



# Wyoming Game and Fish Department

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February 19, 2025

WER 15143.00a

United State Department of Agriculture

U.S. Forest Service

E-Bike Use Designation

On Select Jackson Area Trails

Teton County

Timothy Farris

Trails Supervisor

U.S. Forest Service

25 Rosencrans Lane

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Dear Mr. Farris,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the E-Bike Use Designation on Select Jackson Area Trails Draft Environmental Assessment (DEA) in Teton County. The Department is statutorily charged with managing and protecting all Wyoming wildlife (W.S. 23-1-103). Pursuant to our mission, we offer the following comments for your consideration.

The DEA contains a Proposed Action (PA) and one Alternative to allow for expanded use of e-bikes in the Jackson Ranger District of the Bridger-Teton National Forest (BTNF). The Department provided input during the Scoping phase in October of 2023. The actions reviewed during Scoping closely resemble the PA in the DEA. As we noted previously, e-bikes are classified as motorized vehicles and their use is limited on Wyoming Game and Fish Commission lands and our past recommendations to the U.S. Forest Service (Forest Service) has been to restrict e-bike use to existing, motorized trails. This DEA allows for e-bike use inconsistent with our current internal policy and our past recommendations.

However, the Department recognizes the increased interest and use of e-bikes and continues to commend the BTNF for proactively facilitating opportunities for expanded legal use. Proactively addressing and restricting e-bike use to less sensitive wildlife habitats can provide e-bike users with the additional opportunities desired with minimal overall impacts to wildlife, wildlife habitat, hunter opportunity, and wildlife viewing.

The PA and Alternative in the DEA provide a number of expanded opportunities with various potentials for impacts to wildlife and wildlife-related recreation. The Department prioritizes

avoiding sensitive areas and sensitive periods for any type of development. Portions of the proposed trails are located in two identified migration corridors, big game parturition areas, and big game crucial winter and crucial winter-yearlong ranges. Balancing increased use by e-bike users while protecting wildlife will require a thoughtful approach. As such, we provide the following considerations on the actions outlined in the DEA:

**Adherence to Big Game Parturition and Crucial Range Stipulations** – Big game parturition areas are documented birthing areas and are defined as a High Priority habitat per the Department’s Mitigation Policy. The Department recommends mitigation measures that result in no net long-term loss of habitat function in parturition areas. The Department recommends avoiding activities in parturition ranges during the following period to maintain habitat function.

- May 15-June 30

Big game crucial ranges are a Vital Habitat per the Department’s Mitigation Policy and are considered essential to the long-term persistence of big game populations. The Department recommends avoiding activities in crucial ranges during the following period to maintain habitat function.

- November 15-April 30

We understand the desire for trail closure and general wildlife closure consistency across the BTNF, which is December 1. Although our seasonal stipulation period begins on November 15, we do not anticipate broad impacts to big game with a December 1 closure date for expanded e-bike use where proposed.

**Wyoming’s Migration Corridor Executive Order 2020-1** – Portions of the PA and Alternative overlap two identified migration corridors, Upper Wind River Mule Deer and Sublette Antelope. The migration periods within the areas proposed for e-bike use are:

- Sublette Antelope
  - May 1-June 15
  - October 1-November 15
- Upper Wind River Mule Deer
  - May 15-June 20
  - October 1-November 15

The protections afforded by Wyoming’s Migration Corridor Executive Order 2020-1 (MCEO) only extend to designated corridors. The considerations we provide below are to promote corridor functionality given the importance of migration corridors for sustaining populations of mule deer and antelope in Wyoming and do not represent recommendations to comply with the MCEO.

