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Testimony for Hearing on “Forest Service Regulatory Roadblocks to Productive Land Use and Recreation: Proposed Planning Rule, Special-use Permits, and Travel Management”

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Subcommittee on National Parks, Forests and Public Lands

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Chairman Bishop, Ranking Member Grijalva, and members of the subcommittee,

Thank you for the invitation to testify. My name is Garrett VeneKlasen; I am the New Mexico field coordinator for Trout Unlimited..

Today I will share with you my experiences as a sportsman and ATV user on public lands in New Mexico. My experiences have taught me the importance of balancing access with habitat protection in order to sustain healthy populations of fish and game, and quality recreational opportunities. I believe that some of the things we’re doing in New Mexico show that if we work together, we can achieve that balance.

I was born and raised in New Mexico and spent my childhood and formative adolescent years hunting and fishing with my father throughout the public lands of New Mexico, Colorado and Arizona. Today, as a father, I am able to pass down our priceless outdoor heritage to my daughter because like many New Mexicans, we have a deep passion for wild places and hunting and fishing. Since I was old enough to drive a car and start a fishing guiding business at sixteen, my entire working career has centered on hunting, fishing and recreating on public lands. I’ve been a fishing and hunting guide, an outfitter, an outdoor writer/photographer, an outdoor travel consultant, and an outdoor television producer. All these jobs center on viable public lands resources.

Seventeen years ago, I purchased my first ATV. At the time, I was newly married and living in Angel Fire, New Mexico. Angel Fire is the gateway to amazing USFS, state and BLM public lands. My “back yard” was the 1.5 million acre Carson National Forest. The public lands backcountry hunting and fishing back then was world class. We had tremendous herds of trophy elk and mule deer. Populations of turkey, grouse and bear were off the charts. Needless to say, as a hunter, angler and OHV enthusiast, I was in heaven.

Back then not many folks owned ATVs in Northern New Mexico. If there were any rules regulating the use of these machines on public lands, they sure weren't publicized and definitely not enforced. Almost daily, I would take off from my house on my ATV with a full tank of gas, a chainsaw, a GPS and a topo map and head into the forest. Aside from more than 3,000 miles of designated motorized trails I could use, the Carson is riddled with abandoned logging roads. If a designated road wouldn't take me where I needed to go, I would simply re-open an abandoned logging road or even head cross-country to get to my favorite hunting or fishing spot. In a matter of years I created literally hundreds of miles of my own user-created routes. There wasn't a spot on the map I couldn't reach on my ATV.

Because I was one of only a handful of motorized users, the overall impact on the land was relatively insignificant. For a time, the quality of my off-bike hunting, fishing and related backcountry experiences remained true and unaffected.

But as each year passed, the number of OHV users in my country grew at an exponential rate. Since 2003, OHV sales have tripled in the United States.¹ The amount of OHV activity has increased dramatically throughout the Carson National Forest. The Camino Real district of the Carson was especially hard hit due to its proximity to Taos and the fast growing resort communities of Valle Escondido and Angel Fire. Soon it wasn't just a handful of folks traversing the countryside in OHVs. It became an army of unfettered users like me that collectively fragmented watersheds, disrupted wildlife and outraged and ultimately displaced the non-motorized users coming to the backcountry.

For a time I denied the fact that increasing off-road use was having a negative impact on the quality of my backcountry fishing and especially hunting. With each passing season though, the quality and quantity of elk, mule deer, turkey, bear and grouse declined dramatically. These animals equate engine noise with predation and quickly vacate lands frequented by vehicle traffic. In a matter of years we – the OHV community – literally drove the animals off public lands and onto adjacent private lands. During hunting season, it became a race to drive into the last remaining remote and un-fragmented backcountries, which were the only isolated islands that held the last residual unmolested game populations.

My favorite fishing spots were impacted also. Folks riding through our river bottoms left deep scars in the soft riparian soil and created mud bogs in fragile riparian areas. Some of our small creeks were even becoming scoured and channelized by frequent OHV use through their courses.

We loved our country to death.

