



SIERRA ACCESS COALITION

556 Carol Lane East
Quincy CA 95971
sierraaccess@digitalpath.net
(530) 283-2028

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

Thank you for this opportunity to comment on the Lassen National Forest Over-Snow Vehicle Use Designation Revised Draft Environmental Impact Statement. As you know, SAC works to retain access to public lands and represents over 1500 members. On behalf of our members, we submit the following comments to the RDEIS. In addition, our comments dated March 14, 2016 on the original DEIS should still be considered in the final decision.

Inadequate Range of Alternatives

We are discouraged to see that, even in the revised DEIS which was supposed to take public comments into account, there is still no "Pro-OSV" alternative. Each of the viable alternatives in the RDEIS eliminate significant OSV riding areas only for the benefit of non-motorized uses. We contend there is still an inadequate range of alternatives, which is a violation of NEPA.

The various alternatives propose to close up to 55% of the Lassen NF to OSV and add a 1000' buffer along the PCT. This is not the intent of the Travel Management Rule (36 CFR 212.55(e) which seeks to minimize damage to soil, watershed, vegetation, and other forest resources; to minimize harassment of wildlife; and to minimize conflicts between forest users. There are no documented impacts to any of these, so further closures to OSV are not consistent with the Final Rule's intent which is simply to minimize impacts. Instead, the Lassen OSV project has become a land grab for non-motorized interests. OSV destinations were not considered in the analysis, such as the Diamond Mountain area which is a popular destination for OSVers. The RDEIS only considers potential benefits to non-motorized users.

Motorized and non-motorized Stakeholders meeting in Chester

Motorized and non-motorized stakeholders met in Chester on Nov. 7 in an attempt to find common ground. It was a very productive meeting. All parties agreed the following items should not be in the final decision:

1. The 12" minimum snow depth is not necessary
2. No date restrictions should be specified
3. The 3500' elevation restriction is not reasonable
4. Current Ground conditions dictate when OSV use is allowed.

Snow Depth Restrictions

The RDEIS still does not adequately address snow depth restrictions. The snow depth restrictions in the RDEIS are not supported by science, research, or any credible analysis. As a minimum, a valid scientific analysis must consider factors including:

- Snow density
- Snow compaction
- Temperature
- Aspect
- Holding capacity
- Time of day
- Location

Again, none of these factors have been scientifically analyzed in the RDEIS.

The Forest Service has not supplied any justification that supports a 12" minimum snow depth. In fact, the agency is preying on the credulity of the public by presenting a SHPO document written solely to address best management practices for winter timber operations. The only connection that can be made between timber operations and best management practices for snowmobile operations is the fact they take place during the same season.

More importantly, best management practices created for winter timber operations solely support commercial activity, including skidding logs with 24-ton bulldozers through snow. This document was not written to have applicability for recreational use and was never presented for public comment, as required for new regulations that will significantly (and negatively) affect the public's access. The Forest Service is required to use the best available science for all land use decisions but in the absence of such cannot decide to substitute documentation created for a different and unrelated activity. This represents an arbitrary and capricious action on behalf of the agency.

In the extreme event the agency decides to substitute the existing SHPO document for real science, we insist that all cultural sites be flagged exactly as required in the documentation, otherwise the integrity of the document will be severely compromised. We insist that all sites must be flagged in the over-the-snow management areas in accordance with the SHPO document.

To justify the 12 inch minimum snow depth, the page 35 of the original Draft EIS stated, *"Based on input from the resource specialists on our interdisciplinary team, their review of available literature, professional judgment and consultation with other agency professionals, 12 inches of snow was deemed to be the minimum depth of snow necessary to ensure adverse resource impacts from cross-country OSV use do not occur."....."For this reason, a snow depth less than 12 inches for cross-country OSV use was not considered further."* SAC requested references regarding which literature was reviewed, whose professional judgement was used, what their professional qualifications are which qualify them to provide judgement on OSV, which agency professionals were contacted, and what process was used to arrive at this conclusion, but we didn't receive any of this information.

So the Revised DEIS that was changed to read: *"U.S. Forest Service staff at the forest and district level have decades of experience managing for OSV use and monitoring its effects. OSV managers, groomers, and other specialists with field knowledge of OSV use have observed timing of OSV use, weather and snowpack patterns, resource conditions throughout the winter season and during the summer season to develop their empirical understanding of appropriate measures needed for OSV management and for resource protection."* This statement is not adequate to support the 12" snow depth restriction. Snowmobile technology has outpaced the Forest Service's ability to analyze current technologies.

