

December 7, 2017

Shoshone National Forest
Attn: Acting Forest Supervisor
808 Meadow Lane Avenue
Cody, WY 82414



RE: Revised Proposed Action – Shoshone NF Travel Management Plan

Dear Acting Supervisor:

The Wyoming State Trails Program (WSTP) submits the following comments on the Shoshone National Forest (Forest) Travel Management Plan's Revised Proposed Action (PA). 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 grant funding and on-the-ground partnerships.

We incorporate by reference and reiterate our July 2016 comments regarding your original PA since many of our Summer-related comments unfortunately remain inadequately addressed. Our new comments regarding the Revised PA are divided into Summer- and Winter-related topics:

SUMMER TRAVEL

- 1. We support the concept of converting roads to 'motorized off-highway vehicle (OHV) trails open to all vehicles.'** We generally support this concept since it would 1) keep these routes open for full-sized motor vehicles while 2) helping create motorized trail loop opportunities for unlicensed (youth) riders. We do however have concerns with proposed implementation policies, as discussed in #2 below.
- 2. We offer the following information for your review regarding 'all classes of vehicles, including passenger vehicles, to display a Wyoming ORV permit sticker' on a motorized trail open to all vehicles.** The Scoping Document states on page 2 under Wind River #6 that "As a motorized trail, all classes of vehicles, including passenger vehicles, would be required to display a Wyoming State ORV permit sticker. The result is that all users would provide revenue that can be used to maintain the system through the State Trails user fee program."

Type I and Type II ORVs are clearly ATVs and off-road motorcycles, and Type III ORVs are specifically defined to be a wide range of vehicles not required by law to be licensed and designed for cross-country travel. All Type I and Type II vehicles, as well as all Type III vehicles (side-by-sides, etc. even though they may display a MPV license plate) are generally required to display a State ORV Permit on all trails enrolled by the land managing agency. Enforcement is then ultimately up to land manager partners through partnership grants since State Trails has no law enforcement authority on Forest Service trails.

ORV Definition: W.S. 31-2-701 (a) (i) tiers the definition of 'Off-road recreational vehicle' back to W.S. 31-1-101 (a) (xv) (K) as follows:

- | | |
|-----------|---|
| Type I: | A recreational vehicle primarily designed for off-road use which is fifty (50) inches or less in width and has an unladen weight of one thousand one hundred (1,100) pounds or less; |
| Type II: | Any unlicensed motorcycle which has an unladen weight of six hundred (600) pounds or less and is designed to be ridden off road with the operator astride upon a seat or saddle and travels on two (2) tires; and |
| Type III: | Any multi-wheeled motorized vehicle not required by law to be licensed and is designed for cross-country travel on or over land, sand, snow, ice or other natural terrain and which has an unladen weight of more than nine hundred (900) pounds. |

- 3. We generally support the route modifications outlined in the Revised PA, unless specifically addressed below.** The following changes to the Revised PA are recommended to improve clarity of designations along more consistency between areas across the Forest:

Wind River District

We suggest the following changes to the Revised PA:

1. All motorized trails with a 50” width designation should be converted to 64” trails
2. WR-26 and WR-71: consider converting to Motorized Trail (MT) open to all
3. Consider adding all roads in WR-25 (seasonal restriction) to WR-83 (MT open to all)
 - Also adding Road 504 to complete a trail loop back the Guard Station
4. Convert all roads under WR-29 (seasonal restriction) to MT, open to all
 - Convert sections of Road 513 to MT, open to all; this will allow connection to a loop trail
 - Change new trail WR-27 to MT 64”
5. Bald Mountain Loop
 - Convert Roads 528, 545, 554, and all spur roads on this loop to MT, open to all
 - Convert Road 529 and others that will connect with WR-13 and WR-07, MT open to all
6. Moon Lake Road 531, convert to MT, open to all
 - Road 524 (Salt Barrels Park), convert to MT, open to all
7. The loop trail from Indian Point to Dutch Oven Springs, off Horse Creek Road, should not be eliminated and instead be retained as MT
8. The route from Road 732 to Road 542 follows old roads which are also used for snowmobile trail, so should be retained as MT
9. The route along Bachelor Creek from the Moon Lake area to the Wildcat Loop Road (MT14 to Road 554) should all be designated as MT

Washakie District

We suggest the following changes to the Revised PA:

1. WK-26, convert to MT, open to all
2. Enroll the Loop Road, from Fossil Hill parking area to Worthen Meadow Road, into the State ORV Program
3. Add MT open to all, running north off of Road 328 for 1.4 miles
4. Add new trails that were previously proposed in the Elderberry Creek, Bayer Park, and Canyon Creek areas
5. Keep section of Road 326 as open road (proposed to convert to MT open to all)
6. Convert Roads 381, 312, 311, 313, 320, 320.2c, and 319 to MT, open to all
7. Convert MT08 to either MT 64” or MT open to all

