

Robert Hoskins



18 November 2021

Mark Foster, SNF Environmental Coordinator
Attention: Shoshone NF Travel Management Planning Project
Shoshone National Forest
808 Meadow Lane Avenue
Cody, Wyoming 82414

SUBJECT: Comments on Shoshone National Forest Travel Management Plan
Environmental Assessment (EA)

Dear Mr Foster

I appreciate this opportunity to comment on the Shoshone's Travel Management EA. Certainly, support from the Forest for seasonal road closures to protect wildlife habitat in winter and spring as well as identifying ski trails closed to snowmobiles (e.g., Deception) are welcome decisions.

But my appreciation can only go so far. By and large the EA is deeply flawed, from its proposals for new motorized loops to not justifying empirically the need for them. The EA is long on generalities and short on detail to such a degree that it makes no sense to comment on the EA itself, because there is really nothing in it on which to comment, other than to ask, in specific instances, where are the facts? Instead, I will target for my comments Appendices B and C, for in them is more detail on specific proposals, although not to the degree necessary to reflect the hard look required by NEPA case law.

This is one reason I think the Forest needs to drop the EA and conduct instead a detailed, ground-truthed, Environmental Impact Statement (EIS), taking a hard look at each proposal and analyzing and disclosing to the public its impacts before making decisions on implementing these proposals. That is the goal of the NEPA as well as the expectation of the public. Unfortunately, the Forest has not met those expectations.

Another reason for an EIS is the Forest is insisting on making abstract, landscape scale "analyses" when concrete detail is needed for specific road and trail

proposals. I might point out that the Forest Plan (2015) addressed the landscape scale with its assignment of “management areas.” With Travel Management, we need ground-truthing where the roads and trails are, not another empty “landscape analysis.”

Therefore, we need an EIS.

Bottom line up front: I see no rational reason for the Forest to add new roads and motorized loops/trails when it can’t take care of the roads and trails it has; almost all of them are in terrible shape and their poor condition from over-use is causing considerable ecological and environmental damage across the front country. The Forest already has, by its own admission, a \$25 million backlog of deferred maintenance (EA: 80). It could of course build new roads/trails using funds granted from various sources, such as the Wyoming Trails program. But we know, because we see it all around us, that once built and their negative impacts “mitigated,” the Forest will more or less ignore new roads/trails and allow them to deteriorate from excessive motorized use in the same way as existing roads/trails.

So, no new roads and trails. Instead, the Forest should focus on establishing a *well-maintained, well-monitored, and well-regulated road system that ensures the well-being of the Forest as well as human users*. Perhaps the Forest could acquire funding to achieve this goal from the recently passed and signed into law federal infrastructure bill. [See here.](#)

PREAMBLE

As a Dubois resident and horseman for more than two decades, I’ve been horrified by the exponential increase of ATVs and UTVs—not to mention tourists—on the Wind River District of the Shoshone National Forest. It’s been bad enough over the last 20+ years, but it’s been even worse over the last 4 years, beginning with the 2017 Solar Eclipse and Tourist Inundation and lately exacerbated by the pandemic, with everyone from everywhere coming here to get away from where they are, making quite a mess of things.

A simple example of this: this past summer, Dubois vendors ran out of ATV permits *in July*. Another simple example: the overflow of tourists in the front country, with their “dispersed” camping on the Forest roads, left behind innumerable and unburied piles of human turds anointed with white toilet paper flowers up and down the roads as markers of human ignorance. These are not people you’d want as houseguests, but here they are on the Forest because the

boosters think more tourists is a good thing, while the myriad tourists are looking for that elusive treasure called “adventure” that they can’t find at home. And they’re mostly doing it on ATVs and UTVs.

“Moderation in all things” is not a general booster or tourist motto.

The main consequence: the front country of the Wind River District is now an industrial park and an ecological sacrifice zone—with the Forest’s blessing. The Forest is determined to “maximize” (its term) motorized use in the front country in a way that certainly conflicts with the federal Multiple Use Sustained Yield Act (MUSYA), not to mention other applicable land agency statutes and regulations. The intent of MUSYA is sustainable, optimal use of the land, with a proper balance between and among uses, not maximum use. The latter takes everything there is until there is nothing left.