¹ *Off-Highway Vehicle Recreation in the United States and its Regions and States: An update National Report from the National Survey on Recreation and the Environment (NSRE): 8.* Available at <http://www.fs.fed.us/recreation/programs/ohv/IrisRec1rpt.pdf>.

In the fall of 2009, I attended my first Travel Management meeting held by the US Forest Service (USFS) in Taos, New Mexico. At the time, I viewed Travel Management from an access-restricting standpoint instead of its intended purpose – responsible resource protection. I was extremely skeptical of the federal government regulating my off-road activity. I bought in to the rhetoric stating that the “Feds” had no right to tell an upstanding, tax-paying citizen like myself where I could or could not ride. I hated the idea of having to possibly close many of the user-created routes that I and my buddies exhaustively created and maintained for almost a decade.

But in the room were many recreationists like myself. Folks who loved to ride, but also equally cherished the non-motorized, regressive side of outdoor recreation. We talked among ourselves and decided that we, the OHV-based sportsmen’s community, needed to do something to protect our resources from overuse.

And so we collectively and willingly worked with the land management agencies on Travel Management in our area. We used common sense approaches to balance adequate access with corresponding, ample non-motorized refuge country. This is the essence of the Travel Management concept. In the end, the USFS ended up closing some roads and trails, but retained more than 3,000 miles of roads and trails for motorized use. This scenario is typical across the West. There is a misconception floating around out there that Travel Management has severely restricted access across the West and this is simply not true.

I believe that the Travel Management process helps build balance for all users of our treasured national forests. I also believe, as a rider, that I could literally wear the wheels right off of my vehicle just driving the roads and trails on my local national forest alone. In fact, of the 3,400 miles of roads and trails on the Carson, more than 3,000 of those miles are open to motorized vehicles. That’s a pretty good deal for the motorized user like myself.

We, the sportsmen-based OHV community in northern New Mexico, did not stop with supporting the Travel Management process. We collectively wanted to ensure that there would remain quality, easily accessible non-motorized refuge land to hunt in adjacent to our designated motorized routes.²

In 1973, the New Mexico Habitat Improvement Act (HIA) was implemented to protect wildlife populations and crucial wildlife habitat from unrestricted motorized vehicle travel throughout New Mexico’s national forests. The idea behind the act was to create relatively small non-motorized Habitat Protection Areas (HPAs) for wildlife. These areas do not restrict motorized use by federal or state agencies and allow for special use permitting for activities such as logging.

² A brief video about this work can be found at <http://tightlinemedia.com/production-services/video-samples.html>.

The HPAs helped wildlife to flourish.. It is a well-documented fact that game and non-game species alike rely heavily on large, contiguous, protected, non-motorized tracts of country for food, cover and breeding habitat. In the 1980's local populations of elk, deer, turkey, bear, grouse and other game and non-game species exploded after HIA went into effect. In a very short period, the Camino Real District of the Carson became one of the most sought-after hunting units in the entire state. This was the game-rich country I first encountered when I moved to Angel Fire, New Mexico in 1994.

With the help of the local New Mexico Game & Fish Department and US Forest Service personnel, we collectively identified previously-closed non-motorized HPAs within the Camino Real District of the Carson and re-closed (to motorized use) two separate HPAs in the Carson. Collectively, these two HPAs protect approximately 33,000 acres (remember the Carson consists of 1.5 million acres) of prime wildlife habitat. Please keep in mind that the implementation of these closures was instigated by the sportsmen-based OHV community, not the non-motorized community.

Again, it is important to note that this country was originally closed and protected under the previously-mentioned HIA, but was eventually opened back up via user-created routes. Many of these routes were created by yours truly.

After three years of closure, these two HPAs once again boast some of the finest public-land big game hunting opportunities (from both a trophy quality and quantity standpoint) in the entire state if not the entire West. Hunters, hikers, horseback enthusiasts, naturalists and mountain bikers flock to the area because of the easily accessed pristine and wild backcountry country. The revenue generated by hunting and other non-motorized recreation related activities in the communities surrounding the Camino Real is estimated to be \$13.4 million annually, and helps create more than 170 local jobs.

