

DRAFT RECORD OF DECISION
LASSEN NATIONAL FOREST OVER SNOW VEHICLE USE DESIGNATION
U.S. FOREST SERVICE
LASSEN NATIONAL FOREST
LASSEN, SHASTA, TEHAMA, BUTTE, PLUMAS, SISKIYOU, AND MODOC
COUNTIES, CALIFORNIA

INTRODUCTION

This Draft Record of Decision (ROD) documents my decision and rationale for selecting a course of action to be implemented for the Lassen National Forest Over-snow Vehicle Use Designation Project. I have considered the analysis that is documented in the revised final environmental impact statement (RFEIS) for the Lassen National Forest Over-snow Vehicle Use Designation, information in the project file, and input received from the public during the course of the analysis of this project as required by the National Environmental Policy Act (NEPA).

This ROD was developed according to requirements of the National Environmental Policy Act (NEPA) (42 USC §§ 4321-4370), the Council of Environmental Quality's implementing regulations (40 CFR §§ 1500-1508), Forest Service NEPA regulations (36 CFR Part 220), and Forest Service policy in Forest Service Manual 1900, Chapter 1950, and Forest Service Handbook 1909.15.

This ROD incorporates by reference the document titled "Lassen National Forest Over-snow Vehicle Use Designation, Revised Final Environmental Impact Statement (RFEIS) Objection Statements and Responses, Lassen National Forest" (March 2018).

DECISION

Based on my review of the Lassen National Forest Over-snow Vehicle Use Designation Revised Final Environmental Impact Statement (RFEIS), I have decided to implement Alternative 4-Modified. This alternative addresses the significant issue of motorized over-snow recreational opportunities. Modifications to the alternative addresses the significant issue of non-motorized recreational opportunities as well as concerns with resource protection. The modifications to Alternative 4 were included in either Alternative 2 or Alternative 5. My selected alternative includes the following:

1. To designate 380 miles of National Forest System snow trails on National Forest System lands within the Lassen National Forest as trails where public OSV use would be allowed when snow depth reaches 12 inches for cross-country travel and 6 inches for trails underlain by forest system roads. All existing OSV prohibitions applying to trails where public motorized use is not allowed would continue.
2. To designate 6 discrete, specifically delineated areas for cross-country OSV use. These areas would encompass 762,920 acres (or 66 percent) of National Forest System lands within the Lassen National

Forest. My decision considers the proposed designated acreage identified under Alternative 4 with the following modifications:

- a. Ashpan Area as described in Alternative 4: Designate 82,910 acres of National Forest System land for public OSV use in the Ashpan Area.
- b. Bogard Area: Designate 277,010 acres of National Forest System land for public OSV use in the Bogard Area. The Cinder Butte and winter deer habitat areas as identified in Alternative 5 in the northwest portion of the Bogard Area will not be designated for public OSV use. My decision reflects the need to protect important deer wintering habitat and to avoid use conflict along the PCT in that area. The Brockman Flat area identified in Alternative 5 adjacent to Eagle Lake and the Osprey Management Area will not be designated for public OSV use. My decision reflects the need to further protect the osprey management area; this area is also largely lava beds and offers little riding opportunity. The southern Eagle Lake Recreation Area identified in Alternative 5 will also not be designated for public OSV use.
- c. Fall River Area: After my review of the RFEIS and specialist reports, I have decided not to designate any of the Fall River Area for OSV use. My review of the minimization criteria indicates that this area receives relatively little OSV use and is within a zone of limited historic snowfall. Further, the area surrounds a state park that is considered a primary destination for a variety of non-motorized users and no established OSV trails are in the area. Finally, one Northern Spotted Owl PAC is known from this area. Given the limited use and historically low levels of snowfall, the need to avoid potential use conflict of state park users, and the need to avoid impacts to wildlife, my decision is to prohibit OSV use in this area.
- d. Fredonyer Area as described in Alternative 4: Designate 30,030 acres of National Forest System land for public OSV use in the Fredonyer Area. My decision reflects the fact that skiers and OSV users are already separated in their activities due to seasonally available access. The public cannot generally reach popular ski areas on the north-facing slopes until snow melt allows road access. By that time OSV access to the ridge from the south becomes limited. This seasonal separation has allowed both use groups to use the area without interfering with each other.
- e. Jonesville Area: Designate 110,450 acres of National Forest System land for public OSV use in the Jonesville Area. The area between the Cub Creek and Butt Mountain proposed wilderness areas will be not be designated for public OSV use as in Alternative 5. This will aid in the protection of Sierra Nevada yellow-legged frog habitat within the Carter Creek drainage. An area on either side of the Colby Meadows ski trail will also not be designated for public OSV use as in Alternative 5. This decision reflects the need to avoid use conflicts in that area and allow non-motorized users an opportunity for quite recreation.
- f. Morgan Summit Area: Designate 100,430 acres of National Forest System land for public OSV use in the Morgan Summit Area. Areas of winter deer habitat will not be designated for public OSV use as in Alternative 5 to protect that important habitat. Areas in Childs Meadow will not be designated as in Alternative 5 to protect Sierra Nevada yellow-legged frog habitat.
- g. Shasta Area: After my review of the RFEIS and specialist reports, I have decided not to designate OSV use in any of the Shasta Area. My review of the minimization criteria indicates that this area receives relatively little OSV use and is within a zone of limited historic snowfall. The area is also adjacent to a state park. The majority of the area also consists of lava bed that is not conducive to OSV use except in extreme snow events. Given the limited OSV use, need to avoid use conflicts with the state park, and overall poor opportunities for quality OSV riding in this area, my decision is to prohibit OSV use.