Another consequence: hikers, skiers, and equestrians—blandly called “non-motorized users”—are being squeezed out of the front country by ATVs: by their numbers, their sheer occupation of space, their noise, their pollution of petrol fumes and dust, and their extensive damage to “the land community.”

My main focus in these comments is the Forest’s determination to run a loop road through the very steep Warm Spring Mountain Canyon, probably the only relatively pristine place left in the front country. It has been a candidate for Wild and Scenic River status for years. The Canyon is a stunningly ethereal, beautiful place, not to mention prime grizzly, wolf, cougar, moose, elk, peregrine, and golden eagle habitat. Animals use the Canyon to move under cover between the conjunction of the Creek and the Wind River and Union Pass, by-passing the housing developments on the Wind River plain. It’s also a critical trout fishery.



Warm Spring Creek and Canyon, August 2021, looking west. Photo by Robert Hoskins

Another feature of Warm Spring Creek is that it's heated by residual geothermal activity by virtue of rising in the highlands of the volcanic Greater Yellowstone Ecosystem. Not only the Creek but also the Wind River, into which the Creek flows, remain ice free in winter for 10 miles downstream. This is one of the most unique geological features of the District, and it's worth protecting from unwise use at all costs. But the Forest wants to run a motorized loop road from Union Pass Road to the east across the north slope of Warm Spring Mountain, down the north slope of the canyon, across the Creek, and up the southern slope to connect to another road that takes drivers back west to Union Pass. It would be one of the longest motorized loops in the front country. The Forest claims the considerable impacts of this loop road can be mitigated. Really? The EA provides no facts to support this claim.

I will also address the proposal to open FSR 961, the Windy Mountain Road, now closed to all but the administrative traffic that services the communications towers on the Mountain to motorized, year-round use.

Finally, I will address the proposal to open the road/trails to the west and east of Grandy Reservoir, now called FST 961.1b, to full time motorized traffic.

GENERAL COMMENTS

Need for action. The need for action in this process boils down to the simple statement that motorized users—referred to as “a discrete population of recreationalists” (EA: 15)--want more access to the Forest. In particular, this discrete group wants more loop roads. Certainly, local county commissions and the State of Wyoming are demanding more motorized access, more motorized loops, and more motorized tourist money. In this EA, the Forest is clearly favoring motorized users over other, “non-motorized” users in the front country, even though those latter users also use the front country for hiking, horseback riding, natural history, bird watching, or just taking in the country. Alternative 4 proposes to make it harder for non-motorized users to recreate in the front country and even pass through the front country, because of the excessive numbers and densities of ATVs on the roads and at the trailheads, to get to the backcountry so that motorized use can be “maximized.” This is grossly unfair.

A perfect example is the Windy Mountain and Grandy Reservoir proposals. The roads targeted by these proposals—FSR 961 and FST 961.1b, accessed from the lower parking lot of the Wildcat Loop on FSR 554—are among the few areas in the front-country where hikers, equestrians, and naturalists can tramp to their hearts’ delight without having to worry about ATVs ramming them in the rear or barreling down upon them from the front. This area is close to Dubois and even closer to the Upper Little Warm Spring subdivision, and is in constant, non-motorized use. I myself ride horseback on the lower part of FSR 961 and all of 961.1b around the Reservoir because it is a short yet steep trail and so it is a perfect place where I can keep my horses in shape when I’m not riding in the backcountry/wilderness.

In short, the end state of these proposals, intended or not, is to squeeze non-motorized users out of the front country.

No conservation alternative. NEPA requires that an EA or EIS provide alternatives that are significantly different from each other, primarily to develop various data sets to support efficient analysis and select the best alternative. Such is not the case with the TMP. In the Preliminary EA, there was virtually no difference between Alternatives 2 and 3, and in the Final EA, the preferred

Alternative 4 is merely a melding of Alternatives 2 and 3. Worse, in each alternative, the goal is maximum motorized use of the front country.

