



May 2, 2016

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Submitted via email to comments-pacificsouthwest-ltbmu@fs.fed.us

Re: Pre-Scoping Comments on Lake Tahoe Basin Management Unit Over-Snow Vehicle Use Designation

Dear Jeff and the OSV planning team,

Thank you for the opportunity to provide pre-scoping comments on the Lake Tahoe Basin Management Unit's Over-Snow Vehicle planning process. Thank you in advance for your consideration and for the hard work we know this process entails.

Winter Wildlands Alliance (WWA) is an Idaho-based nonprofit organization representing the interests of human-powered winter recreationists across the U.S. and an official partner of the US Forest Service. Our mission is to promote and preserve winter wildlands and a quality human-powered snowsports experience on public lands, as well as to improve public education and outreach concerning wild winter landscapes. WWA represents over 50,000 members and 40 grassroots partner organizations in 11 states, including California-based Snowlands Network and the Tahoe Backcountry Alliance. Many of WWA's members use the Lake Tahoe Basin Management Unit (LTBMU) for Nordic and backcountry skiing, snowshoeing, climbing, mountaineering, and winter hiking. Many of our members also use OSVs.

Starting in 2012 we have worked with Snowlands Network to advocate for winter travel planning on the LTBMU and we are glad to see the LTBMU undertaking this process. Given that there have been several years of conversations and attempted collaborative efforts focused on winter travel planning on this forest, we expect that the proposed action will reflect many of the issues and suggestions that have been raised in relation to this issue in the past. We are committed to helping the unit achieve management solutions that will provide a fair balance of recreational opportunity for all while minimizing environmental impact and conflict between users.

To this end, due to our involvement and investment in winter travel planning processes throughout the West, we can bring lessons learned from other planning efforts to the LTBMU that can, in turn, help the LTBMU avoid pitfalls that we have seen in other planning efforts. One such pitfall is the trend we have seen with some forests releasing detailed proposed actions at the beginning of the scoping period without adequately describing the requirements of the Over-Snow Vehicle (OSV) planning rule.

In addition to laying out elements of a potential winter travel plan, the proposed action should explain the Over-Snow Vehicle Rule and subpart C requirements, including minimization criteria.



Doing so will lay the groundwork for public understanding of the process. Given that the OSV Rule is fairly new and because it will bring a significant management change, and in the interest of open dialogue and collaboration among the various stakeholder groups, it is vital the public understand the legal and procedural sideboards within which winter travel planning will occur.

I. Over-Snow Vehicle Rule Background and Minimization Criteria

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, Presidents Nixon and Carter issued Executive Orders 11644 and 11989 in 1972 and 1977, respectively. 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.¹

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 rule codified the executive order “minimization criteria,” but specifically exempted OSVs from the mandatory requirement to designate areas and trails in accordance with the criteria.² Winter Wildlands Alliance successfully challenged the exemption in federal court. In the resulting 2013 decision the court determined that subpart C of the rule violated the mandatory executive order requirement that the Forest Service designate a system of areas and routes – *based on the minimization criteria* – where OSVs are permitted.³ The court directed the agency to issue a new rule consistent with the executive orders. The Forest Service finalized the revised subpart C in January of 2015.

The new rule requires that each national forest unit with adequate snowfall 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.⁴ Thus, rather than allowing OSV use largely by default wherever that 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.⁵ 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.⁶

¹ Exec. Order No. 11644, § 3(a), 37 Fed. Reg. 2877 (Feb. 8, 1972), *as amended by* Exec. Order No. 11,989, 42 Fed. Reg. 26,959 (May

² 36 C.F.R. §§ 212.51(a)(3), 212.55(b).

³ *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).

⁴ 36 C.F.R. §§ 212.81, 261.14.

⁵ 36 C.F.R. §§ 212.81(d), 212.55(b).

⁶ 36 C.F.R. §§ 212.1, 212.81(d), 212.55(b).



