



September 23, 2026

Mr. Jim Bacon, Acting Director, Public Benefits
U.S. Department of Agriculture, National Forest Service
Public Benefits Office
201 14th Street SW
Washington, DC 20250

**Re: Docket Number FS-2026-0100, Public Scoping Comments on Travel Management Rule Revision
(Federal Register Number 2026-17211)**

Dear Mr. Bacon:

On behalf of the undersigned organizations, which represent a broad cross-section of the trails and outdoor recreation community, we appreciate the opportunity to provide comments on the August 24, 2026, Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the proposed revision of the 2005 Travel Management Rule (TMR).

Our organizations collectively represent the millions of individuals who recreate on National Forest System lands for hiking, horseback riding, hunting, fishing, wildlife viewing, and other outdoor pursuits. While our user communities may differ in how we experience public lands, we are united by a shared commitment to responsible and sustainable recreational opportunities, natural resource protection, and the collaborative stewardship of America's national forests.

Outdoor recreationists represented in these public scoping comments often don't limit themselves to a single activity type when enjoying their favorite national forest, including motorized trail-based activities. Yet, when choosing the activity, the vast majority of our members intentionally choose trails that provide separation from ORV use and vice versa. This is done with the primary objective of safety in order to avoid on-trail encounters between relatively fast-moving ORV's and slow moving non-motorized users, particularly where the option to step off the trail tread is limited due to either the presence of dense vegetation or steep slopes. This unsafe scenario is magnified many times over if children are involved or persons on horseback where the potential for severe injury is high.

Non-motorized and motorized recreational communities alike contribute significant economic benefits to the U.S. economy through their recreational use of public lands, including our national forests. Activities including climbing, hiking, tent camping, and horseback riding (equestrian) contribute \$10.876 billion in value added to the economy each year and motorcycling and all-terrain vehicle riding add an additional \$9.85 billion for a combined \$20.725 billion in added economic benefit¹. These

¹ Bureau of Economic Analysis. Outdoor Recreation Economic Statistics, U.S. and States, 2024 (Mar. 5, 2026), <https://www.bea.gov/data/special-topics/outdoor-recreation>.

economic benefits rely on ease of public access, the ability of agencies to provide assurances for diverse recreational experiences, and the quality and safety of trails including regular maintenance in order to maintain and grow these benefits. These collective benefits serve as a stabilizing force in countless local and rural economies.

Importance of the Travel Management Rule

Since its adoption in 2005, the TMR has been a foundational framework for managing recreation access, protecting natural and cultural resources, and reducing conflicts between the varying modes in which the public accesses and explores our national forests. The rule was developed through extensive local public input, with participation from both motorized and non-motorized recreation groups, alongside land managers and conservation stakeholders. The designation of trails for motorized access, as documented through local-level Travel Management Plans and Motor Vehicle Use Maps (MVUMs), has brought clarity, accountability, and legitimacy to forest recreation systems.

We believe the Travel Management Rule remains a critical tool for balancing public access to and conservation of the National Forest System. Many challenges associated with the TMR stem not from the framework itself, but from inconsistent implementation, limited resources and staffing, and insufficient collaboration during travel planning and implementation.

Comments Specific to the NOI

We are pleased to see that the NOI retains parts of the framework of the Travel Management Rule and “would not itself change the legal status of any road, trail, airfield, trailhead, area, or other access route or point” and that “existing motor vehicle use designations and maps would remain in effect until revised under the amended regulations”². However, our community carries a high level of concern that, if implemented as proposed, the TMR will render the Forest Service either unable or incapable of providing the public with high quality and diverse recreational experiences.

The following provides our comments regarding concepts proposed in the NOI to amend or revise aspects of the TMR, specifically as they relate to [subpart b](#) of the rule: Designation of Roads, Trails, and Areas for Motor Vehicle Use.

