who is providing grants to the USFS for maintenance of the area.

2c. The Proposal conflicts with RMP standards for the management of recreation in the area.

The Organizations are very concerned that the Proposal directly conflicts with the management standards for the area under the Arapahoe/Roosevelt Resource Management Plan ("RMP"). The RMP provides the following management standards for the area in figure 2.7 of the RMP on pg 70.



After reviewing these standards, the Organizations are intimately aware that none of the management standards preclude motorized access, which is a significant difference from many other areas on the BRD, where multiple use access is prohibited under the RMP. The Organizations vigorously assert that these areas represent opportunity areas for growth of non-motorized recreation. The Organizations submit that the public that might be seeking something other than multiple use opportunities must be educated regarding the areas where these opportunities are already provided rather than closing one of the limited areas where multiple use opportunities are provided.

The Organizations would also note there are extensive areas in the BRD where a non-motorized trail network could easily be developed in a manner that is consistent with Forest Planning. The BRD website lists literally **dozens** of opportunity areas where hiking and mountain biking opportunities are available.³ While there are numerous opportunities identified for non-motorized usage, only 9 are identified on BRD for multiple use recreation (including Magnolia).⁴ Further exacerbating this imbalance of opportunities, the Organizations are aware that several

³ See, <http://www.fs.usda.gov/activity/arp/recreation/bicycling/?recid=28024&actid=24> and <http://www.fs.usda.gov/activity/arp/recreation/hiking/?recid=28024&actid=50>

⁴ See, <http://www.fs.usda.gov/activity/arp/recreation/ohv/?recid=28024&actid=94>

of these multiple use sites remain closed due to flooding impacts. Most of the 9 multiple use locations identified are only available to street licensed vehicles, resulting in even more importance to multiple users seeking to use vehicles such as ATV and Side by side vehicle of the Magnolia area. The Organizations must question why development of a non-motorized trail network in the Magnolia area was chosen over the numerous existing non-motorized areas or why the determination was made that Magnolia must be converted to a non-motorized area.

2d. Significantly more analysis must be done to support any changes to management of the Proposal area.

The Organizations submit that even if the Magnolia area remains the basis for expansion of non motorized usage there are clearly options for management of the Magnolia area that allow for expanded opportunities that do not come at the expense of existing resources, such as a single track trail that weaves through the area. These have been highly effective in other areas at resolving possible conflicts. These simply must be explored

3. Consistency with Boulder County planning directly conflicts with USFS multiple use mandates.

The Organizations are very concerned with references that are being made in the 2015 scoping letter from the USFS regarding consistency of the Proposal with Boulder County Open Space planning on county lands adjacent to the magnolia area. This type of management position presents many problems, the first of which is according to Boulder County website, all Reynolds Ranch planning has been put on hold due to flooding in 2013.⁵ The Organizations would be remiss if the fact that Boulder County has also clearly stated that any planning would be done in conjunction with the USFS lead in the Magnolia area. The second issue which directly relates to the ongoing Boulder County opposition to the USFS reopening Rollins Pass road to multiple usage despite federal law provisions requiring the road to be reopened upon request of only one of the four counties involved in that legislation. As a result, the Organizations have to question the basis for such a management position and objective being taken by the USFS as any logic would be entirely circular and completely lacking factual basis. These type of basic foundational analysis issues seem to plague the Proposal and simply must be resolved so the area may properly be managed under multiple use planning requirements.

The Organizations are also very concerned regarding the fundamental conflict between Boulder County Open Space management requirements and the multiple use planning and management requirements for the USFS. Boulder County open space management objectives are summarized as “expanding passive, sustainable and enjoyable public uses” on Boulder

⁵ See, <http://www.bouldercounty.org/os/openspace/pages/plattreynolds.aspx> accessed September 21, 2015

County Open Space lands and further “seeks to minimize impacts from legal third party usages.”⁶ Under Boulder County master plans, passive recreation is limited to:

“OS 4.03.01 Recreational use shall be passive, including but not limited to hiking, photography or nature studies, and, if specifically designated, bicycling, horseback riding, or fishing. Only limited development and maintenance of facilities will be provided.”⁷

The Organizations are utterly unable to reconcile the exceptionally narrow mission of Boulder County Open Space with the multiple use mission of the USFS, and as a result are very concerned with any attempts to reconcile the management of the two entities. The Organizations vigorously assert this narrow mission statement has not been supported in the two most recent public meetings regarding public lands in Boulder County.