North Zone

We suggest the following changes to the Revised PA:

1. Convert Roads 121 and 121.B to MT, open to all
2. Convert Road 123 and its connections to MT, open to all
3. Convert the Administrative Road that travels up North Bennett Creek to MT 64”
4. Convert Road 120 (Morrison Jeep Trail) to MT, open to all
5. Keep NZ-29 and NZ-46 as open roads (Subpart A identified these as needed)
6. Keep NZ-07 open to the end of the route
7. Convert Road 483 to MT, open to all
8. Convert all Carter Mountain roads (Road 474) to MT, open to all
9. Convert NZ-28 to MT, open to all
10. Convert roads (both open and administrative Level 1 roads) in the Cottonwood Creek, Grass Creek, and Gooseberry Creek areas to MT, open to all

- 4. The ‘No Net Gain Policy’ in respect to Motorized Trails located in RARE II / Inventoried Roadless Area is inappropriate and should be dropped.** While we previously commented on this in 2016, it’s still apparent in the Revised PA, so we feel a need to repeat our objections since it has 1) caused potentially good

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public suggestions for new motorized trail routes to be improperly dismissed, and 2) caused valued existing motorized travel routes to be proposed ‘closed’ as the result of a ‘trade-off’ to avoid increasing mileage.

Motorized trails are expressly allowed in Inventoried Roadless Areas (IRA), including their new construction. Yet the PA and staff presentations repeatedly refer to a “trade-out” (closing an existing MT segment in order to create a new MT segment) “in order to comply with instructions from our Regional Office that there be no net gain in MT through IRAs.” There is no such national policy in the Forest Service – so it’s inappropriate for Region 2 to mandate this for the Shoshone NF; it wrongfully inhibits opportunities to improve motorized trail management on the Forest.

The Shoshone NF is clearly a backcountry forest – with 1.4 million acres of designated Wilderness and only 22% with ‘summer motorized use allowed.’ 100% of this motorized summer use is restricted to designated roads and trails – which is not going to change. The backcountry character of the Forest is going to remain intact since there is zero possibility of increasing the ‘maximum 22% summer motorized’ scenario through this travel management planning process, even without such an illogical Regional policy.

The Management Approach outlined for Inventoried Roadless Areas on page 99 of the Forest’s Land Management Plan (LMP) states: “The construction, reconstruction, and maintenance of motorized trails are consistent with the Roadless Area Conservation Rule. Development of such trails is guided by management area direction and the suitability designations for each management area.” The LMP allows construction of new and reconstruction of existing MT within Roadless – that’s simply proper management. And Area management and suitability guidelines do not allow MT to be anywhere not prescribed as ‘motorized allowed’ by the LMP.

WINTER TRAVEL

Our comments related to winter over-snow vehicle (OSV) use are as follows:

1. The Proposed High and Low Elevation Use Zones are illogical and should be abandoned.

The concept of Low and High Elevation zone boundaries and use periods is completely illogical, based upon flawed perspectives that misconstrue season-long snowpack trends across the Forest. This proposal particularly misunderstands typical snow depths between April 1 and June 1.

The Natural Resources Conservation Service (NRCS) operates a number of SNOTEL sites across the Forest, seven which are proximate to open winter motorized use areas (snowmobiling areas) subject to this travel plan. Historic records from these seven monitoring stations (listed in Table 1 below) show there is generally sufficient snowpack across all areas of the Shoshone National Forest covered by this plan to support responsible snowmobiling for much longer seasons than what are being proposed. Consequently, the high elevation/low elevation management concept is totally faulty and should be abandoned.

‘Start-of-Month’ historic data for ‘January 1 through June 1’ Snow Depth and Snow Water Equivalent (SWE) is provided on the NRCS National Water & Climate Center (NWCC) website at https://wcc.sc.egov.usda.gov/nwcc/rgprt?report=snowmonth_hist&state=WY. A complete set of data tables for the seven pertinent SNOTEL sites is attached for your information as Appendix 1. These tables provide historic SWE data dating back to 1979 along with Snow Depth data dating back to 2004. Having older SWE data is important since it’s possible to approximate snow depths prior to 2004 by multiplying SWE times a factor of at least 3 or 4 (or sometimes as high as 6, depending upon month and area) to derive credible estimates of what snow depths were likely to have been in previous years. This is a very credible body of U.S. Department of Agriculture monitoring data dating back 39 years for two areas, 37 years for three areas, 32 years for another, and 20 years for the most recent addition to the SNOTEL network. It should be used to help develop a more science-based winter travel plan with more realistic season dates.

