

To the IMBA Board,

For those who don't know me, this is Jim Hasenauer. I'm one of IMBA's founders, sat on the Board from 1988-2004, served as President from 1991-96, and am still an active CORBA volunteer. I've spent 30 years doing volunteer mountain bike advocacy. I'm a member of the Singletrack Society and have contributed more than \$1000 a year for more than 25 years. I love IMBA. I'm extremely proud of what we have accomplished and of the hard work we continue to do, but IMBA is wrong in not supporting H.R. 1349, the bill that would make it possible for local land managers to open some trails in Wilderness to bikes. I've studied the Wilderness issue since 1985 when I found "no bike" signs at Point Reyes National Seashore Wilderness on my first mountain bike road trip. I've published and spoken about this widely.

I was astonished, disappointed, and infuriated when IMBA publicized it's letter of non-support for H.R. 1349. Many of us mountain bike advocates have been trying to re-open the Wilderness to bikes since the bike ban went into effect in 1984. Many times, when I was on the IMBA Board, we debated the pros and cons of taking that issue on. There had always been a general consensus that mountain bicyclists could be appropriate users of some Wilderness trails. We watched as trails that mountain bikers had been riding were swept into new Wilderness and we were told that we no longer belonged there.

The debates always focused on our capacity. Did we have the political clout? Did we have the bandwidth? Dave Wiens, IMBA's Executive Director published a justification for the "no-support" position. In it, he stated that the IMBA Board had decided in 2016 to not pursue Wilderness access. I believe that this is the first time members and the public have heard that the Board took that position. I don't understand it. It's completely antithetical to IMBA's mission and goals. The Board needs to revisit that decision.

H.R. 1349 is the right policy. It's the right time for mountain bike advocates to rally around reasonable Wilderness access. The arguments raised by opponents are wrong. Bicycle advocates and other public land advocates will all benefit if 1349 becomes law. So will land protection.

I would like very much to speak to the IMBA Board about this issue.

It's the right policy.

The Wilderness Act of 1964 did not ban bicycles. It banned "mechanical transport". In the context of the time, "mechanical transport" meant motors and

contrivances like oar carts and ski lifts that carried passive passengers or equipment. Does anyone ever say they're going to "transport" themselves by bicycle?

It was the Cold War, there was a tremendous fear that Americans, especially youth, were going soft. The affordability of the automobile had brought thousands of tourists to the public lands. There was an explosion of campgrounds, motor hotels, roadside attractions, and other tourist amenities like wagon and coach tours. These developments were cutting into what had been pristine natural lands. Wilderness proponents and more importantly Congress wanted to protect these lands and encourage another kind of recreation, one that required strength, stamina, risk, self-reliance, a "primitive and unconfined kind of recreation" typified by backpacking.

Obviously the heavy, one speed, coaster brake bicycles of the 1960's were not well suited to off road travel, but a few adventurers did ride on those early Wilderness trails. In the 1970s, when mountain bikes became available, and in the 80's with mass production, it's no surprise that early riders in increasing numbers sought out the solitude and scenery of Wilderness. It's the essence of mountain biking. Riding through wild lands, enveloped by nature, removed from human made structures and sights, they propelled their bikes with muscle power on existing trails. They practiced exactly the kind of primitive, unconfined recreation the Wilderness Act celebrates.

Here's the rub. Many traditional hikers and equestrians felt put out to see these strangers coming onto "their" recreational trails. The Sierra Club, the Wilderness Society and other environmental groups tried to ban bicycles from trails, not just in the Wilderness, but from all public lands. They pressured land managers to ban or limit mountain bicyclists wherever they could. During this period, the Forest Service promulgated contradictory Wilderness regulations. In 1977, they banned bikes. In 1981, they said bikes were allowed unless specifically banned by an order. In 1984, they published the current regulation that finally banned bikes. There's no reason to think that the Wilderness ban was somehow special. It was a manifestation of the enmity and user conflict so familiar to mountain bicyclists. The Sierra Club called mountain biking a "violent speed experience;" an anti-bike pundit, referencing Muir called us "wheeled locusts."

Giving these sentiments the benefit of the doubt, we can say at best they were a manifestation of the "precautionary principle." No one really knew whether bikes were safe in the trail mix or if bike impacts were manageable. Now we know. We have thirty-four years of experience, and it's only right to reverse most of these blanket bans including the ban from Wilderness.

Clearly some Wilderness trails should be closed to bikes, but everyone knows that there are miles of trails that are suitable. In many cases, these are trails we rode before Wilderness designation. Having the local Wilderness land managers making trail by trail decisions based on the best information and best practices is the way to manage mountain bikes everywhere. We've always argued for "open unless there's a good reason to close". This bill comes very close to that at the highest level of land protection.

To reiterate, the Wilderness Act did not ban bikes. 1984 regulations did. Those regulations were based on the prejudice of the time. Mountain bike advocacy was in its infancy. We deserve a fair, fact based review of this issue. It's time for a change.

