



May 13, 2019

Randy Moore, Regional Forester
USDA Forest Service
Attn: Stanislaus National Forest Over-Snow Vehicle Use Designation
1323 Club Drive
Vallejo, CA 94592

Submitted via email to objections-pacificsouthwest-regional-office@fs.fed.us

Re: Stanislaus National Forest Over-Snow Vehicle Use Designation

Dear Regional Forester Moore,

Winter Wildlands Alliance and Snowlands Network (Objectors) file this objection to the Stanislaus National Forest Over-Snow Vehicle (OSV) Use Designation Draft Record of Decision ("Draft ROD") of March 22, 2019, pursuant to 36 C.F.R. part 218 and 36 C.F.R. part 219. The Objectors filed timely comments during the Scoping phase (August 3, 2015) and on the Draft Environmental Impact Statement (October 9, 2018) for the project. Therefore, we have standing to object per 36 C.F.R. § 218.5(a) and 36 CFR 219.53(a).

Snowlands Network is a membership-based organization that advocates for nonmotorized backcountry winter recreation. Winter Wildlands Alliance is a national non-profit organization dedicated to promoting and preserving winter wildlands and a quality human-powered snowsports experience on public lands. Both Snowlands and Winter Wildlands Alliance's members often visit the Stanislaus national forest in the winter and spring seeking opportunities for quiet recreation such as skiing, snowshoeing, and snow play. Members of both organizations will be significantly affected by the OSV Use Designation decision.

Formal notice of the objection period was published in the newspaper of record on March 22, 2019. However, due to a website outage, the 45-day objection period was extended by 7 days and ends on May 13, 2019, making this objection timely. The Responsible Official is Jason Kuiken, Forest Supervisor. The name of the proposed project is the Stanislaus National Forest Over-Snow Vehicle Use Designation. The implementation area is the Stanislaus National Forest (STF).

Our organizations have been very involved in the STF OSV designation process over the past 4 years. Unfortunately, while we appreciate the amount of time and effort that has gone into this project, we are disappointed that the draft ROD is only a slight improvement over the DEIS Proposed Alternative (Alternative 2) on which we commented this past summer. There are elements of the draft plan which we support – establishing a minimum snow depth restriction, setting a season of use at Sonora Pass that is consistent with that of the Bridgeport Winter Recreation Area, and not designating some popular quiet recreation areas for OSV use – and we ask that we retain standing as interested parties to any further discussion, objection or deliberation on these topics.

However, there are many aspects of the plan that fail to comply with the Travel Management Rule, 2012 Planning Rule, and other governing regulations. Only minor aspects of our recommended Alternative 3

were included in the Preferred Alternative (Modified Alternative 5), and some important elements of those recommendations were not adopted, with the result that the Draft ROD fails in important ways to minimize conflict between OSV use and other uses.

One of the primary reasons that our organizations have engaged in this OSV Designation process is to reduce conflict between OSV recreation and non-motorized recreation uses on the STF. Current management does not minimize conflict between uses, and we are worried that the STF still does not fully grasp the extent of use conflict on the forest or perhaps recognize that conflict is not always overt and can result from safe and legal operation of OSVs.

We offer the following objections and remedies to help improve the final decision. **This objection is brought pursuant to both 36 C.F.R. § 218 (Project) and 36 C.F.R. § 219 (Forest Plan Amendment).**

OBJECTIONS

1. THE DRAFT ROD FAILS TO MINIMIZE CONFLICT BETWEEN OSV USE AND NON-MOTORIZED RECREATION USE

The Objectors discussed this issue on pages 2-4 of our comments on the DEIS and bring this objection under 36 C.F.R. § 218.

The 2015 Travel Management Rule (TMR) states that the Forest Service, in designating areas and trails for OSV use, must consider the effects of OSV use with the objective of minimizing the conflicts between motor vehicle use and existing recreational uses of National Forest System Lands. As we explained in our DEIS comments on page 4, the 9th Circuit Court has ruled that the Forest Service must proactively minimize impacts and not just identify or consider them and must demonstrate in the administrative record how it did so.¹ The Court held that “mere ‘consideration’ of the minimization criteria is not enough.” The Forest Service must show not just that impacts have been studied, but specifically demonstrate how effective each of the Alternatives presented in the DEIS is in minimizing impacts from OSVs.

As described in *Table 2 Significant Issues statements* on page 12 of the FEIS, Vol I, OSV use has the “potential to impact the quantity and quality of NFS non-motorized winter recreation opportunities ...”. The table then goes on to list the possible impacts of OSV use on the non-motorized recreationist, including consuming untracked powder, compacting the snow surface making travel difficult for the non-motorized user, concerns for safety, creating noise and air pollution, and destroying the solitude of others.

Table 9 Resource-specific management requirements developed as a result of minimization criteria screening exercise to minimize conflicts between OSV use or users and existing or proposed recreational uses on NFS lands and neighboring Federal lands on page 42 of the FEIS, Vol I describes methods for minimizing conflict between uses. This includes advertising OSV areas as “multi-use” to reduce the expectations of non-motorized users that they will have a scent-free, quiet experience and undisturbed snow tracks. However, lowering the expectations of non-motorized users does not lower the conflict that will occur when both motorized and non-motorized uses occur the same area. The Travel Management Rule requires the Forest Service to minimize use conflicts, not just lower user expectations

¹ *WildEarth Guardians v. U.S. Forest Service*, 790 F.3d 920 (9th. Cir. 2015).

of a conflict-free experience. Non-motorized users traveling through an area or on a trail designated for OSV use are already aware that they are in a “multi-use” area.

Table D-16 on page 226 of FEIS, Vol II presents a set of questions used by STF to analyze the occurrence of conflict between OSV use and other uses. The basic questions asked are 1) “Would OSV use occur in the same location as other existing or proposed recreational uses?” and 2) “Have conflicts been reported or are they currently occurring between OSV use/recreationists and other recreational use?” The table then presents answers to these questions for each OSV area and designated trail. However, no justification is given for the answers, and it is apparent that some of the answers given in the table are wrong.

The OSV areas Alpine, Eagle, Hwy 108, Hwy 108 West, Interface, North Hwy 4, and North Hwy 4N have been determined to have OSV use in the same area as other uses. Of these areas, only Alpine and Hwy 108 are said in Table D-16 to have reported conflicts, in the Round Valley and Dodge Ridge areas, respectively. However, the question being asked is not only whether conflicts have been reported, but also if conflicts are occurring or likely to occur.