It is the Organizations position that any landscapes where there are Boulder County Open Space areas involved, these Boulder County Open Space areas must be the first explored for non-motorized recreational opportunities and the USFS must strive to maintain multiple use opportunities on adjacent lands in order to provide a truly balanced usage at the landscape level. The Organizations vigorously submit that the Boulder County Open space lands must be viewed as primary opportunity areas for expansion of usage consistent with Boulder Counties mission in order to provide a balance of recreational opportunities for all members of the public. Clearly, this balance has not been struck in this Proposal and attempting to create consistency in management between Boulder County Open Space and USFS lands that might be adjacent would conflict with multiple use planning requirements.

4a. Funding sources must be identified prior to any closures of existing routes.

The Organizations and their local partners frequently work with the USFS on a wide range of trail and maintenance related issues throughout the state. These projects frequently involve land managers and users partnering to obtain grants and outside funding to help address ongoing budget issues faced by the USFS in recreational management. Often this partnership involves working with local clubs and Ranger Districts developing grants for basic trail maintenance projects, of which there have been no successful grants from the BRD despite the impact to much of the dispersed multiple use trail network from recent flooding. The Organizations are aware that significant pressure was applied by the motorized working group after the flooding in order to secure funding to begin trail repairs on the BRD. These efforts were not supported by the BRD due to timing issues and motorized users were clearly and repeatedly told that no trail development projects would be undertaken on the

⁶ See, Boulder County Master Plan Open Space management objectives goals and objectives at section IIIb.

⁷ See, Boulder County Master Plan Open Space management objectives at page OS-5

Araphoe/Roosevelt NF until an unspecified future time, when flooding damage could be addressed. A review of the CPW OHV 2015/16 grant applications reveals that again no applications are submitted from BRD to address flooding impacts. The Organizations are aware that immediate funding is most likely available to maintain and repair the trails in the Magnolia area if the USFS chose to apply for it. The Organizations must question this lack of interest in maintaining multiple use areas with grant funding while the Magnolia area is sought to be closed based on 10 year plans and unspecified funding sources.

The lack of any multiple use funding requests is highly frustrating to multiple users as it appears that while multiple use grants have not been pursued and support for such a grant has been actively avoided, there has been active projects in the Magnolia area that are seeking to exclude multiple usage and convert existing trails for small users groups rather than repair flood damage. In an even more frustrating turn of events, there appears to be funding to expand parking facilities in the Magnolia area after the area is closed to most usage. That is simply troubling as there have been ongoing discussions about parking at most multiple use areas on the BRD.

In addition to the active suppression of possible grant funding to perform maintenance and trail improvements to benefit all users in the Magnolia area, frustration is further increased by the fact that again the Forest Service has chosen to exclude the public for the benefit of a small user group. This is unfortunately becoming entirely too common as land managers are far too willing to accommodate the exclusionary desires of small groups over total benefit of the public. Here this situation is made even more perplexing by the fact that there is funding available to help maintain public access to the area, but land managers are seeking manage the area with a group that has no established funding source or project management plan or even clear timeline for completion of the project but seeks to exclude most of the public. This is simply bad decision making.

The Organizations are aware that if the multiple use community was pursuing a similar type project to the Proposal, exclusion of any user group from the benefit of the project would simply be unacceptable as a project objective. Additionally the multiple use community frequently has to provide a clear long term funding source for associated services, such as parking and sanitation, law enforcement and educational materials for any trail project. These types of on-going concerns are the basis for the CPW good management crew program, which again has not been sought after on the BRD. The Organizations vigorously assert that these same long term type management questions must be resolved prior to the project moving forward.