Our experiences in New Mexico have played out in similar ways throughout the West. Sportsmen who use public lands rely on an intact and meaningful system of roads and trails to hunt and fish. We have a significant stake in the upkeep of those roads and trails, but we also need areas where we can leave the machine behind and find not just the solitude and peace that lives in wild country, but also the high quality fish and wildlife habitat that produces meat for the table and fodder for the soul.

The term "access" is a tricky one for sportsmen. Were motorized access the number one issue for sportsmen, downtown Washington D.C. or New York City would be hotspots for hunting and fishing. Sportsmen understand that access is not simply the ability to drive your vehicle uninhibited across the landscape. For sportsmen, access is about quality and opportunity. Just as urban centers loaded with roads and cars don't make quality habitat for fish and wildlife, neither do national forests overrun by unmanaged motorized recreation make good places to fish and hunt.

When the conversation turns to motorized access, non-motorized users and motorized recreationists are often split into disparate groups. For hunters and anglers, the truth is different. Nearly every sportsman who visits public lands does so in a motorized vehicle. It may be an ATV, a truck, a jeep or another four-wheel-drive vehicle, but most of us travel across Forest Service or BLM roads to reach the edges of our hunting and fishing areas.

Sportsmen also know that as you venture farther from the motors, the fish get bigger, the bucks get better and the elk get more numerous. In my state, one of the most sought-after elk tags in the West can take years to draw. Unit 16a in the Gila National Forest draws hunters from around the country and around the world to pursue trophy elk. The Gila National Forest spans 3.3 million acres, four counties and five hunting units. Once the Gila National Forest finishes its Travel Management Plan, it will have more than 3,600 miles of motorized roads and trails for use by the public and the most desirable and hardest-to-draw tag will remain the one that allows sportsmen to hunt the Gila Wilderness Area, away from motorized roads and trails.

There is broad recognition in the sportsmen's community that sound management and responsible use of public lands are necessary to sustaining quality recreational opportunities. Sportsmen are part of a broad-based, divergent off-road community which encompasses much more than the purely recreational riders that are a loud, but minority, stakeholder within the overall OHV picture. The silent majority of the OHV community are recreationists like me who embrace a balanced, common-sense approach to motorized access and resource protection within our public lands. To give voice to this majority we have started a coalition of businesses and rod and guns clubs called Sportsmen Ride Right. Our coalition believes that motorized access is a necessity, but one that must be balanced along with habitat protection to ensure the long-term health of our hunting and fishing heritage.

Sportsmen Ride Right is firmly in support of Travel Management Planning. It only makes sense that we would put thought into the impacts of motorized use on fish and wildlife on public lands. For sportsmen, travel management is no different than game laws that include season and bag limits.

Because so many sportsmen use OHVs to hunt and fish on public lands, we have the most to gain by doing it "right." To this end, Sportsmen Ride Right advocates responsible OHV use and, more importantly, a secure and strong sporting heritage for future generations.

As we consider the decisions made through Travel Management Planning, it is important that we keep in mind the size and extent of the road and trail network on public lands.

- Nearly 90 percent of all lands managed by the US Forest Service are within 2 miles of a road and 78 percent of all national forest lands are within one mile of a road. 62 percent of all national forest roadless areas are less than one mile's distance from a

road. Only a little over 11 percent of all national forest roadless areas are two miles or more from a road.

- In New Mexico's Carson National Forest there are over 3,000 miles of designated motorized roads and trails.
- Once travel management is complete on the Gila National Forest, there will be about 3,600 mile of motorized roads and trails on the forest. That's more miles of roads than there are residents in Catron County, where much of the Gila National Forest lies.
- In Idaho, which contains more roadless acres than any other state besides Alaska, 61 percent of all U.S. Forest Service managed land is within 1 mile of a road and 94 percent of Idaho lands designated as "general forest" by USFS are within 1 mile of a road.

