



Promoting opportunities for quality, human-powered  
winter recreation and protecting winter wildlands

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Dear Jeff and the LTBMU winter travel management team:

Snowlands Network represents the interest of non-motorized backcountry skiers, snowboarders, snowshoers and others who want to recreate in areas free from the impacts of motorized recreation. We are joined in this comment by two partners who share the views in this letter and have co-signed it below.

We have had many discussions with the Forest Service regarding our concerns. We appreciate your commencement of the formal review of winter travel management restrictions and other issues impacting winter backcountry recreation. It is critical that this effort build on the past efforts the Forest Service has devoted to this issue, including the three years of collaborative discussions. During those discussions, a general sense was reached that some aspects of our proposals were less controversial than others and were reasonably justified. The scoping notice should at least include those aspects as a starting point for further discussion. Otherwise, the Forest Service will essentially be saying that its years of prior effort to address winter recreation conflicts were pointless. We do not share that negative opinion.

A brief summary of those years of effort may help the understanding of those who were not directly involved:

- In 2012, Snowlands and our national affiliate Winter Wildlands Alliance submitted a demand for increased OSV restrictions in the Tahoe basin, in the context of the LTBMU's Forest Plan Revision. Our demand was joined by a coalition of groups including the Sierra Club, the Sierra Nevada Alliance and California Wilderness Coalition. Although the Forest Service did not consider winter travel management revisions as part of its plan revision, our demands sparked a general discussion of this issue. Our current proposal reflects a substantial moderation of our initial demands.
- In response to our demands and the general discussion, the LTBMU sponsored a series of collaborative meeting, using paid collaborators with dozens of key participants. These meetings were widely publicized in order to include all individuals and groups who had a desire to participate.

- The initial collaborative meetings were generally bogged down with broad general opposing statements. OSV advocates demanded that more areas be opened up and stated that a discussion of OSV impacts were irrelevant. Eventually, the LTBMU sponsored a set of meetings involving a limited group to try to make better progress. This group included Snowlands, the California Nevada Snowmobile Association (CNSA) and the Sierra Club.
- Although, CNSA refused to comment in writing on any specific additional restrictions (including even with regard to a small and crowded family sledding area), through the meetings we, and the Forest Service, were able to discern which aspects of our proposal were less controversial and more amply justified than others.

Today, we are submitting that same comprehensive settlement proposal as a starting point for proposed travel management restrictions for the lands managed by the Lake Tahoe Basin Management Unit (the “Tahoe basin”). The designation of lands open for motorized use should take into account this proposal as well as all other minimization criteria. The winter travel management rule requires designation of lands that are open, rather than designation of lands that are closed. Accordingly, the designation process should first start with determining where there is a demand for OSV recreation and then consider where such recreation unreasonably conflicts with other uses or otherwise is inappropriate after consideration of all minimization criteria and other relevant considerations, including regulations regarding the Pacific Crest Trail. The comments of Winter Wildlands Alliance will further explain the level of review that is required in order to comply with the winter travel management rule and apply the required minimization criteria.

Additional restrictions beyond what is in our proposal are clearly justified. Our proposal only sets forth areas that must be closed to motorized use in order to preserve and protect non-motorized recreation opportunity. For instance, additional closures and restrictions are clearly appropriate to protect quiet and safe homeowner communities and prevent trespass across private property. This has become a particular issue in several neighborhoods in the basin.

It is also important to note that we are not hereby presenting an advocacy position on behalf of non-motorized recreation but a proposed fair and reasonable outcome. Strong arguments can be made for the closure of other areas where motorized use conflicts with non-motorized use, but we have accepted that some degree of conflict will continue. The proposal presents a fair balance of recreational opportunity for all. Considering the overwhelming demand for non-motorized recreation in the Tahoe basin, and the impacts of motorized use, our proposal is “more than fair” to motorized users.

