February 17, 2022

Ashley National Forest
Att: Forest Plan Revision
355 North Vernal Ave
Vernal, Ut 84078-1703

RE: Forest Plan Revision

Dear Forest Plan Revision Team:

The above Organizations are submitting these comments to provide our support for a modified version of Alternative D of the Proposal and strong opposition to Alternative C of the Proposal based on our experiences with planning efforts throughout the region. While we are supporting Alternative D of the Proposal, we are not strongly opposed to Alternative B of the Proposal and would ask that several small modifications be made to Alternative D to address the higher levels of flexibility provided in Alternative B. Our deciding factor is the larger amount of flexibility in management moving forward under Alternative D, as it has been our experience that this type of flexibility is critical to developing and maintaining a healthy ecosystem. A healthy ecosystem is critically important to quality recreational experiences. The Organizations vigorously support the addition of summer motorized opportunities on the forest as requested by local communities and outlined in the DEIS. 187 miles of routes simply will not be sufficient in the future to support the visitation to the area and this insufficiency of the trail network is specifically identified by the large number of miles that have been user created in some areas for all types of usages. While the Ashley NF has seen significant increases in visitation over the last several years, the Ashley

remains in a position where planning can still impact the sustainability of opportunities provided. Many forests have simply been overrun by visitation and did not have the opportunity to plan for this increase and as a result this opportunity should not be taken for granted.

This information has been developed as a result of our involvement in the development of numerous Resource Management Plans ("RMP") throughout the western United States. Our desire is to provide high quality information for decision making early in the process in the hope of avoiding many of the pitfalls we have encountered in planning efforts throughout the region. This information is also provided as the Ashley NF has provided exceptional recreational opportunities for the public for decades without a large amount of controversy. These opportunities have drawn users from Colorado, Utah, Wyoming and numerous other states and Canadian provinces. We are submitting these comments in addition to the comments we have submitted previously on this Proposal.

1. Who we are.

Prior to addressing the specific concerns or information on the RMP revision, the Organizations believe a brief summary of each Organization is warranted. Prior to addressing the specific concerns of the Organizations regarding the Proposal, we believe a brief summary of each Organization is needed. The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization of approximately 2,500 members seeking to represent, assist, educate, and empower all OHV recreationists in the protection and promotion of off-highway motorized recreation throughout Colorado. COHVCO is an environmental organization that advocates and promotes the responsible use and conservation of our public lands and natural resources to preserve their aesthetic and recreational qualities for future generations. The TPA is an advocacy organization created to be a viable partner to public lands managers, working with the United States Forest Service (USFS) and the Bureau of Land Management (BLM) to preserve the sport of motorized trail riding and multiple-use recreation. The TPA acts as an advocate for the sport and takes the necessary action to ensure that the USFS and BLM allocate a fair and equitable

percentage of public lands access to diverse multiple-use trail recreational opportunities. Colorado Snowmobile Association ("CSA") was founded in 1970 to unite winter motorized recreationists across the state to enjoy their passion. CSA has also become the voice of organized snowmobiling seeking to advance, promote and preserve the sport of snowmobiling through work with Federal and state land management agencies and local, state and federal legislators telling the truth about our sport. CORE is a motorized action group dedicated to keeping motorized trails open in Central Colorado and the region. Idaho Recreation Council ("IRC") is comprised of Idahoans from all parts of the state with a wide spectrum of recreational interests and a love for the future of Idaho and a desire to preserve recreation for future generations. Ride with Respect ("RwR") was founded in 2002 to conserve shared-use trails and their surroundings. RwR has educated visitors and performed over twenty-thousand hours of high-quality trail work on public lands including national forests. Over 750 individuals have contributed money or volunteered time to the organization. The Utah Snowmobile Association ("USA") is the voice for Snowmobilers who recreate in the State of Utah. Our Vision is to "Educate Utah's snowmobile family". As you join our club, you will find great people creating great experiences. Collectively, TPA, CSA, CORE, IRC, RwR, USA and COHVCO will be referred to as "The Organizations" for purposes of these comments.

The Organizations are submitting these comments to supplement the input of local clubs and to assist the planners in developing a high-quality science-based management plan that continues to provide recreational opportunities in a high-quality manner. The Organizations submit that these opportunities will only become more valuable with the passage of time given the growing population of communities in and around the Ashley NF.

2(a)(1) Alternative D is the only alternative that complies with many landscapes level decisions about land use on the Ashley NF.

