



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

November 10, 2015

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159 Lawrence Street  
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Re: Scoping Notice: Over-Snow Vehicle Designation -- File Code 1950  
September 28, 2015

Dear Sirs:

In this letter we provide the Alternative developed by Snowlands Network and Winter Wildlands Alliance pursuant to the Settlement Agreement referenced in the scoping notice. We request that this Alternative be analyzed as part of the Environmental Impact Statement for the designation of over-snow vehicle use on the Plumas National Forest

Currently Plumas National Forest (“PNF”) allows winter motorized travel on approximately 97% of the forest—in all areas other than the Bucks Lake Wilderness and the wild zone of the Middle Fork of the Feather Wild and Scenic River. The scoping notice proposes additional closures in the western portion of the Lakes Basin and on the east side of the Bucks Lake Wilderness. We appreciate and support these additional closures, which will enhance non-motorized recreation opportunity by building on existing non-motorized areas, with minimal or no impact to current motorized use. However, these protections still leave approximately 96% of the Forest open to over-snow vehicle (OSV) use. We feel that the PNF can do much more to balance winter motorized recreation with other uses and resource protection. We suggest some modifications to the area definitions to follow ridgelines for better definition of the area, to enhance non-motorized access routes, and to better contain OSV noise impacts.

The PNF has not experienced the same level of demand for winter backcountry non-motorized recreation as has been experienced in nearby national forests, including the Tahoe, Lassen, and Lake Tahoe Basin Management Unit. This is in part due to the popularity of these neighboring areas and in part due to displacement caused by widespread motorized use in the PNF. Due to the loud noise of snowmobiles and other impacts, a relatively small number of snowmobiles can displace non-motorized users over a large area.

Areas in the PNF such as the Lakes Basin have significant snowmobile traffic on routes that also could be popular with backcountry skiers and snowshoers. This motorized use has a chilling effect on non-motorized users, who must share the same trailheads and primary access routes.

Backcountry skiing, Nordic skiing, and snowshoeing are some of the fastest growing outdoor activities on National Forest lands. The PNF can encourage increased non-motorized recreation in the PNF, likely leading to increased tourism, by creating relatively small areas that are closed to motorized use. As with any change, such closures will be resisted by some users, but they can be implemented without any adverse impact on overall snowmobile tourism in the PNF and with slight change in local use.

Winter travel planning must protect opportunities for non-motorized recreation—recognizing the experience non-motorized users seek—and minimize impacts from OSVs on wildlife, the environment, and other uses. Sharing the forest for multiple uses requires recognition of the impacts of use. Our Alternative is designed to protect areas for non-motorized recreation while continuing to allow extensive and high quality motorized recreation. Additional restrictions may be necessary to protect species, watersheds, riparian areas and other ecosystems. We look forward to seeing a full analysis of OSV impacts on wildlife, the environment, and other existing or proposed recreational uses in the Draft Environmental Impact Statement (“Draft EIS”).

Our Alternative closes approximately 50% of the PNF to snowmobile recreation. This includes important non-motorized recreation areas, existing closures, the additional closures proposed in the scoping notice, and most lands below 5,000 feet in elevation (which constitute approximately 41% of the PNF). Additional closures may be warranted based on a review of environmental impacts and other considerations, as well as application of the minimization criteria. Even so, we believe that it is possible for the PNF to craft a winter travel plan that balances recreational uses and protects wildlife habitat and other forest resources. The limited closures proposed in our Alternative will be a win-win for users and the local communities because they will better position the PNF to accommodate growth in winter recreation demand. Thus the Plumas National Forest will serve the most users and bring the most winter tourism to local communities in a sustainable manner.

### Characterization of Our Alternative

Federal law and regulations require the Forest Service to consider a full range of alternatives in its planning process. In its winter travel management planning, the PNF should include an alternative that places significant restrictions on motorized recreation. Although our alternative is submitted by non-motorized advocacy groups, it is a compromise alternative that seeks a fair balance of motorized and non-motorized winter recreation opportunity. We recognize that motorized

recreation is highly popular in the Plumas and our alternative is not intended to be a “non-motorized emphasis” alternative.

To meet the NEPA requirement to consider a fair range of alternatives, the FS must also consider an alternative that gives *priority* to non-motorized recreation and to environmental protection. This alternative would place greater restrictions on motorized activity, such as confining OSV recreation to designated routes throughout the PNF, similar to current restrictions on wheeled vehicles, with very limited “open play” areas. Such an alternative merits serious consideration. An additional alternative could go further still – designating no trails or areas as open to OSV use. Consideration of these alternatives is important to understanding the full environmental impacts of OSV travel and creating a preferred alternative that is fairly balanced for all uses.