To satisfy the Forest Service's obligation under the executive orders, the agency must apply a transparent and common-sense methodology for meaningful application of each minimization criterion to each area and trail.⁷ That methodology should, at a minimum: provide opportunities for public participation early in the process;⁸ incorporate site-specific data, the best available scientific information, and best management practices;⁹ account for site-specific and larger-scale impacts;¹⁰ account for projected climate change impacts, including reduced and less-reliable snowpack and increased vulnerability of wildlife and resources to OSV impacts;¹¹ and account for available resources for monitoring and enforcement.¹²

The new OSV rule requires the agency to "designate" specific areas and routes for OSV use, and prohibits OSV use outside of the designated system.¹³ In other words, subpart C requires forests to make OSV designations under a consistent "closed unless designated open" approach and not to designate areas as open essentially by default.¹⁴ Consistent with the closed-unless-designated-open approach, subpart C requires that any areas designated for cross-country OSV use be "discrete," "specifically delineated," and "smaller . . . than a ranger district."¹⁵ Accordingly, the Forest Service may not adopt decisions that fail to specifically delineate discrete areas where cross-country travel is permitted.

In the Environmental Impact Statement for the winter travel plan the Forest Service must describe how each designated area and trail has been located to comply with the minimization criteria and this analysis must be performed at a granular level. 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.'"¹⁶

⁷ *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).

⁸ 36 C.F.R. § 212.52(a).

⁹ *Idaho Conservation League*, 766 F. Supp. 2d at 1074-77 (agency failed to utilize monitoring and other site-specific data showing resource damage); *Friends of the Clearwater*, 2015 U.S. Dist. LEXIS 30671, at *24-30, 40-52 (agency failed to consider best available science on impacts of motorized routes on elk habitat effectiveness or to select routes with the objective of minimizing impacts to that habitat and other forest resources); see also Winter Wildlands Alliance, *Snowmobile Best Management Practices for Forest Service Travel Planning: A Comprehensive Literature Review and Recommendations for Management* (Dec. 2014), available at <http://winterwildlands.org/wp-content/uploads/2015/02/BMP-Report.pdf> and attached as Appendix #1 (BMPs provide guidelines, based on peer-reviewed science, for OSV designation decisions that are intended to minimize conflicts with other winter recreational uses and impacts to wildlife, water quality, soils, and vegetation).

¹⁰ *Idaho Conservation League*, 766 F. Supp. 2d at 1066-68, 1074-77 (invalidating travel plan that failed to consider aggregate impacts of short motorized routes on wilderness values or site-specific erosion and other impacts of particular routes).

¹¹ 77 Fed. Reg. 77,801, 77,828-29 (Dec. 24, 2014) (Council on Environmental Quality's revised draft guidance recognizing increased vulnerability of resources due to climate change and that "[s]uch considerations are squarely within the realm of NEPA, informing decisions on whether to proceed with and how to design the proposed action so as to minimize impacts on the environment").

¹² *Sierra Club v. U.S. Forest Serv.*, 857 F. Supp. 2d 1167, 1176-78 (D. Utah 2012) (NEPA requires an agency to take a hard look at the impacts of illegal motorized use on forest resources and the likelihood of illegal use continuing under each alternative).

¹³ See 36 C.F.R. §§ 212.80(a), 212.81(a), 261.14.

¹⁴ While the draft rule would have permitted OSV use to be "designated as allowed, restricted, or prohibited," the Forest Service subsequently determined that this would have permitted inconsistent management approaches, with corresponding confusion among users and enforcement difficulties. The agency abandoned that approach in the final rule, explaining that "it would be clearer for the public and would enhance consistency in travel management planning and decision-making if the Responsible Official were required to designate a system of routes and areas where OSV use is prohibited unless allowed" (i.e., marked open on a map). 80 Fed. Reg. 4500, 4507 (Jan. 28, 2015).

¹⁵ 36 C.F.R. § 212.1 (definition of "area"). Proper application and implementation 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.