At a minimum, a conservation alternative would differentiate sustainable, or optimal, use from maximum use and demonstrate, when the minimization criteria of the Travel Management Rule (CFR 36 Part 212.55) are properly applied, that a maximum use approach violates every precept and directive of statute, regulation, and good management practices.

Should the Forest decide to slow down the process and conduct an EIS—which I heartily recommend—I am sure the conservation community would be willing to assist the Forest in developing a conservation alternative that addresses valid needs of the Forest and all users by focusing on a well-maintained, well-monitored, and well-regulated road system.

Lack of maintenance, monitoring, and enforcement. Motorized traffic on the roads and trails of the Forest, particularly ATV/UTV traffic, has surpassed all bounds of good sense and proper management. Maintenance, monitoring, and enforcement of regulations are so far behind the excessive and destructive use that they seem non-existent. We already know that deferred road and trail maintenance stands at \$25 million. The vast majority of roads and trails are badly rutted or potholed, with road beds scoured down to rocks, road edges eroded, and culverts exposed. Vegetation along the sides of roads is damaged or destroyed. As for monitoring, I haven't seen a monitoring report from the Forest in years, much less a report specifically on the state of roads and trails. One has to conclude that the Forest isn't tracking the state of the roads. The only attempt I've seen to quantify road use with a counter on the Forest is on FST 699 on the boundary between the Shoshone and the Bridger-Teton, and that road actually goes to the Seven Lakes area, which is on the BT. It seems that the counter was put in by the BT, not the Shoshone. As for enforcement, I would like to see data on enforcement actions for ATV violations. I haven't seen an enforcement officer anywhere on the Forest in years.

These deficiencies are one reason I'm calling for no new roads and a focus in this TMP on maintenance, monitoring, and enforcement. That focus would actually serve the needs of the Forest.

Too much wilderness? During the Powerpoint/Zoom presentation to the Dubois area public on 3 November 2021, Shoshone National Forest Environmental Coordinator Mark Foster made an interesting comment about the Wind River

District: that the front country between the Fitzpatrick Wilderness and the Washakie Wilderness was all the access motorized users had to the District. The implication is that the Forest has too much wilderness and so it must give as much access for motorized users to non-wilderness areas as possible. This is the argument that the Forest must maximize motorized use in the front country.

This “too much wilderness so maximize (industrial) uses elsewhere” argument has long been a talking point from various Sagebrush Rebels, motorized users, county commissions, and Wyoming State government for as long as I’ve been in Wyoming (nearly 30 years). It’s a bogus argument.

The primary problem with this argument is that it turns the front country into a sacrifice zone—an industrial sacrifice zone—in which the damage from overuse can never be repaired, either because it would cost too much or because it’s simply too bad off to repair. We’re already seeing this with roads so badly damaged from excessive motorized use that the road beds have simply disappeared into massive ruts, potholes, or hardpacked surfaces pitted with rocks of varying sizes. (I would add photos but I’ve already too many megabytes in this document).

Equestrians, of which I am one, have reached the point that they are unwilling to drive their trucks and horse trailers on these badly damaged roads in fear of wrecking our vehicles. Such roads are the Wildcat Loop, the Moon Lake Road, the Long Creek Road sideroads, the Burroughs Creek road complex, the Parque Creek Road, the Five Pockets Road, the Wayne’s Hole Road, the Bear Creek Road, and the East Fork Road above the Bitterroot Ranch. The only road I’ve seen that’s in reasonably good shape is the Brent Creek Road. In other words, the state of these roads makes it difficult to get to the various trailheads that provide access to wilderness areas. (The crowding at the trailheads is a separate but relevant problem).

The other problem is that the argument assumes the only purpose of wilderness is “backcountry non-motorized use,” hiking or horses. This is an anemic and unfair argument. Conservationists realized long ago that we needed to protect watersheds from all but the most simple uses, and in some case all use. Not to deny that hikers and horses don’t do damage in the backcountry. But that damage pales in contrast to the damage done by motorized vehicles and associated uses, like industrial logging, and can be addressed with policies like Leave No Trace and backcountry law enforcement.

