



November 15, 2021

By email to SM.FS.shonfcomment@usda.gov

Mark Foster, Environmental Coordinator
Shoshone National Forest
808 Meadow Lane Avenue
Cody, Wyoming 82414

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ATTN: Shoshone NF Travel Management Planning Project

Dear Supervisor Timchak and Planning Team:

The Wyoming State Trails Program (WSTP) submits the following comments on the Shoshone National Forest (SNF or Forest) Travel Management Project (TMP) Environmental Assessment (EA). The WSTP administers the Wyoming Off-Road Recreational Vehicle (ORV) Program and the Wyoming Snowmobile Trails Program (Snowmobile). We are committed to providing responsible management of motorized recreation and the enhancement of ORV/OHV and snowmobile riding opportunities through our direct on-the-ground work, grant funding, and other continuing partnerships with the Forest.

We have been a long-term partner of the SNF for the funding, development, operation and maintenance of both winter and summer motorized trails, as well as have been substantively contributing to this Travel Management Plan process over the past six years. We look forward to continuing to work closely with the Forest toward the successful completion of a motorized Travel Management Plan that provides a suitable range of properly managed motorized recreation opportunities for the public.

We incorporate by reference previous written comments submitted to this travel planning project by WSTP in July 2016, December 2017 and September 2020. Our comments regarding the current TMP EA's specific proposals are as follows:

SECTION A: GENERAL COMMENTS

- 1. Recognition that the context of where Motorized Travel Opportunities can occur on the SNF is extremely limited and significantly narrower than portrayed by the EA:** The EA discloses that "about 17% of Forest is open for road and motorized trail management." [EA p. 5] While we fully understand and accept that the Shoshone is an overwhelmingly nonmotorized backcountry Forest – extremely proud to be known as the "Horse Forest" and that that special status will never change – the context that "17% of the SNF is open" to motorized travel portrays an extremely misleading context for true wheeled vehicle access, real opportunities and potential impacts on the Forest.

The Proposed Action (Alternative 4) would "identify a road system of approximately 1,143 miles, with 707 miles (only 61.85%) designated open to the public" ...and also "manage an overall trail system open to



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Nick Neylon | Deputy Director
Dave Glenn | Deputy Director



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wheeled vehicles of 229 miles...” [EA p. 20] Consequently, this action would result in a grand total of 936 miles of roads and trails open to wheeled vehicle use by the public since the other 436 miles would be for either only ‘Administrative Only’ use or be ‘Closed’ Level 1 roads. And while the Proposed Action would also designate 289 miles of trails open to over-snow travel [EA p.21], it must be recognized that these routes are largely within the same 936 miles of ‘open to the public’ wheeled roads and trails mentioned above – so should not be double-counted in respect to total motorized routes designated on the Forest open for public travel.

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We note that the Soil Resources analysis in Section 3.12.3.2.1 on page 303 of the EA uses an example average route width of 18 feet in respect to decommissioning effects and also relates a conclusion that “18-feet of road width equates to 2.18 acres per one mile of road corridor.” So, using the EA’s own ‘acre per mile’ number subsequently shows that the proposed 936 miles of public motorized roads and trails amounts to a grand total of 2,040.5 acres – approximately only 0.08% of the entire Forest. Or if you generously double or triple that road width, the subsequent directly affected total acres are still only between 0.1 and 0.2 percent of the total Forest – a far cry from 17% of the Forest.

Furthermore, when looked at in the context of the “17% of the Forest open” for road and motorized trail management (~414,800 acres), the roads and motorized trails proposed by Alternative 4 effects only about 0.5% of total allocated motorized acres on the Forest. Consequently, true reality is that the total amount of the SNF effected by wheeled vehicle travel, in the grand scheme of its total landscape as well as its total acres zoned as open to motorized access, is extremely miniscule. So, we accept that this is the challenging setting that we must work within in our efforts to partner with you to provide an adequate and properly managed range of motorized recreation opportunities.

During the winter season, a total of 521,038 acres (approximately 21% of the SNF) are proposed to be designated open for public, cross-country OSV use, which also includes the 289 miles of OSV trails proposed for over-snow travel. While this acreage is still only a small fraction of the Forest, its remoteness and deep snow depths enable OSV use across a larger portion of the Forest largely because of the famed remoteness of those areas which are also largely inaccessible by other means during winter.

Finally, it’s also important to recognize that essentially 100% of the SNF is technically always open to multiple forms of nonmotorized recreation. Consequently, true impacts to adjacent nonmotorized recreationists only occurs in 0.1% of the SNF during ‘wheeled use season’ along with only 21% of the more remote SNF landscape during the winter recreation season. So, it is disappointing to continually have to fend off the mindset from many who believe they should be able to walk out their backdoor onto the forest and have a wilderness experience or park their car along a road and then take a walk in an environment undisturbed by motorized vehicles. That is simply an irrational, self-centered expectation which should not be catered to on what is only about 0.1% of the entire SNF.



