



April 18, 2019

Tricia O'Connor, Forest Supervisor
Bridger Teton National Forest
340 N. Cache
P.O. Box 1888
Jackson, WY 83001

RE: Summer Travel Management for the Palisades and Shoal Creek Wilderness Study Areas

Dear Ms. O'Connor:

We are writing in regards to the use of mechanized vehicles, specifically mountain bikes, in the Palisades Wilderness Study Area, and both motorized (ATV/UTV) and mechanized (mountain bikes) in the Shoal Creek Wilderness Study Areas.

Both the Palisades and Shoal Creek Wilderness were established by Section 301(a) of the 1984 Wyoming Wilderness Act, which requires the Forest Service to maintain the "presently existing character" of both the Palisades and Shoal WSAs. The act does not mention ATV/UTV use, nor mountain biking.

The 1984 Wyoming Wilderness Act requires that the Forest Service does not allow activities such as ATV/UTV use and mountain biking to adversely affect the wilderness character that existed in Palisades and Shoal in 1984, nor the potential to designate both WSAs as Wilderness.

It's Mountain Pursuit's position that the Forest Service is legally bound by the 1984 Wyoming Wilderness Act not to allow any summer motorized/mechanized activity in the Palisades and Shoal WSAs beyond what was occurring in 1984.

However, mountain biking in the Palisades WSA, especially, has exploded in recent years, to include Forest Service - approved new trail construction for the extensive and growing system accessed off of Teton Pass. The fast-growing bike packing activity, hard-to-detect electric mountain bikes, and rapidly increasing population in Jackson and subsequent social media marketing is continually pushing mountain biking deeper into the Palisades interior and down to the Shoal WSA, in direct violation of the '84 act.

Likewise, the improving technology of ATV/UTVs has significantly increased their motorized use in the Shoal WSA above and beyond, what was occurring in 1984.

The negative impacts of motorized and mechanized (MTB) travel on big game, specifically elk and deer, are significant.

A 2004 study conducted by the Forest Service at the Starkey Experimental Forest and Range in northeast Oregon, "Effects of Off-Road Recreation on Mule Deer and Elk" found that ATVs and mountain bikes caused a greater flight response amongst deer and elk than horseback riding and hiking. Importantly, the Starkey study found that the impact to wildlife from ATVs and mountain bikes was similar, despite mountain bikes being quieter.

In 2010, a federal court in Montana struck down a 2006 Forest Service Summer Travel Plan for the Hyalite Porcupine Buffalo Horn Wilderness Study Area over allowed mountain bike use. The Hyalite Porcupine Buffalo

Horn WSA was established by the 1977 Montana Wilderness Act, and also mandated that the Forest Service maintain the wilderness character of the designated WSAs. In the 2010 ruling, the court found that while many trails were open to mountain bikes in 1977, they were not likely present.

We believe the Forest Service has not taken a hard look at the summer motorized and mechanized use within the Palisades and Shoal Creek WSAs and may not be in compliance with the 1984 Wyoming Wilderness Act.

We are writing to respectfully request that the Forest Service:

- (1) Ensure the present and future management of the Palisades and Shoal Creek WESs comply with the Wyoming Wilderness Act's requirements to maintain the wilderness character of the areas as they existed in 1984, the potential for inclusion in the National Wilderness Preservation System, and that summer motorized and mechanized use is occurring only in the manner and degree it was occurring in 1984;
- (2) Provide us with any documentation available as to the manner and degree of motorized and mechanized use of the Palisades and Shoal Creek WSAs as of October in 1984;
- (3) Specifics as to the Forest Service's approval of summer motorized and mechanized use and any expansion of that use, including new trail construction, in the Palisades and Shoal Creek WSAs since October, 1984.

Respectfully,



Rob Shaul, President
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