Landscape scale analysis vs ground-truthing. According to WRD Ranger Jeff Vankienast in an email sent to me on 12 November 2021, “With respect to the Warm Springs loop of concern, site-specific review, analysis, and design has not occurred. Our Interdisciplinary Team reviewed and analyzed it at the forest scale. The proposal remains an option that the Forest would like to proceed with provided that during the ensuing site-specific review and analysis, issues of significance are not identified. That process will include public engagement (through appropriate project-specific scoping and comment periods) and compliance with all necessary regulatory processes.” This is the clearest statement from a Forest official of the landscape analysis strategy for the TMP.

The 2015 Forest Plan constituted the landscape scale analysis with its assignment of management areas. The goal of the Travel Management Plan is to implement the travel aspect of those management areas. As such, the Plan needs to be based on detailed, ground-truthed data on each proposal for new roads and trails, not to mention the entire road system itself. Supposedly, this analysis was done in the 2017 [Travel Analysis Report](#) and associated appendices. However, by the Forest’s admission in the report (p. 5), only the Forest Plan, INFRA Roads Database, GIS data overlays, and the Motor Vehicle Use Map were consulted. Clearly, none of these data bases were ground-truthed. We see the same problem with Appendices B&C of the EA. In any case, given the exponential increase of ATV/UTV traffic on the District over the last 4 years, the 2017 TAR is obsolete. It should be redone and ground-truthed.

In various places of the EA, we are told, as reiterated by District Ranger Vankienast above, that ground truthing will be done only after the TMP is accepted and specific proposals prepared for implementation. This is too late. Those projects will already have been locked in by the TMP and almost impossible to reverse, no matter how ill-advised. Mitigation will not solve that problem, only exacerbate it. Mitigation will not save a bad decision.

The argument for historical use. One often hears that motorized use, because it’s a historical use, it should be allowed to continue, perhaps with some regulation, but still allowed. Of course, horses are also a historical use, and a much older use to boot. Be that as it may, no one argues that motor vehicles aren’t a historical use; rather conservationists are arguing that the extent and density of motorized use that we see now is historically *unprecedented*, with unprecedented damage to the resource. This situation requires precedent mitigation measures, to include enforceable restrictions on use.

Historical motorized use was limited to low-power vehicles, such as the Ford Model A or small pickup trucks before WWII. After WWII, the civilian Willy's Jeep and military surplus Quarter-ton general purpose (Jeeps) trucks became popular. Many people still went to the Forest on horseback. Most of this traffic was local and limited.

Over the last 20-30 years, ATVs and motorbikes and SUVs have soared in popularity as well as in size and power. Commercial marketing from manufacturers and tourist bureaus spins such vehicles as the epitome of adventure, splashing through creeks, rivers, and mudholes, forging over rocky hillsides and mountain tops, and blowing plumes of dust and gravel behind them—all at high speed. No wonder the land over which these vehicles cruise is so badly scarred.

In [the Shoshone National Forest Visitor Capacity Analysis and Guidebook](#), published in April 2017 but not disclosed to the public in the TMP process, the Forest made an attempt to determine maximum capacity of the Forest to handle visitors and to carve out permitted commercial outfitter use days. Much of the analysis concerned a survey of the Forest's permitted outfitters and what they thought about the level of visitor use on the Forest and whether the compartments could handle more recreational use, or at least other uses such as mountain biking and rock climbing. Many outfitters thought adding new uses was possible.

What is most interesting about this document, however, is that it finds that most of the visitor analysis "compartments" of the Forest were either near capacity or saturated (see color coded designations pps. 134-137, where red denotes above capacity, or saturated, and yellow denotes at or near capacity). Concerning the Dubois area compartments in the front country, all are coded yellow. Curiously, outfitters in the Dubois area thought that additional uses in some areas could stand more use or different uses, although most opined that ATV use was excessive and caused unnecessary damage to roads.

Nonetheless, what interests me as a conservationist is that despite the opinions of the commercial outfitters about additional use, the Forest considered most of the Forest at or near visitor capacity. However, this analysis finds no place in the current EA. It is also clear to me that the analysis is obsolete, as the exponential increase in motorized traffic we all notice has occurred mostly since the document was published in 2017, the year of the Great Eclipse.