We ask that all elements of our proposal be included in the scoping notice. It would be wastefully inefficient for the Forest Service to ignore in the scoping notice those aspects of our proposal that are amply justified. **Only by including proposed changes in the scoping notice can the Forest Service foster the sort of full and specific discussion that should underlie a thoughtful outcome.**

Our proposal is outlined below and set forth in general outline on the attached map. Changes and modifications to area boundaries may be warranted based on a close examination of geography, use patterns and terrain.

The Toiyabe Chapter of the Sierra Club, and the Tahoe Area Sierra Club, by their signatures below, join in this proposal. Our national affiliate, Winter Wildlands Alliance, supports our position and will be submitting its specific comments separately.

We recently outlined our proposal on social media (facebook). That post generated a large number of comments from advocates for OSV recreation. We have summarized the more pertinent comments and set forth our response to such comments on Exhibit A, *Response to Comments*. We believe our responses adequately address the objections of snowmobile advocates to our proposal. We thank the members of the public who participated in a civil discussion. We welcome continued civil discussions with snowmobile advocates seeking a fair and balanced resolution reasonably acceptable to all.

In the winter travel management process, the LTBMU should also adopt a policy of creating greater non-motorized backcountry parking access, together with an approved list of where such access should be provided on a priority basis. We will provide more detailed comments in this regard during the scoping period; however, at a minimum, the LTBMU should set the following priority objectives:

- Use existing trailheads, campgrounds and turnouts to improve winter parking access
- Increase winter parking access to Mt. Tallac
- Use the existence of Forest Service-owned residential lots to improve street-side parking access to west shore areas
- Create winter parking access to the non-motorized area bordering and just north of Lake Tahoe Nevada State Park.

In the collaborative discussions, we recognized many shared interests between the motorized user and the nonmotorized user, and also some interesting comparisons. For instance, we recognized that members of each group cherish recreation on our public lands and are passionately concerned about responsible stewardship of these lands. Also, we recognized that there are two distinctly different types of activity in each group: there is a “touring” activity, and there is a “descending” activity (for lack of a better word.) When engaging in the touring activity, designated trails with moderate climbs and descents are important to many users. When engaging in the “descending” activity (which involves ascending as well as descending) the challenge of riding through powder snow on steeper slopes is a primary focus. Certainly there are overlaps and combinations and crossovers of activities, but understanding this shared dual aspect of each sport allowed us to better understand user impacts.

### **Collaborative Proposal**

Our proposal for protection of non-motorized winter backcountry recreation in the Tahoe basin contains several elements, including various levels of restriction. In all cases, the level of restriction has been tailored to address the specific situation and the specific impact. In some areas, absolute closure to motorized use is required in order to

provide a balance of reasonable recreation opportunities in the basin. In other areas, sufficient balance can be obtained with restriction of OSVs to designated routes or with minor boundary changes. We recognize that one aspect of our proposal – the new restrictions proposed between the Mt. Rose highway and Highway 267 at Brockway summit – generates significantly more controversy than all the other closure restrictions combined. Our proposal in this area is significantly reduced from our initial demands. We believe that a total closure of this area to OSVs is appropriate and justified, but we have here only continued the proposal that we submitted during the collaborative process.

Our proposal also includes one general restriction applicable to all LTBMU lands, which is a phase-in of a BAT (best available technology) requirement. This is warranted and justified in the basin due to the unique attributes of Lake Tahoe, the local impacts of snowmobiles on other users, the overall environmental impacts of snowmobiles (including their highly disproportionate contribution to greenhouse gases) and the commitment of Federal and State agencies in the Tahoe basin to setting a good example of responsible and sustainable environmental conservation.

Under our proposal, all areas in the LTBMU that currently are closed to OSVs continue to be closed to OSVs. We have not proposed any opening of areas currently closed because we believe that the total percentage of lands currently closed to OSV use is unbalanced (too low); and we are not aware of any requests to open specific limited areas to OSVs for a particular reason.