### **Purpose and Need for Action**

The alternative that we propose meets the Purpose and Need set forth in the PNF’s Notice of Intent and is in compliance with Executive Order 11644, the Over-Snow Vehicle Rule, and the Settlement Agreement between the Forest Service and our organizations. However, we believe the Purpose and Need statement should specifically mention the need to preserve accessible opportunities for users to recreate on PNF lands in winter free from the noise and other impacts of motorized recreation, rather than just ambiguously refer to “conflicts” between uses. Specifically, we propose that the Purpose and Need for this planning process be amended as follows (addition in bold italics):

“One purpose of this project is to effectively manage OSV use on the Plumas National Forest to provide access, ensure that OSV use occurs when there is adequate snow, promote the safety of all users, ***ensure non-motorized recreation opportunities are preserved and enhanced***, enhance public enjoyment, minimize impacts to natural and cultural resources, and minimize conflicts among the various uses.”

The existing Purpose and Need states that the current system of OSV trails and areas is the “culmination of multiple agency decisions over recent decades.” This statement is incorrect and should be corrected by noting that the PNF has never done a study of the environmental impacts of OSV recreation and OSV trail grooming. This correction is particularly important due to the misleading idea—continually repeated in the media—that the Forest Service made mistakes in an earlier analysis and is thus “redoing” the analysis.

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As recently stated by the National Forest Foundation, “Backcountry skiing and snowboarding are some of the fastest growing sectors of the ski industry. Recent advances in snowmobile technology allow riders to get farther into the

backcountry than ever before.”<sup>1</sup> As recently confirmed by the Forest Service, “We can no longer manage as we have in the past.”<sup>2</sup>

The Forest Service planning regulations recognize sustainable recreation as an important objective for the agency.<sup>3</sup> On any single parcel of land, far more non-motorized users can be accommodated than motorized users, especially when the use is unrestricted backcountry travel. Therefore, closure of limited areas to OSVs will substantially enhance overall non-motorized recreation opportunity while having a small impact on overall motorized recreation opportunity. The need for these additional non-motorized areas is discussed in general in our position paper, “Analyzing OSV Impacts to Other Winter Recreation Users,” included in our submission as Exhibit A (“Analyzing Impacts”). The application of these general considerations to specific areas of the PNF is discussed below.

The OSV restrictions in our Alternative will also provide enhanced protection to species, habitat, and water quality by increasing the acreage on the PNF that is closed to cross-country OSV travel. We outline wildlife and environmental protections that should complement our proposed non-motorized recreation closures in our position paper, “Wildlife and Environmental Concerns -- Over-Snow-Vehicles In the Plumas National Forest” included in our submission as Exhibit B (“Wildlife Concerns”).

General principles for effective management of OSVs and the need for such practices (both for preservation of recreational opportunity and for protection of plants, wildlife, and the environment) are discussed in the Winter Wildlands Alliance publication “Snowmobile Best Management Practices for Forest Service Travel Planning” included in our submission as Exhibit C (“BMPs”).

We have also included in our submission, via DVD<sup>4</sup>, a file of important literature and science studies that document OSV impacts and the need for restrictions on OSV use. A list of these documents is included as “List of Additional Submitted Documents”, attached as Exhibit D. They are basic to any analysis of OSV impacts.

We refer you to these documents for general support of each element of our Alternative. As discussed throughout these documents, the restrictions outlined in our Alternative are necessary to manage OSVs in accordance with the minimization criteria set forth in Executive Order 11644<sup>5</sup> (Executive Order No. 11,644, 37 Fed. Reg. 2877, Feb. 8, 1972, *as amended by* Executive Order No.

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<sup>1</sup> “Voices from the Forest,” Your National Forests, the Magazine of the National Forest Foundation, Winter-Spring 2015.

<sup>2</sup> “A Framework for Sustainable Recreation,” USFS, USDA June 25, 2010.

<sup>3</sup> 36 CFR 219.8(b)(2).

<sup>4</sup> This DVD will be mailed along with the hard-copy version of these comments

<sup>5</sup> Executive Order No. 11,644, 37 Fed. Reg. 2877, Feb. 8, 1972, *as amended by* Executive Order No. 11,989, 42 Fed. Reg. 26,959, May 24, 1977.

11,989, 42 Fed. Reg. 26,959, May 24, 1977) and in accordance with Forest Service principles of Sustainability, Multiple Use and Diversity of Plant and Animal Communities.<sup>6</sup>

We have included in our submission a map, “Winter Recreation Management on the Plumas National Forest”, attached as Exhibit E. This map displays the specific areas that we have identified as important for non-motorized recreation. On this map we have identified important non-motorized recreation areas. Our map also identifies suggested boundaries of areas that could be designated as open to OSV’s, subject to the requirements of the minimization criteria. These proposed areas are generally above 5,000 feet in elevation and exclude important non-motorized recreation areas and roadless areas. Because we do not have access to all of the data required to identify important wildlife or environmental areas, the proposed open areas in our Alternative should be adjusted to meet the minimization criteria. These areas must be located in a manner that minimizes impacts to wildlife, natural resources, and other uses and the PNF must demonstrate how these impacts were minimized on a route-by-route and area-by-area basis.

