

10. RECREATION

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Recreation General

1. The Forest Service should address the issues of crowding, user conflicts, and exclusive use on National Forest System lands;

2. The Forest Service should maintain existing and create more trails and travel routes for recreation uses such as saddle and pack stock, mountain bikes, hiking, passenger vehicles, sport utility vehicles, dogsledding, recreation vehicles (RVs), and organized competitions. Also, the number of trailheads, campgrounds, and other recreation facilities should be maintained or increased; and

3. Rather than close recreation access, the Forest Service should develop rules, regulations, standards, and even a permit system for recreation activities such as hiking, biking, horseback riding, fishing, hunting, off-road vehicle use, cross-country skiing, and snowshoeing. It should then provide maintenance, monitoring, and enforcement.

Response: The Forest Service recreation goal is to provide the opportunity for satisfying a range of recreation experiences within the capabilities of the land. Recreation activities occur along a continuum, or Recreation Opportunity Spectrum (ROS), which is divided into six classes from Primitive to Urban. The recreation planning process considers the appropriate uses in an area and the capability of the land and other resources to accommodate these uses while minimizing the amount of resource damage and user conflicts. The process also considers the recreation capacity, or the maximum number of people who can obtain given kinds of recreation experiences at an

established standard on a Forest. Refer to the DEIS, Chapter 3, Recreation, for more detail regarding ROS.

The respondents raised issues of crowding and user conflicts between different kinds of users such as different watercraft users, between mountain bikers, horse riders, hikers, and motor vehicle drivers, and between cross-country skiers, snowshoes, and snowmobilers. They also raised issues of exclusive use, and maintaining or developing recreation trails and facilities.

These issues are more properly addressed at the individual national forest or grassland level, where recreation planning processes specifically address local public concerns. The resulting decisions are a distinct reflection of the rules, regulations, and procedures affecting national forests and grasslands in addition to local social and environmental conditions. These decisions determine appropriate types of local recreation uses, their amount and location, their proportion of the local budget, their potential impacts to the resources, and their level of regulation, monitoring, and law enforcement. While forests and grasslands use national policies to guide decisions, site-specific recreation decisions are made locally and are outside the scope of this DEIS. See Chapter 1 of the DEIS and FEIS.

4. The Recreation section of the DEIS was unclear and deficient because certain information was not included. For example, it did not: provide an inventory of recreation opportunities or describe the impacts on these opportunities, have a complete trails inventory, discuss recreation separately from the commodity sections, provide data on recreation use in roadless areas, reference RIM data, illustrate rates of supply and demand on graphs, or discuss impacts on individual communities.

Response: In the Roadless Area Conservation FEIS, the agency has clarified and expanded the recreation effects sections. Impacts on recreation opportunities were discussed (DEIS pp. 3-122, 3-125, 3-129, and 3-130 through 3-131). Recreation and Recreation Special Uses were distinct sections and were not combined with others (DEIS pp. 3-117 through 3-127 and 3-127 through 3-132). Neither the RIM (Recreation Information Management) system, ROS (Recreation Opportunity Spectrum), nor any other information collection effort has collected data specifically for inventoried roadless areas or

unroaded areas. Community effects were discussed from a national perspective throughout the Recreation, Recreation Special Uses, Scenic Quality, and the Social and Economic Factors sections of the DEIS (for example, pp. 3-126 through 3-127, 3-128, 3-131, 3-133, 3-171 through 3-172).

Recreation use data have never been collected specifically for inventoried roadless areas and unroaded areas. As a result, only estimates of use were made in the environmental consequences. Comparison of the alternatives was based on known factors, such as trends in recreation use and road building, availability of supply to meet demands, and conditions that influence shifts in recreation patterns (DEIS p. 3-120).

Additional information, data, or studies were not needed to compare the alternatives at the national scale. Dispersed and developed recreation opportunities were compared in the alternatives by their relative ability to maintain the existing supply of inventoried roadless areas. The prohibition alternatives would maintain the area of land available for dispersed recreation activities in the Primitive (P), Semi-Primitive Non-Motorized (SPNM), and Semi-Primitive Motorized (SPM) settings. Local management decisions for existing roads would be addressed under the proposed Roads Policy.

5. The Final EIS should include an analysis of the cumulative effects of numerous concurrent national and regional planning processes on recreation, including the roadless rule.

Response: Implications to recreation from the proposed policy and other initiatives have been updated and are described in FEIS Chapter 3 under Other Indirect and Cumulative Effects on Recreation, and Summary of Cumulative Effects.

