



December 17, 2004

## **Part Two of IMBA and NEMBA's Comments on the White Mountain National Forest Draft Management Plan and Draft EIS**

The International Mountain Bicycling Association (IMBA) and the New England Mountain Bike Association (NEMBA) respectfully submit Part Two of our comments on the White Mountain National Forest Draft Management Plan and Draft EIS. Part Two of our joint comments will focus specifically on the Wilderness Alternatives within the proposed WMNF Management Plan.

### **Summary of Part One of IMBA and NEMBA's Comments regarding Travel Management**

Part One of IMBA and NEMBA's comments, submitted on October 25<sup>th</sup>, focused on the Travel Management aspect of the proposed plan. At the root of these comments is the belief that mountain bicycling should be treated on par with other forms of passive recreation, such as hiking. Existing science shows that the physical impacts of cycling are similar to that of hiking, and thus, the same management principles should be applied for both types of recreation.

We urge the Forest Service to review our October 25<sup>th</sup> comments (a copy is attached), however, they can be summarized as follows:

(1) Rule S-2 should not be based upon a "closed unless posted open" policy. Closed unless posted open policies unfairly limit mountain bicycling on potentially hundreds of miles of existing trails and old logging roads that are currently in use by all passive recreationists. Having different rules for system trails and non-system travelways would lead to confusion and numerous management challenges. We urge the Forest Service to replace the language of Rule S-2 so that it encompasses all passive recreational users and not just mountain bicyclists:

"Where necessary or seasonally appropriate, all travel will be restricted to travel corridors or system trails, and cross-country travel will be prohibited for all users, except authorized administrative or scientific purposes."

(2) Rule S-3 should also be based on all travel corridors being open unless posted closed. We argue that the Forest Service use either of the following statements in place of the proposed S-3:

"Except for areas and routes closed to public travel by official order, non-system travel corridors will be open unless closed to hiking, equestrian, and mountain bike use."

"District Rangers may close areas and routes to public travel to protect significant biological or cultural resources."

### **Introduction to IMBA and NEMBA's Comments Regarding the WMNF Proposed Wilderness Alternatives**

Mountain bicyclists are caught in a philosophical conundrum with regards to Wilderness designations. The vast majority of mountain bicyclists are strong advocates of resource and open space protection, and both IMBA and NEMBA have a solid history of environmental and open space protection. However, under the Forest Service's current interpretation of the 1964 Wilderness Act, bicyclists are banned from recreating in Wilderness areas.

We do not agree with this agency interpretation and believe that Congress' legislative history during the formulation of the Wilderness Act did not intend for "mechanized transport" to include bicycles. We agree with the position argued in the Penn State Environmental Law Review by Theodore Stroll, in his article "Congress' Intent in Banning Mechanical Transport in the Wilderness Act of 1964."

Stroll argues that the Forest Service's 1966 regulation implementing the 1964 Wilderness Act permitted human-powered transport, including mountain bicycles, but that in 1977 and especially in 1984 the regulation was re-interpreted to exclude mountain biking. The 1966 Forest Service regulation is as follows:<sup>1</sup>

"...there shall be in National Forest Wilderness ... no use of motor vehicles, motorized equipment, motorboats, or other forms of mechanical transport .... (a) *Mechanical transport*, as herein used, shall include any contrivance which travels over ground, snow, or water on wheels, tracks, skids, or by floatation and is propelled by a nonliving power source contained or carried on or within the device."

Stroll concludes that the 1977 and 1984 interpretation went against Congress' original intent when formulation the Wilderness Act:<sup>2</sup>

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<sup>1</sup> Theodore Stroll, "Congress' Intent in Banning Mechanical Transport in the Wilderness Act of 1964." Penn State Environmental Law Review, Volume 12, Autumn 2004, Number 3: 464

<sup>2</sup> IBID, 482.

The Forest Service, National Park Service, and the Bureau of Land Management should reexamine the prohibition of bicycles in Wilderness that they have promulgated in federal regulations. The regulations appear to run counter to congressional intent. In promulgating the new regulations to control human-powered travel in Wilderness, the agencies should ensure that they do not prohibit human-powered activities like boating, kayaking, skiing, rock climbing, or mountain climbing.

The ban against mountain bicycling is especially bothersome since it is frequently based upon the false belief that the physical impacts of mountain bikes create lasting and harmful effects on the landscape. Again, existing scientific studies show that the impacts of bicycles are commensurate to those of hiking. Horseback riding, allowed in Wilderness areas, has significantly higher levels of environmental impact.<sup>3</sup>

### **Alternatives and Compromises**

Nonetheless, given the current interpretation banning bicycles from Wilderness, as well as IMBA and NEMBA's strong desire to protect wild natural areas, we seek to find compromise and we support protection of all inventoried roadless areas. We believe that many areas can be protected using other designations such as improved National Conservation Areas, National Scenic Areas and Protection Areas.

