

June 6, 2016

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Cc: Deborah Kill
Tom Rice

Sent via email to Padilla, Kill, Rice
Also sent via USFS Project website: <https://cara.ecosystem-management.org/Public//CommentInput?Project=44918>

RE: Comments submitted on the Draft Environmental Impact Statement (DEIS) for the Rico-West Dolores Roads and Trails (Travel Management) Project dated May, 2016

Hi Derek,

The purpose of this letter is to submit Comments on the Draft Environmental Impact Statement (DEIS) for the Rico-West Dolores Roads and Trails (Travel Management) Project dated May, 2016. I am a Habitat Watchman for Colorado Backcountry Hunters and Anglers (CBHA). I am submitting these comments as a representative of CBHA and as an individual.

In your cover letter for the DEIS you stated “The Forest Service will consider cited references if the articles accompany the comment letter and if the reviewer identifies the relevance of the findings to specific actions and effects of this particular project or place.” In this letter I reference many of the documents that I supplied to you previously (during the workshops, etc). These documents were also listed in a document that you distributed as a result of the Workshops titled “Rico West Dolores Data Gathering List – June/July 2014”. In a meeting with Padilla/Kill/Rice on 5/24/16, I asked Debbie Kill if I needed to supply the documents that I reference in my comment letter if you already have them from previous submission during the workshops , etc, and she stated that I do not need to supply them. I do not want to find out that these documents were not considered. Please let me know if I have not met your requirements to supply the documents.

1- Incomplete and misleading information in “Section 1.3 Forest Plan Direction” -

a- In section 1.3 of the DEIS it states:

“The Forest Plan describes Desired Conditions (goals) and Objectives for the San Juan National Forest, including the RWD area. The Forest Plan excerpts below are examples of Desired Conditions for roads and trails in the RWD area:

3.2.3 A variety of looped single- and two-track opportunities for motorized and mechanized recreation exist at a range of elevations, offering different levels of difficulty.

Motorized and mechanized opportunities are balanced with opportunities for foot and horseback access to areas of relative quiet and solitude at a variety of elevations. Much of the primary access to these areas is shared, based on mutual courtesy and on a strong stewardship ethic that is primarily self-enforced and maintained by individuals and user group (p.175).”

b- Since this Forest Plan Desired Condition is listed in the DEIS and applied to decision making on this project, additional direction from the Forest Plan on this subject must also be included and used in decision making. This is a major concern because an improper interpretation of this Forest Plan Desired Condition was previously used by the DPLO in the Scoping Report under “Suggested Alternative Actions Eliminated from Detailed Study”, where it states “Consider separating uses and making some trails with an emphasis on motorcycle use and other trails with an emphasis on horse and still other with an emphasis on mountain bike etc.” This was not carried forward because “SJNF Forest Plan directs ‘shared trail’ management page 175 Desired Condition 3.2.3.” If one looks at the entire set of information in the Forest Plan, it is incorrect to state that shared access is the Forest Plan Direction.

c- The following statements from the Forest Plan documents should be included in the DEIS in Section 1.3 Forest Plan Direction – they provide definitive information on the Forest Plan Direction – from the ROD:

The Record of Decision (ROD) dated Sept 2013 for the Final EIS for the SJNF Land and Resource Management Plan (LRMP) highlights the importance of reducing user conflict and providing equitable opportunity to both motorized and non-motorized users. See http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5436477.pdf

On page 11-12 of the ROD for the LRMP it states - “I find that Alternative B provides the maximum level of net public benefits based on its responsiveness to the four encompassing issues that surfaced during our broad community-based scoping process held at the outset of the plan revision process from 2004 through 2006. Comments received during the formal review periods since that time, as well as the feedback and input we continue to receive through informal channels, have confirmed that these four issues persist as the major concerns of those with a stake in the management of the San Juan NF”.

One of these four main issues is user conflict and it states the following in the ROD: “Issue 2: Providing Recreation and Travel Management within a Sustainable Ecological Framework.

This issue addresses the essential question of what areas of the San Juan NF are available for motorized recreational travel, including summer and winter recreation, and what areas are not. A primary focus of this issue is reducing motorized and non-motorized user conflicts. Motorized and non-motorized recreationists alike do not want their respective opportunities to diminish over time, but they also recognize that without constraints, uses become imbalanced and user conflict escalates. We heard through public comment that more than anything, users wanted equitable opportunity to pursue motorized and non-motorized recreation. (emphasis added)”

d- Desired Condition 3.2.3 (for the Dolores District) does not require or direct that all trails are “shared trails” that are available to all user types. In fact, it says the opposite. The statement “Motorized and mechanized opportunities are balanced with opportunities for foot and horseback access to areas of relative quiet and solitude at a variety of elevations” says that foot and horseback users have access to areas of relative quiet and solitude (that is, separate areas without motorcycles). Note: The LRMP does not specify trail use, only area use. This Desired Condition clearly states that all user types get an opportunity to have a quality recreation experience.

Desired Condition 3.2.3 does not state that all of the primary access is shared – only some (or “much”) of it is shared. This shared access is mostly true for the Mancos-Cortez area and the Boggy-Glade area – but does not have to be 100% shared for any area – and especially not for the Rico-West Dolores area.

The implication in the last sentence in 3.2.3 that the Dolores District has different user groups that “all get along” based on mutual courtesy, etc. is absolutely incorrect. This is confirmed by the SJNF research report entitled “Sam Juan Interviews” (which was a reference report for the LRMP, this report is further discussed below), and many of the comments submitted for this RWDTMP. No matter how one wishes to interpret this “mutual courtesy and on a strong stewardship ethic that is primarily self-enforced and maintained by individuals and user groups”, it is clear that there is use conflict between different user groups in the RWD area – and complete shared access will not work.

e- At the end of the above discussed section in the LRMP on Desired Conditions, it directs the reader to see other relevant sections in the LRMP – in particular the Rico Special Area Management direction. The Desired Conditions for the Rico area give another example that your interpretation that the LRMP precludes separate trails is incorrect. These Desired Conditions are to emphasize the community’s quiet-use character.

f- Additional information from the SJNF LRMP that is pertinent to the “shared access” issue is in Appendix S of Volume III of the LRMP entitled “Response to Comments.....”. This demonstrates that the interpretation in the DEIS of this shared access “direction” from the LRMP is incorrect:

- On page S-67 - RC2 Public Concern: The managing agencies should not use subjective criteria to determine recreation impacts because values conflicts are impossible to regulate.

Response - User perceptions, meaning impacts to recreational users, are appropriate in an LRMP. The agency acknowledges this type of analysis is subjective but it cannot be ignored. Individual area and route designations for motorized use would analyze impacts of motorized use in more detail than this LRMP, which would include additional public involvement and more quantified analysis of impacts. Management decisions can help alleviate conflicts between users by segregating uses in time and space on the public lands (emphasis added).

2- Changes needed in “Section 1.4 Desired Condition”

This section lists various “considerations for improving the road and trail system for motor vehicle use”. This list displays a bias against non-motorized users. The following changes to this list are necessary:

- Eliminate the statement “Primary access on trails in the RWD area continues to be shared”. There is no justification for this consideration or desired condition. As discussed in the previous section, this statement is not supported by a proper interpretation of all of the information on this subject in the Forest Plan.

-Add a statement about providing quality recreation opportunities for non-motorized users. The list in section 1.4 in the DEIS includes “Providing quality recreation opportunities for ATV, UTV and motorcycle trail riding in a natural forest setting”. Why is there not an item stating “Providing quality recreation opportunities for non-motorized trail use in a quiet, natural forest setting.” ? Note: There is a statement in the list about “balancing desired recreation experiences...”, but this is not the same as “providing quality recreation opportunities....”.

3- User Data

a- In the section titled Assumptions for this Analysis, it states under 3.2.5 Map Accuracy and Data Limitations:

“National Visitor Use Monitoring data is presented in the socio-economic section but this data pertains to the forest level and is not site specific.

There is no quantitative data about numbers of visitors by types of use. Information describing current use and anticipated trends is the qualitative judgement based on staff experience.”

b- There is data on visitors by type of use, etc and not using that data (or some other statistically significant and science based data) is completely unacceptable. User numbers are necessary to perform a meaningful and adequate analysis. The Travel Management Rule, in 36 CFR 212.55, requires that trails be designated with the objective of minimizing conflicts between motorized vehicles and other uses. To minimize, one has to consider the number of users. User data for the specific sites in the RWD area is not the most needed data – in fact, the use of this type of data alone is not appropriate because it does not meet the requirements. Trail uses in the RWD area should be determined to meet the needs of all potential users. Current use data at specific sites may bias a decision in a direction that would be different if all potential users were considered. For instance, it is likely that current use on the Calico trail by motorcycles is reducing the number of hikers/horse riders/bikers/etc. The following data sources are appropriate for this analysis because they represent all users of national forests and public land in southwest Colorado:

1. - NVUM – The report entitled “Visitor Use Report, SJNF, National Visitor Use Monitoring” (updated June 20, 2012) for the San Juan National Forest contains data on activity participation. This report states “NVUM information assists Congress, Forest Service leaders, and program managers in making sound decisions that best serve the public and protect valuable natural resources by providing science based, reliable information about the type, quantity, quality and

location of recreation use on public lands..... This NVUM data is useful for forest planning and decision making..... The information presented here is valid and applicable at the forest, regional, and national level. It is not designed to be accurate at the district or site level.” Therefore, this data is very appropriate for the RWD area because the target users of the RWD area are the same as the users of the entire SJNF.

On p 172 of the DEIS it states – “National Visitor Use Monitoring data was last collected on the San Juan NF in fiscal year 2011. Approximately 1,167,936 visits to the San Juan NF occur each year (USFS 2015b). About 16 percent of survey respondents indicated that they participate in non-water based motorized activities (OHV use, other motorized activity and motorized trail activity) during their trip, with 4 percent reporting that motorized use was the primary purpose of their trip (USFS 2015b). Survey respondents indicated that non-motorized trail use (horseback riding, biking and hiking) accounted for about 66 percent of all use, with 34 percent reporting that these non-motorized uses were the primary purpose of their trip (USFS 2015b).” Additional data from the report:- Of the 16% that participated in motorized activities, 6% participated in motorized trail activities, with 1% reporting that motorized trail use was the primary purpose of their trip. Also, 36% of visitors come from over 200 miles away.