There is no question that conflicts have occurred and are occurring in these areas, the vast majority of which are not being reported. STF does not have an easy or well-publicized way for the public to report conflicts, and there is no description of any methods used to survey non-motorized users to estimate the level of conflict occurring in these areas. Snowlands Network has had an on-line conflict reporting system for 18 years, and there have been several specific reports of conflict within STF. All of these reports have been submitted to STF but were apparently not considered in the context of this plan. We have attached a sampling of these at the end of this objection letter as Appendix A. It must be noted that there has been no motivation for non-motorized users to report conflicts to the Forest Service or to Snowlands, as it has been made abundantly clear that unless the incident involved the unsafe or illegal operation of a motor vehicle, there would be no enforcement action taken by the Forest Service. So the claim in the FEIS that no conflicts are occurring in these areas because none were reported is not credible.

Furthermore, the forest must recognize that skiers, snowshoers and other nonmotorized recreationists, in order to avoid potential conflicts in areas heavily used by motorized users, generally tend, as they have historically, to simply go elsewhere (in many cases to another forest) to find quiet, accessible, conflict-free recreation. This tendency by nonmotorized users to avoid areas dominated by motorized use does not negate the existence or likelihood of conflict between competing uses and does not absolve the forest’s responsibility to find ways to reduce and minimize such conflict through thoughtful travel planning.

The primary source of use conflict is due to overlapping OSV use in areas that are traditionally popular with non-motorized winter recreation, such as backcountry skiing, snowshoeing, snowboarding, and snowplay. In the scoping phase we identified seven areas within STF that are popular with non-motorized recreationists. One of these areas is Round Valley, which is closed to OSV use under current management and would remain closed under Alternative 5 – Modified of the Draft ROD. A second area is Dodge Ridge, which contains marked trails that are already closed to motorized use, making that area effectively closed to motor vehicles, and the area would remain closed under the Selected Alternative. In our scoping comments and the Alternative that we submitted we recommended that five additional important non-motorized areas not be designated for OSV use and supplied GIS shape files to define the

areas precisely. We emphasized in our comments to the DEIS that in order to minimize conflict with non-motorized recreation, all seven of the above areas should be closed to OSV use in the final plan.

The Draft ROD states on page 6 that five areas were not designated for OSV use to provide for “accessible, quiet, non-motorized winter recreation opportunities” and that these areas were “specifically requested.” However, while we appreciate the setting aside of areas for non-motorized recreation, the attempt at minimizing conflict misses the mark by closing areas that are not popular for non-motorized recreation and leaving open for OSV use areas that are, or historically were, popular for non-motorized recreation.

The five areas mentioned in the Draft ROD and the reasons why not designating them for OSV use fails to provide any significant additional opportunity for non-motorized recreation and fails to minimize conflict between OSV use and other uses are discussed below.

1. West and East Shores of Lake Alpine. Closing the areas on either side of Lake Alpine will help minimize conflict between OSVs and skiers making day tours from the Lake Alpine Sno-Park. However, many of those touring in this area will include a traversal of Osborne Hill, located just south of the Sno-Park and providing an access route to Lake Alpine that does not involve comingling with motor vehicles traveling on the groomed Highway 4 OSV route. Designating Osborne Hill for OSV use will therefore result in inevitable conflict without improving opportunities for snowmobilers, who generally are traveling east on Highway 4 to access the Alpine OSV Area.
2. Contiguous corridor extending from the Lake Alpine Sno-Park south. This area is located just west of Osborne Hill and includes the steep west slope of that feature. Not designating this area for OSV use will do nothing to minimize conflict in this area and will not effectively provide an opportunity for non-motorized recreation. Non-motorized users will not use this corridor to travel between the Sno-Park and the Bear Valley Cross-Country ski area. Those who wish to ski or snowshoe on the groomed trails of the Bear Valley Cross Country Center will park at Bear Valley Village, where they can rent equipment and purchase the required trail passes. Closing this area to snowmobiles makes no sense as long as the adjoining Osborne Hill area is designated open.
3. Big Meadow. This area, south of Highway 4, west of the Spicer Sno-Park, and including the Big Meadow Campground, has historically been managed for non-motorized use. The area is not used by snowmobiles, as it has poor parking and access for vehicles. The area has good terrain for beginning skiers, with only short tours possible because of the limited size of the area (less than 600 acres), and not designating this area for OSV use makes sense. However, the Draft ROD designates the eastern part of this area, including Forest Road 7N02, for OSV use. FR 7N02 is the main access route for non-motorized recreationists visiting this area, and allowing snowmobiles to use this route will cause conflict between motorized and non-motorized uses.
4. Leland Meadow and Herring Creek Road. This area is popular with non-motorized recreation users. However, those users will access this area by using Herring Creek Road. Since the Draft ROD designates Herring Creek Road as open to OSV use, conflicts here will occur.
5. Dodge Ridge. This area is the location of marked and patrolled trails that are currently designated as non-motorized. While it makes sense that the area around the trails not be

designated for OSV use, doing so does not increase opportunity for non-motorized recreation because motor vehicles are already effectively excluded from the area.

In the paragraphs below, we describe how the area designations in three OSV areas in the draft ROD fail to minimize use conflict, and we include remedies for each area.

Hwy 108 Area

As we described in our DEIS comments, the area east of Highway 108 between Herring Creek Road (FR 4N12) and Forest Road 5N40Y at Cow Creek is popular with backcountry skiers and visitors engaging in general non-motorized snowplay. We identified the southern portion of this area as “Herring Creek” in our scoping submission and recommended that it be closed to OSV use, including Herring Creek Road itself, which forms the southern boundary of the area. The intersections of Herring Creek Road and FR 5N40Y with Highway 108 provide limited parking and access. Four ski tours in this area are described in a cross-country ski guidebook.² Either the Cow Creek or Herring Creek Road access point should be closed to OSV use to create the opportunity for a non-motorized experience and thus minimize use conflict in this area. In our earlier comments, we suggested that Herring Creek Road be chosen as a non-motorized access point and be closed to OSV use to form the southern boundary of a 1000-acre non-motorized area.

While the Draft ROD designates our recommended area as closed to OSV use, it leaves Herring Creek Road (FR 4N12) itself as a designated OSV route. Since the road is the main access route for non-motorized users into this area, allowing OSV use on the road will not minimize conflict, and there will be no opportunity here for a non-motorized experience for cross-country skiers and snowshoers. Some form of non-motorized access is needed in this area to permit the enjoyment of a quiet, backcountry winter experience.

Remedy

Either

- Close Herring Creek Road to OSV use from its intersection with Highway 108 to its intersection with Forest Road 5N17

or

- Extend the Herring Creek closure north to FR 5N40Y and close the Cow Creek access point to OSV use to provide a non-motorized access route into this area.

Alpine Area

In our scoping plan and again in our DEIS comments we suggested not designating for OSV use the area south of Highway 4 near the Lake Alpine Sno-Park and the west and east shores of Lake Alpine. We identified this area as “Osborne Hill and Lake Alpine.” This area has been historically set aside for non-motorized recreation and provides access to the Carson-Iceberg Wilderness area to the south. Osborne Hill, just south of the Sno-Park, affords a short but challenging tour for beginning skiers with good views of Bear Valley to the west from its top, and its terrain is a good complement to the steeper, more advanced ski terrain found north of the Sno-Park.