The designation of areas and routes open to OSV travel must take into account sensitive environmental areas, research natural areas or special interest areas, wildlife habitat, areas of historical and tribal significance, and other appropriate considerations that we are able to reference only generally in this submission. The PNF is large and has substantial winter wildlife habitat; accordingly, a reasonable designation of OSV routes and areas will not allow OSV use across 96% of the forest as described in the proposed action. As a general rule, areas below 5,000 feet in elevation should not be designated as open to OSV travel. Allowing OSV use in these low-elevation areas poses an increased risk of inadequate snow cover leading to environmental damage. The PNF should follow the example set by the Stanislaus National Forest and not include areas below 5,000 feet in the analysis of where OSV use will be allowed. There will of course be areas where an exception to this general rule makes sense, and indeed we have included areas below 5,000 feet in our suggested open areas. However, by restricting your analysis to places on the forest where it is likely there will actually be enough snow to support winter recreation the PNF can focus its limited resources in a strategic and efficient manner.

In the remainder of this letter, we will discuss (A) the 2015 Over-Snow Vehicle Rule, (B) OSV route grooming and trailhead plowing, (C) the need to mitigate impacts from OSV use, (D) new management areas to protect opportunities for non-motorized recreation, and (E) best management practices for OSVs to be required across the PNF.

#### A. The 2015 Over-Snow Vehicle Rule

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<sup>6</sup> See the Multiple-Use Sustained-Yield Act of 1960.

In late January 2015, the Forest Service’s Washington Office released a new Over-Snow Vehicle Rule providing a framework for winter travel planning efforts on all National Forest lands.<sup>7</sup> The OSV Rule revises subpart C of the 2005 Travel Management Rule and requires that forests designate routes and areas where OSV use is allowed, publish these designations on an OSV use map, and prohibit any OSV activity that is inconsistent with the published map. This travel planning is to occur under the directives that accompanied the 2005 Travel Management Rule until the Washington Office finalizes new directives to accompany the OSV Rule.

Forest Service travel management planning can be traced back to Executive Orders 11644 and 11989, which were issued by Presidents Nixon and Carter in 1972 and 1977, respectively. These orders were in response to the growing use of dirt bikes, snowmobiles, all-terrain vehicles, and other off-road vehicles (ORVs) and corresponding environmental damage and conflicts with non-motorized users. The executive orders require federal land management agencies to plan for ORV use to protect other resources and recreational uses. Specifically, the executive orders require that, when designating areas or trails available for ORV use, the agencies locate them to:

- (1) minimize damage to soil, watershed, vegetation, and other resources of the public lands;
- (2) minimize harassment of wildlife or significant disruption of wildlife habitats; and
- (3) minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, taking into account noise and other factors.<sup>8</sup>

Thirty-three years after President Nixon issued Executive Order 11644, the Bush Administration – citing unmanaged recreation as one of the top four threats facing the national forests – published the Travel Management Rule in 2005. The 2005 rule codified the executive order “minimization criteria”. The 2015 OSV Rule builds upon the 2005 Travel Management Rule by requiring that the Forest Service designate a system of areas and routes – *based on the minimization criteria* – where OSVs are permitted.<sup>9</sup>

The new rule requires each national forest unit with adequate snowfall to designate and display on an OSV use map a system of areas and routes where OSVs are permitted to travel; OSV use outside the designated system is prohibited.<sup>10</sup> Thus, rather than allowing OSV use largely by default wherever that

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<sup>7</sup> 80 Fed. Reg. 4500, Jan. 28, 2015, 36 C.F.R. part 212, subpart C.

<sup>8</sup> Exec. Order No. 11,644, § 3(a), 37 Fed. Reg. 2877 (Feb. 8, 1972), *as amended* by Exec. Order No. 11,989, 42 Fed. Reg. 26,959 (May 24, 1977).

<sup>9</sup> *Winter Wildlands Alliance v. U.S. Forest Service*, No. 1:11-CV-586-REB, 2013 U.S. Dist. LEXIS 47728, at \*27-36 (D. Idaho Mar. 28, 2013) (explaining that OSV “designations *must* be made and they *must* be based on the [minimization] criteria”) (emphasis in original).

<sup>10</sup> 36 C.F.R. §§ 212.81, 261.14.

use is not specifically prohibited, the rule changes the paradigm to a “closed unless designated open” management regime. Forests must apply and implement the minimization criteria when designating each area and trail where OSV use is permitted.<sup>11</sup> Any areas where cross-country OSV use is permitted must be “discrete, specifically delineated space[s] that [are] smaller . . . than a Ranger District” and located to *minimize* resource damage and conflicts with other recreational uses.<sup>12</sup>

A string of federal court cases, invalidating prior Forest Service travel management decisions, is evidence that the Forest Service struggles with properly applying the minimization criteria.<sup>13</sup> Most recently, in *WildEarth Guardians v. U.S. Forest Service*, the Ninth Circuit Court of Appeals invalidated the decision to allocate approximately 60% of the Beaverhead-Deerlodge National Forest to cross-country OSV use where the record failed to show that the agency applied and implemented the minimization criteria when it made those area designations.<sup>14</sup> The Ninth Circuit’s decision upheld several lower court decisions and affirmed that the Forest Service has a *substantive* duty to meaningfully apply the minimization criteria.<sup>15</sup>

