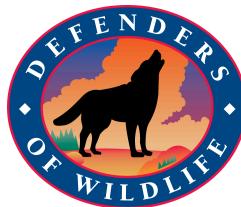




CALIFORNIA
NATIVE PLANT SOCIETY



August 19, 2024

Jennifer Eberlien
Regional Forester
U.S.D.A. Forest Service, Pacific Southwest Region
1323 Club Drive
Vallejo, CA 94592

Subject: Response to USFS Letter dated June 24th, 2024 in regards to new motorized vehicle routes in the Sierra Nevada.

Dear Regional Forester Eberlien:

Thank you for your letter dated June 24, 2024, responding to our concerns regarding the recent proliferation of proposals for new motorized vehicle routes in the Sierra Nevada (Appendix A) and providing opportunities to discuss directly with the Pacific Southwest Region Office staff. We, the undersigned NGOs, are grateful for your response, and request clarification on the assurances provided by your offices and offer additional context to support our concerns (Section I) and pathways toward meaningfully balancing conservation and recreation efforts (Section II).

* * *

Section I

- 1. Building an additional 500 miles of motorized trails across existing forest road networks, water bodies of concern, inventoried roadless areas, and through endangered species critical habitat and deer migration corridors is inconsistent with the Travel Management Rule's minimization criteria.**

The Connected Communities proposal is not consistent with the Travel Management Rule.¹ The Travel Management Rule requires consideration *and minimization* of National Forest System trails on (1)

¹ 36 C.F.R. § 212.

harassment of wildlife and disruption of wildlife habitat, (2) damage to soil and vegetation, and (3) conflicts between motor vehicles and other recreational uses of the forest land.² In the Stanislaus National Forest, the court found that the U.S. Forest Service violated the Travel Management Rule when it “merely considered” environmental impacts and failed to meet its “affirmative obligation” to minimize the proposed addition of 298 miles of motorized routes and included routes that at least one resource specialist found could not be mitigated:

Unlike NEPA, which requires agencies to assess environmental consequences of their decisions but does not obligate agencies to take actions that minimize those consequences, the TMR requires the Forest Service to aim to minimize environmental damage when designating routes. The Forest Service has not explained how satisfying the procedural requirements of NEPA through the EIS analysis meets the substantive requirements of Subpart B of the TMR, nor pointed to any specific parts of the EIS that sufficiently demonstrate its application of the minimization criteria.³

The U.S. Forest Service states on its own website that it is a partner with Sierra Buttes Trail Stewardship to develop the Connected Communities Trails Master Plan,⁴ which is currently lacking analysis or measures to reduce impacts on wildlife, soil and vegetation, and conflicts with other recreation use.

The draft Trail Master Plan is proposing alignments that have failed to consider wildlife habitat needs. Motorized recreation results in “harassment of wildlife” through displacing or permanently changing wildlife behavior and results in “disruption of wildlife habitat” by degrading water quality, eroding soil, and causing loss of ground cover.⁵ Despite these known impacts, the proposed alignment crosses through habitat of endangered species: for example proposed routes cross the Sierra Nevada Yellow-legged Frog habitat (Figure A) and bisect known migration corridors for multiple deer herds, including the Loyalton-Truckee, Doyle, and Verdi herds (Figure B). This is problematic because the best available science indicates that recreational use can increase the spatial breadth and intensity of the natural wariness of wildlife and force populations out of vital habitats and migration corridors.⁶ Mols *et al.* 2021 has found that “besides the well documented behavioural effects created by large predators, also human recreation creates landscapes of fear that can cause pervasive anthropogenic behaviourally-mediated trophic cascades.”⁷ As proposed, Connected Communities trail intersections with important habitats fail to minimize harassment of wildlife and disruption of habitat and behavior.

² See 36 C.F.R. § 212.55(b).

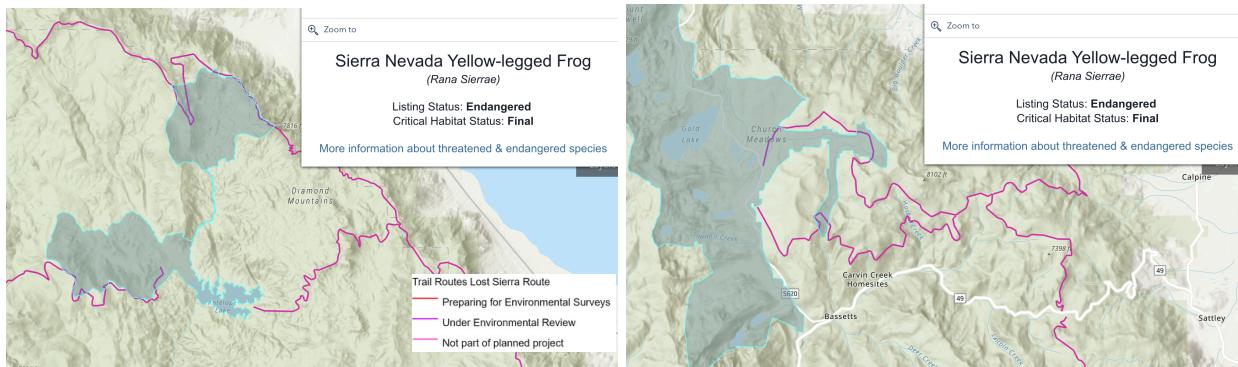
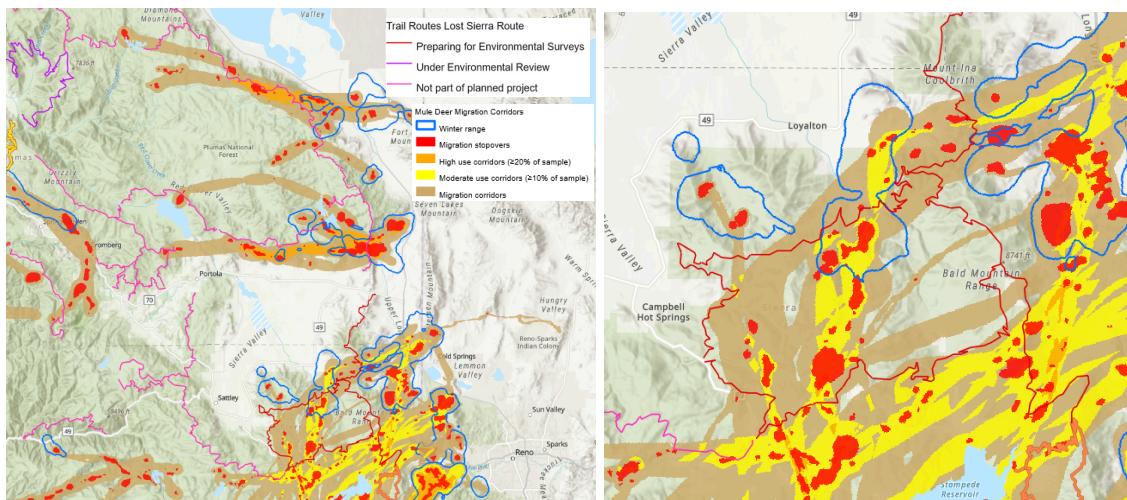
³ *Cent. Sierra Envtl. Res. Ctr. v. United States Forest Serv.*, 916 F. Supp. 2d 1078, 1097–98 (E.D. Cal. 2013) (citation omitted).