² *Ski Tours in the Sierra Nevada Volume 2*, M. Libkind, Bittersweet Publishing Co., 1985, pg. 122-129.

The Draft ROD closes (does not designate) the west and east shores of Lake Alpine to OSV use. It also closes the steep west slope of Osborne Hill and the lands west to Highway 4, providing, as stated in the Draft ROD, “a contiguous corridor extending from the Lake Alpine Sno-Park south to a more open 2,882 acres area adjacent to the Bear Valley cross-country ski special use permit area.” However, the Draft ROD designates about 300 acres for OSV use, including the more moderate east slope of Osborne Hill east to a designated OSV route running south towards the Spicer OSV Area.

While we appreciate the non-designated areas next to Lake Alpine, the exclusion of Osborne Hill itself is problematic. Osborne Hill is seldom used by snowmobiles, and designating this small, isolated area for OSV use will cause conflict with non-motorized uses while doing little to improve OSV recreation. Snowmobiles staging at the Lake Alpine Sno-Park use designated routes to the west to connect with Bear Valley Village, to the south along Slick Rock Road (FR 7N17) to connect with the Spicer OSV Area, and to the east along Highway 4 for the Alpine OSV Area. As long as these designated routes exist, not designating Osborne Hill for OSV use will not impact OSV recreation in this area.

Remedies

- Do not designate OSV use on the approximately 300 acres that includes the eastern slope of Osborne Hill and lands east to Slick Rock Road (FR 7N17).
- Designate an OSV route south from Highway 4 along Slick Rock Road (FR 7N17).

Spicer Area

We are pleased that the Draft ROD does not designate most of the Big Meadow Campground area for OSV use. However, the Draft ROD does designate Forest Road 7N02 for OSV use. This road is the main access route for non-motorized recreationists visiting this area, and allowing snowmobiles to use this route will cause conflict between motorized and non-motorized uses and dissuade skiers and snowshoers from accessing the non-motorized area at Big Meadow Campground. The area not designated in the Draft ROD should be extended about one-quarter mile to the east to include FR 7N02 and the land to the east of that road that is above 6400 feet – this would include all of the usable ski terrain.

Remedy

- Do not designate for OSV use all of the land east of FR 7N02 within one-quarter mile of that road and above 6400 feet.

North Highway 4 Area

The area north of Highway 4 and west of Bear Valley Village contains two areas that we identified in our scoping comments as popular with non-motorized users: Mattley Ridge and the Cabbage-Patch-to-Black Spring area.

Cabbage Patch to Black Spring

The Cabbage Patch to Black Spring area is located about 6 miles west of Bear Valley Village. There is poor access for snowmobiles here, and limited parking for only a few vehicles at the intersection of Cabbage Patch Road (FR 7N09) with Highway 4. There are many miles of unplowed roads here in the winter, and in our scoping comments and DEIS comments we recommended this area be managed for non-motorized recreation and not designated for OSV use. Three ski tours in this area are described on

the Backcountry Ski Tours website.³ There is little snowmobile use in this area, although there are residences in St Michele Meadow that are accessed by OSV.

This area is entirely designated for OSV use in the Draft ROD, and OSV use here will cause conflict between motorized and non-motorized recreation. The area should not be designated for OSV use, although Cabbage Patch Road can be designated as an OSV route to provide access to the OSV areas to the north, beyond Pumpkin Hollow. There is no explanation given in the FEIS for how designating this area for OSV use will minimize use conflict.

Remedies

- Do not designate the area between Cabbage Patch Road and Black Spring north of Highway 4 as shown in Alternative 3 for OSV use.
- Designate Cabbage Patch Road (FR 7N09) as an OSV route from its intersection with Highway 4 to its intersection with Black Spring Road (FR 7N23).

Mattley Ridge

The Mattley Ridge area is located just east of the Cabbage Patch to Black Spring area described above. The area runs from roughly Cabbage Patch Road (FR7N09) on the west, to Mattley Meadow and Flagpole Point on the north, and FR 7N11 on the east. Access is from the intersection of Cabbage Patch Road and Highway 4. We identified this area as important to non-motorized recreation in our scoping comments and also in our DEIS comments. There are four tours in this area described in a backcountry skiing guide book, plus a classic Bear Valley ski tour that starts at the Bear Valley downhill ski resort and ends at Cabbage Patch Road.⁴ The area affords good touring for both beginners and intermediates.

This area has historically been used by non-motorized recreationists, as there is poor OSV access to the area from the Cabbage Patch Road intersection with Highway 4. Some encroachment of the area by snowmobiles traveling several miles from the east from Bear Valley Village has occurred in recent years, leading to conflicts in the area. It is likely this use conflict will increase in future years if the area is designated in the final plan, as it is in the Draft ROD. There is no explanation given in the FEIS as to how designating this area for OSV use will minimize use conflict. Given that this is a long-standing popular backcountry ski zone and use conflict is increasing due to increasing OSV use, the final ROD should not designate this area for OSV use in order to minimize conflict. Doing otherwise will only lead to increased use conflict in coming years.

Remedy

- Do not designate the Mattley Ridge area for OSV use as specified in Alternative 3.

Conclusion

While we appreciate that the Draft ROD has made some attempts to minimize conflict between OSVs and non-motorized recreation by setting aside five areas as closed to OSV use, this effort is critically flawed in that three of these five areas still leave open to OSV use lands that are popular with skiers and snowshoers, and three other areas of importance to non-motorized recreation are designated in their

³ <http://www.backcountryskitours.com>

⁴ *Ski Tours in the Sierra Nevada Volume 2*, M. Libkind, Bittersweet Publishing Co., 1985, pg. 88-94, 99-100.

entirety for OSVs. As explained above, the corridor extending south from the Lake Alpine Sno-Park and running west of Osborne Hill to the open area encompassing the cross-country resort is not used by skiers; the Big Meadow closure does not include the road FR 7N02 that is used by skiers to access this area; and the Herring Creek closure does not include Herring Creek Road (4N12) itself. Thus, the only designations in the Draft ROD that are effective in actually minimizing conflict by separating motorized and non-motorized recreation uses are the non-designated areas around the west and east shores of Lake Alpine.

2. THE DRAFT ROD DESIGNATES OSV USE IN NEAR NATURAL AREAS, WHICH ACCORDING TO THE CURRENT FOREST PLAN AND RECENT PLAN DIRECTION ARE TO BE MANAGED AS NON-MOTORIZED YEAR-ROUND.

