

TESTIMONY OF JERRY FRUTH
on behalf of the
AMERICAN HORSE COUNCIL

to the

HOUSE RESOURCES COMMITTEE
SUBCOMMITTEE On NATIONAL PARKS

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INTRODUCTION

I appreciate the opportunity to present this testimony on behalf of the American Horse Council (AHC). My name is Jerry Fruth. I am Chairman of the Federal Land Management Relations Committee of the American Endurance Ride Conference and a member of the American Horse Council's Recreation Committee. We appreciate the Committee conducting this important oversight hearing on recreational access within our National Park System. We hope that by identifying what we believe are existing problems regarding access and discussing the proper balance between the preservation of natural resources and the enjoyment of these resources by recreational horseback riders, our testimony will help the Committee as it examines the dual mission of the National Park Service organic Act – preserve and provide for enjoyment.

The AHC represents 185 equine organizations in Washington, DC before Congress and the federal regulatory agencies. These organizations include breed registries, national and state breeders associations, state horse councils, recreational associations, organizations representing race tracks, horsemen, horse shows, veterinarians, rodeos and numerous other equine related stakeholders. These organizations include several hundred thousand individual horse owners of all breeds and disciplines and industry service providers involved in virtually every facet of the horse world.

We appreciate this opportunity to give you a broad overview of the condition of public access and associated recreation issues from the perspective of the recreational rider and stock user as it relates to the National Park Service. The use of horses and recreational stock on federal lands is a rapidly growing segment of the recreating public and is a vitally important issue to the entire equestrian industry.

ECONOMIC IMPACT OF THE HORSE INDUSTRY

According to the study of *The Economic Impact of the Horse Industry on the United States* done by Deloitte Consulting LLP and the American Horse Council, the U.S. horse industry, including recreation, showing, racing and other segments, involves more than 4.6 million participants and nearly 1.96 million horse owners. 34% of horse owners earn under \$50,000 and 24% over \$100,000.

The industry as a whole has an annual impact on the U.S. economy of \$102 billion and supports 1.4 million full-time jobs with approximately \$1.9 million paid in taxes at each level. Thousands of breeding and training farms breed, train and care for the horses that provide the foundation upon which the industry is built. In many cases, these facilities provide open envelopes of "green space" in otherwise heavily-urbanized areas.

Economic Impact of the Equine Recreation Industry

The largest and fastest growing segment of the horse industry in terms of participation by Americans is the recreational segment, which includes trail riding. According to the Deloitte Study, the equine recreation industry involves 3.9 million horses, 1.1 million participants, has a total economic impact in the U.S. of \$32 billion and supports 435,000 full-time jobs. This important part of the horse industry provides a great recreational, sporting, competitive and healthy experience to additional millions of Americans, young and old.

The positive economic impact of recreational riding is present in all fifty states. For example, in California it involves

315,000 horses, has a \$1.9 billion economic effect and supports 27,000 full-time jobs; in Colorado it involves 106,000 horses, has a \$607 million economic effect and supports 7,700 full-time jobs; in Florida it involves 160,600 horses, has a \$1 billion economic effect and supports 17,300 full-time jobs; in Maryland it involves 47,300 horses, has a \$279 million economic effect and supports 4,700 full-time jobs; and in Texas it involves 340,000 horses, has a \$1.5 billion economic effect and supports 24,000 full-time jobs.

Many individuals ride and compete horses when they are young and millions continue this form of recreation as they mature into adulthood. We expect, however, that as the so-called "baby boomers" approach and enter retirement or semi-retirement more will find themselves in good shape physically and financially and be ready to return to one of the sports in which they can participate late into life – Riding! While this re-entry into the riding community will increase the economic impact of the recreational riding industry, it will also put an even greater burden on our nation's trails and recreational resources.