⁴ U.S. Forest Service, *Connected Communities*, <https://www.fs.usda.gov/detail/plumas/home/?cid=FSEPRD882614>.

⁵ See California Fish and Wildlife, *Recreation Special Issue 1*, 2020, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=178954&inline>.

⁶ B. Mols, E. Lambers, J. Cromsigt, D. Kuijper, C. Smit, *Recreation and hunting differentially affect deer behaviour and sapling performance*, Dec 2021. <https://nsojournals.onlinelibrary.wiley.com/doi/10.1111/oik.08448>.

⁷ *Id.*

**Figure A.****Figure B.**

Note: red trail alignment (right) overlaps the Sierra Valley Recreation Project, which is currently undergoing environmental review,⁸ and aligned in critical migratory corridors for mule deer.

In addition, we are concerned that aligning trails through inventoried roadless areas and waterbodies of concern will further degrade the ecological integrity of the landscape. For example, the plan's "Frenchman Recreation Zone" and 23 miles of the Connected Communities Alignment overlaps a USFS roadless area and the Doyle Herd migration corridor, for which active efforts are underway to protect their movements and revive their populations (Figure C). The alignment also intersects water bodies that are high priority for protection and restoration and Designated National Wild and Scenic River and Wild & Heritage Trout Waters (Appendix B).

⁸ CEQAnet Web Portal, *Sierra Valley Recreation Project - SNC1451-RT*, <https://ceqanet opr.ca.gov/2022120391>.

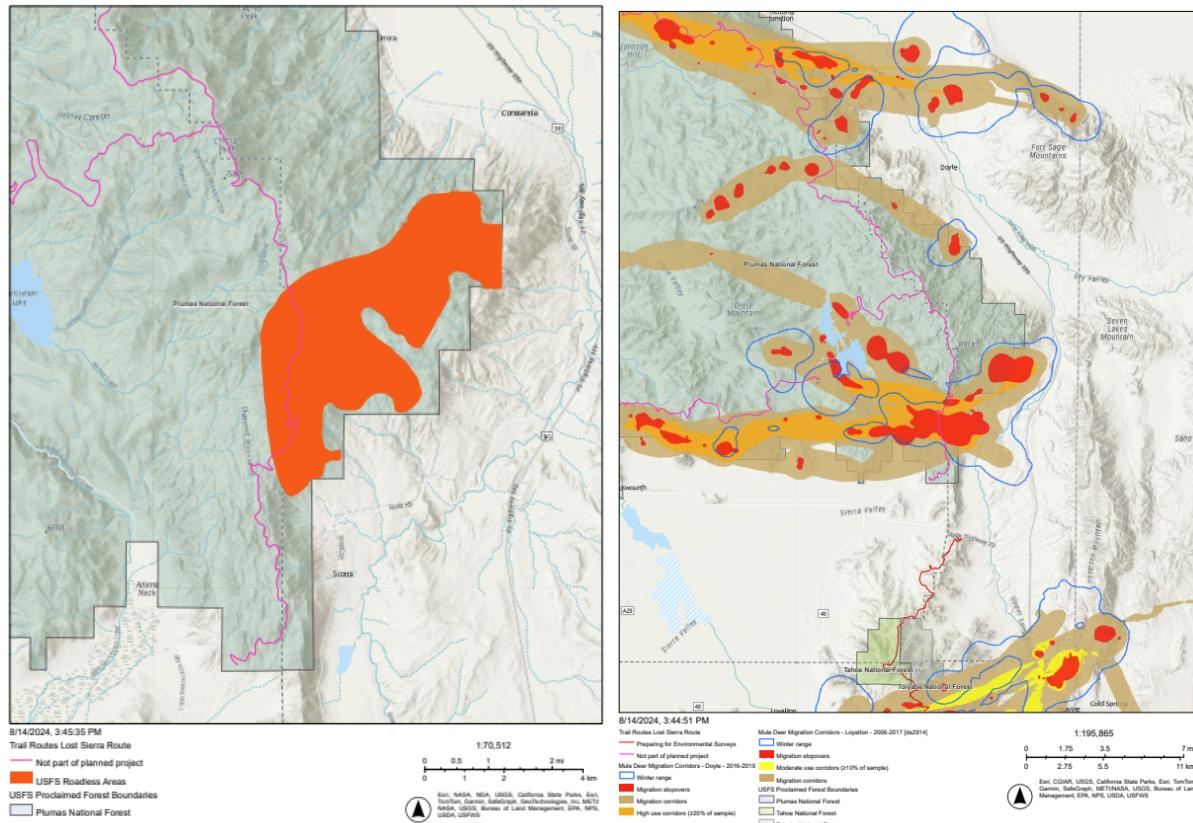


Figure C

In addition, the proposed alignment will exacerbate damage to soil and vegetation through adding more road infrastructure to an existing dense network of roads. The Humboldt-Toiyabe, Tahoe, Plumas⁹, and Lassen National Forests currently feature an extensive road network,¹⁰ yet the Connected Communities proposal, by and large, does not utilize and incorporate this already extensive network¹¹ of roads and trails. (See, e.g., Figure D).

⁹ U.S. Forest Service, *Motor Vehicle Use Maps*, <https://www.fs.usda.gov/detail/plumas/maps-pubs/?cid=fseprd637332>. (Check dropdowns marked “Frequently Asked Questions” and “Driving Your Motorized Vehicles on the Forest”).

¹⁰ See U.S. Forest Service, *Motor Vehicle Use Map: Roads (Feature Layer)*, <https://data-usfs.hub.arcgis.com/datasets/usfs::motor-vehicle-use-map-roads-feature-layer/about>; U.S. Forest Service, *National Forest System Trails (Feature Layer)*, <https://data-usfs.hub.arcgis.com/datasets/usfs::national-forest-system-trails-feature-layer/about>.

¹¹ See U.S. Forest Service, *National Forest System Trails (Feature Layer)*, <https://data-usfs.hub.arcgis.com/datasets/usfs::national-forest-system-trails-feature-layer/about>.