The first element of our proposal is the phase-in of cleaner and quieter snowmobiles in the basin. Precedent for such a restriction exists with Yellowstone National Park's imposition of best-available-technology standards for snowmobiles ("YNP BAT Standards") and the Tahoe Regional Planning Agency's ban of older technology personal watercraft. With respect to both OSVs and personal watercraft, the older technology machines are commonly referred to as "2-stroke" machines as compared to cleaner 4-stroke machines, but we recognize that some 2-stroke machines do employ cleaner BAT technology and thus satisfy the YNP BAT Standards.

Under the collaborative proposal, any snowmobile used on LTBMU lands after July 1, 2020, must meet YNP BAT Standards. We believe this level of restriction is appropriate because it has significantly reduced impacts and conflicts at Yellowstone National Park and keeps consistency in BAT standards for OSVs across the West. We believe the timetable is appropriate as a reasonable compromise between the several strong reasons for this restriction and the burden on those OSV owners who will need to upgrade their machines in order to continue to snowmobile in the basin. Although the restriction may seem to have a broad scope in covering the entire LTBMU, the LTBMU should, especially in this instance, be considered as a part of the greater Sierra Nevada. In that context, the restriction will have little impact on general OSV recreation. There are hundreds of thousands of other acres to ride OSVs in the Sierra Nevada that offer comparable touring and descending experiences, many of which are within thirty miles of the LTBMU.

A concern may be expressed that a BAT requirement in the LTBMU may lead to similar restrictions elsewhere. This may indeed eventually be the case, especially as the new technology improves and becomes more affordable. Older technology OSVs are some of the most polluting recreational vehicles in common use. Both the United States and California governments have stated policies of minimizing all emissions of global-

warming gases. The manner of this restriction – confined to the LTBMU and phased in over four years (six years when initially proposed) -- allows the public adequate time to adjust.

With regard to closure areas, our proposal includes three new closure areas (all in the Northeast quadrant of the basin), a restriction of OSVs to designated routes in three relatively small areas, and minor changes to one area boundary.

We will address these in reverse order.

#### 1. High Meadows Adjustment

The south shore area between Stateline, NV, and Highway 88/89 south is broken into three areas for purposes of winter travel management. From east to west there is, first, an area permitted to Heavenly Ski Resort, second, an area closed to OSVs around and below Freel and Jobs peaks, and, third, an area open to OSV use around Saxon Creek. The area closed to OSVs does not quite come all the way down to the High Meadows trailhead. We propose extending such closure area to the High Meadows trailhead and limiting such trailhead to nonmotorized use only. The OSV area around Saxon Creek would continue to come near, but not beyond, the High Meadows trailhead. This OSV area can be reached by other trailheads. If demanded, an OSV corridor can be designated on forest lands in order to continue resident OSV access to the Saxon Creek open area from homes east of the High Meadows trailhead. This change improves the separation of motorized and nonmotorized users without significantly changing the amount of lands open to each activity.

#### 2. Areas Where OSVs Are Restricted to Designated Routes

A restriction limiting OSV travel to designated routes follows naturally from summer motorized travel management and has also been effectively used in many areas to promote viable shared use in winter. Restriction of OSVs to designated routes reduces motorized-nonmotorized user conflicts while preserving OSV use and recreation. Often, these designated routes provide an OSV corridor to large areas where unrestricted travel is allowed; this management technique mitigates snowmobile impacts while allowing all forms of OSV recreation to continue from the same trailhead. Non-motorized users are provided recreation opportunity close to trailheads, that they can easily access, while OSV users are provided open terrain further from trailheads where there is less conflict with nonmotorized users, and which they can easily access. Indeed, strong arguments support employing this restriction everywhere that OSVs can readily access abundant terrain several miles from the trailhead.

We propose three areas where OSV travel would be restricted to designated routes: lower Blackwood Canyon, southern Genoa Peak road, and the area around Fallen Leaf Lake.