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This data clearly demonstrates how building snowpack is a cumulative process throughout winter as well as how snow cover is consistently much deeper on April 1 than it is earlier in the season. There is a high degree of public concern about this PA centered around unnecessarily/inappropriately closing snowmobile access far too early, on April 1 in proposed 'low elevation' areas, when snowpack levels in all Forest areas are, in fact, still substantive and at levels which can support snowmobiling without adverse resource impacts. Table 1 summarizes data from each site and clearly shows:

- April 1 snow depths average between 37.2 inches and 73.4 inches at **ALL** seven locations – plenty sufficient for snowmobile operation
- Average snow depths on May 1 remain between 26.6 inches and 74.1 inches at **ALL** locations – still plenty sufficient for snowmobile operation
- May 1 snow depths are actually higher than January 1 average snow depths at **ALL** locations
- 10 inches of snow depth is plenty sufficient for snowmobile operation: **ALL** locations had '10-inches or greater' snow depth on the first day of January, February, March and April; 92.5% of **ALL** areas still had '10-inches or greater' snow depth on May 1, and 54.7% of all areas still had that much average snow cover on June 1
- 20-inches of snow depth is more than adequate for snowmobile operation: however, there was never '20" or greater' snow depth in every area, every year, on the first day of any month. In respect to a '20-inches or greater' depth threshold, actual average snow cover ranged as follows: January 1 – 87.7% of the time, February 1 – 95.2%, March 1 – 99.1%, April 1 – 98.1%, May 1 – 85.8%, and June 1 – 44.3%.

Table 1: SNOTEL 'Start-of-Month' Averages: Snow Depth & Snow Water Equivalent (SWE) [in inches]

SNOTEL Site	January 1		February 1		March 1		April 1		May 1		June 1	
	Snow	SWE	Snow	SWE	Snow	SWE	Snow	SWE	Snow	SWE	Snow	SWE
Washakie District												
South Pass Elevation: 9,040 feet	34.6	7.3	39.4	9.9	51.3	12.8	53.6	15.4	44.6	14.8	14.6	5.2
Deer Park Elevation: 9,700 feet	29.2	7.0	34.9	9.5	46.0	12.3	50.1	15.2	45.1	16.8	18.6	8.3
Townsend Ck. Elevation: 8,700 feet	19.5	4.0	22.6	5.2	31.9	6.8	37.2	9.1	26.6	7.8	4.4	1.3
Wind River District												
Togwotee Pass Elevation: 9,580 feet	46.1	11.4	57	15.8	68.3	19.6	73.4	23.6	69.6	26.0	41.9	19.1
Little Warm Elevation: 9,370 feet	23.4	4.9	28.8	6.8	36.4	8.6	38.8	10.8	27.5	9.5	5.2	1.6
Burroughs Ck. Elevation: 8,750 feet	30	6.6	37.1	9.5	43.2	11.8	45.1	14.0	39.3	13.1	10.6	3.0
North Zone												
Beartooth Lk. Elevation: 9,360 feet	44.3	10.6	56.8	14.7	65.7	18.1	73.1	21.8	74.1	24.5	50.4	18.1
All Areas - % of time with snow cover												
10" or > snow	100		100		100		100		92.5		54.7	
20" or > snow	87.7		95.2		99.1		98.1		85.8		44.3	

This NWCC data shows that snowpack is built through a cumulative process that results in far deeper snowpack in mid-winter, late-winter, into spring. It also clearly demonstrates that there is no substantive snow depth difference between areas labeled by the PA as 'high elevation' on the Wind River District, 'low

elevation’ on the Wind River District, or ‘low elevation’ on the entire Washakie District. The proposed high and low elevation management scheme must be scrapped.

2. The Motorized Winter ‘Use Period’ (Winter Season) Needs to be Longer.

While the Revised PA made improvements for the North Zone, the proposed multiple winter ‘use seasons’ remain more complex than needed and far too short relative to when the Forest has good snow cover. Winter season dates need to be lengthened to avoid unnecessarily and unreasonably restricting motorized public access to the Forest.

Do not model the Shoshone’s winter use season after the Bridger-Teton National Forest’s winter travel plan since it is outdated and does not reflect actual snow conditions or actual current use patterns. Staff from the Wind River District have continually said ‘we need to be in sync with the Bridger-Teton (B-T).’ The Bridger-Teton’s Teton Division Winter Travel Plan has been in place since 1990 and is imperfect. It’s currently subject to a lawsuit and most certainly will be revised at some point to become better in-sync with the OSV Travel Rule – Subpart C. While the B-T’s rule specifies a ‘December 15-April 30’ winter season in the Togwotee area, snowmobiling has been openly allowed to occur before and after those dates for the past 27 years. And our program has been allowed to groom snowmobile trails as early as Thanksgiving historically and we routinely start trail grooming around December 1 – which is absolutely necessary to establish a firm trail base before snow depths get too deep to perform effective trail grooming. It’s apparent that the Shoshone has already recognized short-comings in the Bridger-Teton’s rule, at least on the front-end of winter season dates, since your PA has a November 15 rather than December 15 start-date. Similar consideration needs to also be given to end-of-season OSV management dates. While it’s good to look at other models to see what works, the current B-T model is broken and shouldn’t be replicated.