Modern snowmobile design improvements have resulted in lower weight machines with reduced pounds per square inch on the snow surface, and a reduced bulkhead angle. Wider plastic skis and longer tracks “float” a snowmobile, resulting in considerably less compaction to the snow than in past decades. These significantly lower impacts from modern snowmobiles invalidate the FS’s claim of having decades of experience with OSV. It should also be noted that since the “decades of experience” is not documented and collaborated, it is not based in science and may be biased.

We don’t agree that the LNF has decades of experience monitoring effects because there is no documentation to support this. We are skeptical that the FS will have the required staff, with the training and knowledge, make determinations in a timely manner and disseminate the information regarding snow depth in a timely manner. We believe the users need to be educated and place some of the burden on them, similar to how the FS treats users of roads during wet conditions in summer months.

There is no science presented to determine if other depths, such as 6” of snow or 2” of ice, would also meet objectives. Adequate snow is a moving target with many variables such as those listed above which have not been adequately vetted, scrutinized or analyzed. The RDEIS must be deemed inadequate.

- A minimum snow depth requirement for cross country OSV use is unnecessary and unacceptable. Snowmobiling cross country is self-limiting.
- A snowmobiler will only ride cross country if there is “adequate snow” because they will quickly have expensive repairs or worse yet become stranded.
- We challenge the analysis that 12” snow depth is necessary for public safety, because snowmobilers are well aware of the risks and avoid unsafe conditions.
- The RDEIS still fails to define “resource damage”.
- 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, low snow areas. So any new designated skiing areas must also have a snow depth analysis to meet the objectives of the Travel Management Plan.
- Ground conditions should dictate when OSV use is allowed.

Snow Depth Measurement

- The RDEIS still does not include a Snow Measurement Plan. The public needs to be able to comment on the plan that could potentially shut them out of the forest.
- Measurements at trail heads may not fairly represent snow depth in the area where people are riding. For example, if the snow is measured at Jonesville, it could close down the entire management area that stretches up to Lake Almanor where the snow is very deep.
- On the flip side, a measurement at Lake Almanor where snow is deep could allow riding in other parts of the management area with less than 12” of snow.
- If measurements are only going to be taken at trailheads as the RDEIS suggests, there are not trailheads in all of the 8 proposed management areas. How will those management areas be measured? The snow measurement plan needs to be site specific.
- The Snow Measurement Plan needs to show how the FS will publish the snow depths to give OSVers at least one day’s notice to plan their trips.
- The FS has limited resources to measure snow in the winter months. Allowing OSVers to make judgement based on ground conditions is a good solution.
- The arbitrary date restrictions are not reasonable, particularly when considering climate change.
- Ground conditions should dictate when OSV use is allowed.

Pacific Crest Trail Buffer

This is not the appropriate time to consider a 1000' non-motorized buffer of the PCT, which is even more restrictive than for Wilderness Areas which have no buffers. Such changes in land allocations require revision of the LMP. 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 are 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. (emphasis added)*

The addition of a PCT buffer is a congressional issue, not an OSV issue. In addition, the implications of such a buffer raises many questions which aren't answered in the RDEIS (ie. is it just a seasonal OSV prohibition or is it a permanent, year-round prohibition of all motorized uses?) 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.

Congress has already provided a 25' buffer to the PCT. Any changes to this should be through the proper process, not the OSV Planning process.

3500 foot Elevation Restriction

The requirement of a minimum elevation for OSV use is in violation of the Final Rule, which states designations on National Forest lands shall be made "where snowfall is adequate for that use to occur." Elevation is irrelevant. Ground conditions should dictate when OSV use is allowed.

At the Stakeholder's Meeting in Chester on Nov. 7, 2017, all the parties agreed this restriction must not be included as part of the decision. If there is adequate snow below 3500 ft. elevation, the public must be allowed to use the area to access the rest of the forest in the same manner as higher elevations. It is irrelevant how often there is snow at that elevation. People often like the lower elevation areas because they are not usually able to ride there and enjoy new scenery. Using low elevation areas will also allow the public to reach unloading/staging areas with much less driving time and fuel.

The FS cannot predict weather and snow conditions solely on elevation. The RDEIS does not include a snow depth analysis for the Jonesville area. When there is a storm that produces low elevation snow, OSVs should be allowed to access the forest from the valley. Setting a minimum elevation for OSVs is arbitrary and capricious, and is not supported by science. SAC urges the LNF to remove this restriction in their decision.