The Organizations vigorously assert that Alternative D is the only alternative that reflects the consensus and collaboration that has been reached outside the NEPA process on political

questions such as Wilderness designations and releases and designations of National Recreation Areas. While this Alternative is the closest to aligning with many collaboratives, it falls short of providing the access that is sought in many of these collaboratives. It has been our experience that when forest plan revisions are undertaken, there is an increase in public concern about issues that were previously resolved collaboratively in the planning of Congressional actions or through previous NEPA. Often these concerns are based on partial summaries of large-scale actions that have been taken by the President or Governor. It appears the Ashely NF is no different, based on the sudden concerns over railroad construction in Roadless areas and wildlife habitat, despite the fact the Roadless Rule simply does not apply to railroad construction.

The recent issuance of Executive Order # 14008 by President Biden on January 27, 2021 would be an example of a decision that is only partially summarized in most materials we are seeing submitted in Forest plan comment processes, as the "30 by 30" concept is memorialized in this Order. It is our position that the 30 by 30 concept was long ago satisfied on the Ashley as 50% of the Ashley NF is either Congressionally designated Wilderness, Congressionally designated National Recreation Area or Roadless area. In direct contrast to the summaries of EO 14008 we are seeing, this Order had provisions protecting lands generally but also had specific goals of improving access to public lands. The only Alternative that complies with these specific recreational access goals of improving access is Alternative D. §214 of EO 14008 clearly mandates improved recreational access to public lands through management as follows:

> "It is the policy of my Administration to put a new generation of Americans to work conserving our public lands and waters. The Federal Government must protect America's natural treasures, increase reforestation, ***improve access to recreation***, and increase resilience to wildfires and storms, while creating well-paying union jobs for more Americans, including more opportunities for women and people of color in occupations where they are underrepresented."

The clear and concise mandate of the EO to improve recreational access to public lands is again repeated in §215 of the EO as follows:

> "The initiative shall aim to conserve and restore public lands and waters, bolster community resilience, increase reforestation, increase carbon sequestration in the agricultural sector, protect biodiversity***, improve access to recreation***, and address the changing climate."

§217 of EO 14008 also clearly requires improvement of economic contributions from recreation on public lands as follows:

> "Plugging leaks in oil and gas wells and reclaiming abandoned mine land can create well-paying union jobs in coal, oil, and gas communities while restoring natural assets, ***revitalizing recreation economies***, and curbing methane emissions."

The Organizations are aware significant concern raised around the 30 by 30 concept that was also memorialized in EO 14008. While the EO does not define what "protected" means, the EO also provided clear and extensive guidance on other values to be balanced with. From our perspective the fact that the Ashley NF is currently managed as almost 60% Roadless, 30% Congressionally designated recreation area and almost 20% Congressionally designated Wilderness far exceeds any goals for the EO. While there are overlap between these categories that precludes simply adding these classifications together, this also does not alter the fact the Ashley NF has achieved these goals of 30% protected. The only alternative that complies with EO 14008 is Alternative D as the Ashley has exceeded the 30% threshold and also must improve recreational access.

The relationship of the mandate of EO 14008 to portions of the Proposal simply cannot be overlooked, as exemplified by the requests of local communities that are seeking to add

motorized routes on the Ashley NF[1], as the DEIS indicates there is only 187 miles of trail (or 15%) on the forest.[2] This is simply insufficient to support the usage that the forest will be seeing in the near future and is probably insufficient to support recent increases in visitation to the forest that have occurred during the recent challenges the country has faced. This addition would be consistent with EO 14008, and would improve recreational access on the forest to all forms of recreation.

2(a)(2) The Goals of the Congressionally mandated USFS National Trails Strategy only aligns with Alternative D of the Proposal.

The USFS has been developing the National Sustainable Trails Strategy for the last several years[3], to comply with the mandate of the National Trails Stewardship Act of 2016.[4] The National Trails Strategy clearly identified goal of improving sustainable access and partnerships as a goal of this Congressionally mandated effort. This strategy also sought to strategically change how the USFS looks at partners and sustainability of routes and given the Proposal will guide the sustainable access and partnerships on the Forest for the foreseeable future. The Organizations are commenting on this issue given the fact this effort is simply never mentioned in the Proposal, despite the Congressional mandate. The National Strategy clearly states this as follows:

> **"Strategic Intent**
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> The strategic intent of the strategy is to embrace and inspire a different way of thinking—and doing—to create sustainable change where grassroots initiative meets leader intent. The combined effort and momentum of many minds and hands will move the trails community, as a whole, toward shared solutions. This strategy builds on the many examples from across the country where the Forest

[1] *See*, USDA Forest Service; Ashley National Forest; Forest Plan Revision; Draft Environmental Impact Statement at pg. 278.
[2] *See*, USDA Forest Service; Ashley National Forest; Forest Plan Revision; Draft Environmental Impact Statement at pg. 274.
[3] A complete copy of this strategy and more information on the process as a whole is available here: National Strategy for a Sustainable Trail System | US Forest Service (usda.gov)
[4] *See,* PUBLIC LAW 114–245—NOV. 28, 2016

> Service, its partners, and the greater trails community have successfully embraced a community-driven and locally sustainable trail system model."[5]

As we have noted throughout these comments the motorized community and local communities have worked hard to develop community driven locally sustainable trail systems on the Ashley NF for decades.