Rejection of “Open for Motorized Use Unless Designated Closed” Proposal

1. Draft EIS Must Address Risks to Public Safety and the Potential for Increased User Conflict Associated with an “Open for Motorized Use Unless Designated Closed” Policy

We are gravely alarmed by the Department’s proposal to remove critical guardrails codified via the 2005 TMR affirming over half a century of stability. One example is abandonment and reversal of the 50+ year foundational principle that motorized travel is authorized to occur on designated routes or within designated areas as approved via a given forest Travel Management Plan. In other words, routes or

² NOI at 2.

areas not designated specifically as “open” for motorized use in a plan are considered closed to motorized use. The NOI reads as follows:

“The proposed access rule would establish a national policy with a **presumption that existing roads, trails, airfields, trailheads, and other access routes and points on National Forest System lands are open to appropriate [motorized] public use unless closure or restriction is required by applicable law**, valid existing rights, or another governing instrument, or supported by specific, documented and justifiable reasons based on science-based resource conditions, public safety, conflicts among uses, or maintenance and administrative capacity.”³

The NOI would propose to reverse the practical and long-standing principle that forest trails and areas are closed to motorized use unless expressly designated as “open.” This fails to recognize the disproportionate and adverse effects that unregulated motorized use poses to forest natural and cultural resources and the recreational experience of other forest visitors. In doing so, the Department appears to want to usher in a return to the untenable situation that prevailed throughout national forests even before the adoption of the TMR. The Draft EIS must include in-depth analysis of the potential social and environmental consequences of the Department’s proposed reversal of the closed unless designated open policy.

It is the potential for such adverse effects that compelled the Forest Service to address “unmanaged recreation”⁴ in the development of the TMR over 20 years ago. Revising the TMR to reverse this foundational principle ignores this history and the decades of struggle, both throughout the agency and among the public, to adequately manage and mitigate the adverse effects of ongoing and increasing motorized recreation. The Draft EIS must thoroughly address potential risks to public safety and the potential for increased user conflict and risk posed to forest resources associated with an “open for motorized use unless posted closed policy.”

It appears that the ability of local Forest Service officials to limit or deny ORV use based on professional judgement or other factors such as the potential for conflict with other trail users will be lost, as there do not appear to be any applicable laws that expressly protect the experience of forest visitors from ORV use when it is likely to be considered intrusive. The Draft EIS must acknowledge the disproportionate and adverse effects posed by motorized recreational use on other forest visitors and disclose the potential effects of all aspects of the proposed action (i.e., rule revision) and alternatives.

A critical management question unanswered in the NOI is: What would serve as the primary enforcement mechanism, or tool, for trails and areas that are designated as prohibited for motorized use? At present, that tool is the MVUM that is maintained and updated by each Forest Service unit. We are happy to see that the NOI includes language that appears to support this approach. It reads:

³ NOI at 2. (Emphasis added)

⁴ In 2004, “Former Forest Service Chief Dale Bosworth identified four key threats to maintaining and restoring the health of America’s forests and grasslands: fuels and fire, invasive species, **unmanaged recreation**, and habitat fragmentation. The **Chief noted specific concerns related to unmanaged motorized recreation and the creation of unplanned motorized routes, and the potential for these to have adverse impacts on natural resources. The 2005 Motorized Travel Rule was developed to address this concern.**”

<https://www.fs.usda.gov/sites/nfs/files/legacy-media/custergallatin/Chap%201%20FEIS%20Ashland.pdf>

“the proposed access rule would require **integrated digital maps** to be made available to the public that **show access rules for all trails**, roads...and would be the authoritative public source for designations made under the revised regulations”⁵

We interpret this to mean that the MVUM would remain the primary enforcement tool. Consequently, the Draft EIS should clarify this intent and include an analysis on the agency’s current and ongoing ability to adequately manage and enforce compliance with the forest MVUM.

Importantly, because it is infeasible for forest staff to post and maintain signage in the field for each and every route or area designated as closed to motor vehicle use, the MVUM remains the primary enforcement tool. The onus for compliance thus falls to the motorized user, much like the requirement for acquiring a hunting tag in most states that places the onus on the hunter to stay within the bounds of their hunting unit. Consequently, the Draft EIS must disclose and analyze the primary enforcement mechanism(s) associated with the proposed rule and their relative feasibility and efficacy, particularly in light of the current state of personnel and resources available to the agency.

