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First name: Cailin

Last name: O'Brien-Feeney

Organization: Winter Wildlands Alliance

Title: Policy Director

Comments: Nez Perce-Clearwater Forest Plan Comments - WWA

Dear Forest Planning Team,

Comments on the Proposed Action from Winter Wildlands Alliance are attached.

Thank you.

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November 14, 2014

Nez Perce Clearwater National Forest

Forest Plan Revision

903 3rd St.

Kamiah, ID 83536

RE: Nez Perce-Clearwater Forest Plan Revision

Dear Supervisor Probert,

Winter Wildlands Alliance (WWA) is a national advocacy organization representing the interests of human-powered winter recreationists across the U.S. Collectively, WWA represents over 50,000 members and 35 grassroots partner organizations in 11 states, and has its headquarters in Idaho. We have been involved since the beginning of the Forest Plan collaborative revision process, and in the development of the Clearwater Travel Plan before that.

Opportunities for quality, non-motorized winter recreation, are of utmost importance to our members – many of whom enjoy cross-country skiing and snowshoeing on the Nez Perce and Clearwater National Forests (NPCLR). Portions of the forest provide consistent snowfall, desirable terrain, opportunities for solitude and also areas with easier access. Non-motorized winter recreation occurs in Wilderness, recommended wilderness and across a variety of Recreational Opportunity Spectrum settings, and is concentrated where the above characteristics are matched with a setting free of motorized use. As proposed, this Forest Plan does not go far enough to encourage and protect opportunities for quiet winter recreation, and in some ways is a step backward from the plans that precede it. Uncertainty regarding the recommended wilderness portion of the Clearwater Travel plan adds another layer of complexity to this current effort, further highlighting the importance of sound management of winter motorized and non-motorized recreation. Therefore, our comments center on these important topics. We appreciate all the Forest Service has done to work collaboratively with the public thus far in the forest plan revision and believe this process is a good step toward building a forest plan that is reflective of the desires of the public as well as meeting agency requirements. We look forward to seeing a draft EIS that builds and improves on the proposed action by building on our concerns presented here.

A. General Comments

One of the most important attributes of the NPCLR is the opportunity they provide for recreation. Winter recreation in particular has changed dramatically since the current forest plans were written, with substantial increases in demand for backcountry ski touring and the advent of snowshoeing as a mainstream sport. Winter recreation has also been impacted in recent years by significant changes in the power of snowmobiles, allowing access to more

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remote terrain and travel through deep snow. Together, these trends have created increased conflict between motorized and non-motorized users due to the relative lack of Forest Service management of motorized over-snow travel.

Greater management of over-snow vehicle travel is needed because most areas important to non-motorized

winter recreation exist outside of designated Wilderness, in areas that are more readily accessed in winter. These areas are often roaded (though the roads are not plowed in winter) and thereby classified neither as Wilderness nor as primitive under the Recreational Opportunity Spectrum, but they present for most users the best opportunities for a primitive recreation experience in winter. This is for a simple and obvious reason: the fact that in winter many roads and trailheads -- by which primitive recreation would otherwise be accessed -- are closed. At present, the Forest Service does not adequately address the desire of non-motorized users in winter to obtain a primitive recreation experience, in particular one that is free from the impacts of motorized vehicles. The revision of these land management plans offers the Forest Service a critical opportunity to address this shortcoming, and we encourage the Forest Service to do so through the development of specific plan components and management area or geographic area direction.

On the NPCLR there are increased demands for dispersed winter recreation, from both motorized and non-motorized users. If not properly managed, this increased use will exacerbate existing conflicts that while relatively minor at this point are still occurring. Backcountry skiing, cross-country skiing and snowshoeing are some of the fastest-growing sports in America, and quality opportunities should be provided to accommodate this growth. General winter snow play also continues to grow in popularity, including among ethnic groups and youth who have not historically recreated on national forest lands at a level proportional to their population.