While the motorized community is far from perfect, the motorized community is the only community that brings significant resources to the Ashley NF to assist with management and maintenance of winter routes for the benefit of all users. In addition to the winter maintenance already provided, the Organizations are also aware that the Utah OHV Program has made significant strides in the development of their partner program to the OSV grooming that would provide funding for OHV management as well. This program currently provides several million dollars for summer maintenance and this would be a program we would expect to significantly grow over the life of the RMP. This significant direct funding probably makes the motorized trail network the most sustainable on the Ashley NF. These contributions were recently recognized by the USFS planners as part of the Sustainable Trails effort as follows:

> "The engagement and efforts of motorized groups have improved the condition of trails across National Forest System lands and we look forward to continued engagement with the motorized community as part of the Trail Challenge…. During phase one, I welcome collaboration to adequately track, monitor, and acknowledge accomplishments by the motorized community while identifying lessons learned to incorporate into future phases of the Trail Challenge."[6]

While many interests are struggling mightily to provide a single maintenance crew, the motorized community has partnered to provide dozens of well-equipped and trained crews throughout the

[5] *See,* USDA Forest Service National Sustainable Trails Strategy; December 2016 at pg. 4.
[6] A complete copy of this correspondence is attached as Exhibit "1".

state for decades providing winter route maintenance in partnership with local communities. Utah OHV Program has made HUGE strides in the last several years to create a similar maintenance program for summer recreational opportunities.[7] We believe this is a model of collaboration moving forward and the Proposal should avoid any unintended negative impacts to this collaboration and that over the life of the Proposal this partnership will grow into a hugely strong and important funding partner for the Ashley.

In addition to the direct funding of USFS management, the sustainability of the motorized community is significantly buttressed by the fact that every route available for usage by the motorized community has been subjected to 50 years of scrutiny under the travel management Executive Orders issued by President Nixon in 1972. While these 50 years have often been challenging for everyone, it has also produced the most analyzed and sustainable trail network for any usage. No other recreational activity on the Forest has been subjected to this level of scrutiny and analysis. The Organizations believe the strategic implications of choosing an alternative that restricts or maintains access to the forest fails to provide that carrot to the users who have worked so hard to date to create a sustainable trails network that aligns with the national efforts. The value of this type of message should not be overlooked, as such a decision would provide a significant message that the USFS is actually changing how they view and achieve sustainability with partners. This type of a strategic carrot is only provided in Alternative D of the Proposal btu even this carrot is small and should be looked at for expansion to ensure access is actually improved. The Organizations would note that every other Alternative conflicts with the requirements of the National Trails Strategy.

2(a)(3). Alternative D should be modified to reflect greater access provided in Alternative B for several locations.

[7] More information on this program is available here: Off-Highway Vehicles | Utah State Parks

The Organizations note that Alternative D is more restrictive in several locations than Alternative B and the Organizations would ask that Alternative D be modified to ensure it allows the most recreational opportunities, which is consistent with the overall intent of the Alternative. Several locations that Alternative D zones as Semi-Primitive Non-Motorized are identified in Alternative B as Semi-Primitive Motorized zones. This type of conflict of site specific designations is especially important in three of locations. First, the Daggett County Trails Master Plan has identified Sol's Canyon for expanding OHV trails to connect the town of Manilla with the Ashley NF, and only Alternative B would zone it as Semi-Primitive Motorized (with all the other alternatives zoning it as Semi-Primitive Non-Motorized). Second, the Daggett County Trails Master Plan has identified Dutch John Mountain for expanding OHV trails, and only Alternative B would zone it as Semi-Primitive Motorized (with all the other alternatives zoning it as Semi-Primitive Non-Motorized). Third, improving the Badlands OHV trail system depends on expanding OHV trails in Road Hollow and Alkali Canyon, and only Alternative B would zone it as Semi-Primitive Motorized (with all the other alternatives zoning it as Semi-Primitive Non-Motorized).