6. The final EIS should re-analyze the conclusion that the rule will have a detrimental effect on recreation; development on the non-Federal land in Southeast Alaska should also be considered.

Response: The agency has clarified the effects of road construction in inventoried roadless areas (FEIS, Chapter 3, Recreation Section).

Regarding Semi-Remote recreation opportunities in the Tongass section of the DEIS (p. 3-238), the current Tongass Land Management Plan (TLMP) has

not identified any specific development opportunities requiring short segments of road in Semi-Remote Land Use Designations (LUDs). In the context of the reasonably foreseeable future on the Tongass, the FEIS states that if road construction were prohibited in Semi-remote LUDs, potential future developments of this type would not be possible (FEIS, Effects of the Tongass National Forest Alternatives).

Regarding opportunities on non-Federal land, very little private land occurs in Southeast Alaska (FEIS, Other Indirect and Cumulative Effects on the Tongass National Forest).

7. The Forest Service should define the term “huge” (referring to “huge numbers of people” hiking sections of the Appalachian Trail).

Response: Each year two to three million people hike portions of the trail, which is more than 2,100 miles long. Running from Georgia to Maine, the trail has over 500 access points along it. We have replaced the term with “millions” in the FEIS.

8. The Forest Service should modify its definition of inventoried roadless areas in Section 294.11 to include areas “at least 1000 acres in size, though smaller areas may be classified.”

Response: RARE II in 1977 established the definition of inventoried roadless areas used by the Forest Service; the forest and grassland planning process used the same definition and refined the roadless area maps. These maps, with some subsequent updates, are being used for this current rulemaking process. All of the inventoried roadless areas addressed in this rule are mapped in Volume 2 of the FEIS. The maps are also on file at the Washington Office of the Forest Service as a component of the National Forest System data base. The FEIS has developed a modified definition of inventoried roadless areas for the purposes of this and related analyses; see the Glossary.

9. In Section 294.13(a)(5) of the proposed rule (DEIS p. A-2), in the roadless characteristic “(5) Primitive, semi-primitive non-motorized, and semi-primitive motorized classes of dispersed recreation,” the term “dispersed recreation” should be replaced with the appropriate term “recreation setting” from the Recreation Opportunity Spectrum.

Response: In the FEIS, the list of roadless characteristics appears in Chapter 3 and the Glossary. The term “dispersed recreation” was replaced with “recreation opportunities” which refers to a combination of recreation settings, experiences, and activities in the ROS. As described in FEIS Chapter 1, the agency has determined that roadless area characteristics are appropriate for consideration in the context of forest and grassland planning under the new 36 CFR 219 Planning Regulations.

10. Section 294.13(a)(5) of the proposed rule refers to Primitive, Semi-Primitive Non-Motorized, and Semi-Primitive Motorized classes of dispersed recreation, but there are additional categories and subcategories under the ROS classification that may be appropriate for consideration during this review.

Response: Because recreation use data have never been collected by ROS class specifically for inventoried roadless areas, exact data cannot be used to conduct ROS class analysis comparing alternatives in this proposal. Since inventoried roadless areas are characterized mainly by Primitive, Semi-Primitive Non-Motorized, and Semi-Primitive Motorized classes (and subcategories of the classes), these are the classes on which a generalized recreation trend analysis was focused.

11. The Forest Service should clarify whether the proposed rule will apply to national monuments.

Response: The agency has attempted to improve clarity in the FEIS by adding a section on Special Designated Areas (see Chapter 3). In brief, National Monuments are a category of Special Designated Areas. The action alternatives apply to inventoried roadless areas in Special Designated Areas (except for Wilderness) on National Forest System lands.

12. The Forest Service should prohibit low over-flights of all aircraft.

Response: Because the rulemaking focuses on road construction, reconstruction, and timber harvest, prohibiting low over-flights of all aircraft is beyond the scope and intent of the proposed action. The agency considered but did not study in detail alternatives that would apply additional protective measures beyond prohibiting those three activities (FEIS Chapter 2, Alternatives Considered but Eliminated from Detailed Study).

Wilderness and Roadless

13. The Forest Service should manage roadless areas to ensure their eligibility for designated Wilderness and support any Congressional Wilderness designation proposals;

14. The Forest Service should ban mechanized and motorized travel and all hunting and fishing in, on, or above designated roadless areas; and

15. The Forest Service should support no more Wilderness designation because it creates conflicts and is too expensive to manage. In addition, Wilderness designation reduces opportunities for public access, the amount of land available for multiple uses, and the capability of special use permitted activities to expand.

