

RECREATION OUTDOORS COALITION

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Lassen National Forest
Chris O'Brien, Team Leader
Subpart C – OSV Travel Management Plan

Re: Comments for Lassen National Forest Over-Snow Vehicle Use Designation – Revised Draft
Environmental Impact Statement, September 2017

Recreation Outdoors Coalition (ROC) has been involved in this process since inception. As founder and chair, I am also a member of a county coordination committee representing recreation. Not once have I seen the Forest approach the county or the coordination committee, as required by multiple laws and regulations since 1982, to apprise us of this project. In speaking to others in close counties they state they have sadly not been approached to engage in coordination either. With the new administration in Washington DC we have been hearing and reading about the push to have the agencies work with the local governments through coordination. This process can alleviate much conflict between the public and the agency. The FDEIS must state why this legal requirement was not fulfilled.

In researching other items we came across the Fiscal Year 2015 Budget Overview and under Building Thriving Communities on Pg 19 found the following:

What Does It Mean to Build Thriving Communities?

The Forest Service works to build thriving communities across the Nation by helping urban communities reconnect with the outdoors, by expanding the benefits that both rural and urban communities get from outdoor recreation, and by harnessing the many economic benefits that communities obtain from sustainable multiple-use management of the national forests and grasslands. We are a community-based organization that collaborates with local communities and national partners to get our work done. Our FY 2015 budget request emphasizes the role that communities play in sustaining the forests and grasslands around them and the benefits they provide.

In connecting with the counties and public in the small communities we were unable to come up with any information on an economic study performed by the Forest in regards to the outcome of this project. While the RDEIS has a section on economics there is no indication of where this information came from as those living in the rural communities state they have not been included.

In reviewing this document and studying all the alternatives contained in this RDEIS my organization; ROC, believes the LNF has not included a suitable Pro-OSV Alternative. The Travel Management Plan is clearly intended to manage motorized travel in the National Forests while preserving recreation opportunities. However, the LNF plan has four alternatives that cater only to non-motorized interests. All four alternatives substantially reduce OSV opportunity by expanding non-motorized areas. Alternatives 2 and 3 have very little that benefit OSV use and 5 has no redeeming value at all.

The following first four items, most from Alternative 4, we find acceptable. Following number 4 the remaining bullets are what we would like included in an alternative, to best meet the needs of the OSV community, and meet the criteria in the Purpose and Need.

1. Designate 8 discrete, specifically delineated areas for cross-country OSV use. These areas would encompass 954,450 acres. This land area would represent approximately 83 percent of the NFS land contained within the Lassen National Forest.

2. Designate 380 miles of snow trails for public OSV use, but retain the potential to add more routes should funding become available..

3. 2,545 miles of trail would be open to OSV use in areas designated for cross-country OSV use, but be designated as non-groomed trails.

4. Mechanically groom 349 miles of snow trails for public OSV use. And, any future routes, should funding become available.

5. Snow Depth – Scope states: “The OSV Travel Rule will affect all National Forest Systems (NFS) lands where snowfall is adequate for OSV use to be allowed. The final rule does not set or suggest using minimum snow depths. “Where snowfall is adequate” is the distinguishing criteria for where the OSV rule applies. On page 24 of the 2016 EIS, middle of page, it states, “After considering potential environmental impacts, we determined that illegal OSV trail creation and use is not a significant environmental issue. This is because although there may be some risk of OSV enthusiasts creating new OSV trails or going off-trail areas where OSV use is not allowed, the hazard of this activity resulting in adverse environmental consequences of any perceptible magnitude is negligible.”

This action should be struck from this alternative for a number of reasons. The RDEIS does not include a Snow Measurement Plan. There is no scientific basis for this rule and it was not analyzed properly in this process. The 12” snow depth is not an accurate way to determine when activity on the Forest should commence. There is absolutely no science behind this arbitrary number and no previous or historical documentation for determining that use should be based on 12” of snow. It would be impossible for the Forest to manage an action like this. With so many trailheads and places for OSV use to commence where would the management take place? How would the area be closed? How would the agency

determine the size of the closed area? Where would the measurement take place? How often would this be monitored? How would information be disseminated to the public and by what means?

It appears SHPO was the basis for the 12" snow rule due to the lack of sufficient science by the Forest. In the Programming Agreement between SHPO and the Forest Service, this shows no published date, in Appendix E, Approved Standards and Protection Measures, pgs E 3 and 4 this publication states:

b Accumulation of sufficient snow over archaeological deposits or historical features to prevent surface and subsurface impacts.

1. The cover must have at least 12" depth of compacted snow or ice throughout the duration undertaking activities or sites.
2. All concentrated work areas (e.g. landings, skid trails, turnarounds, and processing equipment sites) shall be located prior to snow accumulation and outside historic property boundaries.

