

The Use of Horses and Stock in the Wilderness and Public Lands

Saving Trails is What They Do – Back Country Horsemen of America
By Sarah Wynne Jackson

When the U.S. Forest Service began to make changes to the trail classification system that had been in place for nearly 100 years, Back Country Horsemen of America took notice. When they realized the huge impact it would have on horse users, they made every attempt to resolve the problem. Despite their efforts, they found in 2005 that litigation was their only choice.

Under the U.S. Forest Service's proposed plan, as much as 50% of the Wilderness trail system may not have ultimately accommodated pack and saddle stock. Because of BCHA's persistence, this trail use that has been an integral part of the history of the United States will still be available.

Background of the U.S. Forest Service Trail System

Through much of the twentieth century, pack and saddle stock provided a primary means of transportation in our nation's backcountry and wilderness. The historical three level system – mainline, secondary, and way – had evolved over the better part of 100 years and served backcountry travelers well.

In the mid to late 1980s, trail specialists from around the U.S. determined that the three level system wasn't "visitor friendly" and changed the classification to "easy, more difficult, and most difficult". But the design standards remained unchanged until about 1999, when U.S. Forest Service personnel began overhauling the system.

Back Country Horsemen of America heard rumors of the change, but was unable to learn the specifics until late spring of 2004. After reviewing the information, BCHA determined that not only could the modifications have profound effects on traditional pack and saddle stock use, those changes were made without public input, as is required by the National Forest Management Act. This revision to a century-old trail system reflects a progression we see in today's society. When first constructed, these trails served as transportation routes that would provide "(a) safe and unobstructed passage of loaded animals and foot travelers at a walking gait and in single file; and (b) durability designed to meet expected use and liability of damage from natural causes," as stated in the U.S. Forest Service Trail Handbook, 1935.

Except in fairly rare instances, all U.S. Forest Service trails were originally designed to standards that would accommodate horses. Mainline (easiest) trails were designed for a loaded pack string, with an 8' clearing width and 10' clearing height. They were common throughout backcountry and in western wildernesses up through the 1990s, and comprised about a third of the entire system.

At the other end of the trail design spectrum, the standard for way (most difficult) trails was a clearing width of 3 to 4' and a clearing height of 8'. Although this is recognizably inadequate for fully packed animals, it would accommodate a saddle animal and rider. Not only do a number of people like to enjoy undeveloped land by horseback, hunters have also been known to use way trails to pack out game.

In our modern age, traveling in backcountry has become more of a pastime than a necessity. In an effort to make available the kind of leisure experiences the public seems to want, the U.S. Forest Service now views trails in an entirely different manner – as a recreational facility. Unfortunately, equestrians seemed to be almost completely disregarded as users of these trails under the revised plan.

The proposed trail classification system would have categorized trails into five different classes, trail class 5 being the most developed (sometimes including such things as interpretive and handicapped trails) and trail class 1 being the most primitive. When compared to the historic trail system, nearly all classes of trails would be maintained at a narrower width and tread, and a shorter clearing height, making it unreasonable and/or unsafe to take horses on those trails.

BCHA found that of the three trail classes that would occur in Wilderness areas, trail class 1 would not accommodate the use of horses; trail class 2 would marginally accommodate a horse and rider, but not loaded pack stock; and trail class 3 would marginally accommodate packers with one to a few pack animals, but they would be in jeopardy on steep side slopes. The historic tradition of traveling with a number of pack animals would have been eliminated with these lower trail standards.

This potentially would have meant that up to 50% of the trail system, which had historically been available to pack and saddle stock users, would have no longer been managed to standards that would accommodate that use.

Another concern BCHA had was the decision making power given to land managers. The proposed classification system gave them the ability to change a trail's user status or maintenance standard, or even drop it from the system altogether, at their own discretion and without an appropriate decision process (including public involvement and effects analysis). There was also concern that the assignment of new trail classes might be based on current condition, use level, or budget rather than upon land management plans or history of use.