The Organizations are also aware that a significant expense can be incurred by the USFS in implementing any plans simply due to new signage, maps and other educational materials that are required. While these are significant expenses that are normally born under a grant, the

Organizations are unable to identify any funding sources that are going to be relied on to offset these costs in the Proposal. The Organizations are vigorously opposed to the directing of any USFS funds to implement the Magnolia proposal that would come at the expense of reopening flood impacted opportunities and areas on the BRD.

4b. Immediate funding could be obtained to address continued multiple use access to the Magnolia area

While there is no clear funding for the closures of the Magnolia area under the Proposal, the Organizations assert that clear and reliable funding was available for efforts to continue multiple use access. The Organizations and their local partners have a long history of obtaining this type of funding for a variety of locations on the BRD, such as Lefthand Canyon and Jenny Creek through the CPW OHV grant Program. Historically these grants have provided hundreds of thousands of dollars to BRD for multiple use access projects. Partnering for a grant to manage the Magnolia area would have been easily supported by the multiple use community prior to the Proposal, but the Organizations have to express concern about funding like this moving forward. The Proposal has clearly impacted that desire to support public land managers.

4c. No management changes should be made regarding authorized routes or usages until funding for changes is CLEARLY secured.

The Organizations vigorously assert that no changes in current authorized usage should be undertaken until clearly identified and obtained funding for the changes has been obtained. Given the rather speculative nature of the funding sources, closures or restrictions of any authorized routes is completely unacceptable.

5a. Winter travel management decisions are arbitrary and furthers the existing imbalance of winter recreational opportunities on the BRD.

The Organizations submit that it is completely unacceptable to close the entire proposal area to OSV usage as the analysis of winter recreational usage in the Proposal suffers from many of the same foundational oversights as the summer management standards. There are numerous areas outside Magnolia area that are currently managed for non-motorized recreation in the winter time and these areas must be looked at as the primary opportunity areas for users seeking non-motorized winter recreational opportunities. Again these types of balanced usage are not pursued and closure of the Magnolia area to OSV is identified as the first step for management of the area. The Organizations are aware that the Magnolia area is not a destination location for OSV travel in Colorado due its lower altitude and limited snowfall. Nonetheless the Proposal area represents an important recreational resource for the snowmobilers in the community and many riders in the area use these routes to obtain quick

rides after a snowfall, bring new riders into the backcountry and to insure that equipment is working properly prior to traveling. These types of opportunities are in exceptionally limited supply throughout most of the Front Range due to limited snowfalls, making any of these local close to home type opportunity areas highly valued to all users.

The Organizations have had the opportunity to review the Arapahoe/Roosevelt NF planning winter travel management documents from their recent resource management plan. Again the Proposal completely conflicts with winter travel management standards and decisions in the RMP. The Organizations believe it is significant to note that on the dedicated OSV page on the Arapahoe/Roosevelt Website there is not a single OSV opportunity identified on the BRD⁸, while 21 separate locations are identified for cross-country skiing⁹. This is significant as the average person could easily assume there simply no opportunities for OSV recreation on the BRD. Clearly that is not the case as snowmobile usage does occur on the BRD and has been specifically protected on the Rollins Pass Road by federal law.

5b. Significantly more analysis must be done to support any changes to winter management of the Proposal area.

The Organizations submit that there are clearly options that allow for expanded opportunities that do not come at the expense of existing resources such as a single track trail that weaves through the area. These types of have been highly effective on other USFS areas at resolving possible conflicts. The Organizations further submit that the mere assertion of benefits to resources from closing the area is completely insufficient to satisfy NEPA. The Organizations submit that a proposal to groom any area for multiple use recreation that asserted grooming would be done with a snowmobile, larger piece of equipment or other equipment would immediately to the applicant be returned for insufficiency. The Organizations submit that there is simply no way to analyze impacts from "some equipment" in a manner to comply with NEPA.

