

February 2013 Newsletter

Fighting For Freedom

By Amy Granat, Managing Director, [CORVA](#)

Why do we fight for every road and trail? Why do we hold every OHV area sacred? When we fight for motorized access, we are actually fighting for the freedom to engage in the activities of our choosing. And we have learned the hard way that if and when we give an inch, our adversaries view this show of weakness as permission to go after many more miles of our roads and trails.

Admittedly, it is a tough battle and the faint of heart need not apply. Every time another Travel Management analysis or Landscape Restoration project is announced, I take a deep breath and mentally prepare myself for another go-round in meeting rooms and auditoriums around the state. Facing off against adversaries that are well-funded and come in armed with biological and scientific information from scientists they control is not easy. However, knowing that motorized access can be maintained and managed to be environmentally sustainable, despite what evidence is offered to the contrary, helps immensely. Also, knowing that motorized access communities, from wheelers to bikers and hunters contribute the lion's share of volunteer hours maintaining and improving state and federal land, gives our side the moral high ground. As OHV advocates and enthusiasts, we demand continued and increased motorized access, and we come in armed with knowledge, our wits and our passion, along with the dedication to stand up for the freedom of expression our members appreciate, enjoy and rightly deserve.

We learn from past battles and experiences to stubbornly pursue the truth, push aside emotion to get to the facts behind allegations against OHV. Often times there are no facts, only pseudo scientific hearsay accounts that hold no place either as land management tools or bargaining chips during negotiations. I have attended meetings at which hundreds of photos were presented showing ruts and sedimentation on roads, but those photos had been enlarged and altered to reflect this so-called damage. For various reasons, we were able to get them dismissed as evidence. It falls on us, the motorized advocates, to bring home the truth.

There's sage advice that when engaging in a war, you should "choose your battles carefully", normally wise advice that could apply to most situations. But when it comes to motorized access and OHV roads, trails, and areas, this advice has hurt us more than it has helped us. We have seen no evidence that avoiding a fight for as little as one mile or one trail is advantageous; in fact the lack of willingness to engage has at times been misinterpreted by some agency personnel that our community just does not care, that we won't go to the same extent as our adversaries to fight for our rights. Then at last we come out and begin to flex our muscles, and the response is anger and shock that the once uncomplaining motorized community is now publicly voicing its disapproval for proposed road closures. This is to be expected and welcomed, as it proves we are making our mark and standing up for our community.

The motorized community has always been known as the "nice guys"; the hard workers agencies turn to time after time for help. We can still be the nice guys, but expand our repertoire and be recognized as a group that demands our freedom to recreate. We still have to prove our willingness to fight for every mile or road and trail. Armed with knowledge, a modicum of courage, and a large amount of stubborn dedication and patience, we can achieve what was considered beyond our reach. We are here for all of you, our members, to stand next to you as we fight for our freedom.

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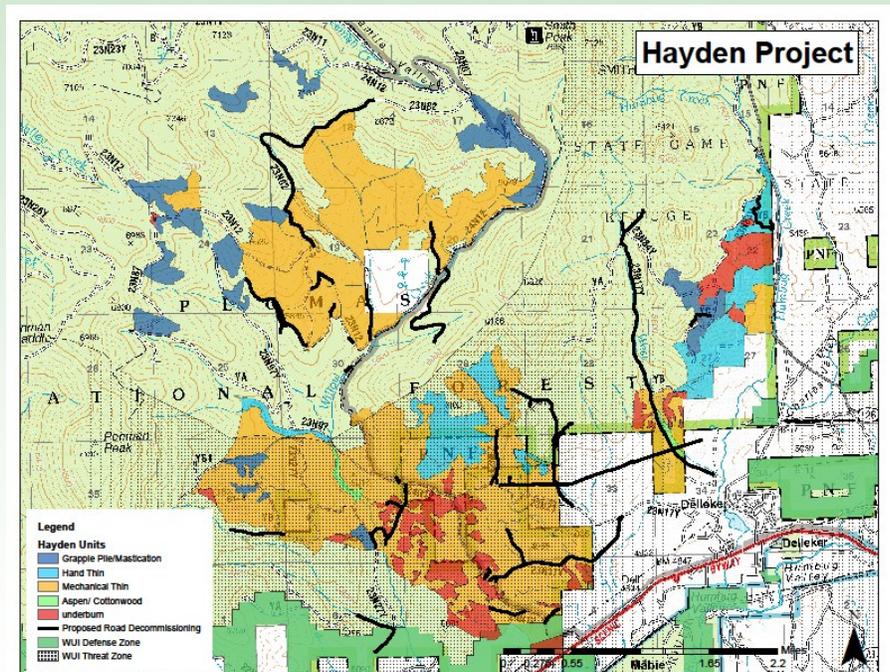
Hayden Project Proposes Closing Roads near Portola

The Forest Service is planning the Hayden Project, which is located to the north-west of Delleker near Portola. The project proposes to decommission over 16 miles of system roads as shown on the map to the right.