¹⁶ Exec. Or. No. 11644, § 3 (emphasis added)



In a recent Ninth Circuit court case, *WildEarth Guardians vs. U.S. Forest Service*¹⁷, the court explained that the Travel Management Rule “requires the Forest Service to apply the minimization criteria to *each area* designated for snowmobile use” to “provide a more granular minimization analysis to fulfill the objectives of Executive Order 11644.”¹⁸ The court was very clear on this point, stating 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.”¹⁹

II. Winter Travel Planning Best Management Practices

Both the Forest Service and Winter Wildlands Alliance have published Best Management Practices (BMPs) to guide winter travel management planning. The Forest Service’s 2012 *Best Management Practices for Water Quality Management on National Forest System Lands* addresses ways in which forests should manage off-road vehicles, including over-snow vehicles, to protect water resources. This document calls for forests to institute minimum snow depths, stating that forests should “Specify the minimum snow depth for each type or class of over-snow vehicle to protect underlying resources as part of any restrictions or prohibitions on over-snow use.”²⁰ Defining a minimum snow depth will also help the winter travel plan be adaptive in the face of climate change. The snow season is changing and having flexibility built into the plan is key for ensuring that the impact of winter motorized use is minimized regardless of when that use occurs.

In order to protect fragile soils, alpine environments, and vegetation, the LTBMU should establish a minimum snow depth of 12 inches for grooming roads and 18 inches for cross-country travel.²¹ This minimum snow depth is in line with what the Inyo, Sierra, and Sequoia have proposed as part of their Forest Plan revisions.²² Minimum snow depths can be determined and enforced in a number of ways. We suggest that the LTBMU follow the example of other national forests with minimum snow depth requirements. On these forests official snow depth measurements are taken by USFS personnel until the snowpack is at sufficient depth. Measurements are available at District offices and for the sake of effective enforcement are posted at trailheads when open. It is the user’s responsibility to confirm that areas are open to OSV use. In areas where the snow pack varies throughout the winter season additional measurements should occur as conditions warrant.²³

The Forest Service BMPs also recommend setting seasonal “bookends” before and after which OSV use is not allowed. The BMPs state: “Specify season of use to be at times when the

¹⁷ *WildEarth Guardians*, 790 F.3d at 930

¹⁸ 790 F.3d at 930 (emphasis in original)

¹⁹ *Id.*

²⁰ USFS 2012. *National Best Management Practices for Water Quality Management on National Forest System Lands. Volume 1: National Core BMP Technical Guide. Rec. 7 –Over-Snow Vehicle Use.* Available at http://www.fs.fed.us/biology/resources/pubs/watershed/FS_National_Core_BMPs_April2012.pdf

²¹ See Winter Wildlands Alliance Best Management Practices.

²² Sierra, Sequoia, and Inyo National Forests, *Detailed Proposed Action*, p. 56 (Aug. 2014), available at http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/3403_FSPLT3_2325964.pdf

²³ 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



snowpack is expected to be of suitable depth conditions."²⁴ Having set dates for the winter season allows the forest to more effectively enforce the travel plan.

Winter Wildlands Alliance has published a more comprehensive set of BMPs that address more than just water quality. The attached document, [*Best Management Practices for Winter Travel Management*](#), provides many management tools to help minimize or mitigate OSV impacts to other uses, wildlife, and the environment. This document also provides ideas for monitoring, adaptive management, and enforcement of winter travel plans. In addition to attaching this document, we wanted to highlight some best management practices in this letter.

As enforcement is fundamental to any successful management or travel plan (as one of the 4 E's, along with engineering, evaluation and education), it is important to designate OSV routes and areas that are within the agency's enforcement capabilities. One way to do this is to utilize clear boundaries such as ridgelines, roads, and rivers when defining areas open to OSV use. Clear boundaries help users understand where they are allowed to go and complement mapping efforts. In addition, topographical features can help to buffer acoustic impacts from OSVs on wildlife or non-motorized visitors.