SHPO is an old document that was prepared when logging or other activities were taking place on the forests. SHPO agreement does not include a scientific rationale nor a place to cite for their conclusion. However, it appears this agreement was made years ago when equipment was in the forests in the winter and they required 12" of snow to prevent harm to the cultural sites. A D-7 bulldozer weighs 22 tons, while a snowmobile weighs less than 450 lbs. If 12" of snow prevents damage by a 22 ton machine, surely less than 12" would protect the resources from a 450 lb. machine. A 22-ton machine distributes a lot more pressure per square inch, but with a snowmobile, the skis and width of the drive belt disseminate the weight to a very minimal 0.5 pounds per square inch. Even cross country skis have more pounds per square inch than snowmobiles. There is still no analysis of a minimum snow depth for skiers, who also have potential to cause resource damage. In shallow snow conditions, it's common to see ski tracks through muddy areas. So any new designated skiing areas must have a snow depth analysis.

There is no recorded documentation of any damage to a cultural site in the LNF. With the lack of resources it would be impossible to manage this proposed action.

Having a minimum snow depth requirement for cross country OSV use is unnecessary and unacceptable. A snowmobiler will only ride cross country if there is adequate snow to protect their equipment, which is all that is required by the Final Rule. LEO's do not have a CFR for snow depth so cannot cite riders for non-compliance. Snow conditions constantly change, both by weather conditions and location, and with the acceptance of global warming, changes are constant. Having a snow depth requirement doesn't work in any situation. If roads were adequately analyzed and designed as an ungroomed OSV trail, snowmobile use would never cause damage to the concerned archeology.

6. 3,500" Restriction - As in comment number 5 there should be no defined snow depth, or restrictions, in areas less than 3,500 feet designated for cross-country OSV travel or on designated OSV trails. OSV use would be allowed only when conditions are sufficient to allow OSV use while protecting underlying

resources. It is much easier for the public to determine acceptable riding conditions when they can determine if this activity would create resource damage.

7. Resource Damage The RDEIS fails to define “resource damage”. It would be much more manageable if snow depths were determined by the rider according to potential resource damage. Riders would not begin riding if conditions were such that they could harm their equipment or were to cause resource damage. Actual ground conditions should determine if there is adequate snow. All snow depths should be tied to potential resource damage and resource damage should be very clearly defined. The FS is actively working on climate change issues, so they acknowledge actual ground conditions will be different in the future and are not necessarily related to elevation. Therefore any elevation restriction is inappropriate and unacceptable.

The elevation restriction in the DEIS has not been properly analyzed. This area of the LNF sometimes receives adequate snow, so should be open when actual ground conditions allow.

When winter maps are printed information should be added to the maps describing snow depths, resource damage, and penalties.

8. Pacific Crest Trail (PCT) – We all believe the PCT is a wonderful trail stretching thousands of miles from Mexico to Canada for exclusive use. This trail has tremendous value to the public and the communities. However, there is a real distinct disconnect between what the PCTA is proposing through this process and what is feasible. Approximately 97.7 miles of the Pacific Crest National Scenic Trail would be within 500 feet of an area designated for public OSV use on the Lassen National Forest (table 13, page 67). The PCTA is requesting a 500’ buffer on each side of the center of the trail. The Forest needs to take into consideration the following information:

- This 1,000’ proposal would require numerous restrictions harming all other forms of recreation, and placing massive additional costly and perhaps impossible burdens on the Forest Service. In most cases the PCT proposal is in violation of, or contrary to, the 1982 PCT Comprehensive Management Plan (PCT CMP).

Here are some of the concerns- (Following comments taken from Stewards of the Sequoia Comments on the Forest Plan Revision for the Sequoia, Sierra and Inyo, 9-2014).

1. Creation of a PCT corridor is contrary to the 1982 PCT CMP and seeks to illegally make all other forms of land use subservient to PCT.
2. Creation of restrictions limiting trail or roads crossing the PCT to no less than 5 miles apart, is contrary to the PCT CMP.
3. Prohibition of existing “open” motorized trails within the new PCT Corridor contrary to the PCT CMP.
4. All lands within this 1,000’ corridor of the PCT must be managed. That is quite a significant amount of land and would be extremely costly for the Forest Service to achieve.
5. Seeking to manage visitors who are enjoying other forms of recreation not on the PCT through regulation and other methods.

6. Winter can be especially dangerous if we have a lot of snow or it is colder than usual. Heavy snow and warming conditions can cause flooding and heavy snow-melt. Streams that are normally easy to pass can transform into hazards along the trail. On Steep portions ice can cause a skier to slide down to their death in an unsafe and dangerous area. Snow can cause people to get disoriented, lost or hypothermia. Falling trees, continually changing snow conditions and with poor communication ability would not make it advisable to travel in winter. Promoting winter travel could be a serious liability as in many places during heavy snow the trail is not locatable and in a number of places the trail is not where it is located on the map.,

The PCT proposal in the RDEIS must be removed or changed to be consistent with the existing 1982 PCT Management Plan.

The Pacific Crest National Scenic Trail must be managed and designed to harmonize with and complement any established multiple use plate for that specific area in order to ensure continued benefits from the land.