When designating routes and areas for OSV use it is critical that the agency apply the minimization criteria at a granular level. As the Ninth Circuit noted, there is “nothing . . . that allows the Forest Service to designate multiple areas for snowmobile use on the basis of a single forest-wide analysis and general decision making principles.”<sup>16</sup> In fact, the Executive Orders direct the Forest Service to establish “rules requiring application of minimization criteria ‘for designation of the *specific areas* and trails on public lands on which the use of off-road vehicles may be permitted.’”<sup>17</sup> The Forest Service’s own rules define “areas” designated for ORV use as “discrete, specifically delineated space[s] that [are] smaller, and, .

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<sup>11</sup> 36 C.F.R. §§ 212.81(d), 212.55(b).

<sup>12</sup> 36 C.F.R. §§ 212.1, 212.81(d), 212.55(b).

<sup>13</sup> *WildEarth Guardians v. U.S. Forest Serv.*, 790 F.3d 920, 929-32 (9th Cir. 2015); *Friends of the Clearwater v. U.S. Forest Service*, No. 3:13-CV-00515-EJL, 2015 U.S. Dist. LEXIS 30671, at \*37-52 (D. Idaho 2015); *The Wilderness Soc’y v. U.S. Forest Serv.*, No. CV08-363-E-EJL, 2013 U.S. Dist. LEXIS 153036, at \*22-32 (D. Idaho Oct. 22, 2013); *Cent. Sierra Env’tl. Res. Ctr. v. U.S. Forest Serv.*, 916 F. Supp. 2d 1078, 1094-98 (E.D. Cal. 2013); *Idaho Conservation League v. Guzman*, 766 F. Supp. 2d 1056, 1071-74 (D. Idaho 2011).

<sup>14</sup> *WildEarth Guardians v. U.S. Forest Service*, 790 F.3d 920 (9th Cir. 2015)

<sup>15</sup> *WildEarth Guardians*, 790 F.3d at 932 (“consideration” of the minimization criteria is insufficient; rather, the agency “must apply the data it has compiled to show how it designed the areas open to snowmobile use “with the objective of minimizing” impacts); *Friends of Clearwater* (“to satisfy the Travel Management Rule, “the Forest Service must actually explain how it aimed to minimize environmental damage in designating routes. . . .”); *Guzman*, 766 F.Supp.2d at 1074 (“The language ‘with the object of minimizing’ means that the whole goal or purpose of the exercise is to select routes in order to minimize impacts in light of the agency’s other duties.”).

<sup>16</sup> See, e.g., *WildEarth Guardians*, 790 F.3d at 930.

<sup>17</sup> Exec. Or. No. 11644, § 3 (emphasis added).

. . . in most cases much smaller, than a Ranger District.”<sup>18</sup> In *WildEarth Guardians*, the Ninth Circuit explained that the Travel Management Rule “requires the Forest Service to apply the minimization criteria to *each area* it designated for snowmobile use” to “provide a more granular minimization analysis to fulfill the objectives of Executive Order 11644.”<sup>19</sup>

To meet these minimization criteria the PNF must follow the process for travel management planning as outlined in Chapter 10.3 of Forest Service Handbook 7709.55. This six-step process includes: “(1) compiling existing travel management direction; (2) assembling resource and social data; (3) using travel analysis to identify proposals for change; (4) conducting appropriate environmental analysis and decision-making; (5) identifying designated routes and areas on an MVUM [or OSVUM in this case]; and (6) implementing, monitoring, and revising.” Step 3, travel analysis, is the critical point where broad-scale issues are identified and thus forms the basis for proposed actions related to travel planning. We believe that the PNF should not have proposed travel management designations in its scoping notice without having completed this travel analysis. We ask that the PNF comply with all 6 steps in the travel planning directives.

Compliance with the Executive Orders and Travel Management Rule must be clear in the administrative record<sup>20</sup> and the Forest Service may not rely on compliance with the Forest Plan as a proxy for application of the minimization criteria.<sup>21</sup> *WildEarth Guardians* confirmed that the Forest Service must apply a transparent and common sense methodology for meaningful application of each minimization criterion to each area and trail. To address the minimization criteria the agency’s methodology should, at minimum:

1. Incorporate site-specific data.
2. Provide opportunities for public participation early in the planning process.
3. Consider the best available scientific information.
4. Account for projected climate change impacts, including reduced and less reliable snowpack, and increased vulnerability of wildlife and resources to OSV impacts.

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<sup>18</sup> 36 C.F.R. § 212.1.

<sup>19</sup> *WildEarth Guardians*, 790 F.3d at 930 (emphasis in original).

