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March 1, 2019

Plumas National Forest
Acting Forest Supervisor Jerry Bird
Project Leader Katherine Carpenter

Re: Plumas N.F. Over Snow Vehicles Use Designation DEIS Comments

We appreciate the opportunity to submit additional comments to the Draft EIS of the Plumas National Forest Over Snow Vehicle Use Designation dated October 2018. This letter is in addition to our previous comment letter to the Plumas NF dated January 25, 2019.

We attended the public meeting on February 26, 2018 in Graeagle and found the meeting was not useful. The Deciding Official, Acting Forest Supervisor Jerry Bird, was not in attendance. Also missing were Deputy Forest Supervisor Barbara Drake, Project Team Leader Katherine Carpenter, and there were no representatives from the Enterprise Team, who wrote the DEIS. Several Forest Service employees were there but it was apparent they had little or no knowledge of the project. We received conflicting answers to several of our questions:

1. Some officials said there was no CFR that related to enforcement of OSV restrictions, some said there would be a new CFR written specifically for OSV enforcement, some said there was no need for a Law Enforcement Plan, and others questioned why we wanted to see a Law Enforcement Plan at all. We asked for a meeting to discuss these issues prior to the March 1 deadline but were told the LEOs couldn't meet with us until after the deadline. We reserve the right to submit further comments on this subject if a meeting is held at a later date.
2. In regard to our questions about riding on frozen lakes, none of the employees knew the answers. Some officials said lakes were not designated because of water quality issues. Yet other officials said lakes were not designated because the FS doesn't have jurisdiction over lakes. We remain confused on this issue.
3. We asked what the pink dashed lines for trails on the map meant, where the legend said "Open to OSV Route (potential)". We got conflicting answers from different people about what they mean and are still unsure of the answer.

4. When we asked about Rx-8 in the LRMP, we were told several different versions the Rx could be changed, and some said it could be changed without a LRMP (Land and Resource Management Plan) amendment but they couldn't explain why an amendment is not required. This would be a significant change to the LRMP and must be explained.
5. There are several conflicts between the Rx and ROS (Recreation Opportunity Spectrum) in the DEIS. Employees seemed surprised about this fact and could not explain the reason for conflict or whether the LRMP Rx takes precedence over the ROS. Which one takes precedence? These conflicts must be resolved in the FEIS.

We did get answers to a few of our questions, and Katherine Carpenter called SAC the day after the Graeagle meeting to discuss some of the remaining questions. As a result, we have additional issues that we didn't include in our January 25, 2019 comment letter:

1. The DEIS specifies the number of acres available for OSV use for each alternative, but these are disingenuous statements because many of the designated areas are not legally accessible.
 - As an example, the entire community of Meadow Valley is surrounded by a "buffer" (undesignated areas). Under 36 CFR 261.14 it is illegal to operate or possess a vehicle within these restricted areas, so there is no legal way to access the adjacent unrestricted areas.
 - Another example is the buffer (undesignated area) along Hwy 70 which is closed, but areas beyond the buffer are open. At first glance this might seem reasonable, but if OSV can't pass through the closed buffer along the highway, they cannot access the designated open areas beyond.
 - This results in effective closure of thousands of acres beyond the buffers, which are actually barriers to reaching the designated areas. The effects are far reaching, affecting recreation and the local economy.
 - A simple solution to this problem would be to designate all Forest Service system roads as OSV trails through the undesignated areas. This would allow local residents and others to access legal OSV areas near their communities, and for secluded private land owners to access their property.
2. A significant problem is the fact that the PNF is proposing to violate the Rx-8 Semi-Primitive Prescription as it is written in the 1988 LRMP.
 - The Rx-8 prescription clearly states, "no motorized travel except over-the-snow".
 - The ORV Map in the LRMP for Zones B and C clearly states, "motorized over-the-snow travel is permitted", and for Zone D "over-the snow vehicle travel is unrestricted".
 - These statements were made in several sections of the LRMP demonstrating that they were made carefully, intentionally, and must not be modified simply for this individual project.
 - Some FS officials told us that snowmobiles were not common at the time the LRMP was written. This is not true. Snowmobile use was common on the Plumas NF for several decades prior to the LRMP, which actually prompted their inclusion in Rx-8 and the ORV Map.

- Modern snowmobiles actually have less impact on the environment than those in 1988, because they meet regulations for noise and emissions, and snowmobile psi on snow is similar to that of skiers and snowshoers.
- Defaulting to a more restrictive regulation solely for the purposes of this project is inappropriate. It appears to be a bias on the part of the Forest Service and is in violation of the Purpose and Need which is to provide “high quality public OSV access.”

