

COALITION FOR RECREATION IN THE NATIONAL FORESTS

1225 New York Avenue, NW □ Suite 450 □ Washington, DC 20005

Thomas Tidwell, Chief
USDA Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003

Dear Chief Tidwell:

The organizations below share the goal of the Forest Service that the Planning Rule for national forests and grasslands can and should be an effective and efficient means of guiding management of these lands in ways that meet important national needs and sustain forest resources. We have individually and collectively submitted comments and participated in the roundtable sessions the Service hosted. While we have been told that our concerns about adequate consideration of recreation have been heard, we are not satisfied that the Planning Rule will incorporate recreation to the level of importance required by law and the nation's best interests.

Recreation Opportunities: A Clear Legal Responsibility of the Forest Service

Recreation has been an important role of the national forests for more than 100 years. Recreation, including hunting and fishing, was among the chief catalysts for action to protect public lands and manage them as national forests. Congressional mandate both confirms and clarifies this purpose of the national forests. Specifically, the Forest Service is required by law to make decisions based on a multiple-use mandate, as outlined in the Multiple-Use Sustained Yield Act of 1960 (MUSYA) and the National Forest Management Act (NFMA). In particular, NFMA requires:

In developing, maintaining, and revising plans of the National Forest System pursuant to this section, the Secretary shall assure that such plans –

- (1) provide for multiple use and sustained yield of the products and services obtained therefrom in accordance with [MUSYA], and, in particular, include coordination of outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness...*** [NFMA §6, 16 U.S.C. § 1604(e)]

MUSYA provides further clarification of the agency's duty to provide for "use" of the National Forest System, including outdoor recreation. MUSYA's policy statement explains:

It is the policy of the Congress that the national forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes. The purposes of sections 528 to 531 of this title are declared to be supplemental to, but not in derogation of, the purposes for which the national forests were established as set forth in section 475 of this title... [MUSYA §1; 16 U.S.C. §528]

We do not assert that outdoor recreation is, or should be, a dominant use of all national forest lands. But it is important and relevant to note that the Congress specifically listed outdoor recreation first in the identified mandated management responsibilities of the Forest Service. Also noteworthy is the fact that assessments of the economic contributions of the national forests since 1992 have consistently identified outdoor recreation as the leading national economic benefit of the forests.

This statutory guidance must be reflected in any new Planning Rule, achieved through procedures which comply with the National Environmental Policy Act (NEPA). While analysis and discussion frequently focus on the natural and physical environment, NEPA clearly embodies a broader Congressional desire "to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of future generations of Americans." 42 U.S.C. § 4331(a). Thus, NEPA's operative EIS requirement is triggered by federal action which may "significantly affect the quality of the human environment..." *Id.* at § 4332(2)(C) (emphasis added). The "human environment" "shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment." 40 C.F.R. § 1508.14.

Fourth Roundtable Document and Discussions

After three roundtables and a science forum, the Forest Service and its contractor delivered a document to participants in the Fourth Roundtable which stated, in part:

Recreation and other Multiple Uses: What We Heard
A common theme across the input we've received on the planning rule is that people want the planning rule to address the diverse uses and services they depend on from the national forest system (NFS). There was particular interest in having the planning rule address recreation. In general, participants said the planning rule should set broad objectives for recreation. The rule should identify analytical, assessment, and evaluation

tools to empower decision makers at the local level to make specific land use or recreational management decisions.

We believe that our messages are **not** reflected in this summary, and similarly not reflected in the planning rule framework discussed at the Fourth Roundtable.

Our messages, instead, are:

- 1) The Forest Service needs to be a proponent of outdoor recreation in its full diversity and recognize its vital contributions to the nation in the planning process, just as it is and does for endangered species and habitat protection. It is not up to the public to be the sole advocate for recreation.
- 2) Forest plans must actively search out strategies to provide for, and manage, diverse public recreational uses of our forest. Only in extraordinary cases should alternative recreational uses be juxtaposed and treated as competitors for use of the forests. There are management strategies that can and should be employed to mitigate any environmental or social conflicts associated with recreational uses.
- 3) New technologies, physical separation and even temporal separation of uses can and should be utilized to accommodate the full range of passive, human-powered, equestrian, on-water, motorized- and mechanized-device-aided activities and other appropriate recreational activities.
- 4) The Forest Service must be far more aggressive in its planning process to identify and prescribe the use of state, local, volunteer and other resources to move from a laissez faire model of recreation management to strategies reflecting 21st century management capabilities.
- 5) The Fourth Roundtable document stated: "***Many noted that the Forest Service does not really have much ability to intentionally influence economies, and should focus instead on the land management business it knows.***" We strongly disagree with both contentions. Decisions regarding use of national forests, and especially decisions regarding kinds and levels of recreational uses, clearly and dramatically shape the economic health of nearby communities. And this impact must be reflected in Forest Service planning. There is no option under NEPA to abrogate this responsibility. If the expertise resident within the Forest Service is incapable of meeting this responsibility, it must be found and included. By reducing recreation opportunities or by constraining or prohibiting new recreational uses – like the initial opposition of the agency to geocaching – without considering ways to develop and apply new management protocols, the agency compromises the viability of hundreds of communities near national forests.
- 6) The Forest Service must be an advocate of increased active use of the Great Outdoors as a means to spur the health of our populace. The cost of healthcare has increased dramatically to nearly 17% of our nation's total GDP. Healthcare experts note that 70% of the total cost of healthcare – \$2.7 trillion in 2009 – is lifestyle induced, and increasingly driven by declining