The current PA’s ‘winter season dates’ should be modified to be a Data-Based proposal with more reasonable start and end dates: As discussed above in respect to the futility of high and low elevation zones, SNOTEL data summarized in Table 1 clearly establishes that adequate snow cover extends well into Spring across all areas of the Shoshone National Forest covered by this motorized winter travel plan. There is typically at least two- to four-feet of snow cover across the Forest’s motorized use zones on May 1, with the Beartooths area of the North Zone still having over 6-feet of snow. Consequently, a universal ‘end date’ somewhere between May 15 and June 1 on the South Zone and between June 1 and June 30 on the North Zone should be considered as a more reasonable, data-supported OSV management option since there is generally sufficient snow cover across the South Zone on June 1 while the Beartooths area on the North Zone generally still has 50-inches of snow on June 1.

A realistic OSV season ‘start’ date should be generally be by November 15, and perhaps as early as November 1, when sufficient snow for safe snowmobile operation has typically started to accumulate.

A ‘3-Legged Stool’ approach should be considered to provide year-round OSV Management: The PA continues to be built on only two provisions, both driven by cross-country travel concerns: 1) OSV use is allowed in specified areas and on specified routes between specific dates – and then 2) OSV use is totally prohibited everywhere the remainder of the year. This is an incomplete management system that ignores the fact there are time periods when roads and motorized trails managed under Subpart B and designated on the MVUM are snow covered and desirable for (or passable by only) OSV operation. Consequently, all motorized public access on open motorized routes will be inappropriately closed during transition periods. It’s important that this oversight be addressed for the final travel plan to be successful and to avoid unnecessarily creating compliance issues.

We previously commented in 2016 that we believe the Medicine Bow-Routt National Forest’s travel management rules are a good model which should be adopted/tweaked by the Shoshone to help provide successful year-round OSV management which is predictable and therefore better accepted by the public. The Medicine Bow’s OSV travel rules revolve around three provisions rather than only two. This provides known constancy to OSV management and includes: (1) cross-country OSV travel is allowed November 16

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through May 31; (2) OSV use is not allowed off designated routes from June 1 to November 15; and (3) OSVs can be operated on routes designated for other motor vehicle use by the MVUM between June 1 and November 15.

The third leg of the Med-Bow's management policy clarifies that OSVs can be operated on designated MVUM routes when there is snow cover – which is extremely important for motorized public access. Snowmobiles are meant to be operated only on snow and can, in fact, be severely damaged when not operated on snow. Consequently, there is a built-in 'only on snow' condition of use. Allowing OSV operation on designated MVUM routes when there is snow cover between the Shoshone's winter use season's start and end dates will help clarify public access rules and improve overall travel rule compliance. This would mean that if a MVUM designated road or trail 1) has snow cover and 2) does not have any other seasonal restrictions in effect – it should be open to OSV travel outside the specified OSV winter use season. Wheeled motor vehicles would generally not be present (or at least not in large numbers) on snow-covered roads and trails during transition times so vehicle interaction would be minimal. And since any OSV operation would be only on approved vehicle routes, there would be no unacceptable resource impacts.

- 3. We support the Revised Proposed Width Restriction on Groomed Snowmobile Trails:** We understand this to mean full-sized motor vehicles equipped with a track conversion kit will be prohibited on groomed winter trails, but that tracked side-by-side UTVs/ROVs will generally be allowed across the Forest. This support recognizes that a 64" wheelbase UTV will be 9" or 12" wider (73" to 76" total width) when equipped with a track conversion kit – which is significantly wider than a snowmobile (typically 48") but generally acceptable since most groomed trails are typically wide enough to accommodate modified UTVs. Most importantly, this width restriction will keep excessively heavy, full-sized vehicles off our groomed trails (except Brooks Lake Lodge operating under Special Use Permit).

Thank you for this opportunity to comment. We look forward to working closely with Forest staff as this planning process proceeds. Please feel free to contact us at 307-335-8229 or by e-mail at forrest.kamminga@wyo.gov or joshua.milek@wyo.gov if you have any questions.

Respectfully submitted by,

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Cc: Sue Stresser, North Zone District Ranger
Steve Schacht, Washakie District Ranger
Rick Metzger, Wind River District Ranger

Attachments: Appendix 1 – SNOTEL Tables