Unregulated motorized winter recreation is incompatible with these activities. The noise, exhaust and speed of snowmobiles disrupt the serenity and clean air of the winter landscape and create unsafe and undesirable conditions for other users. The problem is particularly acute. Because of its noise and emissions a single snowmobile can impact the environment for hundreds of skiers and snowshoers. A relatively modest level of snowmobile use can totally displace skiers and snowshoers from an area.

Due to the interplay between these high and low impact activities, areas that were popular skiing destinations in the past have become dominated by relatively small amounts of snowmobile traffic. Increases in snowmobile recreation threaten to continue this impact and dominate areas that are popular today for backcountry skiing and snowshoeing.

Today's snowmobiles are far more powerful than the snowmobiles that existed when the existing forest plans were adopted: they are able to travel farther, through deeper snow, and into more remote areas, in particular high alpine slopes.

In general, we are also concerned that the forest plan components (desired conditions, standards, guidelines etc..) outlined in the Proposed Action fail to appreciate and protect the wild natural

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character and unique recreational opportunities of these lands. For instance, there is no desired condition about the importance of preserving natural soundscapes that complement the forest and mountain environments and the wide-open vistas of these forests. This particular omission is substantial in itself. A primary focus of the Forest Service should be ensuring that the natural qualities of this incredible area be preserved for future generations, and priority should be given to enhancing recreational opportunities that support that condition.

We would like to see the following issues related to winter recreation opportunities analyzed in the draft EIS:

a) What areas present significant opportunity for backcountry skiing, Nordic skiing, and snowshoeing? To what extent is motorized recreation impacting such activities in each area?

b) What management or geographic areas can be designated to promote and protect human-powered winter recreation? Similarly, what specific plan components must be developed to guide management of these areas?

c) With a growth in demand, where are future conflicts between motorized users and non-motorized users likely to arise?

d) Are current areas and access points in the National Forest meeting the current demand and will they meet the projected demand for recreation opportunity by skiers and snowshoers?

e) What is the trend and projected demand for backcountry ski and snowshoe recreation?¹

f) At heavily used snowmobile locations, what are the impacts of snowmobile recreation on local (ambient) air quality and water quality?

g) Is snowmobile activity putting increased pressure on wildlife or sensitive ecosystems due to the increased power and range of snowmobiles?²

h) What is the impact of snowmobile use in the National Forests in contributing to global warming and how can

and should the National Forests reduce or mitigate such impact (as well as reducing user conflict) by fostering greater use of best available technology over snow vehicles?

1 Forest Service National Visitor Use Monitoring surveys have ignored these as separate sports, improperly lumping snowshoeing and backcountry ski touring under the category of “cross-country skiing”. Many backcountry skiers and many snowshoers do not consider their sport to be “cross country skiing”. In particular due to the rapid increase in popularity of these activities over the last ten years, this deficiency needs to be corrected by understanding the trends in both snowshoe and backcountry ski recreation.

2 See “Environmental Impacts of Snowmobile Use”, Winter Wildlands Alliance, 2014.

<http://winterwildlands.org/wp-content/uploads/2014/05/Environmental-Impacts-from-Snowmobile-Use.pdf>

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i) The ability for the agency to achieve the desired condition for MA1 areas if these areas are classified for motorized recreation under the ROS.

j) The impacts on Recommended Wilderness Areas if these areas are classified for mechanized and motorized use under the ROS scheme. Specifically, the EIS must analyze the impacts on wilderness character, including impacts on solitude, naturalness, undeveloped character, and opportunities for primitive recreation. The EIS must also analyze whether and the extent to which allowing motorized use in a Recommended Wilderness Area will impact the area’s potential to be designated wilderness.

k) How the Forest Service applied the Executive Order’s minimization criteria when classifying areas for snowmobile use. It is not enough to simply consider the minimization criteria with respect to area designations; the agency must also demonstrate how the minimization criteria were then implemented or applied in the designation decision process, consistent with the objective of minimizing impacts.³

B. Winter Recreation Management Planning

a. Winter motorized designations must comply with Executive Order 11989 as amended (off-road vehicle management)