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Darin J. Westby, PE. Director
Nick Neylon Deputy Director
Dave Glenn Deputy Director



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2. **½ Mile and 5-Mile Buffer Zones:** We are concerned about the Recreation effects analysis screening “buffer areas” adjacent to proposed motorized roads, trails and areas for potential effects to nonmotorized recreation. This action gives the impression that nonmotorized recreation has supremacy in areas zoned for motorized use, which is inappropriate. All of these roads, trails and areas are in sections of the Forest which have been legally allocated as available for motorized access by the 2015 Land Management Plan (LMP).

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Consequently, this screening should be irrelevant for decision making regarding existing or potential motorized travel in designated open zones. The ‘½ mile buffer’ zones on each side of roads and motorized trails (which equals a 1-mile-wide total buffer zone) equals 878,080 acres (1,372 miles of motorized roads and trails proposed by Alternative 4 x 640 acres per mile), which equals 36% of the entire Forest and over double the 420,439 acres zoned to be available for motorized access. Those numbers just don’t compute, so it only further aggravates concerns about motorized access opportunities being improperly stifled on the Forest. It also further emphasizes the true context regarding the extremely limited SNF acreage truly available for motorized travel opportunities, as were outlined in our Comment #1 remarks above.

Your screening process used a “½ mile buffer around potential use and user conflict, neighboring lands and special designated areas including Wilderness, Inventoried Roadless Areas (IRAs)/RARE II, the Continental Divide Scenic Trail, and the Nez Perce National Historic Trail,” and a “5-mile buffer was applied to major accessible plowed trailheads leading to OSV trails and areas open to cross-country travel.” This type of screening seems unequitable given that all involved roads, trails and areas are – or would be if an approved addition – only within portions of the Forest allocated for motorized access by the LMP. The fact that roads were included in this screening shows this goes far beyond screening for Minimization Criteria, which is required to only be applied to trails and open areas – not roads.

We shouldn’t have to remind you that Section 504 of the Wyoming Wilderness Act of 1984 specifically prohibits buffer zones adjacent to Wilderness Areas. It expressly states: “*Congress does not intend that the designation of wilderness areas in the State of Wyoming lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from within any wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.*” Clearly, buffer zones are illegal adjacent to Wilderness Areas in Wyoming – so why is this TMP screening question being used in a Wyoming planning process? Non-wilderness activities, sounds and sights are expressly allowed right up to a Wilderness unit’s boundary, so to consider discouraging or prohibiting such activities is a clear violation of federal law and cannot be used as a decision factor for road, trail or area planning.

Motorized trails, including new trail construction, are expressly allowed within IRAs. Consequently, it’s questionable as to why motorized trail routes and areas should be denied or diminished further than what has already occurred through implementation of the 2015 LMP.



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Darin J. Westby, PE., Director
Nick Neylon Deputy Director
Dave Glenn Deputy Director



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3. **Single-Track Motorized Trails:** It's a travesty that the SNF has gone through this entire 6-year long motorized travel planning process without recommending even a single foot of new single-track trail for motorcycle riders. There is currently only a paltry 2.04 miles of existing motorized single-track on the entire Forest, and quite unfortunately, it appears that's all there will be when this Travel Management Project concludes.

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The LMP's RDTR-GOAL-8 states: "A variety of wheeled motorized trail loops are provided for riders of different abilities." Motorcycle riding is a popular, legitimate recreation activity on the SNF with great potential for properly managed expansion. It would add to the "variety of motorized trail loops" provided on the Forest as well as potentially help broaden opportunities for "riders of different abilities" on the Forest. Single-track trail for motorcycle riders should have been given meaningful consideration by this extensive planning project – but it wasn't. Consequently, this is a major omission and a failure for this motorized travel planning project.

Forest staff have related that "it's a capacity issue" or that "it's a trail density issue." Neither reason holds much water since we've stated numerous times that WY State Trails is committed to help fund and maintain single-track trails. Additionally, trail density would not bother motorized trail users recreating in their designated motorized use zones on the Forest. Rather, it appears the 'density' concern is far more related to protecting and preserving areas within motorized zones for the greater benefit of nonmotorized groups and individuals.

It has also been stated by Forest staff that adding new single-track motorized trails on the Forest would be for only "single use" and that, consequently, adding any new single-track trail was not desirable. That is simply an improper, unproven assumption by SNF staff. Rather, whether looking nationally, regionally across the Rocky Mountains including on all other national forests in Wyoming, as well as on the current two-miles of single-track on the Washakie District – these types of trails have been proven to not only be used by your purported "single use" motorized recreationists, but are also actually regularly used by mountain bike riders, runners and other nonmotorized recreationists. While there is undoubtedly a certain vocal segment of nonmotorized recreationists who openly shun recreating on motorized trail routes, a large number of nonmotorized recreationists actually willingly choose to use trails shared with motorized users. Reality is that single-track motorized trails provide a full range of multiple-use recreation opportunities; to believe otherwise is disingenuous.

