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First name: Marcus

Last name: Libkind

Organization:

Title:

Comments: Comments on Stanislaus OSV Designation

Dear Stanislaus National Forest,

The following are my comments on the Stanislaus National Forest Over-Snow Vehicle Use Designation DEIS.

I have been an active backcountry skier and occasional snowshoer for nearly 50 years. I am the author of guidebooks to backcountry skiing in the Sierra Nevada (In Search of the Snowbunny - The Ski Tourer's Guide to the Sierra Nevada, 1980 and Ski Tours in the Sierra Nevada, 1985, both out-of-print), and currently maintain a website (www.backcountryskitours.com) with tour descriptions for more than 200 ski tours many of which are on Stanislaus National Forest.

Backcountry skiing has been a focus for much of my life. I started at its infancy when there were few OSVs in the backcountry. Over the years I have seen the growth in both sports and the subsequent conflicts. Unfortunately the conflicts are asymmetric in that OSVers do not generally object to the presence skiers and snowshoers, while skiers and snowshoers do not generally want to share space with OSVers.

There are good reasons for the asymmetric conflict. They center on the reasons I do not choose to ski or snowshoe where I know OSVs will be in any significant numbers. I go to the mountains to enjoy quiet, solitude and clean air. Safety is an issue in some high OSV use areas.

I appreciate the major effort that has gone into the creation of the DEIS, but I'm dismayed that the Preferred Alternative, Alternative 5, does not even maintain areas that were previously designated non-motorized in winter. Yes, it does not designate the Round Valley and Woodchuck Basin area (a Near Natural Area) and the Dodge Ridge area for OSV use, but it opens the Osborne Ridge and Lake Alpine area, and some Near Natural areas to OSV use. Alternative 3 is the only alternative that provides for OSV travel in their most popular areas and sets aside reasonable areas as not designated for the benefit of non-motorized recreation.

Alternative 3 defines five areas that are important to non-motorized recreationists on the Stanislaus. They all have been historically used by skiers and I described tours in all of these in my writings. They are (listed in their importance to the non-motorized community):

1. Mattley Ridge area
2. Cabbage Patch to Black Spring area
3. Herring Creek area
4. Osborne Hill and Lake Alpine area
5. Big Meadow area

I have seen the comments that have been or will be submitted by Snowlands Network supporting Alternative 3. They include, and I agree with, that the Mattley Ridge and Herring Creek areas should not be designated for mid-

winter OSV use, but could be open to OSV use on a seasonal basis when plowing begins on Highway 4 and Highway 108 respectively. This is a clear attempt to accommodate the needs of the OSV community. In contrast, the OSV community submitted Alternative 4 that would even open the Dodge Ridge area to OSV use. This area contains an historical major network of ski and snowshoe trails that are maintained and patrolled by the Pinecrest Nordic Ski Patrol.

In my opinion the DEIS is flawed in a number of ways.

1. The DEIS does nothing to minimize the growing conflict between motorized and non-motorized winter recreation. In fact, the DEIS makes the situation worse because it designates for OSV use lands that were previously designated non-motorized in winter.

2. The DEIS refers to the popular, highly desirable and historical lands used for OSV recreation. But in analyzing the impacts of OSVs on non-motorized recreationists there is no mention of the popular, highly desirable and historical lands used for non-motorized winter recreation.

3. The DEIS refers to decreased acres available for OSV use in areas where by law OSV was never permitted, e.g. some Near Natural Areas. The fact that the Forest Service did not enforce the existing regulations and knowingly allowed OSV use in restricted areas does not translate to a reduction in acres available for OSV. Those acres were never available for OSV use and therefore they do not constitute a decrease in acres available or OSV use.

4. A major part of the DEIS's minimization plan is the use of signs and increase patrols. While signs denoting the boundary of a non-motorized area and patrols will help reduce trespass, the signs and patrols will do nothing to provide the aesthetics (quiet, odor free, rut free and safety) sought by non-motorized recreationists since there are only two areas of high value to non-motorized recreation not designated for OSV use (Round Valley and Dodge Ridge). Conflict minimization must include setting aside more highly desirable and historical areas for non-motorized winter recreation.

In addition, the Forest Service has not indicated from where the money for a significant patrol program will be derived. In the past neither the Forest Service nor the California OHMVRD has funded such a program.