This recent increase in use does not reflect historical use, which mostly involved locals, not tourists with bigger and badder vehicles. Current use is

unprecedented—having shifted the color scheme of capacity from yellow to red, as it were—and the Forest must consider this in an EIS and develop methods of control.

WARM SPRING MOUNTAIN MOTORIZED LOOP—FSR 263 (UNION PASS ROAD)/FSR 529/FST 608/FSR 528.2D, FSR 528/FSR 554/FSR 263

This proposal is probably the worst of those considered in the Travel Management process, and I am inalterably opposed to it. (Refer back to the Preamble for the reasons). The proposal intends to link together existing road systems on and around Warm Spring Mountain. These road systems (FSR 529 and 528.2d) were built in the mid-1920s for tie hack operations on the Mountain and lower down in the canyon, where the terrain is relatively flat. This system includes an old logging track, now named FST 608, which crosses Warm Spring Creek from the end of FSR 529 and ascends 1/3 of the southern slope of Warm Spring Canyon. The illegal ATV trail connects FST 608 to FSR 528.2d, which comes down from Geyser Creek Park.

Currently, there is no legal public access to this road system. Private property blocks access from the northwest and north, and an illegal ATV trail branching off 528.2d links FST 608 to FSRs 528 and 554 (part of the Wildcat Loop) and thence westerly to the UP Road. The proposed loop would legitimize and reconstruct the illegal ATV trail while at the same time build a new trail to FSR 529 from the UP Road on Forest land just south of the privately owned Line Shack on the UP Road. This new trail would cross a boggy flat and then ascend a steep slope to connect with the western terminus of the existing FSR 529. Motorized users had previously created another illegal trail up this slope, but the Forest has currently closed it

Thus, part of this proposal has the Forest legitimizing two illegal ATV trails. This is intolerable, and would be reason enough in its own right to kill the proposal.

Granted, there is already ATV traffic on the above road system from two private subdivisions on the north, Porcupine and Uphill Road, as well as traffic using the illegal ATV trail from the south. (However, that is no reason to ahead and open up public access, which will increase traffic exponentially).

Currently, as reported by residents of the two subdivisions, traffic is minimal to medium, occasionally heavy, which is evident to erosion on the existing roads and illegal trails. A complete loop on this system—which residents to whom I have talked oppose—would increase traffic to a degree as yet impossible to predict, as

the Forest conducts no monitoring and collects no data as to how loops increase traffic exponentially. Exponential increase is evident from qualitative assessments by locals and obvious damage to the current roads. However, we need quantitative data to make a scientific assessment. This is another reason for a hard look EIS.

Photos. Before I go on, let's look at some photos of the proposed loop road taken earlier this month.

The below photo is of the illegal “user created trail” the Forest intends to legitimize and reconstruct to make the loop work. It leaves FSR 528.2d—an old switchbacked logging track dating back to the 1920s or 1930s that drops down from Geyser Creek Park—about 75 yards below the first switchback. Note the lack of any formal engineering design to the trail. According to local historians, this was originally a jeep trail dating to the post WWII era. Before that, it was probably a horse trail.



Illegal ATV trail off FSR 528.2d, looking south, August 2021, Photo by Robert Hoskins

The below photo depicts FST 608 down near the Creek. Historically, 608 is an extension of FSR 529 from the north over Warm Spring Creek, a logging track originally built in 1925 to allow tie hacks to log an area south of the Creek that is relatively flat. It is marked on the 1956 Warm Spring Mountain quadrangle (USGS) as an unnamed trail. Note the lushness of the forest either side of the track.



FST 608, Old Tie Hack logging road, looking east, August 2021, Photo by Robert Hoskins

The below photo depicts the crossing of Warm Spring Creek. Clearly, someone has placed flagstones and other rocks over the crossing to protect the streambed from ATV traffic.



Warm Spring Creek crossing, looking north, August 2021, Photo by Robert Hoskins

The below photo depicts FSR 529 on the north slope of Warm Spring Mountain, looking west. Built in 1925 by Wyoming Tie and Timber to log the north slope of Warm Spring Mountain.