It's the right time.

Mountain Bikers have been trying to secure bike access to Wilderness since the beginning of our movement. NORBA was founded in 1983 to guide all things mountain bike and there were early conversations between NORBA leaders and land managers hoping to avoid the 1984 ban. When NORBA was sold it began to focus exclusively on racing. Land access issues proliferated and local mountain bike advocacy groups emerged to deal with access in their riding areas. In 1988 five California clubs created IMBA to deal with our common concerns.

One of the first problems IMBA faced was proposed new Wilderness in California's Los Padres National Forest that included a degraded old road to Sespe Hot Springs that was very popular with mountain bikers. We asked for a non-Wilderness corridor, but we were late to the table and told by Wilderness advocates that it's too late, but in the future if we're involved in the planning efforts, we'll be able to save our riding areas. That's the approach IMBA has taken ever since. But at the same time, IMBA has always argued that the 1964 Wilderness Act never intended to ban bicycles and the 1984 regulation which did, was flawed. In my time on the Board, the following three occasions give evidence to that:

In 1994, I was part of the IMBA team that met with the Sierra Club and negotiated the Park City Agreement which recognized that mountain bicycling is a legitimate form of recreation and transportation on trails including single track when and where it is practiced in an environmentally sound and socially responsible manner." It also established a consensual definition of "yield" as "slow down, be prepared to stop, establish communication and pass safely." Great victories. We gave our commitment to support public lands. At the very conclusion of the negotiations, the Sierra Club asked us to agree to never seek bicycle access to Wilderness. We told them we could not agree. We explained that while we were not trying to get bike access to Wilderness at the time, we believed that the ban

on “mechanical transport” was never meant to include bikes; that bicycle use could be appropriate on some Wilderness trails, that we were very concerned that new Wilderness was banning us from trails we have historically ridden.

In 1998, the Utah Wilderness Coalition invited us to become a member. IMBA solicited input from its members, held a public forum at a Board meeting and invited speakers on all sides of the issue. We decided not to join the Coalition, but pledged to work with UWC to provide high levels of protection for the lands. We issued a statement that included the language:

“IMBA is not advocating the introduction of mountain bikes into existing Wilderness areas. However, IMBA believes that bicyclists are appropriate, muscle powered trail users that are compatible with the philosophy of the 1964 Wilderness Act and the intent of Congress to exclude motorized ‘mechanized transport’ (sic) from Wilderness areas. In 1984, the definition of ‘mechanized transport’ was extended to mountain bikes without adequate data, experience or input.”

In 2003, a subcommittee of the IMBA Board recommended that IMBA adopt a strategy for changing the USFS regulations that banned bikes. The Board decided to not implement that strategy at that time but to continue to more strongly and more systematically inform all stakeholders of our view of congressional intent in the Wilderness Act and the error of the 1984 regulation. Unfortunately, that informational activity got dropped in the transition from Tim Blumenthal to Mike VanAbel.

My point is that while we often demurred from directly trying to get bikes allowed in Wilderness because we felt we didn’t have the clout, we never agreed that the blanket ban was appropriate. It never was.

Politics comes down to vote counting. This Congress and this administration are more open to regulation change and public access than any previous in IMBA’s history. H.R 1349 is the closest we’ve ever come to redressing the 1984 ban and the assumptions which led to it. We have members of Congress saying that bikes have less impact than horses, that bicyclists are legitimate users who have been treated unfairly. So far, even the opponents of H.R. 1349 have not attacked mountain bikes. This is a conversation we want to encourage. Now.

IMBA has worked hard to create strong partnerships with environmental and other public land user groups. Being a partner means working together for common goals and respecting differences. Collaboration and compromise is fine, but not on fundamental values. This may be a a major difference between us and some partners, but it need not divide us. We have a great history and a great need to continue to work together. Our supporting H.R. 1349 will not deter us from

fighting fiercely for public land protections, preservation of the monuments and all the other conservation issues we continue to support. Conservation groups need us now more than ever. We should be able to respectfully disagree and work together.

Opponents are wrong

The main argument leveled against 1349 is that the Wilderness Act always banned bikes. That's an issue of fact that seems clouded by time and ideology. Several of us have collected mounds of documents relating to that claim. There's a body of evidence backing our view that it didn't. I laid out the chronology above. Stroll's law review article on Congressional intent and copies of many of the actual documents can be found on the STC webpage. Besides, if the Wilderness Act clearly banned bikes, the 1977, 1981 and 1984 regulations wouldn't have been necessary.

Our public lands are under attack and we should fight vigorously to defend them, but H.R 1349 is not an attack on our public lands and IMBA should never imply that it is. The environmentalists who make that accusation have confused us with motorcycles from the very beginning. They continue to do so. We have the evidence that mountain biking is not incompatible with wild places. I'll argue later that allowing bikes on some trails in some Wilderness will expand Wilderness and make it better.

