

Dear Forest Service Reviewing Officer  
Attn: Randy Moore, Regional Forester, USDA Forest Service  
1323 Club Drive  
Vallejo, CA 94592  
Subject: ENF OSV Project

Project: El Dorado National Forest Over-Snow-Vehicle Use Designation

First and foremost I would like to thank you and the rest of the Forest Service team for allowing public objection to the final decision for the Over Snow Vehicle Use Designation project as it relates to the El Dorado National Forest.

My family settled in El Dorado County during the Gold Rush nearly 170 years ago and I'm proud to say I'm the seventh generation that has chosen to make this area my home. Currently I reside in Grizzly Flats where I have the opportunity to enjoy all the forest has to offer on a daily basis. My grandfather introduced me to the sport of snowmobiling when I was a young boy so this subject is very near and dear to my heart. The thought of some out of state environmental extremist group with left wing agenda ideology thinking they can come into my backyard and dictate what I can or cannot do is absolutely infuriating to me. To make matters worse, the El Dorado National Forest (ENF) has all but given in to their demands with the final decision for this project. Closing areas, snow depth requirements, Pacific Crest Trail (PCT) crossings, etc are not at all necessary from an environmental or user conflict standpoint.

I have reviewed the final decision, corresponding maps, and Biological Assessment in their entirety and below is a summary of my objections to the decision and analysis. All comments below are either directly related to those I made during the open comment period or are a result of choosing alternative 5, which was not one of the original alternatives for comment. I urge you to please consider reversing the unfair and unnecessary decision that has been made.

### **Issues with FEIS**

-User conflicts are not as prevalent as Snowlands and other groups portray. I've been riding snowmobiles all over the El Dorado National Forest for over 20 years and have never had any sort of confrontation with a non-OSV user.

-Trespassing from snowmobilers into closed off wilderness areas is not as prevalent as Snowlands and other groups portray. There is the common saying that 1% of a user group ruins it for the other 99% and this is no exception. I'm sure there are some people who are going to break the rules, but why don't we step up enforcement and cite those individuals rather than creating new restrictions for the vast majority? All these new laws will do is cause more snowmobilers to unintentionally trespass onto newly closed areas giving groups like Snowlands additional evidence for closing more area resulting in a snowball effect. Remember lands are NEVER expanded for OHV or OSV use, but they are FREQUENTLY reduced.

-A 12 inch snow depth requirement is not needed to protect natural resources. Anybody who frequently travels to the snow knows the difference between February powder and April hardpack. I do not contest that when no base is present 12 inches of dry powder may be needed to prevent snowmobiles from touching the underlying surface, but after natural compaction during early winter or spring months, a

few inches is more than enough. There is no reason a numerical value needs to be attributed to snow depth when it can simply be stated as “snow depth must be adequate to prevent resource damage” leaving it up to snowmobilers and ultimately law enforcement to make the determination.

-A 12 inch snow depth requirement is 100% unenforceable. Snow depth varies between slopes, ridges, meadows, and treed areas. It also varies again depending on the direction these features face, wind loading, sun obstruction, or time of day. With that said how exactly would a snowmobiler be expected to follow a 12” minimum snow depth requirement with so much variation? Are we supposed to stop every 50 feet, pull out a ruler, and measure the snow depth at each location to make sure we’re compliant? What about snow being 12 inches at the beginning of the day, but only 12 inches at the end...are we now going to get a citation? This will NEVER hold up in a court of law and I would urge every snowmobiler out there to fight any citation they receive. If the ENF moves forward with a 12 inch minimum snow depth requirement, I will contact El Dorado County Sheriff D’Agostini to prevent the forest service from writing any such unenforceable citation within his jurisdiction. He stripped the ENF of their powers in the past for abusing them and I’m quite certain he’d do it again.

-Having dedicated PCT crossings determined by the ENF is ridiculous and dangerous. Avalanche conditions change from day to day and requiring a set crossing point prevents snowmobilers from making an avalanche awareness decision for where to cross. The first time a snowmobiler is forced to use one of these crossings and is hurt or killed in an avalanche, the ENF will have a major lawsuit on its hands.

-The adoption of not being able to ride on or along the Pacific Crest Trail due to existing forest orders is being completely misinterpreted. When snowmobiling near the PCT it is covered in feet of snow. The purpose of the existing orders is to prevent damage to the trail, but this cannot happen when traversing feet above it without making any physical contact. One might argue that compaction would occur, but more compaction occurs from a single hiker’s boot than a snowmobile (pressure = force/area and the area is so small for a hiker compared to a sled that it ends up being greater). I’ve never seen a non-OSV user on the PCT in the winter so clearly user conflicts are not an issue.

-Why are vast areas surrounding Loon Lake closed? In looking at the map, the ENF has established several swaths of acreage to the North and East of Loon Lake as open to OSV use, but there is no way to access them without crossing closed areas or private land. This also restricts the ability to access the world famous Rubicon Trail from one of the most popular launching locations there at Loon Lake. Please create a means for snowmobilers to ride across the dam at Loon Lake in order to continue on Ice House Rd to access the Rubicon Trail.