[Click here for the public scoping letter.](#)

[Click here for project information.](#)

Beckworth District requested public comments to be submitted by March 8. However, SAC was not aware that this project included road decommissioning until recently. The Forest Service Schedule of Proposed Actions did not state there was road decommissioning involved in the project, and SAC stumbled onto the road closure information by accident. The Forest Service will accept public comments at any time, so SAC will still send a letter with it's members' concerns. Please send your comments to [SAC](#) and we will consolidate them into one letter and submit them to the Forest Service by the end of March.



Roads in black are proposed for decommissioning. [Click here for a larger map](#)

SAC Receives Grant Funds for Trail Maintenance

Sierra Access Coalition has been approved for a RAC grant to do single-track motorcycle trail maintenance, along with partners Ironman Dual Sport, Paradise Ridge Riders, and Plumas Dirt Riders. The grant is for \$14,450, which will fund maintenance of single-track trails on Feather River Ranger District.

As a matching contribution to the grant funds, volunteers will monitor the trails throughout the 2013 season and report maintenance needs. A report will be written and submitted to the Forest Service with recommendations for the following year's maintenance.

Bob Vancourt of Ironman Dual Sport and Corky Lazzarino of SAC met on 12/18/12 with Deb Schoenberg at Feather River Ranger Station to discuss details. We hope this is the beginning of a collaborative partnership between the user groups and the Forest Service.

When we demonstrate that we are willing to help take care of the trails we use, we believe that the Forest Service will be more likely to designate additional routes for public use.

The RAC Committee funded one year of the two year grant request. However, Deputy Forest Supervisor Laurence Crabtree said he is fully supportive of this project and he will find money to fund it. So we are hoping this will become an annual effort on the part of the Forest Service and the user groups.

Bob Vancourt will be coordinating with volunteers to work on the trails. If you are interested, contact Bob through his website at www.ironmandualsport.com

The project will start in spring 2013. We will let you know more details this spring. And we hope to see you out on the trails!



SAC Legal Defense Fund



Deadman Springs, with the PCT bridge over the Middle Fork in background

Butte and Plumas Counties are continuing their negotiations with the Forest Service regarding the overly restrictive Travel Management Plan.

Although both counties have voiced an intent to litigate the Travel Management Plan along with SAC and CORVA, they are trying one last time to negotiate with the Forest Service before the lawsuit is filed.

In the meantime, SAC is exploring additional ways of funding our lawsuit. SAC has raised a substantial amount of money, we have paid our attorney to write the complaint, but we still need to raise more funds. ***This is now the critical time for SAC members to donate to the SAC Legal Defense Fund.***

We have become involved in a variety of ways to support our long-term goal, which is to preserve access to our public lands. We cannot do this without the support of our members. Your name on our membership list is extremely important, and so is your financial support. Sharing SAC's mission with other people is valuable, as well as encouraging them to sign up as members.

Urgent: Fundraiser for SAC Legal Defense Fund



SAC must raise additional money for it's Legal Defense Fund.

[T-shirts and hats](#) are available on the SAC website.

Donations can be made using PayPal or credit cards on the [SAC website](#), or can be mailed to PO Box 944, Quincy, CA 95971.

Thank you to everyone who has supported us in the past. We look forward to continuing to represent your interests.



2013 Firewood Permits restrict vehicle use

Access for firewood cutting has become more restrictive in 2013.

In 2012, Plumas NF firewood permits allowed vehicles to park one vehicle length off the road to load firewood.

The 2013 firewood permits state a vehicle cannot drive off the road at all to load firewood.

There will be discussion regarding access for firewood gathering at the next Plumas County Coordinating Council meeting on April 5. [Click here for more information about the Council.](#) Representatives from the Forest Service will be present.



Mt. Hough/South Park Trails Proposal

The area known as “South Park”, which is generally located between Chandler Road and the Cascades on Spanish Creek is being proposed as a non-motorized trail system to be set aside for bicycles, equestrians, and hikers. In an effort to balance land uses, Ranger Mike Donald has been working hard to create a new motorized trail system on Mt. Hough District.



The Forest Service has released their Notice of Proposed Action, and they asked for public comments in February. Their Environmental Analysis will be released in March, at which time they will again ask for public comment.

[Click here](#) to view the Proposed Action.