- h. Swain Mountain Area: Designate 162,100 acres of National Forest System land for public OSV use in the Swain Mountain Area. An area in the southeastern corner will not be designated for OSV use to allow for non-motorized quiet recreation.
3. To not designate (to prohibit public OSV use on) approximately 387,100 acres on the Lassen National Forest for public OSV use. These areas include all of the approximately 186,000 acres of the Lassen National Forest where public OSV use is currently prohibited, and 201,100 acres currently open to OSV use that will not be designated for OSV use in this selected alternative.
4. To not designate for public OSV use any existing trail in an area where motorized use is currently prohibited on the Lassen National Forest. All existing OSV prohibitions applying to areas of the forest where public motorized use is not allowed will continue.
5. To include the following modifications to Alternative 4:
 - a. To designate 17 public OSV crossing trails of the Pacific Crest National Scenic Trail (PCT) to provide connectivity to designated OSV areas without having to travel long distances.
 - b. To implement forest-wide snow depth requirements for public OSV use that would provide for public safety and natural and cultural resource protection:
 1. The minimum snow depth for public OSV use on designated snow trails overlying roads and trails would be 6 inches.
 2. The minimum snow depth for public OSV use on designated snow trails not overlying roads and trails would be 12 inches.
 3. The minimum snow depth for OSV use in areas designated for public, cross-country OSV use would be 12 inches.
 - c. Current snow depths would be determined by a combination of weather station data, observations at trailheads by staff, and when the conditions meet state requirements for grooming. The Forest Service would encourage or discourage OSV use based on conditions through Forest Service and partnership websites.
6. Public OSV use that is inconsistent with the designations and snow depth requirements made under this decision would be prohibited under 36 CFR Part 261.
7. To identify approximately 349 miles of snow trails that will be groomed for public OSV use by the Forest Service's Lassen National Forest Grooming Program. This represents no change from the Forest's current snow trail grooming program.
8. To groom OSV snow trails when there are 12 or more inches of snow, and formally adopt California State Parks' snow grooming standards requiring 12 or more inches of snow depth before grooming can occur.

The selected alternative is displayed in figure 1, below.