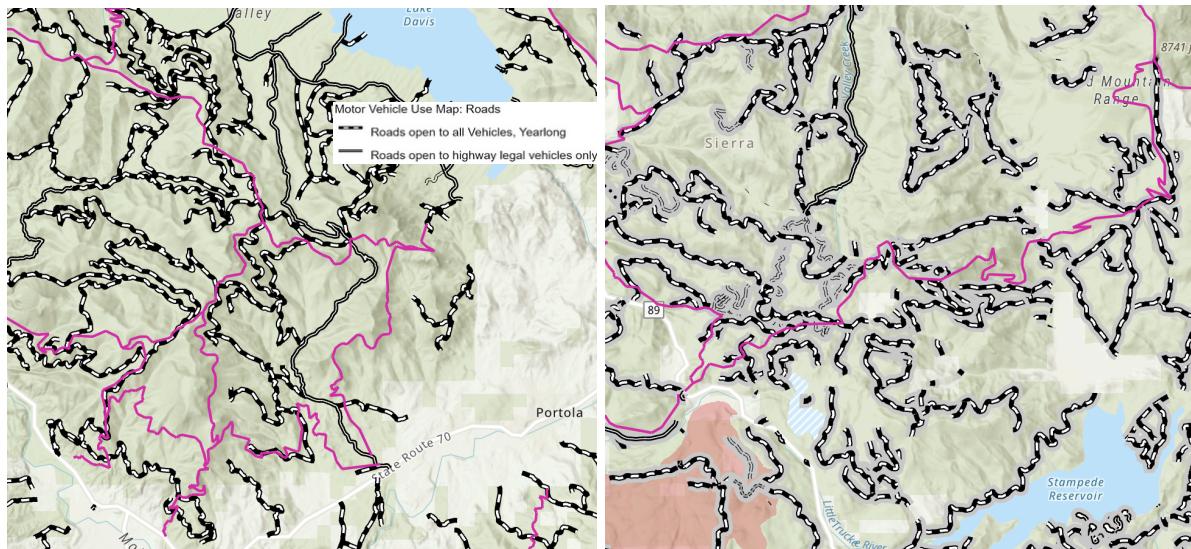


Figure D.

Legend: Pink/Magenta line is the Connected Communities proposed trail and Black and White lines are pre-existing trails.¹²

The Connected Communities proposal is not compatible with the Travel Management Rule's minimization criteria due to its lack of design and planning to address foreseeable conflicts between motorized and other recreation uses. The proposal makes no attempt to incorporate multi-use design principles to address and reduce foreseeable, well-documented conflicts between motorized and nonmotorized use.

The USFS and Sierra Buttes Trail Stewardship represent themselves as partners in developing a Connected Communities Trail Master Plan.¹³ Yet we have not seen any attempt by USFS to consider less harmful ways of accomplishing the goals of the Connected Communities project through this partnership – by improving existing trails, for example, or adjusting management to better support equestrian use and mountain biking tours and avoid sensitive areas for wildlife and rare plant communities. As it stands, the Connected Communities project fails to meet the requirements of the Travel Management Rule.

2. The Connected Communities draft Trail Master Plan contradicts its own survey results and should not be relied upon to represent the desires of the community.

The recent letter states that “[i]t is important to note that the Connected Communities and the Towns to Trails proposals are community-led master planning efforts.” USFS Letter dated June 24th, 2024 (Appendix A). We believe a “community-led effort” should provide members of the community an

¹² See U.S. Forest Service, *Motor Vehicle Use Map: Roads (Feature Layer)*, <https://data-usfs.hub.arcgis.com/datasets/usfs::motor-vehicle-use-map-roads-feature-layer/about>; U.S. Forest Service, *National Forest System Trails (Feature Layer)*, <https://data-usfs.hub.arcgis.com/datasets/usfs::national-forest-system-trails-feature-layer/about>.

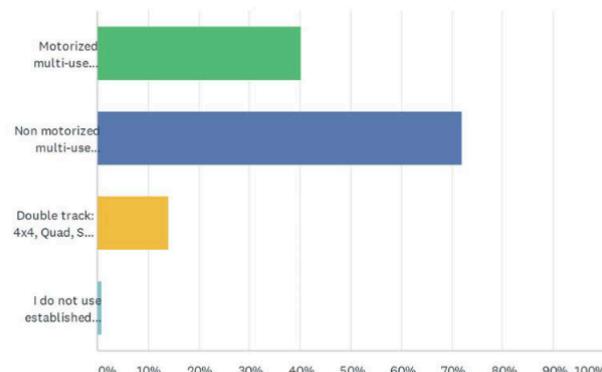
¹³ U.S. Forest Service, *Connected Communities*, <https://www.fs.usda.gov/detail/plumas/home/?cid=FSEPRD882614>. See also Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES*, <https://sierratrails.org/connected-communities/>.

opportunity to meaningfully participate to provide input on trail's scope, alignment, use, and design, and, at the very least, be consistent with what the community has requested in survey results conducted by both the National Forest Visitor Use Monitoring program surveys and Sierra Buttes Trail Stewardship.

This draft Trails Master Plan does not reflect the results of a “community-led” effort. Opportunities provided to community members to weigh in on the Connected Communities proposal included filling Sierra Buttes Trail Stewardship’s survey, which found that only 40% of respondents preferred motorized recreation opportunities and 72% percent preferred non-motorized trails.¹⁴ Moreover, the majority of respondents (84%) recreate via walking/hiking, while 77% participate in mountain biking. Further, Tent Camping, Canoe/Kayak/Paddle, and Creek/Lake Swim account for 50% of outdoor recreation types identified by respondents. Despite these survey results, the Connected Communities Plan proposes over 500 miles of new, motorized trails.¹⁵ Initially, the effort purported to be about greater access for all forms of recreation, but it has become clear that motorized use is now intended to be the predominant use of proposed additions to the trail system.¹⁶ The absence of any multi-use design principles to reduce or avoid foreseeable conflicts between motorized and non motorized uses (see Section 4) also represents a failure to accommodate the preferences of a majority of survey respondents.

What types of recreational trails do you prefer?

Answered: 648 Skipped: 8



ANSWER CHOICES	RESPONSES
Motorized multi-use single track (30" maximum width): motorcycle, hike, bike, ebike, equine	40.12% 260
Non motorized multi-use single track (30" maximum width): hike, bike, equine	72.07% 467
Double track: 4x4, Quad, Side by Side	14.04% 91
I do not use established trails	0.77% 5
Total Respondents: 648	

Survey results finding a preference for non-motorized use is consistent with findings from the USFS National Forest Visitor Use Monitoring Program, which were developed to assist “Congress, Forest