In October, SAC volunteers flagged in a new trail location on Grizzly Ridge for quads and motorcycles. This trail will have incredible views of American Valley, Sierra Buttes, Genesee Valley, Mt Lassen and many points east. It feels like you're on top of the world and can see forever.



This trail was originally included in the Mt. Hough-SouthPark Trail proposal, but it has been taken out of that project and will be a separate project that will be evaluated this summer. We know OHVs, hikers, equestrians, and bicyclists will enjoy the new trail. There are potential conflicts with a non-motorized area to the northeast and a Special Interest botanical area to the southwest. SAC will be meeting with advocates for these two special areas to find a trail location that will be acceptable to all.

Travel Management Subpart A



The Forest Service is scheduled to begin work on Subpart A of the Travel Management Plan later this spring.

Subpart A, will look at “minimizing the road system” in the National Forests. Although the Forest Service states that no actual decision will be made to close roads during Subpart A, they will make recommendations for future road closures. Apparently, these closures will be implemented at a later date under individual projects.

The first phase of Travel Management, Subpart B, made the decision to close 873 miles of roads and trails on the Plumas NF in August 2010.

The final phase will be Subpart C, which will look at snowmobile restrictions.

Leaders for Subpart A are Terri Simon-Jackson for Plumas NF, Chris O'Brien for Lassen NF, and Terry Brennan for Tahoe NF. Details will be released in late spring or early summer. Information on Subpart A is available on the [Forest Service website](#).

Tahoe NF Litigation



Feds are foes to recreational forest access

Friends of Tahoe Forest Access v. U.S. Department of Agriculture

Summary:

Pacific Legal Foundation (PLF) attorneys represent Friends of Tahoe Forest Access and other recreational enthusiasts in challenging the United States Forest Service's illegal decision to bar recreational vehicles from hundreds, if not thousands, of miles of roads and trails in the Tahoe National Forest that were previously open to off-road enthusiasts.

The Service's action came through its implementation of the 2005 Travel Management Rule for the Tahoe National Forest.

PLF argues the Service violated the National Environmental Policy Act by failing to adequately analyze the human impacts of prohibiting access to more than 800 miles of formerly accessible trails, failing to conduct a site-specific analysis of the routes at issue, and improperly prejudicing off-road recreation in developing the purpose and need for the regulatory decision.

Friends of Tahoe Forest Access as well as other recreation groups and individuals participated throughout the NEPA process, and are deeply concerned with the outcome of the regulatory decision-making. Several individuals volunteered much time filing the groups' administrative appeal and turned to PLF because they do not have the resources to carry forward the litigation on their own. As these groups consist of individuals and families who enjoy off-road recreation and the outdoors experience, they fear the Forest Service's implementation of the Travel Management Rule will significantly reduce their access to the Tahoe National Forest.

Oral arguments in this case are expected to be heard in Federal Court in September.

[Click here to watch a video regarding the Tahoe lawsuit](#)



Santa Fe NF Litigation

.....Joanne Spivack, New Mexico Off Highway Vehicle Alliance

On December 10, the New Mexico Off Highway Vehicle Alliance filed a lawsuit in federal district court. We are challenging the Santa Fe National Forest's decision on travel management. You can read more about the lawsuit on the NMOHVA website, www.nmohva.org.

For the past five years we've predicted that the USFS will use travel management decisions to reduce public access to national forest lands. This isn't "maybe, when or if" anymore, it's real. The Santa Fe National Forest decision made in October closed the majority of roads and trails that have always been legal for all of us to use. It virtually wipes out car camping and game retrieval. Now that the decision is official, the only way to reverse it is with a court decision. While the Gila National Forest hasn't made a final decision yet, the Santa Fe decision and the Gila proposal is very similar. The Santa Fe decision gives us a good prediction of the Gila decision. Issues in the Santa Fe lawsuit will apply to the Gila. If you don't like the Santa Fe decision, you're not going to like what the Gila decision will do to your access. Think about what camping will be like when everyone is crammed into a fraction of where people camp now. Think about the Gila with only a couple of hundred miles of motorized trails. Here's what the Santa Fe National Forest is going to allow on 1.26 million acres of public land:

ROADS: 70% closure

BEFORE: 6,899 miles of official roads open to public + at least 914 miles of non-system routes.

NOW: 2,255 miles open.

TRAILS: 50% to 70% closure (numbers disputed)

BEFORE: 485 miles of official trail legally open to motorized use.

NOW: 208 miles of trail left open: 128 miles are motorcycle only. Only 80 miles for ATV.

DISPERSED CAMPING: (pulling off a road with a vehicle to camp) 95% CLOSED

BEFORE: Camping allowed off the sides of all roads.

NOW: Camping allowed within 150 ft. on either side of the road, along only 381 miles of road. Car camping is now allowed on only 13,856 acres.