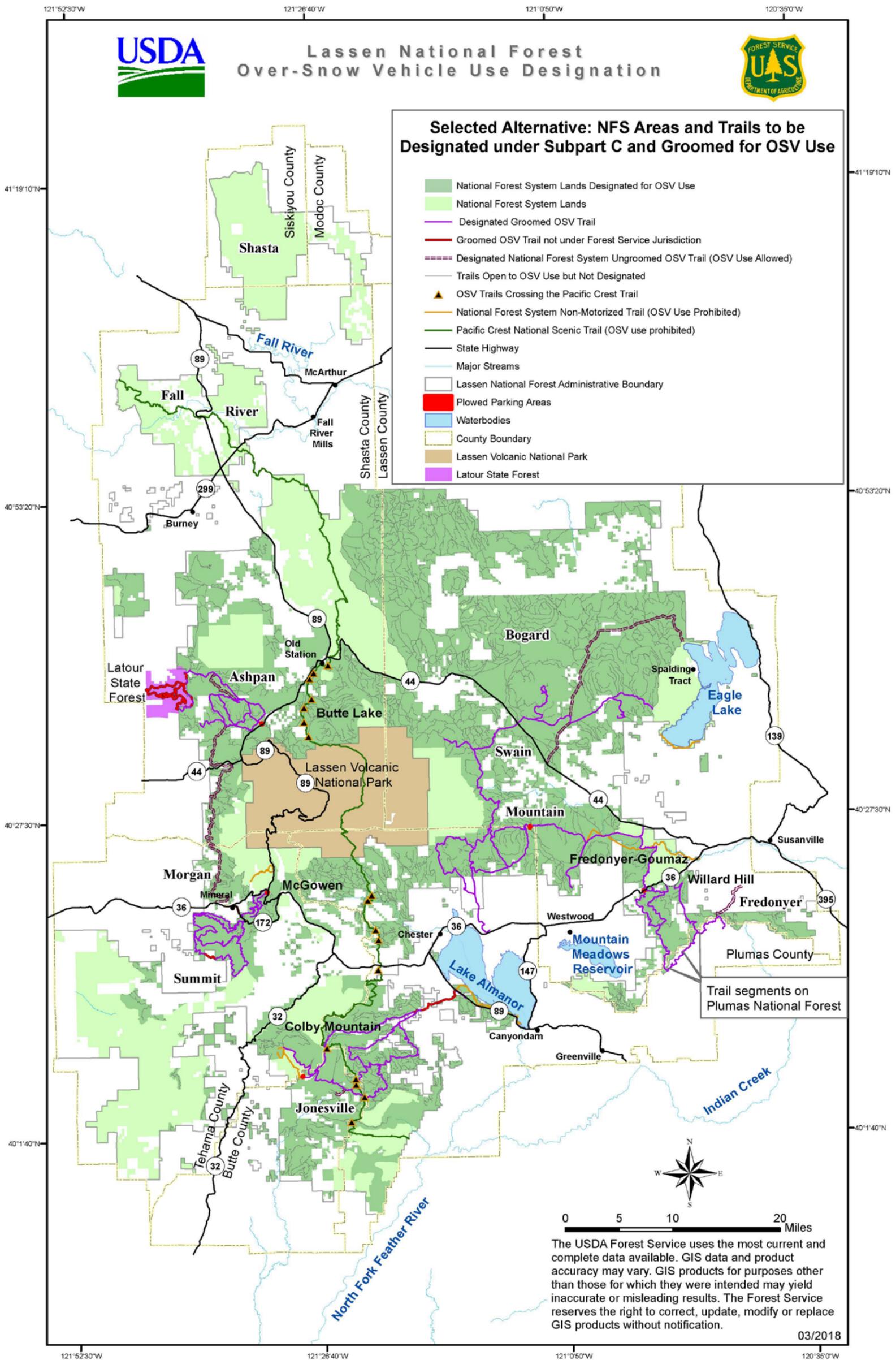


Figure 1. Map of selected alternative

BACKGROUND

The existing system of public OSV snow trails and areas on the Lassen National Forest is the culmination of multiple agency decisions over recent decades. Public OSV use of the majority of this available system continues to be manageable and consistent with the Travel Management Regulations. Exceptions have been identified, based on internal and public input and the criteria listed at 36 CFR §212.55.

The Forest Service has identified areas in which public OSV would be prohibited under existing forest plan management direction, but there are no existing orders or directives that have formally prohibited public OSV use within them. These areas total 42,850 acres in addition to the 185,990 acres of National Forest System (NFS) land that are currently closed to OSV use. Other than being inconsistent with existing management direction, some of these areas are also in lower elevations that do not typically receive sufficient snow for OSV use; are interspersed among areas currently closed to OSV use, such as wilderness, proposed wilderness, and areas classified as semi-primitive non-motorized in the recreation opportunity spectrum; have limited access, except from adjacent private land; or are small areas adjacent to pedestrian trails that are currently closed to motorized use.

The desired conditions for recreation (winter sports) are found on pages 4-4 to 4-5 of the Lassen National Forest LRMP. The desired conditions specific to this project state:

- Provide a wide range of outdoor recreation opportunities to meet public demand by furnishing different levels of assess, service facilities, and information.
- Provide diverse opportunities for winter sports.

Our project purpose and need was developed after considering our existing conditions and the desired conditions in our forest plan. The purpose (goals and objectives) of this project are to effectively manage public OSV use on the Lassen National Forest and to comply with the settlement agreement with Snowlands Network et al. Effective management would provide public OSV access, ensure that OSV use occurs when there is adequate snow, promote the safety of all uses, enhance public enjoyment, minimize impacts to natural and cultural resources, and minimize conflicts among the various uses.

There is a need to provide a manageable, designated OSV system of trails and areas within the Lassen National Forest that is consistent with and achieves the purposes of the Forest Service Travel Management Regulations at 36 CFR part 212, Subpart C.

There is a need to designate an OSV system of trails and areas within the Lassen National Forest that provides public access, promotes the safety of all uses, enhances public enjoyment, minimizes impacts to natural and cultural resources, and minimizes conflicts among various resources.

There is a need to correct inconsistencies with existing management direction and OSV use on the Lassen National Forest.

There is a need to provide a high quality OSV trail system on the Lassen National Forest that is smooth and stable for the novice rider so they can use them without difficulty.

DECISION RATIONALE

It is important to consider the context of the Lassen's OSV program while weighing the merits of each alternative and making the final decision. The Lassen's OSV system is the largest in the Pacific Southwest Region of the National Forest System (at just over 400 miles of groomed trails when non-National Forest System routes are considered) and yet is lightly used relative to other forests. Depending upon the information source, snowmobiling visits to the Lassen may be as high as 25,000 visitors per year, but are also likely to be significantly lower than that estimate (RFEIS, page 109).

In addition, snowmobile registration in the seven counties covered by this decision has steadily decreased since 2009 (RFEIS, page 108). Since the Lassen's system is not near major metropolitan centers, it's unlikely that that current use will increase much over the next 5 to 10 years and is more likely to decrease. Furthermore, there have been relatively few winter recreation use conflicts on the Lassen in the past, and significant use conflicts are not likely in the near future. This decision accounts for all these factors and makes some changes to the current system to better manage the program into the future.

In this decision, I address the purpose and need by designating a manageable system of snow trails and areas for public OSV use within the Lassen National Forest that is consistent with and achieves the purposes of the Forest Service Travel Management Regulations at 36 CFR Part 212. Public OSV use will be allowed only in areas and on snow trails my decision designates for such use. To comply with the settlement agreement, my decision also identifies those designated National Forest System and non-designated snow trails that will be groomed by the Forest Service's State-funded snow trail grooming program for public OSV use on the Lassen National Forest.

My decision recognizes the need to effectively manage public OSV use on the Lassen National Forest and to comply with the settlement agreement with Snowlands Network et al. It will provide public OSV access, ensure that OSV use occurs when there is adequate snow, promote the safety of all users, enhance public enjoyment, minimize impacts to natural and cultural resources, and minimize conflicts among the various uses.

Since the initial Draft Environmental Impact Statement was written in 2016, many private individuals as well as those from a variety of advocacy groups, local, state and federal agencies, tribes and others have contributed their knowledge and expertise to this decision. Their efforts have provided me with a rational basis upon which to make a decision that achieves the greatest good for recreational opportunities, both motorized and non-motorized, while protecting natural and cultural resources across the forest. Although a variety of concerns were brought forward, two were particularly noteworthy and provided for frequent discussions and debate and deserve special mention here.