In the WMNF Plan Revision, we would support the "Management Area 6.2 Semi-Primitive Non-Motorized Recreation" prescription for areas that are currently proposed as Wilderness in Alternative Three. Furthermore, we would prefer a prescription similar to what the "12 Remote Backcountry Areas" originally proposed for the southern Appalachian national forests and partially implemented in the plan revision for the Chattahoochie National Forest in Georgia (See attached, Appendix 1). We encourage the Forest Service to adopt prescriptions such as Remote Backcountry in order to preserve roadless areas while allowing for non-motorized, primitive recreation.

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<sup>3</sup> Cessford, Gordon R., Off-Road Impacts of Mountain Bikes: A Review and Discussion. Science & Research Series. (1995), NO. 92.

Thurston, Eden and Reader, Richard J., "Impacts of Experimentally Applied Mountain Biking and Hiking on Vegetation and Soil of a Deciduous Forest," *Environmental Management*, (2001), 27(3):397-409.

Wilson, John P. and Seney, Joseph P., "Erosional Impacts of Hikers, Horses, Motorcycles and Off-Road Bicycles on Mountain Trails in Montana," *Mountain Research and Development*, (1994), 47(1):77-88.

Weesner, Meg, in Cactus Forest Trail Environmental Assessment, Saguaro National Park, Arizona, National Park Service 2003

Sprung, Gary, "Natural Resource Impacts of Mountain Bicycling," IMBA, 2004.

Furthermore, the Forest Service should make formal recommendations to Congress not only for new Wilderness, but also for more diverse designations such as National Protection Areas and National Conservation Areas.

### **A Note on the Maps**

IMBA and NEMBA commend the USFS on the written materials provided, but respectfully comment that the maps used to convey the proposed Wilderness boundaries are inadequate to fully identify the extent of impacts to trails. The scale is such that the geographic positions of the boundaries are quite difficult to determine. We have done the best we can to make comments, given the maps available. In certain cases, we have commented on trails that may not be impacted by the Wilderness recommendations, but since they have been mentioned at one time or another by Wilderness advocates and they are of such importance, we mention them in case they are considered for the final plan.

### **Wilderness Comments on Wild River Area**

The area of most concern to mountain bicyclists in the Draft Management Plan and Draft EIS is the Wild River Area, as every alternative directly impacts trails that are enjoyed by cyclists. Fortunately, we have been in discussions with the Wilderness Society and the Friends of Wild River and we believe much of the impact can be mitigated by boundary adjustments.

IMBA and NEMBA agree that the Wild River area is a remote area appropriate for quiet, non-motorized recreation, and we support designating the entire Wild River watershed as "Management Area 6.2 Semi-Primitive Non-Motorized Recreation," or a Remote Backcountry Area prescription similar to the Chattahoochie. Such designation protects the watershed while still allowing human-powered transportation such as mountain bicycles.

Should a Wilderness designation be placed on the Wild River area as proposed, IMBA/NEMBA believe two boundary adjustments must be made. First, a small adjustment must be made in a few places to avoid the Highwater trail that parallels the road. Second, a non-motorized "cherry stem" must be put into place such that the Highwater Trail and Wild River Trail to Spider Bridge are excluded from the Wilderness area. This exclusion would maintain access to this popular cycling loop without diminishing the area of Wilderness. Extending southwest from the Wild River campground, the Wild River trail is a former logging railroad bed. It offers excellent beginner-level bicycling terrain and is appropriate for families with young children who may be staying at the campground.

Creating a "non-motorized cherry stem" to protect access for human-powered users is qualitatively distinct from the more common form of boundary adjustments for motorized use. Non-motorized boundary adjustments leave no lasting impact on the landscape, do not create "roads" that could threaten the integrity of Wilderness areas, and do not require intensive maintenance and management by the Forest Service.

IMBA/NEMBA request an adjustment to the Wild River area to exclude the Basin Trail and eastern Black Angel Trail. Exclusion of these trails from the proposed Wild River Wilderness would provide advanced mountain bikers with continued access to this challenging loop. It would also serve to exclude a popular rock climbing area located on the Basin Trail from potential Wilderness restrictions regarding fixed anchors.

We support inclusion of lands located north of the Highwater Trail as additional Wilderness.

Ideally we would maintain the corridor between the Wild River campground and Jackson – the East Branch and Bog Brook trails. We understand that maintaining this link would break the recommended Wilderness into two pieces. Congress has in the past designated as Wilderness areas with these kinds of non-Wilderness routes through the middle.

### **Wilderness Comments on the Sandwich Range Wilderness Areas**

The Sandwich Range is a popular destination for cyclists, particularly as it surrounds the Waterville Valley resort area. IMBA and NEMBA are pleased that Alternative Two appears to not significantly impact riding in this popular region. On the other hand, Alternative Three would impact riding, and Wilderness advocates have proposed further Wilderness areas that would significantly affect popular mountain biking trails. As such, we will highlight trails of critical importance in case any of them are considered for the final plan.

We have been working with the Wilderness Society and the Friends of Sandwich Range to identify these important trails for mountain biking. Based on these discussions, we feel that a compromise can easily be reached with boundary adjustments and possibly use of alternative designations. However, such negotiations would most likely occur in processes after the formulation of this forest plan.

Trails that are of great importance to cyclists include the Smart's Brook, Greeley Ponds, and East Pond and Livermore trails.