2. SCORP - . Colorado Parks and Wildlife. 2013. Outdoor Recreation Survey. http://www.recpro.org/assets/Library/SCORPs/co_scorp_2014.pdf

This is a very comprehensive report with a lot of data on users, user numbers, activities, economics, data trends, etc for all types of public lands in Colorado. It has data on nation-wide users, Colorado state level users, and users from regions in Colorado and counties in Colorado. The report points out that there is a need to prioritize "quiet recreational uses" such as hiking, walking, birding that allow co-existence with our native wildlife in accordance with the data in the report - which showed that walking and hiking comprised the vast majority of user days. Off-road motorcycling users were less than 5% of total users. This data should be used to complement your NVUM data. In general, the conclusions that one can obtain from this report are similar to those obtained with the NVUM data but the data is more comprehensive and all-inclusive.

This data is very appropriate for the RWD area because it contains all of the various user-bases that utilize the resources in the RWD area.

3. Colorado Parks and Wildlife (CPW) data – CPW has very reliable data on hunter numbers (they sample over 30% of all hunters). As I have previously pointed out, data can be obtained from the CPW website. As an example - there are about 4000 elk hunters and 22,000 elk hunter recreation days in Unit 71 – which encompasses most of the RWD area. .Hunters are the largest user group in the RWD area – and they are almost all non-motorized in Unit 71.

4– User Conflict

In the section titled Assumptions for this Analysis, it states under 3.2.5 Map Accuracy and Data Limitations:

“There is no data available for conflicts between motor vehicle use and recreation use of the area. General qualitative descriptions of the impacts of motor vehicle use on recreation experience is provided based on Forest Service information that relates to recreation management agency-wide.”

The statement that there is no data available on user conflict is incorrect – and if one examines user conflict on an agency-wide basis, almost all say that it is an important issue. Data is needed – not qualitative descriptions. There are many reports of user conflict in the comments submitted regarding this project, in letters in local newspapers, in the pre-NEPA Workshops, in the scientific literature, etc. The importance of having data and facts is supported by the many references to user conflict in the Forest Plan, Travel Management Rule, and other documents governing this decision. There is no question that user conflict is a key issue that needs to be thoroughly addressed in the DEIS. A few examples of available data and sources of information are:

a – As part of the background work for the SJNF LRMP, the SJNF initiated a study on users and user conflict. This study entitled “San Juan Interviews” was done by the Rural Planning Institute (I previously supplied it to you as a file titled “040818 Report-San Juan Interviews-Rural Planning Institute.pdf”; also available at <http://ocs.fortlewis.edu/forestplan/reports/SanJuanInterviews.PDF>). This SJNF study collected data for all districts, including the Dolores District. This report is clearly applicable to the Dolores District and supplies valuable data on user conflict. In fact, the report highlights the following quotes:

“Hikers and bikers are always waving us down and telling us we can’t be here —they just don’t know the rules— we have as much right as anyone”. Motorcyclist Referring to the Bear Creek Trail

“We encourage our members to carry Forest Service User maps when they go riding so they can show the hikers and bikers who confront us that what we are doing is legal”
Dolores river area motorized user

“The Hermosa Creek trail is just stuffed with every kind of hobbyist from bikers to fishermen to horses to hikers. I am for multiple use — but let’s face it, motorized dirt bikes and horses are a bad combination even when everyone is on their best behavior”
Columbine District Horsepack Outfitter

Key statements from this study follow:

- Nearly two of every three interviews described conflict with motorized uses or wanted additional regulations and limited access for motorized users.
- Only about one of four motorized users cited conflicts between themselves and non-motorized users while nearly three out of four foot and bike travelers cited conflict.
- Without any specific prompting, about one half of the interviewees suggest that uses should be separated. In most cases users were specific that motorized and non-motorized uses be separated. The report has a chart stating that 65% of foot and bike travel users want separation of incompatible uses and 45% of animal travel users want separation of incompatible uses.
- Motorcyclists are small market segment of motorized users and this segment is further subdivided into users, only some of whom ride single track trails.

- Users of single track trails have more tendency to report conflict with motorized uses because the majority of single track users are non-motorized who value solitude and a backcountry experience—hence encounters with motorized users (e.g. motorcyclists) on these single track trails are more upsetting than they are on roads where the encounters are expected.

b – The comments submitted for this project and for the previous (remanded) RWDTMP contain many references to user conflict issues. There were 253 scoping comments and 339 EA comments for the previous (remanded) RWDTMP. The summary prepared by District Ranger Beverlin for the comments submitted for the remanded RWDTMP contains many items that are not included in the DEIS. A number of the comments describe issues important to quiet users (see document I supplied titled “09xxxx District Ranger Summary RWDTMP Comments.pdf”). This documentation provides evidence of extensive user conflict. The scoping report that you issued for this project has many examples of user conflict – how can one say that there is no data on user conflict?. It should be noted that existing prior case law supports the use of user comments to gauge the level of user conflict (see below).

c - The DN for the previous (remanded) RWDTMP had user conflict and recreation conflict as two of the three primary issues. I do not think that this fact has changed over the past few years. And, you stated that the scoping input from the previous attempt at the RWDTMP (that resulted in these primary issues) would be considered in the current redo of the RWDTMP. On page 15 of the 9/24/09 ROD for the previous (remanded) RWDTMP it stated: “There were three primary issues (EA, Section 2.4 Issues) identified and addressed in the EA – and two of them involve user conflict. The primary issues included:

- Volume and type of recreation access - specifically user conflict and variety of (user) experiences; law enforcement; dispersed camping; hunting and fishing; and road closures/decommissioning.
- Resolution of recreation conflict - designated routes; cross-country travel; mixed use; and road density.
- Protection of natural and cultural resources - noise disturbance to wildlife; security areas for wildlife habitat; management indicator species; threatened and endangered species; and protection of cultural resources.

d - The Record of Decision (ROD) dated Sept 2013 for the Final EIS for the SJNF Land and Resource Management Plan (LRMP) highlights the importance of reducing user conflict and makes it a primary issue. See the information supplied on this in section 1 above. On page 12 of the ROD for the LRMP it states:

“Issue 2: Providing Recreation and Travel Management within a Sustainable Ecological Framework. This issue addresses the essential question of what areas of the San Juan NF are available for motorized recreational travel, including summer and winter recreation, and what areas are not. A primary focus of this issue is reducing motorized and non-motorized user conflicts. Motorized and non-motorized recreationists alike do not want their respective opportunities to diminish over time, but they also recognize that without constraints, uses become imbalanced and user conflict escalates. We heard

through public comment that more than anything, users wanted equitable opportunity to pursue motorized and non-motorized recreation.”

e – Peer reviewed research on user conflict clearly demonstrates that this is an important issue. During the workshops, I submitted to you a number of references on this subject. I also prepared a summary sheet for you. These peer-reviewed publications are appropriate to this project because they give data and discuss issues for users that are the same users that may visit the RWD area (again, there is no difference between the RWD users and “all the other users”. The RWD is not an isolated island in the western US.)

f – User conflict is a key issue in many other TMP’s done in Colorado. The users of SJNF are the same as the users of the other National Forests in Colorado. In a 7/25/14 email that I sent to you entitled “WRNF EIS” I stated:

In my research for the pre-NEPA documents for the RWDTMP to be submitted, I looked at a number of TMP’s for other National Forests in Colorado. One of the ones that I thought had a lot of information that was pertinent to your present efforts was for the White River National Forest. The FEIS for this TMP is

at http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/1118_FSPLT2_048805.pdf

Particular areas of interest are:

1- One of the 3 key issues identified in the WRNF TMP FEIS (Summary Page 1) was “resolution of recreation conflict”.

2- The section on Recreation Management, pages 66-97, is the most interesting. I strongly suggest that you read it.

3- The User Conflict section on pages 72-75 has a lot of interesting points. For example, “Conflict situations may be caused by management trying to allow too many options for users where the situation may be of marginal quality to meet the user expectations.”

4- If there is conflict (real or perceived) between user groups, one user group could be displaced from routes to the extent that they avoid using routes or an area, changing the use of that area. This is described in the following quote from the TMP FEIS at page 82: “A lack of active management of some uses in the past has resulted in a change in users and use patterns on the forest. More than 20 years ago, researchers documented how a change in circumstances, such as greatly increased use, affects the opportunities and experiences available (Forest Service ROS 1986, p. III-21–III-25). Clark describes this as a process of “invasion and succession” (Clark et al. 1971, from ROS, p. III-24). Quite often these changes occur more slowly over time. Existing users are displaced because they are no longer receiving their desired experience and the new users fill the void left by the departing users. These changes generally occur outside the agency making conscious management decisions. Although some users are vocal about their changes in experience, the loss of recreational opportunities largely goes unnoticed until well down the road when the new and sometimes less desirable use pattern is set.”

“Invasion and succession” is exactly what has happened in the RWD area. About 10-15 years ago the Dolores District started to sign the trails in the RWD area for motorized travel (with no public involvement NEPA process). The subsequent increase in the number of motorcycle users has displaced the existing users from the trails.

