



May 9, 2022

Congressman Ruben Gallego  
1131 Longworth House Office Building  
Washington, DC 20515

RE: Roadless Area Conservation Proposal of 2021  
HR279

Dear Congressman Gallego:

Please accept this correspondence as the vigorous opposition of the above Organizations with regard to the Roadless Area Conservation Proposal of 2021 ("The Proposal"). Prior to addressing the specific concerns, the Organizations have regarding the Proposal, we believe a brief summary of each Organization is needed. The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization of approximately 250,000 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 ensure 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 the more than 30,000 winter motorized recreationists across the state to enjoy their passion. CSA has also become the voice of organized snowmobiling seeking

to advance, promote and preserve the sport of snowmobiling through work with Federal and state land management agencies and local, state and federal legislators telling the truth about our sport. Idaho Recreation Council (“IRC”) is comprised of Idahoans from all parts of the state with a wide spectrum of recreational interests and a love for the future of Idaho and a desire to preserve recreation for future generations. For purposes of these comments, TPA, IRC, CSA and COHVCO will be referred to as “the Organizations”. The Organizations and our members have been very involved in all phases of development of the National Roadless Rule and the Idaho and Colorado State Specific Rules.

The Organizations are very concerned that the Proposal removes all local flexibility in the designation of Roadless areas through the state petitioning process, which has been successfully used by states such as Colorado and Idaho to adapt the Roadless Rule to more localized challenges and concerns. The Proposal further fails to address the fact that timber management has been identified as major benefit to the health of local ecosystems and would be prohibited under the Proposal in all Roadless Areas.

Further the Proposal appears to separate the motorized trail users from all other trails uses and exclude them from Roadless areas. This is simply unacceptable to our Organizations both from a loss of recreational opportunities but also from a management funding perspective as the motorized community annually provides more than \$200 million in grants to land managers for the maintenance and management of multiple use routes. This funding is critical in providing high quality recreational opportunities in Roadless Areas but also to providing access infrastructure to these areas for firefighting and water resources in the areas.

### **2a. State flexibility must be preserved in the Roadless Rule Process**

The Organizations are very concerned that the Proposal will remove the ability of States to Petition for the creation of State level roadless rule, such as has been highly successful in Idaho and Colorado. Currently Alaska and Utah have petitioned for the

development of a similar Roadless Rule and numerous other states have displayed significant interest in development of similar efforts in the future, such as North and South Carolina and Virginia. Given that only the State Petitions for Colorado and Idaho are recognized in the Proposal, we must assume that this authority would be lost for States that have not completed their development of State level roadless rules. This is deeply troubling.

Our members have been hugely supportive of the efforts that have been completed in Idaho and Colorado, as we believe this flexibility is critical to management of these areas and Roadless areas are often synonymous with recreational opportunities sought by our members. Our members seek out these areas due to the lower intensity highly dispersed recreational opportunities that Roadless areas provide.

**2b. Motorized usage is omitted from an authorized usage of a Roadless Area.**

After reviewing the Proposal, the Organizations are also deeply troubled by the proposal that motorized usage is not recognized as a multiple use in a Roadless Area moving forward. We are very concerned that this omission is not a mere drafting oversight but rather is a strategic attempt to remove motorized usages from Roadless Areas, as §2 of the Proposal defines usage as follows:

“(7) roadless areas provide unparalleled opportunities for outdoor recreation, including hiking, camping, picnicking, wildlife viewing, hunting, fishing, cross-country skiing, canoeing, mountain biking, and similar Activities;

(8) while roadless areas may have many wilderness-like attributes, unlike wilderness areas, the use of mechanized means of travel is allowed in many roadless areas;”

The Organizations are concerned that while mechanized usages of roadless areas are recognized, motorized usages are not recognized. §2 of the Proposal further avoids the recognition of motorized recreation as a valid usage of a Roadless area as follows:

“(11) consistent with the multiple-use mission described in paragraph (10), this Proposal—

(A) ensures the continued protection of social and ecological values, while allowing for many multiple uses of inventoried roadless areas; and”

The Organizations would be remiss if the Proposal that there is a significant difference between allowing “all multiple uses” when compared to “many multiple uses” of inventoried Roadless Areas. It is unfortunate that after the decades of discussions and efforts in balancing all multiple uses in Roadless areas, the users of these lands still face conflict and division from those interests that are opposed to the multiple use mandate on public lands. As we have noted before Roadless areas are sought after by all forms of recreational usage due to the lower intensity and more diverse nature of the opportunities provided by the Roadless designation.

**2c. Timber management is prohibited in Roadless areas moving forward.**

The Organizations are also very concerned that a far less subtle path has been taken in the prohibition of logging Activities in Roadless Areas, which is represented in §4 of the Proposal. This prohibition is clearly stated as follows:

“The Secretary shall not allow road construction, road reconstruction, or logging in an inventoried roadless area where those Activities are prohibited by the Roadless Rule.”