Response: The process of Wilderness designation is outside the scope of this proposed action and rulemaking. The purpose of the proposed rule is to protect roadless areas, not to recommend, protect, or designate new Wilderness (DEIS pp.1-10 through 1-12). The purpose of the rule is to maintain roadless characteristics not Wilderness values. Areas that have had previous resource extraction or use such as mining or timber harvest can still be designated as Wilderness in some cases. Previous use of an area does not necessarily disqualify it from future Wilderness designation if the overall qualities meet the requirements of the Wilderness Act. Congress has the sole authority to designate areas as Wilderness.

16. The Forest Service should define what the “threats” are to Wilderness character.

Response: A threat could become a reality when activities, such as road construction, change human patterns or ecological integrity in a manner that diminishes Wilderness character or values of an existing or potential Wilderness (DEIS, Wilderness section, p. 3-138).

17. The Forest Service should correct its statement of page A-14 of the Draft EIS that mechanized travel for the disabled is not allowed in Wilderness areas.

Response: This statement on A-14 was unclear and has been rewritten in the FEIS. Mechanized wheel

chairs are permitted in designated Wilderness. The 1990 Americans with Disabilities Act in Section 507(c) states:

(1) In General – Congress reaffirms that nothing in the Wilderness Act is to be construed as prohibiting the use of a wheelchair, and consistent with the Wilderness Act, no agency is required to provide any form of special treatment or accommodation, or to construct any facilities or modify any conditions of lands within a Wilderness area to facilitate such use.
(2) Definition – for the purposes of paragraph (1), the term wheelchair means a device designed solely for use by a mobility impaired person for locomotion that is suitable for use in an indoor pedestrian area.

18. The Forest Service should disclose the legislative history behind the “soft release” compromise reached in 1984, which allowed 21 States to pass legislation that increased Wilderness.

Response: Designating Wilderness is outside the scope of the proposed rule. See Chapter 1 and 2 of the FEIS for background information.

19A. Establishing roadless areas provides a “transition” zone between wilderness and non-wilderness areas, thereby lessening the impact of non-wilderness activities such as logging and motorized use on the wilderness itself.

Response: As the DEIS and FEIS describe, roadless areas adjacent to existing wilderness serve as a natural transition between Wilderness and areas of road-based management activity, and therefore serve to sustain existing levels of Wilderness value protection (DEIS Affected Environment, p. 3-137).

19B. Buffer zones around Wilderness areas are contrary to congressional intent and the Forest Service Manual.

Response: The Forest Service is mindful of congressional intent regarding “buffers,” as the DEIS and FEIS explain in a footnote (DEIS, Recreation and Wilderness section, p. 3-137). The description in the Affected Environment refers to the inventoried roadless areas as they function, not as planned or possible buffers.

20. The Forest Service should state when it will conduct an inventory of the uninventoried roadless areas.

Response: Direction on inventory of roadless areas is available in the new 36 CFR 219 Planning Regulations.

21. The inventories of roadless areas used for this process should be adjusted to either leave areas out (use the original RARE inventory), or restore areas that have been left out with no explanation (in particular on the George Washington NF and the Monongahela NF).

Response: The identification and disposition of inventoried roadless areas during the past 30 years is a complex subject. For example, specific legislation has designated some of the inventoried roadless areas as Wilderness or placed portions of these lands into other land uses (for example, the Oregon Cascade Recreation Area). On a local level, forest and grassland plans have been developed across the nation that have allowed management actions in some of these inventoried roadless areas, and deferred management actions in others. The maps of inventoried roadless areas in Volume 2 of the DEIS were based on information from each national forest and grassland using a set of criteria established for this specific analysis.

The DEIS summarized the RARE and RARE II processes, which the agency conducted to review and evaluate the Wilderness suitability of roadless areas greater than 5,000 acres, and which resulted in a nationwide inventory of roadless areas. Additional reviews occurred during forest and grassland planning and through other area assessments and project NEPA analyses. These have led to the “inventoried roadless areas” used as the basis for the proposed rule (DEIS p. 1-4). Not all inventoried roadless areas were recommended or designated as Wilderness.

In compiling the national GIS data layer of the inventoried roadless areas for the DEIS, each national forest and grassland was contacted to provide their most up-to-date data for their forest. That is, the most current inventoried roadless inventory that the forest has and uses for planning purposes, tied to a plan or plan revision that has included a public review and comment period. The GIS layer that each forest or grassland provided was

combined with the data from the other forests and grasslands to create the national inventoried roadless area GIS layer. It was updated for the FEIS.