Throughout this planning process we have consistently opposed designating OSV use in Near Natural Areas and have explained in great detail why doing so would be in violation of the National Forest Management Act (NFMA) and the Over-Snow Vehicle Rule. We commented on this issue on pages 10-12, 18, and 20 of our 2015 scoping comments and pages 11-13 of our 2018 DEIS comments. As this objection pertains to a forest plan amendment, we object under 36 C.F.R. § 19.

The 1991 forest plan recognizes that the Pacific Valley and Eagle/Night Near Natural Areas hold important ecological value and are equally valued for their unique high-quality non-motorized recreation opportunities. To preserve these values, the Forest Plan states that Near Natural Areas must be managed as semi-primitive non-motorized. Forest plans provide programmatic-level direction that is intended to guide project-level planning, including travel management planning. Therefore, these areas should never have even been under consideration for OSV planning. The Forest Service even acknowledges this on page 16 of the Draft ROD, stating “forest plans provide the sideboards for future site-specific actions.”

The Forest Service cannot simply ignore, or amend, the Forest Plan whenever it is inconvenient to comply with the plan direction. We understand that the OSV community has been riding in these areas in violation of the Forest Plan for many years, with no enforcement to the contrary, and that they enjoy riding in these areas. We wish the STF had adhered to its Forest Plan starting whenever OSV use began to occur in these areas and nipped the problem in the bud. However, just because the STF neglected its duty to follow its own plan direction and illegal use has become established, it does not justify throwing that direction – the reasons for which remain valid – out. Just as in 1991, these Near Natural Areas are *still* critically important (arguably even more so now, two decades later) for imperiled wildlife and highly valued for non-motorized uses. Designating any portion of Near Natural Areas for OSV use is inconsistent with the Forest Plan and violates NFMA.

The STF has proposed to amend the Forest Plan so that non-motorized settings don’t interfere with designating Near Natural Areas for OSV use. While this is a convenient way for the Forest Service to wiggle out of a difficult situation and attempt to avoid a NFMA violation, it sets a dangerous precedent that does not benefit the agency or the public. If the STF Forest Plan can be changed on a whim then forest plans, and forest planning, become meaningless. The STF is about to embark on a forest plan revision, and this action sends a message to the public that there is no reason to engage in forest planning because the forest plan will be ignored, thus disenfranchising the public who are, of course, the owners of these lands. This is an even *more* egregious action because of the specifics of this case. The STF has decided to ignore, and conveniently amend, its Forest Plan to reward a vocal constituency that

has trespassed illegally for decades into sensitive areas with exceptional wilderness, wildlife, scenic and quiet recreation values. Values for which the areas were explicitly protected in the Forest Plan. Furthermore, the agency has not demonstrated *any* scientific reason why such an amendment and designation is warranted, though it has been presented with copious amounts of information to the contrary.

If the STF wishes to revisit the issue of whether these areas are deserving of Near Natural status, and/or what such a designation means, the upcoming forest plan revision process is the appropriate time to have this conversation with the public. Designating motorized use in Near Natural Areas now not only reduces the potential for these areas to be meaningfully considered for wilderness recommendation in forest planning, it sends a message that Forest Plan designations – especially non-motorized, roadless, recommended wilderness or other conservation designations - are up for debate and can be changed at any time. The Draft ROD says as much, stating that the forest plan amendment will “allow the Forest Service to more rapidly adapt site-specific OSV use designations based on new information and/or changed circumstances as a forest plan amendment will not be required to make future changes in OSV use designations” (page 17). This is to say that the Forest Plan no longer guides travel management planning, thus leaving us to wonder what exactly the purpose of the Forest Plan might be and what programmatic direction *does* guide travel planning?

While disregarding the Forest Plan may be convenient for the STF at this moment in time, as Regional Forester we hope that you would be alarmed by such a decision. In the Southern Sierra the Region has been working closely with stakeholders – many of whom are also involved in STF winter travel planning – on forest plan revision. We have all worked and continue to work diligently on the Inyo, Sierra, and Sequoia forest plan revision processes in good faith and with the understanding that our efforts will result in meaningful conservation gains, long-term direction, and certainty for all user groups. The STF’s proposed forest plan amendment undermines these efforts by telling the public that forest plans do not in fact provide certainty or programmatic direction and that conservation gains can easily be undone. On top of this, the proposed amendment sends a message that ignoring closures or restrictions pays off, thus undermining the Forest Service’s already weak position when it comes to enforcing its management and travel plans. This forest plan amendment may seem like a simple thing, an easy fix for a difficult problem. Take a step back, however, and it becomes clear that if Region 5 allows the STF to proceed with this amendment it will shake the very foundations of forest management planning.

This proposed forest plan amendment also violates the 2012 Planning Rule. Procedurally, under 36 C.F.R. § 219.13(b), the Forest Service must base any amendment on a preliminary identification of the need to change the plan. The FEIS does not identify a valid need for this forest plan amendment. It suggests on page 17 that the amendment is needed because OSV-use designations were not “fully contemplated” in the 1991 forest plan, which pre-dated the Travel Management Rule, and “OSV use is occurring in management areas in the forest under current management of which the Forest Plan directs are to be managed as non-motorized” These are not valid or defensible needs for change. Forest plans provide programmatic direction regarding motorized and non-motorized management. The plan directs where motorized use is suitable regardless of the specific types of motorized use that may be designated in these areas in the future. The fact that site-specific OSV designations were not required in 1991 is irrelevant. The second supposed need for change – that the forest plan has not been enforced and illegal use has occurred – does not in any way justify throwing out the parts of the plan that have

been ignored. The proposal to change the forest plan, as identified by the STF, is arbitrary, capricious, and not supported by any scientific evidence.

Even if the STF had a valid rationale for proposing this amendment, the STF's analysis of the amendment violates the NEPA requirement to analyze a range of reasonable alternatives. According to Table 1 in the Draft ROD and page 16 in the FEIS, the amendment is consistent across alternatives, including Alternative 3, even though this alternative does not actually designate OSV use within Near Natural Areas. This means that the STF did not analyze or seriously consider an alternative that did not amend forest plan direction for Near Natural Areas to be managed as non-motorized. While it's true that Alternative 2 doesn't include a plan amendment, this alternative was not seriously considered because it does not comply with the Travel Management Rule.