Additional plans come from other community-based efforts like the Uintah County OHV Master Plan and Badlands Trail Committee. The fact that all these plans were developed in partnership with the USFS, should be sufficient to ensure that the direction of these plans is accurately reflected in the RMP. We are shocked and disappointed that there is conflict. These local proposals are the result of significant resources being allocated and huge amounts of volunteer times by these local governments to develop these plans and we believe these collaboratives should be recognized in the RMP. While issues could arise in site specific NEPA around these areas, that still must be performed, the RMP should provide the management direction to allow this site specific NEPA to at least occur.

With that said, in other locations it's important to choose the ROS of Alternative D over Alternative B, and here are three examples. First, Alternative D zones the Green's Draw area as Semi-Primitive Motorized, which the 2019 Daggett County Trails Master Plan has identified as critical to build an OHV link between the Dutch John area and the rest of Daggett County with

Uintah County.[8] Second, Alternative D zones the Dry Gulch Creek Road to Heller Lake as Semi-Primitive Motorized, which the 2019 Duchesne County Trails Master Plan selected as a concept to connect motorized singletrack across the south slope of the Uintas. Plus, the Dry Gulch Irrigation Company uses this road for maintaining their water supply. Third, Alternative D zones the Galloway Spring area as Semi-Primitive Motorized, which includes existing trails that ought to be considered in travel planning.

2(a)(4) Landscape level concerns around Alternative D.

The Ashley NF lacks an ample supply of OHV opportunities to meet the current demand, let alone future demands, and that managerial flexibility is needed to meet that demand in a sustainable fashion. This is discussed in significant detail in several locations in the EIS. Aligning these ROS type designations is critically important as non-motorized ROS zones prevent the consideration of motorized trail additions, while motorized ROS zones don't prevent the consideration of non-motorized trail additions so. To empower planners with flexibility for the life of the new Forest Plan (which might be 15 years but will probably be more like 30 or even 45 years), most of the forest should be zoned motorized.

The Ashley NF currently lacks a sufficient quantity and quality of OHV opportunities in part because the current Forest Plan is unnecessarily restrictive. Each one of the action alternatives is even more restrictive than the current Forest Plan overall, which would make it even harder to improve OHV opportunities. Granted, more OHV resources than ever before are available (especially through the state's Fiscal Incentive Grant program that offers several-million dollars each year primarily for trail work), but no amount of money can overcome a Forest Plan that is restrictive to an unwarranted degree.

The problems with the current Forest Plan largely stem from the fact that half of the forest is

[8] *See*, 2019 Daggett County Trails Master Plan; Daggett County Ordinance 19-15. A copy of this trail plan is available here: www.daggettcounty.org/DocumentCenter/View/10752/Ordinance-19-15-Master-Trails-Plan

zoned as non-motorized ROS, which constrains the options for planners to consider. The draft Forest Plan's zoning of half the Ashley NF as ROS classes that prohibit the consideration of motorized recreation is problematic for at least three reasons: First, creative planning solutions in unknown future conditions will be difficult under the proposed rigid zone changes. For example, in the future electric power will likely dominate the vehicle and bicycle markets, making such uses entirely suitable in many of the areas that the draft Forest Plan proposes to rigidly zone as non-motorized. The Ashley NF needs the flexibility that motorized ROS zones provide, to deal with that future uncertainty. Secondly, these areas have not and would not depend on such rigid zoning for protection, as environmental review of trail development is onerous and will likely become only more onerous over the life of the Forest Plan. Thirdly, motorized ROS zones do not twist the agency's arm like non-motorized ones do; rather, they provide the agency with needed discretion to meet the challenges of all issues. For these reasons, we urge the zoning of a significant majority of the Ashley NF as ROS classes that allow for the option of motorized recreation.

2(b). Our basis for support of Alternative D extends beyond recreation concerns.

While the Organizations are primarily driven by recreational interests, our concerns also extend beyond recreation as many of our members are residents of communities in and around the Ashley NF. As a result, management of the forest to create a healthy ecosystem is a primary concern, and this extends beyond the fact that poor forest health and subsequent fires on the forest can preclude recreational usage of the forest for extended periods of time. These challenges also extend to other resources such as clean air and water. Working to mitigate the impacts of catastrophic wildfire also protects these resources and again this type of cross program synergy is a goal of the USFS National Trails Strategy, which clearly identifies a goal of the program as follows:

> "Demonstrate to other program managers how trails can benefit their program areas, such as by providing remote access for wildfire suppression efforts and fuel treatment projects."[9]

As a result of these concerns, the Organizations are sharing new research that was summarized in the USFS Jan/Feb 2022 edition of the "Science You Can Use Bulletin"[10] that investigated the relationship of current drought conditions, areas impacted by poor forest health and subsequently impacted by wildfire. The conclusions found that the combined effects of these three factors was as follows:

> Under average weather conditions, study results show that by mid-21st century, 18% of trailing edge forest and 6.6% of all forest are at elevated risk of fire-facilitated conversion to nonforest in the intermountain western United States. In the Southwest under extreme burning conditions, 61% of trailing edge forest and 30% of all forest are at elevated risk of fire-facilitated conversion to nonforest.