BCHA's Attempts to Save Trails for Equestrians

The goal of Back Country Horsemen of America was to get agency decision makers to step back and take another look at their proposed changes. They went to great effort to gain an audience with U.S. Forest Service national leadership, and despite their credibility as the nation's experts in wilderness horse use, they were unsuccessful in having their voices heard.

BCHA also requested information and statistics from the U.S. Forest Service and were refused. Then they invoked the Freedom of Information Act at both the regional and the national level, but were again rebuffed.

After BCHA hired an attorney, U.S. Forest Service leaders did finally meet with them. They insisted that these changes were within their discretionary authority and that there was no obligation to involve the public. They also dismissed the need to consider alternatives or analyze the effects of this change on historic uses.

But they did assure BCHA that their concerns would be addressed in the final draft of the proposed trail classification system. However, when that draft was released, BCHA found that none of their concerns had been incorporated. They had no alternative but to litigate.

BCHA Achieves Results

Back Country Horsemen of America prevailed in its claim that the U.S. Forest Service violated provisions of the National Forest Management Act requiring public involvement. Consequently, in October, 2008, the U.S. Forest Service met in Clearwater National Forest in Idaho with BCHA and a number of other wilderness user groups to discuss the impact of their proposed changes.

Having many different user types involved (such as hikers, bikers, and off-road vehicle users) helped fulfill the U.S. Forest Service's desire to avoid unfair bias to one user group. Many of these organizations thanked BCHA for bringing the changes to their attention and being persistent in seeking resolution.

To comply with the court's order, the U.S. Forest Service also released an "interim final rule" in October, 2008, and has invited the public's comments. Significant modifications were made to the original proposed classification system, and BCHA is pleased with the result.

As outlined in the interim final rule, the trail classification system will not result in fewer miles of trail being managed for pack and saddle stock, or trails being managed to a lower standard.

The U.S. Forest Service resolved that issue by increasing the parameters of trail class 2 to those of a secondary trail of the historic system, and the parameters of trail class 3 to approximate those of a mainline trail. Trail class 1 will not accommodate pack and saddle stock users, but under the interim final rule, a trail that already has pack and saddle stock use will be classified as trail class 2 or better. At this time, only about 5% of the national trail system is identified as trail class 1.

Instead of allowing land managers to make changes at their own discretion, the interim final rule specifically states, "Trail management and use [are] based on the management intent for the trail, as determined by the applicable land management plan, applicable travel management decisions, trail-specific decisions, and other related direction."

BCHA is very happy to have been able to preserve their solid partnership with the U.S. Forest Service despite the differences. When they traveled to Washington, D.C., for a formal meeting with U.S. Forest Service leaders, they were welcomed and treated graciously. In fact, U.S. Forest Service Deputy Chief Joel Holtrop, USDA Forest Service Director RHVR Jim Bedwell, and RHWR Director of Wilderness and Wild & Scenic Rivers Chris Brown have been attending BCHA's board meetings.

Get Involved Locally, Regionally, and Nationally

Back Country Horsemen of America encourages horsemen and other public lands users to stand up and have their say. In an environment where increasingly more recreationists, and different types of recreationists, are competing for the same trail system and land base, it is essential we be fully engaged in the planning processes and in monitoring plan implementation to ensure that trail management decisions are consistent with those plans.

BCHA encourages horse users to volunteer for their local, regional, and national land management organizations. Getting your hands dirty doing trail maintenance and being present at meetings will enable you to stay current with proposals and potential changes. It's far easier to prevent those changes than to try to revert them after the "No Horses" signs are posted at the trail head.

About Back Country Horsemen of America

BCHA is a non-profit corporation made up of state organizations, chapters, affiliates, and at large members. Their efforts have brought about positive changes in regards to the use of horses and stock in the wilderness and public lands.