Not only is the timber industry an important component of the multiple use mandate, the timber industry represents an important tool for land managers to address catastrophic wildfires that have become far too common on public lands. The Organizations vigorous support timber management to the impact of wildfires on recreational opportunities in Roadless areas. Wildfire impacts to all recreational opportunities can span decades, while timber harvest impacts are short lived. Similar impacts to other resources, such as watersheds and wildlife habitat, which are claimed to be protected in the Proposal, but are often decimated by wildfires. Prohibiting timber Activity in Roadless areas would seem to open the possibility of the Proposal becoming a net negative to the health of forests in Roadless areas. This simply makes no sense.

The disparate impacts of fire when compared to timber management are clear when long term impacts are reviewed. The USFS has been closely tracking the impacts of high intensity wildfires that struck Colorado in 2020, and are concluding that these burn scars may not recover for more than 100 years due to the combined impacts of drought, beetle kill and subsequent high intensity fires. This research also indicates that timber harvest and fire breaks were effective in partial management of impacts of these fires on communities and other resources. A summary of this research was recently provided in the USFS “Science You Can Use Bulletin” for January/February 2022.<sup>1</sup> This bulletin has links to the new USFS research that addresses impacts in a far higher level of detail than the bulletin.

It should also be noted that the severe impacts of high intensity wildfire can have serious impacts on Endangered Species, such as the Canadian Lynx. Post fire research on the Rio Grande NF has found that while many species will reenter burn scars within a short period of time of the fire being extinguished, the Canadian Lynx avoids burn scars for extended periods of time.<sup>2</sup> Again, the Organizations must question why best available science such as this would not be the basis for legislation moving forward. The Organizations would also note the inherent conflict in basis for prohibiting motorized usage due to perceived impacts but then allowing greater impacts to resources than ever could be resulting from motorized usage through other restrictions in the Proposal.

**2d. Economic information is misleading and fails to address huge partnerships.**

The Organizations are very disappointed that the information used to estimate the monetary backlog of maintenance on public lands in the Proposal is so badly out of date. While we do not contest that \$3.2 Billion was at one point the estimated maintenance backlog for the USFS, Congress has made significant strides in addressing this backlog

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<sup>1</sup> A copy of this summary is available here:

[https://www.fs.usda.gov/rmrs/sites/default/files/documents/SYCUBulletin-ForestConversion-JanuaryFebruary2022\\_0.pdf](https://www.fs.usda.gov/rmrs/sites/default/files/documents/SYCUBulletin-ForestConversion-JanuaryFebruary2022_0.pdf)

<sup>2</sup> A complete copy of this research is available here:

[https://www.fs.usda.gov/rmrs/sites/default/files/documents/SYCU\\_Bulletin\\_ForestUnderstories\\_Lynx.pdf](https://www.fs.usda.gov/rmrs/sites/default/files/documents/SYCU_Bulletin_ForestUnderstories_Lynx.pdf)

though both the Americas Great Outdoors Proposal funding that provides approximately \$300 million per year to the USFS. This backlog is further reduced by the recent Federal Infrastructure Proposal <sup>3</sup> which provided significant infrastructure funding beyond the Great American Outdoors Proposal.

What is deeply troubling about this assertion is the fact it is made without correlation to how the Proposal will improve this condition. This is a critical question as the Proposal actually reduces the amount of funding that is available for the maintenance of these facilities in Roadless Areas. The motorized communities, that would now be prohibited from these roadless areas, provide more than \$200 million in funding to land managers annually. While this funding is not broken down to allocations, such as Roadless Areas, we must believe a significant portion of this funding is used for the maintenance of all types of routes in these areas. When these areas are closed to motorized usage, this funding cannot be used for this type of maintenance any longer as use of this funding is prohibited by state law if the area is not open for motorized usages.

### **3. Conclusion**

We welcome discussions around the Congressional designation of areas and routes but the Organizations have serious **concerns** regarding to the Roadless Area Conservation Proposal of 2021. The Organizations are very concerned that the Proposal removes all local flexibility in the designation of Roadless areas through the state petitioning process, which has been successfully used by states such as Colorado and Idaho to adapt the Roadless Rule to more localized challenges and concerns. The Proposal further fails to address the fact that timber management has been identified as major benefit to the health of local ecosystems and would be prohibited under the Proposal in **all** Roadless Areas.

Further the Proposal appears to separate the motorized trail users from all other trails uses and exclude them from Roadless areas. This is simply unacceptable to our Organizations both from a loss of recreational opportunities but also from a

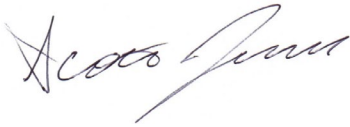
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<sup>3</sup> H.R.3684 of 117<sup>th</sup> Congress

management funding perspective as the motorized community annually provides more than \$200 million in grants to land managers for the maintenance and management of multiple use routes. This funding is critical in providing high quality recreational opportunities in Roadless Areas but also to providing access infrastructure to these areas for firefighting and water resources in the areas.

Please feel free to contact Scott Jones at 518-281-5810 if you should wish to discuss these matters further.

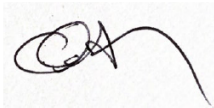
Sincerely,



Scott Jones, Esq.  
Authorized Representative- COHVCO  
Executive Director CSA



Sandra Mitchell,  
Executive Director – IRC



Chad Hixon  
Executive Director – TPA