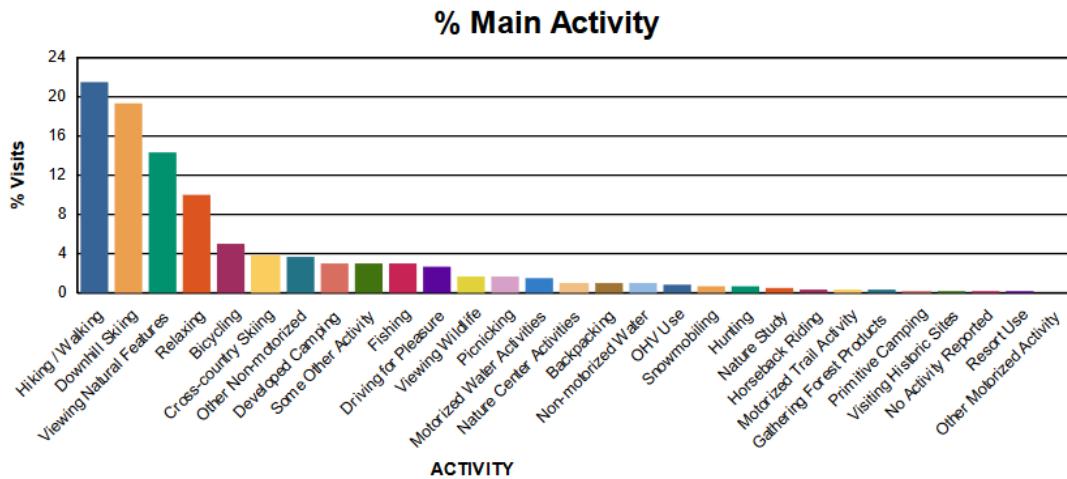
¹⁴ Sierra Buttes Trail Stewardship, *SBTS Connected Communities 201821*, 2021, Slide 36.

<https://sierratrails.org/wp-content/uploads/2021/02/SBTS-Connected-Communities-201821.pdf>.

¹⁵ Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES PROJECT Trails Master Plan*, 7, <https://sierratrails.org/wp-content/uploads/2024/05/TMP-DRAFT-V3-052223.pdf>

¹⁶ See generally Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES*, <https://sierratrails.org/connected-communities/>; Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES PROJECT Trails Master Plan*, <https://sierratrails.org/wp-content/uploads/2024/05/TMP-DRAFT-V3-052223.pdf>

Service leaders, and program managers in *making sound decisions that best serve the public* and protect valuable natural resources by *providing science based, reliable information about the type, quantity, quality, and location of recreation use on public lands.*¹⁷ The recent letter states “our extensive and varied network of trails includes nearly 16,000 miles of system trails, approximately 10,700 miles – or two thirds – of which are designated for non-motorized use, with the remaining roughly 5,100 miles designated for motorized use.” USFS Letter dated June 24th, 2024 (Appendix A). It is difficult to reconcile the proposed expansion of motorized trails with the results of the U.S. Forest Service’s own visitor use monitoring results, which reveal that less than 5% of visitors participate in motorized recreation. An overview of survey respondents included the following as their “main activity” on National Forest lands across Region 5 in the table below:



The results from these reports for the Tahoe, Plumas, and Lassen National Forests indicate that few of the survey respondents even participate in motorized recreation, let alone classify it as their “main activity.”

1. **Tahoe National Forest – Visitor Use Monitoring Results (2020)¹⁸**
 - a. Motorized Trail Activity ranked 15 out of 29 of respondent’s “main activity”
 - b. 2.8 % of survey respondents participate in both “motorized trail activity” and “other motorized activity”
2. **Plumas National Forest – Visitor Use Monitoring Results (2020)¹⁹**
 - a. Motorized Trail Activity ranked 18 out of 29 of respondent’s “main activity”
 - b. 3.3% of survey respondents participate in both “motorized trail activity” and “other motorized activity”
3. **Lassen National Forest – Visitor Use Monitoring Results (2020)²⁰**
 - a. Motorized Trail Activity ranked 27 out of 29 of respondent’s “main activity”

¹⁷ U.S. Department of Agriculture Forest Service, *Visitor Use Report*, 3.

https://apps.fs.usda.gov/nvum/results/ReportCache/2015_R05_Master_Report.pdf. (emphasis added).

¹⁸ U.S. Department of Agriculture Forest Service, *Visitor Use Report*, 21.

https://apps.fs.usda.gov/nvum/results/ReportCache/2020_A05017_Master_Report.pdf.

¹⁹ U.S. Department of Agriculture Forest Service, *Visitor Use Report*, 20.

https://apps.fs.usda.gov/nvum/results/ReportCache/2020_A05011_Master_Report.pdf.

²⁰ U.S. Department of Agriculture Forest Service, *Visitor Use Report*, 20.

https://apps.fs.usda.gov/nvum/results/ReportCache/2020_A05006_Master_Report.pdf.

- b. 0.3% of survey respondents participate in both “motorized trail activity” and “other motorized activity”

The contrast between the results from these surveys and the proposed draft Trails Master Plan demonstrates the lack of genuine consideration to accommodate the community’s vision.

3. Constructing over 500 miles of new, motorized trails on National Forest lands is not ecologically, socially, or financially sustainable.

We appreciate that the U.S. Forest Service is committed to ensuring that the “trail system and its uses are ecologically, socially, and financially sustainable.” USFS Letter dated June 24th, 2024 (Appendix A).. However, the draft Trail Master Plan fails to align with this goal.

We are not convinced that building hundreds of miles of new trails, many of which are proposed to run parallel to existing forest roads, is ecologically sustainable. A more expansive trail system such as that proposed in the Connected Communities effort, can lead to loss of wildlife corridors, habitat degradation, complete habitat loss, and displacement of wildlife.²¹ Though trails and use can be sited to reduce and avoid ecological impacts, the proposed Connected Communities alignment currently bisects at least six mule deer migration corridors for the Doyle, Loyalton-Truckee, Verdi, Red Rock, Bucks Mountain Mooretown, and East Tehama herds, critical habitat for the Sierra Nevada Yellow-legged Frog, and areas that statewide planning efforts have identified as essential wildlife connectivity areas (See, e.g., Figure A, B, and C).

As discussed above, existing data on visitor use and preferences strongly suggest that designing and constructing more trails for motorized use — an activity that less than 5% of visitors participate in across the affected national forests—is not socially sustainable. Additionally, motorized vehicle use causes harm to watersheds, soil, vegetation, water quality, air quality, and other natural resources that can negatively impact people in local communities and poses fire risk.²² Though the draft Master Trails Plan proposes “fire-hardened trails” which are accomplished by “non-commercial thinning and fuel reduction practices,” prescribing fuel reductions to 50 feet on either side of the trail “on all 551 miles of Connected Communities Identified Routes.”²³ These treatments could unintentionally increase fire risk through the introduction of invasive annual species and the U.S. Forest Service does not have the funding and maintenance capacity to ensure these safety measures are effective in the long-term.

Moreover, we are unconvinced that building over 500 miles of new motorized trails is fiscally responsible or sustainable for the U.S. Forest Service. Even if Sierra Buttes Trail Stewardship can effectively leverage state funds to plan, design, and build trails, the Forest Service does not have the resources to adequately monitor and prevent illegal OHV use or conduct long-term maintenance of these

²¹ See California Fish and Wildlife, *Recreation Special Issue 1, 2020*, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=178954&inline>.