The Forest's dismissive approach to motorized single-track planning during this project has unfortunately failed to credibly consider the 'experience' factor desired by this segment of motorized recreationists. They are really no different than your numerous equestrian constituents: neither user group desires an experience setting based solely on trails resembling 'double-track' with two side-by-side paths versus having an adequate range of narrower single-track route opportunities available across the Forest. While both groups



Mark Gordon Governor
Darin J. Westby, P.E. Director
Nick Neylon Deputy Director
Dave Glenn Deputy Director



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deserve to have a place on the Forest, one constituency has far more miles than can be maintained while the other gets zero consideration to improve.

As mentioned above in our 'Context' comments, the Proposed Action under Alternative 4 directly impacts less than 0.1% (~2,040.5 acres) of the entire SNF. When looked at in the context of the approximately 17% (~414,800 acres) of the Forest open for road and motorized trail management, the roads and motorized trails proposed by Alternative 4 still only effects about 0.5% of total allocated motorized acres on the Forest. It's a truly sad (and unacceptable) situation that considering to add even a mere 50 or 100 miles of single-track trails – impacting an acre or less per additional mile of new single-track due to its significantly narrower trail tread – was not given proper consideration by this project. Had this been given a legitimate chance to happen, total effected acreage would still be close to only 0.5% of total motorized acres potentially available on the Forest.

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4. **Season of Use Dates for wheeled vehicles and OSVs must be coordinated to ensure overlaps/conflicts do not occur on the MVUM and OSVUM when the same road or motorized trail route is used as both a MVUM wheeled vehicle route and an OSVUM oversnow vehicle route.** Example: if a road is open for OSV use on the OSVUM from November 1 through June 15, then that route must be shown as closed to wheeled vehicle travel during that same winter timeframe when snow is present versus being incompatibly shown as being open year-round to wheeled vehicle travel on the MVUM – which would be in direct conflict with the OSVUM. Consequently, the MVUM would need to make it clear that route is potentially open to wheeled vehicle travel only between June 16 to October 31 if adequate snowfall is present on that roadway.



Mark Gordon, Governor
Dann J. Westby, PE., Director
Nick Neylon, Deputy Director
Dave Glenn, Deputy Director



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SECTION B: WHEELED VEHICLE TRAVEL ON ROADS AND TRAILS

Our comments related to wheeled vehicle use include:

- 1. Seasonal Closure/Open Dates Need Better Consistency:** There are a total of 20 different 'Open Date' ranges proposed under Alternative 4 (see summary in Table 1 below). We believe some of these dates should be streamlined to help provide better consistency across the Forest, particularly within individual ranger districts as well as within the north and south zones of the SNF. This inconsistency across districts and zones will make public education more difficult and create a public need for more complex trip planning. This lack of consistency lends itself to easily confusing the public which in turn likely increases potential to unnecessarily create avoidable burdens for law enforcement.

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In the North Zone, there are currently 13 different 'open travel' date ranges proposed on the Clarks Fork District, while the Wapiti and Greybull Districts have four and six different date ranges respectively – for a total of 15 unique 'open' date ranges on the North Zone. Comparatively, the South Zone has a total of 14 unique 'open travel' date ranges, with 11 being on the Wind River District and 10 on the Washakie District.

We believe that consolidating some of the 'begin and end' dates would not only benefit public education efforts but also potentially reduce on-the-ground enforcement issues for Forest staff due to reducing public confusion over differing dates within similar geographic areas. In general, we suggest that date ranges be framed around the first or last day of a month. If a mid-month begin or end date is needed, we recommend that it always be on the 15th versus current variations being on the 16th or 21st. However, we also recommend that all current mid-month benchmarks be reassessed to consider providing only 'first or last day of the month' start and end dates – if this is feasible and can be responsive to on-the-ground management needs.

TABLE 1: Summary of the Proposed Range of Route 'Open Dates' by District

Clarks Fork	Greybull	Wapiti	Washakie	Wind River
Year-round	Year-round	Year-round	Year-round	Year-round
May 1 to Jan. 31	May 1 to Dec. 31	May 1 to Dec. 31	May 1 to Dec. 31	May 1 to Dec. 31
May 1 to Dec. 31	May 1 to Dec. 15	May 1 to Nov. 30	May 1 to Sept. 30	May 1 to Nov. 30
May 1 to Dec. 15	May 1 to Nov. 30	June 1 to Dec. 31	May 15 to Dec. 16	May 15 to Dec. 16
May 16 to Dec. 31	May 16 to Dec. 15		May 16 to Dec. 15	May 16 to Dec. 15
May 21 to Dec. 1	July 1 to Dec. 31		June 1 to Dec. 31	May 16 to Dec. 31
June 1 to March 31			June 1 to March 31	June 1 to March 31
June 1 to Dec. 31			July 1 to Nov. 30	July 1 to Dec. 31
June 16 to Nov. 14			July 1 to Sept. 30	July 1 to Nov. 30
July 1 to Dec. 31			July 1 to March 31	July 1 to March 31
July 1 to Dec. 1				July 15 to Nov. 30
July 15 to March 31				
July 15 to Nov. 30				