FSR 529, Warm Spring Mountain north slope, looking west, November 2021, Photo by Robert Hoskins

The below photo depicts FSR 529, the old tie hack logging road, on the downslope from the north to the Warm Spring Creek crossing. Note the sandy, rocky road, which reflects the impact of existing ATV traffic, mostly coming from the Porcupine subdivision off the Union Pass Road but also from private landowners on Uphill Road. Both subdivisions border Forest land. The slope here is south facing and so much drier and more subject to erosion, due to the sandy road base, than the north facing slope of the canyon across the Creek.



FSR 529, Logging track down to Warm Spring Creek, November 2021, Photo by Robert Hoskins

Discussion. The TMP scoping documents from 2016 and 2017 make specific proposals, such as the Warm Springs proposal, related to the road system. We can see that the Forest continues to say this EA is looking at the road system from the landscape scale and the Forest will get to the details only once they start planning to implement specific proposals. This is of course backwards. You don't decide something and then try to figure out the facts and how to implement the decision.

So another problem is found in Appendixes B and C, where minimization criteria are applied--in my opinion, often improperly--to specific proposals. Minimization criteria are questions the Forest must ask, required by the 2005 Travel Management Rule, when considering whether a proposal harms various resources. If harm will occur, the Rule lays out various mitigation measures, one of which is *don't do it*. You seldom *see don't do it*. (Bachelor Creek is one of the few "don't do its" in this EA. That's because someone actually went and looked at it; half the existing horse trail is a creek bed; the other half is hampered by tree roots, bog, and rocks. In other words, Bachelor Creek was ground-truthed and consequently dropped from consideration as a motorized trail. There's an important lesson to be learned from Bachelor Creek—Look First Before You Jump).

Appendix B (p. 22), tells us that the "proposal would require new construction and adoption of [a] user-created route, *with feasibility considered in the context of appropriate mitigation measures*. Identified *hydrology and severe soil erosion interactions* [were identified] ... Appropriate design features and mitigation measures will be developed when the route is converted from a road ... to a motorized trail...." Translation: we're going to create the loop despite identified problems; we'll get around those problems with "mitigation measures." Quite frankly, the phrase "feasibility considered in the context of appropriate mitigation measures" is used a lot throughout the EA when there are significant problems with a proposal the Forest nonetheless really wants to implement. Warm Spring Mountain is the poster child for those kinds of proposals.

Appendix C lays out the specific minimization criteria, asking questions about how the proposal will affect resources like water, soils, wildlife, vegetation or other users. Crucially, the impact on one class of users, non-motorized, is left out even though it's required by the 2005 Rule--CFR 36, SubPart A, 212.55(b)(3): "the responsible official shall consider ... conflicts between motor vehicle use and *existing or proposed recreational uses* of National Forest System land or neighboring Federal lands ..." Leaving out the impacts on existing, non-motorized uses is a significant omission. (The same omission applies to the Grandy Reservoir proposal).

Another consideration is that the 2015 Forest Plan assigns management area 5.4 to the Warm Spring Mountain complex, or Managed Big Game Crucial Winter Range, which allows, but does not require, motorized travel. The primary value is wildlife and crucial winter range. The question is whether a loop road conflicts with that value. It clearly does.

I have spent considerable time on foot and on horseback in the Warm Spring Creek and Canyon complex. From 2014 to 2020 I worked for the Box Hanging 3 horse ranch. The ranch borders on the confluence of the Creek and the Wind River. The easiest points of access are below the popular geyser as well as the BLM trail to the natural bridge above and to the west of the geyser. I can personally attest to the use of the Canyon and Creek as a migration corridor for elk, bears, wolves, and mountain lions. It is also a migration corridor and calving area for moose, which are known to be in decline in the Dubois area. It is also used by peregrine falcons and golden eagles. The difficulty of getting into the Canyon helps isolate it from human intrusion and thus serve as secure habitat for all manner of wildlife.