2. Draft EIS Must Address the Potential for Recreational Use Displacement of Non-Motorized Uses through “Open for Motorized Use Unless Designated Closed” Policy

The proposed rule has the potential to renew pre-TMR “turf battles” that ensued over visitor conflict associated with intermingling ORV access with non-motorized trail users who seek a relatively tranquil and slow-paced recreational experience. The proposal to revert to an “open unless posted closed” policy for motorized use on trails and within designated areas would only serve to improve access to national forests for a single user group, motorized recreation enthusiasts. While the likelihood is high that such increased access would come at the detriment of other forest visitors.

The proposed rule’s caveat that ORV access could be curtailed in cases where there exists “documented and justifiable reasons based on...public safety (and) conflicts among uses” would represent a tremendous injustice to non-motorized visitors.

First, such documentation likely would only come after the fact, after the conflict has already manifested and some trail users are already displaced from the trails in question. Second, it would place the onus at the feet of harmed non-motorized recreationists to provide or demand such documentation from local Forest Service officials. As such, the Draft EIS (DEIS) must analyze this aspect of the proposed rule and its potential to be discriminatory and severely limit the agency’s ability to proactively designate and manage trail use in order to avoid, in proactive fashion, the potential for significant recreational conflict.

In addition to its potential to reignite long-standing turf wars, the proposed rule could serve to further divide the nation’s trails communities in part by compelling non-motorized users to systematically document resource damage, safety concerns and on-trail conflict. Such users likely would be compelled to act quickly to develop documentation necessary to move the agency to adequately manage motorized use. The DEIS should address these social dynamics and provide an analysis and justification

⁵ NOI at 9. (Emphasis added)

regarding whether it would represent a wise investment of the Forest Service's limited resources to rehash previous travel plan decisions while continuously serving as arbitrators among a divisive public.⁶

Contrary to one of its stated purposes, the proposed rule is unlikely to "increase public access to [National Forest System] lands"⁷. Rather, it has the potential to significantly diminish the recreational experience for most forest visitors and result in the displacement of many uses that experience potential conflict with ORV-related noise, exhaust fumes and safety concerns. The DEIS therefore must address the potential for recreational use displacement and its consequences with regard to general public visitation. It must also disclose and analyze the degree to which the proposed action and alternatives could affect the agency's ability to provide a wide range of desired visitor experiences, including how the proposed action and alternatives could adversely affect the visitor experience of hikers, horseback riders and other non-motorized trail users.

Intent of Minimization Criteria Must Be Incorporated into "Access-Oriented Framework" Proposal

1. Draft EIS Must Disclose and Analyze the Efficacy of Criteria Proposed to Replace Long-Standing Motorized Designation Criteria

The TMR was and continues to be necessary to ensure long-term sustainable use by motorized recreationists, de-escalate user conflicts, and minimize the potential negative consequences of such use including impact to wildlife, watersheds, fisheries and other recreational uses of our national forests. The proposal to upend this long-standing and time-proven framework of multiple-use management on trails threatens the user experience of all visitors to national forests.

Longstanding criteria used by the Forest Service for the designation of motorized use, known as designation criteria, represent a foundational framework for reducing user conflict and protecting forest resources. These criteria ensure that each forest planning team considers important issues beyond merely user needs or desires when making motorized route designations. When applied objectively, these criteria have worked over decades to shield the agency from challenges of arbitrary decision making and, importantly, serve to demonstrate to the public that motorized route designations were considered thoughtfully and with consideration of the desired experiences of other forest visitors and trail users in mind.

At present, the TMR requires that the travel management process include application of five designation criteria as described in 43 CFR § 212.55(b), which directs that when designating National Forest System trails and areas, the responsible official shall consider effects on the following, with the objective of minimizing:

- Damage to soil, watershed, vegetation, and other forest resources;
- Harassment of wildlife and significant disruption of wildlife habitats;

⁶ It is our professional opinion that Forest Service officials would be loath to do so.

⁷ NOI at 5.

- Conflicts between motor vehicle use and existing or proposed recreational uses of National Forest System lands or neighboring Federal lands; and
- Conflicts among different classes of motor vehicle uses of National Forest System lands or neighboring Federal lands.
 - In addition, the responsible official is required to consider:
- Compatibility of motor vehicle use with existing conditions in populated areas, taking into account sound, emissions, and other factors.