It is noteworthy that this issue is discussed in the USFS ROS document as described above.

g - USFS position paper on Unmanaged Motorized Recreation – info on user conflict: This position paper states (see ref doc I supplied titled “05xxxx USFS Unmanaged Motorized Recreation Position Paper.pdf”):

“Forest Service managers have observed that OHV users may displace other recreational users adding to the complexity of resolving user conflicts. Other users may prefer not to share facilities with OHV recreation because of the impacts of noise and speed on their recreational experience. Some users are demanding that zones for motorized versus non-motorized activities be established.” This reference confirms the existence of the “de facto emphasis” discussed in the Scoping report.

h - Case Law on User Conflict

One court case has illuminated the importance of user comments in evaluating travel planning options. In 1994, when the Northwest Motorcycle Association filed suit against the Wenatchee National Forest, claiming the forest illegally closed an ORV route based on negative comments from hikers regarding motorized use, the 9th circuit Court of Appeals ruled against the motorized group. The court held that, given the absence of a definition of user conflict in Forest Service policy, it “can envision no better way to determine the existence of actual past or likely future conflict between two user groups than to hear from members of those groups” (*Northwest Motorcycle Association v USDA*, 18 F. 3d 1468 (1994)). In fact, the court argued, the Forest Service legally had to close the trail pursuant to Executive Order 11644, which requires the agency to minimize user conflict. For many managers lacking specific use data or monitoring results, user comments may be the only method by which to gauge the level of user conflict.

i- Very important support for the importance of user conflict as a primary issue in this DEIS is provided by the TMR Minimization requirements. It specifically states the requirement that “Conflicts between motor vehicle use and existing or proposed recreational uses of National Forest System lands or neighboring Federal lands” be minimized.

j- A letter to the editor in the Cortez Journal on 3/12/13 was supplied to you in the document titled “130312 Letter Cortez jour Motorized, non-motorized travel incompatible.pdf”. I know that this is one person’s opinion but I have included it here because it does an excellent job of recording and describing what I have heard (and I think you have heard) from many quiet users – “motorized and non-motorized travel in our public lands ... ARE NOT compatible”. Remember – per a SJNF study, 65% of quiet users want this.

5- Section 2.3.11 Rejection of an Alternative for “Separating Uses on Trails”

The following 4 reasons were given for rejecting this Alternative. Comments on each reason is given after the quoted reason:

- “Use in the RWD area is not of such a high concentration that dedicating trails to one type of use is necessary”. Standing by itself, this would be a correct statement. But this is not the important issue when considering separation of uses on some trails.
- “District staffs observations is that trails have been successfully shared.” This statement needs to be supported by data, surveys, etc. These observations are refuted by SJNF reports, SJNF Forest Plan, research, data and many other sources listed in these comments.
- “The cost of developing trail networks specific to certain types of use is not feasible given current and expected resources.” This is not needed to meet the objectives of this Project. We are not talking about adding any trails.
- “The burden of administering separated trails systems is also not feasible given current staffing.” Same reply as above – not needed.

6 – Assumptions in Section 3.2 in the Environmental Consequences Section are Not Appropriate for this Project

The following assumptions listed in Section 3.2 Assumptions for this Analysis do not meet the needs of this project:

a- 3.2.1 Focus on Motor Vehicle Use

This section states – “This analysis focuses on motor vehicle use of roads, 62inch OHV trails, and single track motorcycle trails. The effects of non-motorized uses on those same roads and trails are discussed as part of the affected environment.”

There also needs to be a focus on the consequences of motorized use on non-motorized use and users. This is necessary to meet the requirements of the Travel Management rule, Forest Plan, etc.

b- 3.2.3 Trend in Use

Data on projected trends is necessary. This type of data is available in reports identified in section 3 above. As discussed above, specific site data is not necessary. In fact, it may not be appropriate (as discussed above). Qualitative data based on observations of District staff is not sufficient or appropriate, and has been demonstrated to be in error on previous occasions. If data from District staff is to be used, it must be demonstrated to be statistically significant and appropriate to the analysis being performed. Researched and peer-reviewed data and facts should be valued.

c- 3.2.5 Map Accuracy and Data limitations

See sections 3 and 4 above.

d- 3.2.10 Criteria for Designating Motor Vehicle Use

Section 3.2.10 states: “As described in the Purpose and Need there are various general criteria for designating motor vehicle use and additional criteria related to motor vehicle use of trails (with the objective of minimizing). The table below provides a crosswalk between the criteria and the various sections in Chapter 3. This table is developed to assist the reader. Final conclusions about the criteria will be provided in the final decision documents.”

The table that provides a crosswalk between the criteria and the various sections in Chapter 3 needs a lot of revision. This section of the DEIS should be a cornerstone of the entire project. It is missing an “x” in many subject areas that have inter-related effects. An example follows. The row titled “consider the effects of conflicts between motor vehicle use and existing or proposed recreational uses of National Forest Lands with the objective of minimizing”, should have a “x” under the following columns (there are currently only 4) – fisheries, terrestrial wildlife, ATV/UTV riding opportunities, motorcycle riding opportunities, non-motorized trail opportunities, recreational settings and experience, hunting, socio-economic, public safety, and design features Appendix B. I realize that meeting this “minimization” criteria is an extensive amount of work – but it is required by the Travel Management Rule, which is the main purpose of this project – and it will result in a good travel management plan.

The importance of the analysis in this section is further discussed in item 38 in this letter. As the courts have ruled, Subpart b of the TMR “imposes an affirmative obligation on the Forest Service to actually show that it aimed to minimize environmental damage when designating trails and areas. While the final outcome of the Forest Service’s designation process may not necessarily minimize environmental damage to the greatest extent possible, the Forest Service must show that it satisfies the objective of minimizing environmental impacts. This means the Forest Service must do more than merely consider those impacts”.

The statement “Final conclusions about the criteria will be provided in the final decision documents.” is not acceptable. NEPA and other applicable laws/rules require the public to have a chance to comment on the data/analysis/etc for this analysis? This DEIS is incomplete in this regard and needs to be supplemented and further public comment allowed before a FEIS.

7- Comments on Section 3.2.11 Topics Not Affected and Therefore not Addressed

a- Item 1 in this section states:

“Although this document makes a note where private land Rights of Way (ROW), Special Use Permits (SUPs) or Road Use Permits (RUPs) may be needed, this analysis and decision will not include those instruments or decisions. They would be processed under separate NEPA analysis and decision making.”

b- Based on statements in the documentation of this project, there are private land issues with the types of use that can be designated where trails pass through private land. In fact, you state in a number of instances in the DEIS that trails will be rerouted around these in-holdings (for instance, Johnny Bull and Calico). The public needs an understanding of those instruments, the boundaries, and where re-routing is or is not possible, etc in order to be able to comment on the suggested re-routes and the consequences of those actions.

Another issue for this subject is that the public needs the particulars (routes, cost, available funds for re-route costs, amount of land disturbed, environmental effects, etc) so that they can comment on the proposed re-route. NEPA requires this. This need assumes that you plan to use this DEIS as the authorization for the re-route. This DEIS is

incomplete in this regard and needs to be supplemented and further public comment allowed before a FEIS. If you plan to do a separate NEPA process for the re-route, then that info is not needed – and this should be stated.

8- Section 3.3 Best Available Science

a- Some of the sections in the DEIS appear to use some of the Best Available Science. However, some of the analysis is not based on the best available science. This is particularly true for the sections on Terrestrial Wildlife, Recreation, Hunting, and Socio-economic. Specific comments are given throughout this letter.

b- I submitted over 30 scientific research references to the DPLO during the Workshops and previous communication periods. Not one of them was used in the DEIS – they do not appear in the references list. It is hard to imagine that not one of them was appropriate (I have a PhD in Materials Science and Engineering and over 40 years of experience in research and science). It appears that the information gathered during the workshops and data gathering exercises were not used in the analysis. Was this just an exercise to placate the public because the DPLO received a lot of criticism during the previous RWDTMP for not using the best available science?

c- In the Glossary of the DEIS, you define best available science as “Peer-reviewed and other quality-controlled literature, studies, or reports related to planning or project issues”. Therefore, using best available science means that opinions/observations/etc of individuals (staff or otherwise) must be supported by data. For instance - if a statement is made that “most motorcycle riders stay the trail”, there should be a statement on the supporting data that says that this is based on the observations of “x” staff members that spend “y” days on the trails per year and observe violations on “z” percent of the trips – or something like that. It is too easy for individuals to make non-scientific conclusions based on their personal feelings/bias that may not agree with the data/facts. This happens to all of us and is very common.

d- An EIS requires much more analysis, data, facts than an EA – and the use of the best available science. In many places this EIS does not contain the analysis, etc required in an EIS. We have pointed out many deficiencies in this comment letter. The use of unsupported observations by staff and statements that we have no data on a particular subject do not fit in an EIS.

9- Comments on 3.4.2.4 Effects of Alternatives by Sub-Area (under Wetlands section)

a- 3.4.2.4.5 Subarea 5

On p.78 it states – “*Alternative B*: For North Calico NRT, a single new alignment for all user groups would avoid wetlands/fens/springs or would be reconstructed with new trail developments (footnote 11) to not adversely impact wetlands/fens/springs. Sections of the old alignment would be abandoned and reclaimed. The Trail would also be closed to motorized uses until July 1, which would increase the likelihood that it would be drier and less susceptible to damage.”

To meet NEPA requirements, we need the details of this proposal in order to comment. These details are needed in an amendment to this DEIS and a public comment period prior to the FEIS. This may be a good proposal but it can not be evaluated based on the information provided. The closure “to motorized uses until July 1” is a very good proposal.

For this wetlands discussion alone, it is clear that Alternative E with a change in the closure until July 1 would be the most effective at minimizing the environmental consequences.

b- 3.4.2.4.9 Subarea 9

On p. 80 it states –“There are no highlighted riparian/wetland areas of concern in this subarea”

This statement and section needs substantial modification. If we limit our focus to the trails that are controversial regarding motorized use, the following need to be addressed.

- Hillside Connector – the Hillside Connector trail passes within 100’ of a fen that must be a verified fen because it has monitoring pipes installed in it in two places. The trail also crosses a number of small tributary streams and wet areas that supply water to the fen. In general, this trail is on a wet, north facing slope that contains sensitive areas and wildlife habitat. Even small amounts of illegal motorized use in the past has seriously degraded the trail and resources.
- Rough Canyon trail – There is discussion in the DEIS regarding fens and this trail.
- Little Bear – is an “at risk” stream in Table 3.4
- Bear Creek trail – a very important drainage in the RWD area. The Bear Creek trail crosses a number of tributaries with no bridge, culvert, etc (some of these have recently been improved).