The first, snow depth, proved to be a challenge. I recognize that snow depth can be highly variable from location to location, especially during "shoulder" seasons when snow initially accumulates with the first winter storms and then completes melting during the warmer months. Additionally, the highly varied terrain of the forest makes snow depth inconsistent, even during the primary winter periods. The problem is that there are no definitive answers to the fundamental question of what snow depth is the minimum necessary for the protection of natural and cultural resources. In multiple reviews of best available scientific data, specialists have

determined there is little or no science to support a universal snow depth for protection of multiple resources. Specialists believe this is due to differences in the snow depth to protect different resources and the variable nature of snowpack and differences that occur regionally and nationally.

In their experience managing forest resources, resource specialists consistently point to a minimum of 12 inches for cross-country OSV travel that appears to be sufficient to protect resources. It is worth noting also, that consultations with the State Historical Preservation Office have recommended that a 12-inch minimum be used to fully meet the guidelines for protecting heritage resources as outlined in the Regional Programmatic Agreement. Further, California state grooming standards require a minimum of 12 inches of snow prior to allowing groomers to operate to ensure that equipment is not damaged. Although empirical data are lacking, every specialist and expert appears to accept a 12-inch minimum as sufficient for resource protection.

Therefore, my decision to set a 12-inch minimum depth for cross-country OSV travel and 6 inches for travel on designated OSV trails overlying forest service roads reflects the best available estimate for minimum snow depth protections. Snow depth will be determined through regular inspection by patrollers and groomers. Monthly grooming reports will document the depth and distribution of snowpack within open areas and on groomed trails. Current snow depth and snow depth requirements will be available through the Lassen National Forest webpage. Snow depth stakes and OSV regulations will be added to plowed trailhead areas that access designated OSV trails and areas as an indicator and education tool for OSV users. However, citations and/or area and trail closures, if necessary, will be made on the basis of resource damage caused from OSV use. Such damage may include (but is not limited to) the following: road and trail rutting, uprooted vegetation and soil mixed with snow, and damage to natural or cultural resources.

Second, much discussion centered on the issue of protecting the Pacific Crest Trail. In particular, the question of adding an area not designated for OSV use on either side of the trail tread drove the most passionate discussions. While we analyzed for both a 500-foot non-designated area on either side of the trail as well as for designation up to the trail, I felt the addition of a “buffer” was largely a solution in search of a problem. Policy direction on this is unclear at best. But most significant in my decision is that we have no reported use conflicts along the PCT during the winter months. Much of that stems from the fact that the PCT receives very few travelers during winter months due largely to the amount of snow covering the trail throughout much of the forest. Moreover, the Pacific Crest Trail Association itself does not recommend hiking on the trail during the winter months, largely for safety reasons. Therefore, I felt that that there was no compelling reason to not designate areas of OSV use up to the trail in most areas. However, several areas at the northern end of the forest will not be designated around much of the PCT with this decision.

My selection of a modified Alternative 4 also reflects my commitment to address other concerns raised over natural resource protection. Areas not designated for public OSV use were included in the selected alternative from Alternative 5 to further protect a variety of wildlife resources, including northern spotted owls, winter deer habitat, Sierra Nevada yellow-legged frog habitat and ospreys, to name a few.

My decision formalizes prohibitions on public OSV use in areas that the Forest Plan and other existing management direction have previously designated as off-limits to public OSV use, but no formal closures had been in place. These areas include the 520-acre Blacks Mountain Research Natural Area. My decision enhances safety of all winter recreation enthusiasts by designating additional non-motorized winter recreation areas where public OSV use is restricted to designated OSV trails, only. This minimizes conflicts among uses. A complete description of design features, minimization measures as required by 36 CFR §212.55, and monitoring procedures that will be implemented with this decision is in appendices C, D, E, and F of the RFEIS.

Finally, and of no less importance, my decision identifies the snow trails that will be groomed for public OSV use by the Lassen National Forest's OSV Trail Grooming Program.

As a final note, I was pleased to see local recreational and environmental groups with a variety of interests met to discuss their differences and seek common ground on areas of both designation and non-designation. Many of their ideas are incorporated into this decision. While not formalized with this decision, one of the group's proposals was the formation of a multi-stakeholder working group to monitor forest conditions and educate land managers, owners and users on issues of winter recreation on the Lassen. I encourage formation of this group.

I recognize that the public was passionate about what they felt was best for the land, and that no single management strategy could completely satisfy all concerns expressed about the Lassen National Forest OSV use designations. I have selected a modified alternative that addresses concerns expressed, but is not likely to resolve conflicting points of view.

The Lassen National Forest Over-snow Vehicle Use Designation EIS documents the analysis and conclusions upon which this decision is based.

PUBLIC INVOLVEMENT

The interdisciplinary team relied on public involvement to ensure that a reasonable range of alternatives, representing a broad array of perspectives, would be analyzed in this revised FEIS.