Since 1972, the Forest Service conducted several nation-wide roadless area inventories. They have been supplemented with the identification of additional inventoried roadless areas by subsequent individual forest and grassland plans. It is possible that in the future the areas within the George Washington or Monongahela National Forests could be re-inventoried and included as inventoried roadless areas. This would be determined at the local forest level.

The purpose of the proposed action is to conserve and maintain roadless lands for their unique ecological, social, and economic values (DEIS p. 1-3). The proposal focused on inventoried areas, as well as smaller unroaded areas not inventoried in RARE II because they did not meet the minimum 5,000 acre size or other criteria. The DEIS recognized that many of these areas may have roadless characteristics similar to those of the larger inventoried roadless areas. The direction for management of the smaller areas is provided in the new 36 CFR 219 Planning Regulations.

The prohibition alternatives (Alternatives 2 through 4) apply to 58.5 million acres of inventoried roadless areas and apply the prohibitions on those actions that are likely to significantly alter landscapes and cause landscape fragmentation on a national scale – road construction, reconstruction, and timber harvest (DEIS pp. 1-10 and 2-4).

22. *The Forest Service does not define the term “wildland” in the Draft EIS and should remove it from the document.*

Response: We have added the definition of “wildlands” to the Glossary in the FEIS.

Motorized Recreation

23. *The Forest Service should maintain access to motorized recreation opportunities, including special events, where it has historically occurred (no net loss), not limit or close it to the public; in fact, opportunities for expansion or rerouting of motorized recreation opportunities should be allowed when appropriate and allowances made for the elderly, families with young children, the*

disabled, and those with little time to recreate. Trailheads, campgrounds, and other support facilities should also be maintained or construction of new ones should be allowed;

24. *The OHV community is respectful of nature and willing to work with the Forest Service to maintain access to NFS lands by maintaining a voice in shaping land management decisions, by sponsoring trail maintenance and education, by accepting a permit, reservation, or fee system, and by supporting patrols and fines for offenders;*

25. *The Forest Service should ban motorized recreation, including OHVs (for example, motorcycles, 4x4s, ATVs, and snowmobiles) and motorboats (for example, powerboats, personal watercraft, and jet skis) from roadless areas; and*

26. *The Forest Service should carefully plan for motorized recreation, complying with State and Federal environmental laws. It should employ restrictions such as designated areas and routes, types of engines, and emission controls. It should conduct research and monitor motorized recreation in order to better understand the situation and minimize impacts to the environment. Such impacts are introduction of exotic weeds, soil erosion and compaction, and impacts to vegetation, lake and stream ecology, wildlife, fish, and rare and sensitive plant species. And it should avoid or minimize impacts to people not participating in motorized recreation such as noise, dust, pollution, trash, shooting, vandalism, and displacement of traditional recreation use.*

Response: Scoping responses and DEIS comments revealed conflicting public opinions regarding motorized recreation use in, and its effects on roadless areas. This is an important issue, but the appropriate balance between motorized and non-motorized dispersed recreation use is highly variable throughout the country and dependent on distinct social and environmental conditions (DEIS, Recreation, p. 3-121). Local decisions regarding motorized recreation use and its effects, monitoring, signing, education, grants, and compliance are an on-going process and not affected by the proposed rule.

Local planning and management processes at the forest and grassland level will balance recreation demands (including special events or uses) with local resource capabilities. Such planning will apply using

Forest Service regulations and policies including the roadless rule to make local land management decisions.

Whether or not to allow motorized recreation on national forests and grasslands is outside the scope of the proposed action because definitive nationwide data on motorized recreation use are not available, and the protocols have not been established for collecting this information (DEIS p. 2-18). The alternative of prohibiting all activities, including motorized recreation (OHVs, water craft, etc.) from roadless areas, was considered but was eliminated from further study (DEIS p. 2-15).

27. *The Forest Service should clear up confusion in the DEIS regarding what types of recreation activities, roads, and trails would be affected by the rule.*

Response: The agency has attempted to remove any wording that would cause confusion in the Roadless Area Conservation FEIS. Existing or future trails are not affected by the national prohibitions in inventoried roadless areas. Trail widths may vary and are not limited to 50 inches. Decisions regarding trail planning, construction, reconstruction, decommissioning, or maintenance would be made at the local national forest level based on local environmental and social conditions.