### **Other Proposed Wilderness Areas**

Alternative Three also includes other proposed Wilderness areas, including the Dartmouth and Kilkenny Ridge areas, and a Pemigewasset Wilderness expansion. We support protecting those areas with a "Management Area 6.2 Semi-Primitive Non-Motorized Recreation," or Remote Backcountry Area prescription.

## Conclusions

IMBA and NEMBA can support some Wilderness recommendations and much more use of administrative prescriptions to protect the remaining roadless areas of the White Mountains National Forest. But none of the alternatives in the draft plan adequately represents our viewpoint and goals. The Forest Plan should protect all roadless areas through administrative prescriptions, and it should carefully draw boundaries of recommended Wilderness to avoid routes that are important to bicycling.

Thank you for allowing IMBA and NEMBA to comment upon this proposal, and we look forward to continuing to partner with the Forest Service in the future for the benefit of the White Mountain National Forest.

Sincerely,



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IMBA National Policy Advisor



Philip Keyes  
Executive Director, NEMBA



Mark Jenks  
IMBA New Hampshire State Representative

## **APPENDIX 1: "12. REMOTE BACKCOUNTRY AREAS" for the Chattahoochie National Forest in the Southern Appalachians of Georgia**

### **12.A. REMOTE BACKCOUNTRY RECREATION--FEW OPEN ROADS**

**Emphasis:** These lands are managed to provide users with a degree of solitude and a semi-primitive experience in large remote areas that still allow the use of motorized vehicles on four-wheel drive roads. Areas will be 2500 acres or greater in size unless adjacent to a prescription that also provides a semi-primitive experience (1A, 1B, 4A, 6A, 12B, 12C, etc.).

**Desired Condition:** These areas will provide large tracts of backcountry recreation opportunities with a non-motorized emphasis that allows some vehicular access. Human activities may be evident in some places. Visitors will occasionally see other people especially near the few open roads in these areas. A non-motorized trail system will provide the predominant means of access and trails will be improved or developed. Closed roads will be available for non-motorized uses. Outdoor skills will be important for visitors in the more remote portions of these areas. Hiking, horseback riding, mountain biking, backpacking, dispersed camping, hunting, and fishing are typical activities available in this area. If the allocated area has some existing, designated trails with established ATV uses, the Management Area direction could specifically allow for this use.

The landscape will appear to be primarily shaped by ecological processes, rather than management activities and the landscape character will be natural-appearing. Openings in the forest canopy created by vegetation management would be for the purposes of habitat needs or ecological benefits, however they will not be readily evident. The areas will be unsuitable for timber production. Disturbances would be primarily caused by natural process (floods, storms, insects and diseases, and fires). Occasionally, some vegetation manipulation and open forest canopies would be present due to threatened, endangered, sensitive and locally rare species habitat improvements; forest health considerations to restore native vegetative communities; and restoration of riparian ecosystems.

*Where canebrakes or wiregrass communities exist or were known to occur historically, prescribed fire will be an essential component of maintaining these*

*habitats within the riparian ecosystem. Existing resource improvements in riparian ecosystems are allowed to continue but are seldom expanded.*

The habitat associates emphasized within this allocation are area sensitive mid- to late-successional deciduous forest associates (only in the large patches for coastal plains, piedmont, ridge/valley); mid- to late-successional deciduous forest associates; bottomland hardwood associates; and basic and mixed mesic forest associates. (See tables xx for list of species included in each association and those selected as MIS). In addition, the distribution of these areas will provide optimal denning sites and remote habitat conditions for black bear within its range. The protection of rare communities and species associates will be provided, along with protection measures for population occurrences for threatened, endangered, sensitive and locally rare species. This will provide a high likelihood that species within these associations will continue to persist on National Forest System lands. Aquatic habitats and associated species within or downstream of these areas will be maintained or improved because of the undisturbed terrestrial and riparian forest, resulting in high water quality conditions.

#### **Standards and Guidelines:**

Lands: See Forest-wide Standards and Guidelines, some acquisition priorities may vary by Management Area.

Special Uses: See Forest-wide Standards and Guidelines.

Federal Minerals: Using lease terms for environmental protection, Federal mineral leases would be allowed. Mineral material authorizations would be allowed.

Mineral and Fossil Collecting: See Forest-wide Standards and Guidelines.

Private Mineral Rights: See Forest-wide Standards and Guidelines.

Forest Health: Stands may be actively managed to reduce the risks and hazards of damage from native and exotic pests, while still meeting a high level of scenic integrity. Aggressive tactics should particularly be considered for areas within one and one-half times the tree height of trails. Indigenous forest pests are kept within acceptable levels through Integrated Pest Management Techniques. Forest pests not native to the area are minimized through judicious use of biological controls, silvicultural practices, and timely salvage of damaged trees. Actions need to be consistent with FS Policy, the Vegetation Management EIS, the Gypsy Moth EIS, and the Southern Pine Beetle (SPB) EIS.

Streamside Zones: Any limitations on activities within these areas will be defined in the Forest-wide Standards and Guidelines.

Fire: See FS Policy, Veg. Mgt. EIS; Direction may vary some by Management Area.