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2. **Inconsistency between Map Legends and text in the EA pertaining to Enrolled Roads:** In Section 3.2.3.1.3 Motorized Mixed Use on pages 81-82 of the EA, it is stated that “Wyoming state law authorizes off-road vehicles to use roadways and trails enrolled in the State ORV Program,” and that “the SNF has enrolled all of its roads in the State ORV Program.” This section further states that some of those “routes will be designated as Trails Open to All Vehicles...” However, the most pertinent labels on Attachment A’s map legends state only “NFSR Open to Highway Legal Vehicles” and “NFST Open to All Vehicles” – which doesn’t necessarily accurately describe the balance of “all SNF roads which have been enrolled in the State ORV Program.” Page | 7

The issue is that since every ‘road’ on the forest is designated on the Alternative Maps as “Open to Highway Legal Vehicles,” this doesn’t accurately fit with the full range of ORVs (which may or may not be a fully ‘highway legal’ vehicle) potentially operating on SNF roads enrolled into the State’s ORV program. The SNF is the only national forest in the state that designates its roads in this manner; enrolled roads on all other forests are designated as “Open to All Vehicles” – which allows licensed drivers to legally operate an ORV on the roads without a license plate (just the WY ORV user fee decal), but does not mean that the vehicle itself is necessarily 100% ‘street legal’. Consequently, we request that you either change your current map legend or add an additional ‘NFSR Open to All Vehicles’ line to the legend.

ROUTE-SPECIFIC COMMENTS

North Zone

We request that the following changes be made to the Proposed Action:

1. **Gooseberry Creek, Cottonwood Creek and Grass Creek areas of the Greybull District (NZ-15a):** First, there is a short section of Road 218 that intersects with Road 214 that should be converted to NFST Open to All Vehicles. Conversion of this roughly 100-yard long stretch of road would improve the proposed trail system by providing access to this new loop trail by riders of all ages.

We support the added mileage proposed by this revised proposal, but request reconsideration to also convert additional roads in this area to NFST Open to All Vehicles. The additional roads we still consider to be viable components for a more complete motorized recreation opportunity spectrum in this area includes Roads 213, 217, 217.1A, 226, 226.1A, and 214. We would also like to see the proposal to open the closed Road 213.3D as a NFST 64” to create another loop opportunity connection to the north end of this system. This area has the potential to provide much needed motorized recreation opportunity in an area that is already extremely limited. These roads which were previously dismissed due to ‘terrain and displacement’ concerns should be reconsidered. The WSTP is capable of constructing trail improvements to address terrain concerns despite Forest staff concerns about terrain. Furthermore, motorized use is allowable in this area as per the Forest Plan, so ‘displacement of non-motorized trail users’ is not an acceptable reason to close a substantial number of routes in this overall area to public access.



Mark Gordon - Governor
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Nick Naylor - Deputy Director
Dave Glenn - Deputy Director



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2. **Roads 121 and 121.B:** We continue to request that these roads be converted to NFST Open to All in order to maintain consistency with the proposed new trail connector for the purpose of having a motorized trail system that allows for users of all ages to recreate on. This area of the Forest provides early season riding opportunities due to lower snow levels in the spring time and thus affords riders an area to enjoy the Forest when the upper elevations cannot be accessed. The proposed trail NZ-01 would benefit from the conversion of these two road segments – at least from the point where the proposed seasonal closure is located on this road.
3. **Line Creek vicinity:** This area would benefit from the reconsideration of converting the roads on the north end of the system to NFST Open to All. This action would tie into NZ-01 and provide a more complete recreation opportunity spectrum for all trail users on routes that include Roads 123, 123.1B and 253.2G.

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Washakie District

We request that the following changes be made to the Proposed Action:

1. **Propose Conversion of Most 50" Trails to Either 64" or Open to All Trails:** Table 31 on page 62 shows that Alternative 4 proposes to manage 122.8 miles of existing motorized routes as 'NFST Open to All Vehicles' and another 1.9 miles as 'NFST Open to 64 inches or less' – which we support. This leaves a balance of 14.1 miles proposed to be managed as 'NFST Open to 50 inches or less' – with about 2 miles of that being the sole motorized single-track trail available on the Forest.

The WSTP is very familiar with all trails on this district. It is our observation that none of the remaining trail segments designated as '50-inch or less' trail (MT-01 through MT-09 – with the exception of MT-02) have geographical features that would prevent them from being converted to '64" or less' trail. Consequently, we strongly recommend that all remaining '50-inch or Less' trail be converted to either '64-inch or Less' trail or 'NFST Open to All.' This would greatly simplify public education across the Forest, as well as enforcement of motorized travel rules. It would also provide consistency across the Forest since Alternative 4 proposes a total of zero miles of '50-inch or less' trail on the Clarks Fork, Greybull, Wapiti and Wind River Ranger Districts. The net result is that FST-907 (the only single-track trail on the SNF) would be the only '50-inch or Less' trail left on the Forest (since we also propose that MT-02 be converted to single-track trail – see Comment #2 below).