The Forest Service has a duty to minimize impacts to resources and other users when designating trails and areas for over-snow vehicle use.⁴ The forest plan revision process must consider

3 The Executive Order’s minimization requirement must be taken into account in a forest plan revision process, even when over-snow area and trail designations are ostensibly outside the scope of the planning process. This is because the proposed over-snow vehicle rule (Use by Over-Snow Vehicles (Travel Management Rule), 79 Fed. Reg. 34678 (proposed June 18, 2014) (to be codified at 36 C.F.R. pts. 212 and 261)) allows units to designate extremely large open areas for over-snow vehicle (OSV) use, and there is the high potential that ROS classifications under a forest plan revision process could conceivably substitute for winter planning. Given this uncertainty in the OSV rule, we are requesting that the agency demonstrate application of the minimization criteria when making ROS classifications for OSVs in forest planning. (See also *Wildlands CPR v. Forest Service*, CV 10-104 (D. Mont. 2012) applying Executive Order minimization criteria to area designations for over-snow vehicles that were made during forest plan process).

4 Section 3 of Executive Order 11644 as amended by Executive Order 11989 requires that the designation of off-road trails and areas be in accordance with the following:

(1) Areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.

(2) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.

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management of over-snow motorized use even though full winter travel management designation is outside the scope of this planning process. As such, the agency must apply the minimization criteria now when classifying lands for over-snow vehicle use. Otherwise, the agency will be creating inefficiency for itself, as well as risk violating the Executive Orders, because the management area boundaries and prescriptions determined through the plan revision process will be inadequate for later winter travel management on the Nez Perce portion of the forest, as well as recommended wilderness on the Clearwater if that plan is reopened. (See *Wildlands CPR v. Forest Service*, CV 10-104 (D. Mont. 2012) applying Executive Order minimization criteria to area designations for over-snow vehicles that were made during forest plan process). Rather than ignoring this issue today, we are requesting that the agency demonstrate application of the minimization criteria when allocating areas for OSVs

across the NPCLR at this time.

b. OSV management should follow a closed unless designated open approach

Although the proposed revisions to Subpart C of the travel management rule would allow the Forest Service to either consider areas “closed to OSVs unless designated open”, or “open to OSVs unless designated closed,” we believe the “open unless designated closed” approach is inconsistent with the applicable Executive Orders. In order to comply with the Executive Orders, the Agency must analyze the appropriateness of allowing OSV use in each area, and the only way that such review can be reasonably assured is to start the analysis from the position that areas are closed to OSVs unless open. In particular considering the potential that the final rule will mandate a “closed unless designated open” approach, and the fact that in these three national forests there is a heavy level of use and a heightened degree of potential user conflict, a “closed unless designated open” approach is the only approach that makes sense. In particular in these national forests, where there is extreme pressure from neighboring population centers, the only tenable approach is to clearly establish that winter motorized travel is allowed only on designated trails and areas where impacts to other users, wildlife and other forest resources have been minimized.

C. Recommended Wilderness, Special Management Areas and Recreation Opportunity Spectrum

a. Snowmobile use in RWAs and SMAs

The Forest Service has indicated from the beginning of this process that non-conforming uses will not be allowed in recommended wilderness. While we applaud that approach, and hope the Forest Service will continue standing firm on that point, the proposed action appears to skirt the core issues by recommending less wilderness in some areas, and creating special management

(3) Areas and trails shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors...

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areas allowing snowmobile use in historic recommended wilderness. The exclusion of snowmobile use from recommended wilderness was decided in the 2011 Clearwater Travel Plan. Uncertainty surrounding some sections of that plan make strong and clear guidance in the forest plan that much more crucial. The NPCLR need not look far for good examples – many forests across the Northern Rockies have taken a similar approach to protecting wilderness qualities by excluding non-conforming uses– including the Beaverhead-Deerlodge, Lewis & Clark, and neighboring portions of the Lolo National Forest.

