



May 26, 2015

Bryan L. Donner  
District Ranger  
Kootenai NF - Fortine District  
Murphy Lake Ranger Station  
P.O. Box 116  
Fortine, MT 59918-0116

Re: Ten Lakes Travel Management Proposed Action

Dear Mr. Donner

Thank you for the opportunity to provide input on the Ten Lakes Travel Management Proposed Action for the Kootenai National Forest. This letter contains the formal comments of the International Mountain Bicycling Association. The National Forest system is home to more mountain bicycling experiences than any other land management organization. Through our National Memorandum of Understanding and participation in the planning processes IMBA and our local Chapters and affiliated clubs seek to enhance and preserve those experiences.

Founded in 1988, IMBA leads the national and worldwide mountain bicycling communities through a network of 80,000 individual supporters, 175 local Chapters, and 600 dealer members. IMBA teaches sustainable trail building techniques and has become a leader in trail design, construction, and maintenance; encourages responsible riding, volunteer trail work, and cooperation among trail user groups and land managers. Each year, IMBA members and affiliated clubs conduct more than one million hours of volunteer trail stewardship on America's public lands and are some of the best assistants to federal, state, and local land managers.

We do not support the Ten Lakes Travel Management Proposed Action. Travel planning is a site-specific process through which specific trails and areas are designated for motorized use. This plan manages bicycle use in the vacuum of the Montana Wilderness Study Act and does not give adequate consideration to how these trails and experiences meet experiential needs or provide connectivity with the rest of the Forest. We support management of bicycles in a manner that meets the requirements of all the laws and regulations and gives full and adequate consideration to the effects and experiences of a bicycle. As drafted this plan does not accomplish that objective.

### **General Prohibition of Mechanized Use**

The Forest Service has no regulatory mechanisms or guidance for managing bicycles outside of the prohibition in the Wilderness context. As a result, the Travel Management Plans that have addressed mountain bicycling generally only summarily mention bicycles and manage them indirectly as an appendage of motorized use. This is precisely what is happening with the proposed Travel Management Plan for the Ten Lakes Landscape. Mountain bike use is currently being managed the same as motorized use, in which mountain bikes are only allowed on some of the same trails that

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motorcycles are allowed within the Wilderness Study Area.

We understand that the correlation, even if flawed, is based on Regional Issuance. FSM 2329 and the Ninth Circuit decision in *Mont. Wilderness Ass'n v. McAllister*, 666 F.3d 549 (9th Cir., December 2011) that focus on allowing bicycle use in to the same extent motorcycle use was allowed in 1977. However, we believe a more creative solution is required, and permitted, to satisfy the requirements of the Montana Wilderness Study Act of 1977, the Wilderness Act of 1964, and the objectives of the Travel Management Rule.

The Proposed Action reduces bicycle access within the Ten Lakes WSA to two trails totalling just over six miles, despite the fact that motorcycle use was permitted on 17.3 miles of trail. No rationale for the reduction is provided. As the Environment Impact Study is conducted we recommend an approach that does not simply rely on use as a proxy to effect but rather examines the actual effects that current use is having on both physical and social attributes of wilderness character. The Montana Wilderness Study Act of 1977 requires the Forest Service to manage the WSAs, “so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.” In essence this language establishes a floor in which the agency management may not fall below.

In addressing the challenge of managing above the floor set by the Montana Wilderness Study Act the Court of Appeals for the Ninth Circuit, while upholding the district court decision stated:

We do not necessarily agree with the district court, for example, that “the only way [the Service’s] decision can survive the arbitrary and capricious standard of review is to substantially reduce the overall area for vehicle use or to reduce overall motorized and mechanized vehicle access.” *McAllister*, 658 F. Supp. 2d at 1256 (emphasis added). Although the Service might reasonably compensate for an increase in the volume of motorized use by reducing the overall area of impact, we do not assume that this is the only proper response to increased volume of use when relevant data are scarce. We do assume there may be other reasonable management responses to the problem the Service faces.<sup>1</sup>

We believe this lends itself to a more careful examination of the actual use of the trails within the Ten Lakes WSA rather than a limitation to trails where motorcycle use occurred in 1977. The Proposed Action makes an effort at finding this “reasonable management response” by leaving trails #333 and #335 open to bicycle use, however these options are not suitable to the desired experiences by the mountain biking community as the trail ascends and descends on fall line which lends the experience to only the most elite riders or bikers who are willing to “hike-a-bike”. More local mountain bicyclist’s input and examination of the desired experiences and actual effects of current mountain bicycle use on the physical and social wilderness character of the landscape is necessary to adequately support a decision.

### **Further Analysis of Effects by Mountain Bicycles on Wilderness Character**

We can support a desired condition that is focused on maintaining the wilderness character, however we can’t support this condition when it includes a presumption that the presence of mountain bikes on

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<sup>1</sup> *Mont. Wilderness Ass'n v. McAllister*, 666 F.3d 549 at 559





existing trails will somehow be detrimental to the wilderness character of the area. The current analysis focuses solely on miles of trails available to motorized use and neglects to study the actual effects on wilderness character. Great mountain biking experiences are not defined solely on the number of miles of trail, but are defined by the quality, the remoteness and the unique characteristics of the landscape. We are open to a solution that meets the demand of the landscape and addresses bicycles on their own merits and not simply as an afterthought to motorized use. IMBA would recommend further analysis that would provide evidence on the impacts of physical and social effects to the wilderness character and the wilderness experience concurrent with mountain bike use of this specific landscape.

Numerous scientific studies exist regarding the physical and natural resource impacts of mountain biking showing that mountain bicycles do not disturb the environment any more than hiking. For instance, several studies show that mountain bicycles cause less erosion than other activities, including hiking and horseback riding. Social impacts to wilderness character include both the volume of use and frequency of the volume. Social effects are also relative to total growth of the region so while there may be a net effect in users it is proportionate to the overall increase in use of the Kootenai National Forest. This data may or may not exist, in which case a monitoring plan could/should be established prior to jumping to prohibitions.

The current plan is not supported by any impact studies in which prove that mountain bike use has diminished the wilderness character of this landscape. We would be happy with a solution in which the Forest Service used the best available science to prove any findings of deterioration of the environment and wilderness character by use of mountain bicycles. The Ten Lakes area boasts some of the most unique backcountry experiences within the Northwest area of Montana and are a rare find in the United States.

By eliminating mountain bike use the Forest Service would also see an elimination on the positive impacts mountain bikers have on the local economies as well as their stewardship efforts. Managing for mountain bike use via a policy that was created prior to mountain bike use on these lands is a missed opportunity for appropriate management and future preservation of these natural areas. This decision would be detrimental to the quality of the recreational experience of mountain bikers, as we will lose the opportunity to ride on many of the backcountry trails that we most value.

We greatly appreciate your efforts in to enhance outdoor recreation opportunities. IMBA considers the Forest Service an invaluable partner with both the local and national mountain bike communities. We look forward to continuing a productive relationship in the future. Please feel free to call us 303.250.0720 or email [jeremy.fancher@imba.com](mailto:jeremy.fancher@imba.com) if we can be of further assistance.

Respectfully Submitted,

Jeremy Fancher

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INTERNATIONAL MOUNTAIN  
BICYCLING ASSOCIATION

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