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December 12, 2025

Dear Chief Schultz,

In 2004 the Forest Service recognized escalating challenges posed by an unprecedented growth in Off Highway Vehicles (OHVs) engaging in unrestricted cross-country travel. District Rangers and other field-level employees flagged a pressing need to address such a rapidly growing problem and expressed an urgent request for support. Many forest visitors and other members of the public also expressed concern.

The Agency's limited resources were simply insufficient to adequately manage and protect the soil resource, water quality, wildlife habitat, sensitive streams and meadows from this booming use, and still provide a quality outdoor recreational experience for a diverse array of users that ranged from hikers to horseback riders to motorized trailbikes. From 1997 to 2001 the number of OHVs in use on national forest system lands increased by almost 40 per cent!

Recognizing the critical need to address the issue, the Forest Service published a proposed rule in July 2004 soliciting public comment to amend outdated regulations at 36 CFR parts 212, 251, 261, and 295. These regulations were drafted during a time of more limited OHV usage on public lands.

The proposed 2004 rule garnered solid public support because the approach centered around the concepts of designated routes, designated areas, and local control. The agency received over 81,000 comments from individuals and organizations. The final rule, published in December 2005, incorporated these concepts and clarified policy pertaining to all motorized

vehicles use on national forest system lands. The successful completion of the rule was largely attributed to the strong support for designated routes and local control, and notably it was free from appeals and litigation. Implementation began shortly thereafter.

We understand that you are considering repeal of this 2005 rule. NAFSR would not oppose a review of, and possible revision of the rule. An important rule like this would likely benefit from a comprehensive examination and revision to assure its currency and address what might not be working well. We believe it should be easier to amend local travel management plans and maps that currently exist. Perhaps there is a way to better utilize categorical exclusions in the process? For instance, if an individual road currently closed should be opened, it should be easy to do so.

We feel that simply repealing the rule would be shortsighted and detrimental for many reasons. Since 2005 the number of OHVs and now UTVs (side-by-side vehicles) has continued to surge to millions of users, and their size and power, and subsequent resource impact is accelerating as well. Repealing the rule could render enforcement and management tremendously challenging and likely result in unsustainable resource damage. Without local maps to guide the usage of numerous roads and trails, disorder could ensue. Separate use trails, as exemplified by the efforts of local users in many areas, have in some cases successfully resolved conflicts between motorized and non-motorized users.

We support the advice you recently received from the Motorcycle Industry Council, Recreational OHV Association, and Specialty Vehicle Institute of America urging improvements in, but not a total repeal of the rule. We believe most organizations and users across the spectrum of motorized to non-motorized users would favor revision and oppose a repeal.

As you know, travel management is a controversial issue in the best of circumstances and was never easy for local land managers. But local maps and local Forest Service personnel working collaboratively with local communities will always be better than the alternative of a national “one size fits all” solution. We would welcome the opportunity to engage with you and your staff as you proceed.

Sincerely,

Steve Ellis

Steve Ellis, Chair
National Association of Forest Service Retirees