A pre-scoping meeting was held on November 5, 2014, which was attended by interested and affected stakeholders. These included names of people, agencies, and groups on the Forest Service's public notice mailing list for the Lassen National Forest, known winter recreation interest groups, and the plaintiffs and intervenors in the Snowlands lawsuit. The meeting's objectives were to share information about the project and the NEPA process, gather input on public engagement, and confirm and collect public input on a preliminary purpose and need for action through shared concerns and solutions with current OSV management on the forest. The meeting was attended by 28 people. A more detailed description of this meeting and outcomes are included in the December 2014 Pre-NEPA meeting summary report, available on the project's website and in the project record. The project first appeared on the Lassen National Forest's Schedule of Proposed Actions in January 2015.

A scoping letter describing the proposed action and seeking public comments was sent via regular mail or email to approximately 138 interested groups, individuals, and agencies on January 14, 2015, with comments requested to be returned by February 15, 2015. A press release

was sent to local news media outlets on January 14, 2015. A notice of intent to prepare an EIS was published in the *Federal Register* on January 20, 2015 (80 FR 2676). All notices included a web address for the project's website where comments could also be submitted. The project's website could also be accessed from the home page of the Lassen National Forest's public website.

The public was invited to comment on the proposed action, identify potential concerns or endorsements, and provide any relevant information that would be useful in the subsequent environmental analysis.

The Forest Service received and considered responses from 66 interested groups, individuals, and agencies in the form of letters, emails, and website submissions. We reviewed and analyzed all of the comments. All comments were thoughtful narratives responding to the proposed action with support, opposition, concerns, or requests for revision and new alternatives. The Forest Service appreciates the time and perspectives shared by each commenter, and the willingness of all to engage in the environmental analysis process.

During scoping, we also held and attended meetings and discussed the OSV designation process with local county governments, and we considered their opinions in developing alternatives.

A DEIS was released for public review and comment. A notice of availability to comment on the DEIS was published in the *Federal Register* on January 29, 2016 (81 FR 5013). The 45-day comment period began on January 30, 2016. A legal notice of opportunity to comment was published in the newspaper of record on February 2, 2016. Letters were sent to 402 interested groups, individuals, and agencies, notifying them that the DEIS was available for review. As a result of these solicitations, the Forest Service received 156 comment letters containing 623 comments from 142 interested groups, individuals, and agencies in the form of letters, emails, and website submissions. These comments were sorted for redundancies and the Forest Service addressed the 357 remaining comments that were considered materially relevant to the analysis. Documentation of our consideration of these comments is in the project record.

A final EIS and draft record of decision were released for pre-decisional administrative review in August 2016, and the "Legal Notice of Opportunity to Object" was published in the *Lassen County Times* (the newspaper of record) on August 23, 2016. This notice signified the beginning of a 45-day objection period that began on August 24, 2016. After considering the objections received, the Forest Service determined it would be necessary to revise the analysis.

We prepared a revised DEIS as required by the Council on Environmental Quality's implementing regulations for NEPA at 40 CFR §1502.9(a). A notice of availability was published in the *Federal Register* on October 6, 2017 (82 FR 193, p. 46808). A legal notice was also published in the *Lassen County Times* requesting public comment on October 10, 2017. Outreach efforts included an email sent to 511 recipients who had previously expressed interest in this analysis. The 45-day comment period concluded on November 20, 2017.

The Forest Service received 609 comment letters from different sectors of the public, expressing a range of concerns and comments. The responsible official will consider the comments made on the RDEIS in the decision-making process. All correspondence was reviewed and our responses to these comments are located in Appendix I of the RFEIS.

ALTERNATIVES CONSIDERED

In addition to the selected alternative, I considered four other alternatives, which are discussed below. Alternative 5 is the environmentally preferred alternative. A more detailed comparison of these alternatives can be found in the EIS on pages 25 to 83.

Alternative 1 – No-action alternative. There would be no change to the way the Forest Service currently manages public OSV use on the Lassen National Forest.

- Approximately 964,030 acres are open to public OSV use, which is approximately 84 percent of the NFS land within the Lassen National Forest.
- All areas of the forest are open to OSV use except in areas where this use is specifically prohibited.
- Approximately 98.4 miles of the PCT are within 500 feet of areas open to public OSV use on the Lassen National Forest.
- No trails are identified for OSVs to cross the PCT.
- Currently, 2,933 miles of groomed, non-groomed, marked, and unmarked snow trail are open to public OSV and non-motorized use. Not all of these trails are shown on the 2005 Lassen National Forest Winter Recreation Guide (project record). These trails overlie roads and trails designated for wheeled vehicle use and are within areas currently open to OSV use. Approximately 406 miles of these trails are maintained for OSV use through signage, snow trail grooming, or both.
- There are 349 miles of snow trails groomed for public OSV use. This includes 27 miles of snow trail not under Forest Service jurisdiction.
- The minimum snow depth for snow trail grooming to occur is 12 inches.

Alternative 2 – Modified proposed action.

- Designate areas and trails for OSV use.
- Designate 8 discrete, specifically delineated areas for cross-country OSV use. These areas would encompass 920,260 acres, which is approximately 80 percent of the NFS land within the Lassen National Forest.
- Designate no areas within 500 feet of the PCT for public cross-country OSV use.
- Designate up to 28 OSV trails that would cross the PCT to provide connectivity to designated OSV areas without having to travel long distances
- Designate 334 miles of snow trails for public OSV use.
- 2,509 miles of trail would be open to OSV use in areas designated for cross-country OSV use, but would not be designated. These trails would overlie existing maintenance level 2, 3, and 4 NFS roads that are not plowed in winter.
- Mechanically groom 350 miles of snow trails for public OSV use. This includes 27 miles of snow trail not under Forest Service jurisdiction.
- The minimum snow depth for snow trail grooming to occur would be 12 inches.
- The minimum snow depth for public OSV use on designated snow trails overlying roads and trails would be 6 inches.