10- Section 3.6.3.2 Trails – under Effects of the Alternatives in the Geology/Soils section

a- The discussion of trails that are located on soils prone to downcutting is limited to the Ryman Trail. Earlier in this section (p. 87) it states – “The cutler formation soil types that surround Ryman and Salt Creek trails are not part of the soil map units prone to mass movement. Soils under the Ryman trail are prone to severe downcutting in part because the bedding surfaces of the strata are parallel to the slope. This downcutting problem is important to consider even if the Ryman soils are not prone to mass movement.”

b- There are a number of trails in the RWD area that are subject to downcutting – and this needs to be considered in this environmental analysis. Example of trails that have portions that have experienced severe downcutting are Calico, Grindstone, Little Bear, Gold Run, Rough Canyon, Eagle Peak, Johnny Bull, East Fall Creek, and West Fall Creek. I do not know the soil types present on these trails, but I can assure you that they are also subject to and have severe downcutting. Data is needed on this – one cannot conclude that downcutting is not an issue based on GIS soil maps, etc. You need field studies of the trails and an evaluation of what is happening on the trails. Previous USFS employees have concluded that this is a problem in the area surrounding the Calico Trail. In fact, an Amendment to the previous Forest Plan stated that this area (Landslip) is “too

steep and soils too erosive for motorized travel.” Certainly this has not changed. To dispense with these previous observations, you need data and facts. This issue of downcutting of trails other than Ryman needs to be addressed.

11- Section 3.8.4.1 Elk – in section on Terrestrial Wildlife

a- Section entitled Background

The statements and information given in the background section in 3.8.4.1.1 are not complete, are incorrect in some statements, and are misleading due to not presenting all of the data, and result in conclusions that are incorrect. The following on p.113 is incorrect –“This allowed the herd to rapidly grow again, and even though antlerless harvest has been ramped up since 1998, the herd has continued to increase and may now exceed 19,000”. This statement is based on the 2006 report in the DEIS reference list (has 10 year old data), and ignores the data through 2014 which is also in the list of references in the DEIS. A correct reading of the CPW data in the DEIS references results in the following paragraph.

– A correct reading of CPW data for E--24 (E-24 is defined on p. 112 in DEIS) indicates that elk population decreased by about 15% in the last 10 years – from 21,000-22,000 elk for years 1999-2006 to 19,000 elk in 2014 (this data is from the report in the DEIS reference list). Part of this decrease can probably be attributed to the liberal license policy in place during the first part of the last 20 years. However, recent CPW data indicates that license numbers for antlerless elk have been decreased over the past 10 years – due to the elk population decrease (antlerless rifle elk licenses in GMU71 have been decreased by 78% over the last 10 years!! – see next paragraph). But, the elk population is not recovering. CPW attributes this to low calf numbers. Calf:cow ratios have decreased from about 40:100 to about 30:100 over the same time period (see data in DEIS reference). The big question right now is what is causing the suppressed recruitment. This is a big issue that needs to be addressed. Although the reasons for the low calf numbers are not known, this result should be analyzed by the USFS and remediated. A factor that could be and likely is at play is motorized vehicle use – it is interesting to note that the lower calf numbers since 2006 corresponds to the time that the USFS starting signing the trails for motorcycle use (with no NEPA analysis) and the amount of motorcycle use substantially increased. As you are well aware of, there is literature out there that has demonstrated that increased motorized use has detrimental impacts to elk. The failure of DPLO to obtain specific data on motorized user numbers and trends in the DEIS is egregious because that data could be used to analyze impacts to and causation of calf:cow ratio decline. The DEIS is deficient in this regard.

- Although the above data is for DAU E-24, CPW believes that the herd size and calf:cow ratios are down substantially for GMU 71 (RWD area), which is a subset of E-24. This is substantiated by the fact that CPW is continuing to decrease the number of elk licenses in GMU 71.

- In the last 10 years, CPW has drastically decreased the number of antlerless licenses in GMU71 from 900 permits in 2005 to 195 permits in 2015 (these numbers are for antlerless rifle permits for the 2nd, 3rd and 4th rifle season in GMU71 (antlerless permits for

either-sex rifle and muzzleloader antlerless permits need to be added to this to obtain a total antlerless number). The fact that CPW has decreased the number of antlerless elk licenses by 78% in GMU71 indicates that they believe that there is a problem. (It should be remembered that population control with elk is a function of female population primarily.) They believe the problem is the low calf numbers. Since CPW is funded primarily by license sales, they do not decrease license numbers unless they believe it is necessary. (Note: elk license numbers are available on the CPW website)

- The decrease in the calf:cow ratio is a bad sign. This will have economic and other effects for the RWD area – over 1000 less hunters. This issue is an important issue that needs to be addressed as part of the RWDTMP and a plan to correct it needs to be developed by the USFS and CPW and put in place.

- Summary - The net result of this is that the conclusion in the DEIS that the elk herd is growing, stable and that nothing needs to be done is incorrect. The statement that the elk herd is meeting CPW target population guidelines may be correct, but that is not the important fact. The important fact is that herd size is declining (by 15% over the last 10 years), and calf:cow ratios are decreasing (by 25% over the last 10 years), and the CPW is concerned enough about this that they are drastically decreasing antlerless elk license numbers. Also, the decreased number of licenses will have an economic effect on the local area, an issue that is ignored in the Socio-economic analysis.

b- Section entitled Analysis Area (including security area analysis)

-The use of a ½ mile buffer distance from a motorized trail/road is much better than previous attempts to calculate security area. However, this is not the only important variable in this type of analysis (as pointed out in the scientific literature that I supplied).

- Why are the total acres of security area for each of the Alternatives different in Table 3-25 and Table 3-26? Something is incorrect and needs to be corrected.

-Some aspects of the results of the security area analysis appear incorrect if one looks at the trail maps on pages 231-235 in the DEIS, and tries to correlate the trail density/locations with the security area sizes in Table 3-26. For instance, how can the average security area size for Alternative A (7210 acres) be larger than the average security area size for Alternative B (4519 acres), when Alt A has more motorized trails and roads than Alt B. Also, if one looks at the motorized trail/road maps for Alternative B vs C, it is difficult to understand how the mean average security area for Alternative C increased by 46% compared to Alternative B (6584 acres for Alternative C vs 4519 acres for Alternative B) when there are more roads/trails in Alternative C. This makes one question the accuracy of the analysis. Something is clearly incorrect in this analysis. It should be redone for all Alternatives..

-The results in Table 3-27 on the percentage of the security area that is cover vs the percentage that is forage are interesting. But this is not a measure of habitat effectiveness. I have seen a number of ways of evaluating habitat effectiveness, but I have not seen it evaluated as it is here. Your method does not address the critical issues in habitat effectiveness – and therefore, it seems that it is not a measure of habitat effectiveness. (Maybe we need to understand your definition of Habitat Effectiveness – it is not defined in the Glossary or the text - please state your definition.) Therefore, based

on the best available science, one cannot conclude based on this analysis that “habitat effectiveness for elk is maintained across all alternatives” (this quote is from p.117 of the DEIS). This is a critical flaw in your analysis. If I am incorrect and you have scientific studies that conclude that your methodology is a good measure of habitat effectiveness, please supply the references. (The references I submitted during the workshops had extensive information on habitat effectiveness. Most of the scientific literature defines habitat effectiveness as the percentage of available habitats useable by elk outside of the hunting season.).

-If one assumes that the maps in the Draft Wildlife report by Messinger are close to correct (maybe not true), it is clear that the habitat effectiveness for Alternative E is much higher than that for Alternatives B and C. Therefore, in order to meet the TMR requirements to designate trails and areas “with the objective of minimizingHarassment of wildlife and significant disruption of wildlife habitats”, Alternative E is the clear choice. We need to get the numbers corrected and be sure that the maps are correct. This substantially changes one of the Environmental Consequences conclusions from that stated in the DEIS. It also would change the statements in the Table on p. 7 in the Executive Summary.

-Despite the above incorrect results and shortcomings, one can draw the following types of conclusions from a security area analysis (for these comments I will have to assume a few things which will be stated):

1- The security area for elk varies from 44% (Alternative A) to 57% (Alternative E) of the total 244,554 acres in the RWD area. Using the commonly accepted definition of habitat effectiveness, this means that the habitat effectiveness varies from 44% for Alternative A to 57% for Alternative E. That is, motorized roads/trails take away 56% (Alt A) to 44% (Alt E) of the total habitat available to elk. Data from Table 3-25 and I am assuming that this data is at least somewhat correct.

2- Comparing Alternatives B and E - Alternative E can increase the secure area available to elk by 23% relative to Alternative B (that is, a large increase in habitat effectiveness) and the mean average size of the security area by 105% relative to Alternative B. This is very significant when one attempts to meet the Travel Management Rule requirement that the designation of trails minimize the “harassment of wildlife and significant disruption of wildlife habitats”. Data from Table 3-26 and I am assuming that my interpretation of the maps is correct (the redo of this analysis will confirm this).

3- There appear to be reasonable number of secure areas in all Alternatives. However, it is more important to realize that Alternatives D and E create some very large security areas by removing a single motorized trail that bisects an area. These two Alternatives come much closer than the other Alternatives in meeting the Forest Plan Desired Conditions to not reduce habitat effectiveness (2.3.2, 2.3.11, and 2.3.12 in the LRMP) and Forest Plan Guidelines to not reduce habitat effectiveness and provide connectivity (2.3.62 and 2.3.63.in LRMP). For this I am assuming that the figures in the referenced report by Messinger are at least representative.

4- Alternatives D and E are the only Alternatives that result in security areas that meet the need of having security areas that are close to typical elk home ranges (5000-7000 acres). Elk home range is discussed in the scientific literature. One scientific reference is an analysis of security areas in the Bighorn National Forest in Montana. It is appropriate for this project because the terrain is similar to the RWD area, it is performed

by public employees with the same goals as ours, they did a lot of research, and the analysis that they performed is similar to the analysis that we need to be performed. (See ref doc "0405xx Elk_Conservation_Plan- V2 Sheridan Region.pdf"). Their analysis required analysis areas that approximate elk home ranges of 5000-7000 acres.

c- Additional Analysis needed to determine Habitat Effectiveness

Because the previous section discusses a critical flaw in the habitat effectiveness analysis, further information on habitat effectiveness will be supplied in this section.