5. A major reduction in the acres available for OSV use is due to the elimination of their use in the South HWY 4 area. Except for the very small Big Meadow area, this area is of zero value to the non-motorized community for the same reasons it is of zero value to the OSV community; there is a lack of parking and the terrain is not conducive to winter recreation. Therefore this reduction in acres available for OSV use does not constitute a minimization in conflict.

6. The DEIS fails to take into consideration that the number of non-motorized winter users on the forest exceeds those of motorized users. Even if they were only equal in numbers, which they are not, the numbers clearly show that there is a need for providing easily accessible areas that are non-motorized in winter to meet the demand of the demographics.

A flaw in the NUVM data presented is that it only measures cross-country skiing and snowmobiling. This system for monitoring the use of forests continues to not look at those engaging in snowshoeing.

The DEIS fails to consider the number of snowshoers impacted by OSV use. This number is huge and still growing. Snowshoeing has increased in popularity as the population ages and because the learning curve is near zero. You can put on a pair of snowshoes and on your first adventure travel to places like Mattley Ridge.

The rise in snowshoeing can be measured in several ways. Look at rental numbers at retail stores and at Nordic

centers that rent them. Look at sales figures from the outdoor industry.

The bottom line is the DEIS fails to correctly compare the number of non-motorized winter users to motorized winter users.

7. The DEIS fails to take steps to minimize conflict that would have little impact on OSV use on the Forest.

The highest concentrations of OSV use occur along groomed trails. Alternative 3 does not decrease the groomed OSV trail system, but instead minimizes conflict by providing non-motorized areas in places where OSV use is low. The best example of this is in the Mattley Ridge, Cabbage Patch and Black Spring area north of Highway 4, and Herring Creek on Highway 108. Alternative 3 designates some lands here non-motorized but leaves other parts open to OSV use including many miles of ungroomed OSV trails that are rarely used by OSVs in the Mattley Ridge, Cabbage Patch and Black Spring area. The restrictions would have little impact on OSV recreation.

8. The DEIS goes to extents to look at noise attenuation, but attenuation has no bearing on the impacts to non-motorized winter recreationists. The DEIS admits that noise, odor and OSV tracked out terrain are conflicts that exist on the forest. Only through the set aside of lands as non-motorized in winter can these conflicts be minimized. No number of signs or patrols will minimize these conflicts.

9. The DEIS should not consistently look at the amount of reduction in acres available to OSV use, but rather look at a fair allocation of resources beginning with making sure that both motorized and non-motorized users have access to high valued areas, and then fairly allocate the remaining desirable areas between the two uses.

10. The DEIS fails to consider environmental justice for minority and low-income households. This topic is discussed in detail in the attached document (letter dated May 29, 2018) that was written for submission to Tahoe National Forest. It applies equally to Stanislaus National Forest.

In short, snowmobiling is a sport of the wealthy. Non-motorized winter sports, especially snowshoeing, are more available to lower income households because the investment in equipment is relatively small compared to snowmobiling and the cost of rental equipment is likewise much less.

The DEIS must be amended to show how it meets the health and environmental needs of minorities and low-income communities.

I also want to point out that in Table 30 shows:

SEE ATTACHMENT: Table 30

For "c" under "measures", I believe that the words "within $\frac{12}{1}$ mile" should be "within 5 miles" as is the case in Table S-12.

In conclusion:

The OSV community can't see why skiers and snowshoers do not want to recreate in close proximity to OSVs. One reason is identical to the reason why snowmobilers don't want to share the snow-covered roads with 4x4 vehicles. They claim that the 4x4s create ruts that make snowmobile use dangerous.

The Forest Service bans the use of 4x4s over the snow in nearly all areas in part because they can do considerable resource damage. But with adequate snow the 4x4s do not touch ground so why ban them for the entire season on roads? The answer is simply the snowmobilers don't want them because of the ruts.

I contend that the snowmobile/4x4 conflict is identical to the snowmobile/skier-snowshoer conflict. Stanislaus National Forest must recognize this conflict and the absolute need for more lands dedicated to non-motorized winter recreation in order to accommodate the demand that exceeds that of OSVs.

The only way to minimize conflict between motorized and non-motorized winter visitors is to designate less land for motorized use. This can be done while minimizing the impact on OSV users by carefully choosing the non-motorized areas and in the case of Mattley Ridge and Herring Creek areas opening them to OSV use once plowing has begun on the respective highway.

Very truly yours,

Marcus Libkind

SEE ATTACHMENT: Tahoe OSV DEIS Comment Period Submission Included. ID team member review.