

March 2, 2023

RE: Jackson Mountain Landscape Project #61809 Scoping Comments

Thank you for the opportunity to comment on the Jackson Mountain Landscape Project. Due to the complexity of the project, I respectfully request that the Forest Service (FS) break up the landscape project analysis to three distinct issues: the gravel pit, vegetation treatments, and trails/recreation. My comments are limited to issues associated with the trails plan, especially the mountain bike trail plan:

1. The proposed mtn. bike trail system location was not chosen to AVOID or MINIMIZE impacts to wildlife as recommended by the [Colorado's Guide to Planning Trails with Wildlife in Mind \(state.co.us\)](https://state.co.us). Other less impactful locations could have been chosen if trail proponents had consulted with CPW and the FS before illegally building trails. Now Colorado Parks and Wildlife (CPW) is being asked by FS to comment only on *this* location in the scoping process. If this was a true planning process, with no trails on the landscape, CPW and others with wildlife expertise would likely recommend against this location/plan due to known, significant conflicts with wildlife and high priority wildlife habitats.
2. CPW's substantive, detailed and fully cited comments are welcomed in this process. I endorse their recommendations regarding closing trails as noted in their comment letter dated February 23, 2023, pages 4-5: *Trails 106, 132, 301, 400, 401, 402, 403, 405, 406, 407, 500, 501, 502, 503, 504, 506, 515, and 612 are within a CPW newly identified elk migration corridor. CPW recommends that these trails be removed/consolidated to achieve a route density of less than one mile per square mile in order to maintain the functionality and use of this recently identified migration corridor.*
Trails 300, 301, 302 and 303 bisect CPW mapped Winter Concentration Area habitat on Jackson Mountain. In order to reduce impacts to wintering and migrating ungulates, CPW recommends that Trail 300 be set back from the rim of the mountain in order to reduce displacement of migrating and wintering ungulates that would result from the increased presence of recreationists. Trails 301 and 302 should be removed to reduce trail densities and to reduce disturbance to wildlife and maintain the security area, migration corridor, and winter range that is west of Jackson Mountain.
CPW-5 The proposed 612 and 503 trails will serve as connectors to the Snowball Road. OHV Trail 818 currently serves as a connector for the mountain bike community. Our recommendation is to continue to use 818 as the connector for mountain bikes, or create a trail in close proximity to 818. Trail 612 appears to stay relatively close to 818, but 503 diverts from Trail 818 considerably. Please evaluate a new alignment for Trail 503 that is in close proximity to Trail 818 and therefore reduces fragmentation that current proposed trail alignment would cause by co-locating the routes.
In addition to the above recommendations for trail removal and trail densities, CPW recommends a closure to all users of any approved trails from Dec 1 through April 30, to avoid impacts to wintering wildlife.
3. Another option to consider is to effectively reject the proposed trails plan as seriously flawed from a planning standpoint, scientifically unsound, and fundamentally illegal. It appears that the FS has failed to enforce at least two FS rules and regulations when it allowed illegal mtn. bike trail construction and use for decades:
 - Cutting or otherwise damaging any timber, tree, or other forest product, except as authorized by permit, timber sale contract, Federal law or regulation. (261.6a)
 - Constructing, placing, or maintaining any kind of road, trail, structure, fence, enclosure, communication equipment, or other improvement on National Forest System land, without a special use authorization, contract, or approved operating plan. (261.10a)
 - The FS appears to have had a significant conflict of interest when it allowed its trails program manager to join DUST2's Board of Directors, a group that in part promoted the use and further construction of illegal trails on Jackson Mountain.
 - In addition, the FS may be acting illegally, or at least very inappropriately, by proposing to adopt/codify illegal trails as well as incorporate trails that complement the illegal trails, as envisioned and designed by the

International Mountain Biking Association (IMBA). The IMBA plan is essentially *the* trail recreation plan presented in the Jackson Mountain Landscape Project by the FS.

- Illegal actions on public lands must have consequences, regardless of the industry involved. Outdoor recreationists, especially mountain bike enthusiasts who defiantly carve up public lands, often with the wink-wink support of the mountain biking industry, should not get a pass, as has apparently happened on the Jackson Mountain Landscape. Should there be an official investigation as to why no legal action was taken by the Forest Service? Should the FS Law Enforcement Office (LEO) be made aware of this matter?
- Rewarding illegal trail building behavior on the forest sets a terrible precedent. Approval of this illicit project will certainly encourage more of the same by trails proponents in Colorado and throughout the West. Many mtn. bike trail proponent organizations, supported by an aggressive, well-funded outdoor recreation industry, seem hell bent on building more trails regardless of the laws broken or cost to wildlife.

It is time for the FS to recognize the serious mistakes made in this decades-long process, stop the egregious trend of codifying illegal trail building behavior on Forest Service land, scrap the proposed Jackson Mountain plan, and start over. A good place to start is by consulting with CPW about alternative locations that would have less impact on high priority wildlife habitats— first, and then use Colorado's *Guide to Planning Trails with Wildlife in Mind* as a fair, practical, science-based guide.

Thank you for your time and consideration.