The report further summarized the management implications as follows:

> **"MANAGEMENT IMPLICATIONS**
>
> ● Increasing forest vulnerability to conversion to non-forest and the possibility of profound and persistent ecological change across forested ecosystems are likely to define future land management efforts.
>
> ● Management actions that reduce fuel loads, such as prescribed fire and thinning, can decrease the risk of stand-replacing fire and therefore reduce the probability of forest conversion. Managed wildfire (allowing fires to burn under

[9] *See*, USDA Forest Service; National Trail Challenge Launch and Learn Guide; at pg. 15. A complete copy of this document is available here: 10-Year Trail Shared Stewardship Challenge Phase 1: Launch and Learn Guidebook (usda.gov)

[10] A complete copy of this research is available here: SYCUBulletin-ForestConversion-JanuaryFebruary2022_0.pdf (usda.gov)

less extreme weather) also has the potential to reduce fuel availability for subsequent fires.

● A framework of possible management responses is emerging based on resisting, accepting, or directing change (the "RAD" framework). Resisting forest conversion means attempting to sustain existing forests by supporting prefire resistance or postfire recovery. Directing conversion uses management interventions to favor particular postfire outcomes aligned with human values or anticipated shifts in potential for different vegetation types. Accepting conversion concedes the replacement of forests by other vegetation types after fire without intervening and allowing for altered plant communities and ecosystem services"[11]

Addressing challenges such as this can only be done when basic tools like management flexibility and access to the forest are provided to managers in the planning process. This type of access has also been identified as a priority under the National Sustainable Trails Strategy. It is the Organizations position that only Alternative D provides this flexibility.

3. The Organizations are vigorously opposed to Alternative C of the Proposal.

The Organizations are opposed to Alternative C of the Proposal, as this simply fails to achieve any of the purpose and need of the Proposal and conflicts with many Congressional, Agency and local government led efforts. There are simply far too many acres closed to multiple use recreation in the Alternative C of the Proposal and this would disrupt the consensus that has been previously achieved on the Ashley NF. The Organizations are aware that often any discussion of Congressional designations of lands, even in the future, can cause immediate and strong responses from both sides of the discussion.

The Organizations believe it is important to this portion of our comments to understand our position on Wilderness, which is: "There is a place for this type of management." While there is

[11] *See*, USDA Forest Service; *Science you can use bulletin*; January/February 2022; Issue 52 at pg. 8.

a place for Wilderness on every forest, this is also a question that has largely been resolved in the 60 years since the passage of the Wilderness Act and there is also a limit on this type of management. We also believe in limitations on most every type of management designation and that all designations should be balanced. On the Ashley, the clarity of Congressional desires could not be clearer, given the long history of Congressional action and wide range of designations on the forest.

4(a) Alternative C upsets much of the balance previously struck by Congress on management of lands on Ashley NF.

The Organizations concerns around Alternative C also include recognition of the conflict with existing federal law that could result from this Alternative, through the designation of lands as Wilderness that have already been released by Congress for Non-Wilderness multiple uses. This balance is clearly identified in the Utah Wilderness Act as follows:

> SEC. 101. (a) The Congress finds that-
> (1)many areas of undeveloped national forest system lands in the State of Utah possess outstanding natural characteristics which give them high values as wilderness and will, if properly preserved, contribute as an enduring resource of wilderness for the benefit of the American people;
> (2)review and evaluation of roadless and undeveloped lands in the national forest system in Utah have identified those areas which, on the basis of their landform, ecosystem, associated wildlife, and location, will help to fulfill the national forest system's share of a quality National Wilderness Preservation System; and
> (3)review and evaluation of roadless and undeveloped lands in the national forest system in Utah have also identified those areas which do not possess outstanding wilderness attributes or which possess outstanding energy, mineral, timber, grazing, dispersed recreation, or other values and which should not be designated as components of the National Wilderness Preservation System but should be

available for non-wilderness multiple uses under the land management planning process, other applicable laws and the provisions of this Act.