5c. The Proposal furthers existing imbalances of recreational opportunities and conflicts with RMP analysis of winter travel opportunities.

As the Organizations have already noted, there is a horrible imbalance of winter travel opportunities on the BRD that existing under current planning. The Organizations are very concerned that under current planning the Proposal area is to be managed for both winter motorized and non-motorized opportunities along with habitat. This current management is reflected as follows:

⁸ <http://www.fs.usda.gov/activity/arp/recreation/wintersports/?recid=28024&actid=92>

⁹ <http://www.fs.usda.gov/activity/arp/recreation/wintersports/?recid=28024&actid=91>



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Again the BRD ranger district website is very helpful in identifying the imbalance of winter travel opportunities on the district. 21 different locations are identified where cross country skiing and snowshoeing are available.¹¹ In stark comparison, the website does not identify a single location on the BRD where snowmobiling is permitted.¹² The situation regarding snowmobile access is puzzling as snowmobile usage of the Rollinsville Road is specifically protected in federal legislation.¹³

Given the imbalance of opportunity already existing and large areas where non-motorized access could be improved without impacting other uses, the Organizations again must question why closure of historical routes and areas is the first alternative chosen for expanding usage in the area.

6. Closures of the Proposal area will result in increased user conflict.

Throughout the Proposal documents, numerous assertions are made that the Proposal will improve recreational experiences. The Organizations submit that the Proposal will result in significant expansion of user conflicts in the Magnolia area. The Organizations believe that after a brief summary of research into user conflict, the difference in the Proposal management and best available science on the issue will be clear. Researchers have specifically identified that properly determining the basis for or type of user conflict is critical to determining the proper method for managing this conflict. Scientific analysis defines the division of conflicts as follows:

“For interpersonal conflict to occur, the physical presence or behavior of an individual or a group of recreationists must interfere with the goals of another individual or group....Social values conflict, on the other hand, can occur between groups who do not share the same norms (Ruddell&Gramann, 1994)

¹⁰ Complete map available at http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5418722.pdf

¹¹ <http://www.fs.usda.gov/activity/arp/recreation/wintersports/?recid=28024&actid=91>

¹² <http://www.fs.usda.gov/activity/arp/recreation/wintersports/?recid=28024&actid=92>

¹³ See, PUBLIC LAW 107-216—AUG. 21, 2002 at Sec 3.

and/or values (Saremba& Gill, 1991), independent of the physical presence or actual contact between the groups.....When the conflict stems from interpersonal conflict, zoning incompatible users into different locations of the resource is an effective strategy. When the source of conflict is differences in values, however, zoning is not likely to be very effective. In the Mt. Evans study (Vaske et al., 1995), for example, physically separating hunters from nonhunters did not resolve the conflict in social values expressed by the nonhunting group. Just knowing that people hunt in the area resulted in the perception of conflict. **For these types of situations, efforts designed to educate and inform the different visiting publics about the reasons underlying management actions may be more effective in reducing conflict.”¹⁴**

Other researchers have distinguished types of user conflicts based on a goals interference distinction, described as follows:

“The travel management planning process did not directly assess the prevalence of on-site conflict between non-motorized groups accessing and using the yurts and adjacent motorized users.....The common definition of recreation conflict for an individual assumes that people recreate in order to achieve certain goals, and defines conflict as “goal interference attributed to another's behavior” (Jacob & Schreyer, 1980, p. 369). Therefore, conflict as goal interference is not an objective state, but is an individual's appraisal of past and future social contacts that influences either direct or indirect conflict. It is important to note that the absence of recreational goal attainment alone is insufficient to denote the presence of conflict. The perceived source of this goal interference must be identified as other individuals.”¹⁵

It is significant to note that Mr. Norling's study, cited above, was specifically created to determine why travel management closures had not resolved user conflicts for winter users of a group of yurts on the Wasache-Cache National forest. As noted in Mr. Norling's study, the travel management decisions addressing in the areas surrounding the yurts failed to distinguish why the conflict was occurring and this failure prevented the land managers from effectively resolving the conflict.

