



December 11, 2017

Craig Trulock  
Acting Forest Supervisor  
Shoshone National Forest  
808 Meadow Lane Avenue  
Cody, WY 82414

Re: Comments on Shoshone National Forest Travel Management

*Submitted via email to: [travel\\_management\\_comments@fs.fed.us](mailto:travel_management_comments@fs.fed.us)*

Dear Acting Supervisor Trulock:

Thank you for the opportunity to comment on the revised proposed action for the Shoshone National Forest Travel Management project. With over 500,000 members and supporters, The Wilderness Society (TWS) is a national non-profit dedicated to protecting wilderness and inspiring Americans to care for our wild places. Since our founding in 1935, we have worked closely with diverse interests who care about the future of our national forests. We provide scientific, legal, and policy guidance to land managers, communities, local conservation groups, and state and federal decision-makers aimed at ensuring the best management of our public lands, including responsible and balanced management of motorized recreation. TWS has numerous members both locally and nationally that recreate on the Shoshone National Forest. In this travel planning process, TWS is particularly interested in the High Lakes WSA, sustainable management of winter motorized recreation, and creating a sustainable road system.

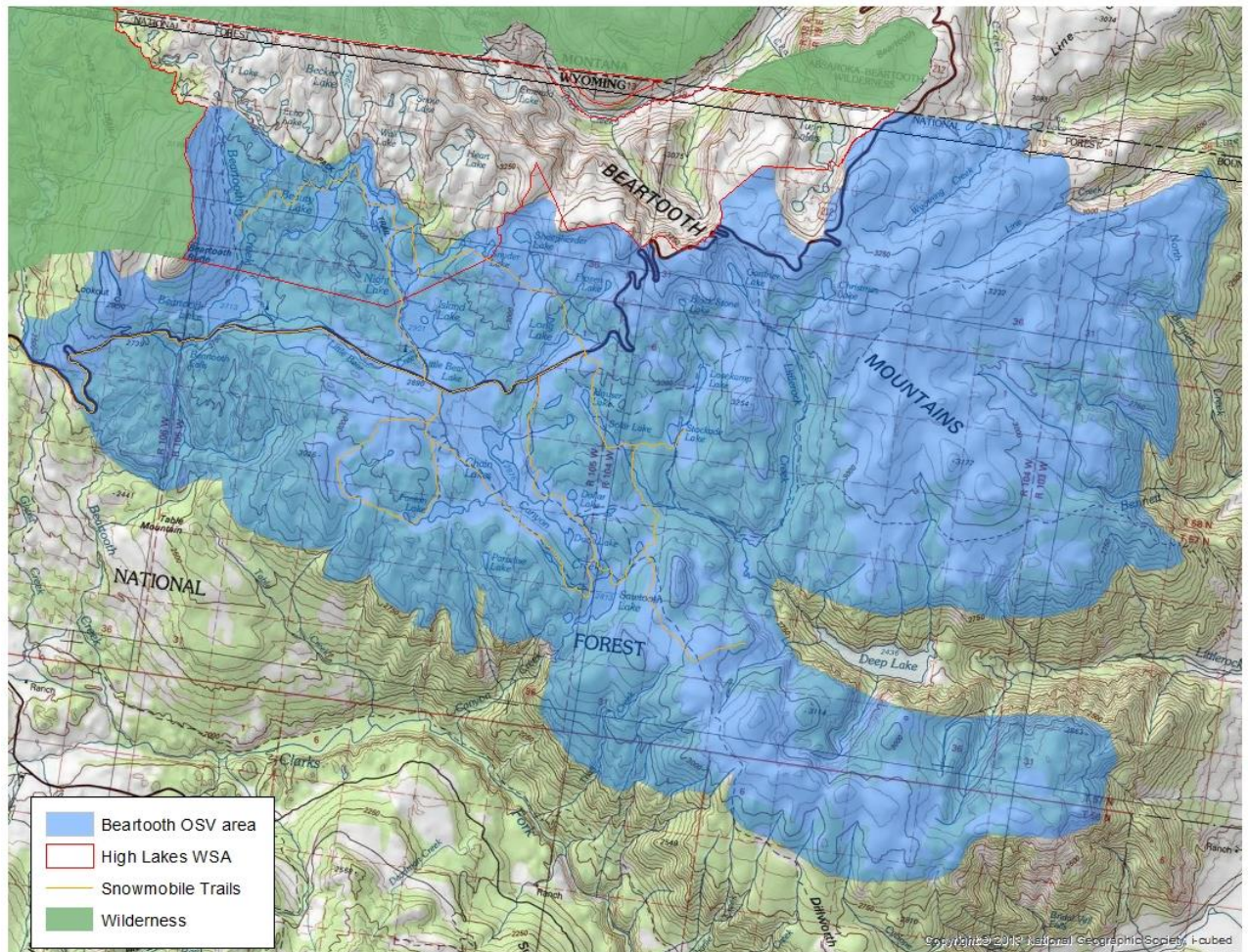
We have commented extensively throughout this travel planning process to date, including submitting a pre-scoping letter and two scoping letters over the past two and half years. Attached to this letter we are re-submitting all of these materials to ensure they are part of the project record and so that you have them on hand as you move forward with Alternative development and the impacts analysis. We are re-submitting the attached materials:

- Shoshone pre-scoping comment letter submitted by Winter Wildlands Alliance, TWS, and Togwotee Backcountry Alliance on September 22, 2015.
- Shoshone scoping comment letter submitted by TWS on July 27, 2016.
- Shoshone scoping comment letter submitted by TWS on August 17, 2017, which included our proposed OSV boundary for the High Lakes WSA.