Substantively, to amend a forest plan, the Forest Service must determine, and meet, the relevant substantive requirements detailed in the 2012 Rule under 36 C.F.R. § 219.8 through 219.11. Under 36 C.F.R. § 219.13(b)(5), determination of which substantive requirements apply must be based on the purpose for the amendment and its likely effects. The Forest Service must use best available science and public comments, among other sources of information, to determine these effects. Under § 219.13(b)(5)(ii)(A), one effect that the Forest Service must consider is how the amendment will impact wildlife species – a topic on which we have provided substantial information in our scoping and DEIS comments. In particular, our comments focused on and raised concerns about Sierra Nevada red fox and Pacific marten. Per 36 C.F.R. § 219.13(b)(6) of the 2012 Rule, “if species of conservation concern (SCC) have not been identified for the plan area and if scoping or NEPA effects analysis for the proposed amendment reveals substantial adverse impacts to a specific species, or if the proposed amendment would substantially lessen protections for a specific species, the responsible official must determine whether such species is a potential SCC, and if so, apply section 219.9(b) with respect to that species as if it were an SCC.” Despite multiple organizations and individuals providing timely scientific analysis showing that there will be substantial adverse impacts to these species if OSV use is designated in Near Natural Areas, the STF did not apply § 219.13(b) when determining to amend the Forest Plan.

Because designating motorized use within Near Natural Areas will substantially lessen protections for Sierra Nevada red fox and Pacific marten, the STF should have applied the substantive species protection provisions of the 2012 rule, including: sections 219.8(a)(1) (providing for ecological integrity), 219.9(a)(1)-(2) (providing for species diversity through course-filter plan components to achieve ecosystem integrity and diversity), and 219.9(b) (providing for species diversity through species-specific plan components to conserve proposed and candidate species and to maintain viable populations of species of conservation concern).⁵ Our earlier comments – Exhibit B of our August 2015 scoping comments and comments submitted on our behalf by Darça Morgan on October 9, 2018 - provide extensive detail as to how OSV use disturbs these rare and sensitive wildlife. As these comments are in the administrative record we need not repeat the details of our concerns here.

Near Natural Areas are important for non-motorized recreation as well as imperiled wildlife, but the STF also did not consider how the amendment related to the 2012 Rule provisions concerning multiple uses and sustainable recreation, such as § 219.8(b)(2), (4), & (6) and § 219.10(a)(1), (5), & (8). These provisions of the 2012 Rule are of particular importance to our organizations and constituency, as they

⁵ 36 C.F.R. § 219.13(b)(5)(ii)(A)

provide a pathway for the Forest Service to balance, and integrate, recreation uses as part of forest management. Given that travel management is in many ways a recreation-focused process, and the STF's reasons for amending its forest plan are wholly to meet the desires of a recreation user group, it is remarkable that the Forest Service did not consider, much less comply with, these provisions. By ignoring both wildlife *and* sustainable recreation/integration, the STF did not consider the full effects of the forest plan amendment.

The provisions of the 2012 Rule that the STF did acknowledge the amendment is related to – 32 C.F.R. §§ 219.10(a)(1), (6), and (10) (FEIS, Vol I page 17) - are a first step, but even here the Forest Service has not complied with those substantive requirements. The STF's amendment essentially eliminates standards and guidelines for recreational settings in Near Natural Areas, in violation of § 219.10(a). The negative impacts that action has on quiet recreation, wildlife, and other values were not fully considered in the FEIS. For example, by designating OSV use within Near Natural areas the STF's amendment will have a negative impact on opportunities for non-motorized winter recreation. If properly managed – as non-motorized – Near Natural Areas on the STF provide equally high-quality winter recreation opportunities as they do summer.

Both the Pacific Valley and Eagle/Night Near Natural Areas, if managed according to established semi-primitive non-motorized recreation opportunity settings, provide exceptional remote winter ski and split-board touring terrain and unique opportunities to experience solitude, primitive recreation and wildland scenery on the forest. Claims that these areas are “too remote” to be accessed by skiers have no basis in fact. On the contrary, for many who appreciate primitive recreation, the very remoteness of these areas in winter is their greatest appeal. In any case, we have spoken with various skiers and splitboarders who in midwinter have traveled the dozen or so miles from the Highway 4 winter road closure along designated motorized routes to the edge of the Pacific Valley Near Natural Area, then parked their OSVs and traveled from there on skis and splitboards to access slopes on Bull Run and other peaks. Many more non-motorized users regularly access this area in spring, from both the west and east sides of the range, once the highway is plowed. The same is true of the Eagle/Night Near Natural Area from Sonora Pass.

Furthermore, the forest must recognize, as noted above under Section 1 (“The Draft ROD fails to minimize conflict between OSV use and non-motorized recreation use”), the primary reason there may now be limited non-motorized recreation in these and adjacent areas is not due to access issues but rather to the reality that these areas have become dominated by motorized (and in the case of NNAs illegal motorized) use. Many avid ski and split-board tourers would consider undertaking long day and even overnight trips into these special areas, as they do into the Carson Iceberg Wilderness, if they could be sure that when they got there they would not find the landscape overrun with illegal OSV use.

Finally, the FEIS and draft ROD do not truly grasp the impact that the amendment has on the outstanding wilderness values Near Natural areas hold. While it's true that OSVs don't (generally) leave a lasting visual or audible mark on a landscape, their use dramatically reduces wilderness characteristics (and subsequent potential for designation) for any area where such use is permitted. As we have learned from working through forest planning elsewhere in the country, including Region 5, the wilderness recommendation process is heavily prejudiced by whether or not motorized uses are authorized for a particular area. If motorized uses are authorized and/or present this generally disqualifies areas from any meaningful wilderness consideration. For example, during the Inyo National

Forest Plan Revision the forest did not consider for wilderness recommendation “the portions of polygons that include authorized motorized trails based on recent travel management decisions” because, according to the Forest Service, those uses limit opportunities for solitude or primitive recreation and/or would frustrate management of the unit as recommended wilderness.⁶ Given this example – from Region 5’s very own “early adopter forest” – the STF cannot claim that a decision which designates motorized use within semi-primitive non-motorized, wilderness-suitable areas will not at least prejudice, and more likely eliminate, these areas from consideration as recommended wilderness during forest plan revision. Furthermore, amending the forest plan to facilitate designating Pacific Valley and the Eagle/Night Near Natural Areas for OSV use, the Forest Service has no doubt led the OSV community to believe that these areas are *not* suitable for wilderness recommendation. As a small step towards ensuring that the upcoming wilderness recommendation process will not be influenced by travel management designations, the final ROD must state that OSV designations will not be used to downgrade or disqualify any wilderness-suitable areas on the STF during forest plan revision, and that all OSV designations will be subject to reconsideration in the upcoming forest plan revision.

Remedies

- Do not amend the forest plan and do not designate Near Natural Areas for OSV use
- Clearly articulate in the final ROD that OSV designations – including the decision not to designate OSV use within Pacific Valley and the Eagle/Night Near Natural Areas are subject to reconsideration in the upcoming forest plan revision, if in that process the Forest Service determines that motorized uses are suitable in these areas.

3. THE DRAFT ROD FAILS TO MANAGE THE PACIFIC CREST TRAIL IN ACCORDANCE WITH THE PACIFIC CREST TRAIL COMPREHENSIVE PLAN, THUS FAILING TO MINIMIZE IMPACTS BETWEEN OSV USE AND OTHER RECREATIONAL USES ALONG THE PACIFIC CREST TRAIL.