The terms “off highway” and “off road” are used interchangeably in some areas of the DEIS; however, the preferred terminology for the Forest Service is “off-highway vehicle.” Off-highway vehicle means motorized vehicles such as, but not limited to: motorcycles, all-terrain vehicles, four-wheel drive vehicles, and snowmobiles.

We have added the agency’s current definition of “trail” to the FEIS.

TRAIL. A commonly used term denoting a pathway for purposes of travel by foot, stock, or trail vehicle [FSM 2353.05 (6)].

The Recreation section narrative in the FEIS, Chapter 3, provides more clarification. Examples of activities associated with foot travel are hiking, skating, cross-country skiing, snowshoeing, backpacking, and rock climbing; examples of animals associated with stock use are horses, llamas, mules, and goats; and, examples of trail vehicles are

bicycles, motorcycles, snowmobiles, watercraft, 4x4s, and ATVs (all terrain vehicles). Wheelchair use is associated with the category of foot travel.

Nothing in the rule is intended to prohibit the authorized construction or maintenance of motorized or non-motorized trails of any size that are classified and managed as trails pursuant to agency direction (FSM 2350) (DEIS, Appendix A, Proposed Rule, p. A-19). This has not changed in the FEIS.

The definitions for roads in the Glossary of the FEIS have been coordinated with those in the Roads Policy.

28. *The Forest Service should not postpone addressing motorized recreation use in roadless areas; it should address motorized recreation now in the Roadless Area Conservation Rule, immediately initiate another rulemaking process to address OHVs on NFS lands, or have Congress pass legislation to prohibit OHVs.*

Response: Definitive nationwide data on OHVs and other motorized recreation use are not available, nor have the protocols been established for collecting this information. Until the protocols are established and these data are available, it is premature to prohibit these uses (or determine their most suitable locations) at the national level (DEIS, Alternative Sets of Prohibitions, p. 2-18). Therefore, motorized recreation would not be included in this or any other rulemaking at this time.

The Forest Service considered but did not analyze in detail an alternative that would have applied prohibitions on various activities such as OHV use through the enactment of legislation (DEIS and FEIS Chapter 2, Alternatives Considered but Eliminated From Detailed Study). The proposal to have Congress pass legislation to prohibit OHVs is beyond the purpose and need of this rulemaking. Under the Constitution, it is solely the prerogative of Congress to determine if legislation is warranted.

29. *The Forest Service should enforce existing regulations (including Executive Order 11644 as amended by Executive Order 11989), create guidelines and ensure that they are available through education, signing, maps, trail guides, etc., close unauthorized motorized trails and “ghost roads,” and follow through with fines when necessary.*

Response: Local, on-going decisions regarding motorized use (for example developing guidelines, education, closing roads and trails, and compliance) are not affected by the proposed action.

Executive Orders 11644 (Nixon, 1972) and 11989 (Carter, 1977) together direct that the nation have policies to manage OHVs. Title 36 CFR 295 provides the regulatory direction to implement these Executive Orders and allowed motor vehicles off Forest Development Roads. Forest Service Manuals tiered to 36 CFR 295 direct forest and grassland plans to identify where this use on NFS lands is appropriate. Where unacceptable levels of environmental impacts are occurring, the Forest Service can close any individual area, as provided in 36 CFR 261.50 (orders) or 36 CFR 261.53 (special orders).

Local management decisions for existing roads will be addressed under the proposed Road Management Policy for the National Forest Transportation System (Roads Policy). Currently, Forest Service managers are encouraged to use a science-based roads analysis process when making road management decisions. Under the Roads Policy, managers would be required to conduct roads analysis when making road management decisions. This would include making a determination if unclassified roads (such as unplanned roads, abandoned travel ways, off-highway vehicle tracks which have not been designated and managed as a trail, and those roads no longer under permit or other authorization) are needed and should be classified, designated as a trail, or decommissioned.

Recreation Special Uses

30. The Forest Service should exempt from the rule all lands or activities described in existing special use permits or master development plans such as those at White Pass, Arapahoe Basin, Sierra at Tahoe, Pallavicini, Alleys Trails, Mammoth Mountain, June Mountain, Tamarack Resort and Cross Country Skiing Center, Mammoth Snowmobile Adventures, and others. It should allow the proposed Pelican Butte Ski Area to continue the planning process, and allow expansion of commercial recreation activities to benefit local native people; and

31. The Forest Service should not exempt from the rule any new ski areas or expansion of any existing ski areas such as those at Pelican Butte, Mount Ashland, Copper Creek, Sherwin, Beaver Creek, Mammoth Mountain, June Mountain, and others.