(b) The purposes of this Act are to-(1) designate certain national forest system lands in Utah as components of the National Wilderness Preservation System in order to preserve the wilderness character of the land and to protect watersheds and wildlife habitat, preserve scenic and historic resources, and promote scientific research, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of all of the American people; and (2)insure that certain other national forest system lands in the State of Utah be available for non-wilderness multiple uses."[12]

The Organizations submit that the balance of these State Wilderness Acts must be recognized in the RMP as the decision to designate Wilderness is as important as the decision to release areas from further analysis of areas for non-Wilderness multiple uses.

4(b) Congressional designations of National Recreation Areas protect all recreational usage of these areas and allow OHV/OSV usage.

In addition to the Congressional efforts regarding Wilderness designations, in 2019 Congress also provided designation for the Ashley Karst National Recreation and Geologic Area.[13] In this designation, recreational usage of the new NRA is specifically identified as a characteristic to be protected and preserved. While the Karst area has restrictions on new route construction there is no restriction on the designation of motorized areas in this legislation. This would mean the Karst area should remain open to OSV usage as generally these are area designations and not route or road designations. Also, the Congressional designation of the recreation allows and protects the use of OSVs without restriction in the almost 174,000 acres managed under this designation. This is currently not reflected in the RMP.

[12] *See*, PUBLIC LAW 98-428-SEPT. 28, 1984
[13] *See*, Public Law 116-9.

The Organizations are very concerned that current forest plan standards conflict with the Dingell Act for the management of the Karst area, and this must be corrected. The Dingell Act states:

> "SEC. 1117. ASHLEY KARST NATIONAL RECREATION AND GEOLOGIC AREA.
> (g) MOTORIZED VEHICLES
> (3) EXISTING ROADS.
> (A) IN GENERAL.—Necessary maintenance or repairs to existing roads designated in the Management Plan for the use of motorized vehicles, including necessary repairs to keep existing roads free of debris or other safety hazards, shall be permitted after the date of enactment of this Act, consistent with the requirements of this section.
> (B) REROUTING.—Nothing in this subsection prevents the Secretary from rerouting an existing road or trail to protect Recreation Area resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary."

The Draft Forest Plan (Appendix E) on Page 72 lists "Standards (DA-ST-AKNRGA)," with 02 stating "No new permanent or temporary roads or other motorized vehicle routes shall be constructed in the recreation area." This statement should be qualified to allow for motorized route construction in the case of a reroute as expressly permitted by the Dingell Act.

Congress also specifically identified recreational activity as a characteristic to be protected and preserved in the Flaming Gorge NRA designation in 1968. [14] While motorized access is not addressed with the same level of clarity in the Flaming Gorge legislation as the Ashley Karst, the Organizations submit that large scale closures or restrictions on future trail development would be difficult to reconcile with these requirements. Only Alternative D provides the flexibility necessary to comply with these provisions.

[14] *See*, Public Law 90-540 at §2.

4(c)(1) Wilderness recommendations should address the state efforts that have targeted these areas and designations.

In addition to the Legislative efforts regarding the Ashley NF planning area, the State of Utah has an exceptionally well-developed State Resource management plan along with a plan for every county in the state. [15] The State level resource plan clearly lays out the basic visions and goals for any Wilderness inventory in the state as follows:

> "® (j) the state's support for any recommendations made under the statutory requirement to examine the wilderness option during the revision of land and resource management plans by the U.S. Forest Service will be withheld until it is clearly demonstrated that:
> ¡ (i) the duly adopted transportation plans of the state and county or counties within the planning area are fully and completely incorporated into the baseline inventory of information from which plan provisions are derived;
> ¡ (ii) valid state or local roads and rights-of-way are recognized and not impaired in any way by the recommendations;
> ¡ (iii) the development of mineral resources by underground mining is not affected by the recommendations;
> ¡ (iv) the need for additional administrative or public roads necessary for the full use of the various multiple-uses, including recreation, mineral exploration and development, forest health activities, and grazing operations is not unduly affected by the recommendations;
> ¡ (v) analysis and full disclosure is made concerning the balance of multiple-use management in the proposed areas, and that the analysis compares the full benefit of multiple-use management to the recreational, forest health, and

[15] Each of these documents is available for download here: Utah Public Lands Resource Management Planning

economic needs of the state and the counties to the benefits of the requirements of wilderness management; and

¡ (vi) the conclusions of all studies related to the requirement to examine the wilderness option are submitted to the state for review and action by the Legislature and governor, and the results, in support of or in opposition to, are included in any planning documents or other proposals that are forwarded to the United States Congress;"[16]

Not only does the Utah State resource management plan lay out an express process for reviewing any possible Wilderness areas in an RMP, the State plan also provides general guidance for the inventory and management of these areas moving forward. These policies and guidelines are specifically outlined in the state report as follows:

® The State of Utah supports the continued management of Wilderness Areas as wilderness, in accordance with the Wilderness Act and when management provides for public enjoyment and active management under the Act.