GAME RETRIEVAL USING A VEHICLE: 99% CLOSED

BEFORE: Game retrieval allowed on 1,258,361 acres.

NOW: Game retrieval allowed on 13,856 acres (the same places as the camping).

GRAZING PERMITTEES: NO Automatic Rights to Road Use

BEFORE: Ranchers could use all the existing roads all the time.

NOW: Ranchers will be allowed to use only certain roads as described in their permit. Ranchers are not allowed to use those roads for non-ranching purposes (not even a picnic with the family) without risking a fine.

WHAT WILL BE OPEN NOW ON THE 1.2 MILLION ACRE SANTA FE NATIONAL FOREST:

ROADS: 2,128 miles.

TRAILS: 76 miles, consisting of 51 miles for ATV and 25 miles of single track for motorcycle.

CAMPING: 265 miles of corridors, containing 9,624 acres

GAME RETRIEVAL: 265 miles of corridors, containing 9,624 acres

Legal motorized use is dictated by a Motor Vehicle Use Map called the "MVUM". The mileage on the MVUM is much less than the miles designated in the decision. The reason they give is that the other roads and trails need maintenance or archaeological surveys before being opened to the public. There is no schedule or budget to do this work. The rest of these designated roads and trails may never open.

Why is NMOHVA Suing? Somebody Has to Do It!

The Forest Service has way too much power; there is no internal review board or safeguards to prevent the agency from making bad decisions. The only way we can fight back is to sue them.

This Lawsuit is for EVERYONE

NMOHVA is an OHV organization, but this lawsuit is not just about using a truck, dirt bike, or ATV in the National Forest. This lawsuit is for the Iraq veteran who has an ATV instead of legs. The lawsuit is for the elderly who wish they could still hike but cannot. It is for the families with young children, the hunters and the campers, wood-cutters, pinon-gatherers, and the ranchers. This lawsuit is for everyone whose livelihood or recreation depends on access to our forests.

Help NMOHVA win this lawsuit for everyone. Go to the www.nmohva.org and donate to the Access Defense Fund.

Thank you. Remember, only YOU can stop the U.S. Forest Service!

The Travel Management Plan decisions on our National Forests nationwide are resulting in a multitude of lawsuits. Most are from grassroots organizations such as Friends of Tahoe Forest Access, New Mexico Off Highway Vehicle Alliance, California Off Road Vehicle Association, California Association of 4 Wheel Drive Clubs, Sierra Access Coalition and many others. All of these groups are fighting for your right to access your public lands. Decisions on an individual forest can affect all forests in the nation. All of these groups have limited finances, so it's very important to support them.

Stanislaus NF Litigation

Sacramento, CA (January 8, 2013) -- The U.S. District Court for the Eastern District of California issued a decision on January 4, 2013, that found a legal flaw in the 2009 motorized travel management decision issued by the Stanislaus National Forest. Judge Kimberly Mueller has set a hearing on February 15 to consider remedies.

The Court ruled in favor of the Forest Service and recreational intervenors on many claims in the case, including challenges to the range of alternatives and cumulative impacts under the National Environmental Policy Act. However, the Court found lacking the agency's discussion of how it sought to "minimize" specified effects of continuing motorized access as required by agency regulations. While the Court did not make a finding that damage has occurred or is illegally occurring under the challenged decision, the Court concluded "...the Forest Service has not made the required showing that it minimized environmental impacts as required by" its travel management rule.

Paul Turcke, counsel for the recreation group intervenors, states, "We are in the process of reviewing the decision. An appropriate remedy will focus on the manner in which the agency properly conducts any omitted steps in the process, which may but does not necessitate any particular change to the designated network of motorized routes on the Stanislaus Forest. We will continue to advocate for properly managed motorized access at future proceedings before the court and the agency."

John Stewart, Resources Consultant for California Association of 4 Wheel Drive Clubs, states, "The Stanislaus NF engaged in a public process to determine a sustainable system of routes to meet forest needs as required and solicited the public in an open process according to established rules."

The recreation intervenors led by the California Association of 4 Wheel Drive Clubs, including the BlueRibbon Coalition and the AMA District 36 Motorcycle Sports Committee, will continue to advocate for public access to public lands.

A copy of the decision can be viewed at:

http://www.sharetrails.org/uploads/Stanislaus_Summary_Judgment_1.4.13.pdf

Sierra Access Coalition on Facebook



Check out [Sierra Access Coalition's Facebook](#) page. The [Plumas Dirt Riders Club](#) also has a page on Facebook.

If you have items you'd like us to post on Facebook or on SAC's website www.sierraaccess.com let us know.

Email your news or suggestions to sierraaccess@digitalpath.net.