Response: The examples of Special Use Permit holders listed would fit into one or more of these three scenarios depending on the local situation.

a. Inside Inventoried Roadless Areas, Inside Permit Boundary or Decision In Place. The prohibition alternatives would allow expansion of ski areas, resorts, or other recreation developments in inventoried roadless areas, under existing Forest Service policy, if special use permits are in existence and proposed activities take place within boundaries established by the special use authorization. The prohibition alternatives would also allow expansion or new construction, inside or outside a special use permit boundary, in an inventoried roadless area provided that expansion or construction was approved by a signed Record of Decision, Decision Notice, or Decision Memo before implementation of the rule (DEIS, Recreation Special Uses, p. 3-130). The prohibition alternatives would not suspend or modify any existing permit, contract, or other legal instrument authorizing the occupancy and use of National Forest System lands (DEIS, Appendix A, p. A-27).

b. Inside Inventoried Roadless Areas, Outside Permit Boundary. New ski areas, or expansions of existing ski areas outside existing special use permit boundaries, in inventoried roadless areas may or may not be subject to the prohibitions; it would depend on the type of project and method of construction. New ski areas, such as the proposed Pelican Butte area, would most likely require new roads for their infrastructure within inventoried roadless areas. If roads are required, the proposed ski area would be subject to the prohibitions, and road construction would not be allowed. Opportunities for future ski areas or ski area expansion would most likely occur outside inventoried roadless areas on National Forest System land, on other Federal, State, or local government land, or on private real estate.

c. Outside Inventoried Roadless Areas. Proposed new ski areas and ski area expansions outside inventoried roadless areas would not be subject to the prohibitions. In this scenario, decisions related to ongoing activities in ski area development and

expansion would be made at the local national forest level under normal Forest Service analysis processes (DEIS pp. 2-6 and 2-7).

Proposed new ski areas go through many levels of analysis and involve a wide range of people, groups, and government agencies. Before a ski area is approved, a feasibility study, forest plan consistency review, master development plan, and site-specific NEPA analysis take place in a collaborative environment involving the local Forest Service unit and all interested parties. The actual implementation of any ski area proposal is not guaranteed until the proposal has passed through all the levels of analysis. At any point in the process, the Forest Service may decide not to approve the project or the proponent may choose not to pursue it.

32. *The Forest Service should clarify discrepancies in the draft EIS concerning ski area expansions.*

Response: The agency has attempted to remove any conflicting descriptions of the effects on ski areas in the FEIS.

33. *The Final EIS should explicitly state that helicopter skiing is a suitable dispersed recreational activity in designated roadless areas.*

Response: Helicopter use is appropriate in inventoried roadless areas where forest and grassland land and resource management prescriptions allow motorized recreation. The use of helicopters is mentioned in the Recreation section (FEIS, Chapter 3, Dispersed Recreation Activities). It is not analyzed in this FEIS because, as stated in the Purpose and Need (FEIS, Chapter 1), the purpose of this action is to immediately stop activities that have the greatest likelihood of degrading desirable characteristics of inventoried roadless areas – road construction, reconstruction, and timber harvest.

Scenic Values

34. *The Forest Service should protect the scenic quality in inventoried roadless areas and other unroaded areas by prohibiting, or allowing, timber harvesting, or buying private land. Benefits of such measures would include reduction of bug infestations and wildfire potential, economic sustainability of tourism dependent communities, and maintenance of people's livelihoods.*

Response: Both the DEIS and FEIS address the effects of timber harvest on scenic quality with respect to insect infestations and wildland fire (DEIS pp. 3-133 and 3-172). The scenic quality of a forest is not static; it changes over time. To varying degrees, roads, timber harvest, insect infestations, and wildland fire events all affect the scenic integrity of a landscape. The agency has limited control over natural events such as insect infestations and wildland fire. Managers may influence the effects of natural events to some extent by managing vegetation with silvicultural and fuels treatments. In these instances, the positive effects on scenic quality resulting from reducing the effects of these natural events are offset to some extent by the negative effects of road construction and vegetative treatments, depending on an individual's perspective.

Alternative 1 would provide local managers with the greatest flexibility to construct or reconstruct roads and harvest timber in inventoried roadless areas. The result of extending this flexibility would be some negative effects to scenic integrity from the roads and treatments themselves, together with some positive effects from reducing the potential magnitude of natural events.