Besides damaging valuable fish and wildlife habitat and limiting hunting and fishing opportunity, an excessive and redundant road system is an unneeded burden on American taxpayers. The Forest Service lacks the financial resources to maintain its system of roads and trails and faces a maintenance backlog of \$8.4 billion.

With so much at stake, it only makes sense for the Forest Service to analyze its network of roads and trails at the district level and to determine the minimum system that can be sustained given available resources, yet still provide access without diminishing the quality of recreational opportunities such as hunting and fishing.

Hunting and fishing generate \$76.7 billion in economic activity in the United States annually. But the number of people who engage in hunting and fishing has been dropping steadily for a generation. Today's youth are more likely to shoot ducks or catch a trout in a video game than they are for real in the outdoors. Our national forests provide critical opportunities to hunt and fish, and these opportunities cost a whole lot less than on private lands. However, these opportunities are available because we still have significant areas of land and water on our national forests that are relatively undeveloped. Areas with low road densities frequently have high aquatic and terrestrial habitat values. Conversely, hunting and fishing opportunities in backcountry areas can be compromised by high road densities and frequent motorized traffic. So if we are to keep our hunting and fishing traditions going, there has to be a good balance between motorized access and walk-in areas.

A look at how motorized access impact elk illustrates this point. Elk are one of the most popular game animals in the U.S. and their reaction to motorized roads and trails has been studied extensively. A 1983 study (Lyon) of the impact of road density on elk populations reported that "habitat effectiveness" could be expected to decline by at least 25 percent with a density of 1

mile of road per square mile and by at least 50 percent with two miles of road per square mile. This study further reported that as road densities increased to five to six miles of roads per square mile, elk use declined to less than 25 percent of potential.

Other studies have shown that closing roads benefits elk. Irwin and Peek (1979) found that road closures allowed elk to stay in preferred habitat longer while elk in roaded areas were displaced. Leptich and Zager (1991) found that closing roads extended the age structure and doubled the bulls per cow sex ratio. Gratson et al. (2000) measured elk hunter success in relation to road density and found that hunter success almost doubled when open road density was reduced from 2.54 km/km² to 0.56 km/km².

Just this month in California, a special state task force found that poorly built roads were doing more harm to salmon in Battle Creek than clear cutting.³ Battle Creek, a tributary to the Sacramento River and an important spawning ground for salmon, highlights the need for planning and carefully thought out road systems.

Sportsmen, like other public land users, may disagree on specific road closures or openings. We do not, however, disagree about the need for sound management of our fish and wildlife resources. Travel Management Planning is part of sound wildlife management, and most sportsmen fully support the concept and need for designated routes.

Hunters and anglers have a long history of paying our own way and taking responsibility for our actions and for those of our peers. We will continue to work for balance and to protect the wildlife heritage that we owe to our children. We ask that Congress also seek a balance that will protect our irreplaceable public lands. Congress should not only protect the Travel Management process, but vocally support a proven policy that can save our lands and save tax dollars.

In summary, the increase in population and use rates of our public lands indicates that we – the current stewards and trustees of our public lands – desperately need to implement a long range Travel Management Plan now more than ever.

The key to the success of Travel Management is transitioning from the individualized, me, mine, here and now access-restriction mindset to a broader, ours, theirs, and tomorrow resource protection perspective. Ultimately this issue isn't just about us. It's about giving my unborn grandchildren (God willing) something of real value. It's about giving them the same quality public lands backcountry experience and opportunity that helped define and refine the man who now sits before you.

The wild world is one of the last truly authentic things that we can give to subsequent generations. In the backcountry, away from the modern trappings of the civilized world and all our gadgets and machinery there is only one truth to be found. It is a place where all beings are

³ Matt Weiser, "Battle Creek at risk from roads," *Sacramento Bee*, November 09, 2011.

governed by a set of perfect laws that have never changed and never will. If a balanced approach to preserving and protecting this one irreplaceable commodity isn't worth protecting, I don't know what else is.

Thank you again for the opportunity to testify. Your careful and thoughtful consideration is greatly appreciated.