2. **Propose Conversion of MT- 02 to Motorized Single-Track Trail:** The WSTP recommends MT-02 be converted to a single-track motorized trail. This existing trail route represents the best opportunity to enhance single-track recreation opportunities through trail conversion versus new trail construction. It would be beneficial as a multi-use trail for mountain biking, hiking, equestrian, as well as motorcycle use.
3. **Request Reconsideration of New Single-Trail Through WK-02 – Elderberry Creek, WK-03 – Bayer Mountain and WK-04 – Canyon Creek:** We continue to advocate for new motorized single-track trail development in these areas. We request, once again, that these trails be developed since it would help fill an



Mark Gordon : Governor
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Nick Neylon : Deputy Director
Dave Glenn : Deputy Director



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extreme void on the Forest and be beneficial for not only motorcycle use, but also for multi-use mountain biking, hiking, equestrian, as well as motorcycle use. We continue to believe stated concerns and objections to this proposal can be successfully mitigated with seasonal closures, proper trail layout, and sustainable construction and maintenance techniques.

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4. Opposed to Proposed Decommissioning of Portion of MT-01 and Subsequent Proposed WK-27

Reroute of MT-01 in the Pete's Lake Area: The WSTP does not support this proposed decommissioning or the proposed re-route. Our observation is that insufficient justification has been presented regarding either proposed action. We have always questioned the purpose, need and validity of this proposal and remain even less convinced through this current review process.

During the recent on-line public meeting, the District Ranger talked at length about how "Wilderness is usually buffered by at least a quarter-mile, but this is not" while he also related that "the new route has not yet been ground-truthed...will likely be extremely expensive to construct given its remoteness...and that may mean that the reroute never actually gets constructed." That is all seriously concerning:

- Foremost, there is no legal requirement to have a buffer zone between motorized trails and Wilderness. In fact, Section 504 of the Wyoming Wilderness Act of 1984 specifically **prohibits buffer zones** and states: "*Congress does not intend that the designation of wilderness areas in the State of Wyoming lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from within any wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.*" So, this motorized trail directly adjacent to the Wilderness boundary is perfectly legal and cannot be used as the reason to justify this proposed decommissioning and trail relocation.
- The route being proposed for decommissioning is a historic road that existed prior to establishment of the Washakie Wilderness Area in 1964. It was obviously excluded from Wilderness Area designation and instead used to help define its boundary. This historic route should not be decommissioned and obliterated.
- The WSTP has nearly 20 years of experience building and maintaining motorized trail routes on the SNF and across Wyoming. We strongly believe that placement and construction of this proposed reroute provides a far greater chance for resource damage due to widespread hydrological features. This reroute would also place the trail in a larger section of open country where it may potentially be much more difficult to restrict use to the designated trail corridor.
- We agree that it would be extremely expensive to construct an acceptable reroute in this remote location. And since we believe this proposed reroute to be totally unnecessary, the WSTP will not commit any funding to this particular proposed decommissioning and relocation project.
- The greatest concern of all is that: (A) the Forest appears to be intent on decommissioning/closing historic motorized access on this route that has existed for decades, while (B) openly stating that the proposed reroute may never get constructed. That is a totally improper and unacceptable situation since



Mark Gordon, Governor
Darlin J. Westby, PE., Director
Nick Neylon, Deputy Director
Dave Glenn, Deputy Director



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it would potentially eliminate historic motorized access to an extremely popular and significant portion of the Washakie District.

Wind River District

We request that the following changes be made to the final Proposed Action:

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- 1. Request Reconsideration of new Clint Creek Connection:** Consider opening the lower part of Closed Road 564 as 'NFST Open to 64 inches or less' to create a new loop trail connection to WR-90. The connection would help disperse ORV traffic during the busy summer season, be beneficial for summer maintenance work on the current OSV trail through this area, as well as provide a much-needed loop opportunity for ORV users. Concerns about wet spots along this route can be easily mitigated by WSTP. Concerns about wildlife and hunting conflicts can be managed with seasonal restrictions. This entire 2.25-mile connection is located on an existing old road bed and is also currently used as an OSV trail. It is also important to note that current logging activity in this area has created routes which could be used to help establish the needed trail routes in appropriately sited locations. Consequently, these haul roads have already accomplished a portion of required trail work, so should not be obliterated at the end of this timber project.
- 2. Request Reconsideration of Cow Creek Road / Roads 533 and 534 Connector:** Roads 533 and 534 should be converted to 'NFST Open to All Vehicles. This would create a new loop connection loop from Road 533 to Road 534. This connection would roughly be 1.28 miles long and is located along an existing old road prism which is also currently used as an OSV trail. The connection would be beneficial for summer work on the snowmobile trail as well as great loop for ORV users. Concerns about wet spots along this route can be easily mitigated by WSTP. Concerns about wildlife and hunting conflicts can be managed with seasonal restrictions. It is also important to note that current logging activity in this area has created routes which could be used to help establish the needed trail routes in appropriately sited locations. Consequently, these haul roads have already accomplished a portion of required trail work, so should not be obliterated at the end of this timber project.
- 3. Warm Springs Mountain (WR-13):** We support and endorse this proposal since it will provide important missing links to a loop in this popular portion of the district. The short route around private property, as well as the longer route through the switchbacks, have been ground-truthed by our staff and provide suitable trail routes.
- 4. Indian Point to Dutch Oven Springs, off Horse Creek Road:** This loop trail should not be eliminated but should instead be retained as NFST with seasonal restrictions. Motorized trails are allowed in RARE 2 and a seasonal restriction will mitigate Game and Fish concerns related to elk partition area. This loop connection was established by the local ATV club with Forest acknowledgement and required considerable effort to construct – only to be closed about the same time the Forest Plan revision was completed. It provides a very beautiful scenic connection that would eliminate the need for out and back travel on dead-end routes, which in turn would reduce traffic concentrations since vehicles wouldn't be required to travel the same route twice.