²² Ouren, D.S., Haas, Christopher, Melcher, C.P., Stewart, S.C., Ponds, P.D., Sexton, N.R., Burris, Lucy, Fancher, Tammy, and Bowen, Z.H., 2007, *Environmental effects of off-highway vehicles on Bureau of Land Management lands*, 4-31. <https://pubs.usgs.gov/of/2007/1353/report.pdf>.

²³ Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES PROJECT Trails Master Plan*, 46-48, <https://sierratrails.org/wp-content/uploads/2024/05/TMP-DRAFT-V3-052223.pdf>

trails. A report prepared by the Government Accountability Office reviewing U.S. Forest Service's trail maintenance activities found that the Forest Service currently has more miles of trail than it is able to maintain, "resulting in a persistent maintenance backlog with a range of negative effects."²⁴ Officials from some forests have said that "conversion of hundreds or even thousands of miles of motor vehicle trails has added new maintenance challenges and strained already-limited budgets."²⁵ Moreover, unauthorized trails developed by motorized users is a persistent problem, which takes "time and resources away from maintaining system trails because officials must address safety and resource concerns associated with the trails."²⁶

Given the foreseeable increased demands on capacity and funding necessary for the U.S. Forest Service to maintain over 500 miles of trail in a way that reduces fire risk and avoids exacerbated ecological impacts, we would like more information to understand how the U.S. Forest Service can advance the Connected Communities Project in a way that is financially sustainable.

4. The Connected Communities concept of "Trails for All" ignores multi-use design principles and would increase and exacerbate conflicts between different recreational users on National Forest lands.

Though the draft Trails Master Plan states that it allows for non-motorized recreation, assuming that allowing non-motorized use on motorized trails "provides a range of opportunities" and is "aligned with our multi-use mission" is inconsistent with a growing body of literature, government reports,²⁷ and policies seeking to reduce conflicts between nonmotorized and motorized use.²⁸ In fact, the U.S. Congress has held Committee Hearings²⁹ and Presidents have issued Executive Orders to "establish policies and provide for procedures that will ensure that the use of off-road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands."³⁰

The U.S. Forest Service's own General Technical Reports include information discussing significant conflicts between nonmotorized and motorized use on shared trails. This includes survey results from

²⁴ United States Government Accountability Office, *FOREST SERVICE TRAILS Long- and Short-Term Improvements Could Reduce Maintenance Backlog and Enhance System Sustainability*, June 2013, 2. <https://www.gao.gov/assets/gao-13-618.pdf>.

²⁵ *Id.* at 27.

²⁶ *Id.* at 28.

²⁷ "The use of federal lands and waters for motorized recreation can at times conflict with other uses and values for which FLMA's administer lands and waters. In particular, the use of ORVs on federal lands and waters has been contentious because of the potential for damage to natural and cultural resources; safety concerns; and conflicts with nonmotorized recreationists, particularly those seeking quiet and solitude on agency land." Congressional Research Service, *Motorized Recreation on Federal Lands*, May 2024, 11. <https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://crsreports.congress.gov/product/pdf/R/R48076&ved=2ahUKEwiTpPePwp2HAxW3NzQIHfQEC4gQFnoECA4QAw&usg=AOvVaw0vYQTaTlbj4whQscgspwK>.

²⁸ See USFS Letter dated June 24th, 2024 (Appendix A).

²⁹ See generally U.S. Congress, House Committee on Oversight and Government Reform, Subcommittee on the Interior, Energy and Environment, *Access to Public Lands: The Effects of Forest Service Road Closures*, 115th Cong. 2nd Sess. June 26, 2018, H.R. 115-89 (Washington: GPO, 2018).

³⁰ Exec. Order. No. 11644 (February 8, 1972).

State Park Directors across the United States, which found that conflicts between motorized and non-motorized uses and users were rated as the most serious due to “the potential for human injury or death.”³¹ This survey also found that reducing conflict through signage and other means was least successful between motorized and nonmotorized use.³²

As discussed in our previous letter, motorized use will displace non-motorized users, which is also supported by research on conflicts between motorized and nonmotorized use. Generally, “multi-use” trails that allow motorized use to this extent tend to dominate the trail network to the detriment of hikers, mountain bikers, hunters, and horseback riders:

Early research conceptualized recreation conflict as simply competition over the same resources by several competing activity groups, and/or incompatibilities between activities, groups or their respective goals. Common findings in this research were that conflict seemed likely between users and non-users of mechanized recreation, and that conflict was often one-way, or asymmetrical. For example, cross-country skiers disliked their encounters with snowmobilers but snowmobilers did not mind cross-country skiers. (internal citations omitted).³³

The Connected Communities Master Plan should explicitly articulate how building over 500 miles of new motorized trails will not conflict with and displace non-motorized use nor cause or exacerbate degradation of natural and cultural resources,³⁴ and how it supports the Forest Service’s goal of providing a diverse spectrum of recreational opportunities.

5. To date, the NEPA process has been fragmented and has failed to provide adequate opportunity for public input to the Connected Communities Project.

As discussed in May, the NEPA process has failed to provide the public with adequate opportunity to inform the Connected Communities project, and we request clarity and transparency on Sierra Buttes Trail Stewardship’s and U.S. Forest Service’s respective duties and responsibilities in the NEPA process. Of particular concern, the U.S. Forest Service and Sierra Buttes Trail Stewardship have already advanced three different trails that are “critical components of Connected Communities,” a project that affects multiple national forests and hundreds of square miles of landscape, yet the environmental analyses for these projects are only being considered at the project level.

In reviewing the extent of cumulative impacts that should be considered in a NEPA analysis, courts have found that “[t]he geographical scope is not necessarily limited to the project’s geographical boundaries or

³¹ Charles M. Nelson, Rebecca Jennings, Jennifer Henschell, *STATE PARK TRAIL CONFLICTS AND RESOLUTION STRATEGIES*, 124.

https://www.fs.usda.gov/ne/newtown_square/publications/technical_reports/pdfs/2005/326papers/nelson326.pdf.

³² *Id.* at 120-24.

³³ Alan Graefe & Brijesh Thapa, *Conflict in Natural Resource Recreation*, ch. 19, pg. 209.

https://www.researchgate.net/publication/267633830_Conflict_in_Natural_Resource_Recreation.

³⁴ Congressional Research Service, *Motorized Recreation on Federal Lands*, May 2024, 11-12.

<https://crsreports.congress.gov/product/pdf/R/R48076>.

to state borders.”³⁵ In fact, in *Western Watersheds Project*, the court found that Sage Grouse Plans that limited the analysis of environmental impacts to state boundaries violated NEPA because the Plan would impact Sage Grouse populations across multiple states.³⁶ The court reasoned that “connectivity of habitat[] requires a large-scale analysis that transcends the boundaries of any single State.”³⁷

Like the Sage Grouse Plans in *Western Watersheds Project* that foreseeably impacts multiple states, the Connected Communities Project will foreseeably impact multiple forests because the proposed alignment spans across Humboldt, Toiyabe, Tahoe, Plumas, and Lassen National Forests with the intention of increasing recreation throughout.³⁸ Despite the foreseeable impacts across multiple forests, the U.S. Forest Service and Sierra Buttes Trail Stewardship have advanced numerous segments of the proposed Connected Communities alignments while limiting the geographic scope of environmental review of the impacts to the project level.