It's true that some Congressional supporters have terrible environmental records, but we always must work with whoever's in office to achieve our goals. It would be folly to only work with legislators that pass some ideological litmus test. These are the folks we need to work with, just as we're doing with the Recreation Not Red Tape Act and other legislation. I'd love for this to be bipartisan and all mountain bike advocates should be working hard to bring Democrats in. We've never had an opportunity like this

Opponents have characterized mountain bikers who support H.R. 1349 as "selfish". That's akin to slurs that African Americans are uppity or feminists are strident. We have every right to argue for fair treatment in public policy. Our loss of trails to Wilderness has been substantial and it has been unjustified.

Dave's blog claims that if IMBA supported H.R. 1349, we would lose our place at the table with federal land managers. That's just not true. Agencies have to work with us. Many times, we've sat at the table with those who disagree and we've conducted ourselves in productive and civil negotiations. They did too.

Some argue that amending the Wilderness Act opens the door to future problems. They say it should never be amended. That's hypothetical and ahistorical. We

should always question whether our laws and policies apply to contemporary circumstances, are fair, accomplish our goals. If Wilderness is threatened by some other legislative action, mountain bikers should rise up to oppose. If 1349 is hijacked and rendered repugnant by other provisions, we should then oppose it. Currently, as written and amended, it's modest, reasonable, fair and restorative of original Wilderness intent.

Everyone benefits from H.R 1349

The mountain bike and Wilderness communities are natural allies who have been divided by historical resentments. As new Wilderness areas have been proposed, mountain bicyclists organize to stop or redraw them. Time and energy is spent fighting each other rather than working together on our common goals. H.R 1349 could change all that.

Access for bikes in new Wilderness could be negotiated on the front end more productively. Wilderness advocates could preempt opposition and secure support from a large, organized new constituency. Mountain biking also brings in a growing number of young participants which would significantly expand the traditional base of Wilderness support. This means more Wilderness and other protected lands.

Obviously, bike access would mean increased levels of maintenance and repair of Wilderness trails. Land management agencies are underfunded and have billion dollar maintenance backlogs. Little used Wilderness trails get very little attention and many are in the process of disappearing. We would help.

Mountain bicyclists far removed from Wilderness areas would also benefit from H.R. 1349. It's not only a western states issue. Almost every land access battle that I'm familiar with has challenged mountain bikers by saying that the trail or area was too wild or too natural for bikes. To many laypeople, the county park is their "wilderness". If bikes were allowed on some trails in some Wilderness areas, that "too wild" or "too natural" argument is undone.

If IMBA supports H.R. 1349 and it were to become law, it would be an historic victory for mountain bicyclists and we would be part of it. If it fails, we've shown our community our willingness to fight for them. We regroup and come back another day (it took several attempts to pass what became the 1964 Wilderness Act).

If IMBA doesn't support H.R. 1349 and it becomes law. IMBA is off the back. If it fails, many people will blame IMBA.

What should IMBA do

Unfortunately, IMBA has to dig itself out of a hole. Opponents of H.R. 1349 are already touting that IMBA opposes the bill. Our statement said we are not supporting it. Which is it?

The bill was amended in committee to have stronger language that not all trails would be open to bikes. I think IMBA should support and release a statement that says something like:

"upon further consideration and in response to appeals from our members, IMBA now supports H.R. 1349 as amended." There's a certain amount of cover there.

If we do support it, we should work to make it bipartisan by contacting Democratic legislators in both the House and Senate and try to bring them on board. We should reach out to our partners and explain that while we may disagree about this our conservation commitments remain strong. There are Wilderness advocates who support the idea of bikes in Wilderness. We should nurture those relationships. We are late to the game, but we have the capacity to make a difference.

If we don't support it, but don't oppose it, we need to clarify that in the world.

We have to be more careful in our public comments. The "do not support" statement in our letter to the subcommittee was ambiguous and the letter didn't provide any justification for that position. The use of the word "mechanized" in our letter to the committee is a problem. That's Wilderness folk code for "bicycles". We shouldn't use the term in referring to ourselves. Dave's blog said it was going to answer questions, but really just touted IMBA's accomplishments. We should be proud of those, but they weren't the point. That only made things worse.

What exactly is the nature and intent of the 2016 Board decision to "respect both the Act and the federal land agency regulations that bicycles are not allowed in existing Congressionally designated Wilderness areas?" That is a monumental shift in IMBA's position. Members should have been involved and informed.

Members need to be involved and informed on all important policy decisions. IMBA has expertise, but so do the thousands of mountain bike advocacy leaders, many with a longer history of involvement than anyone currently at IMBA.. We need to have some system to maintain dialogue.

I hope you take the length of this letter as an indication of my commitment to the mountain bike community. I want IMBA to succeed and to thrive because I want the mountain bike community to succeed and thrive. I hope we can get back on track.

I would be very happy to speak to the Board as a whole or to any of you individually on these issues. (I'm away from home until 12/30, but I'll have email and cell.) Thanks for your consideration. Happy holidays.

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