levels of physical activity. Health is a major consideration of the now-underway America's Great Outdoors Initiative and the First Lady's Let's Move program. Sister agencies like the National Park Service have already undertaken pilot efforts that demonstrate the dramatic contribution public lands can make in reducing healthcare costs and increasing quality of life by preventing and mitigating illnesses including diabetes, hypertension, stress, and cancer. National forest planning must include a commitment to increasing access to recreation opportunities, thus aiding physical and mental health.

We are greatly concerned by the lack of emphasis placed upon recreation in the documents associated with the proposed new Planning Rule and will not support a final rule that fails to correct this flaw. We intend to deliver this assessment to the public and to those representing the public if no commitment to change is made by the agency.

Steps to Overcome Identified Problems

We recognize that no action has yet been taken by the agency to publish a proposed rule. We also recognize the interest of the agency and the U.S. Department of Agriculture in moving expeditiously to provide the forests and the public with new guidance on forest planning. In the spirit of the **"predecisional objection" provisions** outlined in the Fourth Roundtable document, the undersigned ask for two immediate actions by the agency:

- 1) A ***meeting between the Chief of the Forest Service and the organizations below to discuss our expressed concerns and to assist the Chief in guiding agency efforts on the proposed planning rule;***
and
- 2) A ***formal working session involving the agency planning rule team, other relevant FS staff and a representative group of recreation interests to identify and, ideally, include provisions that would make the new rule consistent with the messages above.***

Sincerely,

All-Terrain Vehicle Association
American Association for Nude Recreation
America Outdoors Association
American Council of Snowmobile Associations
American Fisheries Society
American Fly Fishing Trade Association
American Horse Council
American Motorcyclist Association

American Recreation Coalition
American Sportfishing Association
Americans for Responsible Recreational Access
Archery Trade Association
Association of Marina Industries
Back Country Horsemen of America
Bear Trust International
BlueRibbon Coalition
Boone and Crockett Club
Campfire Club of America
Campground Owners Association of Montana
Catch-A-Dream Foundation
Choose Outdoors
Colorado Off-Highway Vehicle Coalition
Colorado River Outfitters Association
Colorado Ski Country USA
Congressional Sportsmen's Foundation
Conservation Force
Dallas Safari Club
Douglas County Open Space, Colorado
The Dude Ranchers' Association
Equine Land Conservation Resource
Get Outdoors USA!
GreenPlay, LLC
Good Sam Club
Idaho Outfitters and Guides Association
Igloo Products Corporation
International Snowmobile Manufacturers Association
Masters of Foxhounds Association
Motorcycle Industry Council
Mule Deer Foundation
National Association of Forest Service Retirees
National Association of Gateway Communities
National Association of RV Parks and Campgrounds
National Forest Recreation Association
National Marine Manufacturers Association
National Off-Highway Vehicle Conservation Council
National Rifle Association
National Shooting Sports Foundation
National Ski Areas Association
National Trappers Association
North American Bear Foundation
North American Grouse Partnership
Orion – The Hunter's Institute
Pennsylvania State Snowmobile Association
Personal Watercraft Industry Association

Pope and Young Club
Quality Deer Management Association
Recreation Vehicle Dealer Association
Recreation Vehicle Industry Association
Recreation Vehicle Rental Association
Recreational Off-Highway Vehicle Association
Rocky Mountain Elk Foundation
Ruffed Grouse Society
Safari Club International
Salt River Tubing & Recreation, Inc.
Shikar Safari
Specialty Equipment Market Association
Specialty Vehicle Institute of America
Stay the Trail
Theodore Roosevelt Conservation Partnership
Tread Lightly!
U.S. Sportsmen's Alliance
United Four Wheel Drive Associations
Western States Tourism Policy Council
Whitetails Unlimited
Wild Sheep Foundation
Wildland Resources
Wisconsin All-Terrain Vehicle Association

cc: Hon. Tom Vilsack
Hon. Harris Sherman