For example, Phase II Mt. Hough trails are currently undergoing construction.³⁹ According to trail proponents, this project is “a critical component of the Connected Communities Project,” yet the environmental impacts were only reviewed at the project level,⁴⁰ which permitted a “Finding of No Significant Impact.”⁴¹ Similarly, the Claremont Trails Project is a 40+ mile segment of the Connected Communities alignment—but does not consider the cumulative impacts of the full Connected Communities Proposal.⁴²

Additionally, we are concerned that projects in planning, like the Sierra Valley Recreation Project,⁴³ will also only consider impacts at the project level despite the trail proponent’s own website stating that “[t]he *Sierra Valley Recreation Project is a key component of the Connected Communities Trails Master Plan* and was funded by Sierra Nevada Conservancy’s Vibrant Recreation & Tourism Grant Program. *The Project will provide a replicable model for the planning, design, and NEPA/CEQA documentation for the Connected Communities.*”⁴⁴

We are extremely concerned if this approach is, in fact, a “replicable model for planning, design, and NEPA/CEQA documentation for the Connected Communities.” This approach would result in the U.S.

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³⁵ *W. Watersheds Project v. Schneider*, 417 F. Supp. 3d 1319, 1333 (D. Idaho 2019).

³⁶ *Id.* at 1327-33.

³⁷ *Id.* at 1333.

³⁸ See *Id.*, See also *Earth Island Inst. v. United States Forest Serv.*, 351 F.3d 1291, 1295-1308 (9th Cir. 2003).

³⁹ Sierra Buttes Trail Stewardship, *SBTS Projects*, Jan 2024.

<https://storymaps.arcgis.com/stories/e76bb1a618064a6b8d3723e2ef6ff443>.

⁴⁰ *Id.*

⁴¹ *CE Response 12:16 FINAL Mt Hough CEQA Initial study*, Nov 2021.

https://files.ceqanet opr.ca.gov/275202-1/attachment/iTkU6F1EeuuG0r7zKM9IVG9kO3N-UWmj3-efjxjjF4uy509PQ7dBvguWw7n_2JuXJb4WcgR36DfQcQh20.

⁴² Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES PROJECT Trails Master Plan*, 27, <https://sierratrails.org/wp-content/uploads/2024/05/TMP-DRAFT-V3-052223.pdf>; U.S. Forest Service, *Claremont Trails Project*, <https://www.fs.usda.gov/project/?project=63312&exp=detail>.

⁴³ CEQAnet Web Portal, *Sierra Valley Recreation Project - SNC1451-RT*, <https://ceqanet opr.ca.gov/2022120391>.

⁴⁴ Sierra Buttes Trail Stewardship, *SBTS Projects*, Jan 2024.

<https://storymaps.arcgis.com/stories/e76bb1a618064a6b8d3723e2ef6ff443>.

Forest Service segmenting the analysis and avoiding thorough environmental analysis by utilizing categorical exclusions or Findings of No Significant Impact and such a process would only seek public input on sections of trails instead of the comprehensive 551-mile effort and associated cumulative impacts. The segmented environmental review of multiple smaller projects that will foreseeably be pieced together into a greater, whole project is inconsistent with the analysis of impacts and alternatives, and would also undermine public involvement as required by NEPA.

The limited geographic scope of these projects ultimately segments the trails so that the scope of environmental review fails to capture the reasonably foreseeable cumulative impacts of the full Connected Communities project.⁴⁵ This robs the public of adequate opportunity to provide input to the Connected Communities project.⁴⁶

Confusingly, the Sierra Butte's Trail Stewardship proposes permitting timelines⁴⁷ and specifically states that “[o]ur work will include planning, environmental review, trail creation, and maintenance of trails.” In fact, the draft Trail Management Plan itself states that “[t]he 63 miles of CCIR in *this zone is currently in Environmental Review, being led by SBTS and TNF.*” The plan proceeds to state that the Sierra Buttes Trail Stewardship's trail crew ground-truthed the 63-mile loop in the Summer of 2023.⁴⁸

We are aware that Sierra Buttes Trail Stewardship has a Master Stewardship Agreement (MSA) with USFS, but we fail to understand how the Sierra Buttes Trail Stewardship can be conducting environmental review under NEPA or flagging trails, which is not an MSA-approved activity.⁴⁹ In seeking clarity on this issue, our repeated requests for Sierra Buttes Trail Stewardship's MSA have gone unanswered.

Moreover, as a general matter, we are unconvinced that project proponents can be unbiased in conducting scoping, development of alternatives, and environmental review as required by NEPA. The draft Trail Master Plan “assumes SBTS would complete the work under an agreement with each land manager and not operate as an independent contractor” at an estimated cost of \$28,119,480.⁵⁰ In response to questions regarding how Sierra Buttes Trail Stewardship will fund the cost of construction, it states that “[o]ur longstanding partnership with CA Off Highway Vehicle (OHV) division - that has funded much of our existing trail maintenance and construction projects - has been beneficial to the success of our model.”⁵¹ In other words, Sierra Buttes Trail Stewardship will largely rely on available grants and funds that support constructing *motorized* trails to fund Connected Communities' implementation.

⁴⁵ See, e.g., *Wildearth Guardians v. United States BLM*, 457 F. Supp. 3d 880, 895 (D. Mont. 2020).

⁴⁶ See *Id.* at 894.

⁴⁷ Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES*, <https://sierratrails.org/connected-communities/>.

⁴⁸ Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES PROJECT Trails Master Plan*, 46, <https://sierratrails.org/wp-content/uploads/2024/05/TMP-DRAFT-V3-052223.pdf>.

⁴⁹ U.S. Forest Service, *MASTER STEWARDSHIP AGREEMENTS*, https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3812793.pdf&ved=2ahUKEwiDqdPsl6KHAxXrFDQIHVPBAy0QFnoECCEQAQ&usg=AQvVaw2j0iGtsjpYiLtvS4mNLNu.

⁵⁰ Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES PROJECT Trails Master Plan*, 51, <https://sierratrails.org/wp-content/uploads/2024/05/TMP-DRAFT-V3-052223.pdf>.

⁵¹ Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES FREQUENTLY ASKED QUESTIONS*, <https://sierratrails.org/connected-communities-frequently-asked-questions/>. (accessed on July 30, 2024)

We are alarmed that project proponents that will benefit from constructing these trails and obtain funds to specifically construct motorized trails on public lands are leading the public scoping and review of impacts to the environment and request transparency regarding project proponent's responsibility in complying with NEPA requirements.