We discussed PCT management on pages 10-11 of our DEIS comments, and we object under 36 C.F.R. § 18. We are pleased with much of how Alternative 5 would manage OSV use in regards to the PCT. Marking the PCT on Over-Snow Vehicle Use Maps, not designating OSV use along the trail Tryon and Bald Peak proposed wilderness areas or north of Highway 108, and ending the OSV season on Sonora Pass on April 16 are all project design features that will serve to protect the non-motorized trail experience along the PCT. However, we object to designating OSV use along the PCT in a 0.48-mile segment located within the Highway 108 OSV use area.

The STF must manage the PCT under the guidelines laid out in the “*Comprehensive management Plan for the Pacific Crest National Scenic Trail*”, Jan 1982. The PCT Comprehensive Plan states that “*Snowmobiling along the trail is prohibited by the National Trails System Act,*” and that “*Winter sports plans for areas through which the trail passes should consider this prohibition in determining areas appropriate for snowmobile use.*” This direction holds regardless of the expected use of the trail during the winter or the distance of the trail from the nearest public access point. Although winter use on the trail may currently be relatively limited, long-distance backcountry ski touring is on the rise worldwide, and winter use on the trail is highly likely to increase significantly over the life of the travel plan.

⁶ Final Environmental Impact Statement for Revision of the Inyo National Forest Land Management Plan, Vol 2, Appendix B, page 125

Alternative 5 designates OSV use along a 0.48-mile segment of the PCT located south of Highway 108 near Sonora Pass. This designation violates the restrictions of the trail's management plan and will inevitably lead to conflict between OSV use and non-motorized uses of the PCT in winter. The STF has done an admirable job of protecting the non-motorized character of the PCT throughout the rest of the forest and should follow its own example for this section of the trail as well by not designating OSV use adjacent to the trail in this 0.48-mile section. To provide connectivity for OSV users recreating in the Bridgeport Winter Recreation Area and the Highway 108 OSV area the STF should, however, designate an additional 0.25-mile wide OSV crossing point across the PCT. We support the designated crossing point proposed by the Pacific Crest Trail Association (PCTA), as described in their objection letter.

Remedies

- Do not designate OSV use adjacent to the PCT in any part of the STF
- Designate a single OSV crossing point across the PCT to connect the Highway 108 OSV area with the Bridgeport Winter Recreation Area as proposed by PCTA

4. THE DRAFT ROD INCORRECTLY CALCULATES THE SIZE OF AREAS OPEN TO OSV USE

As this is a project-level decision, this objection pertains to 36 C.F.R. § 19.

In discussing the 2005 Travel Management Rule for wheeled vehicles, the Forest Service has stated that *"Areas designated for motor vehicle use are not intended to be large or numerous."*⁷ Area is defined in the 2005 TMR as *"A discrete, specifically delineated space that is smaller, and in most cases much smaller, than a Ranger District."* When Subpart C for over-snow vehicles was modified in 2015 to require the same type of regulation as other vehicles, and with the recognition that OSVs operating on adequate snow depths have less impact on soil and vegetation than their summer counterparts, this definition was modified to *"a discrete, specifically delineated space that is smaller, and except for OSV use, in most cases much smaller, than a Ranger District."*⁸⁹ From this language, it is clear that areas designated for OSV use must be smaller than a ranger district in order to comply with the TMR.

The TMR also specifies that open areas must be *discrete*. The Oxford English Dictionary defines *discrete* as *"separate, detached from others, individually distinct. Opposed to continuous."*¹⁰ The website dictionary.com defines *discrete* as *"Apart or detached from others; separate; distinct."*¹¹ Other dictionaries use terms such as *"discontinuous"*, *"unattached"*, *"unconnected"*, and *"detached"*. Thus it is clear that the TMR is defining an area designated for OSV use that is separate and not contiguous to any other open area.

Because of this regulation, areas of STF designated for OSV use must be smaller than a ranger district, but need not be much smaller, and cannot be adjacent or connected to other designated areas. It should be clear that the areas in question here are the contiguous, discrete, specifically delineated areas that will appear on the OSVUM and in which OSV use is allowed. If the OSV open areas are drawn in one color on the OSVUM and any closed areas are drawn in some other color, it should be clear where the

⁷ Federal Register, Vol. 69, No. 135, page 42384, July 15, 2004

⁸ 36 CFR 212.1

⁹ Federal Register Vol. 80, No. 18, page 4506, Wednesday, January 28, 2015

¹⁰ The Oxford English Dictionary, Second Edition, Clarendon Press, Oxford, 1989.

¹¹ <https://www.dictionary.com/browse/discrete>, accessed 12/7/2018.

OSV areas are located. It should be possible to draw a continuous line around the boundary of each open area, and that line should separate an open area on one side of the line from a closed area on the other side. Then the geometrical area enclosed by that line, minus the sum of geometrical areas of any closed regions located within the interior of the open area, should be equal to the geometrical area of that OSV area. Interior lines drawn through an open area and that are not on the boundary of the area and therefore have open area on each side of the line cannot be used to divide the full open area into smaller subdivisions that are then considered as “discrete, specifically delineated OSV open areas.” The number and area of those subdivisions are irrelevant, because they do not correspond with the definition of area in the Travel Management Rule and they will not appear as distinct, discrete areas on the OSVUM.

The FEIS states on page 5 that *“The 13 OSV-use areas proposed for designation in one or more of the alternatives in this EIS are smaller than even the smallest ranger district (Mi-Wok) in the STF National Forest.”* However, these areas do not comply with the definition of area in the TMR, and their area in comparison to the area of a ranger district is irrelevant.

Some of the 13 areas specified in the FEIS are adjacent to each other and form a larger, contiguous area. For example, the Alpine East Area is adjacent to the Alpine Area; the Eagle Area is adjacent to the Hwy 108 East Area and portions of the Hwy 108 Area; and the Spicer Area is adjacent to the North Hwy 4 Area, although the two areas are separated by Highway 4.

In addition, the Hwy 108 Area and the Alpine Area in Alternative 5 are not contiguous, with both having small, separate pieces not contiguous with the larger, primary piece. Since OSVs may not legally travel between these non-adjacent pieces, the areas of the separate pieces should be calculated and considered separately and not contribute to the area of the whole.

Taking into account the actual sizes of adjacent, contiguous areas and eliminating isolated remote areas, we estimate that the largest contiguous areas formed from the Alpine and Alpine East Areas is 14,631 acres, that from the North Hwy 4 and Spicer areas is 44,546 acres, and that from the Hwy 108 East and Hwy 108 areas is 55,890 acres.

