



American Recreation Coalition

*Dedicated to the protection and enhancement of everyone's right
to health and happiness through recreation.*

September 13, 2004

Proposed Rule for Designated Routes and Areas for Motor Vehicle Use
c/o Content Analysis Team
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Dear Policy Team:

The American Recreation Coalition is delighted to submit comments on the Proposed Rule for Management of OHV. Activity on national forest lands. This is an important issue affecting both OHV enthusiasts and others who seek to use national forests for healthy outdoor fun. We offer our comments as an organization comprised of more than one hundred organizations representing diverse components of the \$400 billion per annum recreation industry and millions of recreation enthusiasts.

We are pleased to offer our support for two of the core principles reflected in the proposed rule. We believe that OHV enthusiast use, like most activities on public lands, can and should be managed to enhance safety and access while minimizing environmental and social conflicts. We therefore support the principle of encouraging OHV enthusiast use on designated routes and in certain designated areas. We also support strongly the concept that designations of routes and areas should be accomplished through locally-based forums and processes.

We strongly support inclusion of these principles in the final rule, and further support issuance of a rule as early as practical in 2005 to allow progress in overcoming current conflicts and uncertainty regarding appropriate OHV enthusiast use. You will also note our repeated reference to "OHV enthusiast use," rather than OHV use. We wish to emphasize that the use is by PEOPLE, not machines, and that these enthusiasts deserve consideration in providing recreation opportunities just as certainly as do those choosing other recreational activities.

We urge guidance through the rule that designated routes and areas must accommodate the demand for diverse OHV experiences and must satisfy the spectrum of riding skills and experiences sought by OHV enthusiasts. We also emphasize that initial designations should be subject to periodic review and revision, including expansion of opportunities where appropriate. A designation process that leaves OHV enthusiasts feeling cheated or unheard will not be successful.

We believe that the rule, while good, can be improved. We submit the following ideas for consideration and inclusion;

1) involvement of local interests in the decision-making process should not be equated with involvement of any one level of government or entity. We believe, for example, that state trail

administrators, who by law are responsible for state trail systems and the operation of representative state trail advisory councils, should play a major role in this process. In many instances, the design of good trails and routes will require the cooperation of several land managing agencies and, often, more than one county. State trail administrators can help facilitate this coordination and can also play a vital role in communication and information dissemination to OHV and other trail enthusiasts.

2) the rule – even a good rule – will not be effective without agency commitment and identification of necessary resources. We oppose paying for the designation process out of the agency recreation budget. This is a planning cost and should be paid for through planning appropriations. Clearly, district and forest recreation interests should play a role in the planning process, but recreation budgets should remain reserved for in the field improvements and activity management.

3) the rule does not address the time frame for implementation of the process, although we understand that the agency would seek to complete initial designations in about four years. We support such a goal, and further support flexibility in this time frame. However, we urge the Forest Service to not merely focus on readily-available districts and forests for this effort. An effort needs to be mounted to identify the most challenging decisions, and an effort needs to be undertaken in these areas on an expedited basis. Left unaddressed, these areas are most likely to create legal or political initiatives that will undermine the spirit of the rule. Thus, while we welcome prompt action on “low hanging fruit,” we also urge active efforts on the areas where present or likely conflicts appear most intractable.

4) the rule needs to address the costs of successful designation implementation. These costs will range from signs and brochures to new interconnections and facilities, including parking. We especially urge the agency to consider a revamped and reenergized Challenge Cost Share program for the OHV program. We believe that agency resources will be leveraged effectively and new partnerships will be established between the agency and OHV enthusiast organizations through a new \$5 million per annum CCS initiative, beginning in FY06.

5) ARC firmly believes that embracing new technology is critical to the success of designations. Enthusiasts should be able to seek out and download information about OHV routes on forest lands as readily as we can now get driving directions through www.mapquest.com – routes that also explain limitations that are permanent or temporary, such as fire danger or critical wildlife habitat during certain months. Every enthusiast with a home computer should be able to download and print a map specifically depicting limits on the activities he or she seeks to pursue. Enthusiasts should also be able to register to receive email alerts about special controls or opportunities affecting specific areas or activities.

6) the Forest Service needs to increase support to its field offices to allow the agency to fully capitalize on available funds, including those available through state trail programs under the federal Recreational Trails Program. Forest Service involvement under this program has potential attraction to state and local governments, since a project on federal land can allow federal funding for up to 95% of a project cost, versus 80% for normal projects. National support could include nationally-provided technical assistance in grant preparation and administration as well as a limited amount of special funding.

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7) there is a need for strong national oversight of the designation processes across the country. Weak national administration of the fee demo program allowed implementation of clearly inappropriate projects – and the agency has paid a heavy price nationally for these problems. Regular communication of news about successful consensus-building and decision-making efforts would be very helpful. Also helpful would be a means for organizations to bring concerns about specific designation processes to an ombudsman-like entity, so that steps could be taken to overcome challenges prior to lawsuits and challenges.

8) while we support the OHV route-designation process, we note that it will go forward in an environment where other land-use decisions are pending. We support giving direction to District Rangers and Forest Supervisors about what actions are appropriate where lands are now undergoing some level of Wilderness consideration – for example, lands that have been studied and recommended for non-Wilderness but where final Congressional action has not been taken. Especially where designation involves routes currently in use across Wilderness study areas, we urge a policy for permitting designation as long as irreversible change is not made to the resource.

9) this designation process has a bearing on future recreation fee legislation, including proposals by NACo and others to abandon the fee retention doctrine contained in the National Recreation Fee Demonstration Program and instead require sharing of collected fees with local and state government. Designation will only work if local agency units have funding to implement and manage the agreed upon designations. We urge the rule to address this matter.

10) we continue to see the merit of differentiating between the wheeled, motorized uses covered under the proposed OHV rule and management of snowmobile enthusiast use of national forests. We urge that the final rule continue to exclude snowmobiling from its provisions.

Thank you for your consideration of these views. We would be delighted to provide additional information pertaining to the matters raised in our comments and offer our support in implementing the final rule, once issued.

Sincerely,

Derrick A. Crandall
President

cc: Interested ARC members