One of the few examples of specificity in the EA is the discussion of grizzly bears. On page 219, we read: “One exception is the Warm Springs BAU on the Wind River Ranger District. This area has an existing well-developed road system that impacts the secure habitat value. Bear trapping and monitoring efforts indicate that a considerable number of bears use the area despite low secure habitat values (reference omitted). Current motorized use likely affects the grizzly bear population in this area. Some bears may avoid areas with high levels of motorized activity entirely, while others may adopt strategies to use these areas while avoiding human activity, such as becoming more nocturnal (reference omitted). The limited amount of secure habitat available in this area may contribute towards the continued potential for human-bear conflicts and mortality.”

I can certainly confirm the presence of grizzlies on Warm Spring Mountain; I recently rode on horseback along FSR 529 on the north slope and found numerous grizzly tracks, both adult and cub, in the snow—not to mention wolf tracks.

Given that grizzly bears are still on the Endangered and Threatened Species list, and given that the State of Wyoming is doing everything it can to have bears delisted, it is inconceivable that the Forest would install a public access loop in an area where that bears use heavily and are already heavily impacted by motorized traffic. The loop would give conservationists another reason to oppose grizzly delisting.

It seems to me the Forest must respect its own decision in the Forest Plan to designate Warm Springs Mountain and Canyon as critical wildlife winter range. As I have seen myself, it is also critical wildlife habitat all year round. The proposal must be dropped and the status quo of current use must be maintained.

WINDY MOUNTAIN/SALT BARRELS PARK/MOON LAKE ROAD LOOP, FSR 961/MT14/FSR 531/UNION PASS ROAD

This proposal involves Management Areas 3.3a and 5.1, Back Country Recreation Year-Round Motorized and Managed Forests and Rangelands respectively. It also involves an Inventoried Roadless Area ([see map here, p 3](#)) and critical elk and bighorn sheep winter range. The area also serves as an elk migration corridor and calving area during greenup. On the ground, these characteristics conflict. Parsing them out requires on the ground knowledge and judgment. The proposal reflects neither.

This proposal intends to create another legal loop road by opening a currently administratively closed road to connect with FSR 524 and MT 14, both of which border the Fitzpatrick Wilderness to the south, creating additional enforcement problems with wilderness trespass. Further, even though there is already another access road from a private easement through the 3 Spears Ranch to the east of the towers that connects to FSR 524, the Forest asserts it doesn't have the authority to designate a private road as a Forest trail. True, but then the Forest doesn't have to open up 961 either. It could just leave things as they are; in a de facto manner, the loop already exists. Why create more damage?

This proposal has 6 problems:

1. This proposal had previously been rejected for reasons “due to potential impacts to inventoried roadless area characteristics, enforcement issues, and wildlife impacts, particularly bighorn sheep crucial winter range. Re-evaluated under Alternative 4 and determined to have less interaction with Forest resources than [Bachelor Creek].” (Appendix B: 19). After Bachelor Creek was dropped, Windy Mountain (WR-03) was selected even though the public was not aware of this change until the Final EA was released on 19 October 2021. This bait and switch is a NEPA violation.
2. The road will pass through elk spring migration corridor and calving ground. The area is also year round habitat for moose and, since calves have been seen with cows by local residents, it is very likely a moose calving area as well. Consequently, it is inconceivable to me that the Wyoming Game & Fish Department would give its assent to this proposal. The Forest should release the G&F comments on the EA immediately to see just exactly what G&F said.

3. The road will also pass through critical bighorn sheep winter range. Same issues as paragraph 2 above.
4. The road will bisect an Inventoried Roadless Area. Even though this particular IRA is one where roads can be allowed, according to the Roadless Rule and 2015 Forest Plan, public access roads are not required.
5. The road runs near critical communications infrastructure—the Windy Mountain radio towers—increasing the possibility of vandalism or sabotage. Local residents already frequently see illegal ATV use of the Tower Road. Increased traffic in this area increases the possibility of vandalism. Furthermore, lower down on 961, I have counted four electrical boxes that serve the Towers. I can imagine some ATVer barreling down the road, losing control, and taking out a box, thus taking out the towers. This makes me wonder: what is the position of the tower owners and companies that lease them on this proposal? And what is the position of the Department of Homeland Security?
6. The Road, in conjunction with 961.1b, will eliminate one of the few undisturbed hiking and horseback trails near the town of Dubois—Grandy Reservoir. I have discussed this problem elsewhere in this document.