An analysis needs to be performed that evaluates the effect of individual trails that are proposed to be motorized on the following items that are critical to elk survival:

1. The amount of security area that is broken up or affected by that trail – that is, perform an analysis of "potential security areas". I have seen this type of analysis done for plans for the Bighorn National Forest in Montana. (See ref doc "0405xx Elk_Conservation_Plan- V2 Sheridan Region.pdf")
2. The proximity of "true security areas" to the trail (noting that open terrain, aspen glades, etc are not security areas),
3. The proximity to calving areas, and
4. The position of the trail relative to the daily movement of elk from their feeding ground to their bedding area.

This type of analysis addresses the real issues of motorized trails in elk habitat. The following trails are examples of trails that should be analyzed in this manner because they are particularly intrusive: Johnny Bull, Calico, Priest Gulch, Stoner Mesa, Eagle Peak/Upper Stoner, East Fork, Horse Creek, Ryman Creek, Grindstone, Grindstone Loop, Bear Creek and Rough Canyon.

The analysis discussed in the preceding paragraph would result in recommendations (for non-motorized trails) similar to that proposed by the CPW. CPW letters sent for the previous RWDTMP recommended that the following trails be closed to motorized travel: Calico, Winter, Wildcat, Priest Gulch, Stoner Mesa, Spring Creek, Stoner Creek, Ryman, Grindstone, Grindstone Loop, Hillside Connector, Gold Run, Bear Creek, and Little Bear Creek. For each trail the DOW letter spelled out the reasons for their recommendations.

36 CFR 212.55 specifies that trails be designated "with the objective of minimizing: ... Harassment of wildlife and disruption of wildlife habitats". This analysis needs to be performed. Meeting the minimization requirements of the Travel management rule is a critical requirement for this project.

d- Table 3-29 Forest Plan Guidelines for managing Terrestrial Wildlife

Table 3-29 on p. 121 of the DEIS has some incorrect conclusions that are not supported by the data and facts.

1- The first row in this Table indicates that the Forest Plan Guideline states that elk production areas must be protected from May 15 to June 30 by using access restrictions. CPW data says that elk calf:cow ratios are decreasing – therefore, something must be done. From Table 3-25 the production area is 63% of the RWD total area. Although it is not yet proven that motorized travel is causing the problem, it is one likely cause. In the

absence of a better idea, motorized travel should be prohibited until after July 1 in any preferred alternative.

2- Row two states “2.3.62 **Ungulates:** Projects or activities in big-game critical winter range, winter concentration areas, severe winter range, production areas, and important migration corridors should be designed and conducted in a manner that *preserves and does not reduce habitat effectiveness* within those mapped areas. “ You did not address this for “production areas and migration corridors”. See above where it states: - However, it is more important to realize that Alternatives D and E create some very large security areas by removing a single motorized trail that bisects an area. These two Alternatives come much closer than the other Alternatives in meeting the Forest Plan Desired Conditions to not reduce habitat effectiveness (2.3.2, 2.3.11, and 2.3.12 in the LRMP) and Forest Plan Guidelines to not reduce habitat effectiveness and provide connectivity (2.3.62 and 2.3.63.in LRMP).

3- For row 3 – see the above for 2.3.63.

e- footnote on p.116

In a footnote on p. 116 it states: - “Research exists for road related effects (full size vehicles, ATVs, UTVs) on big game but very little research exists specific to motorcycle use of single track trails. For this analysis, the effects are assumed to be similar.”

In the information and references that I supplied to you during the Workshops and also in comments supplied on your proposals, I submitted the following – “motorized trails have the same effects as roads – see “110118 Report-Elk- Motorized study Terry Hershey.pdf)”. It appears that my references were not used in your analysis. Unfortunately, this appears to be a recurring theme.

12- Comments on 3.13.2 Motorcycle Riding Opportunities and Experience

The following provide additional information or corrections on items in this section:

a- Instead of using user data from individuals or District staff, the analysis should use statistically significant and scientifically based data. The sources of this data can be those outlined in the section above on user data. As mentioned multiple times in these comments, there is no reason to believe that the users of the trails in the RWD area are any different from those in the rest of the SJNF or the entire state and nation. There certainly is no data to support the existence of a unique set of users for the RWD area.

b- On p. 145 it states – “Although some ridgeline vistas could be seen from Eagle Peak Trail, Alternative E would result in a major reduction in scenic vistas because much of the Calico ridgeline would not be available for riding. With the loss of these vistas and multiday rides under Alternative E, nonlocal motorcycle use might decline significantly.” This statement is misleading and incorrect. The Calico trail is on the ridgeline with open terrain and vistas for about 10 miles – from Papoose Peak to south of the intersection with the Tenderfoot trail (The trail is occasionally in the trees over this 10 miles). Alternative E removes about 4 miles of this 10 mile portion with scenic vistas (about 40% - not “much of the Calico ridgeline” or a “major reduction”). Therefore, this statement should state that Alternative E retains 60% of the Calico ridgeline vistas for motorized travel. Also, there

are many ridgeline and scenic vistas remaining in the motorized trails in Alternative E. The Calico trail south of the intersection with Eagle Peak trail is on the ridgeline down past the intersection with Tenderfoot trail – for a motorized trip of 6 miles. The Burnett Creek trail has scenic vistas from Calico trail down quite a bit. Bolam Pass provides extensive ridgeline vistas. The Stoner Mesa trail on top of the mesa provides long range vistas. In fact, the only real loss of ridgeline and scenic vistas in Alternative E is the 4 mile section of Calico (40%) from Papoose Peak south to the Eagle Peak trail – and maybe the wildlife and non-motorized users deserve this.

c- On p. 145 it states – “The September 8th restriction could also impact hunters that use motorcycles on single track trails to access hunting areas”. I gave you a scientific document (see next paragraph) that indicates that very few hunters use motorcycles – they have limited or no utility in hunting. Do you have substantiated data to support this statement and refute the scientific data? This statement should read: “The September 8th restriction is unlikely to impact hunters that use motorcycles on single track trails to access hunting areas due to low numbers of such users and the overwhelming preference for no motorcycles.”

Opinion of Hunters on Motorcycle Use/Access:

In 2003, a study was conducted for the Congressional Sportsmen’s Foundation to better understand hunting access to federal public lands in Colorado. See ref doc that I supplied - “0301xx Report-Access to Federal Hunting Lands in CO.pdf”. The study entailed a telephone survey of Colorado hunting license holders, both resident and nonresident hunters. (Note: This study was cited in the April 2009 RWDTMP EA). One of the conclusions from this study states:

In general, hunters favor more non-motorized access over motorized access.

Those respondents who have hunted on federal public land in the past 10 years in Colorado were asked to indicate whether more or less access, or the same level of access, should be provided to federal public lands in Colorado by various modes of transportation (e.g., by foot, horse, ATV). “Access by foot” has the highest percentage saying that *more* access should be provided this way (49%). “Access by horse” also has a relatively high percentage favoring *more* access this way (32%). All three motorized modes of access had the highest percentages saying that *less* access should be provided this way: 70% said that there should be less motorbike access, 56% said that there should be less ATV access, and 29% said that there should be less truck access. That is, almost all hunters (70%) do not want motorbike access to federal public lands that they hunt!

d- The DEIS states that loops on trails that do not include riding on roads are desired by the motorcycle riders. Alternative E does not remove any of these types of loops. And, Alternative E only removes one or two loops that require travel on a road. Alternative E includes a number of loops for motorcycles – and these loops include long distances with ridgeline and scenic vistas (on southern Calico, Eagle Peak, Stoner Mesa, Burnett Creek and Bolam Pass trails).

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e- On p. 146 it states – “(Morrison Trail, northwest of Gold Run Trail, is not currently designated for motorcycle use and was eliminated from further consideration because the

Forest Service does not have an easement to allow motorized use on the portion of the Trail that crosses private land.)”

Why doesn't this rationale apply to the other motorized trails that pass through private land where the Forest Service does not have an easement that allows motorized use, such as upper Johnny Bull and Calico intersection area?

f- Additional items need to be included in section 3.13.2.5 Cumulative Effects

The evaluation of the cumulative effects of motorcycle usage on trails should include an analysis that looks at the benefits to 4000 hunters vs. a much smaller number of motorcycle riders - or the wildlife habitat improvements vs. a few miles of additional motorcycle trails.

g- User conflict on trails is a critical issue that has not been addressed - and almost all of the user conflict occurs on trails. The discussion of Motorcycle Riding Opportunities and Experience in Section 3.13.2 has no mention or analysis of user conflict and the consequences of the individual trail use designations (or the Alternatives) on non motorized users. This is necessary to meet the requirements of the Travel Management Rule (TMR). The TMR lists "specific criteria for the designation of trails and areas (emphasis added)", including the minimization of "conflicts between motor vehicle use and existing or proposed recreational uses". To meet the TMR requirements, Section 3.13.2 must have an analysis - for trails - of the effects and consequences of motorcycle use on other recreational uses. One cannot satisfy the TMR without this analysis for each of the trails and each Alternative. The final decision must depend on the evaluation of, and minimization of, these environmental effects and conclusions.

Note: We acknowledge that you have discussed the impacts of motorized designations on non motorized users in the ROS area discussion in section 3.13.3 (Note that this analysis is focused on sound and distance from motorized roads and trails - there are other factors in this conflict). This discussion of SPM and SPNM areas is very different from an analysis of user conflict on trails.

h- In section 3.13.2 and other portions of the DEIS there are numerous references to the desire/need of motorcyclists to ride on single-track trails. This need has not been justified in the DEIS, and the following evidence suggests that this need is not justifiable. Instead of just accepting the opinions from a relatively small number of users, you need to examine the following data and facts and either accept them or have data that refutes them:

1- Until recently, motorcycles shared many of the trails in the Rico-West Dolores (RWD) area with ATVs (40 in). Only recently have motorcyclists stated the desire/need for single-track trails (~18" wide) without ATVs - in an attempt to expand the number of motorcycle trails and their control over the trails. Ten years ago, motorcycles and ATVs were present on Calico, Burnett Creek, Eagle Peak/Upper Stoner, Priest Gulch, Ryman and other trails - and the motorcyclists seemed to think this was okay.