To be legal and consistent with the Plumas LRMP, all Rx-8 areas must remain open to OSV use.

3. The Rx-2 for Wild and Scenic Rivers, page 4-69 states, “Permit motorized access on the Cleghorn Bar, Stag Point, Deadman Springs, and Little California Mine roads”. However, these roads are closed on the Proposed Alternative. These access roads are popular with OSV and must remain open, as the Wild and Scenic River Rx-2 states. Again, changing LRMP prescriptions to suit an individual’s bias against OSV use is not appropriate.
4. Similarly, all Forest Service System roads that are designated for OHV use should also be designated as OSV trails. NEPA has already been completed on all OHV routes, indicating they have no resources that require protection. There is little difference between the effects of OHV and OSV on roads, OSV actually have less impact.
5. The DEIS does not make it clear how the closure areas will be posted. Since closure areas don’t necessarily follow roads or geographical features, how will OSV know where these areas are? (example: Deanes Valley Rd is closed for a mile or two from the Meadow Valley Road, but how will a person know when they have reached this invisible boundary?) It’s essential that a Law Enforcement Plan is included in the FEIS that explains all the issues that the public needs to understand so they can comply with regulations.
6. Please define “resource damage”. All FS employees who participate in patrolling have been educated and qualified to determine what resource damage consists of as cited in 36 CFR 261.15(h). The public needs and deserves a similar education. We have made this request numerous times but have not received a response.
7. We are concerned that the PCT buffer is inconsistent between forests, which results in confusion to the public and problems for enforcement. The neighboring Tahoe and Lassen NFs have not approved a PCT buffer, but the Plumas is proposing a buffer. This creates a significant problem along the TNF and PNF border in the area near Lakes Basin. In this area the TNF side of the PCT proposes a nonmotorized buffer, but the PNF side of the exact same segment of trail is proposed to have a buffer. This is confusing to the public, and numerous requests to the RO beginning in November 2018 to clarify the R5 policy on a PCT buffer to provide consistency between forests have not been answered. Plumas NF officials acknowledge the problem but offer no solution. Therefore, the PCT buffer on the Plumas NF must be rejected.
8. In a similar situation, the PCT crossings that are approved by the TNF are in different locations than those proposed on the PNF. The inconsistency between forests is difficult for the public to understand and follow. Will all the crossings be approved, or are their locations inaccurate?

9. The FEIS needs to explain how the management areas will be used to manage motorized and nonmotorized use. Since there is no explanation in the DEIS, the public has fears about how they will be used.
10. We request that the FS and Counties coordinate OSV use and restrictions on their respective roads so they are seamless to the public and easily understood. Plumas County and Plumas NF have differing views for OSV use on their roads. Plumas County acknowledges the well known fact that snowmobiles will not operate when there is not adequate snow to protect their machines, while in contrast the Plumas NF is overreaching what the Final Rule requires and is attempting to control OSV use with a minimum snow depth. The agencies should attempt to resolve the issue to provide the public with a seamless system of roads and trails for OSV use.
11. Several areas are closed to OSV use due to frog habitat. During the snowmobile season in the Lakes Basin area, there is an average of 20 feet of snow. The great snow depth provides a blanket of protection for frogs, who biologists say overwinter in the bottom of lakes and creeks. Prohibiting OSVs is not relevant to the viability of the species.
12. Winter deer habitat is cited in the DEIS as a reason to close large areas that have been used by OSVs for decades. We previously submitted ASCA's book "Facts and Myths About Snowmobiling and Winter Trails" which presents several research papers that support the fact that deer are not affected by OSVs. Deer naturally move to lower elevations during the winter to find food. OSV don't use these lower elevation areas because there is not adequate snow. Deer winter habitat is not a valid reason to exclude OSV use.

Thank you for the opportunity to comment further on the Plumas National Forest Over-Snow Vehicle Use Designation project. We look forward to working with you in the future on this project.

Corky Lazzarino

Executive Director

cc: SAC Steering Committee
Plumas County Coordinating Council
Plumas County Dept. of Public Works
Butte County Dept. of Public Works
California Off Road Vehicle Association
Sierra Snowmobile Foundation
Bucks Lake Snowdrifters
Sierra Buttes Snowbusters
Butte Meadows Hillsliders
Friends of Independence Lake
Recreation Outdoors Coalition
Paradise Ridge Riders