The application of these criteria, however, was made null and void among all federal land management agencies via Executive Order [14408](#) (issued May 29, 2026). As a result, the Department proposes to “replace the minimization criteria and other identified TMR-specific procedures with an access-oriented framework grounded in applicable statutes, regulations, and the proposed access rule...”⁸. The Draft EIS must clearly articulate how the Department proposes to replace the designation criteria in a manner that protects the proven long-term efficacy of the criteria’s underlying goals. The proposed rule should aim to preserve the intent and spirit of the designation criteria as a foundational framework for reducing or minimizing potential adverse impacts associated with motorized use as it relates to the preservation of forest resources, including wildlife, and user conflict.

2. “Access-Oriented Framework” Must Include the Following Components

While we recommend that the Department retain in whole the designation criteria, any effort to revise the criteria should be done via a public and collaborative effort associated with the forthcoming Draft EIS process that includes a broad coalition of recreation, conservation, tribal, industry, local government, and community partners. The effort should include discussion of shared goals, including topics such as:

- Expanding and sustaining appropriate recreational access;
- Reducing use conflict through thoughtful planning and design;
- Supporting wildfire response and administrative access;
- Protecting watersheds, wildlife habitat, and sensitive resources; and
- Leveraging partnerships, grants, and volunteer capacity

We are not asking the Forest Service to freeze motorized access in place, and we're not asking it to be expanded without limit either. We're asking for something more specific: a consistent, transparent, and regularly recurring review process for trail and route designations, of all types, that keeps the public genuinely in the loop and keeps the criteria that protect safety, resource conditions, and multiple-use balance intact.

Keeping the process open to every user community equally, so that motorized riders seeking new access and non-motorized users seeking to preserve existing designations are working around the same transparent, evidence-based table.

⁸ NOI at 7.

Implementation Timeline and Clarity on Annual Review for Local Districts is Critical

1. Draft EIS Must Articulate the Timeline and Process for How Individual Units Would Implement New Guidance and Whether Such Guidance Would Apply to Currently Non-Motorized Trails and Areas

The proposed timeline for implementation of key aspects of the proposed rule remains unclear. For example, the NOI in one place, with respect to the consideration of new motorized routes, reads as follows:

“The proposed access rule would establish a requirement to consider new roads, trails...and other access routes and points where appropriate to increase [motorized] access.”⁹

No timeline or process is specified for the consideration of new route designations. Yet that statement is preceded in the NOI by a statement that reads:

“The amended regulations would require, subject to available appropriations, an **annual unit-level process** to identify closed or highly restricted trails, roads...and other access routes and points that may warrant reconsideration. The responsible official would conduct the review and indicate which routes or access points may be reconsidered for a change in status.”¹⁰

Irrespective of a timeline for implementation, we have significant concerns regarding how this might apply to the network of currently designated non-motorized trails and areas throughout the National Forest System. Important to our collective memberships is the question of what constitutes “closed or highly restricted trails, roads...and other access routes and points that may warrant reconsideration”?

For example, under the “open unless designated closed” scenario for motorized use envisioned via the proposed rule, is the Department proposing that existing designated non-motorized trails and areas be subject to reconsideration in this regard on an annual basis?

If so, we would strenuously object.

The Draft EIS must provide clarity in regard to the universe of existing “closed or highly restricted trails, roads...and other access routes and points that may warrant reconsideration” by local units for designation of motorized use per the proposed rule. The EIS must further define whether or not such trails, etc., include existing designated non-motorized trails and areas. Irrespective of whether or not the proposed rule is intended to apply to existing non-motorized trails and areas, the EIS must disclose and analyze the effects of this aspect of the proposed rule as it relates to the safety and desired recreational experiences sought by non-motorized recreationists when visiting units of the National Forest System.

⁹ NOI at 11.

¹⁰ NOI at 11.

2. Failure to Complete Annual Review Must Not Result in “Open for Motorized Use Unless Designated Closed” Default

Recognizing the funding and staffing reality of the agency and competing demands placed on district rangers, the EIS must define the ramifications, if any, for forest units that do not complete an annual review. This includes disclosing and analyzing what the default management situation would be, including whether or not currently non-motorized trails and areas could be subject to automatic or retroactive designation for motorized use.

