

**Testimony of former U.S. Forest Service Deputy Chief Jim Furnish  
before the U.S. House of Representatives,**

**Subcommittee on Interior, Energy, and Environment  
Committee on Oversight and Government Reform**

**Hearing on Public Land Access**

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I am Jim Furnish, former USDA Forest Service Deputy Chief for National Forest Systems. I'd like to thank Chairman Gianforte and Ranking Member Plaskett for the opportunity to testify today. I left the agency in 2002, following a 35-year career that also included jobs as district ranger and forest supervisor, and I served from coast to coast. I managed national forests and their complex issues at both the policy and practical field level. I am well acquainted with the issues, and I bring a wealth of experience – as a Bighorn National Forest district ranger from 1977-1984, I took aggressive steps reduce four-wheel drive (4WD) roads and trails; as Siuslaw National Forest Supervisor from 1991-1999, I completed a travel plan for the Oregon Dunes National Recreation Area, a globally significant OHV area.

I will address these main issues: 1) the emergence of off-highway vehicles (OHV) as a potent force in reshaping land management considerations; 2) the consequences of inadequate funding for road and trail maintenance; 3) adequacy of agency coordination with affected interests and parties; and 4) the ideological battle over perceived public “rights” to recreate on public lands.

When I began working for the Forest Service in 1965, OHVs were unknown, and enthusiasts relied on post-WWII 4WD “jeeps” to access back country destinations. Many of the early roads were pioneered with no engineering design. OHVs (and snow machines) revolutionized backcountry recreation. They are smaller, cheaper, and much more capable of negotiating difficult trails than 4WD vehicles. It is no wonder they have proven immensely popular. As the use of ATVs skyrocketed, the Forest Service struggled to stay ahead of management challenges. Negative consequences reached a point that, in 2004, Chief Dale Bosworth listed off-road vehicle use among the “four great threats” to national forests.

This declaration prompted the Forest Service to undertake meticulous transportation planning on every national forest to address the OHV threat. Over a period of several years, hundreds of public meetings were held to develop “use maps” that identified which roads and trails were to be open to OHV use, and which were to be closed. OHVs were also required to confine travel to designated routes, unless specifically exempted. As expected, the process and the decisions proved controversial.

My opinion, based on over thirty years' experience, is that unregulated OHV use poses significant risks to the natural and human environment. The Forest Service took far too long to respond effectively to such risks, in spite of a comprehensive Nixon-era executive order. Ill-advised and abusive OHV use patterns and practices became well-rooted and common-place. Many OHV users, far too many, felt free to travel wherever and whenever they wished, resulting in strong sense of entitlement. I put much

blame on Forest Service leaders and field managers alike that reacted too slowly, or not at all, to recreation conflicts and obvious water quality, wildlife habitat, and noise problems.

However culpable the agency might be, ignoring problems or simply allowing OHV abuses to continue is not a solution. Thus, I fully supported the belated nation-wide effort (which followed my retirement) to take measured steps to solve known problems. And yes, this resulted in reducing and limiting historic OHV patterns of use that had developed for decades – regrettable, but necessary.

Another important management dilemma facing the Forest Service is the chronic funding shortage for road and trail maintenance. A GAO study noted the agency has only one quarter the needed annual funds, and a \$314 million backlog. I see no prospect that this situation will improve measurably in the foreseeable future. This reality bears heavily on any consideration to authorize OHV use on sensitive, pristine landscapes that afford high quality water and critical wildlife habitats. Unmaintained roads and trails pose serious threats, and any conscientious ranger will take steps to ensure a reasonable transportation network that is *right-sized* to fit resources, uses, and finances.

I am happy to note the passage of P.L. 114-245 (NFS Trails Stewardship Act), which will hopefully enable better cooperation and bring more resources to the maintenance challenge.

You can never get enough thoughtful cooperation, which brings me to coordination with groups and individuals interested in OHV issues, and more broadly, access to public lands. The Forest Service, as required by law and policy, has since its inception sought to coordinate with interested parties in reaching decisions. Seeking out and considering the views of all sides of an issue are the essence of public service. The agency uses public notices, holds public meetings, and has created numerous resource advisory committees – all in a spirit of coordination. All these are commonly used in dealing with OHV and access issues. I routinely accepted requests to meet with OHV advocates and groups, and these meetings often involved field trips to look at issues first hand.

I note that there is a difference between listening, understanding, and *agreeing*. I think some parties do not feel listened to – coordinated with – when they are not *agreed* with. Put another way, coordination is deemed ineffective or non-existent if decisions and outcomes are seen as unsatisfactory. I do not believe coordination necessitates agreement, especially when considering multiple viewpoints on contentious issues.

By far the thorniest access issue is an *ideological* one – for example, what does *public land* mean, what “rights” does it confer on citizens, what *reasonable* authority is vested in agency officials discharging their responsibility to manage OHVs and access in the public interest?

I note a core issue to be the competing ideologies of OHV and *non-motorized* recreationists. I’ve ridden OHVs and enjoyed it. They are powerful, can darn near go anywhere, and are FUN! As an older person, OHVs can help me continue to enjoy opportunities that are slipping away, fast. But OHVs also tempt me to do things I ought not do and to go places I ought not go.

And many people, also owners of public lands, just don't like these machines and what they do to our national forests. Theirs is a legitimate, competing constituency that deserves an equal say in OHV and access questions. We will not resolve ideological divides here. I point this out because "the ranger" lives between these competing interests. And agency officials can't do their business lopsided. Your oversight of the agencies who manage public lands must confront this truth: every agency official should seek to *do right by the land*, while balancing competing interests. Such fairness will necessarily result in disappointment at some opportunities lost, but hopefully a *deeper gratitude* for the retained opportunities to recreate on spectacular public lands.