Old Growth Patches: In the Forest Plan, direction will be needed that addresses how stands containing existing old growth characteristics will be managed, and the distribution parameters for allocating small patches of old growth.

Recreation: Manage for Semi-Primitive Motorized Setting Conditions. Emphasize non-motorized recreation opportunities but allow public vehicular access on a few roads. Provide a non-motorized trail system that utilizes old roads as well as new trails where possible to create a desired trail system. Plan trail systems to reduce social encounters and provide opportunities for solitude. Maintain trails to maintenance levels 1-3. Emphasize Leave-No-Trace principles.

Scenery Management: Manage area to emphasize scenic quality in all activities. The Landscape Character is Natural Appearing. The Scenic Integrity Level is High.

Road Management: Manage all roads as closed to public vehicular access except selected routes and maintain an open road density of less than .8 miles per 1000 acres. Allow forest development roads not needed for resource activities to revegetate naturally unless reconditioned for use as trail routes. Maintain roads used for project activities such as creating or maintaining wildlife openings at maintenance level 2.

OHVs: Street-legal vehicles allowed on open four-wheel drive roads. Management Area direction could allow ATV use on designated trails.

*Riparian: No new wildlife openings would be allowed in riparian ecosystems as well as no new roads, except at stream crossings. Compaction from human activity does not impair soil productivity or fertility. Existing roads and trails would be maintained to minimize impacts. Existing roads and trails in riparian ecosystems will be closed if they cannot be maintained to meet water quality standards.*

## **12.B. REMOTE BACKCOUNTRY RECREATION - NON-MOTORIZED**

**Emphasis:** Provide recreation opportunities in large remote areas where users can obtain a degree of solitude and the environment can be maintained in a near-natural state. There will be little evidence of humans or human activities other than recreation use and non-motorized trails. These areas are generally 2500 acres or larger (unless adjacent to a prescription that also provides a semi-

primitive experience such as 1A, 1B, 4A, 6A, 12C, etc.) and will be managed for Semi-Primitive Non-Motorized setting conditions.

**Desired Condition:** The landscape character will be naturally appearing. These areas will provide large tracts of backcountry recreation opportunities where human activities are subordinate to the landscape. Visitors will see little evidence of humans or human activities other than backcountry recreation use. Access will be provided on a non-motorized trail system and use will be well-dispersed. Development of hiking trail systems will be emphasized. Outdoor skills and self-reliance will be important for visitors because of the remoteness of these areas. Hiking, nature study, backpacking, orienteering, hunting, and fishing will be typical activities available in a setting where freedom from the sights and sounds of modern civilization is important.

The landscape will appear to be primarily shaped by ecological processes, rather than management activities. This area would be considered as unsuitable for timber production. Non-motorized recreation opportunities will be provided through a well-designed trail system. Wildlife that benefits from old trees and greatly reduced disturbance from humans and motorized vehicles are favored on these lands. Disturbances would be primarily caused by natural process (floods, storms, insects and diseases, and fires). Occasionally, some vegetation manipulation and open forest canopies would be present due to threatened, endangered, sensitive, or locally rare species habitat improvements, forest health considerations to restore native vegetative communities, and restoration of riparian ecosystems.

*Where canebrakes or wiregrass communities exist or were known to occur historically, prescribed fire will be an essential component of maintaining these habitats within the riparian ecosystem. Existing resource improvements in riparian ecosystems are allowed to continue but are seldom expanded.*

The habitat associates emphasized within this allocation are area sensitive mid- to late-successional deciduous forest associates (only in the large patches for coastal plains, piedmont, ridge/valley); mid- to late-successional deciduous forest associates; bottomland hardwood associates; and basic and mixed mesic forest associates (See tables xx for list of species included in each association and those selected as MIS). In addition, the distribution of these areas will provide optimal denning sites and remote habitat conditions for black bear within its range. The protection of rare communities and species associates will be provided, along with protection measures for population occurrences for threatened, endangered, sensitive and locally rare species. This will provide a

high likelihood that species within these associations will continue to persist on National Forest System lands. Aquatic habitats and associated species within or downstream of these areas will be maintained or improved because of the undisturbed terrestrial and riparian forest, resulting in high water quality conditions.

### **Standards and Guidelines:**

Recreation: Manage for SPNM Setting conditions. No public vehicular access. Emphasize low-impact non-motorized recreation opportunities. Provide a non-motorized trail system that accommodates as well as disperses use and provides opportunities for solitude. Maintain trails to maintenance levels 1-3. Emphasize Leave-No-Trace Principles.

Scenery Management: Manage area to emphasize scenic quality in all activities and maintain a near-natural appearing setting. The Landscape Character is Natural Appearing. The Scenic Integrity Level is High.

Lands: See Forest-wide Standards and Guidelines, some acquisition priorities may vary by Management Area. Acquisition that eliminates gaps in ownership is favored.

Special Uses: No new utility corridors or communication/electronic sites will be authorized within these areas. Other special uses are authorized if consistent and compatible with the goals and objectives of these areas.