The Draft EIS must clearly analyze the risk that, under an “open unless designated closed” policy, any failure to complete annual reviews, whether due to insufficient funding, staffing shortages, contractor delays, or competing agency priorities could result in unintended or default motorized designations on routes that have historically been closed for safety, resource protection, or conflict-avoidance reasons. Without explicit safeguards, the proposed rule creates a scenario in which administrative backlog, not deliberate planning, determines access outcomes. The Draft EIS must therefore identify mechanisms that ensure existing non-motorized and restricted designations remain in place unless and until a full, site-specific, publicly informed review is completed, so that lack of capacity does not become a de facto driver of expanded motorized access.

The intended timeline for unit-level processes to revisit closed or highly restricted trails and areas is clear. Critical is the qualifying statement “subject to available appropriations.” We implore the Department not to define specific timelines in the proposed rule and Draft EIS, as doing so would be highly speculative and difficult to support. If the proposed rule nonetheless proposes such timelines, the Draft EIS must analyze the proposal’s fiscal limitations in light of a seemingly perpetual string of continuing resolutions via Congress that, with respect to the Forest Service, serve largely as a continuation of previous fiscal year budgets (i.e., “flat funding”) and fail to accommodate rising costs associated with personnel, materials supply chains and inflation. In light of such fiscal realities, the DEIS should disclose and provide an analysis of the ability of the Forest Service and its 174 individual units (154 national forests and 20 national grasslands) to provide funding for, and conduct, annual reviews of their travel management system.

Public Review Process Must Be Preserved. Clarity on Changes Subject to Public Process Needed

1. Draft EIS Must Disclose and Define What Constitutes “Minor or Iterative” or “Clerical Corrections” for Route Designation That Would No Longer Be Subject to NEPA Review

The NOI suggests that “minor, clerical, or iterative” changes to travel designations may no longer trigger public review or NEPA analysis, with only “substantive” changes requiring it.¹¹ These terms currently are undefined. A full analysis and clear proposed definitions of minor, iterative, clerical corrections, and substantive changes must be provided for public comment in the Draft EIS. The NOI further indicates that minor, clerical changes, or iterative adjustments would no longer be subject to a public review

¹¹ NOI at 9.

process, and that only “substantive” changes would need to go through environmental review like NEPA or other reviews that afford the public an opportunity to engage in the decision making process. The proposed rule and Draft EIS must define minor, clerical changes, or iterative adjustments in ways that do not exclude the public from decisions that impact trail access or use type determinations.

2. Local communities, counties, Tribes, and recreation partners must continue to be a critical component in shaping route designations.

The Draft EIS must clearly articulate how local public input will be incorporated. The NOI does not specify whether annual reviews will include public comment periods, collaborative meetings, or opportunities for local stakeholders to provide data on safety, resource impacts, or recreational conflict.

Without such requirements, the proposed rule risks creating a centralized, top-down process that is inconsistent with NEPA’s public participation mandates and the Forest Service’s long-standing commitment to collaborative stewardship.

3. Draft EIS Must Address Potential Ramifications of Decoupling Motorized Route Designations from Landscape-level Forest Plan Guidance and Other Regulatory Guidance

In a major reversal of long-standing policy, the NOI proposes to decouple travel management decisions from landscape-scale land management plans (i.e., forest plans) by declaring that the proposed rule:

“...would clarify that travel management or access decisions are not land management planning decisions and need not be made through the procedures governing development, amendment, or revision of land management plans....”¹²

For two decades, the TMR has served as the mechanism that translates Forest Plan direction into site-specific, enforceable motorized-use designations through Travel Management Plans and MVUMs. Forest Plans provide broad, landscape-level direction for desired conditions, management areas, wildlife habitat, watershed protection, quiet recreational settings, and access objectives. However, Forest Plans do not designate specific roads or trails. It should remain without question that Forest Plans must maintain their practical ability to guide future motorized access decisions while establishing sideboards that limit motorized use in areas where the Plan prioritizes the protection of wildlife security habitat, watershed integrity, and quiet recreational opportunities from disturbance by wide-scale motorized use. It is through this tiered decision-making process that Travel Management Plans and resultant motorized access and use are then determined for landscapes identified as potentially suitable for motorized use.