Many people visit the LTBMU in the winter with the expectation that they will experience silence or natural soundscapes, and it is important that this opportunity be afforded to those who cannot travel deep into the Wilderness. In order to ensure that there are places on the landscape where both people and wildlife can escape the sound of motor vehicles it is important for the Forest Service to consider how sound travels when designating motorized and non-motorized areas. Many of the terrain features that lend themselves to natural boundaries, such as ridgelines and rivers, can also help to buffer noise. By using these types of terrain features to demarcate motorized and non-motorized areas the Forest Service will be able to better enforce travel regulations and non-motorized areas will be quieter.

Due to concerns with air pollution, particularly at OSV staging areas or where OSV use is concentrated, we recommend separating motorized and non-motorized winter recreationists to the extent possible. Separate parking areas for motorized and non-motorized users will help skiers and snowshoers limit their exposure to snowmobile exhaust. Separating parking areas will also help to relieve congestion as snowmobile trailers take up considerably more space than passenger cars and trucks, often leaving little or no room for non-motorized users to park at trailheads. Designating trails for non-motorized use gives skiers, snowshoers and other non-motorized users the option to avoid snowmobile exhaust and other issues that cause conflict between non-motorized and motorized winter trail users.

We recommend designating OSV areas with limited access points so that it is easier for the Forest Service to monitor use, provide information and interact with visitors. This concept was best described by a snow ranger on the White River National Forest, who likened an ideal OSV area to a hand. You want the access point to be at the "wrist" versus having five different access points at each "finger". This approach results in the same acreage available for OSV use but it is much easier for the Forest Service to monitor visitation and enforce seasonal or snow depth closures.

²⁴ *Id.*



Finally, we recommend, wherever possible, per federal mandate as established by the 2010 USFS *Framework for Sustainable Recreation*,²⁵ that the unit "[p]artner with public and private recreation benefit providers" and "recreation interest groups"—municipalities, local and national non-profit groups, forest service partner organizations, and other stakeholder and user groups—to help provide funding and other necessary resources to find innovative, sustainable solutions for travel management (eg. Nordic grooming, parking, staging and transit alternatives) that can help the unit meet minimization criteria and improve user experiences on the forest.

III. Specific Recommendations for the LTBMU

1. Access and Staging Issues

As one of the primary stated purposes of the 2005 Travel Planning Rule is to "*address needs for access to National Forest System lands... for both motorized and non-motorized users in a manner that is environmentally sustainable over the long term,*"²⁶ we recommend that parking, staging and trailhead access issues be of primary consideration in winter travel planning in general and in the minimization of user conflict in particular.

Among the major concerns voiced by our members on the LTBMU is the lack of adequate, safe and environmentally sustainable parking and trailhead access for human-powered backcountry users, in particular along the West Shore (State Route 89) from Emerald Bay to Meeks Bay for access to the Jake's Peak area and the Desolation Wilderness. Winter closures of Spring Creek Road and Fallen Leaf Road have also severely restricted parking and access to Mt. Tallac (one of the most popular and iconic backcountry ski areas in the Basin) and the Desolation Wilderness.

We are cognizant and supportive of TRPA and other agencies' efforts to manage drainage into the lake in an effective and environmentally sustainable manner, and believe that better solutions can and must be found than those that have narrowed parking and access options to ad-hoc turnouts along State Route 89 or, worse, removed access entirely.

2. Restrict OSVs to Designated Routes in Certain Shared-Use Areas

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/non-motorized 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 or adjacent trailhead. Non-motorized users are provided a recreation opportunity close to

²⁵ USFS June 25, 2010: *Connecting People with America's Great Outdoors: A Framework for Sustainable Recreation*. Available at: http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5346549.pdf

²⁶ USFS November 9, 2005. 36 CFR Parts 212, 251, 261, and 295; RIN 0596-AC11. *Travel Management; Designated Routes and Areas for Motor Vehicle Use*, emphasis added. Also: "Provision of recreational opportunities and access needs are two of several criteria the responsible official must consider under § 212.55 of the final rule in designating routes for motor vehicle use." Available at <http://www.fs.fed.us/recreation/programs/ohv/final.pdf>



trailheads that they can easily access, while OSV users are provided open terrain further from trailheads where there is less conflict with non-motorized 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 recommend three specific areas where OSV travel would be thus restricted to designated routes: lower Blackwood Canyon, southern Genoa Peak road, and the area around Fallen Leaf Lake.