**Effective Enforcement** – We previously supported the enforcement-related measures provided during Scoping and still present in the PA. These primarily included purchasing of a decal to ensure only Type 1 e-bikes are used and increased education. As we previously stated, the Department is

concerned about increased illegal e-bike use and the associated impacts to wildlife and wildlife-related recreation. It is unfortunate the actions in the PA are considered more complex to enforce than the actions outlined in the Alternative. Expanding allowable e-bike types to all available on the expanded trail system may be easier to enforce on the newly designated trails but we are concerned they may exacerbate issues in areas that remain off limits. The DEA suggests expanded legal use may reduce illegal use but that is not supported empirically. The Department appreciates increased signage at the boundaries of closed areas as proposed but recommend automated monitoring systems, such as remote cameras, to assess compliance in addition to on-the-ground enforcement. If access to closed areas is identified as an issue, additional actions should be identified to further decrease illegal e-bike use.

**Limitations of Published Literature** – As previously acknowledged, e-bikes are a relatively novel form of disturbance and thorough assessments regarding impacts to wildlife are lacking. The summary of environmental impacts provided in the DEA is limited to very few peer-reviewed scientific papers and relies more on internal Forest Service reports and white papers. We fully support using available information when scientific publications are lacking but we recommend the BTNF be explicitly clear that the impacts of e-bikes on wildlife are unknown, especially when all available e-bike types are being considered. For example, the relatively modest assistance provided by a Type 1 e-bike likely has lower impact than a Type 3 e-bike, which is capable of speeds up to 28 miles per hour unassisted, but that comparison has not been made in robust, scientifically defensible way. As written, the DEA primarily considers impacts of e-bikes similar to that of mountain bikes when they may be somewhere between mountain bikes and motorcycles depending on class of e-bike.

As a novel form of disturbance with undocumented impacts, expanded use of e-bikes on the BTNF provides a unique research opportunity. Paired with proper planning and closures, we recommend research to inform future inevitable expanded e-bike use be considered as a mitigation action and one the Department fully supports. Regional personnel welcome the opportunity to discuss research opportunities in more detail if desired.

**Area Specific Considerations** – The following are area-specific considerations for both the PA and Alternative. Our intent is to provide targeted considerations to minimize project-related impacts to wildlife in each location so that the cumulative impacts of the project are dampened.

*Teton Pass* – As we acknowledged in our comments during Scoping, the Teton Pass area is a popular outdoor recreation destination. The trails targeted for expanded e-bike use are already heavily used by mountain bikers and do not overlap crucial wildlife habitats. There are no additional trails proposed for construction under with the PA or the Alternative. The Department has no concerns regarding increased e-bike use in the Teton Pass area as proposed in the DEA.

*Munger Mountain* - The trail system on Munger Mountain proposed for expanded e-bike use includes moose and elk crucial winter-yearlong range, elk crucial winter range, is important for

elk parturition, and is a popular hunting destination. Munger Mountain is also surrounded by private land that elk can and do sometimes seek refuge on during the hunting season, which limits public land hunting opportunity and the Department's ability to maintain herd objectives.

Neither the PA nor the Alternative include any new trails in the Munger Mountain area, only expanded use of existing trails. The Department continues to support use of the existing trail system only to minimize impacts to wildlife.

The current seasonal closure period, September 10-June 30, for motorcycle use on Munger Mountain was established to protect elk during the parturition season and to minimize elk avoidance of public land during the hunting season. Given the well-established relationship between recreational use and big game avoidance behavior, and importance of Munger Mountain for wildlife and public hunting, the Department recommends minimizing expanded e-bike use during important time periods for wildlife. The seasonal use period currently proposed in the Alternative would more effectively limit e-bike use in sensitive habitats during sensitive time periods.

*Horsetail Creek Trail* – The Horsetail Creek Trail is currently used lightly by mountain bikers and lightly by e-bike users. The area is popular with hunters and the trail system overlaps crucial winter range for elk and bighorn sheep, crucial winter-yearlong range for moose and an elk parturition area. The Identified Sublette Antelope Migration Corridor and Upper Wind River Mule Deer Migration Corridor also overlap portions of the trail system.

