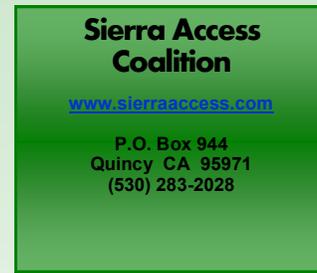




www.sierraaccess.com



August 2015 Newsletter

Plumas NF Lawsuit Update



The partnership of Plumas County, Butte County, the California Off-Road Vehicle Assoc., and Sierra Access Coalition filed a lawsuit in federal court March 18, 2015 challenging the Plumas NF Travel Management Plan.

The litigants are being represented by Ted Hadzi-Antich of [Pacific Legal Foundation](#).



Subpart B of the Plumas NF Travel Management Plan, signed in August 2010, closed 873 miles of the 1107 miles of roads and trails that were inventoried for the study.

Our lawsuit makes several claims against the Plumas National Forest including:



- Failure to coordinate with local governments,
- Inadequate analysis under the National Environmental Policy Act,
- Failure to provide the public with a scientific basis for the Record of Decision,
- Failure to analyze effects to the human environment and socioeconomic impacts,
- Inadequate response to public comments,
- Failure to provide information requested by SAC under the Freedom Of Information Act (FOIA)
- and other violations of law and regulation



[Click here to view our complaint.](#)



Inside this issue:

Lawsuit Update, continued	2
Subpart A: Main Road Closures	3
Subpart C: Snowmobile Restrictions	4

On May 29, 2015 the Forest Service filed a [Motion To Dismiss](#) our claim regarding the Freedom Of Information Act (FOIA). SAC requested several documents under the Freedom Of Information Act, which the Forest Service didn't provide to SAC. In their Motion To Dismiss, the FS provided the court with all the documents.

The [judge's ruling](#) is that since SAC now has the information, regardless of the fact that we received it after a 5 year delay and it is now useless to us, the claim has been dismissed from the lawsuit. This is frustrating, because the Forest Service is not being held accountable for failure to provide the documents to SAC within the 30 day timeframe as required by law. However, this one claim is not the main focus of our lawsuit, so we will move on to the more important issues.

The Forest Service filed a request with the court to extend the lawsuit schedule by several months to allow them to collect and copy documents. On August 11, 2015 the judge approved a [revised schedule](#).

The new schedule, in a nutshell is the following:

October 9, 2015: Government must provide us with what it believes is the final administrative record

December 14, 2015: We must file any objection we may have to the documents that are included in that record.

January 19, 2016: Last day for the parties to agree to a final administrative record or file motions seeking court assistance

March 31, 2016: Government files complete admin record with court and we file our Motion for Summary Judgement and opening brief

May 12, 2016: Government files its cross motion and response

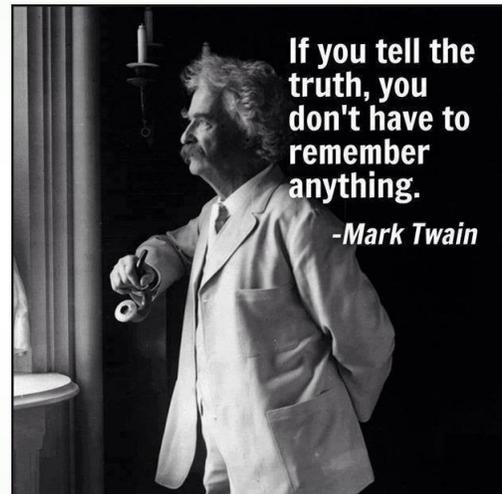
June 9, 2016: We file our final response/reply

July 7, 2016: Government files its final reply

July 21, 2016 at 2 pm: Hearing on the cross motions for summary judgment.

So this case is moving slowly, as the Forest Service is working to gather documents and position themselves.

A copy of the lawsuit and related documents are posted on SAC's website at www.sierraaccess.com.