Section II

I. No planning and implementation of smaller-scale projects should occur until the public has had an opportunity to participate in scoping for the entire Connected Communities Project.

We request a pause in the planning process until the public has been properly involved through NEPA's scoping process, which must be conducted by the U.S. Forest Service — not project proponents.

The recent letter states that “[w]hile the Forest Service has been a collaborator in these communities and tried to provide the best available information to help inform their proposals, this work is not Agency-driven.” USFS Letter, pg. 1 (June 24th, 2024). Recognizing the draft Master Plan itself states that formal scoping will occur through the NEPA process, Sierra Buttes Trail Stewardship is undertaking efforts, or representing themselves as undertaking efforts, that are traditionally the responsibilities of the U.S. Forest Service, including holding meetings, flagging trails, contracting to conduct wildlife surveys, recommending alternatives, and proposing timelines for the environmental review process.⁵² As stated earlier, U.S. Forest Service is authorizing the construction of segments of what are expressly referred to as critical components of the Connected Communities project without allowing the public to meaningfully participate in scoping for the comprehensive vision.

II. This project requires Travel Management Planning and a Cumulative Environmental Analysis.

Consistent with the draft Trails Master Plan recommendations, we request that this project undergo proper Travel Management Planning as required by the Travel Management Rule. However, in contrast with the draft Trails Master Plan, we request the cumulative impacts analysis include the scope of the proposed Connected Communities project footprint to properly assesses “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions.”⁵³

We support the draft Trails Master Plan’s recommendation to form regional advisory committees to participate in the environmental review. We seek to participate to ensure compliance with the Travel Management Rule’s minimization requirements and to “ensure that the identified system minimizes adverse environmental impacts associated with road construction, reconstruction, decommissioning, and maintenance.”⁵⁴

⁵² Sierra Buttes Trail Stewardship, *CONNECTED COMMUNITIES PROJECT Trails Master Plan*, 51, <https://sierratrails.org/wp-content/uploads/2024/05/TMP-DRAFT-V3-052223.pdf>.

⁵³ 40 CFR 1508.7

⁵⁴ 36 C.F.R. § 212.5(b)(1).

Thus far, the Connected Communities proposal has not aimed to minimize environmental impacts and none of its proposed alternatives entertains an option to reduce trail miles as an outcome. Despite the USFS providing the best information to help inform the Connected Community proposal, the Plan envisions trails and recreation zones in USFS-identified inventoried roadless areas, designated wild & scenic rivers, critical migratory corridors, and endangered species habitat. Additionally, we request that the U.S. Forest Service halt all development on the trails that make up the Connected Communities project — such as Claremont Trails and East Zone Connectivity Trails — until environmental review considers the impacts of anticipated increased recreation use and cumulative impacts of the Connected Communities Project, including the reasonably foreseeable impacts to wildlife connectivity and migration corridors.

Finally, we request an opportunity to participate in the development of the Connected Communities Project and maintain communication so that we may provide pathways towards minimizing the impacts of recreational efforts on conservation goals. Thank you for your time. We look forward to working with you in the future.

Sincerely,

Susan Britting, Ph.D.
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Sierra Forest Legacy
britting@earthlink.net

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California Program Director
Defenders of Wildlife
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Deputy Regional Forester Jody Holzworth
Tahoe Forest Supervisor Eli Ilano
Plumas Forest Supervisor Chris Carlton
Lassen Forest Supervisor Deb Bumpus
Under Secretary for Farm Production and Conservation at USDA Robert Bonnie
Sierra Nevada Conservancy Executive Officer Angela Avery

Appendix A



United States
Department of
Agriculture

Forest
Service

Pacific Southwest Region

Regional Office, R5
1323 Club Drive
Vallejo, CA 94592
(707) 562-8737
TDD: (707) 562-9240

File Code: 2350
Date: June 24, 2024

Ms. Sue Britting
Executive Director
Sierra Forest Legacy
P.O Box 377
Coloma, CA 95613

Dear Ms. Britting:

Thank you for your letter dated December 19, 2023 regarding proposals for new motorized vehicle routes in the Sierra Nevada. We sincerely apologize for the delay in our response, and we deeply appreciate the opportunities for further conversation on this topic, including at the Regional Environmental Quarterly meeting on May 2, 2024. This has helped us to better understand your concerns and to convene internal conversations to thoughtfully consider our most appropriate paths forward.

We appreciate your interest in trails and related recreation opportunities on California's National Forests. As you've acknowledged, the U.S. Forest Service, as a multi-use agency, strives to provide for a wide diversity of recreation opportunities, including trail activities and experiences. In the Pacific Southwest Region, our extensive and varied network of trails includes nearly 16,000 miles of system trails, approximately 10,700 miles – or two thirds – of which are designated for non-motorized use, with the remaining roughly 5,100 miles designated for motorized use. It is our goal to ensure that this trail system and its uses are ecologically, socially, and financially sustainable. This requires collaborative, community-based planning with robust input from the public, Tribes, and other interested groups such as yours. We hope that you will continue to engage in the planning efforts mentioned.

It is important to note that the Connected Communities and the Towns to Trails proposals are community-led master planning efforts. While the Forest Service has been a collaborator in these communities and tried to provide the best available information to help inform their proposals, this work is not Agency-driven. It is our understanding that these efforts are seeking to establish sustainable trail networks that provide a range of opportunities for both motorized and non-motorized use. We agree with these intents and find them aligned with our multi-use mission. The Forests where these projects are proposed will have the opportunity to consider these proposals through the NEPA process as community-proposed alternatives, among other possible alternatives. We encourage you to stay involved with these and similar efforts, both in the community-led master planning process, as well as if and when the proposals are considered by the Forest Service under NEPA, to ensure balanced outcomes for all interested parties.



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Appendix A

Ms. Sue Britting

2

Finally, we would like to thank you for the thoughtful list of best management practices. As you are aware, we manage motorized use under the Travel Management Rule (TMR) ([36 CFR 212](#)). The hallmarks of this rule are its focus on public involvement and careful consideration of minimization criteria to avoid adverse impacts to the natural and cultural resources under our care. Many of your best practices are aligned with the TMR and related trail planning efforts, which always fall under the overarching direction of our Forest Plans. As you've identified, it is through the NEPA process that Forests, with public input, can apply these concepts to the responsible management of recreational activities and resources. You can engage most effectively in influencing outcomes by ensuring that your concerns – especially those that are specific to a local condition or issue – are clearly communicated in all phases of the NEPA process for travel management decision making.

We are glad to have the opportunity to continue this conversation with you, and we look forward to working with you moving forward to ensure that our trail system meets the needs of this and future generations.

Should you have additional questions or comments related to trails and motorized use on National Forests in California, please do not hesitate to reach out to Jamie Fields our Regional Trails and Travel Management Program Manager at jamie.fields@usda.gov or (707) 980-4290.