® The State of Utah recognizes BLM Wilderness Study Areas recommended by the BLM during or before June, 1992, in accordance with FLPMA.

® The State of Utah opposes the recommendation of new Wilderness Study Areas subsequent to June, 1992.

® The State of Utah will actively participate in all public land management planning activities.

® The State of Utah opposes any legislation introduced in Congress to designate additional Wilderness Areas except for legislation introduced by a member of Utah's congressional delegation.

® The State of Utah opposes any legislation introduced in Congress to designate additional Wilderness Areas unless such legislation is supported by the respective

[16] *See*, State of Utah Resource Management Plan; January 2, 2018 at pg. 116 – full report available here Utah Public Lands Resource Management Planning

county commission or county council in the county impacted by the proposed legislation.

® The State of Utah will actively participate with federal partners in making wilderness management plans.

® The State of Utah opposes the management of non-wilderness federal lands as de facto wilderness, including *"wildlands," "lands with wilderness characteristics," "wilderness inventory areas,"* and other such administrative designations.

® The State of Utah opposes the review of additional U.S. Forest Service lands for wilderness, except for the reviews expressly provided for in the Utah Wilderness Act of 1984, §201(b).1

(a) secure for the people of Utah, present and future generations, as well as for visitors to Utah, the benefits of an enduring resource of wilderness on designated state-owned lands;"[17]

While the Organizations are aware that the final authority of management of federal lands lies with federal officials, the Organizations are also aware that these efforts by the State of Utah to participate in Wilderness Inventories in highly developed and highly detailed public input for the planning process. This is in stark contrast to the limited engagement of many other western states on federal lands issues and warrants some level of discussion in the Wilderness inventory process. The failure of the RMP to address application of these provisions for areas that are to be designated as Recommended Wilderness in Alternative C of the Proposal is another reason the Organizations are vigorously opposed to this alternative.

4(c)(2) Recommended Wilderness designations conflict with existing access to several areas and this must be corrected.

We have several concerns with the two wilderness-area recommendations in Alternative B and four wilderness-area recommendations in Alternative D. For one thing, the Ashley National

[17] *See*, *State of Utah Resource Management Plan*; January 2, 2018 at pg.230 – full report available here Utah Public Lands Resource Management Planning

Forest already contains the state's largest Wilderness area (High Uintas Wilderness at nearly a half-million acres, most of which is in the Ashley NF), providing extensive opportunities for primitive recreation.

Recommending wilderness in the Goose Egg Peak and Flat Top Mountain areas (Alternative B and C) or the East Uintas and Queant Lake areas (Alternative C) would prohibit the future consideration of many non-motorized trail improvements (such as bicycle trails or even relatively-developed hiking trails) by zoning those four areas as Primitive and chopping up an otherwise continuous strip of Semi-Primitive Non-Motorized zone. Most of the alpine setting is already designated as wilderness, and these wilderness recommendations would remove the remaining potential for bicycling and relatively-developed hiking uses, pushing those uses to motorized zones where there is more potential for recreation conflicts.

Third, all four of these areas are currently open to snowmobiling, and it's particularly popular in parts of the East Uintas and Queant Lake areas (Alternative C). Snowmobiling is causing very little conflict with other people or animals at such a high elevation. Recommending wilderness would likely mess things up, and for no real gain, as the four areas already have other layers of protection (like a Semi-Primitive Non-Motorized ROS zone for summertime use and Backcountry Recreation Management Area).

5. Best management practices require flexibility.

The Organizations are aware that often the relationship of trails and other recreational infrastructure and wildlife habitats are a topic of concern, especially groups that fail to understand the planning and analysis that has gone into providing these opportunities already. We are aware that the USFS has provided new guidance materials on this question with the issuance of the new guide entitled: "Sustaining Wildlife With Recreation on Public Lands: A

Synthesis of Research Findings, Management Practices, and Research Needs"[18] This guide highlights the need for detailed analysis at the site specific level, such as that provided by a travel management plan of possible issues and recommends against the application of overly broad or standardized analysis tools as often these tools can lead to poor quality results on the ground.