<sup>20</sup> *Id.* at 931 (“What is required is that the Forest Service document how it evaluated and applied [relevant] data on an area-by-area [or route-by-route] basis with the objective of minimizing impacts.”); *Guzman*, 766 F.Supp.2d at 1074 (“the Forest Service must explain how the minimization criteria were applied in the route designation decisions.”); *Idaho Conservation League*, 766 F. Supp. 2d at 1071-74 (agency may not rely on “Route Designation Matrices” that fail to show if or how the agency selected routes with the objective of minimizing their impacts).

<sup>21</sup> *Friends of the Clearwater*, 2015 U.S. Dist. LEXIS 30671 at \*46 (“Merely concluding that the proposed action is consistent with the Forest Plan does not . . . satisfy the requirement that the Forest Service provide some explanation or analysis showing that it considered the minimizing criteria and took some action to minimize environmental damage when designating routes.”)

5. Consider site-specific and larger-scale impacts.
6. Apply best management practices.
7. Account for available resources for monitoring and enforcement.
8. Consider whether to designate areas or trails by “class of vehicle” and “time of year,” as provided by the OSV rule.

Under the OSV Rule, areas open for cross-country snowmobile travel must be smaller than a ranger district, and areas that are not specifically designated as open shall be closed to OSV use. This “closed unless designated open” framework is a change from how the PNF has historically managed OSV use and requires the Forest Service to completely change its approach to winter travel management. The proposed action set forth by the PNF does not abide by the letter or spirit of the OSV rule. The proposed action fails to designate areas that are “discrete,” “specifically delineated,” and “smaller . . . than a ranger district.”<sup>22</sup> Rather than identify and delineate discrete open areas that are smaller than the forest’s three ranger districts, the scoping notice suggested that the PNF proposes to designate as open everywhere that is not designated closed. This is not what is intended by the OSV rule. Moreover, proper application of the executive order “minimization criteria” almost certainly would not result in designation of open areas even close to the size of a ranger district given the significant adverse impacts of cross-country OSV travel to sensitive wildlife, non-motorized users, and other uses and resources.

The PNF’s proposed action as written is unacceptable, and we hope that the Preferred Alternative identified in the draft Environmental Impact Statement draws heavily from our proposal.

#### B. OSV Route Grooming and Trailhead Plowing

As required under the Settlement Agreement, the PNF is required to “identify snow trails for grooming” and analyze “a range of alternative actions that would result in varying levels of snowmobile use,” taking into account the impact of activities “such as the plowing of related parking lots and trailheads.”<sup>23</sup>

A major consequence of OSV route grooming and trailhead plowing is an increase in the general level of OSV traffic and usage in the PNF. In its environmental analysis of the OSV grooming program, the State of California assumed that the program approximately triples snowmobile activity in the groomed areas.<sup>24</sup> The manner in which such use affects and displaces non-motorized use and impacts wildlife is discussed in our position papers that are included with this comment letter (see “Analyzing Impacts,” “Wildlife Concerns,” “BMPs,” and Exhibit D). Thus, an area such as the Lakes Basin,

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<sup>22</sup> See definition of “area” at 36 C.F.R. § 212.1.

<sup>23</sup> Amended Settlement Agreement, *Snowlands Network v. U.S. Forest Serv.*, 2012 WL 4755161 (2012) (No. 2:11-cv-002921).

<sup>24</sup> California OHVMRD, Draft Environmental Impact Report p. 2-20.

which has substantial recreation opportunity due to its varied and interesting terrain, has comparatively little non-motorized winter recreation due to the extensive OSV use of the groomed routes in the area.

Our Alternative closes a small portion of the groomed Bucks Lake OSV route and the ungroomed OSV route on a portion of the Frazier Falls road. However, it allows for the majority of the new trails identified in the Proposed Action. In addition, our Alternative calls for the creation of non-motorized trailheads or separation of trailheads. The additional closures and restrictions we propose in our Alternative serve as mitigation of the consequences of grooming OSV routes and plowing OSV trailheads by establishing non-motorized areas where recreation users seeking clean and quiet areas can readily avoid the impact of the State of California's OSV grooming program.

Additional restrictions and other mitigation measures may be necessary beyond those provided by our suggested Alternative to protect species, watersheds, riparian areas, and other ecosystems. Appropriate mitigation measures for the various impacts of OSVs on other forest uses, wildlife, and the environment should be spelled out in the Draft EIS. With the minimization criteria in mind, we expect that the designated OSV use areas set forth in the Preferred Alternative will be smaller than the entirety of those lands that lie outside of our Important Non-Motorized Recreation Areas.

### C. The Need to Mitigate Impacts from OSV Use

In proposing this Alternative, we have assumed that the Forest Service acknowledges the need for mitigation of OSV impacts due to the noise, emissions, and other impacts of OSVs that are discussed in our submitted and referenced documents, as well as the stimulation of OSV use caused by the Forest Service's participation in the State of California's OSV grooming program. The PNF should, to the extent practicable, rely on relevant past scientific studies of OSV impacts such as noise, pollution, and user experiences so that it does not need to duplicate efforts in this EIS. We believe these impacts have been well-established in prior government studies, including, for instance, in Yellowstone National Park, as well as the numerous scientific studies referenced in our submitted documents. Certain impacts—such as noise and the smell of toxic exhaust—are obvious from personal observation, and their impact on other users is subjective and well-established by user comments (see, for instance, the file of comments included in Exhibit D).

