

INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION

February 14, 2019

Bitterroot Travel Management Plan, Project 21183
Objection Reviewing Officer
USDA Forest Service
26 Fort Missoula Road
Missoula, MT 59804
appeals-northern-regional-office@fs.fed.us

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RE: Formal Request for Objection Resolution Meeting

Dear Objection Reviewing Officer,

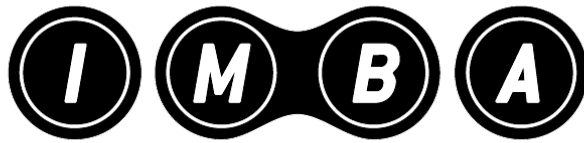
On November 16, 2018, IMBA submitted an objection to the Bitterroot National Forest's closure of the Sapphire and Blue Joint Wilderness Study Areas to mountain bikes. At that time, we assumed the Forest would hold an objection resolution meeting, given the importance of this issue and the court order. In our objection, we indicated we looked forward to discussing these issues in person and seeking resolution.

IMBA now understands that the Forest plans to respond to objections only in writing, without the benefit of an objection resolution meeting. Because this issue is too important to be decided without a resolution meeting, IMBA now formerly requests an objection resolution meeting with the objection reviewing officer pursuant to 36 CFR § 218.11(a).¹

The Forest is under a court order to "conduct an objection response period" and "take the objections into consideration."² It is difficult for IMBA to imagine how the Forest will adequately consider the detailed objections it received without an objection resolution meeting. The court ordered the Forest to diligently reconsider its decision to close these WSAs to mountain bikes. This reconsideration requires an objection resolution meeting.

¹ "Prior to the issuance of the reviewing officer's written response, either the reviewing officer or the objector may request to meet to discuss issues raised in the objection and potential resolution."

² Bitterroot Ridge Runners Snowmobile Club v. United States Forest Serv., 329 F. Supp. 3d 1191, 1208 (D. Mont. 2018).



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The Forest indicates that written responses will be issued no later than March 11, 2019.³ This deadline appears to conform with the regulations, accounting for the 35-day government shutdown.⁴ That leaves the Forest nearly a month to hold an objection resolution meeting, meaning “adequate time remains in the review period to make a meeting with the objector practical”⁵

IMBA is aware that after the Forest opened up the objection period to all interested parties, the Forest received over 3000 objections. In this letter, IMBA is simply requesting this meeting for ourselves and with the objection reviewing officer. However, if compelled, the Forest could hold additional meetings with other objectors and limit participation in those objection resolution meetings to those objectors who submitted detailed objections, who formally requested an objection resolution meeting, or who had official standing to object before the Forest opened up the objection period. Certainly, the Forest need not include in the resolution meeting(s) those parties that simply supported the Forest's decision, rather than objecting to any aspect of it.

However the Forest chooses to arrange it, IMBA respectfully requests a specific meeting with the Forest or to participate in any group objection resolution meeting with the Forest. We would prefer an in-person meeting, wherever is convenient for the Forest and/or the Objection Reviewing Officer. Alternatively, we would also be amenable to a meeting by video or phone conference. Whatever the format, this issue is too important to forego an objection resolution meeting.

Sincerely,

Aaron Clark for
International Mountain Bicycling Association

³ <https://cara.ecosystem-management.org/Public/ReadingRoom?Project=21183>

⁴ 36 C.F.R. § 218.26(b) (requiring a written response within 45 days of the end of the objection filing period, with the option for a 30-day extension).

⁵ 36 C.F.R. § 218.11(a).