The proposed action provides two options for recommended wilderness and special management areas, based on the 2007 and current plan revision efforts. Designating snowmobile play areas in the Great Burn – as three proposed special management areas would do – seriously degrades the qualities that make this area suitable as wilderness and defy decades of Forest Service recommendations and management to protect the wilderness character of the Great Burn.

It is our experience that allowing incompatible uses in recommended wilderness areas can lead to a reduction in Wilderness potential because the use becomes accepted and expected in these areas. A 2011 report by the Idaho Conservation League examined the effects of allowing incompatible uses in recommended wilderness areas and concluded that in certain circumstances allowing these uses can lead to a decrease in Wilderness potential. 5

The Great Burn is an inventoried roadless area that has long been recognized for its suitability and inclusion into the National Wilderness Preservation System and we support the recommended wilderness boundaries consistent with the Idaho Roadless Rule Wild Land Recreation Theme. The Idaho Roadless Rule theme includes approximately 151,000 acres of land in the Great Burn Recommended Wilderness – slightly more than 148,584 acres listed in the 2007 Plan revision alternative in the Proposed Action.

The Forest Service has proposed three Special Management Areas in the 2012 Reinitiated Plan Revision Proposal (RPRP) in the Great Burn including the Surveyor Cherry Stem (7,733 acres), Blacklead/Williams Lake Cherry Stem (2,133) and the Hoodoo Cherry Stem (5,802 acres) (Proposed Action, p. 69). In total these areas amount to 15,668 acres that would be withdrawn from the existing Great Burn Recommended Wilderness. The proposed action calls these areas special management areas to be managed to “preserve opportunities to experience some qualities of wilderness character while allowing low levels of oversnow motor vehicle use”

(Proposed Action, p. 72).

A question we have is what constitutes "low levels of oversnow motor vehicle use." How is low level defined, and who is going to enforce low levels of use? It seems that this is more of a desired condition, but there is nothing to ensure, nor would there be any measurement, to define what a low level of use is. If the agency is going to use terminology that implies they would only allow low levels of use, exactly what a low level of use is needs to be defined. At the very

5 Idaho Conservation League, 2011. In Need of Protection: How Off-Road Vehicles and Snowmobiles Are Threatening the Forest Service's Recommended Wilderness Areas.

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least, if these SMAs are carried forward plans for monitoring, enforcement, and threshold use levels need to be developed, with specific actions identified if conditions are not aligned with toward desired conditions for the area. While the acreage for the proposes SMA's in the Great Burn might not seem significant, the location of the SMAs would irretrievably impact the Great Burn and bisect what has always been managed as a large and intact roadless area. The Great Burn is really one large (252,000 acres) Inventoried Roadless Area that straddles the Idaho-Montana Border. The Lolo Forest manages 98,000 acres of the Great Burn as recommended wilderness and does not allow motor vehicle use on its portion of the Great Burn. On the Idaho side, the Clearwater National Forest portion of the Great Burn is closed to motor vehicle use as well due to the recent travel planning process that went through years of public input.

With the proposed Hoodoo and Surveyor Ridge SMA, the Great Burn roadless area would essentially be bifurcated along the state line in order to allow for what is currently illegal snowmobile use.

We recommend the Forest Service honor the long history of proposed wilderness in the Great Burn and not designate any of the three proposed snowmobile incursions being proposed in the 2012 plan revision. There are ample opportunities for snowmobile use within the surrounding public lands, and in this place the highest use is wilderness, not allowing all things in all place.

Recommendations: Ensure that winter over-snow vehicle designations made in the final forest plan comply with Executive Order 11644 as amended by Executive Order 11989. Develop a guideline prohibiting non-conforming uses in areas recommended for Wilderness designation to supplement desired condition MA1-DC-RWILD-01. Do not facilitate snowmobile incursion, and reduction of wilderness character by designating the proposed special management areas in the Great Burn. Develop a guideline

b. Proposed winter ROS designations are problematic and should be corrected

Recreation Opportunity Spectrum (ROS) is a decades old planning tool used by the Forest Service to categorize recreation settings and to provide for distinct recreation opportunities. In the proposed action it appears ROS is being used both as proxy for the level of development in an area, and also as a management prescription. ROS has long helped the agency "manage the mix and distribution of settings that best address visitor demands while protecting the resource values important to delivery and sustainability of those recreation settings and opportunities." Assessment, p. 5. ROS classes convey the physical setting (scenic integrity, level of challenge and other resource values), mode(s) of transportation and activity allowed, anticipated concentration of people, and levels of management and infrastructure. Initially developed for