In order to manage OSVs in a manner that meets the minimization criteria, the Forest Service must collect reliable data on OSV impacts. Regardless of the Alternative selected for the final plan, we suggest, among other analyses, that the Forest Service measure the ambient air pollution in recreation areas with heavy snowmobile traffic (both trailheads and routes), the distance snowmobile noise travels through popular recreation areas, and the relative capacity of powder-

covered slopes to serve motorized and non-motorized users (by measuring the relative number of users that can obtain their desired recreation experience on one slope (a) if it is open to motorized travel and (b) if it is closed to motorized travel). This data can help determine the impact of motorized use on users desiring clean and quiet recreation.

#### D. Non-Motorized Recreation Areas

The map submitted with our Alternative identifies seven areas proposed for new restrictions on motorized use to preserve and enhance non-motorized recreation opportunity. In total, these areas represent approximately 6% of the PNF. Accompanying this Alternative is a GIS shapefile of these areas in order to facilitate analysis of this Alternative during the EIS process.

It is critical that the Forest Service address implicit biases concerning winter recreationists and think about how the winter travel plan does or does not provide opportunities for all user groups. Recognizing differing objectives of the three basic types of ski recreation discussed in our document “Analyzing Impacts,” we have classified our proposed areas into three types:

“Front-country non-motorized” areas protect non-motorized recreation opportunity in areas that are easily accessed from plowed trailheads and roads. Restriction of OSVs is necessary to eliminate the noise, toxic exhaust, disproportionate consumption of powder snow, trail rutting, and other OSV impacts. Front-country non-motorized areas are necessary to provide safe and accessible winter recreation opportunities for individuals who are unwilling or unable to travel deep into Wilderness or the backcountry to avoid OSV activity. Front-country non-motorized areas make winter recreation more accessible for families and communities who are new to winter sports.

“Backcountry solitude” areas protect large areas for quiet and remote recreation experiences in winter. These areas also protect sensitive species that thrive only in relatively large areas with minimal human activity.

“Managed shared use” areas restrict OSV usage so that there can be meaningful shared use of easily-accessible and popular areas. Meaningful shared use is made possible by restricting OSVs to designated routes, establishing separate trailheads, restricting OSVs to cleaner and quieter machines, imposing speed limits on shared-use trails, and other management tools. Methods for managing shared use are explained and discussed in the documents “Analyzing Impacts” and “BMPs”.

The proposed areas are:

**Adams Peak** (backcountry solitude): This area on the east side of the PNF is has high scenic values and provides quality snowshoe opportunities. Closure of this area also protects wilderness-quality lands on the eastern side of the forest.

**Black Gulch/Clear Creek** (frontcountry non-motorized): This area adjoins the Bucks Lake Wilderness and extends the motorized prohibition in the Wilderness both south to the Bucks Lake winter (OSV) trailhead (immediately south of the Wilderness) and west to Silver Lake, Black Gulch and Clear Creek. Much of this closure area was included in the proposed action. As well as protecting environmentally-sensitive areas, closure of this area will allow non-motorized users to stage from the Silver Lake/Black Gulch area and enter the Bucks Lake Wilderness with minimal impacts from motorized use, and thus substantially enhances the non-motorized recreation opportunity presented by the Bucks Lake Wilderness. This opportunity would be further advanced by developing a non-motorized trailhead (with plowed access) for skiers and snowshoers at Silver Lake.

**Bucks Mountain** (backcountry solitude): This area adjoins the Bucks Lake Wilderness and encompasses most of the area to the west of the Wilderness. Closure of this area protects wilderness-quality lands adjacent to the Wilderness along with high quality non-motorized recreation opportunities. As part of this closure, and to prevent the ongoing problem of OSV trespass into the Bucks Lake Wilderness, our Alternative closes the Bucks Lake OSV trail once it leaves Forest Road 24N33. We recommend not grooming any portion of this road.

**Frazier Creek** (front-country non-motorized): The Lakes Basin is a highly scenic area. Winter non-motorized use has largely been displaced from this area due to the presence of OSVs on the popular OSV routes. Our Alternative sets aside this small area in the Lakes Basin where non-motorized users can experience a clean and quiet recreation experience without a substantial impact on motorized use in the area. In our Alternative the road to the Mills Peak lookout would remain open to snowmobiles, although they would be restricted to this designated route.

Unlike the western Lakes Basin closure discussed below, this area is readily reached from a popular winter trailhead. (The western Lakes Basin closure area is only accessible by users with substantial stamina taking long day or multi-day trips.) This is a compromise proposal that recognizes and accepts that the most scenic and popular routes in the Lakes Basin, accessed from the Lakes Basin highway snowmobile route, will continue to be dominated by motorized recreation.