Federal Minerals: Using No Surface Occupancy or Controlled Surface Use stipulations or lease terms for environmental protection, Federal mineral leases would be allowed. Mineral material authorizations to administer the area would be allowed.

Mineral and Fossil Collecting: See Forest-wide Standards and Guidelines.

Private Mineral Rights: See Forest-wide Standards and Guidelines.

Forest Health: Insect and disease outbreaks may be controlled when necessary to protect the values for which the area was established, reduce hazards to visitors, or for safety and legal reasons. When actions are needed, biological controls, hand control methods, and pesticides should be the methods first considered. Eradication of recently established exotic pests may be considered. Control of established exotic pests through the release of natural enemies may also be considered. Actions will need to be consistent with FS Policy, the Vegetation Management EIS, the Gypsy Moth EIS, and the Southern Pine Beetle (SPB) EIS.

Streamside Zones: Any limitations on activities within these areas will be defined in the Forest-wide Standards and Guidelines.

Road Management: No new roads. Existing roads will be closed and decommissioned where possible.

Fire: See FS Policy, Veg. Mgt. EIS; Direction may vary some by Management Area.

Riparian: *No new wildlife openings would be allowed in riparian ecosystems as well as no new roads. Compaction from human activity does not impair soil productivity or fertility. Existing roads and trails would be maintained to minimize impacts. Existing roads and trails in riparian ecosystems will be closed if they cannot be maintained to meet water quality standards.*

OHVs: Closed to OHV use.

## **12.C. NATURAL PROCESSES IN BACKCOUNTRY REMOTE AREAS**

**Emphasis**: Provide large remote areas (2,500 acres or larger unless adjacent to prescriptions that also provide a semi-primitive non-motorized experience such as 1A,1B,4A,6A,12B, etc.) of unfragmented late-successional forest cover; to maintain and/or restore the integrity of upland headwaters; to provide large-sized old-growth units; to provide optimal habitat for plant, animal, and bird species associated with late-successional, interior forest and high elevation forest conditions; to provide biological reserves of native genetic materials; and to accommodate backcountry recreation use in a large remote setting.

**Desired Condition**: The landscape character achieves a goal of naturally evolving. The recreation setting will be semi-primitive non-motorized. These areas will provide tracts of backcountry recreation opportunities where human activities are subordinate to the landscape. Visitors will see little evidence of humans or human activities other than backcountry recreation use. Outdoor skills and self-reliance will be important for visitors because of the remoteness of these areas. The area will have no open roads. There will be no new system roads or temporary roads. Old roads or logging trails may be maintained as trails. The trail system provides for a variety of primitive, dispersed recreation experiences and difficulty levels, with opportunities for hiking, horseback riding, mountain biking, hunting, fishing, and camping. New trails are provided when necessary to optimize locations, correct resource damage, reduce user interaction, or improve user access to the variety of features in the forest. Trails and camping sites are systematically maintained to correct or prevent resource damage.

The forest ecosystem generally evolves as a result of natural processes. The forest structure is complex, containing multiple canopies with a range of sizes and species of trees, as well as snags, downed logs, and shrubs and non-woody vegetation growing on the forest floor.

Wildlife preferring unfragmented mature forest vegetation predominate. Habitat is provided for threatened, endangered, sensitive, locally rare species. Habitat conditions are optimal for interior forest dwelling species. The habitat associates emphasized within this allocation are mid- to late-successional deciduous forest associates and basic and mixed mesic forest associates (see tables xx for list of species included in each association and those selected as MIS). In addition, the distribution of these areas will provide optimal denning sites and remote habitat conditions for black bear within its range. The protection of rare communities and species associates will be provided, along with the protection measures for population occurrences for threatened, endangered, sensitive and locally rare species. This will provide a high likelihood that species within these associations will continue to persist on National Forest System lands. Aquatic habitats and associated species within or downstream of these areas will be maintained or improved because of the undisturbed terrestrial and riparian forest, resulting in high water quality conditions. Watershed improvement projects may be needed to improve and correct degraded systems.

*Riparian ecosystems will remain essentially unchanged, modified only by natural processes. Management actions in riparian ecosystems will occur only where required by law or to protect human health and safety. Existing resource improvements in riparian ecosystems (e.g., wildlife openings and dispersed recreation sites) are decommissioned and restored to natural conditions.*

Prescribed fires of various intensities may be used to maintain or restore habitat for wildlife and fire dependent species. Existing old growth stands are identified and managed to retain their old growth characteristics while other portions of the area gradually attain the characteristics through time.

This area would be considered as unsuitable for timber production. Exotic pest outbreaks may be suppressed, but generally, forest insect and disease outbreaks are uncontrolled except when threatened, endangered, sensitive or locally rare species and their habitats may be adversely effected.

## **Standards and Guidelines:**

Lands: See Forest-wide Standards and Guidelines, some acquisition priorities may vary by Management Area.

Special Uses: No new utility corridors or communication/electronic sites will be authorized within these areas. Other special uses are authorized if consistent and compatible with the goals and objectives of these areas.

Federal Minerals: Using No Surface Occupancy or Controlled Surface Use stipulations or lease terms for environmental protection, Federal mineral leases would be allowed. Mineral material authorizations to administer the area would be allowed.

