



Public Lands Workshop #2

MRA and Partners

National Board Meeting

April 21, 2020

Minimum Requirements Analysis



The Back Country Horsemen of America's Resolution Concerning the Use of MRA's in Wilderness

Whereas The mission of Back Country Horsemen of America, in part, is to perpetuate the common sense use and enjoyment of horses in America's backcountry and wilderness areas to assist the various government and private agencies in their maintenance and management of said resource.

And whereas BCHA recognizes that existing wilderness areas provide the greatest opportunity for horsemen to enjoy a high-quality backcountry pack and saddle recreation experience.

And whereas BCHA feels that assuring that wilderness remains accessible to all traditional users is the best way to ensure that the American people will continue to support the National Wilderness Preservation System.

And whereas BCHA notes that the General Accountability Office Report (GAO-13-618) of June 27th, 2013 states: "the Forest Service has more miles of trail than it has been able to maintain, resulting in a persistent maintenance backlog with many of negative effects". The Report also states, "at least some maintenance was accomplished on 3,000 miles of trail and that only 25% met the agency's standards, ... with some officials [reporting] that some trails had not received any maintenance in the last 10 years."

And whereas BCHA understands that trail maintenance funds have been cut to the bone, many trails are maintained late, the season not maintained at all, and decommissioning of some trails is being considered because they are not being maintained.

And whereas BCHA contends that the Forest Service's reluctance to consider all legal alternatives to resolve the trail maintenance backlog has contributed to the size of the backlog and, in so doing, the agency has chosen to elevate its bias for relying on primitive methodology above the mandate of law which requires that wilderness be managed in a manner that leaves "them unimpaired for future use and enjoyment as wilderness..." (P.L. 88-577 S2).

And whereas BCHA understands that a recent Forest Service news release stated that the number of wildfires on public lands has doubled and the acreage has tripled since 1980. Both the increased occurrence and size of wildfires, and the unprecedented impact of the pine beetle, will further exacerbate the conditions described in the GAO report.

And whereas BCHA understands that volunteer trail maintenance is a tremendous help in keeping our trails open and allowing for equestrian use, and that BCHO and BCHW and other BCHA states spend thousands of hours and out of pocket expense in that effort.

And whereas BCHA recognizes that the Forest Service has a process in place – the Minimum Requirements Decision Guide – for guiding the agency in making the determination of what constitutes the appropriate tool for accomplishing projects to meet the purposes outlined in the Wilderness Act.

And whereas BCHA further recognize that the following language in both the Wilderness Act and Forest Service policy provide the flexibility to consider the alternative of using motorized equipment for trail maintenance (the intent of which is the minimum necessary action for accomplishing the purpose of the Act).

Public Law 88-577, 44 "except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act ... there shall be no temporary road, no use of motorized vehicles, motorized equipment or motorboats ..."

And whereas the current culture of the Forest Service is to rely almost exclusively on primitive or traditional methods to manage trail systems, the nature of the problem is too severe to be resolved by primitive means, resources are not available to accomplish the task in the preferred manner, the problem is too long unresolved and the trail(s) eventually become unusable – "functionally closed" or are removed from the system.

Therefore, let it be resolved that BCHA requests of the US Forest Service that within two years of the following catastrophic events that render a trail unusable by pack and saddle stock (when such use has been identified as appropriate in previously established Trail Management Objectives), and all reasonable alternatives have been exhausted, a Minimum Requirements Analysis (MRA) process be initiated to restore the affected trails to an acceptable Design Parameter as established in the Forest Service Directives System.

- A wildland fire has closed portions of a wilderness trail.
- A wind event has closed portions of a wilderness trail.
- Any natural event has occurred and closed portions of a wilderness trail.

Further let it be resolved that BCHA requests that a similar process be initiated if a wilderness trail has not been maintained for a period of two years and is effectively closed to pack and saddle stock use.