Mark Gordon : Governor
Darin J. Westby, P.E. : Director
Nick Neylon : Deputy Director
Dave Glenn : Deputy Director



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SECTION C: OSV TRAVEL ON TRAILS AND AREAS

Our comments related to winter over-snow vehicle (OSV) use include:

1. **Class 2 OSVs should not be allowed on most designated OSV trails:** the WSTP is strongly opposed to allowing Class 2 OSVs (4WD full-sized pickup trucks, vans and SUVs equipped with track conversions) on almost all OSV trails maintained by WSTP across the Forest. It is our opinion that, as your on-the-ground partner who provides all day-to-day operations and maintenance on OSV trails, most all SNF OSV trail routes are generally suited for use by only Class 1 OSVs. Our reasoning for this position includes: Page | 11

Ungroomed OSV trails: The reason most are managed in a 'signed but ungroomed' status is not because there is a lack of funding but rather because they are generally (1) not passable with a groomer due to insufficient trail width and overhead clearance, (2) in locations with extreme wind drifting and/or difficult to manage snow depths, and/or (3) located in areas with challenging slopes and other difficult topography. If a trail groomer is not able to traverse these routes to build a compacted snow base, it's illogical to expect that full sized 4WD SUVs and pickup trucks equipped with tracks will be able to safely and responsibly traverse these uncompacted trail routes during extreme winter conditions. The single exception to this is the ungroomed OSV trails located in the Burroughs Creek and Horse Creek areas north of Dubois: these trails are ungroomed due to lower snowfall, low visitor use, and lack of funding.

Additionally, we know from decades of experience that when a trail groomer drops even one track off a compacted snow trail's surface when operating in deep snow, the vehicle is subject to quickly becoming stuck and potentially high-centered. A trail groomer is much nimbler than these large Class 2 OSVs, so there's no doubt in our mind that full-sized trucks and SUVs would struggle to safely traverse most of the ungroomed and uncompacted snow trails we provide day-to-day management for on the SNF.

We also know from experience that, once you get something like a large Class 2 OSV stuck in deep snow, it takes considerable effort and expense to get the vehicle out. There are no tow trucks in these remote locations. And even if you can access another tracked vehicle in hopes of using it as a tow vehicle, it will likely struggle to tow the stuck Class 2 out of the snow because the rescue vehicle will also be working from a platform of uncompacted snow – likely leading to a second stuck vehicle. Consequently, a large tracked vehicle that becomes stuck must usually be dug out. This often requires snow removal clear down to bare ground before the vehicle can be sufficiently cleared from being high-centered and regains traction on a solid footing. The digging out process itself, as well as the spinning of tracks on the stuck vehicle have high likelihood to create ground disturbance in the stuck location. So, the situation creates not only a potentially severe safety issue if rescue is not timely, but also has great potential to create unnecessary resource impacts. Class 2 OSV operation on most ungroomed trails on the SNF is unessential and should be avoided.



Mark Gordon, Governor
Darin J. Westby, PE., Director
Nick Neylon, Deputy Director
Dave Glenn, Deputy Director



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Groomed OSV Trails: Full-size (Class 2) tracked vehicles should generally not be intermixed on the same managed national forest trails historically classified and managed as snowmobile trails (now Class 1 OSV trails). Class 2 OSVs are simply too wide, too tall, too slow and too heavy. They create a safety hazard due to their width and slower operational speeds – particularly on many SNF trails which are narrow.

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It is important to recognize when considering this issue that, just because a groomed OSV trail is located on a wide roadway (Highway 212, wide graveled USFS roads, etc.), does not mean that the entire constructed width of that roadway is maintained as groomed OSV trail – and that additionally due to narrow clearing width, some OSV trails can only be groomed at a width equal to the width of the grooming drag. OSV trail grooming drags used on the SNF are typically 9- or 10-foot wide – so that will be the narrowest groomed trail width and is ultimately dictated by the trail's clearing width. Where clearing width allows, the maximum groomed trail width will be no more than 1 ½ to 2 times the width of the grooming drag, with at least a foot of overlap required for consistent compaction in the center of the trail. Consequently, the maintained width of groomed OSV trails is generally going to be between 9- to 10- feet wide at a minimum on narrow trails and absolutely no more than 17- to 19-feet wide at a maximum if clearing width allows maintaining a trail at twice the drag's width (with at least one-foot of overlap in center of trail for consistent compaction). However, a maintained trail width of '1 ½ times the drag's width' is the recommended best grooming practice since it always provides grooming in the center of the trail – which typically requires the most frequent trail processing and snow compaction since it's the portion of trail most touched by OSV traffic. Consequently, a maintained (groomed) width between 12- and 14-feet wide is predominant where clearing width allows.

