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**Comment Identifier 246 in FEIS Vol 2**

**RE: Stanislaus National Forest OSV management plan FEIS/draft ROD  
USFS project # 46311**

Responsible Official: Jason Kuiken, Supervisor Stanislaus National Forest  
Reviewing Officer: Randy Moore

The Sierra Snowmobile Foundation was formed in the Spring of 2018 when the need for a more competent and cohesive voice for the OSV community was identified. This need resulted from the forthcoming OSV management plans in California. We are a fully volunteer 501c3 organization and constitute both OSV users and regular backcountry skiers.

During this process, the Stanislaus National Forest staff, including the Supervisor, have expressed a commendable level of interest and commitment toward making informed decisions regarding this plan. The supervisor himself has even conducted winter site visits via OSV to investigate real, on the ground conditions and use patterns this past winter. Relevant project members have made themselves available and open to discussion, leading to mostly logical implementation. We very much respect and appreciate this effort going forward in OSV management, the Stanislaus National Forest is to be commended. Below you will find objections/responses related to the FEIS/draft ROD issued on April 3, 2019.

**Forest Plan Amendments to Designate OSV use in Select Near Natural Areas**

In general, we support the Supervisor's assessment that decades of OSV use have not degraded the character of designated Near Natural, or semi-primitive non-motorized areas on the Forest. We support forest plan amendments that acknowledge this fact, and preserve long-standing historical OSV use areas. However, if the Night Near Natural area on Sonora Pass is not included in an amendment, this is insufficient. This area literally overlooks a highway, one that is neither natural, nor near to being natural. It should be designated as open to OSV use as in Alternative 4.

**Objection:** We object to the Night Near Natural area on Sonora Pass proper not being designated as open to OSV use

## **Eastern Hwy 108 from Kennedy Meadows to Sonora Pass Grooming Designation**

In the Draft ROD, the Supervisor states that avalanche danger and current grooming funding levels are the reasons for failing to designate this section of hwy 108. Funding levels are not dictated or managed by the Stanislaus National Forest, nor are they immune to future changes. Although infrequent, this area has been groomed many times in the past. Failing to designate this route eliminates even the possibility of assistance from the Humboldt-Toiyabe side, which in most circumstances is the logical means to accomplish grooming.

We conducted a recent visit and located exactly one chute on the north side of the highway that had any deposition beneath it. Grooming safety can easily be left to the discretion of the driver whether or not the route is safe (as occurs everywhere else where grooming occurs), as it has been in the past. Even if only occasionally, facilitation of travel for less advanced riders to the pass, and to the Bridgeport Winter Recreation Area, should be provided for. The current grooming route to Kennedy Meadows also passes a known avalanche path which has slid in the past. This serves as a caution but not a means to justify not designating the route above. If Caltrans can get a snowcat there to groom for the plows in spring, this can happen with a grooming contract.

Photo below is taken at the 9000ft elevation point on Hwy 108 from the west side, April of this year, from by plow crews, well above Kennedy Meadows. Snowcats work just fine on this stretch.



**Objection:** We object to the Forest failing to designate the length of Hwy 108 between Kennedy Meadows and Sonora Pass. Grooming this route has occurred several times in the past, and should continue to be an option in the future, conditions allowing.

**Remedy:** Designate Hwy 108 from Kennedy Meadows to Sonora pass as available for grooming.

### **Hwy 108 Seasonal dates**

Appendix B FEIS Vol II addresses the seasonal closure of Stanislaus managed lands around Sonora Pass by explaining that “typically” closing dates happen after CalTrans has opened the highway. If the highway opening is the metric, the solution is simple: Tie closing dates to the road opening. There is no need for a surrogate like the BWRA dates of operation. Two of the last 3 years have shown that this logic is flawed. In 2017, the BWRA closed in late April, yet the highway did not open until June 13<sup>1</sup>. In 2019, the BWRA closed April 28, yet the highway remains closed as of this writing on May 10. Seasonal dates in snow years like 2017 and this year 2019 do not make sense for the BWRA, and make even less sense for the Stanislaus side of the pass which has for years provided opportunity to OSV users after the BWRA closes, and before the pass opens.

