For Immediate Release
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Groups sue to preserve access to public lands

A coalition of seven multiple-use recreation groups, collectively representing nearly 13,000 members, are challenging the Bitterroot National Forest Travel Plan, as presented in the Final Record of Decision posted in May, 2016. They are the Bitterroot Ridge Runners Snowmobile Club; Ravalli County Off-road User Association; Bitterroot Backcountry Cyclists; Montana Trail Vehicle Riders Association; Montana Snowmobile Association; Citizens for Balanced Use; and Backcountry Sled Patriots.

The coalition describes the lawsuit filed December 28th, as a last resort to stop the federal overreach of agencies running roughshod over public lands, directly impacting Montana's recreational opportunities and outdoors economy. Since 1995, the Forest Service has closed over 22,000 miles of multiple-use roads in Montana, and approximately 1 million non-wilderness acres to motorized uses.

Naming multiple defendants, including the United States Forest Service (USFS) and the USFS Northern Region (Region 1), the groups cite several counts of "arbitrary and capricious" decision making to restrict access within a significant portion of the Bitterroot National Forest. The groups claim that ideology, not substantive factual data, largely influenced the final outcome of the Plan, and that the Agency focused improperly on intangible, social impacts and ideology in changing established uses on the Forest.

The Bitterroot National Forest (BNF) is located in southwest Montana and includes about 1.6 million acres of public land. Nearly 50 percent of the BNF is Designated Wilderness that prohibits all motorized and mechanized travel. Prior to the implementation of the Travel Plan, 62 percent of all trails in the BNF were designated exclusively for non-motorized recreation, and most of the non-wilderness areas remained available to snowmobiles and mountain bikes.

In total, the BNF Travel Plan denies public access to all motorized and mechanized vehicles on an additional 200,000 acres of forest land which had previously been accessible to motorized recreational users since the 1970's. The Plan reduces access to nearly twenty percent of the area's forest system roads, along with restricting access to nearly eighty percent of existing motorized trails.

Additionally, it prohibits all (non-motorized) mountain bike travel throughout the recommended wilderness areas (RWA's) totaling 76,365 acres, as well as the Blue Joint and Sapphire Wilderness Study Areas (WSA's) totaling 110,000 acres which, as determined in earlier studies by the Forest Service, do not meet the criteria for Designated Wilderness. Because the Draft Environmental Impact Statement did not provide an action alternative to allow for motorized or mechanized access within RWA's, the public was not even able to submit comments on viable alternatives to prohibition of public access. Deviating dramatically from prior practice and interpretation of binding law and agency guidance, the USFS proposes to manage RWA's and WSA's as de facto wilderness areas.

Each of the seven groups challenging the Plan has been involved since 2007, when letters were sent to affected parties. They state that comments were provided whenever public input was sought, but argue

that points of contention over the interpretation of management policy, the metrics used to determine impacts, and the lack of justification for additional motorized restrictions were not addressed by those with the final say. The Plan ignores hard science, and is devoid of quantitative data on actual impacts of motorized and mechanized use on forest service lands. Furthermore, public input was effectively impinged due to the misleading and conclusory nature of the Agency's narrative of the process, and specifically the Final Environmental Impact Statement.

In their complaint, plaintiffs allege that the Bitterroot National Forest has ignored key input by the public; that none of the proposed action Alternatives are consistent with the Forest's Land Management Plan; and that the Travel Plan ROD is in violation of existing statutes and currently applicable Forest Service policies.

Plaintiffs hope their assertions that certain actions leading up to the Final Record of Decision are illegal under the Administrative Procedure Act will result in a declaration that the Plan is unlawful, an order that the BNF must revisit the Plan, and will deter future improper agency behavior.

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