-The ENF claims 121,500 acres are being closed to OSV use under the preferred action, but it’s really much more than this. There are several locations across the map where “open” areas are surrounded by either closed or private land. This makes the final “open” acreage numbers very deceptive.

-How can an alternative 5 be selected when only 4 were proposed and open for comments? If the ENF wants to go with a 5<sup>th</sup> alternative, it should go back to the “draft” stage for general public comments rather than being “final.”

-The Final Environmental Impact Statement (FEIS) states that alternative 5 would not have an adverse effect on the local economy compared to alternative 1. I have to disagree vehemently as having snow

depth requirements will lessen the number of days that snowmobilers can legally ride. Less days means less tourism, which in turn means less food, fuel, clothing, parts/repairs, etc being spent in the El Dorado County community. The ENF has attempted to show there would be no economic impact simply because snowmobiling is near the bottom of popular activities in its forest, however, it is one of the most expensive (ie at the top of the list is hiking and relaxing, but these activities cost very little in the way of money to impact the local economy).

-Snowmobile registration funds are used to groom trails and plow parking lots that non-OSV users are allowed to use. If they have such a problem with sharing the forest, prohibit them from using the Iron Mountain Sno Park and Silver Bear Trail System.

-Why did the preferred additional closed acreage jump from 23,000 (Alternative 2) to 121,500 acres (Alternative 5)? I believe a lot more snowmobiling enthusiasts would have been inclined to comment if this were the case from the beginning.

-Please consider holding an in-person meeting to hear objective parties speak and allow the local El Dorado County public to be present to hear their opinions as well. The Lassen National Forest did this and I believe it helped the forest officials to truly understand the importance of this decision for everyone involved.

### **Issues with Biological Assessment**

-In the entire Biological Assessment 3,011 acres are identified as being closed due to SNYLF habitat and 15,459 acres as being closed due to CRLF habitat totaling 18,470 acres that are being closed for threatened or endangered species. Why then is the total number of acres open to OSV use decreasing from 458,600 acres to 337,100 acres, a loss of 121,500 acres? This does not seem at all necessary from an environmental standpoint.

-In multiple instances the Biological Assessment states "OSV operators will avoid bare ground to prevent damage to their machines." With this being the ENF's understanding, why then would snowmobiles be prohibited from traveling in snow conditions of less than 12" cross country? We all know that during spring months when snow compaction has occurred naturally a few inches of hardpack snow is adequate to prevent snowmobiles from coming into contact with the bare ground below.

-Statements related to impacts to California Red-Legged Frog (CRLF) indicate direct effects from OSV use is unlikely because CRLF are not likely to be moving around when snow depths exceed 12" depth. The issue I have with this statement is it does not justify why a minimum 12" snow depth is required for OSV use, but rather simply the arbitrary value of 12" snow depth would be adequate. This should be analyzed for what the minimum snow depth is that CRLF are likely to begin migrating over snow so that a minimum snow depth can be scientifically selected. For example, if migration is unlikely to occur until snow depths reach 2", the snow depth requirement can be set at 3" rather than 12".

-Table 17 shows that the 25,311 acres of existing condition acreage would be reduced to 9,852. It appears that the ENF has decided this would not adversely affect the snowmobiling community simply because these areas are considered low use due to their elevations. While these areas may not be used by a high volume of snowmobilers, somebody in the area likely enjoys riding these locations when adequate snowfall is present a few days every year when they would otherwise have to trailer their snowmobiles hundreds of miles to ride. To close these areas simply because it is not heavily used is

absurd. The CRLF habitat needs to be further analyzed to minimize the closed area to a much more reasonable amount. Clearly the CRLF population has survived with this area open to OSV use and, since snowmobile use would be limited to a few days out of every year due to snow depths, the area need not be closed at all.

-Statements related to Sierra Nevada Yellow-Legged Frog (SNYLF) indicate direct effects from OSV use is unlikely because SNYLF are not likely to be moving around when snow depths exceed 12" depth. The issue I have with this statement is it does not justify why a minimum 12" snow depth is required for OSV use, but rather simply the arbitrary value of 12" snow depth would be adequate. This should be analyzed for what the minimum snow depth is that SNYLF are likely to begin migrating over snow so that a minimum snow depth can be scientifically selected. For example, if migration is unlikely to occur until snow depths reach 2", the snow depth requirement can be set at 3" rather than 12".

-In section *Cumulative Effects to Sierra Nevada Yellow-Legged Frog* it states that "there is a risk of directly adversely effecting SNYLF through collusion." If it's not Trump colluding with Russia, it's snowmobilers colluding with frogs...where does it end? I'm assuming collision is what was meant, just trying to somehow get a laugh from a decision that is infuriating to me.