2- Data and facts to support this shared use of 40" wide trails by motorcycles and ATVs are given below:

a) The 2005 SJNF Visitor map (and most previous maps dated 2001, 1994, 1992, 1985, 1978, 1974, 1972, 1971) had the following trails in the RWD area open to ATVs and motorcycles: Bear Creek, Gold Run, Grindstone, Little Bear, Calico, Burnett Creek, Johnny Bull, Horse Creek, Eagle Peak/Upper Stoner, East Fall Creek, Priest Gulch, Wildcat, Ryman Creek, and Stoner Creek

b) It has often been stated that the above trails are generally less than 18 inches in width and can not accommodate ATV use - this is incorrect!! The following information is evidence that these trails were previously used by ATV's, the FS knew this and on a few occasions did things to change this, and the motorcyclists knew of and accepted this joint use with ATVs (including their favorite, the Calico trail):

i) The Decision Memo dated 5/13/97 for the Calico-Winter trail Reconstruction says:

"have decided not to reconstruct the trail to accommodate the light ATV use that is occurring. This is because: (1) This trail crosses a number of wet meadows and the extra width required to accommodate ATV use will have a negative impact on these wetland areas; (2) The Calico trail accesses high altitude alpine areas and numerous wet meadows which are extremely sensitive to motor vehicle use; a wider trail would encourage more vehicle use; (3) The extra width required to accommodate ATV use would cost an estimated additional \$10,000; that money is not available at this time. The trail design will consider and accommodate the use of motorcycles where feasible. This decision does not require a change in Forest plan prescription." This document clearly admits that ATV's had been using the Calico trail.

ii) The public comments received on the Calico-Winter trail Reconstruction project were all concerning ATV use. The Decision Memo states: "six individual comments were received. All individuals supported the work; however, three wanted the trail closed to ATV use while three supported it." This document indicates the existence of ATV use on the Calico trail.

iii) Many of the 14 trails listed in section (a) above as joint ATV/motorcycle trails have portions that can be ridden by a 40" wide ATV from the trailhead - sometimes for quite a distance. Also, all of the trails that were old stock trails are quite wide (for example, Calico, Eagle Peak/Upper Stoner) and can accommodate ATV's. Note - I have many photos of the trails that demonstrate this.

iv) A handwritten note from the USFS trail file for the Eagle Peak/Upper Stoner trail says that "04 was the first year closed to ATV's".

c) The FS had to put up signs on some of the trails to say that they are closed to ATV use (this was performed approximately 2004 to 2008). This was needed because the Forest Service realized that ATV's were using the trails - further confirmation of the joint use by ATVs and motorcycles. I have photos showing a sign on Calico trail northern end that says ATV's are not allowed. There is a similar sign on the Ryman Creek trail.

3- Travel management Plans (TMP) for many other National Forests in Colorado and the west take a much more comprehensive look at the needs of ATV and motorcycle

users. They do not conclude that motorcycles get their own trails without ATVs (a motorcycle user group that is less than 5% of total potential users does not get to displace all other users on single-track trails). One good example is given in the White River National Forest (WRNF). The FEIS for the WRNF TMP is at http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/1118_FSPLT2_048805.pdf. This TMP has an interesting focus on "Quality Recreation Experiences".

The WRNF FEIS states: "All-terrain vehicle and motorcycle groups tend to be more tolerant of full-size vehicles on primitive roadways. However, they still look for trail experiences where the chances of encountering a variety of other user groups are reduced and where they can have a better backcountry experience than can on a highly developed roadway..... Public comments stated that ATV and motorcycle riders enjoy riding on trails designed for their use as well as native surface roads. Therefore, a quality experience for ATVs and motorcycles will include trails and level 2 and 3 roads open for this use by alternative. This also addresses public concerns relating to the inclusion and consideration of the connectivity of routes to enhance ATV and motorcycle riding experiences. Figure 3.8 on page 88 shows opportunities for "Quality Recreation" experiences by activity. Quality experiences for ATVs and motorcycles is assumed to include level 2 and 3 roads and trails open to ATVs and unlicensed motorcycles. Quality experiences for mountain bikers is assumed to include level 2 roads and trails open to that use. Quality experiences for hiking and horse riding is assumed to include only trails....."

We need to remember that in the proper view of users of the RWD area, the users are the same as those in the rest of Colorado or the USA. We are not an isolated island with our own pool of users.

The WRNF FEIS also takes a comprehensive look at Supply vs Demand (see pages 92-94). Their analysis takes in effect the number of users, the miles travelled per day by different users, quality recreation experiences, etc.

Since the users of the SJNF come from all over Colorado and the United States, it is likely that user numbers and user preferences for the SJNF are similar to those in other national forests in the west. One needs to look at total potential users when designing a TMP - not a statistic that may have been altered by user displacement. The NVUM numbers for the SJNF and the Colorado SCORP study provide good references.

The conclusion from most other National Forests is that motorcycles share their trails with other motorized users (ATVs) and they also use the roads. The definition above that a Quality experience for motorcycles includes level 2 and 3 roads and trails open to ATVs is well justified and supported by user data.

4- User conflict data verifies that If there is conflict (real or perceived) between user groups, one user group will be displaced from routes to the extent that they avoid using routes or an area, changing the use of that area (I gave you many references regarding this subject previously in this letter). This is also described in the WRNF TMP FEIS on p 82: "Quite often these changes occur more slowly over time. Existing users are displaced because they are no longer receiving their desired experience and the new users fill the

void left by the departing users. These changes generally occur outside the agency making conscious management decisions. Although some users are vocal about their changes in experience, the loss of recreational opportunities largely goes unnoticed until well down the road when the new and sometimes less desirable use pattern is set.” Therefore, a trail use designation for motorcycles must conclude that all other non-motorized users will be displaced. A proper supply vs demand analysis must justify the motorcycle single-track trails based on single-user use by less than 5% of all users.

5- The TMP for the adjoining Mancos -Cortez area resulted in:

- 235 miles of open system roads
- 119 miles of motorized system trails (ATV and motorcycle); 37 miles are single-track for motorcycles (Note: many motorcycles ride the 50” wide motorized trails - for example, the 40 mile Aspen Loop, etc)
- 60 miles of system trails for mountain bike, horseback and hike

The Mancos-Cortez area provides 2X as many miles of trails for motorcycles than there are for trails for non-motorized users. If one includes the lower level roads in this analysis (as it should since motorcycles often travel on these roads), there are over 4X as many miles of trails/roads for motorcycles.

6- The Decision Notice (DN) for the adjoining Boggy-Glade TMP stated:

- 232 miles of open native surface (Level 2) roads
- 147 miles of open gravel or paved surface roads (Levels 3-5)
- 68 miles of motorized trails open to vehicles 50” or less in width (42 miles of newly designated 50” or less in width motorized trails)
- 20 miles of newly designated single-track mountain bike, foot and horse trails
- 41 miles of existing Boggy-Draw trail system (approved in EA in 2006)

The Boggy-Glade area provides 300 miles for travel by motorcycles (not including the 147 miles of Level 3-5 roads) and 61 miles for quiet users!

7- The conclusion to be drawn from this data and facts is that there appears to be no justification for the need to have extensive single-track trails in the Rico-West Dolores area that allow motorcycles only. Motorcyclists should continue to operate on trails/roads with ATVs that use 40” wide trails and level 2 and 3 roads. A Quality Recreation Experience for motorcycles includes travel on these trails/roads. A well done supply vs demand analysis should result in very few single-track trails exclusive to motorcycles as they have already been accounted for in the adjacent Mancos-Cortez and Boggy-Glade areas and they are only 5% of users.

13- Comments on 3.13.3 Recreation Setting and Experiences

The following provide additional information or corrections on items in this section:

a- On p. 150 it states – “Data is not available to quantify to what degree motor vehicle sounds effect recreationists in the RWD area. Anecdotally, commenters have provided their experiences and how sound affected them. Some commenters have said they alter their choice of trail to avoid hearing or encountering motorcycles”. It is probably correct that “data is not available to quantify” – but I have supplied research reports which present results on this issue. These reports are better than anecdotal

reports and should provide a basis for doing an analysis. Noise impacts on wildlife are discussed in the report I furnished titled '130715 Noise impacts on wildlife – Journal Review article.pdf'. Also see "1208xx Journal article Study forest noise decreases property values.pdf" This is a Colorado study that suggests that adjacent private land property values are lowered due to noise (including OHV noise) from adjacent forest land. This is pertinent to Dunton, Rico and other properties in the RWD area.

b- On p. 150 it states – “Many guides have commented that motorcycle sound diminishes their clients’ experience because of noise both on the trail and in camp or while fishing and hunting. Guides express concern that motor vehicle sound may deter their guests from returning or recommending the service to other interested clients.”

This issue needs to be included in the Economic analysis. There are 42 Outfitter/Guide businesses that service quiet user clients that are permitted in the RWD area for spring/summer/fall use (and zero that service motorized clients). This indicates the huge demand in quiet uses compared to motorized uses. These businesses depend on quiet use conditions. The user days per year permitted for these businesses range from 20-100 to over 2000. The consequences of the trail use decisions on the economics of these businesses needs to be considered.

c- On p. 150-154 in the DEIS there are maps and Tables regarding the ROS.

- The map on p.151 is the ROS areas for Alternative A and it is incorrect. This map indicates SPNM for the Bear Creek area which has a motorized trail in Bear Creek and Hillside Drive in Alternative A. Also, it indicates SPNM for the Ryman Creek drainage which has a motorized trail in Alternative A. There may also be other mistakes in this map. Since this map is incorrect, it is likely that the data in Table 3-35 is incorrect - This seems likely since the number of SPNM acres listed does not seem correct relative to the other Alternatives.

- The map on p. 152 also appears to be incorrect. One example is the SPM “finger” that extends along the ridge northwest of Rico - this should be SPNM for Alternative E.. There may be other errors in this map, but it is difficult to determine because of the complexity of the map. Since part of this analysis is incorrect, it is possible that there are other errors. I think that the entire analysis needs to be redone. This is confirmed because the numbers in Table 3-35 do not seem correct to one just looking at the changes in the different Alternatives.

- I suggest that you have a different map in the DEIS for each of the Alternatives.