Subpart A: Main Road Closures

Forest Service Travel Management is split into three phases.

- Subpart A for main forest roads.
- Subpart B for the undesignated roads and trails (these are the routes in SAC's current lawsuit) ([see pg. 1-2](#)).
- Subpart C for Over Snow Vehicles (OSV) ([see page 4](#))



There has been a separate study for each of the three phases of Travel Management for motorized vehicle restrictions on each National Forest.

For Subpart A, the Plumas NF released maps of proposed road closures. Subpart A proposes 722 miles of road closures in addition to the 873 miles of road closures under Subpart B. Between Subpart A and Subpart B, a total of 1595 miles of roads and trails are either closed or proposed for closure on the Plumas N.F. Click on the links below to view maps of the new proposed closures. Everything in red is proposed to be closed under Subpart A:

For the eastside of the forest:

http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5424415.pdf

For the westside of the forest:

http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5424416.pdf

Six public meetings were held in 2013. Representatives from Congressman LaMalfa's office were at the meetings and met with representatives of SAC. The Congressman clearly opposes the Forest Service's proposed road closures.

At the Plumas Co. Board of Supervisors meeting February 18, 2014, Todd Johns of the Plumas Co. Sheriff's Dept. stated that the department is very concerned about these proposed road closures because they will affect Search and Rescue operations. The position of the Plumas Co. Sheriff's Dept. is that they want all roads in the forest to remain open.



SAC is concerned that the proposed road closures will not only affect people who drive in the forest, but will also affect our local economy. Roads in the forest were built years ago to provide an infrastructure for logging and thinning, and if the roads are obliterated it will likely be too expensive to build new roads for future project operations. In recent years, we have seen projects that require road building being cancelled because of the cost. Cancellation of projects, or portions of projects, will cause further damage to our local economy, schools, and tourism.

Many roads that access your favorite spots to hike, fish, hunt, cut firewood, go 4-wheeling, ride bicycles, watch wildlife, go rockhounding, look at wildflowers, go for a picnic, or drive into the forest for a multitude of special activities are in jeopardy.

Subpart C: Snowmobile Restrictions



Five National Forests in California (Lassen, Tahoe, Plumas, Eldorado, and Stanislaus) are developing restrictions for Over Snow Vehicles (OSVs) on our public lands.

It appears that all five forests involved in this process are proposing minimum snow depth restrictions of 6" on groomed trails and 12" for cross country areas and ungroomed roads. Additional restrictions are being proposed on individual forests:

Lassen NF

The Lassen NF is proposing to restrict OSVs in some areas of the southwest corner of the forest. They also want to implement a minimum elevation restriction of 3500 ft. [Click on this link to see the](#)

[Lassen Proposal](#). The Lassen Draft Environmental Impact Statement is expected to be released by October 31, 2015. [Click here to read SAC's response to the initial Lassen proposal](#).

Tahoe NF

The Tahoe NF is proposing to eliminate OSV use in some areas. The most concerning part of their plan are restrictions regarding crossing the Pacific Crest Trail in the Lakes Basin area. In the Tahoe NF proposal there are only two proposed crossings north of I-80, which eliminate safe access to thousands of acres of popular snowmobiling areas west of the PCT. While we respect the spirit of the PCT, it should be noted that crossing the PCT at a 90 degree angle is legal. The two crossings in their proposal are unacceptable and unsafe, so SAC proposed additional crossings to the Tahoe NF. [Click on this link to see the Tahoe Proposal](#). Their Draft Environmental Immpact Statement is expected to be released in November 2015. [Click here to read SAC's response to the initial Tahoe proposal](#).

Eldorado NF

[Click on this link to see the Eldorado NF Proposal](#).

Plumas NF

SAC was told the PNF proposal would be released in Spring 2015, but it is now late summer and it still has not been released. SAC has been in contact with the Plumas NF several times asking when it will be released, but we still have not gotten an answer.