- The minimum snow depth for public OSV use on designated snow trails not overlying roads and trails would be 12 inches.
- The minimum snow depth for OSV use in areas designated for public, cross-country OSV use would be 12 inches.

Alternative 3 – Designate areas and trails for OSV use.

- Designate 8 discrete, specifically delineated areas for cross-country OSV use. These areas would encompass 833,280 acres, which is approximately 73 percent of the NFS land within the Lassen National Forest.
- Designate portions of 5 of the 8 areas designated for public OSV use that would be located within 500 feet of the PCT.
 - Approximately 85.4 miles of the PCT would be located within 500 feet of an area designated for public OSV use on the Lassen National Forest.
- Designate up to 23 OSV trails that would cross the PCT to provide connectivity to designated OSV areas without having to travel long distances
- Designate approximately 383 miles of snow trails for public OSV use.
- 2,200 miles of trail would be open to OSV use in areas designated for cross-country OSV use, but would not be designated. These trails would overlie existing maintenance level 2, 3, and 4 NFS roads that are not plowed in winter.
- Mechanically groom 349 miles of snow trails for public OSV use. This includes 27 miles of snow trail not under Forest Service jurisdiction.
- The minimum snow depth for snow trail grooming would be 18 inches.
- The minimum snow depth for public OSV use on designated snow trails would be 6 inches.
- The minimum snow depth for OSV use in areas designated for public cross-country OSV use would be 12 inches.

Alternative 5 - Designate areas and trails for OSV use.

- Designate 6 discrete, specifically delineated areas for cross-country OSV use. These areas would encompass 632,400 acres, which is approximately 55 percent of the NFS land within the Lassen National Forest.
- Designate no areas within 500 feet of the PCT for public cross-country OSV use.
- Designate up to 12 OSV trails that would cross the PCT to provide connectivity to designated OSV areas without having to travel long distances.
- Designate 393 miles of snow trails for public OSV use.
- 1,677 miles of trail would be open to OSV use in areas designated for cross-country OSV use, but would not be designated. These trails would overlie existing maintenance level 2, 3, and 4 NFS roads that are not plowed in winter.
- Mechanically groom 350 miles of snow trails for public OSV use. This includes 27 miles of snow trail not under Forest Service jurisdiction.
- The minimum snow depth for snow trail grooming would be 12 inches.

- The minimum snow depth for public OSV use on designated snow trails would be 12 inches.
- The minimum snow depth for OSV use in areas designated for public cross-country OSV use would be 12 inches.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Lassen National Forest Land Management Plan. The project was designed in conformance with forest-wide standards and guidelines for recreation (Forest Plan, pages 4-25 to 4-26), control of off-highway vehicle use (Forest Plan, Appendix E, page E-4), and off-highway vehicle management practices for each management prescription on the forest.

National Forest Management Act

Specifically for off-highway vehicle management, the National Forest Management Act (NFMA) requires that this use be planned and implemented to protect land and other resources, promote public safety, and minimize conflicts with other uses of the NFS lands. NFMA also requires that a broad spectrum of forest and rangeland-related outdoor recreation opportunities be provided that respond to current and anticipated user demands.

Sierra Nevada Forest Plan Amendment

The Sierra Nevada Forest Plan Amendment established standards and guidelines specific to wheeled motor vehicle travel off of designated routes, trails, and limited off-highway vehicle (OHV) use areas. Unless otherwise restricted by current forest plans or other specific area standards and guidelines or forest orders, cross-country travel by OSVs would continue (forest-wide standard and guideline number 69 (USDA Forest Service 2009, 2004 Record of Decision, page 59).

Land and Resource Management Plan

The 1992 Lassen LRMP summarizes the dispersed recreation opportunities relevant to winter use as follows:

Recreationists hike and horseback ride, mainly on 465 miles of trails; they also snowmobile and cross-country ski on trails, unplowed roads, and open areas. The Forest has 125 miles of the Pacific Crest National Scenic Trail, and several National Recreation Trails: the McGowan Cross Country Ski Trail, Colby Meadows, Swain Mountain, the Heart Lake Trail, and the Spencer Meadow Trail...The Bizz Johnson Trail (a "Rails to Trails" project) provides excellent opportunities for hiking, biking, and cross-country skiing between Westwood and Susanville....Cross-country skiers ski the McGowan Cross Country Ski Trail and the Butte Lake Trail. Much of the Forest's road system is skiable during winter months when snow plowing does not occur. Use of the Forest trail system is light to moderate and its user capacity is undetermined. New trails would be built to

improve or disperse existing use and provide additional opportunities. Reconstruction is generally a higher priority than new construction. (LRMP 3-21)

Because snowmobile use has increased recently, the Forest has improved snowmobiling opportunities by constructing snowmobile parking areas and warming huts financed by State Off-Highway Vehicle funds. Additional OHV recreation developments are likely (LRMP 3-33).

The Lassen LRMP provides forest-wide and management area-specific standards and guidelines relevant to winter recreation as follows:

Forest Goals:

Recreation:

(a) Provide a wide range of outdoor recreation opportunities to meet public demand by furnishing different levels of access, service, facilities, and information.

d. Provide diverse opportunities for winter sports.