GENERAL CONCERNS

The recreational riding community recognizes its responsibilities to treat our nation's public lands with respect. Recreational riders have a deep commitment to outdoor recreation and believe that recreation is a legitimate use of our country's public lands. Whether we are owners, breeders, trail riders, competitive riders, stock companies, or service providers we recognize that we have a vital interest in the responsible use and wise management of our natural resources. Our organizational and individual members recognize that we must protect our historical heritage and traditions and that not all forms of outdoor recreation are suitable for all sites.

The recreational riding community is very concerned about the recent direction of our nation's approach to recreation and a number of policy initiatives that seem to intend to deny public access to millions of acres of public land. We are concerned that if this direction is not changed, it will prevent Americans from participating in recreational activities, including horseback riding, in areas that have long sustained such activities. There seems to be an absence of a national federal policy on recreation and public lands when it is considered at the state and local level. In fact, it often seems as if the riding public is excluded when decisions are made on access.

We have become alarmed as we have witnessed during the last decade the continued decline in the condition and extent of our trail systems and a pervasive trend throughout the country of increasing restrictions directed specifically at recreation, pack and saddle stock use on our federal lands including wilderness areas, national forests, national parks, national monuments, backcountry and front country. During this same period, we have observed a shift in emphasis of the federal agencies from one of managing our national wilderness preservation system for the multiple purposes intended by Congress, i.e. recreational, scenic, scientific, educational, conservation and historical use, to the singular objective of restoring and sustaining pristine ecological conditions.

Consequently we have identified several major concerns that desperately need attention if we are to restore a proper balance between preservation and access, enjoyment and use of our resources by the recreational user.

We would like to focus our comments on the importance of access for riders to federal lands, the need for additional funding that is actually used on trails maintenance, the need for a national recreation policy, the necessity of a partnership between riders and the federal agencies to build and maintain trails and the importance of good science in making any decisions in this area.

ACCESS

Perhaps the most important issue facing the recreational segment of the horse industry is access to public lands, both federal and state. While the industry is losing its access to public lands, urban areas encroach on open green space. In fact, Horse and Rider magazine polled its readers in late 1999 regarding their "top problem or concern" and loss of riding trails was the number one concern, ranked first by 42% of those who responded.

National policy needs to reaffirm that recreational and historical uses -- such as equestrian uses -- be recognized as an appropriate and acceptable use on federal lands such as wilderness areas, national forests, national parks and monuments, and that management of our public lands is for the use and enjoyment of the American people. It has been our experience that special designations, i.e., monuments, wilderness, roadless areas, seldom if ever expands recreational opportunities for horsemen. In practice these designations often result in a loss of access and

recreational opportunities.

Restrictions and prohibitions imposed on recreational equine use and incidental grazing, should be the exception rather than the rule and be determined by site-specific analysis based on use, land characteristics and science. It should not be subjective or based on the social preferences of other users.

The ability of the National Park Service or any other Federal land agency to unilaterally close a trail or trail head with no notice or public process must be stopped. De facto restrictions on access or the limitation through onerous regulations must be eliminated. For example, the "number of heart beats" test on a trail at any one time in a national park is unsound policy. A grandfather could not take his extended family on a trail ride because the number of people in the family would exceed the heart beat rule. Such de facto restrictions must be reconsidered.

FUNDING

Federal funding for the construction, repair and maintenance of trails is obviously an important element to the recreational horse industry and trail riders. The horse industry is very concerned about the level of funding for the National Park Service trail systems for maintenance and reconstruction.

The horse industry was actively involved in passing the Symms National Recreational Trails Trust Fund Act in 1991 and continues to be involved in supporting its funding. Our industry worked with Congress and other trails groups to ensure the continued federal funding of the Recreational Trails Program, including the 5-year, \$307 million appropriation signed into law this past summer.

These funds are divided among states and each state provides funds to individual organizations for trail development and maintenance. Once appropriated by the federal government it is important for state organizations to be involved in the allocation process so horseback riders get their fair share.