From FEIS Vol II, pg 18, statement in bold is incorrect:

*By the time the Season of Use closure begins (late April in a typical year), Caltrans has opened the HWY to Kennedy Meadows from the Tuolumne County side. Caltrans continues 'spring opening' to clear the road between Kennedy Meadow and Sonora Pass by Memorial Day. During their snow removal operations, the gate at Kennedy Meadows remains closed until HWY108 is clear and safe for travel, rendering it impossible to travel beyond Kennedy Meadows on an OSV once late April/the season of use closure begins until the gate is open. **Given the terrain, there no safe OSV access by which to access the area closed by the season of use closure as HWY108 is not available.***

The Stanislaus NF managed lands are entirely accessible *from the east side of the pass* in the interim from the BWRA closure to the pass opening. This is a verifiable fact that the region should follow up on with the snow rangers from the Bridgeport Winter Recreation Area. In fact, this area has for years provided safe, wildlife-disturbance-free and resource-damage-free OSV recreation both before and after the BWRA is open, which further highlights the shortcomings of fixed dates to manage recreation dependent on an inconsistent medium that shows up when the Pacific Ocean decides to deliver it, not when FS personnel deem it so.

Additional concerns are raised relating to Sierra Nevada Red Fox, a species only identified in the area after decades of OSV use, and which even the FEIS states too little is known about in the area. Transitional seasons (autumn and spring) are the lowest use periods of the area (verifiable by BWRA permits).

FEIS Vol I pg 183:

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<sup>1</sup> <http://miwukareanews.com/tag/sonora-pass-open-for-2017/>

*Highest concentrations of OSV use occur along groomed trails (this is supported by research documented in State Environmental Impact Report (EIR) (OHMVR Division 2010)). Generally, groomed routes are used to access cross-country areas.*

On Sonora Pass, the non-Wilderness areas in question are close to the highway, so would understandably see higher use. In the springtime in particular, low amounts of OSV activity are far less disruptive to terrestrial wildlife habitat than the activities illustrated below, photos taken in the area in question.



**Objection:** Seasonal closure of the Sonora Pass area tied to the BWRA management dates is not based in long-standing history of widely varying opening dates for the highway, offers no meaningful protection of Sierra Nevada Red Fox, and fails to account for later opening dates of Hwy 108 to summer vehicular traffic.

**Remedy:** Remove the seasonal closure of areas around Sonora Pass.

### **Hwy 108 North**

Modeled as designated in Alternative 4, this tiny fraction of the Bald Peak Recommended Wilderness area has seen OSV use for decades. Skiers for years have recounted that once the pass opens, OSV use is allowed on the north side, but not the south. OSV use in this area degrades Wilderness character, amphibian habitat, and slope stability far less than the off-trail hiking that occurs on the St Mary's and Pacific Crest trails in summer. Elevation, position on the crest, and more rolling, gentle terrain than what is found in the BWRA make this a popular, avalanche-safe OSV use area with essentially zero potential for conflict of winter recreation use. Even when skiers can drive to an open pass, this side of the road is unused. This is even more so in winter months with the nearest access points over 10 miles away.

### **Eastern Reaches of Eagle Meadows**

Due to the inability to designate Route 5N01 and 20EV77, which passes through plots of private property, the Forest has failed to designate areas *around* these private plots as open, with very little in the route-specific analysis in Vol 2 of the FEIS to support this decision. Low probability of goshawk interaction, and travel within 100ft of a stream are the only concerns listed in the route-specific tables, with goshawk breeding season not corresponding to OSV season, and the creek being filled in most of the winter. There are several cabin owners past this plot who would now be unable to legally access their property via OSV in winter.

In addition, this area has seen decades of use to OSV users traveling to the Relief Reservoir overlook. There is no satisfactory justification for not designating the Forest managed lands south of Haypress Lake and east of Red Rock Meadow as open to OSV use.

**Objection:** Failure to designate the area around Eagle Meadows rd to the Relief Reservoir viewpoint, as well as the area surrounding 5N01 and 20EV77 as open to OSV use prevents cabin owners from rightfully accessing their property.

**Remedy:** Designate the *area* surrounding the private property plot as open to OSV use since the road is not necessary for travel midwinter.

### **Post Operational Season OSV use at Bear Valley Ski Area**

We support the designation of lands used by Bear Valley Ski Area midseason as open to OSV use after operations have ceased. This is the only seasonal date designation that makes sense.