Wilderness and Further Planning Areas

a. Protect wilderness character in designated and recommended Wilderness.

Special Areas

a. Protect areas of outstanding scientific, scenic, botanic or geologic value as research natural areas (RNAs), or special interest areas (SIAs).

Standards and Guidelines:

15. Recreation

(a)(3). Manage recreation according to the recreation opportunity spectrum (ROS) classes described in the ROS User's Guide, as specified in Appendix J [of the forest plan], and the Management Prescriptions Refer to the separate ROS Map for the distribution of ROS classes throughout the Forest.

(b)(1) Continue to implement the preferred alternative of the 1989 Winter OHV Management Plan, for the construction of trailheads and trail networks for winter recreation.

(b)(2) Cooperate with the State of California to identify locations where snow removal is needed to accommodate safe, off-highway parking for dispersed winter use.

(b)(3) Designate and mark trails needed for additional dispersed winter recreation.

(b)(4) Designate and sign cross-country ski trails.

(b)(5) Accommodate snowmobile use over most of the Forest where not in conflict with other uses or resources. Due to the dispersed nature of the activities, do not provide regular patrols. Provide first aid services only as Forest personnel happen to be available.

(b)(6) Minimize user conflicts by specifying allowable winter use on certain roads and trails (for example cross-country ski trails, snowmobile-only trails or winter 4-wheel drive only).

(b)(7) Prohibit snow removal on designated snowmobile and cross-country ski trails between specified dates.

(b)(8) Areas for snow play will not be designated. (LRMP 4-34)

18. Special Areas

(a)(4) Protect and preserve the values of each special area as identified in an establishment report or area management plan, in conformance with the Special Areas Prescription and Management Area direction.

23. Wild and Scenic Rivers

(b)(1) Administer river corridors commensurate with their proposed Wild and Scenic designations, as provided in the Wild and Scenic Rivers Act, the Special Areas Prescription, and Management Area direction.

24. Wilderness and Further Planning Areas

(a)(1) Conduct management activities according to the Wilderness Act of 1964, the Wilderness Prescription in this Plan, and any applicable wilderness plan.

Desired Condition

The desired future condition for recreation and areas designated as non-motorized under existing law or policy is described in the Lassen LRMP as follows:

Recreation facilities are well maintained and are sufficient to handle the increased demand. Wilderness, semi-primitive, Wild and Scenic Rivers, Special Interest Areas, and other special areas are managed to provide generally primitive recreational experiences while maintaining healthy, natural ecosystems (LRMP 4-2).

The desired future condition for scenery is described in the Lassen LRMP as follows:

The appearance of the Forest from designated throughways and vantage points appears mostly unchanged by management activities, from other areas, harvest openings and roads may be visible (LRMP 4-3).

The desired outcome of this OSV use designation process would be a manageable, designated OSV system of trails and areas within the Lassen National Forest, which is consistent with and achieves the purposes of the Forest Service Travel Management Regulations at 36 CFR Part 212, Subpart C. The system of trails and areas will provide access, ensure that OSV use occurs when there is adequate snow, promote the safety of all users, enhance public enjoyment, minimize impacts to natural and cultural resources, and minimize conflicts among the various uses.

This is consistent with the goal in the Lassen LRMP to provide diverse opportunities for winter sports.

Management Area

F – Riparian – Fish Prescriptions (Recreation)

3. Confine off-highway vehicles, except over-snow vehicles, to designated roads, trails, and stream crossings in riparian areas. (LRMP 4-75)

M – Semi-Primitive Motorized Recreation

This prescription is derived from the Recreation Opportunity Spectrum (ROS) class of semi-Primitive Motorized (SPM) (see Appendix J [of the Forest Plan] for the definition of this class). It is intended to facilitate dispersed, motorized recreation, such as snowmobiling, four-wheel driving, and motorcycling, in areas essentially undisturbed except for the presence of four-wheel drive roads and trails. Non-motorized activities such as hiking, fishing, hunting, picnicking, and cross-country skiing are also possible. Motorized travel may be seasonally prohibited or restricted to designated routes to protect other resources. (LRMP 4-60)

N – Semi-Primitive Non-Motorized Recreation:

This prescription is derived from the Recreation Opportunity Spectrum (ROS) class of Semi-Primitive Non-Motorized (SPNM). See Appendix J [of the Forest Plan] for the definition of this class. It is intended to facilitate dispersed recreation such as hiking, mountain bicycling, horseback riding, hunting, and cross-country skiing in unroaded, essentially undisturbed areas outside of existing and proposed wilderness areas. Motorized recreation is prohibited (LRMP 4-63).

Prohibit motorized recreation, including four wheel driving, motorcycling, and snowmobiling (LRMP 4-64).

S – Special Areas

Recreation: 2. Prohibit motorized vehicles within Research Natural Areas (LRMP 4-68).

Wild and Scenic Rivers: 1. Allow public recreation and other resource use activity based on the recommended category of each river segment (LRMP 4-69).

W – Wilderness Prescription

The prescription specifies management direction in accordance with the Wilderness Act of 1964, assuming no permanent or long-lasting evidence of human use. Motorized and mechanized equipment is prohibited (LRMP 4-76).

Management Areas – Logan:

Recreation: 1. Continue designation of trails and restrict snow plowing of snowmobile trails for timber sales between December 1 and April 1 (LRMP p 4-118).