Under our proposal, Barker Pass Road up Blackwood Canyon is a designated route for its first four and a half miles. The meadows are closed to OSVs as are the slopes going to the ridgeline to the north. This area has significant use by many types of users. The restriction protects riparian environments and nonmotorized recreation opportunity while having little impact on motorized users.

Also, under our proposal, Genoa Peak Road is a designated route for four miles going north from the Daggett Summit – North trailhead (off North Benjamin). This area sees modest use and can accommodate increased use. The restriction protects nonmotorized recreation opportunity while having little impact on motorized users.

Also, OSV travel in the small area of land between Fallen Leaf Lake, Camp Richardson, the Desolation Wilderness and highway 89, is restricted to designated roads, the intent being that OSV use in this area be limited to the purpose of access. This area has little OSV use but is a popular ski touring, snowshoeing and winter hiking location. Noise from OSV use in this area also impacts users in the nearby non-motorized areas that have an even larger amount of non-motorized use. Moreover, this area is very sensitive from an environmental perspective due to the amount of water passing across and through it. The restriction protects riparian environments and nonmotorized recreation opportunity while having little impact on motorized users.

### 3. Chickadee Ridge

The Tahoe Meadows and the ridges and slopes south of the Mt. Rose highway are one of the most heavily used areas in the Tahoe basin for non-motorized winter recreation, for good reason. Chickadee Ridge with its 360 degree Tahoe views are easily accessed from ample winter parking along the Mt. Rose Highway. Roadless terrain extends down the ridgetops on a popular backcountry ski tour to Diamond Peak (Ski Incline) ski area. Skiers and snowshoers here enjoy a relatively remote backcountry experience with open vistas and serene quiet. OSV use in this area is currently limited and occasional, but due to noise and other emissions only one OSV can adversely impact the backcountry experience of every non-motorized user on the ridge. The continued allowance of OSV use in the area has the potential of destroying the non-motorized winter experience as well as jeopardizing the safety of skiers and snowshoers. The high level of non-motorized use in this area and the potential for limited OSV use to seriously impact non-motorized users in this area, warrants the restriction.

### 4. Relay Ridge

Compared to other areas of the Sierra Nevada that are open to OSVs, the Relay Ridge area, which rises north of the Mt. Rose highway and Tahoe Meadows, is relatively small. It presents both “touring” and “descending” recreation for non-motorized users and is mostly used by OSV riders for the “descending” activity. It can become congested with less than a dozen OSV riders. The area could provide quality recreational opportunity for a much larger number of skiers and snowshoers – and there is existing demand for such opportunity. Thus its highest and best use is as a non-motorized ski and snowshoe destination. Many skiers and snowshoers simply will not use the area when there are snowmobiles present.

Also, although the Relay Ridge OSV area is relatively small, motorized activity in this area affects all the surrounding terrain, due to the noise of the machines and the shared parking and trailhead. A single snowmobile staging and climbing in this area, especially a high-emission vehicle, creates an annoying whine that travels throughout the surrounding alpine area. Also, just a single snowmobile staging in this area can pollute a large area of the trailhead with carbon monoxide. Just one snowmobile in this area can shred (i.e. consume) powder snow that could otherwise provide recreational opportunity for a dozen or more skiers. Snowmobiles even travel through a highly popular snowplay

location, which can itself have a hundred or more users at a time, thus creating an obvious danger to children and families. The Relay Ridge area also is one of the few areas where the threatened species Tahoe draba clings to exposed mountain slopes; efforts to protect such species have been established at Heavenly Resort and elsewhere but not in this OSV play area.

During the collaborative negotiations, we presented a proposal for this area to continue to be open to OSVs four days of the week, and to be closed to OSVs on Thursday, Friday and Saturday. Despite substantial efforts by us and the Forest Service to discuss various changes, the OSV representatives refused to consider any new restrictions that we proposed. Accordingly, we are here reverting to a proposal that this area be completely closed to OSVs. This is amply justified by the situation.