## Snow Depth

The inadequacies of snow depth alone as a means for defining adequate snow cover were discussed in the DEIS, remain in the FEIS, and are restated in the draft ROD:

*Due to the variable nature of snowpack, a universal, nationwide, standard, minimum snow depth at which multiple resources may be considered protected from OSV activities has not been defined. Despite these challenges, forest resource specialists, unanimously agreed that designating a minimum snow depth requirement in order to allow OSV use to occur was mutually beneficial and provided a means in which to minimize the likelihood of resource damage occurring as a result of OSV use.*

This circuitous path to defining adequate snow cover and preventing resource damage can be circumvented by focusing on what actually has a CFR which can be enforced, snow depth not being one of them.

**Objection:** Language needs to be clarified that snow depth, due to the variable nature of the medium, is an insufficient means to define adequate snow cover, and will not be used to issue citations, nor close entire areas based upon a simplistic measurement or series of measurements in isolated locales. Similar to the Eldorado and TNF plans developing concurrently, snow depth numbers should be used as a guideline for aiding understanding of general best practices for OSV operation.

**Remedy:** Remove snow depth minimums and focus on resource damage, citations for violations of which are already well established in existing law. For a definition of adequate snow cover use the following: **Adequate snow cover is defined by a layer of dense, packed snow, or deeper fresh snow sufficient to support your OSV, and prevent damage to forest resources.** Use of this definition provides for the variability of snow density, and states the overarching goal outright to remind users.

## **Elevation as management prescription**

Our DEIS comments regarding the use of 5,000ft elevation as an initial screening protocol were largely ignored. In fact the FEIS states this threshold formed a basis upon which future designations were determined.

*As a first-cut measure, the interdisciplinary team eliminated all restricted OSV-use areas and all NFS lands occurring below 5,000 feet in elevation. The 5,000-foot elevation was in no way a hardline requirement, but rather an initial screening tool to narrow our efforts to NFS lands most likely to receive snowfall in adequate amounts to support OSV use.*

Although this is claimed to be no hardline prescription, the use of 5,000 ft elevation is cited abundantly in the significant issue tables, minimization criteria tables, and in the draft ROD. Even the social media coordinator within the Stanislaus NF knows it can continuously snow



below 5k elevation, as it did in 2017 and even more so in 2019<sup>2</sup>.



Stanislaus National Forest

@Stanislaus\_NF

Follow

It's still snowing in Mi-Wuk Village (4,678').  
Currently 7.5" of snow. Chains/snow tires req.  
6 mi east of Sonora. [dot.ca.gov/cgi-bin/roads](https://dot.ca.gov/cgi-bin/roads). ...



9:37 AM - 12 Jan 2017

18 Retweets 33 Likes



Six miles east of Sonora on Hwy 108 is Mono Vista, which sits at about 3k elevation.

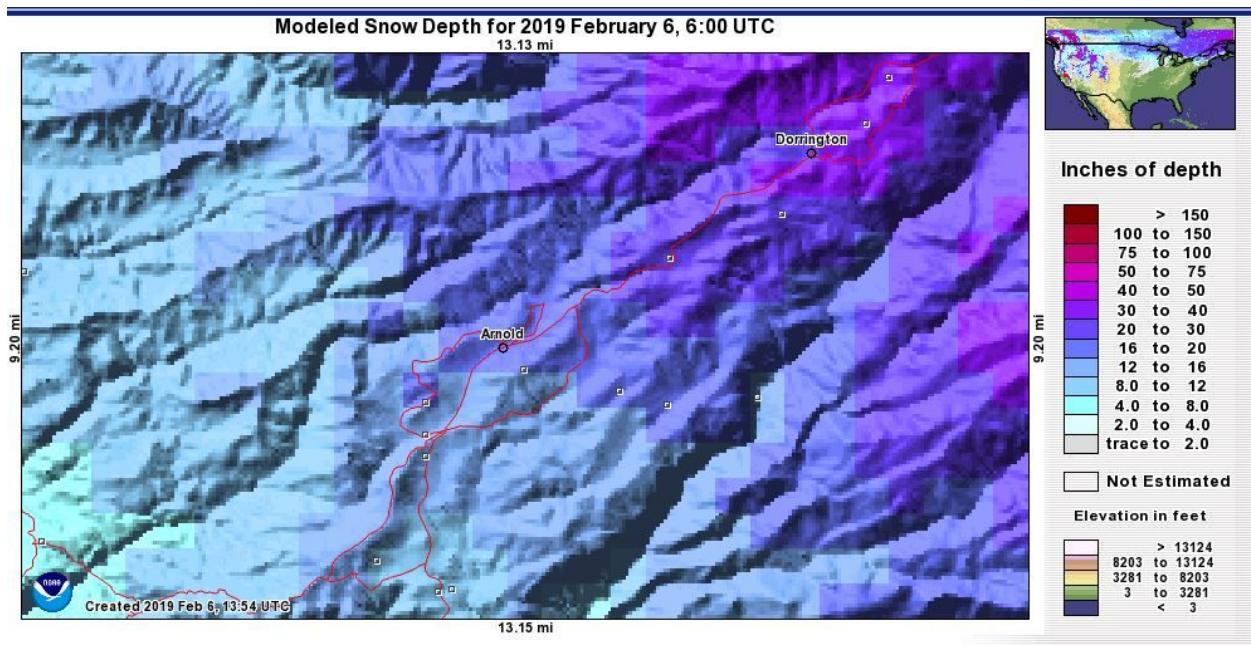
Fortunately there is data. Contrary to claims in the FEIS that (pg 79 Vol 1)