(A) We recommend that Barker Pass Road up Blackwood Canyon be a designated OSV route for its first four and a half miles, with meadows and slopes up to the ridgeline to the south of this corridor closed to OSV travel. This area sees significant use by many different types of users. This restriction would minimize user conflict and impact to riparian environments. It would protect a non-motorized recreation opportunity while having little impact on motorized users.

(B) We recommend that Genoa Peak Road be a designated OSV route for four miles going north from the Daggett Summit – North trailhead (off North Benjamin). This restriction would protect the non-motorized recreation opportunity while having little impact on motorized users.

(C) We recommend that OSV travel in the small area of land between Fallen Leaf Lake, Camp Richardson, the Desolation Wilderness and SR 89 be restricted to designated roads, with the intent that OSV use in this area be limited to the purpose of access. This area is a popular ski touring, snowshoeing and winter hiking location and sees little OSV use, although non-motorized users and residents adjacent to the Angora Fire area have reported increased motorized activity in this area, including increased illegal OSV use in the Echo Peak/Flag Pole area. A small number of OSV users here greatly impacts a more significant number of human-powered users in nearby non-motorized areas. This area is also very sensitive from an environmental perspective due to the amount of water passing across and through it. This restriction would minimize impact to riparian environments and to the non-motorized recreation opportunity while having little impact on motorized users. For the purposes of minimizing user conflict and enforcement difficulty along the wildland/urban interface, we also recommend increased and better signage.

3. High Meadows Adjustment

The south shore area between Stateline, NV, and SR 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 currently extend all the way down to the High Meadows trailhead. For the purposes of minimizing user conflict and increasing effectiveness of OSV use enforcement, we propose extending the closure area to the High Meadows trailhead and limiting this trailhead to non-motorized use only. The OSV area around Saxon Creek, including Hell Hole and Armstrong Pass, would be reached by other trailheads with more direct OSV access, perhaps including better-developed staging areas along SR 89 toward Luther Pass.



Alternatively, a specific slow-speed OSV corridor could be designated on forest lands along the urban boundary in order to allow resident OSV access to the Saxon Creek open area from homes east of the High Meadows trailhead. This change would improve the separation between motorized and non-motorized users, thus minimizing potential conflict without significantly changing the acreage of lands open to each activity.

In this area, as in many others, improved signage and mapping would also help greatly to minimize user conflicts.

4. Upper Ward Canyon

Based on more than 50 years of documented human-powered backcountry use in Upper Ward Canyon south of the Alpine Meadows Ski Resort boundary and unique human-powered access to the Granite Chief Wilderness, we recommend the closure of this area to OSV use. Traditionally, there has been very little OSV use in this area, and only a very narrow corridor of access between Ward Creek and the southern boundary of Alpine Meadows. Due to the topography and the residential nature of Ward Creek Road, there is also no suitable parking or staging area for OSV users. This restriction would meet the OSV Rule mandate to minimize potential conflict between users, as well as impact to riparian environments, and would protect an historic non-motorized recreation opportunity while having little impact on motorized users.

5. Chickadee Ridge

Chickadee Ridge and all access thereto is restricted to non-motorized travel in summer. We believe that it should also be so restricted in winter. Because of its broad views, high elevation reliable snow cover, easy access and ample parking along the Mt. Rose Highway, the Tahoe Meadows and the ridges and slopes south of the highway are one of the most heavily used areas in the Tahoe basin for family snowplay and extended non-motorized winter recreation through roadless terrain along the ridge toward Diamond Peak (Ski Incline) ski area. Skiers and snowshoers here enjoy an easily-accessed but relatively remote backcountry experience with open vistas and serene quiet.

Motorized use in this area is currently limited and occasional, but due to noise and other emissions, a single OSV can impact the backcountry experience of a significant number of non-motorized users on the ridge. The continued allowance of OSV use in the area has the potential to destroy the non-motorized winter experience as well as jeopardizing the safety of skiers and snowshoers, and those engaged in family snowplay nearer the road.