In short, a loop already exists, although it is somewhat less accessible than the proposed route. Despite that, opening FSR 961 to year round traffic creates additional risks for wildlife, non-motorized users, and critical infrastructure. The proposal must be dropped.

GRANDY RESERVOIR LOOP, FSR 554/FSR 961/FST 961.1B/FSR 554

This proposal for the newly designated FST 961.1b involves Management Area 5.4, Managed Big Game Crucial Winter Range, and an Inventoried Roadless Area. It is also, according to local knowledge, a moose calving area and year-round habitat.

This proposal might be considered “collateral damage” from the proposal to open FSR 961, currently an administratively closed service road for the communications towers on Windy Mountain. That is, by opening FSR 961 to year-round motorized traffic, FST 961.1b is also opened to year-round motorized traffic. Doing so would eliminate one of the last front country hiking and horseback trails that is popular with residents of the Upper Little Warm Springs subdivision as well as Dubois residents.

This proposal has 5 problems:

1. It opens a now administratively closed access road, turning off FSR 554 at a point 2 miles above the lower parking lot and kiosk, that allows maintenance of the dam and reservoir. This road used to have a gate, which is noted on the 2014 Forest map, but it has long since been removed by motorized users for illegal vehicular trespass.
2. It requires major trail construction over a long-closed logging track that turns off FSR 961 heading toward the east end of the reservoir. The construction will cross several wet, boggy areas paralleling a creek that is crossed higher up and closer to the reservoir. Indeed, the water table is high on the slope between 961 and the reservoir.
3. It requires new construction over a gap of about 150 yards between the dam and the end of the logging track. This gap is low and wet all summer long.
4. It will eliminate one of the few front country undisturbed hiking and equestrian trails near the town of Dubois and the Upper Little Warm Springs subdivision, which borders the Forest.
5. In conjunction with Windy Mountain, FSR 961, this is an entirely new proposal, not included in earlier Forest travel management documents. It was selected to replace the Bachelor Creek proposal, which itself was intended to create a long loop with Salt Barrels Park, MT14, FSR 531, and FSR 263 (Union Pass Road). While the Bachelor Creek proposal was a truly bad one for environmental reasons, its replacement is nearly as bad. In any case, this is the first time the public has seen this particular proposal, and it should have been disclosed before the Final EA was issued.

CONCLUSIONS

The Forest has neither justified the development of the above 3 loops nor the development of other loops, for which I have not had time to assess and express a detailed opinion. In any case, there is not a legitimate, rational need for them. They have been proposed instead to meet the wants of a discrete user group—ATV/UTVers. By so doing, the proposals ignore the wants of other, non-motorized users and indeed will have the effect of further squeezing non-motorized users out of the front country. This is a fairness issue.

The Forest justifies these changes by arguing impacts from these loops can be mitigated. However, given the extraordinary poor condition of existing roads and

trails, there's no reason for the public to accept this justification. These new loops, within a short time after their construction, will end up the same way. This is a sustainability issue. It makes no sense.

Given the conflict of varying management areas, IRAs, big game winter range and calving areas, and existing non-motorized uses that these proposals involve, the Forest needs to do a lot more work to justify resolving the conflicts in favor of one, profoundly destructive use.

The Forest should adopt a no new roads approach to the road system. Instead, it should focus on establishing a well-maintained, a well-monitored, and well-regulated road system that benefits the needs of the Forest as whole and all users, not just motorized users.

In closing, I hope that my comments and the comments of a large number of people who want to see the Forest managed conservatively with regard to ecological health and environmental sustainability will convince the Forest Service to place a hold on the Travel Management process. We ask that the Forest take a hard look at what it is proposing in a detailed, ground-truthed EIS to support better decisions. However, given the politics of resource use in Wyoming and the West, I'm not going to hope too much for the Forest to place a hold on the process and begin an EIS. Consequently, many of us will begin very shortly to prepare for the Objection period once the Forest issues a FONSI.

Sincerely,

/s/ Robert Hoskins
Dubois, Wyoming