In addition to this new Guidance from the USFS, the Western Governors Association in partnership with Utah Department of Wildlife Resources provided clear understanding of the difference between impacts of high speed arterial roads and trails. The Organizations are aware that often maintaining a complete understanding of the comparative scale of threats and challenges that wildlife is facing can be difficult in the planning process. Throughout these comments, high speed arterial roads have been identified as the major concern for wildlife. While this is clear, the relationship to trails is difficult to understand. In our efforts on wildlife management, we participated in Western Governors Association meetings on wildlife concerns and in 2014 the Western Governors Association published landmark research on the actual impacts of high-speed roads on a 12.25 mile stretch of US 89 in Kane County, Utah.[19] This research summarized the scope of the problem faced as follows:

> "Along a stretch of highway in southern Utah, more than 100 mule deer were being lost every year to wildlife-vehicle collisions."

After management of access points for deer on the road, the researchers published their conclusions as follows:

> "It is estimated that a minimum of 102 accidents will be prevented each year through this collaborative effort."

[18] A complete copy of this report is available here: Sustaining Wildlife With Recreation on Public Lands: A Synthesis of Research Findings, Management Practices, and Research Needs (fs.fed.us)
[19] A copy of this research is attached as Exhibit "2"

The Organizations are including this research to allow managers to understand the scale of impacts that high speed roads can have on deer. Any assertion that every mile of trail on the Ashley NF could directly cause the death of 100 deer per year is simply comical. Clearly it is functionally impossible for any 12.25 mile of trails to cause this type of impact, which clearly identifies how much more significant this type of threat is to wildlife. While trails may be a threat to a specific animal at most, they simply are not even close to the level of impact that can result from high-speed arterial roads on a population of any animal.

The Organizations would vigorously support the development of management tools, such as those used in the Utah study, to actually protect wildlife, rather than taking largely token gestures to manage threats that have already been addressed on the Ashley NF. The Organizations would support efforts such as this and this clarity is only reflected in Alternative D of the Proposal.

6. Recreation Management designations and Recreation Opportunity Spectrum designations conflict and will cause confusion.

The "Recreation Management Areas" layer seems pretty redundant with ROS and sometimes conflicting with it. It is important for the Forest Plan to avoid statements that would make the Backcountry RMA categorically prohibit motorized recreation, as Alternative B would zone several small parts of the Ashley NF as Backcountry even though they're also zoned Semi-Primitive Motorized in terms of ROS. Fortunately the Draft Forest Plan (Appendix E) on Page 84 lists "Suitability (MA-SUIT-RMABRA)" with 01 stating "The backcountry recreation area is suitable for wheeled motorized travel consistent within desired area settings as assigned and on designated roads, trails, and areas, but motorized trails are a minimal part of the trail network." However the introduction of Backcountry Recreation Management Areas on Page 83 currently states:

"The summer recreation opportunity spectrum settings in these areas are semi-

primitive nonmotorized and primitive classes to support remote recreation pursuits that require less dependence on development."

For consistency and clarity, it should include the word "predominantly" so the sentence reads "The summer recreation opportunity spectrum settings in these areas are PREDOMINANTLY semi-primitive nonmotorized and primitive classes to support remote recreation pursuits that require less dependence on development."

7. Conclusion.

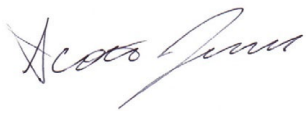
The above Organizations are submitting these comments to provide our support for Alternative D of the Proposal and strong opposition to Alternative C of the Proposal based on our experiences with planning efforts throughout the region. While we are supporting Alternative D of the Proposal, we are not strongly opposed to Alternative B of the Proposal. Our deciding factor is the larger amount of flexibility in management moving forward under Alternative D, as it has been our experience that this type of flexibility is critical to developing and maintaining a healthy ecosystem, which is critically important to quality recreational experiences. The Organizations vigorously support the addition of summer motorized opportunities on the forest as requested by local communities and outlined in the DEIS. 187 miles of motorized routes simply will not be sufficient in the future to support the visitation to the area and this insufficiency of the trail network is specifically identified by the large number of miles that have been user created in some areas for all types of usages

This information has been developed as a result of our involvement in the development of numerous Resource Management Plans (“RMP”) throughout the western United States. Our desire is to provide high quality information for decision making early in the process in the hope of avoiding many of the pitfalls we have encountered in planning efforts throughout the region. This information is also provided as the Ashley NF has provided exceptional recreational opportunities for the public for decades without a large amount of controversy. These

opportunities have drawn users from Colorado, Utah, Wyoming and numerous other states and Canadian provinces. We are submitting these comments in addition to the comments we have submitted previously on this Proposal.

If you have questions, please feel free to contact Scott Jones, Esq. (518-281-5810 / scott.jones46@yahoo.com), Chad Hixon (719-221-8329 / chad@coloradotpa.org), or Clif Koontz (435-259-8334 / clif@ridewithrespect.org).

Respectfully Submitted,



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