To assist Congress in the appropriations process the AHC and other trails groups developed a database of projects funded by the Recreational Trails Program. This database demonstrates the scope and importance of the Recreational Trails Program and should be reviewed by this Committee and others to ensure that funding for trails programs continues. Such funds to build and maintain trails will be critical to recreational riders in the future.

Although Congressional appropriations have showed a slight increase over the last few years, it must be increased to keep pace with the increase in the costs of maintaining trails. We hope that Congress will increase federal funding to build and maintain trails.

Moreover, even the wishes of Congress as expressed by its appropriating funds for building and maintaining trails is sometimes thwarted by the bureaucratic process. In too many cases the funds appropriated do not get to the trails! Trail systems built over the last 150 years with taxpayers' dollars have been left to deteriorate, been abandoned, or simply left off trail system maps.

For example, a documented case on a forest in Northern California is all too typical of many areas of our country. The brief details are as follows. The Klamath NF Forest supervisor budgeted in FY 2000, \$1.1 million for "Wilderness and Recreation." By the time the forest supervisor deducted \$369,100 for "Cost Pools, \$168,600 for Supervisor's Office Recreation Starr, and \$504,100 for the 5 Districts," \$49,200 was left for the total trail budget for maintenance of 1000 miles of trails encompassing two wilderness areas and five ranger districts in one of the most remote, high altitude areas of Northern California and Southern Oregon that is subject to heavy annual storm damage. Less than \$5 per mile!

Sometimes it appears that much of the money earmarked for trail maintenance is going for environmental studies to determine if the trail should be saved! That money would be better spent on the trail.

NATIONAL RECREATION POLICY AND ACCOUNTABILITY

Congress and the federal agencies must have one national recreation policy. Congress must express the will of the people and the federal agencies must carry out the will of Congress pursuant to the federal laws. We believe that too often we have

seen federal land managers ignore or misinterpret Congress' intent. Accountability from the federal land managers must be demanded by Congress and the public if issues of access, funding and management policies are to be implemented in accordance with the law of the land.

Consistent with National Park Service's new emphasis to establish ecosystem sustainability as its first priority – an emphasis that we believe is derived without the benefit of Congressional sanction – many wilderness managers are interpreting the primary intent of wilderness designation as that of restoring wilderness to a pre-European settlement or pre-Colombian condition. We fear that this agenda is, and will be, accomplished at the expense of traditional and historical uses that were established as acceptable when the law was passed.

We are seeing a pervasive trend of increasing restrictions directed specifically at recreational opportunities permitted in the Wilderness Act. Moreover, even if horses are allowed in wilderness areas, the "roadless initiative" has caused a problem because it has closed trail heads and areas that can allow the vanning in of horses to such areas. Fully 50% of people who own horses transport them off-property to another area for enjoyment. This requires horse vans and trucks to pull trailers. If such vans cannot get to trail heads, then horses are de facto prevented entry to roadless areas.

We support Congress' intent as expressed in the Wilderness Act "to secure for the American people the benefits of an enduring resource of wilderness" (Section 2(a) of P.L. 88-577) which will be "devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use." (Section 4(b) of P.L. 88-577)

This intent of Congress was affirmed in the 1998 court case of Wilderness Watch v. Dale Robertson, Civ. No. 92-740, August 31, 1998. In this decision the District Court for the District of Columbia concluded that the statute directs the Forest Service to administer the wilderness with an eye not only toward strict conservation, but also to "ensure the use and enjoyment of the American people."

The efforts of land managers to place a higher emphasis on restoring pristine conditions are the result of a misguided preservation/purity bias. The purity doctrine was addressed by Congress during the 1970's in two important pieces of legislation. One was the endangered American Wilderness Bill (Report 95-540, July 27, 1977) that specifically directed the managing agencies to abandon the purity approach. Congress clearly expected that wilderness would accommodate a wide spectrum of Americans who desired wilderness-type recreation experiences of a nature that were established at the time the law was passed. The intent of Congress (emphasized throughout the Congressional Record) was to preserve existing conditions while providing for existing and future uses. Nowhere does the Wilderness Act require restoring wilderness to a condition more pristine than that which existed prior to designation.

