This <u>New York Times article</u> notes that a bill (<u>S. 3205</u>) is pending in Congress to allow mountain bikes in federally-designated wilderness areas. In short, the bill is a terrible idea.

First, on the merits, allowing mountain bikes into wilderness areas has the potential for significant impacts both on other humans using wilderness, and on the species and ecosystems in wilderness areas. Many users of wilderness areas enjoy those areas precisely because they are refuges from the speed and noise of modern transportation technologies – including mountain bikes. (I say this as someone who enjoys both hiking and mountain biking.) And while it is true that all human users of wilderness have impacts on the species and ecosystems in wilderness areas – even hikers cause erosion and disturb animals – mountain bikes allow people to move faster and farther into wilderness areas, and mountain bikes produce significant erosion problems (especially if trail maintenance is not increased to keep up with the increased use).

Second, the changes proposed <u>would apply by default</u> to all trails in all wilderness areas, unless land managers explicitly decide to exclude bicycles. The bill would make it a presumption that the use of mountain bikes in wilderness areas is consistent with wilderness character, and requires the accommodation of mountain bikes on all trails "<u>to</u> the maximum extent practicable." This is a thumb on the scale in favor of human use in wilderness areas that is inconsistent with the Wilderness Act as a whole – an Act that tends weigh against human development and the use of technology in wilderness areas. Moreover, the grant of broad agency discretion as to whether to allow mountain bikes in wilderness areas is in sharp contrast with the Wilderness Act's general restriction on agency discretion to facilitate development activity in those areas – indeed, a major motivator for the enactment of the Wilderness Act was congressional suspicion of whether land management agencies would protect wilderness areas in the future. That is why, for instance, the Wilderness Act <u>reserves to Congress</u> the power to add or withdraw lands from the wilderness system.

Finally, as the <u>NY Times article indicates</u>, many advocates are suspicious that the bill is simply a Trojan Horse to facilitate future development in wilderness areas. It is fair to say that of the sponsors of the bill (Senators Lee and Hatch from Utah), "<u>neither . . . is known as an environmentalist</u>." Utah politicians in particular have been on the front edge of a movement to <u>transfer ownership of federal public lands to states</u> to facilitate development. Instead, the bill is perhaps best understood (as the quotes in the article indicate) as an effort to "<u>drive a wedge</u>" among supporters of protecting public lands, perhaps in advance of another push to open up public lands to development.

If the Senators were really interested in advancing more sustainable and more accessible

recreation on public lands, there are far better ways to achieve that. First, more funding to land management agencies to support maintenance and upkeep of trails would be nice - but the proposed bill includes no additional funding to address the increased maintenance costs that mountain bike use of wilderness trails might produce. (Interestingly, the proposed bill creates another new exception from the Wilderness Act to allow the use of chain saws and similar mechanized equipment in wilderness areas - and not just for trail maintenance but also "to maintain the surroundings," whatever that means.) Second, there are creative ways to both protect lands from development while still allowing a wide range of recreational use. The Forest Service's Roadless Rule protects large areas of National Forests from road construction and commercial logging, while still allowing hiking, mountain biking, and off-<u>road vehicle use</u> on trails in those areas. Congress has at times created specific exemptions from wilderness restrictions (such as allowing ORV use on specific trails in wilderness areas in the southern Sierra Nevada foothills). And it is always open to Congress to designate new classifications of areas on federal lands that are open to both foot travel and bicycle travel but also protected from development - something that might be a good idea given the growing popularity of mountain biking. (Here is a statement by the International Mountain Bicycling Association with some good ideas along these lines.) Just keep our existing wilderness areas wilderness.