Mineral and Fossil Collecting: See Forest-wide Standards and Guidelines.

Private Mineral Rights: See Forest-wide Standards and Guidelines.

Forest Health: Insect and disease outbreaks may be controlled when necessary to protect the values for which the area was established, reduce hazards to visitors, or for safety and legal reasons. When actions are needed, biological controls, hand control methods, and pesticides should be the methods first considered. Eradication of recently established exotic pests may be considered. Control of established exotic pests through the release of natural enemies may also be considered. Actions will need to be consistent with FS Policy, the Vegetation Management EIS, the Gypsy Moth EIS, and the Southern Pine Beetle (SPB) EIS.

Streamside Zones: Any limitations on activities within these areas will be defined in the Forest-wide Standards and Guidelines.

Fire: See FS Policy, Veg. Mgt. EIS; Direction may vary some by Management Area.

Recreation: Manage for SPNM Setting conditions. No public vehicular access. Emphasize low-impact non-motorized recreation opportunities. Provide a non-motorized trail system that disperses use and provides opportunities for solitude. Maintain trails to maintenance levels 1-3. Emphasize Leave-No-Trace Principles.

Scenery Management : Manage to emphasize natural processes. The Landscape Character is Naturally Evolving. The Scenic Integrity Level is Very High.

Road Management: No new roads. Close existing roads and allow forest development roads not reconditioned as trails to revegetate naturally.

OHVs: Closed to OHV use.

Riparian: *No new wildlife openings would be allowed in riparian ecosystems as well as no new roads. Compaction from human activity does not impair soil*

*productivity or fertility. Existing roads and trails would be maintained to minimize impacts. Existing roads and trails in riparian ecosystems will be closed if they cannot be maintained to meet water quality standards.*



Oct. 25, 2004

## **IMBA & NEMBA Position On White Mountain National Forest Draft Plan Regarding Bicycling Travel Management**

The International Mountain Bicycling Association (IMBA) and the New England Mountain Bike Association (NEMBA) submit the following comments on the White Mountain National Forest Draft Management Plan and Draft EIS. These comments focus on the plan's proposed general travel management provisions for bicycling. We will submit separate comments on the Plan's Wilderness recommendations later in the comment period.

IMBA is a national and international education and advocacy organization with 450 member clubs, 32,000 individual members, and more than 400 corporate partners and dealer members. IMBA creates, enhances, and preserves trail opportunities for mountain bikers worldwide.

The New England Mountain Bike Association (NEMBA) represents the interests of its 4,500 members and the over two million mountain bicyclists in New Hampshire, Maine, Vermont, Massachusetts, Rhode Island and Connecticut. Our organization focuses on promoting responsible and sustainable mountain bicycling, preserving the natural environment and protecting recreational resources

Based on a recent Outdoor Industry Association study, 45 million Americans rode bicycles on narrow trails ("singletrack") an average of 14 times in 2003, for a total of over 500,000 outings. This makes mountain biking the second largest trail user group in the country. We appreciate the agency's willingness to cooperate with our organizations.

### **COMMENT ON PROPOSED RULES AND DEFINITIONS**

IMBA and NEMBA recognize that the Forest Service has taken a positive approach to bicycling in the White Mountain National Forest. We particularly appreciate that the new Draft Land and Resource Management Plan refers to bicycling as "mountain biking," rather than "mechanized" travel. (We disapprove of the growing trend to call bicycling "mechanized," because the term's definition is unclear in the Code of Federal Regulations.<sup>4</sup>)

The Draft Plan and EIS for the White Mountain National Forest includes three proposed forest-wide management direction rules that will regulate mountain biking (Plan; p. 2-23). IMBA and NEMBA

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<sup>4</sup> The Forest Service's definition of "mechanical transport" in the Code of Federal Regulations refers to "any contrivance...propelled by a non-living power source." 36CFR-293.6a

partially support these proposed rules, but suggest improvements. Our comments derive from the following interests:

- Protecting natural resources
- Providing adequate recreational opportunities for non-motorized trail users
- Applying rules equitably for user groups with comparable impacts
- Maintaining district rangers' ability to adaptively manage resources case-by-case based on actual conditions

## **Rule S-1**

In the Draft Plan, Rule S-1 states:

Except for designated Wilderness and the Appalachian Trail corridor, which are closed, Forest development trails will be open unless closed to mountain bike use.

IMBA and NEMBA support proposed rule S-1.

## **Rule S-2**

In the Draft Plan, Rule S-2 states:

Cross-country mountain bike travel outside the open system of Forest trails and open travel corridors is prohibited.

Proposed Rule S-2 suffers from problems of definition. First, the Glossary for the DEIS does not define “cross-country travel.” Its common use is to mean travel that involves stepping on or rolling over vegetation, or passing over un-trodden soil, as opposed to staying on a linear path where vegetation is already denuded and soil is already changed from previous travel. “Bushwhacking” is probably a synonym.<sup>5</sup>

The Glossary also does not define “trail.” While there is an official system of forest trails, there is also vagueness about the word in our language. In its most vague and broad application, a trail is any linear patch where vegetation is already denuded and soil is already changed from previous travel. Another confusing application refers to four-wheel-drive roads as trails. The Forest Service itself redefined “trail” when in the 1990s it eliminated its regulation prohibiting all terrain vehicles on trails. In some forests the agency now allows motorized vehicles up to 50 inches wide to travel on most non-Wilderness trails. Perhaps “cross-country travel” and “trail” have opposite meanings.