The Organizations believe that understanding why the travel management plan was unable to resolve socially based user conflicts on the Wasache-Cache National Forest is critical in the Proposal planning area. Properly understanding the issue to be resolved will ensure that the same errors that occurred on the Wasache-Cache are not implemented again to address

¹⁴ Carothers, P., Vaske, J. J., & Donnelly, M. P. (2001). *Social values versus interpersonal conflict among hikers and mountain biker*; Journal of Leisure Sciences, 23(1) at pg 58.

¹⁵ Norling et al; Conflict attributed to snowmobiles in a sample of backcountry, non-motorized yurt users in the Wasatch –Cache National Forest; Utah State University; 2009 at pg 3.

problems they simply cannot resolve. The Organizations believe that the BRD must learn from this failure and move forward with effective management rather than fall victim to the same mistakes again. Unfortunately, the BRD Proposal appears to be falling victim to the same issues as the Wasache-Cache rather than learning from them, since closures are immediately relied upon to address what the Organizations have to believe are a significant amount of socially based user conflicts.

At no point in the Proposal is there any mention of programs or resources to be developed that might be available to address socially based user conflicts. While the Organizations are aware that such a discussion is technically outside the Proposal, the Organizations believe that if a distinction between the different bases for user conflicts had been made in the planning process, this distinction would have warranted a brief discussion of methods for resolution of socially based conflicts through educational programs. The lack of an educational component in planning as a tool to be utilized in conjunction with travel management issues and trail closures, leads the Organizations to conclude that there was a finding at some point in the planning process to the effect that all user conflicts are personal in nature. This type of finding would be highly inconsistent with both the Organizations experiences with this issue and the related science.

The Organizations believe the proposed management, and associated high levels of route closures, will result in increased user conflicts as recreational opportunities in the area will be lost and not replaced to address an issue that the closure simply cannot remedy. As noted above, personal user conflicts only account for a small portion of total user conflicts. While these personal conflicts would be resolved, the overwhelming portion of user conflict results from a lack of social acceptance by certain users and these conflicts would only be resolved with education. The Organizations believe the distinct between personal and social user conflict must be addressed in the Proposal and the levels of closures reviewed to insure that the levels of closures are not going to result in increased user conflicts. The Organizations believe that increased conflict is a serious risk given the high levels of closures that are proposed.

7. Conclusion.

The Organizations must oppose all phases of the Proposal as it exacerbates the existing imbalance of recreational opportunities on the BRD. The Organizations identified above are strongly opposed to the Proposal as the Proposal converts a historic multiple use area to an area for the exclusive use of a small user group under the guise of maintenance and are completely opposed to the proposed closure of the winter multiple usage of the area to allow for cross-country skiing. While the Organizations are concerned about any unauthorized trails in the area, the Organizations vigorously assert that closure of the entire area to multiple usage is simply unacceptable to address the historic lack of management of this area by the USFS. In an even more offensive step, the analysis of the Proposal is woefully inadequate on a wide range of issues. The Organizations submit that the multiple use access to these areas in all seasons is a critically important resource to those living in the vicinity of the Magnolia area and the BRD more generally. These opportunities are exceptionally limited already and closure of the Magnolia area will further the imbalance of opportunities in the area.

Please feel free to contact Scott Jones at 518-281-5810 or via email at scott.jones46@yahoo.com or via USPS mail at 508 Ashford Drive, Longmont, CO 80504 for copies of any documentation that is relied on in this appeal or if you should wish to discuss any of the concerns raised further.

Respectfully Submitted,

Scott Jones, Esq.
COHVCO/TPA Authorized Representative
CSA President



D.E. Riggle
Director of Operations
Trails Preservation Alliance

Cc: Silvia Clark, BRD district Ranger
Congressman Jared Polis
Senator Corey Gardner
Senator Michael Bennett