The Draft EIS must disclose how, at present, the TMR interacts with Forest Plan revisions and amendments. If the TMR is revised to decouple the travel planning process from direction derived from, Forest Plans, Forest Plans would be forced to carry the burden of regulating motorized use without having the tools to do so. This would create gaps between Forest Plan direction and on-the-ground management, reduce transparency, and undermine the Forest Service’s ability to meet its multiple-use mandate.

For these reasons, the Draft EIS must analyze how the proposed rule affects the relationship between Forest Plans, travel management decisions, enforcement mechanisms, and compliance with federal

¹² NOI at 7-9.

environmental laws. Without this analysis, the agency cannot ensure that changing the TMR will not compromise resource protection, public safety, or the integrity of Forest Plan direction.

Ability of Forest Service to Rely on Continued Trail Maintenance by Partners Must Be Examined

1. Draft EIS Must Address How the Proposed Action and Alternatives Could Affect the Forest Service Reliance on Volunteers and Partners to Maintain the Majority of Non-Motorized Trails

Volunteers play an outsized role in enhancing the ability of the Forest Service to manage its extensive 165,000-mile trail system. Whether working on motorized or non-motorized trails, volunteers contribute approximately 60% of trail maintenance accomplished annually across the system. These organizations have invested significant time, funding, and volunteer capacity into improving trails and recreation experiences throughout the National Forest System. The revised TMR must protect that investment, in part by ensuring that user conflicts are reduced and that sustainable access is prioritized.

Trail maintenance performed by volunteers and partners also serves to:

- Enhance critical ingress and egress for Forest Service administrative and scientific purposes;
- Benefit forest health-related treatments by providing access to front and backcountry locations; and
- Combating wildfires and enhancing options for the evacuation of equipment and personnel in the path of wildfire

With few exceptions, most volunteers who maintain non-motorized trails do so under the assumption that the high-quality experience to which they are accustomed will be sustained. The proposed rule, however, places emphasis on prioritizing access for motorized use and proposes to abandon the closed-to-motorized-use-unless-posted-open policy going forward. In doing so, the proposed rule would appear to pose great risk to sustaining the desired experience of volunteers with respect to their continued maintenance of non-motorized trails.

Typically, volunteers choose to maintain individual trails that sustain their desired trail experience. Removing certainty that their favorite trails will continue to serve their desired experience could result in volunteers foregoing maintenance agreements if such trails become subject to change to accommodate ORV use. Accordingly, the Draft EIS must address how the proposed action and alternatives could affect the desire of volunteers and partners to continue to maintain currently non-motorized trails when there is perceived risk that such trails could be authorized for use by one or more types of motorized vehicle. The EIS must address the agency's ability to ensure that volunteers remain willing to maintain national forest trails at present and into the future.

E-Bike Management and Definitions

1. Draft EIS Must Address How E-Bikes and New Vehicle Types Will Be Managed Without a Binary Motorized/Non-Motorized Framework.

Retain Class 1 E-bikes Motorized Definition

There is much about the forthcoming proposed rule that remains ambiguous as summarized in the NOI. The NOI proposes, for example, to revise the TMR framework to “accommodate new vehicle types and uses without relying on a binary motorized or nonmotorized classification.”¹³ The NOI expressly notes the intent to apply this concept to the designation of Class 1 motorized electric bicycles (e-bikes) and “low-powered electric mobility devices used by persons with mobility disabilities.”¹⁴ . It further reads:

“The proposed action would exempt class 1 electric bicycles from the motor vehicle use designation requirement in 36 CFR 212.51(a) and the prohibition in 36 CFR 261.13 when operated on an NFS trail where bicycle use is allowed, subject to applicable land management plan direction, seasonal restrictions, orders, and site-specific restrictions adopted by the responsible official under the criteria and procedures in the proposed rule. The EIS would analyze an alternative retaining class 1 e-bikes as motor vehicles subject to motor vehicle use designations and alternatives adopting broader or narrower exemption conditions.”¹⁵

It is our understanding that the Department is not proposing to reclassify e-bikes as a non-motorized use, per se. Rather, the NOI proposes to decouple from TMR requirements the designation of trails for use by Class 1 e-bikes while allowing individual units to make independent, site-specific decisions regarding where and under what conditions the Forest Service might authorize e-bike use on current and proposed trails. While details will be released via the pending Draft EIS, it appears that local decision making associated with the proposed rule’s Class 1 e-bike alternative would continue, as it does today, with the involvement of affected stakeholders and the application of NEPA.

