

Data Submitted (UTC 11): 2/21/2023 5:12:55 AM

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Comments: To Pagosa Ranger District responsible project official for Jackson Mountain Landscape Project #61809:

I am writing to share my concerns about the negative impacts this project will have on wildlife; the precedent it will send if approved that illegal trail building is rewarded; the disregard that the proposal has to create trails with wildlife in mind; the lack of mitigation to wildlife that is substantive; and the project being proposed as a whole rather than being broken into pieces.

Some quick bullet points highlighting my issues with this proposal:

- Proposed trails are within critical wildlife areas and ignore CPW's suggestions in their Planning Trails with Wildlife in Mind guide. Trails cause irreversible disturbances in winter range and parturition areas. Density, location, amount and timing of use all can have negative effects on wildlife (game and nongame species alike). The ungulate populations in this area are already in serious decline according to CPW biologists.
- Precedent will be set that an attitude of "ask for forgiveness rather than permission" will be commonplace in future trail proposals furthering the reckless and damaging effects of illegal trail creation on public lands. Illegal trails should not correlate to proposed and approved trail systems based on claims of economic or intrinsic value to a community. Illegal trails and their builders should be held accountable to the full extent of the law rather than awarded for their selfish deeds. Furthermore, creating additional miles of trails opens the door for future illegal trail building deeper into wildlife habitat.
- Mitigation through winter closures are ineffective, costly to enforce and often ignored by the recreating public. This should not be an answer unless proper funding along with a detailed plan of enforcement are included in the proposal.
- The recreation aspect needs to be considered separately from the silviculture and mining components of this proposal so due diligence is given to the considerations mentioned above.

The impacts to wildlife are a grave concern in an area that is already seeing recruitment issues, habitat loss and dwindling ungulate numbers. It is well documented by CPW that the proposed trail system cuts right through the heart of mule deer and elk migration corridors and critical habitat (winter range and parturition areas). Trail density, length and location go directly against the recommendations of wildlife biologists with CPW and their document "Colorado's Guide to Planning Trails with Wildlife in Mind". This document highlights the issues all wildlife (not just game species) face with regards to poor trail system planning. Wildlife are proven to flee and avoid trail systems in multiple peer-reviewed studies (Wisdom et al. 2018; Desjardin et al. 2022). The mapping of these trail proposals should be required to show flight and avoidance buffers that would make it clear the impact this trail system will have on game and nongame species. Avoidance of these areas equates to desertion in the long term and renders these areas unusable to wildlife, a concern compounded by the dwindling population estimates CPW has documented. CPW also has other areas in mind that would have a lesser impact on wildlife but due to illegal trail building for decades in the Jackson Mountain area, this option was overlooked in this proposal.

User-created trails, rogue trails, non-system or illegal trails have all gotten created without consequence. The USFS has known about these illegal trails on Jackson Mountain since the 2000's. CPW voiced their concerns about these illegal trails in 2007 stating they were disturbing critical habitat and migration corridors for deer and elk. These concerns were largely ignored by the forest service. Rather than enforcing regulations on public lands, the USFS has largely adopted these illegal trails with the backing of recreation groups proposals similar to this. This project could set a dangerous precedent that illegal trails are rewarded with USFS approval rather than being met with consequence or legal action. Some instances where this has already taken place include the Turkey Springs

area, Log Chutes system in Durango, Animas City Mountain, Little Molas/Bear Creek area, Twin Buttes outside of Durango and the Hermosa Creek area. Please consider this during the proposal process and how it looks to trail creation groups.

Another area of concern with this and other trail systems is the idea of winter closures for wildlife. While in theory these closures should benefit wintering wildlife, the closure is often ignored and unenforced (Romeo 2022). There are plenty of examples and instances in just SW CO of people blatantly ignoring these closures which causes more negative impacts to already stressed wildlife. If the only means of mitigating impacts to wildlife is closures, the forest service needs to have a detailed plan including budgetary considerations to enforce and uphold closures. This is also a recommendation in the Planning Trails with Wildlife in Mind guidance on page 41 (Colorado Trails with Wildlife in Mind Taskforce 2021). Additionally, approving this trail system would show a complete disregard by the forest service to uphold their own regulations against illegally created trails and public land damage (Regulations 261.6a and 261.10a). Just consider a mining company deciding to create a small road into a mining site without permits on forest service lands. That company and individuals would likely meet legal action with fines, forfeiture of equipment and incur reclamation costs for the damages. Anyone out building illegal trails without going through the proper process should be met with the same legal consequences.

Lastly, I believe this project needs to be broken into development plans with individual EA's for each project (ie silviculture; mining; recreation). This would show that the forest service is acting with due diligence in their EA and decision making process for each component of this proposal. This has been done in other proposals and makes much more sense than lumping all of the projects together.

Thank you for your time and consideration.

Luke Kline

#### Citations

Colorado Trails with Wildlife in Mind Taskforce. (2021) Colorado's Guide to Planning Trails with Wildlife in Mind. June 2021

Desjardin, Larry; Gallensky, Alison; and Thrasher T.J.. Recreational Disturbance Modeling of Elk Habitat in Medicine Bow-Routt National Forests. February 19, 2022

Romeo, Jonathan. Tsk, tsk. Another year, another round of bad excuses for violating wildlife closures. The Durango Telegraph. December 2022

Wisdom, M.J.; Preisler, H.K.; Naylor, L.M., et al. Elk responses to trail-based recreation on public forests. 2018