And also let it be finally resolved that BCHA strongly suggests that the US Forest Service Washington DC Office consider all reasonable actions to remove cultural barriers that interfere with the timely and efficient analysis of all legally acceptable methods of maintaining and reconstructing wilderness trails, complying with the mandate of "administering [wilderness] for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness" (P.L. 88-577), and "narrowing the gap between program needs and resources" as recommended by the General Accountability Office Report (GAO-13-618).

Thrust of the MRA Resolution

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BCHA Resolution passed by the National Board of Directors, April 2019

Actions Taken So Far

- ◆ Presentation of Resolution to USFS Director of Wilderness and Wild/Scenic Rivers Sue Spears
- ◆ Presentation of Resolution to USFS Chief 6/5/19
- ◆ Discussion of Resolution with USFS Deputy Chief Chris French 7/12/19
- ◆ Meeting with USFS Associate Deputy Chiefs, Directors, and others 2/11/20
- ◆ Follow up with USFS
- ◆ Follow up by BCHA states and chapters

At the same time, we didn't see this coming...

May 2019

Chainsaws Approved to Clear Trails in Two Colorado Wilderness Areas

Six-week approval to clear beetle-killed trees will improve forest and trail conditions while enhancing visitor safety, recreation opportunities, and visitor access.

<https://www.fs.usda.gov/detail/sanjuan/news-events/?cid=FSEPRD628965>

DENVER, CO., May 9, 2019 — Regional Office Officials announced today the approval for a time-limited exception for chainsaw use within the Weminuche and South San Juan Wilderness areas. The exception will allow Rio Grande and San Juan National Forest employees, partners, and volunteers under Forest Service supervision to clear bark beetle-killed trees that are obstructing access to the wilderness. The approval does not provide free rein to use motorized equipment in wilderness areas.



June 2019

Forest Services axes decision to use chain saws in wilderness, for now

Agency directs staff to study effectiveness of motorized tools

By **Mary Shinn** Durango Herald Health & topics reporter
Tuesday, June 11, 2019 8:49 PM

The U.S. Forest Service rescinded its decision to allow chain saws in two Southwest Colorado wilderness areas, at least temporarily, because of heavy snowpack that will keep trail crews out of areas in need of trail maintenance.

The Forest Service's Rocky Mountain Regional forester, Brian Ferebee, approved the use of chain saws in May to remove bark beetle-killed trees obstructing trails in the Weminuche and South San Juan wilderness areas.

The Forest Service planned to use chain saws because beetle-killed trees are falling so quickly across the forest it can't keep trails clear using crosscut saws, Forest Service staff previously told *The Durango Herald*.

Conservation groups challenged the use of chain saws and filed a lawsuit to block their use. The groups argued using chain saws would violate federal law that prohibits the use of motorized equipment in wilderness areas except in emergency situations.



Federal Agencies:

Service Agreements and Memorandum of Understanding (MOU):

- ◇ US Forest Service
- ◇ National Park Service
- ◇ US Bureau of Land Management
- ◇ **New:** US Army Corps of Engineers



Pictured are Ken Ausk, Founder of BCHA, Reggie Chapple, NPS Chief of Partnerships, your Chairman Jim McGarvey, Phyllis Ausk, Founding Member of BCHA, and Alan Hill, Past Chairman BCHA and Executive Committee Member

BCHA website: search for “MOU”



Center for Outdoor Ethics: Leave No Trace[®]

- ◆ BCH California's Masters' Leave No Trace (LNT) education program.
- ◆ First-ever contract to be "sole provider" of the Master Educator LNT Stock Use program for the US Forest Service Pacific Southwest Region.



bcha.org/education



- ◇ American Endurance Ride Conference
- ◇ American Hiking Society
- ◇ American Horse Council
- ◇ American Trails
- ◇ Equestrian Land Conservation Resource
- ◇ National Wilderness Stewardship Alliance
- ◇ Partnership for the National Trail System
 - ◇ Appalachian Trail Conservancy
 - ◇ Arizona Trail Association
 - ◇ Continental Divide Trail Coalition
 - ◇ Pacific Crest Trail Association
 - ◇ Pacific Northwest Trail Association
- ◇ The Wilderness Society