The Pacific Crest National Scenic Trail will not impact other land uses

Section 7(a) of the 1968 Act establishes the relationship between the trail and the management of adjacent land: Management and development of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple use plate for that specific area in order to ensure continued benefits from the land. (PCT CMP Page 20)

PCT will exist in harmony with all other lands uses

Within Federal lands outside National Parks and Wilderness, the trail must co-exist in harmony with all other resource uses and activities of the land as determined through the land management planning process. (PCT CMP Page 21)

Acknowledges PCT was built in areas where OHV use is the primary activity. It is not appropriate to attempt to restrict or eliminate those historical motorized uses which often predates the PCT. (end)

In general we find this restriction from the PCT proposal and other sections, as well as the possible loss of multiple use lands through Wilderness recommendation and designation of non-motorized areas for quiet recreation, will greatly harm the local economy contrary to the USDA Fiscal Year 2015 Budget Overview, which mandates the Forest Service to increase jobs and recreation in rural area communities. Increased restrictions will harm rural economies (USDA Jobs and Sustainable Communities 2010).

According to the PCTA, *“Traveling the PCT when it’s covered in snow means exposing yourself to potential avalanche risk. The PCT was not designed for travel when snow is on the ground. In many places, it’s unwise to travel the trail during these conditions. Areas along the trail are well known for their avalanche danger. Seasonally, specific snow travel and avalanche preparedness skills are critical. It’s highly unwise to unknowingly expose yourself to this hidden danger.”*

LINK TO ABOVE PCTA WARNING

<https://www.pcta.org/discover-the-trail/backcountry-basics/snow/>

Pacific Crest Trail Buffer

The appropriate time to consider a 1000' non-motorized buffer of the PCT, which is even more restrictive than for Wilderness Areas, is during the LM plan revision. This is consistent with direction in the FS Planning Rule (36 CFR 219) as well as in FS manuals and handbooks, which all say decisions regarding land allocations are part of the forest planning process. A higher level programmatic decision is required, since there is far reaching effects that are larger than just OSV.

There are several references regarding National Trails in the FS Manual. For example, FSM 1921.14 states:

The Chief may require Washington Office review of a draft proposed plan or revision before Responsible Officials formally invite comments on it, (36 CFR 219.16(a)(2) and before the Responsible Official begins the objection period for a plan or plan revision (36 CFR 219.52), for example, if:

- a. The plan makes recommendations for Congressional action. Examples of congressional action are additions to or deletions from the National Wilderness Preservation System, national trails, national recreation areas, studies, or changes to the National Wild and Scenic River System, and adjustments in NFS boundaries.

Perhaps most importantly, public scoping did not provide the public with notice that the OSV project included expansion of the PCT footprint. Changing the scope of the project after the process has begun is potentially a serious NEPA violation.

Whether this is considered now or in the LMP plan revision we oppose this change to the trail. Most of us share the Forest and this appears to be a very elitist idea.

9. Conflict – Conflict is non-existent and the Forest has no documentation of there being any. It is our desire to keep our Forest that way. It is hard to understand the need for change. Murphy's Law states, "Why change something that is not broken."

We were asked to look at the following areas:

Fredonyer-Goumaz

Hog Lake

Hamilton Mt

Eagle Lake – South end

McGowan Lake

Colby Mt.

Diamond Peak

The Diamond Peak area is the only area with great concern but the OSV community strongly recommends this area be kept shared use as it is a favorite destination for both motorized and non-motorized and would go a long way in preventing conflict. In speaking to each side we were told that

one never sees the other. It has been shared use since people began recreating here and needs to remain the same.

Hamilton Mt is still in question as we would like to see comments from the OSV community after reviewing a map. There is one distinct trail across the south end of the ridge that OSV use to cut the distance of travel from the trailhead to Diamond Peak.

McGowan Lake has issues with exactly where the current designated area is and which description is right. There are questions on the designation of these roads. The outcome here is very important to the OSV community as it allows connectivity from the designated groomed trail system to the 31N17 road to the west. Also, is very important to the sustainability of the community of Mineral.

Colby Mt – The Butte Meadows Hillsliders are looking at a proposal by the non-motorized community to determine where boundaries could be located. Boundaries on current proposal map need major adjustments. Here again a concise map is needed.

There have been no decisions made as to the feasibility of each of these areas. We would like to look closer at the areas and see more information, along with very precise maps delineating boundaries. We have not had conflict on the LNF and do not want it to start if changes are made to the status quo now.

The desired outcome for the OSV community would be the following:

Eliminate the 12" rule

Eliminate the 3,500 rule

Definition of resource damage

No buffer on each side of the PCT

No reduction in OSV opportunity except by the agreement of the OSV community.

Concurrence on any proposed non-motorized area

Thank you for the opportunity to comment on this project. ROC would also like you to consider the comments we made on the original DFEIS for this project. The outcome of this project is of great interest to the snowmobiling community and to the economies of our communities.

Sincerely,

Sylvia Milligan

Sylvia Milligan, Founder and Chair - ROC