*Lower elevations generally have less OSV use – snow occurs at lower elevations less frequently and does not persist for long periods of time (2 to 5 days), approximately 5,000 feet and below for the Stanislaus.*

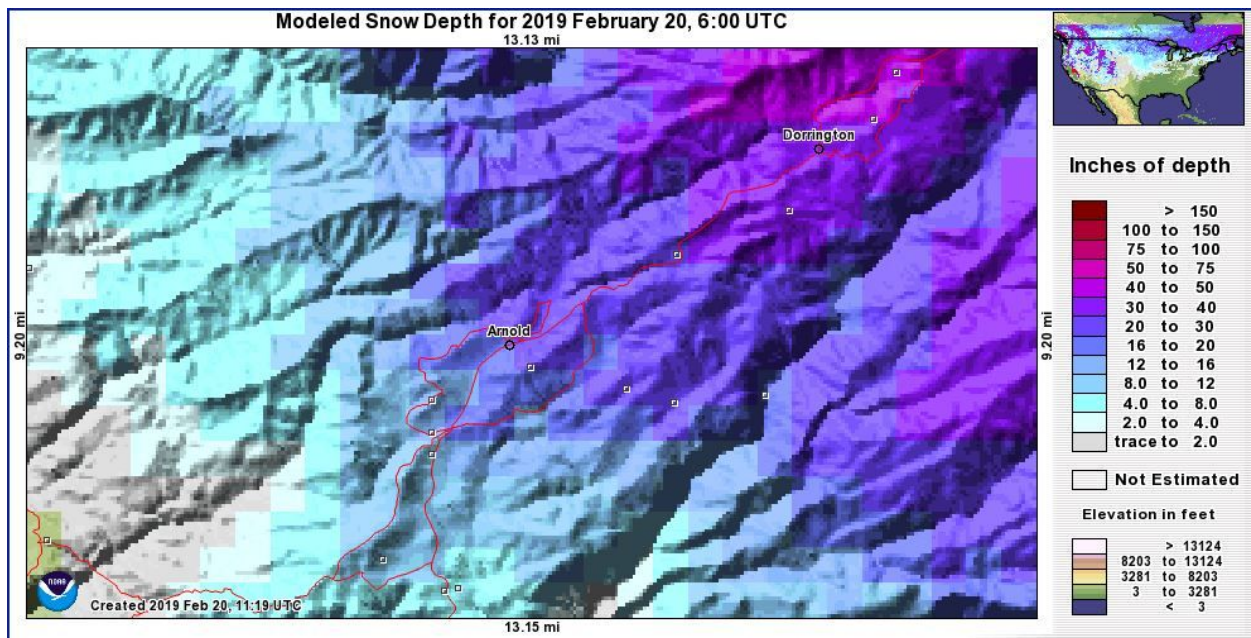
This winter shows that periods far exceeding 2 to 5 days below 5,000 elevation meet the minimum snow depth requirements for safe OSV travel. Two weeks minimum in this case.