The Glossary defines travel corridors as:

Discernable routes not likely to recover naturally within one year. Does not include Forest System Trails, incidental trails, or classified Forest System roads. Examples include timber skid routes and abandoned roads.

The term “travel corridor” seems to represent a point somewhere in the middle of this spectrum of definitions. But the “travel corridors” definition includes ways as wide as roads or as erosional as timber skid routes. The Draft Plan would close many of them to bicycling. Why? Does the Forest Service intend to ban bicycling on abandoned roads?

The “one year recovery” aspect of the “travel corridor” definition is problematic. What makes one year the standard? Some game trails persist for decades or generations. Why is a time factor involved at all? Would the Forest need to have ecologists evaluate the term and degree of “recovery”?

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<sup>5</sup> (Please note that many bicyclists refer to general mountain biking as “cross country” riding, as opposed to “downhilling” or “free-riding.” That meaning is obviously not intended here.)

IMBA and NEMBA support a change of the definition of “travel corridors” to mean the basic minimum of what a trail is. “Travel corridors” should be that most vague and broad meaning of the word “trail.” We suggest the following revised definition for “travel corridors”:

Any path, corridor, or route where vegetation is mostly denuded, or soils are altered by previous travel, or the corridor is otherwise clearly demarcated; and which facilitates further travel on that route.

In this context, a “travel corridor” is what users should stay on, as opposed to going “cross-country.” The Forest Service should encourage bicyclists, hikers, and equestrians to stay on trails and travel corridors.

All users cause impacts when they travel cross-country over vegetation. IMBA and NEMBA do not support the trampling of vegetation by bicyclists or any other users.

Is vegetation trampling occurring so much that the agency should prohibit all cross-country travel? Our answer is “no” when talking about the White Mountain National Forest as a whole, but we would support local prohibitions of cross-country travel in areas of high ecological sensitivity, provided that the prohibition applies across the spectrum of users.

Hence, IMBA and NEMBA support a redefinition of “travel corridor” as stated above, combined with a change of Rule S-2 to state:

Where necessary or seasonally appropriate, all travel will be restricted to travel corridors or system trails, and cross-country travel will be prohibited for all users, except authorized administrative or scientific purposes.

Please note that bicyclists are not likely to cause much of a problem with regard to vegetation trampling through cross-country travel. It is extremely difficult to bike off of established routes in the thick forests and rugged terrain of White Mountain National Forest.

### **Rule S-3**

In the Draft Plan, Rule S-3 states:

Mountain biking will not be allowed on travel corridors unless open to that use.

IMBA and NEMBA recommend changing this proposed rule because it is unfairly applied only to bicyclists, unnecessarily restrictive, difficult for trail users to understand, difficult to enforce without significant additional resources, and does not adequately address the related issue of unplanned new routes that the Forest Service is probably concerned about.

Rule S-3 as drafted is unfair and discriminatory to bicycling because it applies only to bicyclists and not also to hikers and equestrians. The body of empirical science that has investigated mountain biking has strongly indicated that bicycling causes about the same amount of damage to trails, about the same amount of vegetative trampling, and about the same amount of wildlife impacts as hiking.<sup>6</sup> Horses probably do more damage to trails than bicycling. Hikers are more numerous than cyclists and have a strong tendency to travel cross-country. If bicycling and hiking have the same natural resource impacts, and the Forest Service allows hikers to travel anywhere in the forest, then why is the agency proposing significant restrictions to bicycling?

Another way of putting that question is, “Since pedestrian travel often results in the creation of unplanned, unauthorized new routes, why is the Forest Service not restricting hikers from traveling off official, system trails?” This is especially pertinent given that the Draft EIS states, “The disturbance to wildlife associated

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<sup>6</sup> See, Sprung, Gary, “Natural Resource Impacts of Mountain Biking,” International Mountain Bicycling Association website, [http://www.imba.com/resources/science/impact\\_summary.html](http://www.imba.com/resources/science/impact_summary.html)

with hiking trails may be more than that from use of roads or motorized trails (Vaske et al., 1983; Jordan, 2000).” Hiking causes impacts to trails, vegetation, and wildlife, yet it is almost completely unregulated by the USDA Forest Service and other agencies.

We believe this rule could cut legal bicycling mileage on the White Mountain National Forest in half.

Many, perhaps most, of the trails on the White Mountain National Forest were created originally through timber harvest and unplanned travel by hikers and equestrians over the past 300 years of human occupancy of New Hampshire. Because of this origin, and because the sciences of ecology and soil science have guided trail development for only a few decades, many of those trails ascend too steeply, have inadequate water control, or enter ecologically sensitive areas. On the White Mountain National Forest, there is a major need to reroute many of the existing trails, regardless of who uses them.