Specifics about the proposed process, including stakeholder engagement and appropriate level of NEPA analysis for such Class 1 e-bike designations, must be detailed in the Draft EIS. The EIS must also include detailed analysis of the potential for increased e-bike use on forest trails to adversely affect public safety, generate user conflict and the potential for recreational use displacement of traditional non-motorized trail users. The Draft EIS must also analyze:

- How e-bikes impact resources and the environment differently than the other users.
- How conflicts between e-bikes and hikers, equestrians, and traditional mountain bikers will be evaluated.
- How resource impacts from new vehicle types will be assessed without the minimization criteria.

¹³ NOI at 12.

¹⁴ NOI at 13.

¹⁵ NOI at 13.

Finally, the Draft EIS must ensure that new vehicle types do not receive default access without site-specific analysis.

The NOI also states that the forthcoming EIS would include an action alternative that would retain Class 1 e-bikes “as motor vehicles subject to motor vehicle use designations **and alternatives adopting broader or narrower exemption conditions**” (emphasis added). We support inclusion in the EIS of an alternative that would retain the current status of Class 1 e-bikes under the TMR. Yet the meaning behind the latter part of this statement is not well defined and conceivably could include alternatives to be analyzed in the Draft EIS that propose to exempt Class 2, Class 3 or out-of-class e-bikes from the requirements of the TMR. We view this prospect as troubling and not within the bounds of the agency’s requirement to explore a reasonable range of alternatives. We therefore encourage the Department not to consider alternatives in the Draft EIS that conceivably could expand the potential speed and capabilities of authorized e-bike use on currently non-motorized National Forest System trails shared by hikers, equestrians and other visitors who desire a relatively slow-paced and contemplative recreational experience.

Impact on Administrative Burdens

1. Draft EIS Must Analyze the Full Cost of Annual Travel Management Reviews and Include a Feasible, Funded Process to Ensure the Intent of the Proposed Rule Is Met

The proposed rule introduces a new requirement for annual unit-level review of “closed or highly restricted trails, roads, airfields, trailheads, and other access routes and points” to determine whether any should be reconsidered for changes in motorized access status (NOI, p.11). This requirement represents a major expansion of the Forest Service’s administrative workload and must be thoroughly analyzed in the Draft EIS.

The NOI states that this annual review would occur “subject to available appropriations,” yet provides no estimate of the cost, staffing needs, or operational feasibility of conducting such reviews across 174 administrative units (154 national forests and 20 national grasslands). The Draft EIS must disclose and analyze the full fiscal implications of this requirement, including:

- The cost of conducting annual interdisciplinary reviews of all closed or restricted routes, including field verification, GIS analysis, resource impact assessment, and documentation sufficient to support defensible decisions;
- The cost of updating MVUMs and integrated digital maps annually, including contractor support where necessary;
- The cost of public engagement, Tribal consultation, and coordination with state and local governments for any proposed changes in route status
- The cost of NEPA analysis for all “substantive” changes;
- The cost of enforcement associated with any changes in route status, including increased pressure on law enforcement and recreation staff

Even if contracted out, these annual reviews would impose significant recurring costs on the agency. Contracting does not eliminate the need for Forest Service staff to develop scopes of work, oversee contractors, conduct interdisciplinary review, approve documentation, and complete NEPA analysis. The

Draft EIS must therefore analyze not only contractor costs but also the internal administrative burden placed on already overstretched staff.

The Draft EIS must also evaluate the fiscal feasibility of the proposed rule in light of the Forest Service's current budget realities. The Draft EIS must disclose the tradeoffs that would be required such as reductions in trail maintenance, wildlife monitoring, fuels management, or other mission-critical work as result of the proposed changes by alternative.

The Draft EIS must include a clear, feasible process that ensures the intent of the proposed rule is met without undue hardship to the Department and public. This includes:

- Defining the level of analysis required for annual reviews and still comply with all other laws and regulations.
- Providing a mechanism for units to defer annual reviews when appropriations are inadequate, without triggering unintended or retroactive changes to existing non-motorized designations.

