

Data Submitted (UTC 11): 10/1/2019 6:00:00 AM
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Comments: Submission Date: October 1, 2019

USDA Forest Service

Attn: Objection Reviewing Officer

Rocky Mountain Region

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Submitted via email to: r02admin_review@fs.fed.us

Subject: Rio Grande Forest Plan Revision Objection

Objector Name: Colorado Mountain Club

Objector Address: 710 10th St. Suite 200, Golden, CO 80401

Organization Contact: Julie Mach, Conservation Director

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Plan Name: Rio Grande Forest Plan Revision

Responsible Official: Dan Dallas, Forest Supervisor, Rio Grande National Forest,

Reviewing Officer: Brian Ferebee, Regional Forester, USDA Forest Service Rocky Mountain Region

Dear Mr. Ferebee,

Objector Colorado Mountain Club (CMC) files this objection to the Rio Grande National Forest (RGNF) plan revision Draft Record of Decision (draft ROD) and Final Environmental Impact Statement (FEIS). CMC filed timely comments on the Draft Environmental Impact Statement on December 28, 2017 and has been actively engaged on in the planning process since its inception and submission of our initial Recreation Assessment comments on September 2, 2019 (with Winter Wildlands Alliance).

Overall we are disappointed in the weak plan components throughout the RGNF plan and we have very specific concerns related to winter recreation, outlined below. We were pleased to see the inclusion of recommended Wilderness additions in the Sangre de Cristo Mountains which protect the incredibly unique recreation opportunities and natural resource values of that landscape. However, there were many other areas on the

Forest overlooked for additional protection.

Objection Point: The RGNF plan violates the Travel Management Rule, Executive Order 11644 as amended by Executive Order 11989, and the Planning Rule because it fails to provide for sustainable winter recreation, restrict over-snow vehicles (OSV) to designated places, and locate trails and areas to minimize impacts. It also violates NEPA because it fails to take a hard look at the impacts from OSV use under the alternatives.

The Forest Service must provide for sustainable recreation, including recreational settings, in forest plans. 36 CFR 219.10(b) (plans must "include plan components, including standards or guidelines, to provide for: (i) Sustainable recreation; including recreation settings, opportunities, and access; and scenic character."). The Forest Service is also required to "designate" specific areas and trails for OSV use, and is prohibited from allowing OSVs (e.g., snowmobiles) to travel outside of the designated system. See 36 C.F.R. [sect][sect] 212.80(a), 212.81(a), 261.14. Further, the Forest Service is obligated to locate areas and trails open to OSV use to minimize resource damage and recreational use conflicts. 36 CFR 212.81(d) and Executive Order 11644 as amended. It is widely acknowledged that establishing OSV designations and winter recreational settings are critical elements of sustainable recreation. The RGNF has not completed a winter travel management plan and does not have a designated system for OSVs as required by Subpart C.

The RGNF is not currently in compliance with subpart C. The RGNF has not yet undertaken winter travel management planning to designate a system of roads, trails, and areas for over-snow vehicle use. This forest plan cannot ignore this obligation and must provide direction for the forest to achieve timely compliance with subpart C and establish a framework for doing so. The framework should include, among other things, the establishment of a "closed unless marked open" management framework, a clear commitment to initiate winter travel management planning within a year, establishment of a minimum snow depth for over-snow vehicle use, identification of areas suitable for over-snow vehicles that consider adequate snowpack, and forest-wide plan components that protect resources from OSV damage and reduce conflict.

The RGNF did none of this. In violation of the plain language of subpart C, the RGNF plan established an "open unless marked closed" framework, stating "Over-the-snow motorized vehicle use is allowed unless specifically restricted." Final Plan on page 55. Further, the RGNF plan did not address where snowpack is adequate for over-snow vehicle use or attempt to use this information to identify areas suitable for over-snow vehicles, or establish a minimum snow depth below which over-snow vehicle use is restricted in order to protect wildlife, soils and vegetation. The final plan did not include a clear statement that the RGNF is not yet in compliance with subpart C nor did it make a commitment to conduct timely, site-specific winter travel planning to designate discrete routes and areas for over-snow vehicle in order to achieve compliance with the Travel management Rule.

Finally, the RGNF plan has virtually no plan components, with the exception of those within the Southern Rockies Lynx Amendment related to snow compaction, that address or assure minimization of impacts. Overall, the plan's direction for winter recreation management falls far short of the Forest Service's mandate to provide for sustainable recreation, including recreational settings, in violation of the Planning Rule, and fails to comply with the Travel Management Rule's mandate to restrict OSVs to designated places that are located to minimize impacts.

Objection Point: The FEIS does not take a hard look at OSV suitability or provide a reasoned explanation for its OSV suitability findings.

