

# United States Senate

March 7, 2019

The Honorable Jim Hubbard  
Under Secretary for Natural Resources and Environment  
Department of Agriculture  
1400 Independence Ave, SW  
Washington, DC 20250-1111

Dear Under Secretary Hubbard:

I am writing today to request the U.S. Forest Service carefully reconsider proposed mountain bike closures in the Blue Joint and Sapphire Wilderness Study Areas on the Bitterroot National Forest in Montana.

As you are aware, the U.S. District Court decision in *Bitterroot Ridge Runners Snowmobile Club et al. vs. United States Forest Service et al.* upheld new restrictions (est. 2016) that prohibit motorized and mechanical uses on over 100 miles of trails and 100,000 acres in Ravalli County while also requiring additional analysis on the mountain bike closures. Consequently, on August 29th, 2018, I expressed in a letter that not only did this court decision generate management outcomes contrary to the very recommendations the agency put forth when required by law to evaluate the wilderness character of the areas, but also that the U.S. Forest Service was limiting public comment on the 62 miles of mountain bike closures by incorrectly citing 36 CFR 218.5.

Following my letter in August of 2018, the U.S. Forest Service agreed to my request and opened the objection period to all public land users. While I greatly appreciate the U.S. Forest Service willingness to increase opportunity for public participation, I believe the agency in Region 1 is not utilizing its flexibility when it comes to managing diverse recreational interests across areas with historical use, especially across portions of Wilderness Study Areas that the agency did not recommend for inclusion in the National Wilderness Preservation System.

In September of 2008, a supplement to the U.S. Forest Service Manual in Region 1 allowed the agency to use the planning process to address user conflicts and overuse in WSAs by managing those uses geographically, not in totality. However, the U.S. Forest Service' 2016 Record of Decision (ROD) noted that establishing 1977 level uses through a permit or quota system "would be extremely challenging" and because of a "lack of base line data on 1977 use levels" any attempt at management would be impractical. Even more egregious, the 2016 ROD then went on to mention that allowing uses that do "not conform to wilderness character creates a constituency that will have a strong propensity to oppose recommendation and any subsequent designation legislation" and that it is in the interest of the agency and Congress to have recommendations "unencumbered with issues that are exclusive to the wilderness allocation decision." These

justifications suggest the U.S. Forest Service is shying away from its ability to manage “extremely challenging” uses for the general public to benefit members of Congress and ease the decision making process for the U.S. Forest Service. I am concerned this approach will foster additional closures in areas with historic use and that the greater recreation community will suffer as a result.

As an avid outdoorsman, I appreciate the U.S. Forest Service’s commitment to managing the diverse uses that our National Forests provide to the general public. However, if the general public continues to experience closures in places with historical use (like many WSAs in Montana) in the interest of making it easier for members of Congress and the Agency, we will continue to see less participation from important constituencies of the American public and ultimately lose vital contributors to Montana’s outdoor way of life. With over \$7 billion in consumer spending coming from Montana’s outdoor recreation economy, we should be encouraging adaptive management principles across the Agency that help U.S. Forest Service decision-makers manage different uses across various landscapes, not exclude them. As the U.S. Forest Service considers the objections per the court order in the Bitterroot, I hope consideration will be given to modifying the FEIS or ROD to maintain recreational access for mountain bikes, or extend the March 11<sup>th</sup> deadline for the decision in light of the concerns I am bringing forth in this letter.

Thank you for your consideration of this request and I look forward to your response on how the U.S. Forest Service plans to manage existing and future recreational interests in Montana’s wilderness study areas. It is my sincere hope the Agency will utilize their established flexibility to maintain access for different recreational opportunities.

Sincerely,



STEVE DAINES

United States Senator