Non-motorized recreation opportunity can also be enhanced in this area by separation of motorized and non-motorized trailheads. We urge the PNF to consider alternatives that separate the Gold Lakes winter trailhead into two areas, one of which is restricted to non-motorized users only. It is well documented that OSVs staging at popular trailheads create a cloud of offensive and unhealthy smog. The foul air and loud noise of OSVs displaces non-motorized users from trailheads, even where such trailheads serve areas where motorized use is either

restricted or highly dispersed. Creation of separate trailheads is a practical solution that does not in itself restrict OSV recreation opportunity but substantially increases non-motorized recreation opportunity. The Lakes Basin is the most important area in the PNF where separate trailheads should be established for motorized and nonmotorized users.

The existing Lakes Basin ski trail has little value to non-motorized users. One possible way to create separate trailheads serving this area is to create a separate non-motorized trailhead farther up the highway than the existing winter trailhead, utilizing the Lakes Basin ski trail as an OSV route that allows OSVs to stage from the existing trailhead while non-motorized users stage from a trailhead farther up the Lakes Basin highway.

**Lake Davis** (front-country non-motorized): Our Alternative includes an OSV closure on the east side of Lake Davis and creation of a managed/shared use area on the west side. The shared use area has a trail-only restriction for OSVs and a voluntary restriction of OSVs to those employing best available technology (BAT).

The east side of Lake Davis receives significantly less snowfall than the west side. Closure of the east side was discussed during a Beckwourth Ranger District meeting to discuss OSV use in the Lake Davis area and did not receive opposition other than a request for a designated route around the lake. This closure will significantly enhance non-motorized recreation opportunity in the Lake Davis area during years with high snowfall.

The west side has greater winter recreation potential and is popular with both motorized and non-motorized users. Limiting OSV use to designated routes in the area and encouraging a voluntary transition to OSVs using BAT technology will have a slight impact on OSV recreation in the area while significantly improving opportunities for non-motorized recreation. Non-motorized users can create their own routes separate from the OSV routes, and OSV users desiring to travel cross-country travel can easily travel on the designated routes to unrestricted areas nearby that are less sensitive to environmental degradation and located farther from non-motorized users.

**Thompson Peak** (front-country non-motorized): This area on the east side of the PNF is popular with backcountry alpine skiers and splitboarders who devote substantial time and effort to skin up steep slopes in order to ski down through powder. Due to the speed at which OSVs travel, they can track up all of the powder on a slope in minutes, whereas it would take a skier days and multiple trips to “consume” the same amount of powder.

**Western Lakes Basin** (backcountry solitude): This closure extends the non-motorized area in Plumas Eureka State Park into a western portion of the Lakes Basin. The closure creates a significant area where non-motorized users can

reasonably expect to find an environment suitable for backcountry solitude, capitalizing on and travelling farther than the popular ski and snowshoe routes in the State Park. A portion of this area was also included in the PNF's proposed action.

The exact boundaries of all areas should be established using ridgelines and drainages to create readily-identifiable boundaries that, to the maximum extent feasible, exclude from the area the noise from adjoining motorized areas.

### **Pacific Crest Trail**

The Pacific Crest Trail should be managed to provide a non-motorized winter experience for users. Snowmobiling must not be allowed on or along any section of the PCT, as stated in the "Comprehensive Management Plan for the Pacific Crest National Scenic Trail" (USDA Forest Service, January 18, 1982). As further set forth in that document, "any motorized use of adjacent land should be zoned to mitigate the noise of conflict."

We support the PNF's proposal to manage the PCT as a non-motorized trail and to create designated crossing points, however we feel that there are far too many designated crossing points in the proposed action. Crossing locations of the PCT should be designated, as is called for in the PCT Comprehensive Plan. Designated crossings should coincide with the underlying road and motorized trail system. This would allow 21 crossings of the PCT across the PNF. We request that the PNF work with the Pacific Crest Trail Association (PCTA) to identify these crossing points.

We believe the Comprehensive Management Plan for the trail calls for more than just the tread of the trail to be non-motorized. We support the proposal of the PCTA to create a non-motorized corridor on both sides of the PCT itself, so that users of the PCT can better realize a non-motorized experience. The Forest Service should work with PCTA to determine the exact boundaries of this corridor. The PCT, non-motorized lands around it, and designated crossing points should be clearly marked on PNF winter recreation guides. To reduce OSV trespass from those small sections where the PCT follows a road and is co-designated as an OSV route, we suggest that the PNF clearly sign where the non-motorized trail resumes.

### **Snow Play Areas**

In addition to the above, PNF should designate appropriate areas for snow play. Designation of snow play areas allows for concentration of use in areas that are appropriate for snow play and that have adequate parking. Such areas and their primary access routes should be closed to OSV traffic for safety and other reasons. Snow play areas provide opportunities for families to safely recreate on National Forest lands in the winter.