14- Comments on 3.13.4 Non-motorized Recreation – Physical Impacts

The following provide additional information or corrections on items in this section:

- The issue of passing by motorcycles is a critical issue and a safety issue on some trails. These trails need to be specifically analyzed for this issue. An excellent example is Calico trail on the west side of Elliot Mountain. For a distance of ½ mile, this trail is very narrow, rocky (with loose rock), the cross-slope is greater than 60%, and the areas adjacent to the trail are talus slopes with poor footing. There are no places for motorcycles to pass, especially for horses and mountain bikes.

- On p. 155-156 it states: - “Commenters also raised concern that motor vehicles detract from wildlife viewing opportunities on trails. Particular trails of concern pass through large

grassy openings where elk or other wildlife can be viewed from a distance..... Wildlife are most often present in openings during the hours around dawn or dusk. Most recreation use occurs in the later hours or middle of the day. All alternatives minimize effects because motor vehicle use occurs on a designated system of roads and trails.” Research that I have supplied demonstrates that motorized travel displaces elk from area for a time period exceeding 24 hours. Therefore, the above statement is incorrect – motorized travel during the day will displace elk during the evening and the next morning. And with cross-country-travel closures already in effect under whatever alternative is chosen, to say “all alternatives minimize effects” for this reason (on wildlife) is untrue. Moreover, the analysis fails to consider the considerable illegal trail braiding, dirtbike riding on non-designated trails (<http://www.youtube.com/watch?v=LmO4VYjXTKY>), and non-street legal motorcycle use of public roads that increases the numbers of motorized users on the designated motorized single-track trails.

15- Comments on 3.13.5 Non-motorized Recreation Patterns of Use

The following provide additional information or corrections on items in this section. This entire section needs to be rewritten. It is insulting to non-motorized users:

a- The information in section “3.13.5.1.2 RWD Area” (page 156) is not supported by data, is incorrect and is misleading. It should not be used in any analysis. There is no data cited to support the statement “The Colorado Trail and Navajo Lake Trail are the most popular trails in the RWD area”, and to infer that these trails meet the needs of the non-motorized user because they have easy access and have scenery similar to Calico, etc is incorrect. Broad, general statements with no supporting data will lead to bad decisions. Navajo Lake Trail is very steep and strenuous, far more so than the Calico trail. An analysis of comment letters, automobiles at trailheads, etc. will probably conclude that Bear Creek trail is the most popular trail in the RWD area.

b- It states on p. 157 – “Alternatives D and E motorcycles would be removed as a managed use from the Bear Creek drainage. Although visitation is not expected to significantly increase as a result of removing motor noise from the drainage, a minor increase could occur.”

This is speculation with no supporting trend data, analysis of existing data, or data for similar trails in other areas where motorized travel was removed. Since the NVUM and SCORP data indicate that there are 10X as many non-motorized users as motorized users, and the SJNF report (see previous information) indicates that 65% of non-motorized users want separation from motorized trails, one could conclude that non-motorized use will increase substantially on all trails that have motorized travel removed, reversing the displacement or withdrawal that has already occurred.

c- It states on p. 157 – “It is doubtful that recreationists would seek out Calico Trail on their own in any great number because of the availability of the Colorado Trail and Lizardhead Wilderness trails which provide similar scenery with easier access. (this would especially true for out-of-town visitors).”

My wife and I have hiked every trail in the RWD area many times – we have hiked in the RWD area three days a week for the entire season for the past 15 years. During these hikes, we have spoken with many other users. This statement is incorrect – see the following:

The Lizardhead Wilderness trails do not provide similar scenery until one hikes a long distance - and the ridgeline vistas are less there than on the Calico trail. Access to ridgeline vistas on the Calico Trail is much easier – a short hike up East Fall Creek trail or West Fall Creek trail from FR471 puts one on the Calico trail ridgeline, less than 1 mile up Priest Gulch trail from FR592 put one on the Calico Trail ridgeline, a short hike up the Burnett Creek trail from the end of FR 422 puts one on the Calico trail. FR471 is a ML3 road and the road leading to FR592 is a ML3 road (only ride on FR592 a short distance which is passenger car capable) – therefore, access is very good.

The Colorado Trail does provide similar scenery and vistas as the Calico trail – but the access roads are all long, slow and rough (they are ML2 High-Clearance Vehicles). Therefore, access is not good, and it is worse than the access to the Calico trail stated above. Also, it seems that the higher numbers of non-motorized users need more than one non-motorized trail with the discussed attributes.

Loops are also highly desired by non-motorized users. The Colorado trail and the Lizardhead trails do not provide loops. The easy access routes discussed above for the Calico trail provide a number of great loops (East Fall/West Fall Creek, Burnett Creek/Horse Creek, Calico/Winter Trail, etc).

The comment letters in the project file refute this statement that recreationists will not seek out the Calico Trail.

d- On p. 158 it states: - “Alternative E would result in only a slight increase in recreation visits because, although many more miles of trails would be non-motorized, the area doesn’t draw the number of tourists that other areas in this region do. RWD trail loops are somewhat long, arduous, and pass through miles of Forest before reaching high peak vistas. Increases in local and nonlocal non-motorized use would be minor under this Alternative.”

This is speculation with no supporting trend data, analysis of existing data, or data for similar trails in other areas where motorized travel was removed. The statement that “the area doesn’t draw the number of tourists that other areas in this region do” is irrelevant because you are talking about increase in visits, not establishing a new baseline of visits. It is highly likely, based on research and results in other areas, that the number of non-motorized users will increase based on the following: since the NVUM and SCORP data indicate that there are 10X as many non-motorized users as motorized users, and the SJNF report (see previous information) indicates that 65% of non-motorized users want separation from motorized trails, one could conclude that non-motorized use will increase substantially on all trails that have motorized travel removed.

As presented in the above section, there are loops that are not long, not arduous and reach high peak vistas quite easily.

e- A key issue in discussing recreation patterns of use for both motorized users and non-motorized users is addressing the need for all users to obtain a Quality Recreation Experience. You do not do this in this DEIS. This is necessary to meet the Purpose and Need for this project. See the next section for a discussion on this subject.

16– Obtaining a Quality Recreation Experience for all users –

The DEIS and the Alternatives developed do not consider giving all users a “Quality Recreation Experience”. There were many places in the Scoping Report where Quality Experiences, User satisfaction, etc for various groups of users are discussed. Both motorized and non-motorized users have made it very clear they desire a quality experience. Giving all users a Quality Recreation Experience will go a long way toward eliminating user conflict. It will meet the Purpose and Need statement and make the SJNF a true multiple use National Forest. This should be a cornerstone of the DEIS and a primary issue.

The Record of Decision (ROD) for the Final EIS for the SJNF Land and Resource Management Plan (LRMP) highlights the importance of maintaining opportunities for all users. On page 12 of the ROD for the LRMP it states “Issue 2: Providing Recreation and Travel Management within a Sustainable Ecological Framework. A primary focus of this issue is reducing motorized and non-motorized user conflicts. Motorized and non-motorized recreationists alike do not want their respective opportunities to diminish over time, but they also recognize that without constraints, uses become imbalanced and user conflict escalates. We heard through public comment that more than anything, users wanted equitable opportunity to pursue motorized and non-motorized recreation. (emphasis added)”

As stated above, the DN for the previous (remanded) RWDTMP had recreation conflict as one of the three primary issues. That fact has not changed.

Travel Management in the SJNF is not any different from Travel Management in the other National Forests in Colorado. The user base is the same and the desires/needs of that user base are the same. The following discussion of the Travel Management Plan (TMP) for the White River National Forest (WRNF) is an example of what is needed in this DEIS.

The FEIS for the TMP for the White River National Forest (WRNF) has a lot of information on providing a Quality Recreation Experience for all users. The FEIS for this TMP is at http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/1118_FSPLT2_048805.pdf

Particular areas of interest are:

- 1- One of the 3 key issues identified in the WRNF TMP FEIS (Summary Page 1) was “resolution of recreation conflict”.
- 2- The section on Recreation Management, pages 66-97, is the most interesting.
- 3- The User Conflict section on pages 72-75 has a lot of interesting points. For example, “Conflict situations may be caused by management trying to allow too many options for users where the situation may be of marginal quality to meet the user expectations.”
- 4- If there is conflict (real or perceived) between user groups, one user group could be displaced from routes to the extent that they avoid using routes or an area, changing the use of that area. This is described in the following quote from the TMP FEIS at page 82: “A lack of active management of some uses in the past has resulted in a change in users and use patterns on the forest. More than 20 years ago, researchers documented how a change in circumstances, such as greatly increased use, affects the opportunities and experiences available (Forest Service ROS 1986, p. III-21–III-25). Clark describes this as a process of “invasion and succession” (Clark et al. 1971, from ROS, p. III-24). Quite often

these changes occur more slowly over time. Existing users are displaced because they are no longer receiving their desired experience and the new users fill the void left by the departing users. These changes generally occur outside the agency making conscious management decisions. Although some users are vocal about their changes in experience, the loss of recreational opportunities largely goes unnoticed until well down the road when the new and sometimes less desirable use pattern is set.”

To address the user conflict issues they changed their recreation management to a visitor focus. See the following information from the WRNF TMP FEIS at page 82:

“Traditionally, the forest has managed the recreation program based on general physical features such as the miles of trail open to bicycles, the acres open to snowmobiling in the winter, and the number of campsites available for camping. Uses were generally allowed unless there were serious enough issues to force the forest to take management action to reduce the problems.

A common misperception is thinking that providing any opportunity equates to providing everything needed for a quality recreation experience. The designation of a physical road or trail as open for a given activity is only the beginning of providing a satisfying visitor experience. Decisions about what routes will be open to which uses will require consideration of the forest’s management ability to provide a complete experience. Nationally, the Forest Service is committed to improving the capability of the national forests and grasslands to provide diverse, high quality recreation opportunities (USDA Forest Service/WRNF 2002a, p. 1-10). Not all visitor demands can be met on each individual forest. Difficult decisions need to be made regarding which visitors will have an opportunity for a quality recreational experience and which visitors may have to seek out alternative locations for their desired experiences.”

The Environmental Consequences section of the WRNF TMP FEIS (page 84-97) has an interesting focus on "Quality Recreation Experiences" and "Supply vs Demand". Some interesting information regarding roads and trails follows (the user profile for the WRNF can not be very much different from the SJNF):

“While the road and trail systems may be shared, different users have varying preferences on which transportation system they prefer to use for the quality of their experience.