As a result of the unwillingness of the federal agencies to use the flexibility authorized by Congress, we are seeing a decline in the extent of the trail systems. House Report 95-540 directed the agencies to "maximize efforts to construct, maintain and improve trails systems in wilderness areas so as to facilitate access and recreational use, as well as to increase opportunities for a high quality wilderness experience for the visiting public." The report also instructed the agency in its maintenance and construction efforts to "include the use of mechanical equipment where appropriate and/or necessary." We have urged the use of the minimum tool analysis concept to consider the prudent use of mechanical equipment to accomplish the wilderness purposes in SEC. 4(b) of the Wilderness Act until the tremendous backlog of wilderness trail maintenance and reconstruction is eliminated.

GOOD SCIENCE

We believe that responsible public land use and management should be based on good scientific studies with blind peer review. As with all users of recreational trails and lands, concerns have been raised regarding the impact of horses on trails and the environment. We recognize that we must be involved in answering these concerns. To this end the equestrian community has encouraged and assisted in funding scientific studies which demonstrate the effect of horses on the environment.

In some cases these concerns have been unfounded. For example, several years ago concerns were raised regarding whether our recreational riding horses were a significant source of cryptosporidium parvum or giardia being introduced into public land watersheds. Although these assumptions were made without sufficient scientific information, they resulted in restrictions being placed on equestrian use on one California watershed.

Studies were performed at the Center for Equine Health at University of California Davis to determine if recreational pack and saddle stock were a significant source of cryptosporidium and giardia. At the conclusion of these studies, the answer was a resounding "no"!

The horse industry believes that decisions to restrict the use of horses on any federal, or state, lands for environmental concerns should only be made after full scientific review by competent veterinarians and scientists.

RIDERS' RESPONSIBILITIES AND THE FEDERAL GOVERNMENT

Recreational riders, their organizations and service providers, recognize their responsibilities in building and maintaining trails. First, it is important to take note of the enormous and significant contributions made by volunteer equestrian organizations that spend a tremendous number of hours and hard dollar contributions each year in diverse and important activities. A few of those activities are:

- Providing educational programs, written documents, pamphlets and brochures to inform and educate horsemen and women and the public on the wise and sustainable use of public lands.
- Providing volunteer service. For example, the BCHA is a volunteer service organization consisting of more than 14,000 members who have contributed in excess of 557,200 man hours, \$10,210,900 days of livestock use and equipment from 1995 to 2000 clearing trails, building trailhead facilities, and packing supplies, tools and equipment for trail maintenance crews and similar projects that benefit all trail users across the country. We recognize that this volunteer service contribution should supplement, not supplant, the federal budget.
- Forming partnerships with various federal and state partners such as Conservation Corps, Department of Fish and Game, Continental Divide Trails Alliance, Pacific Crest Trails and others to maximize contributions in kind, labor and hard dollar commitments.

There must be more emphasis and willingness on the part of the National Park Service to use our equine volunteers. There are many riders who want to help, but can't convince National Park Service land managers that we are serious. The problem seems to be work load. We fear that the more trails deteriorate and are then closed, less work has to be done in the field.

Through these and many other programs we contribute in many different ways to support our passion to retain the historic and traditional rights for riders, pack and saddle stock to use our national park for recreation purposes.

CONCLUSION

Recreational riders consider themselves both horsemen and women and conservationists. We are concerned that our lands and resources are suffering from neglect, either by an administering agency or by an uninformed public. Our challenge and the challenge of all trail users, Congress and the responsible federal agencies is to ensure that federal lands are managed to meet all of the intents and purposes of the law, the people who use the land and, of course, the land itself. The new paradigm is about seeking common ground and understanding the needs of all users. We look forward to the challenge of collaborative efforts involving the National Park Service and other interested stakeholders as we work to preserve our lands, our access and the common good.

Thank you for this opportunity to testify on this subject that we feel so passionately about.