To varying degrees, Alternatives 2 through 4 would prohibit road construction, reconstruction, and timber harvest in inventoried roadless areas. Alternative 2 would maintain some visual integrity by prohibiting roads. Alternative 3 would maintain more visual integrity by prohibiting roads and commodity timber harvest. The silvicultural treatments permitted in both Alternatives 2 and 3 could result in some short-term degradation of scenic integrity. However, treatments would enhance vegetative health and reduce fuel loading, thereby providing protection from insects and wildland fires. In Alternative 4, no reduction in scenic integrity would occur because of road construction or reconstruction and timber harvesting. However, this alternative has the highest probability of reduced scenic quality for some people resulting from catastrophic natural events.

The relationship between scenic quality and the economic sustainability of tourism dependent communities was also analyzed (DEIS pp. 3-133 and 3-170). All things considered, Alternatives 2 through 4 would maintain higher scenic quality in inventoried roadless areas than would Alternative 1. Maintenance of high scenic quality would contribute to the economic and cultural viability of gateway

communities, and to the well-being of their visitors and residents.

No data have been compiled nationally to identify and analyze parcels of private land that could be acquired to maintain or enhance the scenic quality of inventoried roadless areas. Such determinations are more appropriately made at the local planning level.

35. *The national prohibitions in the action alternatives are not necessary because the existing Forest Service Scenery Management System is sufficient to protect scenic quality.*

Response: It is true that in all resource management activities in inventoried roadless and unroaded areas, the Forest Service would strive to achieve long-term sustainable Landscape Character Goals within the Scenic Integrity Objectives (terms described in the Forest Service Scenery Management System) identified in the forest and grassland planning process (DEIS p. 3-132). However, these goals would not necessarily prohibit road construction or reconstruction or timber harvest in roadless areas. They would most likely set the stage for determining the design, location, and standard of the road to be constructed or reconstructed. Therefore, national prohibitions in the action alternatives would ensure a higher level of scenic quality than depending on the Scenery Management System alone would provide.

36. *The Forest Service should address the effects of insect and disease outbreaks and catastrophic fires on scenic quality.*

Response: The DEIS and FEIS analyzed the effects of the proposed rule and alternatives. Discussions on forest health and wildfires are included in the documents. Natural disturbances do not permanently change scenic quality.

37. *Part 294.13(a) of the proposed rule should include other aspects of the Scenery Management System (such as “Special Places”), and the categories of historical area, and Wilderness suitability in the list of characteristics to be evaluated in revision of plans.*

Response: The new 36 CFR 219 Planning Regulations provide the direction on how best to incorporate these characteristics in forest and grassland planning and other processes.

Value of Recreation and Tourism

38. *There is little undeveloped land left; therefore, the Forest Service needs to protect roadless areas from logging and mining; roadless areas are much more valuable for recreation and tourism.*

Response: The Forest Service recognizes the intrinsic values of undeveloped land. Therefore, the agency analyzed a range of alternatives that have different mixes of prohibitions on certain activities in inventoried roadless areas. Consideration of roadless values in future local forest and grassland planning decisions affecting inventoried roadless areas and unroaded areas will be done under the new 36 CFR 219 Planning Regulations.

The support of tourism, usually a State-run program, is outside the scope of this DEIS. However, the action alternatives in the DEIS are not inconsistent with the goals of tourism programs.

The 1872 Mining Act governs “hard rock” mining use of Federal lands. The prohibition alternatives would affect other types of mining as described in the FEIS. Timber harvest is one of the Forest Service’s legally authorized purposes, along with other multiple-uses such as recreation, wildlife, and protection of water sources (Multiple-Use Sustained Yield Act of 1960, the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976). The prohibition alternatives would permit or restrict logging to different degrees (DEIS pp. 2-3 through 2-6).

Interpretation and Education

39. *Provide public education and information through outreach programs, interpretation in campgrounds, and printed brochures.*

Response: The agency makes a continuing effort to raise the awareness of Forest visitors about conservation and land use ethics. Creative collaborations involving the Forest Service with teachers or volunteer interpreters have been successful at many national forests and grasslands. As funding permits, brochures and exhibits are developed to give land management and ethics information. Unfortunately, the demand for education and interpretation is higher than the Forest Service can usually supply. These ongoing processes

related to education, interpretation, and information are a function of local resource management activities and are outside the scope of the DEIS.

Volunteers

40. The Forest Service should recognize and encourage more volunteer work by the OHV community in road and trail maintenance.