## E. General Best Management Practices

**Non-motorized trailheads** should be established and designated to access non-motorized areas, as well as shared use areas such as the Lakes Basin highway. The PNF should set a goal of establishing separate trailheads for non-motorized use at popular shared use areas. In some locations, this objective could be satisfied by restricting snowmobiles from a designated portion of a single trailhead location.

**BAT - Transition of users to cleaner and quieter OSVs** should be encouraged throughout the PNF. The PNF should adopt policies that promote the use of cleaner and quieter snowmobiles. Our Alternative includes a Forest Service commitment to reconsider the imposition of Forest-wide BAT standards every five years. Due to the scale of impact of just one dirty machine, as more users transition to cleaner and quieter machines, there will be greater justification for imposing a mandatory requirement.

We believe that the BAT standards adopted by Yellowstone National Park after extensive debate and consideration are reasonable. We believe for bureaucratic efficiency these published standards should be the starting place for a BAT standard applicable on PNF. We believe modifications to the Yellowstone BAT standard as applied to PNF should be considered at the regional level of the Forest Service.

**Monitoring** adaptive management, and enforcement should be established as recommended in our document “BMPs.”

**Minimum snow depths** for OSV travel and route grooming should be 18 inches.

Eighteen inches of unpacked snow depth is necessary to help protect soils, vegetation, and subnivean mammals from OSV travel. Snowfalls are uneven, and the same general area may have little to no snow cover in some places and extensive snow cover in others. In low snow years such as this past season, OSVs pushing the limits can cause damage in sensitive areas of the PNF. In order to protect forest resources and make the best use of the PNF’s limited enforcement capability, the forest should err on the side of caution when it comes to allowing OSV travel. The proposed action states that law enforcement personnel will have the discretion to cite individuals or close areas to OSV use when resource damage is documented. We feel that OSV travel management should be proactive and manage OSVs to prevent resource damage in the first place, rather than responding to damage after it occurs. Proactive management would include requiring 18 inches of snow and designating open areas only in those places that are likely to receive sufficient snowfall *and* where impacts to soils and vegetation are minimized (for example, avoiding wind-swept ridges).

Although we understand the rationale for wanting to provide exceptions to the minimum snow depth requirement in order to facilitate access to higher-elevation terrain, the wording in the proposed action is too vague. To the extent a relaxation of the minimum snow depth rule is appropriate with regard to a specific route in order to allow OSVs to access higher terrain and legal snow levels, such restriction should be considered on a limited basis where it can be readily enforced and directly serves such purpose, perhaps by designation of a limited number of low-snow access routes.

At the scoping meetings a number of individuals expressed concern about how the PNF would determine when minimum snow depth was achieved and trails or areas were open. We suggest that the PNF follow the example of other National Forests with minimum snow depth requirements. On these forests official snow depth measurements are taken by Forest Service personnel until the snowpack is at sufficient depth.<sup>25</sup> Our Alternative provides that the Forest Service shall announce when areas are open to snowmobile use, rather than leaving this determination to individual discretion. It is a simple matter to provide a notification system that is updated via the internet, and such process will significantly enhance enforcement of minimum requirements. Such a system has been used successfully in other areas.

We object to the PNF simply referring to State standards with regard to minimum snow depths for grooming and for travel on the groomed routes. To the extent the State of California wants to apply a more stringent limit than 18 inches for grooming activity that is acceptable. However, the PNF should not defer to State thresholds when they are below the minimums the PNF considers appropriate.

**Nordic Grooming.** Our Alternative allows motorized grooming of trails for skier use in non-motorized areas when permitted by the Forest Service. In some areas Nordic trail grooming should be encouraged through cooperative agreements with third parties. Such grooming can be done with minimal impact to the environment. The creation of groomed Nordic trails would significantly encourage Nordic tourism for the benefit of local communities, as well as serving local residents.

**Homeowner Access.** Our Alternative is intended to preserve the ability of homeowners to access cabins and lots by snowmobile or other OSV and accepts the creation of additional designated routes where necessary to provide such access.

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<sup>25</sup> See for example, Tongass NF MVUMs: <http://www.fs.usda.gov/detail/tongass/maps-pubs/?cid=stelprdb5430063>. Emergency closures due to low snow conditions can be communicated via online media channels, as with this example from the Chugach NF: [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5441982.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5441982.pdf)

**Additional Trail Conflicts.** Conflicts sometimes arise through shared use of trails by skiers, snowshoers, dogs or, more recently, fat-tire bikes known as “fat bikes.” Many of these conflicts can be minimized through educating users on shared use principles: having snowshoers and bicycles stay off skin tracks and ski trails groomed for skate skiing, and having owners clean up after their dogs. These responsible practices should be highlighted in the PNF’s winter recreation guide. Trail restrictions or separations may be warranted in certain areas and should be addressed through further collaborative efforts involving local community groups.

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Our Alternative creates a fair balance of recreational opportunity using restrictions tailored to particular situations. We hope and ask that it be incorporated into the Draft EIS Preferred Alternative.

Sincerely,

SNOWLANDS NETWORK



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