Special Area Designations

Special area designations present within the Lassen National Forest include eligible Wild and Scenic Rivers, Wilderness, proposed wilderness, Inventoried Roadless Areas, national trails, and Research Natural Areas.

Federal Law

The proposed OSV designations will be consistent with the following applicable laws, regulations and policies:

- Wilderness Act of 1964 and applicable Wilderness Implementation Plans

- Wild and Scenic Rivers Act of 1968 and applicable Wild and Scenic River Plans
- National Trails System Act of 1968 (P.L. 90-543) and the Pacific Crest National Scenic Trail Comprehensive Plan (1982)
- 36 CFR § 261.20 Pacific Crest National Scenic Trail. Prohibition of motorized use along the Pacific Crest Trail
- 2001 Roadless Area Final Rule (36 CFR Part 294)
- 2005 Travel Management Regulation – Subpart C (36 CFR Parts 212 and 261) as amended in 2015 - Use by Over Snow Vehicles (Travel Management Regulation)

Executive Orders

Executive Order 11644 of February 8, 1972, as amended by Executive Order 11989 of May 24, 1977, and by Executive Order 12608 of September 9, 1987, requires certain Federal agencies, including the Forest Service, to “ensure that the use of off-road vehicles on public lands [is] controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.”

Other Guidance or Recommendations

National Best Management Practices for Water Quality Management on National Forest System Lands – Rec – 7 Over-Snow Vehicle Use (USDA Forest Service 2012).

The California Off-Highway Motor Vehicle Recreation Division of the California Department of Parks and Recreation provides funding for operating, maintaining, and grooming of winter recreation trails and trailheads in mountainous regions throughout California. OSV trail grooming and ancillary activities, such as trailhead plowing and maintenance are described in detail in the OSV Program Draft and Final Environmental Impact Report (EIR), Program Years 2010–2020. The EIR includes annual monitoring and reporting requirements for Forest Service participation in the grooming program (California Department of Parks and Recreation 2010).

ADMINISTRATIVE REVIEW (OBJECTION) OPPORTUNITIES

The proposed project is an activity implementing a land management plan and not authorized under the HFRA; therefore it is subject to 36 CFR 218, Subparts A and B. Objections will only be accepted from those who have previously submitted specific written comments regarding the proposed project during scoping or other designated opportunities for public comment in accordance with 36 CFR 218.5(a).

Issues raised in objections must be based on previously submitted timely, specific written comments regarding the proposed project unless the issue is based on new information arising after the designated comment opportunities.

The following address should be used for objections sent by regular mail to: Objection Reviewing Officer, USDA Forest Service, Pacific Southwest Region, 1323 Club Drive, Vallejo, CA 94592.

Objections sent by private carrier or hand delivery must go to: Objection Reviewing Officer, USDA Forest Service, Pacific Southwest Region, 1323 Club Drive, Vallejo, CA 94592. Office hours are Monday through Friday, 8:00 am to 4:30 pm, excluding Federal holidays, for hand delivery.

Objections can be faxed to the Objection Reviewing Officer at (707) 562-9229. The fax coversheet must include a subject line with “Lassen OSV Designation Objection” and should specify the number of pages being submitted.

Electronic objections must be submitted to the Objection Reviewing Officer via email to objections-pacificsouthwest-regional-office@fs.fed.us, with “Lassen OSV Designation Objection” in the subject line. Electronic submissions must be submitted in a format that is readable with optical character recognition software (e.g., Word, PDF, Rich Text) and be searchable. An automated response should confirm your electronic objection has been received.

The objection must meet the content requirements of 36 CFR 218.8(d), and include the following information: (1) the objector’s name and address, with a telephone number or email address, if available; (2) a signature or other verification of authorship upon request (a scanned signature for email may be filed with the objection); (3) when multiple names are listed on an objection, identification of the lead objector as defined in 36 CFR 218.2 (verification of the identity of the lead objector shall be provided upon request); (4) the name of the project being objected to, the name and title of the responsible official, and the name of the national forest on which the project will be implemented; (5) a description of those aspects of the project addressed by the objection, including specific issues related to the project and, if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; and supporting reasons for the reviewing officer to consider; and (6) a statement that demonstrates the connection between prior specific written comments on the particular project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunity for formal comment. With certain exceptions (36 CFR 218.8(b)), all documents referenced in the objection must be included with the objection.

Any objection, including attachments, must be filed with the appropriate reviewing officer within 45 calendar days following publication of a “Legal Notice of Opportunity to Object” in the Lassen County Times, the newspaper of record. The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection. Objectors should not rely upon dates or timeframe information provided by any other source. It is the objector’s responsibility to ensure timely filing of a written objection with the reviewing officer pursuant to 36 CFR 218.9. All objections are available for public inspection during and after the objection process. Responses that do not adhere to these requirements make review of an objection difficult and are conditions under which the reviewing officer may set aside an objection pursuant to 36 CFR 218.10.

IMPLEMENTATION DATE

Once objections are resolved, the RFEIS and ROD will be published in the *Federal Register*. The decision will be issued 30 days after publication in the *Federal Register* and implementation will begin immediately.

CONTACT

For more information or to request a copy of the RFEIS and Draft ROD, please contact Christopher O'Brien, PhD, Ecosystems Staff Officer at the Lassen National Forest at (530) 252-6698 or by email at cjobrien@fs.fed.us with "Lassen OSV Designation" in the subject line.

TED O. MCARTHUR

Date

Acting Forest Supervisor

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