In general, our interest in this planning process can be categorized under the following topics:

- 1. Winter travel management within the High Lakes Wilderness Study Area (WSA) must comply with the 1984 Wyoming Wilderness Act, limiting OSV use within the WSA to “the same manner and degree” as what likely occurred during the winter of 1983.**

We have already provided extensive comments concerning the High Lakes WSA and the Wyoming Wilderness Act. Rather than repeat those here, we urge the Forest Service to refer to the issues raised in our letter dated August 17, 2017 and offer a suggestion. The most effective way for the Shoshone to manage OSV use within the WSA is to limit the footprint of OSV use within the WSA by keeping use in line with the “manner and extent” that occurred during the winter of 1983; limiting the motorized footprint will also help the Shoshone comply with the OSV Rule’s requirement to minimize impacts to and conflict with wilderness character (a “use”). The Forest Service may not ever be able to determine how many people snowmobiled in High Lakes WSA in the early 1980’s but it is fairly easy to ascertain where a 1983-era snowmobile could and could not go. Generally, they were restricted to groomed trails. We propose that the Forest Service designate OSV use on the Beartooth plateau as shown on the following map:



2. **The Shoshone winter travel plan must comply with the 2015 Over Snow Vehicle Rule and underlying Executive Orders (11644 and 11989), designating specific areas and routes for OSV use which are located in compliance with the minimization criteria.**

We understand and appreciate that the Shoshone recently completed a forest plan revision which classifies many areas of the forest as not suitable for OSV use. However, the Shoshone cannot simply designate all “suitable” areas as open to OSV use in the travel plan unless the Environmental Impact Statement (EIS) clearly describes how the boundaries of these areas

comply with the minimization criteria. The burden of proof is on the Forest Service to clearly explain why specific areas and trails are to be designated for OSV use.

While we understand that the majority of the Shoshone is already closed to OSV use because it is designated as Wilderness or deemed unsuitable in the Forest Plan, this is not a reason to gloss over winter travel planning. The 2015 OSV Rule, requires the Forest Service to designate OSV open areas that are “*discrete, specifically delineated space[s] that [are] smaller . . . than a Ranger District*”<sup>1</sup> and with the objective of minimizing “*Damage to soil, watershed, vegetation and other forest resources,*” and “*Conflicts between motor vehicle use and existing or proposed recreational uses of National Forest System lands.*”<sup>2</sup> The Forest Service must designate OSV areas in a manner that reflects where OSV use actually occurs, where it’s feasible for OSV use to occur, or which areas of the forest provide quality OSV recreation opportunities. There must be a discussion of how the boundaries of these areas have been located to minimize impacts to other forest resources or uses, and a discussion of why these areas are or should be open to OSVs.

Due to the requirement to manage the forest as “closed unless designated open”, identification of a “motorized area closure” in the “Winter Travel Management Proposed Action, SubPart C Changes to Motorized Travel – Wind River RD” map is inconsistent with the OSV Rule. Any area not specifically designated for OSV use is closed and these areas do not need to be specifically identified beyond not being designated open. Rather than justify closing areas to OSV use, the EIS must justify why each area is designated *open*. As this map stands now, it appears that all areas on the Shoshone that the Forest Plan identified as “suitable” for OSV use are automatically being designated “open” in the proposed travel plan, excepting a small area closure on the Wind River district. We very much support not designating the area surrounding the cross-country ski trails on Togwotee Pass for OSV use. In this process, the Forest Service needs to determine which areas will be designated *open* for OSV use, not which areas will be closed.

Additionally, to help the Shoshone with its requirement to comply with the minimization criteria, we are attaching the following documents to this letter, which we have not previously submitted to the Shoshone:

- [Minimization Criteria Compliance Key Concepts TWS BRC Final.pdf](#): This document was developed by The Wilderness Society and Blue Ribbon Coalition and it outlines key concepts for complying with the minimization criteria.
- [Olson et al. 2017.pdf](#): This paper includes management recommendations for meeting the minimization criteria and providing for desirable winter recreation opportunities for motorized and non-motorized winter recreation user groups.

### **3. Other Priority Places**

In addition to the High Lakes WSA, there are four other areas that are a priority to TWS: 1) the Dunoir Special Management Unit, 2) Francs Peak, 3) Wood River, and 4) Trout Creek. We remind the agency that TWS advocated for the protection of these areas throughout the Shoshone forest plan revision. The Shoshone’s forest plan prohibits motorized travel in these

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<sup>1</sup> 36 C.F.R. §§ 212.1.