Sincerely,

JODY
X HOLZWORTH

Digital signature of JODY HOLZWORTH
Date: 2024.06.24 11:38:54
-0700

Deputy Regional Forester
Jody Holzworth (for:)

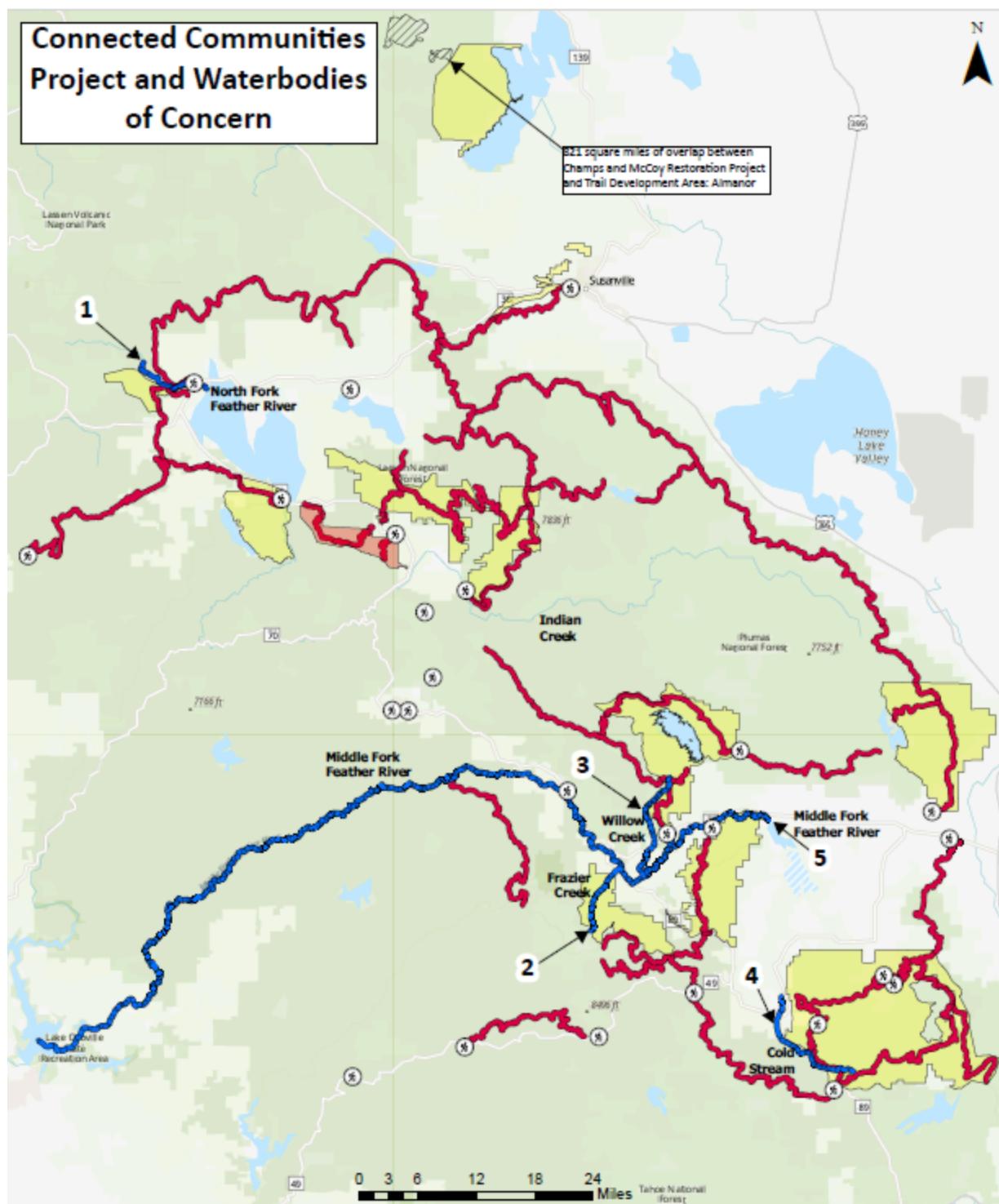
JENNIFER EBERLIEN
Regional Forester

cc: CA Natural Resources Secretary Wade Crowfoot, CNRA Deputy Secretary Katherine Toy, Angela Avery Executive Officer Sierra Nevada Conservancy

A copy of this letter was sent to the following recipients:

Mark Green, Executive Director, CalWild
Charles Schrammel, Executive Director, Friends of Plumas Wilderness
Mari Galloway, California Program Director, Wildlands Network
Nick Jensen, PhD, Conservation Program Director, California Native Plant Society
Pamela Flick, California Program Director, Defenders of Wildlife

Appendix B

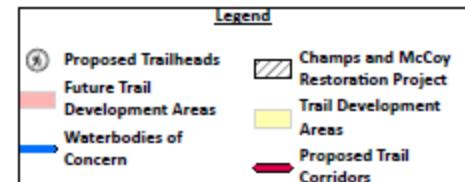


Map Label	Sub-Watershed Cluster	High Priority Reaches	Condition	Connected Communities Overlap
1	Upstream of Lake Almanor	NF Warner to Almanor	Very Low	-Runs through Trail Development Area: Stover Mountain Recreation Zone -Bordered by Proposed Trail Corridors: Chester Connector 1 & 2
2	Middle Fork	MF Frazier Creek Reach	Low	-Runs through Trail Development Area: Mohawk Valley Recreation Zone
3	Lower Middle Fork	MF Willow Creek Reach	Very Low	-Runs through Trail Development Area: Lake Davis Recreation Zone -Runs through Proposed Trail Corridor: Grizzly Ridge to Portola
4	Sierra Valley Headwaters	Cold Stream in Sierra Valley	Very Low	-Runs through Trail Development Area: Sierra Valley Recreation Zone -Runs through Proposed Trail Corridor: Cottonwood Camp to Little Truckee Summit

Table 1: Reaches selected as highest priority for protection and restoration and overlap with Connected Communities construction. Condition Ratings based on Combined Reach Condition Ratings. Combined Reach Condition Ratings based on road crossing density, near stream density, diverted flow and optimal rainbow trout stream temperature. Worst to best physical condition ranges from: very low, low, moderately low, moderately high, high, and very high. Table Source: Upper Feather River Basin Fisheries Assessment and Restoration Strategy, June 2018

Map Label	Waterbody Name	Reason for Concern	Connected Communities Overlap
5	Middle Fork Feather River	-Designated National Wild and Scenic River -Designated Wild and Heritage Trout Waters	-Runs through Trail Development Area: Backcountry Peak Recreation Zone

Table 2: Additional waterways of concern due to recreational and scenic value



Other Map Data Sources: Sierra Buttes Trail Stewardship, California Department of Fish and Wildlife, Upper Feather River Basin Fisheries Assessment and Restoration Strategy, National Wild and Scenic River System