Conclusion

Thank you for your consideration of these public scoping comments. Our user communities are unified in our support for the continuation of the Travel Management Rule with revisions to improve process, address agency concerns over regulatory burden, improve public awareness and access, ensure continued maintenance support is provided by partners, and to address user conflict. We remain deeply concerned that the proposed rule will go too far in its attempt to elevate and expedite increased motorized access at the expense of agency legal mandates, forest resources and the recreational experience provided by other forest visitors.

The undersigned organizations stand ready to work constructively with the Department to ensure the Travel Management Rule evolves into a more effective, efficient, and collaborative framework that benefits public lands, local communities, and current and future generations of recreationists. Thank you for your consideration and for your continued service managing our national forests.

Respectfully yours,

Back Country Horsemen of America
American Hiking Society
American Trails

and

Advocates for Snake Preservation
ALTG
American Endurance Ride Conference
American Horse Council Inc.
Appalachian Mountain Club
Appalachian Trail Conservancy
Arkansas Back Country Horsemen
Back Country Horsemen of California - Mother
Lode Unit

Back Country Horsemen of California - San
Joaquin Sierra Unit
Back Country Horsemen of California San
Joaquin Sierra Unit
Back Country Horsemen of New Mexico
Back Country Horsemen of North Georgia
Back Country Horsemen of Texas
Back Country Horsemen of the Virginia
Highlands

Back Country Horsemen of Virginia
Back Country Horsemen of Washington
Back Country Horsemen of Washington -
Peninsula Chapter
Backcountry Horsemen of the White Mountains
Bay State Trail Riders Association, Inc.
Bicycle Colorado
Black Hills Back Country Horsemen of South
Dakota
Capital Trail Vehicle Association
Cascade Loop National Scenic Byway
Champion Local Schools
Chattahoochee Trail Horse Assn.
Cincinnati Off-Road Alliance
Continental Divide Trail Coalition
Cross New Hampshire Adventure Trail
Enchanted Circle Trails Association
Endangered Species Coalition
Equine Land Conservation Resource
Equine Trail Advocates
Florida Forever Back Country Horsemen
(FFBCH)
Florida Sport Horse Club
Friends of Ecusta Trail
Friends of Grand Rapids Parks
Friends of Madison County Parks & Trails
Friends of Pocahontas State Park
FRIENDS of the Corry Junction Greenway Trail
Friends of the Lost Coast
Friends of the Mountains-to-Sea Trail
Friends of the Rouge
Gem State Trail Advocates
Glover Trails Committee
Hoosier Backpackers
Idaho Trails Association
Iditarod Historic Trail Alliance
Just-Trails
Kocourek Trailhead Foundation
Linn Area Mountain Bike Association
Los Padres Forest Association

Michigan Horse Trails Association
Mountain Trail Monks
Muscle Powered
NE GA SORBA
Network for Arizona Trails
Nevada All-State Trail Riders
New York-New Jersey Trail Conference
North American Trail Ride Conference, Inc
North Country Trail Association
North Georgia Mountain Bike Association
Northern Colorado Back Country Horsemen
Oxbow Strategies, Inc.
Ozark Conservation Corps, a program of
Community Training Works, Inc.
Pacific Crest Trail Association
Pacific Northwest Trail Association
Partnership for the National Trails System
Pennsylvania Equine Council
Recon Trail Design, LLC
San Juan Back Country Horsemen
Santa FE Conservation Trust
Singing Winds Farm LLC
Society of Outdoor Recreation Professionals
Southern Off-Road Bicycle Association Tri-Cities
(NE TN & SW VA)
Tadpole Land & Trail Conservancy
Tennessee Office of Outdoor Recreation
The Wild Regenerative
The Wilderness Need Association
Trail Access Project
Trail Design Specialists
Trailkeepers of Oregon
Trails Utah
Upper Valley Trails Alliance
Ventana Wilderness Alliance
Virginia Bicycling Federation
Virginia Trail Alliance
Washington Trails Association
Weatherford Mountain Bike Club
Wisconsin Pony of The Americas Club