Socioeconomics

It has been proven that groomed trails and acreage open to snowmobile use are economic generators for rural communities, to a benefit commensurate with the amount of access allocated for over the snow motorized recreation. This benefit approaches hundreds of thousands of dollars directly attributable to motorized over the snow access, including increased job creation and tax collection by rural communities. In contrast, closing areas to motorized over the snow recreation results in job loss, decrease of tax base and further adds to the deterioration of already disadvantaged rural economies. Calculating the Forest Service '3 legged stool' philosophy, which includes economic and social well-being of rural communities as an important component of successful land use policy, closing areas to over the snow motorized recreation would violate Forest Service policy.

One leg of the '3 legged stool' cannot be shorter than another, otherwise the stool is no longer viable. Similarly, closing areas to over the snow motorized recreation significantly discounts or ignores the potential of devastating losses to rural communities.

Restricting OSV use, particularly in areas in the northern and western parts of the Lassen, will deprive communities of potential winter revenue. Many of these northern areas of Lassen NF are accessed from the neighboring communities such as McArthur, Nubiber, Bieber, Lookout, Pondosa, Cassel and Burney which are not in LNF analysis areas but their winter economies are affected by LNF decisions.

We requested the Forest Service to consider their own initiative titled "Thriving Communities" described in the 2015 Forest Service Budget, during the economic analysis. This initiative requires the Forest Service to work with communities within the National Forests to help strengthen their economies. We see no evidence in the RDEIS that this document was included in the economic analysis.

Local Issues

1. We do not support any additional non-motorized areas that displace OSV. This is unacceptable, especially considering the projected growth rate of snowmobiling significantly exceeds the growth of non-motorized winter sports as research shows in Snowsports Industries America (SIA) <http://www.snocountry.com/news/ski-resort-news/cross-country-news-information/entry/overview-of-2013-cross-country-skiing-statistics-23-percent-decline>. The entire Lassen NF is open to non-motorized interests, with world class skiing areas adjacent in non-motorized areas such as Lassen National Park. Adequate non-motorized areas have previously been established. In contrast, OSV use on the Lassen NF has already been minimized, and should not be further minimized. The OSV sport requires large areas for fast moving machines. Skiers generally require much smaller areas for their sport. However, they are asking for areas that are much larger than the average skier can traverse.
2. The LNF did not Coordinate with any of the five Counties, as required by multiple laws and regulations. The LNF simply notified the Counties about the OSV plan, but actual Coordination was not done with the Counties to consider the Counties' General Plans or other potential impacts to County interests. The FEIS must state why the legal requirement for Coordination was not fulfilled.
3. The DEIS states fixed dates of Dec. 26 – March 31 to restrict wheeled traffic on groomed trails. Fixed dates are not effective, particularly with changing weather patterns. We propose that language be eliminated and replaced with "as conditions dictate" to allow more flexibility as local

conditions change on individual roads and trails. Ground conditions should dictate when OSV use is allowed.

4. There are no documented conflicts between motorized and non-motorized users. The OSV Plan implies a level of conflict that simply does not exist on the LNF. Attempting to solve a non-existent problem with an unenforceable plan only results in anger and mistrust of the Forest Service. Shared staging areas have the most potential for conflict. However, the LNF has not created new staging areas for either motorized or on-motorized to reduce the potential conflict.
5. The mileage for groomed snow trails must not be based on current funding, in the event resources become available to groom more trails. The Butte Meadows Hillsliders currently groom trails at no charge to the LNF, and they have offered to expand their grooming program. The State OHV Division has also said with their recent reorganization, it's possible additional funding could be added to the current budgets.
6. Appendix G. OSV Use Level Assumptions (Page 143) is incomplete and misleading. It sounds like this should be a description for cross country skiing.
7. The analysis did not include the positive effects of OSV to the environment, such as the use of groomed trails and OSV tracks that are used by wildlife and skiers.

Conclusion

As described in detail above, SAC general supports Alternative 4 with the following modifications:

- 1) No numerical snow depth restrictions
- 2) No elevation restrictions
- 3) No new non-motorized areas
- 4) No date restrictions
- 5) Designate PCT crossings to be consistent with the crossings identified for motorized use under Subpart B and current snow use.
- 6) No new PCT buffer
- 7) Provide a Snow Measurement Plan and allow public comment on the plan
- 8) Provide a definition of "Resource Damage"

Thank you for the opportunity to comment on this project, as it is of great interest and concern to the snowmobiling public and to the economy of our communities.

Corky Lazzarino
Executive Director