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summer, it is now used, despite serious insufficiencies, for classifying winter landscapes as well.⁶

In a supplement to the August 15th comment letter submitted by The Wilderness Society and Idaho Conservation League, there is an analysis that calls out some very important and concerning elements of the proposed ROS classifications. In short, winter ROS classes allowing snowmobile use (Roaded Natural, Semi-Primitive Motorized) cover over 200,000 acres of SMAs and RWAs, which may be in direct conflict with the stated desired conditions for RWAs and SMAs as stated in the proposed action. At a minimum, the Draft EIS needs to demonstrate how the Executive Order minimization criteria (detailed above) were applied in crafting the ROS classifications, particularly where they are being used as a sort of rubber stamp to allow snowmobiling in RWAs and SMAs that would more appropriately be classified as primitive or semi-primitive non-motorized.

The Forest Service should put more thought into establishing recreation management areas that are based on the recreational niche statement, terrain, access, and other factors, and that in aggregate add up to a system of recreational zones. By zoning recreation settings, visitors can select where they recreate based on what they

want to do and the type of experience they want. Taking a proactive approach to managing recreation in this way, which goes beyond the simple ROS scheme developed so far, helps align expectation with experience, reduce conflict, and could support more and better experiences for a broader spectrum of users – both motorized and non-motorized. Non-motorized settings should be available in both frontcountry and backcountry zones. By not classifying Recommended Wilderness Areas as 'primitive' in the ROS scheme, the Forest Service will facilitate OSV use within these areas, which could become entrenched and even grow in these areas. As a result, wilderness character of Recommended Wilderness Areas will be further degraded, just a few short years after the Clearwater Travel Plan set such strong guidance and rationale for why OSV is inappropriate in these same areas. We urge the NPC to classify Recommended Wilderness Areas as 'primitive' in order to minimize conflicts, ensure forest plan consistency between desired conditions, retain wilderness character, and eliminate confusion among forest visitors.

We request that the NPCNF analyze and align summer and winter ROS classifications with management area categories in the EIS for all alternatives. We also request that all designated Wilderness, Recommended Wilderness, and Research Natural Areas be classified as 'primitive' in the summer and winter ROS maps. Categorize all other lands in the MA1 scheme as either primitive or semi-primitive non-motorized.

6 The Forest Service has summer ROS settings defined in a technical guide but as far as we know does not have winter ROS settings defined in a consistent way. We have previously addressed this shortcoming, and reliance on ROS as a de-facto management prescription with the Forest, but would happily do so again. It is important in this planning process that the Forest Service identify an appropriate spectrum of winter recreational settings, and allocate them across the forest in a way that will provide quality winter recreation in both frontcountry and backcountry settings.

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Recommendation: Establish enforceable ROS prescriptions that support a range of quality winter recreation opportunities. Moreover, the Forest Service should articulate restricted activities across ROS settings in a standard to that effect. Consider non-motorized management prescriptions across all winter ROS settings, not just primitive and semi-primitive non-motorized. Align ROS settings with RWA and SMA boundaries.

If you have any questions, please do not hesitate to contact us. We appreciate this opportunity to comment and look forward to discussing our comments in person in the near future.

Cailin O'Brien-Feeney

Policy Director

Winter Wildlands Alliance

910 Main Street, Suite 235

Boise, ID 83702

cobrienfeeney@winterwildlands.org

208-336-4203, x4

Cailin O'Brien-Feeney

Policy Director

Winter Wildlands Alliance

(208) 336-4203, x4 <tel:%28208%29%20336-4203%2C%20x4>