

Committee on Resources

Subcommittee on Forests & Forest Health

Witness Testimony

Testimony of

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Regarding the Forest Service Road Moratorium and Long Term Road Policy

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Chairman Chenoweth and members of the subcommittee, my name is Kelita Svoboda.

I am the Legislative Assistant for the American Motorcyclist Association. On behalf of the AMA and its over 232,000 motorcycle enthusiast members I thank you for the opportunity to be here today, and to provide comments on the Forest Service's road moratorium and long-term road policy.

The AMA is not opposed to the Forest Service taking a close look at roads on our National Forests. With the ever increasing use of forest roads by recreation-related vehicles, it only makes sense to work with the public to develop a long-term strategy for addressing recreation needs. Forest roads need to be built to safety and environmental standards fitting for the estimated 1.7 million recreation-associated vehicles traveling those roads every day.

However, we strongly disagree with the way the Forest Service has approached and implemented the interim road moratorium. We would like to draw your attention to a number of our concerns.

We were extremely disappointed to learn that after a contentious 13 month interim moratorium on road construction and reconstruction, the Forest Service will now begin its *official* moratorium to last an additional 18 months. The AMA finds this even more frustrating given the fact that on February 25, 1998, Forest Service Chief Mike Dombeck admitted to Representative Schaffer in testimony before this subcommittee that the Agency could probably devise a long-term policy without a moratorium. This action begs the question: Why would an agency that readily admits it doesn't need to displace the public for any amount of time, devise a strategy that would do just that for a minimum of two and a half years?

We continue to be concerned with the methods by which the Forest Service collected data from the public and the continued use of ill-defined terms by the Agency.

Open-houses sponsored by the Forest Service last year seeking friendly input from the public were anything

but friendly to the public. More likely than not an attendee to one of these open houses found a video tape playing on a television extolling the virtues of the Forest Service's plan.

Furthermore, if an attendee were inclined to offer comment they would be directed either to where they could submit a written statement or worse yet, find a tape-recorder to speak into hoping that their comments would be heard by someone, anyone, in the future. If they were fortunate enough to find a Forest Service representative, they were often met with a general disinterest in what they had to say. Our Federal agencies should do a much better job in collecting public opinion.

We have serious concerns over the Forest Service's ability to obtain comment without being able or willing to clearly define critical terms consistently. For example, depending upon one's perspective and experience, the terms road, roadless, unroaded, ghost road, vehicle, highway use, decommission, and upgrade, can mean any number of different things. It seems impossible to receive credible and comparable comments when the Forest Service has not provided the public with a precise definition of the proposal's terms.

It is exactly this type of confusion that prevents the public from engaging in a coherent dialogue with the Forest Service about the road moratorium.

While we appreciate the efforts of Forest Service staff to include a new paragraph in the final rule, which attempted to define a road, it fell far short of its intention to fully clarify the interim rule.

Under the Forest Service definition, "unroaded" areas can contain unclassified roads -- routes that are more than 50 inches wide and not intended for long-term highway use. The definition of "unroaded" areas also fits many all-terrain vehicle (ATV) trails and connector trails used by off-highway motorcyclists. Many off-highway vehicle (OHV) trails are over 50 inches wide because the mini-dozer blade that is used to construct the trails are 50 inches wide. Even with these definitions, the final rule is still unclear as to whether the moratorium applies to roads that are constructed or maintained as designated, recreational trails, but are not part of the Transportation System.

I assure you that any trail is likely to be over 50 inches wide at some point along the course of the trail. As currently worded, the term "unroaded" could thus encompass all recreational trails as roads, dependent upon interpretation by Forest Service personnel. These "roads" could then be decommissioned and made unavailable to the public forever.

For the reasons I have outlined, the Forest Service should alter its "50 inch" definition of a "road" to simply apply to *vehicles* over 50 inches wide, not vehicle travel ways. This would reduce confusion and make it clear that designated recreational trails are to be excluded from the road moratorium.

While we were told that the moratorium will not directly affect any single-track motorcycle trails, we remain concerned that the closures could block access to the connector trails that lead to these single-track trails, effectively closing them as well. As currently worded, it appears that the moratorium is aimed at reducing access to an entire class of trails with the intention of eventually closing them permanently.

Indeed, as the Federal Register notice of the final interim rule on February 12, 1999 states, "...construction and reconstruction of unclassified roads in certain unroaded areas will be suspended as described in paragraph (b) of the final interim rule." (Federal Register, Vol. 64, Number 29, 36 CFR Part 212, p. 7297).

In addition to motorcycles, AMA's members enjoy other off-highway vehicles such as ATV's, snowmobiles,

and 4 x 4's. Our members have established themselves within the outdoor recreation community as a responsible and environmentally friendly user group. They provide the Forest Service and other land management agencies with extensive volunteer hours for trail maintenance, graffiti removal from shared public facilities, and to ensure that all motorized recreationists obey trail rules.

We have worked with Forest Service staff for decades on developing environmentally responsible motorized trail management. However, we have recently had a difficult time defending that relationship to our members. They are extremely upset and disappointed with the way the Forest Service has gathered public input and even more so over the official moratorium.

The Forest Service is currently developing a long-term road policy. We are hopeful that the Agency has learned from the mistrust it created with the interim moratorium and will work with user groups to form clear definitions for all terms in order to provide a credible basis for collecting public comments.

Any long-term strategy needs to avoid placing priority upon the "aggressive decommissioning" of roads. Not only should these decisions be made at the local level with public involvement, but the priority should be on turning "roads" into trails, which are already in high demand by the public. The Forest Service should also define the terms "aggressive" and "decommission," because they mean different things to different users. Moreover, the Forest Service should pay closer attention to how much environmental degradation could occur if they remove an entire road, versus allowing it to become part of the landscape again through partial removal or simply letting nature run its course.

Additionally, the Forest Service needs to provide an improved forum for soliciting public input. A true "town hall" style meeting, would provide the public an opportunity to have discussions with Forest Service personnel and other members of the community. This type of meeting would be more beneficial than "open houses," and therefore gain greater public support.

Overall, it is incumbent upon the Forest Service to provide the same, accurate information to all of the Forest supervisors, district rangers, and those who have contact with the public to ensure that consistent policies, procedures and definitions are being circulated in regard to the road moratorium.

Thank you again for the opportunity to provide these comments. It has been a privilege to be here today, and I would be happy to answer any questions you might have.

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