

6/4/16

Dear Mr. Robertson,

I have reviewed the Scoping Document for the Shoshone National Forest Travel Plan which was released to the public during May 2016. The following are my comments related to the Plan. I have restricted my input to the northern portion of the forest because that is the area I am familiar with.

A. Summer Travel Plan

1. NZ-05

On 10/7/15, I submitted an email to Kristie Salymann which provided information supporting the permanent closure of forest road 165 and forest road 178.1B at the points where they enter the Clarks Fork of the Yellowstone Wild and Scenic River Corridor. Later on 2/8/16, I sent Ms. Salymann another email alerting her to additional important information supporting the road closures which was included in the "Environmental Assessment for the Comprehensive River Management Plan for the Clarks Fork of the Yellowstone Wild and Scenic River", 9/2009.

Now, I am submitting to you new information which I became aware of just during the last few days. The data have a direct bearing on the proposal to close portions of the two roads. Previously, I assumed forest road 178.1B existed and forest road 165 reached the Clarks Fork River at the time the Clarks Fork of the Yellowstone Wild and Scenic River was established by an act of Congress on November 28, 1990. Consequently, I presumed the continued use of the two road segments in the Wild and Scenic River Corridor was permitted because such use was "grandfathered in" by the enabling legislation. However, a contemporaneous, 1990 Shoshone National Forest recreational map which, among other things, shows all of the roads on the forest at that time clearly indicates forest road 165 ended approximately 1/8 of a mile from the Clarks Fork River and forest road 178.1B did not exist (Attachment). Consequently, the map provides conclusive documentation that forest road 178.1B and the extension of forest road 165 to the

Clarks Fork River postdate the legislation. Therefore if my understanding is correct that the 1968 Wild and Scenic Rivers Act and the 1990 Clarks Fork of the Yellowstone Wild and Scenic River Designation Act specifically prohibit the development of new roads in the Wild and Scenic River Corridor, those unauthorized road segments are nonconforming and clearly illegal. The only way to properly rectify the situation and to provide the legislation-mandated protection to the Wild and Scenic River Corridor would be for the forest service to permanently close the road segments. It is my understanding that the forest service can close these unauthorized, user-created roads by administrative action.

I believe I have provided thorough and persuasive documentation to close forest road 178.1B where it enters the Wild and Scenic River Corridor and to close the unauthorized extension of forest road 165, at the very least, beyond its endpoint in 1990. However if the forest service continues with its proposal to allow motorized access along the full lengths of forest roads 165 and 178.1B, I want to be timely informed in detail of the specific reasons for such a decision.

2. NZ-03

I think the relocation of the gate from the base of the Morrison switchbacks to a position on the Lower Dillworth Bench makes sense if the new gate is positioned at a spot where:

- An ATV (or an ATV convey of two or more vehicles) can easily turn around at the closed gate without damaging the adjacent land and vegetation. A forest service photograph of the proposed gate location suggests turning around without causing resource damage would be difficult.
- Noncompliant ATV users will not be able to drive around the closed gate.

3. NZ-23

I support the proposed road closure at the private property boundary in the upper portion of the Sulfur Creek drainage.

B. Winter Travel Plan

1. NZ-4w

The proposal for a new, un-groomed snowmobile trail near Ghost Creek connecting the Randall area to the higher elevation snowmobile-use areas accessed by U.S. Highway 212 seems reasonable. However, the small scale of the map makes it difficult to determine the specific route of the new trail. It appears the northern half would be on forest road 118, but there is no current road or trail for the southern half. If a new route is constructed for the southern half, it is essential the forest service prevents summer motorized travel on that new route.

C. Compliance

If the new Shoshone National Forest Travel Management Plan is to be meaningful and have lasting value, methods of ensuring compliance to its provisions must be included as part of the Plan. However, the amount of emphasis in the Scoping Document was rather cursory. I urge the forest service to include a robust compliance section (e.g. education, signage, enforcement, etc.) in the final Plan. Moreover with respect to compliance the forest service should not only "talk the talk", but it must "walk the walk" if it is to maintain any credibility.