The Department previously supported the expanded period of allowable use for e-bikes on the Horsetail Creek Trail in the PA. The negative impacts to wildlife of extending the use period to Type 1 e-bikes are expected to be minimal and the increased access opportunity may be beneficial for hunters that may not have been able to access the area in other ways. However, if the type of allowable e-bikes is extended as proposed in the Alternative, we anticipate the potential for more severe impacts to wildlife and support maintaining the current period of use, July 1-September 9, as proposed. Opening the Horsetail Creek Trails for use on July 1 avoids impacting the spring migration period for both species and avoids the parturition period for elk. Closing on September 9 avoids impacts to the migration period for mule deer and antelope and the crucial winter range period. Lastly, the Horsetail Creek area has increased grizzly bear activity in the spring and fall. The closure dates would reduce the potential for grizzly bear conflict.

*Shadow Mountain* – The provided Alternative includes 3.76 miles of new trail construction in the Shadow Mountain area as well as 2.26 miles of existing non-system trails adopted for use and opening 2.2 miles of existing road currently closed to e-bike use. The proposed season of use is June 1 through November 30.

The Shadow Mountain area overlaps an elk parturition area, the Sublette Antelope Migration Corridor, and the Upper Wind River Mule Deer Migration Corridor. The Department recommends

avoiding development of new trails in important wildlife habitats to the extent possible as the best minimization measure is avoidance. When avoidance of new trails is not possible or desired, minimizing impacts to wildlife is best accomplished with seasonal closures as is commonly done throughout the BTNF. If development of new trails on Shadow Mountain is approved for all e-bike types, we recommend matching the July 1-September 9 seasonal use period for the Horsetail Creek Trail and portions of the Munger Mountain Trail system. The July 1-September 9 seasonal use period would avoid increased human presence during both migration periods and the parturition period, while allowing ample opportunities for legal trail use where there is currently none. Also, similar to Horsetail Creek, the Shadow Mountain area has increased grizzly bear activity in the spring and fall and by avoiding those periods, the potential for bear conflict is reduced.

*Mosquito Creek* – The proposed Alternative includes the construction of 2.85 miles of new trail and 0.5 miles of a re-routed trail in the Mosquito Creek area. There are motorcycle trails that are currently open and can be used by e-bikes nearby. The season of use for all motorized trails in the Mosquito Creek area is June 1-November 30. The area proposed for the new trail is not within any big game crucial ranges, parturition areas or documented migration corridors. The new trail does traverse aspen habitat and riparian areas. Aspen habitat, and riparian and wetland areas are limited in the Jackson Region and very important for big game and nongame Species of Greatest Conservation Need. We recommend avoiding these habitats to the extent possible and potentially mitigating losses when necessary.

*Swinging Bridge* – The Alternative includes the development of 0.65 miles of new trail and use of 0.6 miles of existing non-system trail in the Swinging Bridge area. The trails would be open June 1-November 30. The Swinging Bridge area overlaps elk crucial winter range and mule deer crucial winter-yearlong range. The proposed seasonal closure period would adequately protect elk and mule deer during the winter. The Department has no additional concerns regarding impacts to wildlife from expanding trails at the Swinging Bridge site.

*Johnny Counts Road* – The Alternative in the DEA includes the expansion of 1.25 miles of existing road currently not open to e-bike use. The trail would be open June 1 through November 30. The Johnny Counts Road overlaps elk and mule deer crucial winter-yearlong range. The proposed seasonal closure period would adequately protect elk and mule deer during the winter. The Department has no additional concerns regarding impacts to wildlife from expanding e-bike opportunities as proposed at the Johnny Counts Road site.

Thank you for the opportunity to comment. If you have any questions or concerns please contact Ross Crandall, Habitat Protection Biologist, at (307) 367-5615.

Timothy Farris  
February 19, 2025  
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Sincerely,

A handwritten signature in black ink, appearing to read 'Will Schultz', with a stylized, cursive script.

Will Schultz  
Habitat Protection Supervisor

WS/rc/kgb

cc: U.S. Fish and Wildlife Service  
Chris Wichmann, Wyoming Department of Agriculture