Class 2 OSVs are also much heavier with significantly higher weight displacement compared to all Class 1 OHVs including trail groomers. Consequently, their heavy weight creates much greater potential for trail rutting due to insufficient trail compaction to support their higher PSI pressure upon the trail base.

Ability to Regulate by Class of Vehicle: The Forest has the ability to regulate OSV use by class of vehicle under Subpart C. We request that OSV trail management guidelines be revised, using 'class of vehicle' regulation authority provided under Subpart C. We suggest the following framework to establish a standard guideline with approved exceptions – rather than managing OSV use as open to all Class 2 OSV use unless specifically closed on an annual basis by the Line Officer through the OSVUM, as currently proposed by Alternative 4. Our recommendation is as follows:



Mark Gordon : Governor
Dann J. Westby, PE. : Director
Nick Neylon : Deputy Director
Dave Glenn : Deputy Director



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Groomed Trails: Class 2 OSV use is prohibited on all SNF OSV trails groomed by the Wyoming State Trails Program (WSTP); specific exceptions for special circumstances (i.e., access to Brooks Lake Lodge, etc.) may be granted by the appropriate District Ranger after consultation with WSTP.

Ungroomed Trails: Class 2 OSV use is prohibited on all OSV trails maintained in an ungroomed status by WSTP. EXCEPTION: all ungroomed OSV trails located in the greater Burroughs Creek/Horse Creek area north of Dubois are designated 'open' to Class 2 OSV use.

Other Motorized Routes: Class 2 OSV use is allowed on all other motorized roads and trails when they are designated 'open' to motorized vehicle travel by the MVUM, other than when the routes are being managed (groomed or ungroomed) as OSV routes by the OSVUM during the area's corresponding OSV use season.

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Clearly, the Forest's understanding and analysis of potential impacts from Class 2 OSV use on managed OSV trails across the SNF has missed the mark and must be reconsidered. The allowance and promotion of winter travel by these large vehicles should not be continued since it would unnecessarily create safety issues as well as invite preventable resource damage. You must reverse course on your Proposed Action related to Class 2 OSVs.

- 2. Support the OSV Season Dates Proposed by Alternative 4:** We support the proposed OSV season dates of November 1 through June 15 for the North Zone and the Wind River District, along with December 1 through May 31 for the Washakie District). These dates are appropriate and substantiated by extensive SNOTEL data analyzed by the EA for each respective area. This data provides the best science-based data available, supports the proposed season dates, and most importantly is specific to multiple locations across the Forest versus being based upon only overly generalized sampling.

Analysis shows there is typically more than adequate snow for snowmobiling in these areas during these times. These dates are also consistent with our observation of typical snowmobiling activity in these areas over the past several decades that the WSTP has been involved with winter trail grooming on the SNF.

We do however continue to disagree with your position that 12- to 18-inches of snow cover is the minimum required to prevent resource damage by OSV use (please refer to pages 14-22 of our extensive comments on the 2020 Preliminary EA regarding this topic). We believe that other peer-reviewed science, particularly from Russ Alger, the Director of the Institute of Snow Research at the Keweenaw Research Center as well as his other research associates, suggests that a minimum of only 4- to 6-inches of snow cover provides enough protective shield in normal off-road terrain as well as over the top of other motorized roads and trails. See *Minimum Snow Depth Requirements for OSVs: Status Report & Suggested Best Management Practices* at: <https://www.snowmobileinfo.org/snowmobile-access-docs/minimum-snow-depth-requirements-for-osvs.pdf>



Mark Gordon Governor
Darin J. Westby, PE. Director
Nick Neylon Deputy Director
Dave Glenn Deputy Director



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Nonetheless, since your screening threshold used a benchmark that was two to three times greater than what other science-based data suggests is an adequate snow depth buffer, your overly conservative snow depth analysis only proves that, without question, SNF lands will be suitably protected by adequate snow cover during each respective area's proposed OSV season dates.

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Having this range of appropriate season dates for off-trail OSV travel – coupled with the fact that OSV's can be operated on roads and motorized trails designated open to motor vehicle travel by the Motorized Vehicle Use Map (MVUM) during other seasons of the year – will provide a full range of proper times and circumstances when OSVs can be used to provide important access to the SNF when snow may prevent wheeled vehicle travel outside the OSV season dates.

3. **Opposed to the use of Minimum Snow Depths:** While it appears that the latest Proposed Action has backed away from outwardly establishing a 'minimum snow depth rule' on the SNF, we continue to be concerned about on-going efforts by conservation groups to advocate for unreasonable and inappropriate minimum snow depths. We are also troubled that this EA seems to still be back-dooring this subject – inappropriately keeping advocacy hopes alive for a final snow depth minimum inch rule – since your analysis sections repeatedly use a '12- to 18-inch minimum' snow depth threshold which, not coincidentally, mirrors their target depths. That is wrong. And it is contrary to Subpart C which sets 'season of use' and 'class of vehicle' as the only two criteria for Subpart C implementation. Minimum snow depth is clearly not an intended regulatory factor, yet you continue to improperly keep this topic alive and wrongly portray precedent likely to be inappropriately assumed to be proper for future OSV travel planning in other areas across the Snowbelt. This is a process error that must be rectified.