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<sup>2</sup> [https://twitter.com/stanislaus\\_nf/status/819599137624584192](https://twitter.com/stanislaus_nf/status/819599137624584192)



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[https://www.nohrsc.noaa.gov/interactive/html/map.html?ql=station&zoom=&loc=Latitude%2CLongitude%3B+City%2CST%3B+or+Station+ID&var=ssm\\_depth&dy=2019&dm=2&dd=6&dh=6&snap=1&o9=1&o12=1&o13=1&lbl=m&o7=1&mode=pan&extents=us&min\\_x=-120.46666666667&min\\_y=38.191666666663&max\\_x=-120.225&max\\_y=38.324999999996&coord\\_x=-120.345833333335&coord\\_y=38.2583333333295&zbox\\_n=&zbox\\_s=&zbox\\_e=&zbox\\_w=&metric=0&bgvar=dem&shdvar=shading&width=800&height=450&nw=800&nh=450&h\\_o=0&font=0&js=1&uc=0](https://www.nohrsc.noaa.gov/interactive/html/map.html?ql=station&zoom=&loc=Latitude%2CLongitude%3B+City%2CST%3B+or+Station+ID&var=ssm_depth&dy=2019&dm=2&dd=6&dh=6&snap=1&o9=1&o12=1&o13=1&lbl=m&o7=1&mode=pan&extents=us&min_x=-120.46666666667&min_y=38.191666666663&max_x=-120.225&max_y=38.324999999996&coord_x=-120.345833333335&coord_y=38.2583333333295&zbox_n=&zbox_s=&zbox_e=&zbox_w=&metric=0&bgvar=dem&shdvar=shading&width=800&height=450&nw=800&nh=450&h_o=0&font=0&js=1&uc=0)

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[https://www.nohrsc.noaa.gov/interactive/html/map.html?ql=station&zoom=&loc=38.3209+N%2C+120.4644+W&var=ssm\\_depth&dy=2019&dm=2&dd=20&dh=6&snap=1&o9=1&o12=1&o13=1&lbl=m&o7=1&mode=pan&extents=us&min\\_x=-120.46666666667&min\\_y=38.191666666663&max\\_x=-120.225&max\\_y=38.324999999996&coord\\_x=-120.345833333335&coord\\_y=38.2583333333295&zbox\\_n=&zbox\\_s=&zbox\\_e=&zbox\\_w=&](https://www.nohrsc.noaa.gov/interactive/html/map.html?ql=station&zoom=&loc=38.3209+N%2C+120.4644+W&var=ssm_depth&dy=2019&dm=2&dd=20&dh=6&snap=1&o9=1&o12=1&o13=1&lbl=m&o7=1&mode=pan&extents=us&min_x=-120.46666666667&min_y=38.191666666663&max_x=-120.225&max_y=38.324999999996&coord_x=-120.345833333335&coord_y=38.2583333333295&zbox_n=&zbox_s=&zbox_e=&zbox_w=&)



Twain Harte at 3,720' regularly receives 'adequate snow cover' as defined by the Stanislaus LRMP<sup>5</sup>.

If ever there was a season to demonstrate the periodic abundance of snow below 5,000ft elevation, it is 2019. The FEIS is correct in that higher elevation areas are susceptible to *more* snow, but the idea that a general screening of 5k elevation is appropriate is unfounded.

Pictures below were taken this season (winter of 2018-2019) around Sierra Village and Mi-Wuk (elevation approx 4700ft)



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[metric=0&bgvar=dem&shdvar=shading&width=800&height=450&nw=800&nh=450&h\\_o=0&font=0&js=1&uc=0](https://www.uniondemocrat.com/localnews/6055235-151/snow-sticks-in-east-sonora-visitors-praise-serene)

<sup>5</sup> <https://www.uniondemocrat.com/localnews/6055235-151/snow-sticks-in-east-sonora-visitors-praise-serene>



The photo below was taken at the upper reaches of Lyons reservoir at 4,200ft, with more persistent snow than higher elevations held during drought years.



**Objection:** Relying on elevation as a surrogate for where adequate snow depth occurs is not only demonstrably unreliable, it fails the Purpose and Need to accurately define where adequate snow cover occurs. Elevation as management strategy is redundant and impossible to enforce. Use of elevation as a surrogate or enhancement of defining 'where adequate snowfall' exists is neither called for in the purpose and need, nor is it a reliable metric. The only consistency in winter seasons in the Sierra over the last 10 years is that they are inconsistent.

**Remedy:** Define adequate snow cover appropriately and remove elevation as a standard for not designating areas open or closed to OSV use.

Respectfully;

A handwritten signature in dark ink, appearing to read 'Kevin Bazar', with a long, sweeping horizontal stroke extending to the right.

Kevin Bazar  
Sierra Snowmobile Foundation