



Forest Service  
U.S. DEPARTMENT OF AGRICULTURE

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ARAPAHO AND ROOSEVELT NATIONAL FORESTS AND PAWNEE NATIONAL GRASSLAND

## **Response to Comments on the Proposed Permanent Recreational Shooting Orders on the Arapaho and Roosevelt National Forests and Pawnee National Grassland**

The 60-day comment period for the proposed permanent recreational shooting orders on the Arapaho and Roosevelt National Forests and Pawnee National Grassland began on May 5, 2023, and ended on July 3, 2023.

The Forest Service received nine comments from eight individuals. Four commenters fully supported the proposed permanent recreational shooting orders, with one individual providing two separate comments of support. Four commenters opposed the proposed permanent recreational shooting orders based on alleged infringement of the Second Amendment or a belief that the areas covered by the proposed permanent recreational shooting orders were too large. The Forest Service's response to these comments is provided below.

**Comment:** Four commenters fully supported the proposed permanent recreational shooting orders, with one commenter providing two separate comments of support. Comments in support of the orders were on the grounds that limited boundaries for Recreation Sport Shooting have caused damage to private property adjacent to National Forest System (NFS) lands in the past and immediate concerns for public safety to visitors and nearby residents.

**Response:** The Forest Service agrees with these comments.

**Comment:** Two commenters believed that the proposed permanent recreational shooting orders would violate the rights to bear arms under the Second Amendment of the United States Constitution.

**Response:** The proposed and final permanent recreational shooting orders implement a requirement in the 2018 Recreational Sport Shooting Management Environmental Assessment (EA) and 2019 Decision Notice and Finding of No Significant Impact – Recreational Sport Shooting Management (DN) to phase out recreational shooting in areas of the Arapaho and Roosevelt National Forests and Pawnee National Grassland (ARNF&PNG) that are designated in the DN as unsuitable for that purpose as developed target ranges are constructed and opened for public use in the ARNF&PNG. The proposed and final permanent recreational shooting orders delineate where recreational shooting is unsuitable on the ARNF&PNG based on residential

housing density, high use recreation areas, and existing conflicts between recreational shooting and other uses, as analyzed in the DN. The proposed and final permanent orders implement management direction in the DN prompted by the need to control risks to public safety and natural resources from increased recreational shooting in the Colorado Front Range. The proposed and final permanent recreational shooting orders regulate where firearms may be used on NFS lands to address risks to public safety and natural resources, as provided for by the Organic Administration Act, 16 U.S.C. 551; Bankhead-Jones Farm Tenant Act, 7 U.S.C. 1011(f); John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019, Pub. L. No. 116-9, Title IV (Sportsmen's Access and Related Matters), and Forest Service implementing directives in Forest Service Handbook 5309.11, Chapter 30; and Forest Service regulations at 36 CFR Part 261, Subpart B. The proposed and final permanent recreational shooting orders do not prohibit the possession of firearms, other uses of NFS lands, or recreational shooting on NFS lands that are not designated as unsuitable in the DN. Therefore, the Forest Service does not believe that the proposed and final permanent recreational shooting orders violate the Second Amendment.

**Comment:** Two commenters stated that the geographic areas covered by the proposed permanent recreational shooting orders are too large.

**Response:** The proposed and final permanent recreational shooting orders implement management direction in the DN. The areas identified as unsuitable for recreational shooting were collaboratively developed during the EA and DN process. The Forest Supervisor for the ARNF&PNG has determined that those areas identified in the DN as unsuitable for recreational shooting are the smallest areas of NFS lands necessary to meet the purpose of the proposed and final permanent recreational shooting orders.