Since all of these areas are well below that size of STF ranger districts, no modification to open area boundaries is required to comply with the TMR. However, the FEIS should be honest and accurate about the computed sizes of OSV open areas and not obfuscate the actual sizes of areas designated for OSV with tricks of geometry and logic.

It should be emphasized that if the logic used in the FEIS to claim compliance with the area size restriction imposed by the TMR were valid, then the entire forest, save mandated closures such as wilderness areas, could be designated as open for OSV use. A contiguous area of any size, including the entire forest, may be arbitrarily divided up by imaginary internal boundaries drawn on a map to create any number of smaller, adjacent areas that will be less than any given numerical limit. If this were actually possible, as implied by the statement on page 6 of the FEIS, then there would be no point in having an area limit restriction in the TMR at all, as any large open area could be divided up into smaller pieces to comply with the size requirement. Since the size restriction does exist, it must be applied accurately, without the slight-of-hand method used by the FEIS.

Remedy

- Calculate the sizes of the actual contiguous OSV open areas that will appear on the OSVUM and compare those areas to the size of a ranger district.

CONCLUSION

Thank you very much for your consideration of the above objections. Please inform us in writing of any responses to these objections or of any further opportunities to comment on decisions.

Sincerely,



Hilary Eisen
Policy Director
Winter Wildlands Alliance
PO Box 631
Bozeman, MT 59771
heisen@winterwildlands.org
Lead Objector



Jim Gibson
Director
Snowlands Network
PO Box 321171
Los Gatos, CA 95032
jgibson@snowlands.org

Enclosures (1)

- Appendix A, Sample Conflict Reports For Stanislaus National Forest, 2001-2018

Appendix A: Sample Conflict Reports For Stanislaus National Forest, 2001-2018

The pages below contain information from reports submitted by members of the public to the Back Country Experience Report (BCER) system, a web-based reporting system maintained as part of the Snowlands Network web site (see <https://www.snowlands.org/report>). This web form has been available to the public since 2001, and since then over 300 reports have been submitted and stored in a database.

The purpose of the BCER system is to track user conflicts, safety issues, and illegal incursions by motor vehicles into wilderness or other closed areas and to provide this information to administrative agencies so that they may take appropriate actions for planning, monitoring, and enforcement. The public is encouraged to submit a report whenever their backcountry experience has been impacted by the presence of snowmobiles or whenever they observe evidence of an infraction by motor vehicles. When a member of the public submits a report, the Snowlands' Land Monitoring Coordinator determines where the incident occurred and forwards any valid reports onto the relevant federal, state, or local agency. If the report contains any ambiguous data or indicates that additional supporting data, such as photographs or GPS trace logs, is available, the Lands Monitoring Coordinator contacts the reporting party for clarification and the data.

Nine such reports have been submitted since 2001 for incidents involving land administered by Stanislaus National Forest. In three cases, the incident also involved land on the adjoining Toiyabe National Forest. All of these reports were submitted to the appropriate ranger district via email at the time. For five of the reports, we recorded the exact date on which the report was submitted. In the other four cases, our records do not indicate the date that the forwarded reports were transmitted. In two of the cases, we received a response from the Forest Service, and the date on which that response was received is indicated on the report. Most of the time, no response is received from the Forest Service to our reports.

The reports give the date and time (if available) that the incident occurred, the name, address, phone, and email of the reporting party, the forest and ranger district in which the incident occurred, the general location of the incident and the entry point that the reporting party used to access the area. Not all reports will contain all of these data fields. In addition, there is a set of checkboxes that the reporting party may use to characterize the nature of the incident: noise, smell, unsafe operation, wilderness incursion, etc. These characterizations are listed in the report under "Issues". The reporter is also asked to provide a detailed description of the incident.

Back Country Experience Report

5/10/19

Forest: Stanislaus District: Calaveras ID: 23
Date: 2001-02-15 Time:
Name: D. Guy Ayers
Address: 26969 Moody Road Los Altos Hills, CA 94022
Phone: Email: dgayers@aol.com
Location: Bear Valley Home Run
Entry:
Reported: Response:
Issues:
Photos or other corroborative data is available

Description:

Two snowmobiles on ski area home run about 1/2 mile beyond gate restricting access. Although it seems like everyone owns a snowmobile in Bear Valley, no snowmobiles are permitted off the plowed roads within the Bear Valley development.

Back Country Experience Report

5/10/19

Forest: Stanislaus District: Groveland ID: 60
Date: 2005-02-13 Time: 13:00
Name: Frank Rauchschalbe
Address: PO Box 274 Standard, CA 95373
Phone: 209-586-1424 Email: frauch@neteze.com
Location: Non motorized use trail (former RR grade) from South For
Entry:
Reported: Response:
Issues:
Photos or other corroborative data is available

Description:

OHV violation (not a OSV). This is a non motorized use trail only, on which I commonly encounter illegal dirt bikes and quads. There were two separate parties of riders today. one group was two dirt bike riders the other was a dirt bike and quad. I followed tracks, they traveled the full length of the trail (3mi). The Quad and dirt bike appeared to enter the trail from the Sugar Pine area, the tracks of the other two motorbikes exited from the Confidence Road entrance.

Vehicle descriptions: The party with the dirt bike and quad stopped and parked their vehicles near Lyons Dam. I was able to get the green sticker number of the motorcycle-- N82F61. The quad had no green sticker so no way to positively id. Both were Yamaha brand vehicles painted blue.

Back Country Experience Report

5/10/19

Forest: Stanislaus, Toiyabe District: Summit, Bridgeport ID: 1857
Date: 2010-05-07 Time:
Name: Jeff Erdoes
Address:
Phone: Email:
Location: Emigrant Wilderness, Leavitt Crater
Entry:
Reported: 5/10/10 Response: 5/10/10
Issues:
Description:
Trespass via BWRA, OSV travel miles on PCT

Back Country Experience Report

5/10/19

Forest: Stanislaus District: Calaveras ID: 195
Date: 2011-01-22 Time:
Name: Marcus Libkind
Address: 1391 Moselle Court Livermore, CA 94550
Phone: Email: mlibkind@bsweet.net
Location: Bee Gulch
Entry:
Reported: 1/26/11 Response:
Issues:

I saw evidence of snowmobiles in a non-wilderness closed area
I was bothered by snowmobile noise

Description:

Location: Round Valley and Woodchuck Basin Near Natural Area near Lake Alpine on Stanislaus National Forest (near Lake Alpine SnoPark).

We (3 of us) skied up Poison Canyon from Highway 207 (road to Bear Valley Ski Resort) to the ridge of which Poison Peak 8420 is a part. We then skied to the east end of the ridge (Peak 8605). From there we skied north around the east end of Round Valley and to the west of Bee Gulch, and finally skied west to Mt. Reba.

I think that it is worth noting that there were many, many skier and snowshoe tracks in the area. On our trip, in which the snow and weather conditions were not great, we saw approximately 5 other skiers, 3 snowshoers and one dog (accompanying the snowshoers).