Thank you for considering my comments. My contact information is:

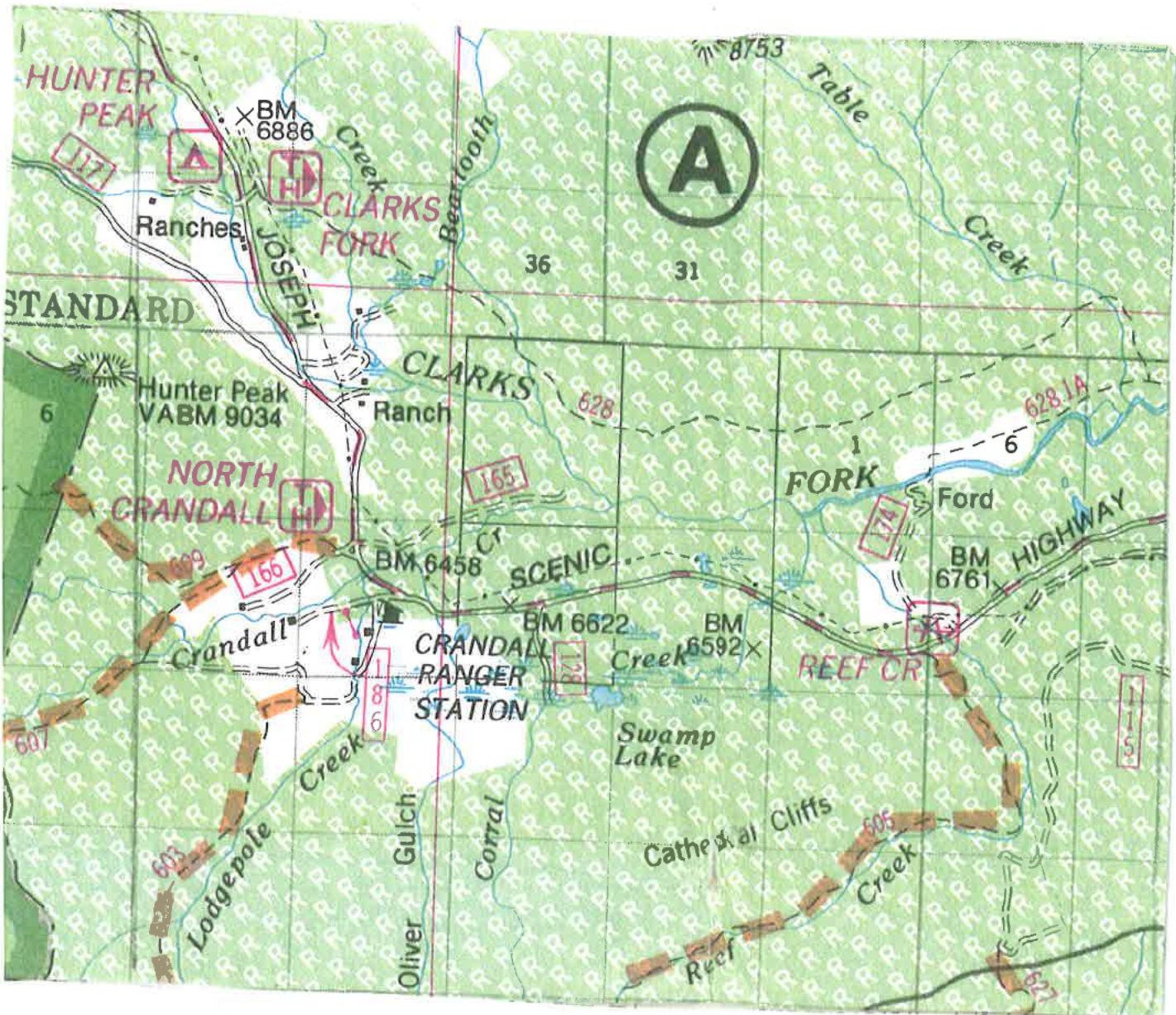
May 15 - September 15
P.O. Box 1093 / Cooke City MT 59020
No telephone, cell phone or internet

May 14 - September 16
440 Highland Drive
Bellingham, WA 98225
(360) 714-9587
<dauidcourtis@g.com>

Sincerely,
David M. Courtis

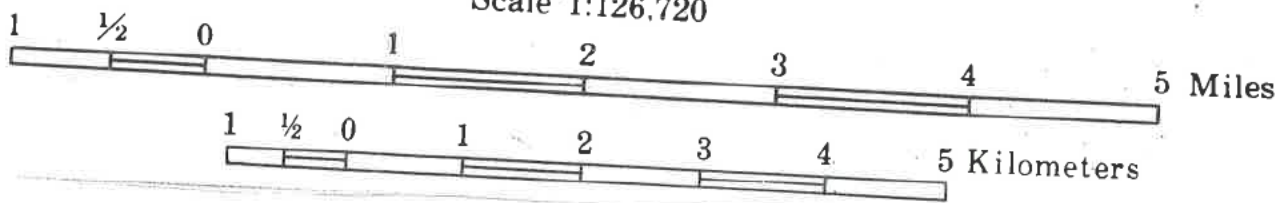
Attachment: 2009 Shoshone Forest map of the Randall area

cc: Greater Yellowstone Coalition, with Attachment.



1990

Scale 1:126,720



Dave Curtis



Wapiti Ranger District

JUN 14 2016

Rob Robertson
COMMENTS for Shoshone National Forest
Travel Management, Scoping Document