

Southern Four Wheel Drive Association

Conservation - Education - Recreation

September 2, 2005

Chattahoochee National Forest
Toccoa Ranger District
District Ranger Alan Polk
6050 Appalachian Highway
Blue Ridge, Georgia 30513

File code: 1950/2330
Subject: Anderson Creek Off-Highway Vehicle (OHV) Trail System

Dear Ranger Polk,

Please accept the following comments for the record made on behalf of Southern Four Wheel Drive Association (Southern) regarding the Anderson Creek Off-Highway Vehicle (OHV) Trail System project. Southern is a regional association of four wheel drive clubs and enthusiasts dedicated to the conservation and utilization of public lands. These comments do not preclude other Southern representatives and members from submitting other comments.

The proposal states that closing and rehabilitating the Anderson Creek OHV Trail System supports direction in the current Forest Plan to “not adversely affect soil and water resources (Goal 34 excerpt)”. However, Objective 34.2 for such goal states, “For trails under Forest Service jurisdiction, bi-annually maintain to established standards 100 percent of designated OHV trails”. Had the 5 miles of trails within the Anderson Creek OHV Trail System been maintained to the established standards, closure at this time would not be warranted as “significant damage to the forest” would have been mitigated or prevented.

In addition, I direct your attention to previous letters that I have written on behalf of Southern offering our considerable volunteer capabilities and expertise to help maintain the trails at Anderson Creek. Specifically, I refer to my letter of March 14, 2001 to then Acting District Ranger R E Vann of the Toccoa Ranger District responding to the then proposed Anderson Creek project. In my letter, I gave specific recommendations and listed our available heavy equipment and volunteer expertise and offered help with the project. I also refer to my letter of April 4, 2002 to then District Ranger Cassius Cash of the Toccoa Ranger District introducing Southern to Ranger Cash. I outlined in

considerable detail the capabilities, experience, available equipment, and willingness of our volunteers to help maintain the Anderson Creek OHV Trail System. My letters should be in your file, but if they are not, copies are available from me at your request.

On September 7, 2002, the 4WD clubs in Georgia organized a trash pickup day at Anderson Creek where our turn-out was more than 100 members picking up trash and hauling it to the county dump. This clearly shows Southern's ability to organize enthusiastic volunteers to help keep our public trails open.

We have extensive experience in maintaining OHV trails. Southern 4WD Association is the primary volunteer group that maintains the Upper Tellico OHV Area trails in the Tusquitee Ranger District in the Nantahala National Forest near Murphy, NC. We have been maintaining Tellico for over 15 years and we perform \$30,000 to \$50,000 per year in volunteer maintenance services at Tellico. Our member club Georgia Bounty Runners is the primary volunteer group that maintains a large Adopt-A-Trail program in the Beasley Knob OHV Area in the Brasstown Ranger District in the Chattahoochee National Forest near Blairsville, GA. Other member clubs are very active in the Uwharrie National Forest in North Carolina and the Royal Blue Recreation Area in Tennessee.

Our clubs in Georgia are very interested in improving 4-wheel-drive trail riding opportunities in the Anderson Creek OHV Trail System. We are willing and eager to help with all phases of the project. We have extensive experience in all phases of trail maintenance:

- Mapping existing trail systems
- Designing and laying out new trails or trail systems
- Closing undesired or illegal trails and returning old roadbed to natural state
- Developing trailhead facilities (parking areas, entrance signs, etc.)
- Building trail features such as water bars, silt screens, silt traps, etc.
- Seeding and fertilizing trail sides
- Installing trail signage
- Trash pickup and general cleanup

To support our many efforts, we own (or lease as needed) heavy equipment such as a back hoe, dozer, dump truck, deuce and a half army truck, and heavy-duty trailers for transporting trail building materials (culverts, lumber, etc.). In addition, we have operators certified by the Forest Service for the above equipment.

In 2001, the Forest Service won a Recreational Trails Program (RTP) grant for \$32,000 from the Georgia Department of Natural Resources for a \$40,000 project at Anderson Creek OHV Trail System. 80% of the \$40K was budgeted from GA DNR and 20% was to be supplied by the volunteers of Southern. The money languished in the account for years before any was spent.

In addition, in 2003 or early 2004, the Regional Office assigned in excess of \$120,000 to the Toccoa District for Anderson Creek OHV Trail System trail rehabilitation and reconstruction.

Meanwhile, the size of the Recreational Trails Program (RTP) has ballooned, such that the Toccoa District could request a \$100,000 grant from RTP for Anderson Creek OHV Trail System every year and could reasonably expect to win the grants on a frequent basis.

It is very clear that the unmanaged situation in Anderson Creek OHV Trail System is partly or mostly a result of the Forest Service's failure to maintain the trails according to the published standards and a failure of law enforcement to enforce existing laws, rules, and regulations. Yet it is also clear that the Forest Service had the resources at any time to perform the required maintenance.

At the time of the temporary closure in fall 2003, the Forest Service released a news release (available on the Forest Service web site) on October 28, 2003, which reflected the Forest Service and Southern's intention to work in cooperation to reconstruct the trail system:

“ During the temporary closure, plans are being made to designate and redesign the Anderson Creek trail system to better meet the needs of the off road vehicle user, to improve safety, and to prevent future unacceptable damage to the natural resources in the area. “Our long-term goal is to provide a location that the public can enjoy in a safe manner while protecting the soil and water resources of our national forest,” Cash stated. ”

Therefore, please consider and study in detail an alternative that maintains, and relocates within the system if necessary, the approximately 5 miles of authorized trails. Also, please consider adopting all or part of the unsigned and undesignated trails into the trail system. Pursuant to the temporary Supervisor's closure order in fall 2003, the agency was directed to “develop a new management strategy for the area”. Total closure of the area is only one of a few strategies that could be considered.

Failure to consider a range of alternatives calls into question whether the agency will meet the burden of the National Environmental Policy Act (NEPA) and its Council on Environmental Equality (CEQ) Implementing Regulations.

Particularly, such regulations require the agency to “present the environmental impacts of the proposal and the alternatives in **comparative** form, thus sharply defining the issues and providing a clear basis **for choice** among options by the decisionmaker and the public”¹ (emphasis added). Proposing only one strategy for management of the issues surrounding Anderson Creek OHV Trail System fails to offer any “choice” for the decisionmaker or the public.

In addition, the Forest Service proposal for the permanent closure of the Anderson Creek OHV Trail System fails to take into account the potential economic losses of the surrounding communities from the lack of tourism of the recreational users. The proposal

¹ 40 C.F.R. 1502.14

also fails to consider the impact and consequences to the recreational user due to the lack or reduction of recreational opportunities on public lands. It is well known that OHV recreation is one of the fastest growing sectors of public recreation. The Forest Service estimates that 10% of its recreational users are “motorized recreational users” yet only a tiny percentage of trails are suitable for OHV recreation and the available trail mileage is now being proposed for reduction.

Therefore, please develop and “rigorously explore and objectively evaluate”, pursuant to NEPA, an alternative that reroutes problem trail segments and/or maintains and restores problem trails.² Funding and long-term care for the maintenance of this area and new trail mileage can be secured through collaborative agreements and partnership with Southern and local four wheel drive organizations utilizing our volunteer efforts and access to the Recreational Trails Program. Utilizations of this collaborative solution with four wheel drive partners was highlighted and encouraged by Forest Service Chief Dale Bosworth recently at the OHV Collaborative Summit in California in April, 2005.

We look forward to working with the Forest Service in the near future as this project is developed.

Respectfully yours,

² 40 C.F.R. 1502.14(a)