The Tahoe Meadows off the Mt. Rose highway hosts over 35,000 non-motorized winter-visitor trips per year, significantly exceeding summer visitation in the area on a per week basis. The same terrain that becomes congested with only a dozen snowmobiles could provide dispersed recreation for a hundred skiers and snowshoers, as well as increasing the safety of families engaging in traditional sledding. By creating a large area preserved for non-motorized recreation with convenient and reliable access, high elevation reliable snow cover and Tahoe's unique scenic beauty, this area, like the Desolation Wilderness on the southwest side of the basin, would thereby become and be recognized as one of the premier backcountry ski and snowshoe destinations in North America, thus benefitting local communities, as well as serving local demand.

This restriction will need to extend into the Humboldt-Toiyabe National Forest, especially to eliminate the current safety hazard to families engaging in popular snowplay near the Mt. Rose highway. We have previously been advised that such change is acceptable to the Humboldt-Toiyabe National Forest as a coordinated change with the LTBMU.

## 5. Martis Peak

Lands on both sides of Brockway Summit (Highway 267) have in the past provided popular ski and snowshoe recreation, especially along the several unplowed roads that follow the ridgelines. Skier and snowshoer use has been displaced almost completely on the west side of Brockway Summit by a high level of OSV operations in the area, including the presence of a popular outfitter-guide. Skier/snowshoer use also is now being displaced on the east side of the highway (the Martis Peak area), in part due to very limited parking and the space taken up by snowmobile trailers. Under our proposal, this area is closed in order to preserve nonmotorized winter recreation opportunity off Highway 267, which has historically been an important nonmotorized recreation area. Due to the terrain and route of the Martis Peak road, this closure would best involve coordinated action by the Tahoe National Forest, but that can be addressed separately.

In all the above areas (Chickadee, Martis and Relay), our proposal allows for some lands adjoining the local neighborhoods to be kept open to OSV use by local residents. The precise boundaries of such areas can best be determined through further discussion with reference to large-scale maps and LTBMU staff expertise.

## **Popular OSV Recreation Will Continue in the Basin**

Our proposal leaves open and largely unaffected most of the OSV activity in the basin. It does not foreclose any existing outfitter guide or rental operation. It does not close the heavy OSV activity in the fiberboard freeway area between highways 89 and 267, or along the Rubicon Trail, or up Barker Pass, or in the large Fountain Place/Saxon Creek area, or in the extensive lands south of Spooner summit, or in several other areas that would continue to be open to OSV use. Changes to the restrictions in such areas may still be warranted upon application of all minimization criteria and other considerations, such as protection of homeowner neighborhoods.

By our estimation, our proposal changes the amount of lands in the LTBMU that are closed to motorized use from about 48% to about 52%. We estimate that our proposal allows more than 90 percent of existing OSV recreation in the basin to continue unaffected. Restricting a small fraction of OSV recreation in the basin will, indeed, substantially improve the recreation opportunity for thousands of non-motorized users who seek clean air, quiet and powder snow.

As part of this comprehensive proposal, we would also support the development of new OSV trailheads that reduce the trailhead congestion caused by the outfitter-guide operations so long as such trailheads do not disrupt local neighborhoods and are consistent with all other minimization criteria.

Lastly, in order to facilitate user education and enforcement against trespass, under the collaborative proposal, we propose that a free permit be required to snowmobile in the LTBMU. The permit process used in the Bridgeport Winter Recreation Area provides a model for a permitting process, with changes appropriate to the use patterns in the LTBMU. This will enhance user education and facilitate enforcement against trespass.

We believe this collaborative proposal substantially enhances skier and snowshoer recreation opportunity in the basin while having the least impact on OSV recreation that is reasonable under the circumstances. We appreciate your thoughtful review of this proposal and ask that its elements be included in the scoping notice.

Sincerely,



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Appendixes:

Snowlands Network Responses to Comments  
Map of Important Non-Motorized Recreation Areas