The Over Snow Vehicle Use Suitability Map is not an adequate framework to guide future winter travel planning decisions. The charts and text in the FEIS and the plan components in the revised plan are not consistent with one another in how they characterize OSV suitability, making it difficult to understand what exactly the FEIS is analyzing. For instance,

* Table 9 on page 56 (showing allowable uses by Management Area for Modified B) shows OSV travel is allowable in special interest areas and wild and scenic river eligible segments. However, the FEIS states "Areas unsuitable for motorized over-snow vehicle use across action alternatives include eligible wild, scenic, and recreational rivers" and some special interest areas.

* The revised plan at 68 does not include a plan component that Wilderness is unsuitable for motorized or mechanized travel. (Note that Recommended Wilderness Management Area has this plan component, see: SUIT-MA 1.1a-5).

* The revised plan does not include a plan component related to suitability of Special Interest Areas (Management Area 4.1) for OSV use. See page 72.

* The revised plan does not include plan components related to suitability of eligible wild and scenic river segments (Management Area 4.34) for OSV use even though the FEIS states that eligible scenic and recreational rivers are unsuitable for OSV use. It also more generally does not include plan components disallowing OSV use in wild and scenic eligible river segments.

NEPA requires that the Forest Service take a hard look at the effects of the alternatives and that there be a rational nexus between the analysis and the decision. While the FEIS states in two places that it considered environmental factors and recreational preferences and conflicts in assigning OSV suitability, we cannot find any evidence of these analyses or how the analyses led to the suitability designations described in the FEIS and reflected in the revised plan. It instead appears that the suitable and unsuitable designations in the RGNF are simply a reflection of the proposed management areas, rather than based on winter-specific variables such as average snow accumulation, slope angle, sensitive wildlife habitat, current recreation use or desired future recreation conditions. In the preferred alternative, these management areas are largely consolidated in the General Forest prescription which means large swaths of the forest are classified as suitable without sufficient consideration of winter variables. The absence of a hard look at areas suitable and unsuitable for OSVs and a rational basis for deciding suitability is a violation of NEPA.

Objection Point: The RGNF Plan fails to use the Recreation Opportunity Spectrum (ROS) to integrate recreation with other resource values to derive sustainable recreation outcomes as required in the Forest Service Handbook 1909.12.

The RGNF plan does not include a winter ROS, stating it will be completed during the winter travel planning process (Comment Rec-5), and therefore fails to derive sustainable recreation outcomes for winter activities on the forest. The purpose of the ROS is to guide site-specific actions like travel planning, it cannot be a result of travel planning. Additionally, the ROS sets desired future conditions and is supposed to drive the entire forest plan. Without a winter ROS, winter recreation activities are fully disregarded in the plan.

Additionally, although the forest did not establish winter Recreation Opportunity Spectrum (ROS) classification table or provide a winter ROS map, the EIS states with regard to OSV Suitability "This process does address motorized and non-motorized settings during the winter season to determine suitability[hellip]" on p294. This is a contradictory statement because the winter ROS does not exist. Without the winter ROS settings and map, the RGNF cannot adequately analyze OSV suitability on the forest.

These issues were raised in the following comment letters: Recreation Assessment Comments dated September 2, 2015 from The Colorado Mountain Club & Winter Wildlands Alliance; and Draft Environmental Impact Statement letter dated December 28, 2017 from the Colorado Mountain Club.

Remedies: The RGNF in its final plan must provide clear direction for over-snow vehicle use and planning. This must include:

[bull] A clear statement that the RGNF is not yet in compliance with subpart C of the Travel Management Rule;

[bull] Establishing a "closed unless marked open" OSV management framework in the final plan.

[bull] Identifying areas with inadequate snowpack, taking climate change into account, and finding them unsuitable for over-snow vehicle travel;

[bull] Establishing a minimum snow depth for over-snow vehicle use;

[bull] Establishing a specific Winter Recreation Opportunity Spectrum classification table and map

[bull] Revise the FEIS to include a detailed analysis of places suitable and unsuitable for OSV use considering relevant resource (e.g., wildlife disturbance, wildlife connectivity, snowfall, climate change, soils, vegetation) and social (e.g., recreational conflicts, preferences and use patterns) factors.

[bull] Committing to conduct timely, site-specific winter travel planning to designate discrete routes and areas for over-snow vehicles in accordance with subpart C of the Travel Management Rule; and

[bull] Direction established in plan components that the resultant areas and trails that are designated as open to OSVs must be consistent with Recreational Opportunity Settings.

Thank you for your consideration of our comments. We look forward to seeing these issues addressed.

Sincerely,

/s/ Julie Mach

Julie Mach

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