In section *Sierra Nevada Yellow-Legged Frog Critical Habitat* it states "For the first few years of implementation of the El Dorado National Forest Over-snow Vehicle Use Designation, a subset of Sierra Nevada Yellow-legged frog Critical Habitat will be monitored for resource damage during low-snow conditions over wetlands, riparian areas, and streams." Why is the ENF waiting until the OSV plan is in effect before making this assessment? The results of this assessment could very well show that the 4,589 acres of critical habitat that are being closed to OSV use need not be closed at all. Can the ENF guarantee that after the "first few years" these lands will be re-assessed and unaffected areas reopened?

-Figure 2 "Map of OSV use assumptions for the proposed Eldorado National Forest Over-Snow Vehicle Use Designation Inside the Action Area" is incredibly inaccurate. One of the most popular riding areas is known as Tragedy Springs where riders launch from Mud Lakes Rd just West of Silver Lake and ride to Melissa Coray Peak and along the backside of Kirkwood Ski Resort. The map shows random spots of red denoting moderate use along the path that would be taken, but really the whole thing should be marked moderate use. How can you have a random spot of moderate use up on a ridge nowhere near a road? If there is a spot on a ridge that is moderate use, the whole path to get to that location must also be deemed moderate use. The ENF has attempted to convey that closing the vast majority of acreage has little to know impact to the snowmobiling community because it's mostly "low use" areas being closed, but many of the areas deemed "low use" are actually moderate to high use. This means the closures will have a much greater impact on the snowmobiling community than the ENF analysis conveys making the entire thing extremely deceptive.

-Figure 6 "Sierra Nevada yellow-legged frog occurrence data and amphibian survey overlapping its elevational range in the proposed Eldorado National Forest Over-Snow Vehicle Use Designation" shows an area just south of Silver Lake that would be closed to OSV use? No justification has been provided for closing this area and, per Figure 6, there's not a single SNYLF occurrence in the majority of the closed area. This closed area leaves a very narrow area where snowmobilers would be bottlenecked down creating a potential safety hazard. Please do not close unnecessary areas.

-Comments for Figure 7 are the same as for Figures 2 and 6.

-Comments for Figure 9 are the same as for Figure 6 only with respect to YOTO rather than SNYLF.

### **Pro-Active Response To Snowlands, Et Al.**

I am quite certain Snowlands and the other groups are going to argue the following two points, which is why I'd like to pro-actively state how their points should be discounted.

-Snowlands, Et Al: Open OSV areas must not be larger than a ranger district and they are because bordering ranger districts have bordering open OSV areas.

-Response: The requirement to not allow open OSV areas larger than a ranger district was to prevent the ENF from simply saying an entire area (ie. Pacific, Amador, Placerville, etc) is open for OSV use. There are closed off areas in all ranger districts making open acreage in a single ranger district less than the total acreage in that ranger district.

-Snowlands Et Al: Anderson Ridge is important to skiers and needs to be closed to OSV use.

-Response: Anderson Ridge is in the middle of the ONLY groomed OSV trail within the ENF and has never been closed to OSV use in the past. The Iron Mountain Sno Park is one of my most visited riding areas and I have NEVER seen a skier anywhere near Anderson Ridge.


### **Conclusion**

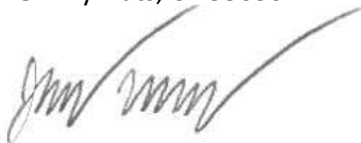
Like I mentioned before I am a resident in the affected area as opposed to some of these opposition groups who reside hundreds or even thousands of miles away. I urge you to please consider the local community when making your final decision and I hope you'll do the right thing by reversing the decision that has been made. **No snow depth requirements, no land closures unless thoroughly analyzed and proven essential, and no designated PCT crossings...they simply are not necessary. Please reverse the decision to move forward with Alternative 5 and instead select the originally proposed Alternative 2 with minor revisions.**

Thank You,

Jared McVey

  
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**From:** [Brown, Nevia -FS](#)  
**To:** [Marsolais, Jennifer - FS](#)  
**Subject:** FW: ENF OSV Project  
**Date:** Friday, December 21, 2018 8:06:56 AM  
**Attachments:** [El Dorado National Forest OSV Use Designation Objection - McVey - 12-13-18.pdf](#)

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**From:** mcvey\_jared@yahoo.com [mailto:mcvey\_jared@yahoo.com]  
**Sent:** Sunday, December 16, 2018 9:27 PM  
**To:** FS-objections-pacificsouthwest-regional-office <objections-pacificsouthwest-regional-office@fs.fed.us>  
**Cc:** mcvey\_jared@yahoo.com  
**Subject:** ENF OSV Project

Please find attached my formal objection to the El Dorado National Forest's final decision for the OSV Use Designation Project.

Thank You,

Jared McVey  
[mcvey\\_jared@yahoo.com](mailto:mcvey_jared@yahoo.com)



Sent from my iPhone