Improper Analysis: In 'Section 3.13.3.4.1.2 Issue 2' on page 338 regarding "whether the presence of OSV use may cause impacts to water resources or water quality as a result of inadequate winter snowpack conditions, trail locations, or over-snow use areas," the EA unjustifiably states: "Minimum snow depths required for protecting these areas range from 12 to 18 inches." That's a strong, unequivocal statement. We find this to be objectionable, particularly since it continues to tie to 'Switalski, 2016' – a purported set of 'Best Management Practices' developed by the Winter Wildlands Alliance, an anti OSV organization. Additionally, continued inclusion of 'Fassnacht 2018,' which was funded by the Colorado Mountain Club (CMC), as a primary reference on this topic represents yet another source document whose sole 'study' purpose was to orchestrate biased positions to help nonmotorized advocacy groups justify their otherwise unscientific 12-to-18-inch minimum snow depth position. The inclusion of these two reports as primary source documentation in this project's process represents shoddy and biased analysis work on the part of the Forest and must be removed as a guiding reference for this process. If not, the SNF is lending unjustified credibility to two biased reports which will illegitimately continue to influence future travel planning analysis on the SNF as well as elsewhere.



Mark Gordon, Governor
Darin J. Westby, PE, Director
Nick Neylon, Deputy Director
Dave Glenn, Deputy Director



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The statement on page 338 that “minimum snow depths required for protecting these areas range from 12 to 18 inches” is also taken out of intended context from the Forest Service Watershed Conservation Practices Handbook. Nothing in this document indicates that ‘12 to 18 inches of minimum snow depth’ is to be applied uniformly across an entire watershed or project area. Rather, such depths, as stated in the manual, only specifically apply to vehicles operated directly “in wetlands; in streams, swales and lakes; or on severely burned soil or detrimentally compacted, eroded or displaced soil.” Period. With no broader or all-inclusive perspective stated or intended.

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Consequently, we suggest a cardinal rule of statutory interpretation must be applied to determine how this manual relates to the issue here – “simply read what the text actually says and apply it.” That means you do not interpret it to mean what you think it says or wish it says. Again, nothing in that manual suggests that ‘12 to 18 inches’ is intended to be applied watershed-wide, but rather to only the very specific cited locations and conditions within a watershed. Consequently, its proper context needs to be fixed in the administrative record before proceeding to a final decision with this process.

4. **Support keeping the entire High Lakes Wilderness Study Area (WSA), as well as current open areas in the adjacent Line Creek Research Natural Area, open for continued Class 1 OHV travel.** We support Alternative 4 since it would keep the entire High Lakes WSA 100% open for continued OSV use. This is consistent with Congressional intent. It is also supported by your EA analysis which clearly shows that use patterns have not changed significantly since the 1970s. Since the potential wilderness character of this area has not been harmed by snowmobile use since the WSA’s establishment in 1984, OSV use must be allowed to continue.

It is clear that claims of OSV conflict with non-motorized recreationists in this area are unsupported and largely manufactured by wildlands and wilderness advocacy groups in an attempt to force you to manage this WSA as full-fledged Wilderness. There is no evidence or proper justification to support that advocacy position.

Similarly, the adjacent Line Creek Research Natural Area should also remain open to continued Class 1 OSV travel. The EA analysis has not documented adverse impacts nor identified a viable reason why OSV use should be further restricted in this area.

We are opposed to Alternative 3 since it would close Line Creek and the northern and eastern portions of High Lakes. This is unjustified and contrary to existing federal law.

5. **OSV Areas Closures.** We accept closure of the Falls/Deception and Pinnacles cross-country ski trail areas on the Wind River District. However, we want to make it clear that it will be the responsibility of the Forest and/or their ski trail area partners to install and maintain boundary signage to properly advise OSV riders of closure area boundaries.



Mark Gordon - Governor
David J. Westby, PE - Director
Nick Neylon - Deputy Director
Dave Glenn - Deputy Director



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Thank you for this opportunity to comment. We look forward to continued close collaboration with Forest staff as this planning project moves to its final stages. We would welcome an opportunity to meet with Forest staff to further discuss our above comments and recommendations. Please feel free to contact either myself at [REDACTED] or forrest.kamminga@wyo.gov as well as our consultant, [REDACTED] or [REDACTED] if you have any questions or need additional information about any of our specific comments.

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Respectfully submitted by,

Forrest Kamminga, Motorized Trails Program Manager
Wyoming State Trails Program
P.O. Box 1429
Lander, WY 82520

Cc: Lisa Timchak, Forest Supervisor
Casey McQuiston, North Zone Ranger
Steve Schacht, Washakie District Ranger
Jeff Von Kienast, Wind River District Ranger



Mark Gordon Governor
Darin J. Westby, P.E. Director
Nick Neylon Deputy Director
Dave Glenn Deputy Director



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