On our return from Mt. Reba, as we approached the low ridge at the east end of Round Valley, the quiet of the area was broken by the roar of what sounded like multiple chainsaws; obviously it was snowmobiles. When we arrived at the ridge, through the trees, we saw two snowmobiles roaring through Bee Gulch.

We continued to retrace our route. When we arrived on the ridge of which Peak 8605 and Poison Peak are a part, we could see multiple snowmobile tracks on the ridge that extends from the Sno-Park via Peak 8190 and up to Peak 8605. On March 27, 2009 I and two others encountered snowmobile tracks on this same ridge.

It bothers me greatly that the Forest Service does nothing to try and stop this consistent trespass. All lands to the north of the Lake Alpine SnoPark are closed to snowmobiles but the FS does not post signs to that affect. Farther east on Highway 4, very, very little land to the north of Highway 4 is open to snowmobile use. Why has this boundry not been marked as closed to snowmobiles?

More important, I suspect that Stanislaus NF gets funds from the State of California (Off-Highway Motor Vehicle Recreation Division) that includes the enforcement of motor vehicle regulations. Why is the FS not out there on weekends when the trespass happens? It would be easy to catch the law breakers.

I marked on your form that I have photographic data. I need to explain that they are photographs from afar, and it takes some care to see the snowmobile tracks.

Back Country Experience Report

5/10/19

Forest: Stanislaus, Toiyabe District: Summit, Bridgeport ID: 1867

Date: 2011-03-29 Time:

Name: Jeff Erdoes

Address:

Phone: Email:

Location: Sonora Pass

Entry:

Reported: 4/3/11 Response:

Issues:

I saw evidence of snowmobiles in designated wilderness

Snowmobiles were on the Pacific Crest Trail

The snowscape was unreasonably rutted by snowmobile activity

I observed snowmobiles in designated wilderness

Description:

Willful OSV violations despite slight OSV activity

Back Country Experience Report

5/10/19

Forest: Stanislaus District: Calaveras ID: 219
Date: 2012-04-01 Time: 15:00
Name: Roy Lambertson
Address: 1144 Hillslope Place Los Altos, CA 94024
Phone: 650-559-5634 Email: Roy.Lambertson8@gmail.com
Location: Carson-Iceburg Wilderness

Entry:

Reported: Response:

Issues:

Description:

Location: We saw the tracks of at least three snowmobiles in the Carson-Iceberg Wilderness. The tracks had most likely been made on Sunday, April 1st, 2012. The tracks extended into the wilderness at least two miles east of Highland Lakes, near the route of the Pacific Crest Trail.

The tracks had most likely been made on Sunday, April 1st, 2012. The tracks extended into the wilderness at least two miles east of Highland Lakes, near the route of the Pacific Crest Trail.

The snowmobiles had left the area before we arrived. I believe that at least three snowmobilers who had driven into Highland Lakes from Highway 4 continued on a meandering path through the Carson-Iceburg Wilderness. The tracks included "high-pointing" on the northeast slopes of Hiram Peak, in an area which is within the wilderness. I could send JPG images or a TOPO file showing three areas where we saw tracks, if you want. I left a brief message about the snowmobile tracks for Anna Lowell at the Carson Ranger District.

Back Country Experience Report

5/10/19

Forest: Stanislaus District: Calaveras ID: 223
Date: 2012-04-07 Time: 12:00
Name: Marcus Libkind
Address: 1391 Moselle Court Livermore, CA 94550
Phone: 925-455-5816 Email: mlibkind@bsweet.net
Location: Poison Spring

Entry:

Reported: Response:

Issues:

I was bothered by exhaust, fumes, or odor

Description:

As we skied along the ridge we encountered some fresh snowmobile tracks and at one point we got a glimpse of one snowmobile. I believe there were actually two. It was about noon.

The ridge is covered with mature trees that are well spaced making travel easy. There was absolutely no wind. For 0.5 to 1.0 mile along the ridge the odor from the snowmobiles was present and made me nauseous.

What bothers me most is that the area from Black Springs to Bear Valley is large and has excellent terrain, including many snow-covered roads, that make for wonderful ski touring. However, not a single part of this is set aside for non-motorized use.

In fact, there are only two areas that are non-motorized that provide good skiing and good access. One is Round Valley and Woodchuck Basin, but this is a much harder tour that lacks the wonderful terrain farther west. The other area is Big Meadow, but it is a small area that is essentially flat and affords little room to explore.

Back Country Experience Report

5/10/19

Forest: Stanislaus District: Summit ID: 1918
Date: 2018-03-20 Time: 10:00AM
Name: Jim Gibson
Address: 826 Lana Ct Campbell, CA 95008-6009
Phone: 408-374-0435 Email: Jim@Gibson.org
Location: Aspen Meadow Trail, Pinecrest
Entry: Crabtree Parking Lot
Reported: 3/26/18 Response: 4/3/18

Issues:

I observed snowmobiles in a non-wilderness closed area
Photos or other corroborative data is available

Description:

My wife and I were skiing to Aspen Meadow from the Crabtree trailhead on Tuesday, March 20, 2018. No snowmobiles are allowed on any trails in this area. We saw a snowmobile track on the trail, which is located on unplowed Crabtree Road. We followed the track to Aspen Meadow. The track continued on the road beyond Aspen Meadow and turned left on another road that was marked as a trail to the ski area with several orange signs attached to trees. We followed the track to the top of Chairlift 3 of Dodge Ridge Ski Resort. A GPS trace of our track is included.

The track was likely placed on Monday, the previous day. The track seemed to overlay the few ski and snowshoe tracks that were likely placed Sunday following fresh snowfall on Saturday.

From where the track ended, it is probable that the snowmobile was being operated by someone associated with the downhill resort. There could have been some emergency that required the use of a snowmobile on a trail that is otherwise closed to motor vehicles. However, if there was no emergency, then the resort should not be operating snowmobiles on the non-motorized trail.

Back Country Experience Report

5/10/19

Forest: Stanislaus, Toiyabe District: Summit, Bridgeport ID: 1930
Date: 2018-05-12 Time: 13.30 pm
Name: John Kerr
Address: 3960 Waterhouse Road Oakland, CA 94602
Phone: 5102073493 Email: jbkerr12@gmail.com
Location: Leavitt Peak
Entry: Sonora Pass
Reported: 6/8/18 Response:

Issues:

I saw evidence of snowmobiles in a non-wilderness closed area
I saw evidence of snowmobiles in designated wilderness
I observed snowmobiles in designated wilderness

Description:

Two snowmobiles climbed the Leavitt Bowl and returned. They then travelled down Blue Canyon towards 108. There were more tracks there. The day before snowmobile tracks were observed above Leavitt Lake