Response: This rule does not affect existing roads and trails or local collaborations with the OHV community. Its purpose is to prohibit certain activities that have the greatest likelihood of degrading the desirable characteristics of inventoried roadless area areas.

The Forest Service recognizes the value of volunteers. The breadth of knowledge and depth of experience that volunteers contribute are a critical part of achieving the agency mission. Benefits of these volunteers are twofold: the Forest Service can provide higher quality products and services, and their visible efforts raise the awareness of other forest visitors to the volunteers' contribution to conservation practices.

Recreation Funding

41. The Forest Service should increase funding to support recreation and trails programs in roadless areas.

Response: Funding for inventoried roadless areas and unroaded areas is addressed by each national forest and grassland in its planning and budgeting process. The focus of this rule is to maintain roadless characteristics, not increase funding for specific programs; therefore, the ongoing process of creating annual budgets for recreation and trails programs is outside the scope of the purpose and need of this rule.

Improvement of recreation opportunities in inventoried roadless areas and unroaded areas may already be funded. Examples would be maps, signs, brochures, and other visitor information, trail construction and maintenance, special use administration, maintenance of backcountry facilities, and law enforcement. The future of recreation funding in the Forest Service is expected to be generally flat or slightly increasing. Unless Congress appropriates funding specifically for

inventoried roadless areas, there will be little increase in funds available to be focused on recreation goals in inventoried roadless areas. Historically, special areas have not received additional or specific funding, simply because of their designation, from the agency or Congress over the long-term. Therefore, additional funding to accomplish recreation goals in inventoried roadless areas would be minimal.

42. The Forest Service should eliminate the plethora of passes, fees, permits, and tolls required for the public to enjoy public lands on National Forests; and

43. The Forest Service should fund recreation and road maintenance, trash removal, repair of facilities, education, and law enforcement by charging an entrance fee or requiring a permit to hike, bike, ride horseback, or drive all terrain vehicles on National Forests.

Response: The rule does not affect recreation fee programs. The suggestions are outside the scope of the purpose and need of the proposal.

44. The Forest Service should not accept funds from OHV groups.

Response: The Forest Service cooperates with a wide range of organizations that have an interest in recreation management activities that occur on National Forest System lands. Hiking, OHV, equestrian, mountain bike, snowmobile, floating, and many other groups volunteer their time, donate money and equipment, and collaborate with local Forest Service units to accomplish critical work. In addition, many States have granting programs to build and maintain trails, provide education and information, construct recreation facilities, and support law enforcement. Forest Service field units apply for these grants to create a supplemental source of revenue to provide quality recreation products and services for the American people. All of these activities are a function of local resource management activities and are outside the scope of the DEIS.

45. The Forest Service should oppose CARA.

Response: The proposed Conservation and Reinvestment Act (CARA) is proposed legislation before Congress. Through the separation of powers

under the Constitution, the agency does not get involved with legislative actions unless specifically asked by Congress for an opinion or information. Opposing legislation would be beyond the scope of this roadless area conservation proposal.

Multiple-Use Management

46. Recreation, beauty, watersheds, diversity, rivers, caves, fish, wildlife, and fires need to be managed in a manner that is cost effective, compatible with resource extraction, and does not favor one resource over the other.

Response: Management of resources both inside and outside inventoried roadless areas would continue under existing laws, regulations, and policies. Local forest and grassland planning processes consider what uses are appropriate in an area and the capability of the land to support these uses with the least amount of resource damage and local user conflicts. Issues and conflicts between such resource components are best addressed at that level. These ongoing forest and grassland level decisions are not within the scope of this rulemaking and FEIS.

Exclusive Access

47. The general public should be allowed access to the same public lands as people with leases or special use permits.

Response: Decisions regarding the appropriate mix of public, private, and permitted access to NFS lands are made at the local level based on distinct social and environmental circumstances; therefore, they lie beyond the scope of this proposal.

Other Agency Management

48. Allowing or prohibiting motorized vehicles in National Parks and other agency lands should be considered.

Response: Management of activities in National Parks and other agency lands is not within the authority of the Forest Service or the scope of this proposal.

49. The Forest Service should clarify whether beaches are roadless areas, including Assateague Island.

Response: The USDA Forest Service manages the National Forest System lands. The rule would affect inventoried roadless areas on National Forest System lands, only. This may include lake or ocean beaches. Assateague Island is managed by other Federal and State agencies; therefore, it is outside the scope of this action and not subject to the provisions in the rule.

End of Recreation Section