The process of human travel creating new, unauthorized, unplanned trails probably must end. There are now so many people enjoying outdoor recreation – especially near the U.S. eastern metropolitan areas -- that trail proliferation is becoming an important management issue. But the proposed Rule S-3 addresses only a portion of the people who are causing the problem and addresses it indirectly. It would be difficult to enforce.

Some mountain bikers, like many hikers and equestrians, have an adventurous spirit and enjoy traveling “off the beaten path.” This is a natural instinct for humans and the Forest Service should recognize it as a good value. For this reason, abandoned roads and other travel ways are an important part of the recreational experience. They are particularly important to bicyclists in the White Mountain National Forest, because so many of the Forest system trails are too steep and unrideable for bicycles.

The proposed rule does not directly address the problem of unauthorized trails, nor does it provide adequate resources to enforce rules, existing or proposed, relating to unauthorized trails. The most effective way to address the issue of unplanned routes is the existing national regulation prohibiting unauthorized trail building<sup>7</sup> and the proposed rule S-2 regarding off-trail use, modified as described in the previous section. Additionally, IMBA and NEMBA can assist with trail user outreach and education.

IMBA-NEMBA propose the following substitute for Rule S-3:

Except for areas and routes closed to public travel by official order, non-system travel corridors will be open unless closed to hiking, equestrian, and mountain bike use.

Another potential formulation:

District Rangers may close areas and routes to public travel to protect significant biological or cultural resources.

## ***BUILDING RELATIONSHIPS AND MAKING PLANS***

Mountain bicyclists and the USDA Forest Service are benefiting from increasingly positive and productive relationships on national forests nationwide. The Forest Service has generally regarded bicycling and all outdoor recreation as good, but it also sees the need for limits and is addressing that through both regulations and cooperative projects.

IMBA and NEMBA provide highly trained volunteers and crew leaders to assist the Forest Service with needs stemming from the expansion of mountain biking and other recreational trail use. In the last two years, NEMBA has leveraged \$2100 in Recreational Trail Program funding with over 850 hours of

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<sup>7</sup> 36CFR-261.10 Occupancy and use.

The following are prohibited:

(a) Constructing, placing, or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment, or other improvement on National Forest system land or facilities without a special-use authorization, contract, or approved operating plan.

trailwork in the White Mountain National Forest, and we are excited about further opportunities. Through cooperation, bicyclists and the Forest Service can address the real social and ecological problems that are arising through the growth of mountain biking and expansion of all outdoor recreation. There is much potential to expand volunteer trailwork and volunteer ecosystem restoration projects.

IMBA and NEMBA worry that the approach to bicycling expressed in the proposed rules and definitions of the Draft LRMP and DEIS could lead to a general deterioration in land manager-bicyclist relationships. A closed-unless-opened policy can work well only if combined with diligent travel management planning, public outreach, trail user education, and reasonable regulation and enforcement. Without those elements, a closed-unless-opened policy creates confusion, user conflict, and often backlash from the public. These feelings result in unauthorized trail construction, environmental impacts, and erosion of the public-private partnership. That can lead to a decrease in bicycle tourism in the communities surrounding the forest, which would affect the communities' relationships with the Forest Service.

We believe that an area-by-area, site-specific approach will generate the public support that is necessary for effective recreation management.

## **TRAVEL MANAGEMENT PLANNING**

IMBA and NEMBA are willing to work with the Forest Service to delineate the right trails and travel corridors for each area of the White Mountains National Forest. We ask the Forest Service to initiate a series of travel management planning processes for particular sections of the National Forest, starting with the area between North Conway and the Pemigewasset Wilderness. Over the 15-year life of the Land and Resource Management Plan, there hopefully will be enough money and human energy to eventually address all areas of the forest. This formal travel planning process should be incorporated into the Land and Resource Management Plan.

In each planning process, the agency can, with ongoing public participation, thoroughly inventory all travel routes and make decisions about each path. Some should be obliterated. Some should be shared-use trails. Others may occasionally be appropriate for a single type of user. The community of people involved can probably come close to consensus on a reasonable system of trails and rules for each place.

But a needed key to this process is recognition that bicycling is not especially or particularly damaging to natural resources compared to other users. If there is a need to restrict bicycling more than hiking it stems only from social issues. Some hikers wish to have hiking-only areas, and national regulations have prohibited bicycling in designated Wilderness and on the Appalachian NST. With large areas of the White Mountains National Forest already off-limits to bicycling, how many more hiking-only areas are appropriate?

An area-by-area, site-specific approach will generate the public support that is necessary for effective recreation management.

## **SUMMARY**

IMBA and NEMBA request the following.

1. Please change the proposed rules and definitions as specified above.
2. Please initiate public travel management processes for particular areas of the White Mountains National Forest.
3. Please continue to partner with bicyclists and other recreation users to conduct more trailwork and ecosystem restoration and monitoring projects.

Thank you for your consideration of these comments.

Sincerely,

Gary Sprung  
IMBA senior national policy advisor

Philip Keyes  
NEMBA executive director

Mark Jenks  
IMBA New Hampshire state representative