<sup>2</sup> 36 C.F.R. § 212.55(b).

areas. We fully expect the Forest Service to comply with this forest plan direction when making motorized designations in the travel planning process.

**4. The Shoshone winter travel plan should include OSV season dates and a minimum snow depth or density restriction.**

We generally support the OSV season dates in the Proposed Action. However, we are concerned that allowing OSVs on the forest as early as November 15 and as late as May 15 will not meet the requirement to minimize impacts to wildlife. Mid-November is peak season for big-game hunting, a time when many wildlife are already stressed, and grizzly bears begin emerging from their dens in April. The EIS should describe in detail what impacts OSV use has on ungulates, grizzly bears, and other wildlife and how allowing cross-country OSV travel as early as November 15 and as late as May 15 meets the requirement to minimize impacts to these species.

We question the need to change the OSV season in the Greybull and southern Wapiti zone, and across much of the Clarks Fork ranger district from the originally proposed December 1 – April 15 to November 15 – May 15. These areas are generally low elevation and we believe that December 1 – April 15 is more appropriate. This would eliminate conflict with hunting season in areas that receives high levels of hunting pressure and align the OSV season more closely with the snow season. It's a rare November that sees enough snow for consistent OSV use across most of the Shoshone. For consistency we recommend that the OSV season across the forest be December 1- April 30, with an extended spring season on the Beartooth pass ending May 15. This season coincides with the season set by the neighboring Bridger-Teton and avoids any conflict with hunting season.

Requiring sufficient snow is an important tool to use to minimize the impact that OSV use has on soils, vegetation, and subnivalian wildlife habitat. As we've detailed in previous comments, the weight of an OSV compacts snow, affecting melt rates which in turn impact plant regeneration. Snow compaction also impacts wildlife that utilize the subnivalian zone – literally crushing this important habitat and rendering it unusable. Likewise, without sufficient snow to serve as a buffer, OSVs can compact the soils underneath, leading to the many of the same effects brought by wheeled vehicles traveling cross-country.

We recognize that this subject is not very well understood. While there is no exact standard for how much snow is sufficient to minimize OSV impacts to these underlying resources, the rule of thumb in avalanche safety is one meter (39 inches) – that is, it is generally considered that a skier or snowmobiler on top of the snow can trigger an avalanche on snow layers up to a meter below the surface. This of course depends on snow density, and we encourage the Shoshone to think about snow density as a management tool as well – perhaps a minimum snow density standard accompanied by a minimum snow depth standard.

Regardless of whether the forest implements a minimum snow depth, low elevation areas that rarely receive enough snow to even support over-snow travel should not be designated open for OSV use. For example, the Beartooth Front should not be designated for OSV use. This area is the lowest elevation area in the entire Greater Yellowstone Ecosystem and rarely, if ever, receives enough snow to support OSV travel.

## 5. Subpart A of the Travel Management Rule

We are pleased that the SNF is making a concerted effort in this Subpart B process to consider the information from the recently completed travel analysis report (TAR) and to identify the minimum road system. We remained concerned, however, with elements of the Shoshone TAR and how this information will be used to identify the minimum road system and inform the Subpart B process.

- First, the Shoshone must explain in the DEIS why the risk/value score changed for individual roads from the 2015 TAR to the 2017 TAR. Without an explanation, these changes appear arbitrary. If the Shoshone can't explain these changes, then the agency should refer to the risk/value information as well as the recommendations in the 2015 TAR.
- Second, the 2017 TAR found that 250 miles of its road system is low benefit. Yet, the TAR identified the vast majority of these roads as likely needed for future use, and the travel planning proposed action would retain the majority as system roads. In general, we recommend that the Forest Service refrain from storing low benefit roads unless the agency can point to a definitive reason why it needs the road in the foreseeable future. Retaining roads by closing and storing them can result in illegal incursions from motor vehicles.
- Third, the fiscal analysis provided in the TAR is insufficient for several reasons, which we detail in our August 2017 scoping letter. We request that the fiscal analysis in the DEIS address the shortcomings documented in our previous scoping letter and offer an improved analysis. This information is important for the public to understand the fiscal challenges facing the Shoshone in terms of managing its transportation system.

We request that the Shoshone analyze an alternative in the DEIS that would decommission the 256 miles of road that are identified as likely not needed for future use in the 2015 TAR. Acknowledging that the SNF may likely need some of the roads identified as having low benefit in the 2017 TAR, we request that the agency analyze an alternative that would decommission most of these low benefit roads. We request that the DEIS include a proper fiscal analysis of the transportation system that includes the factors raised in this letter. We request that the SNF design its alternatives with an eye towards achieving a fiscally sustainable transportation system that brings costs more in line with revenues.

Thank you for considering this supplement to our previous scoping and pre-scoping letters. Please do not hesitate to contact me if you have any questions or require follow-up information.

Sincerely,

Dan Smitherman  
Wyoming Representative  
The Wilderness Society

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