By contrast, the designation of this area for strictly non-motorized recreation would thereby create and preserve what could be considered one of the premier backcountry ski and snowshoe destinations in North America, like the Desolation Wilderness on the southwest side of the basin, thus benefitting local communities and other stakeholders, as well as serving significant demand.

This restriction would need to extend into the Humboldt-Toiyabe National Forest, especially to eliminate the current safety hazard to families engaging in snowplay near the highway. We have



previously been advised that such change is acceptable to the Humboldt-Toiyabe National Forest as a coordinated planning tool with the LTBMU.

6. Relay Ridge

Relay Ridge and all access thereto is also restricted to non-motorized travel in summer. We believe that it should also be so restricted in winter. Compared to other areas of the Sierra Nevada that are open to OSVs, the Relay Ridge area to the north of the Mt. Rose Highway and Tahoe Meadows, is relatively small. And yet it sees over 35,000 non-motorized winter-visitor trips per year, significantly exceeding summer visitation in the area on a per week basis. As such, the area can become congested with fewer than a dozen OSV riders.

Without OSV use, the area provides a quality recreational opportunity for a much larger number of skiers and snowshoers (with longstanding and continued significant demand for such non-motorized opportunities). The area also contains a highly popular, easily accessed family snowplay area. Many skiers and snowshoers simply will not use the area when there are snowmobiles present, and the potential for conflict between OSV users and family snowplay users – with obvious danger to children and families – is significant. Thus we recommend that the highest and best use for this area would be as an exclusively non-motorized ski, snowshoe and snow play destination.

Furthermore, although the Relay Ridge OSV area is relatively small, motorized activity in this area disproportionately affects all of the surrounding terrain, due to the noise and emissions of snow machines, the topography, and the shared parking and trailhead. A single snowmobile staging and climbing in this area, especially a high-emission vehicle, can pollute a large area of the trailhead with carbon monoxide and creates significant sound pollution that travels throughout the surrounding alpine area. Also, a single snowmobile in this area can track up large areas of open powder snow that could otherwise provide recreational opportunity for dozens of skiers, snowshoers and family snowplay users.

Given the stated OSV Rule requirement to minimize environmental impact, it must be considered that the Relay Ridge area is also one of the few areas where the threatened species *Tahoe draba* clings to exposed mountain slopes; efforts to protect this species have been undertaken at Heavenly Resort and elsewhere but have not yet been addressed in this area.

7. Martis Peak

Lands on both sides of Brockway Summit (SR 267) have traditionally provided popular ski, snowshoe and other non-motorized recreation, especially along the several unplowed roads that follow the ridgelines. However, due to an increased level of OSV operations in the area, including those driven by a popular commercial OSV outfitter-guide, non-motorized use has increasingly and almost completely been displaced on the west side of Brockway Summit. Non-motorized use is now also 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. We recommend that this area be closed to OSV use in order to preserve this traditional non-motorized winter recreation opportunity off State Route 267. Given 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.

8. Other Areas

Some local members also expressed concerns about proposed Homewood Ski Resort expansion and the effects such might have on traditional and popular non-motorized access to Ellis Peak and surrounding backcountry-touring terrain.

IV. Conclusion

We believe the LTBMU has a real opportunity to create a winter travel management plan that balances all forms of winter recreation – from snowmobiling to backcountry skiing, cross-country skiing, snowshoeing and other non-motorized uses – and it is important that the Forest Service consider motorized designations within the larger context of other management goals and obligations. This should not be a planning process that focuses solely on OSVs, but rather one that considers how to balance OSV recreation with human-powered winter recreation, wildlife conservation, and natural resource protections, thus minimizing damage to the environment and potential conflicts between user groups.

We very much look forward to working with you, our local affiliate organizations, and other stakeholders to create a robust and sustainable winter travel management plan for the Lake Tahoe Basin that fits within the revised forest plan. If there's anything we can do as an organization to help facilitate the planning process, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "David Page".

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