Although they can legally hike on roadways or motorized trails, most hikers seek a single-track trail experience away from roadways and motorized trail uses (emphasis added).

Mountain bikers often prefer single-track experiences but generally accept sharing the more primitive road experiences with other users more than hikers do. All-terrain vehicle and motorcycle groups tend to be more tolerant of full-size vehicles on primitive roadways. However, they still look for trail experiences where the chances of encountering a variety of other user groups are reduced and where they can have a better backcountry experience than they can on a highly developed roadway.

No single measure can provide conclusive direction on how to best allocate limited resources for all these diverse user groups. Even within a particular user group, the participants have differing expectations for their recreational experience. Ultimately, a variety of measures and professional judgment must be used in the allocation process. “

17- Section 3.15 Hunting

This section does not consider the following important factors:

a- Hunters do not want motorbike access to public land that they hunt.

In 2003, a study was conducted for the Congressional Sportsmen's Foundation to better understand hunting access to federal public lands in Colorado. See the ref doc I supplied entitled "0301xx Report-Access to Federal Hunting Lands in CO.pdf". The study entailed a telephone survey of Colorado hunting license holders, both resident and nonresident hunters. (Note: This study was cited in the April 2009 RWDTMP EA). One of the conclusions from this study states: "In general, hunters favor more non-motorized access over motorized access."

Those respondents who have hunted on federal public land in the past 10 years in Colorado were asked to indicate whether more or less access, or the same level of access, should be provided to federal public lands in Colorado by various modes of transportation (e.g., by foot, horse, ATV). "Access by foot" has the highest percentage saying that *more* access should be provided this way (49%). "Access by horse" also has a relatively high percentage favoring *more* access this way (32%). All three motorized modes of access had the highest percentages saying that *less* access should be provided this way: 70% said that there should be less motorbike access, 56% said that there should be less ATV access, and 29% said that there should be less truck access.

That is, almost all hunters (70%) do not want motorbike access to federal public lands that they hunt! Since hunters are a large and important user group throughout the RWD TMP area, this has to be a key issue when designating use of trails that access hunting areas.

b- CPW data indicates that the herd size and calf:cow ratios are down substantially for GMU 71 (RWD area). Recent CPW data indicates that the number of limited licenses issued in GMU71 for elk have been decreased by CPW for the past 10 years— due to the elk population decrease. But, the elk population is not recovering. (Note: CPW attributes this to low calf numbers. Calf:cow ratios have decreased from about 40:100 to about 30:100 over the same time period.) Also, please see previous discussion on this subject. This will have economic and other effects for the RWD area. This issue is an important economic issue that needs to be addressed as part of this DEIS.

c- An examination of the data on the CPW website produces some interesting and disturbing facts:

i- For all manners of take for elk in GMU71, the total number of hunters has decreased by over 15% in the last 10 years and the total number of recreation days has decreased about 15% over the past 10 years.

ii- As mentioned previously, in the last 10 years, CPW has drastically decreased the number of antlerless licenses in GMU71 from 900 permits in 2005 to 195 permits in 2015 (these numbers are for antlerless rifle permits for the 2nd, 3rd and 4th rifle season in GMU71).

These numbers confirm that there is a problem that needs to be addressed. They also indicate a substantial economic effect – 15% reduction in revenues for any business is a lot. And the loss of over 700 hunters for the RWD area is significant.

18- 3.16 Socio-Economic

a- In section 3.16.2.1 entitled "Incomplete and Unavailable Information", it states: -

“Insufficient information exists to project changes in non-motorized and motorized use that may result following implementation of the alternatives analyzed in this report.”

This is unacceptable. As stated previously in this letter, there is relative user data (NVUM, etc), and there is activity-based data available. This NVUM data allows you to obtain an estimate of the increase in non-motorized users that will occur when user displacement by motorcycles is eliminated, and this user data can then be converted in economic impact using the activity based expenditures given in the next section. For future trends data, one can use the SCORP report. Although not 100% accurate, one can obtain a good estimate of these economic effects. This estimate will provide much better direction for the decision than the subjective “words” or opinions provided in the DEIS. Further information on this is given below.

b- - On page 596 of the Final Environmental Impact Statement for the SJNF LRMP, the following measures of economic impact were given:

- Hunting \$76.71 per recreation visitor day
- Fishing \$98.17
- Viewing Scenery/wildlife \$54.51
- OHV Use \$86.43
- Hiking /Biking \$108.19

This indicates that OHV Use expenditures are comparable to other quiet uses and one can get an estimate of the economic effect by simply comparing the number of users. Therefore, the economic impact of quiet users is 10-20 times larger than motorcycle users in the RWD area (based on 90-95% of trail users are quiet users). Based on \$76.71 per day for hunters, elk hunters alone (21,749 recreation days) have an economic impact of \$1.7 million in the Rico-West Dolores area. Most of the numbers that I see in the local media exceed this number – but the important fact is that it is significant. Also, the economic effect of Outfitters was not included – see below.

c- Data from 1/10/14 List of Outfitter and Guides – Dolores RD (see ref doc 140110 List-Outfitter and Guides Dolores RD.pdf). Listed below is the number of outfitter businesses that service the RWD area.

A - Motorized: Total is 0 outfitter businesses for non-winter use

JEEP/ ATV/ DIRT BIKE TOURS – 1 (roads only – 4X4, no trail use)
(WINTER USE – 3)

B - Quiet Users: Total is 42 outfitter businesses for non-winter use

SUMMER HORSEBACK/TRAIL RIDES - 7

GUIDED FISHING TRIPS - 5

LLAMA PACK TRIPS - 3

SUMMER HIKING, EDUCATIONAL/YOUTH TRIPS/FAMILY – 12

MOUNTAIN BIKE TOURS – 6

MOUNTAINEERING, ROCK/ ICE CLIMBING – 1

HUNTING (ARCHERY, MUZZLELOADER , RIFLE DEER AND ELK-SPRING TURKEY) – 5

LION HUNTS – 3

(WINTER USE – 5)

The Forest Service has numbers on the economic impact of these permittees (I know that this information is confidential but it can easily be hidden in total results or something similar). The number of user days per year permitted for the 42 businesses ranges from 20-100 to over 2000 user days per year. This is a HUGE economic impact.

d- Since the SJNF belongs to all US citizens and the SJNF attracts users from everywhere, it is useful to have some data on national trends in hunting and fishing. The U. S. Fish and Wildlife Service's 2011 National Survey of Fishing, Hunting and Wildlife-Associated Recreation found the number of hunters nationwide increased 9 percent and the number of anglers increased 11 percent over the past five years (see ref doc 1208xx FWS-National-Preliminary-Report2011.pdf). This contradicts the perception of many that hunters/angler numbers are decreasing.

This Survey found **nearly 38 percent of all Americans participated in wildlife-related recreation in 2011**, an increase of 2.6 million participants from the previous survey in 2006. They spent \$145 billion on related gear, trips and other purchases.

Other key findings include:

- In 2011, 13.7 million people, 6 percent of the U.S. population 16 years old and older, went hunting. They spent \$34.0 billion on trips, equipment, licenses, and other items, an average of \$2,484 per hunter.
- More than 33 million people 16 and older fished in 2011, spending \$41.8 billion on trips, equipment, licenses, and other items, an average of \$1,262 per angler.
- More than 71 million people engaged in wildlife watching in 2011, spending \$55.0 billion on their activities.

e- The Roadless Areas are very important to economic growth. (see ref doc 131012 Report-Economy and role of Protected Lands.pdf). This document states that "Economists believe protected federal lands are an important driver of economic growth" and "Across ... the West, protected federal lands ... are associated with higher rates of job growth".

f- A recent research report from the PEW trust entitled "Quiet Recreation on BLM Managed Lands: Economic Report 2014" dated March 2016 has just the type of data that is needed.

See http://www.pewtrusts.org/~media/assets/2016/03/quiet_recreation_on_blm_managed_lands_economic_contribution_2014.pdf

The state fact sheet for Colorado from this report demonstrates a huge economic and jobs related benefit for the state of Colorado – which has total BLM acres that are only 3-4 X as large as SJNF.

19- Section 3.18 Trail Maintenance Feasibility

a- In section 3.18.1.3.3 Layout and Grades, it states: - "Currently, no segments on the Calico North (208) exceed the Short Pitch max grade recommended in FSH1909.18. Other trails are expected to be similar to this example. Therefore, throughout the RWD area, there are some segments slopes require extra drainage structures to control

erosion. However, only the upper end of the Tenderfoot trail was identified as an issue where re-alignment to address grade was needed.”

The data in your Calico Trail File does not agree with this statement. See the report titled “Field Notes Highline Driveway” dated 7/18/1923 which was supplied to me in a previous FOIA request as a document labeled “InventoryFieldNotesHighlineDriveway07181923.pdf”. This report may be old but the data is still valid (most of the rerouting of steep sections that has been done on the Calico trail is in the section on the southern end near Hwy 145). This report lists a number of sections of trail that have grade of 26-29%. The USFS standards list 25% as the short pitch maximum grade for Trail Class 3, which is the TMO classification for Calico trail. Therefore the above statement is incorrect based on your data.

b- Based on the Best Available Science, a grade of 25% is not sustainable. I understand that you only have to meet this type of standard, but do not understand why you would not want to consider compliance with Best Management Practices (BMPs) that will result in a sustainable trail system in considering trail maintenance feasibility.

The designation of trail use should consider Best Management Practices. Since many of the trails designated for motorcycle use violate BMP’s, it seems that they were not considered. I supplied references regarding ORV BMP’s (for one example, see the report I supplied labeled “1208xx Jour Article- ORV BMPs for Forestlands.pdf”). The objectives of these peer-reviewed references are to review recent research on the environmental and social effects of ORVs in forested landscapes, and based upon the best available science, propose Best Management Practices (BMPs) for forestlands to help minimize ORV impacts. The BMPs for ORV management and monitoring in forestlands should help managers provide opportunity for motorized recreation while protecting natural resources”.

A few key ORV BMPs from these articles are:

- Do not locate routes to climb directly up hillslopes. Route grades should be kept to a minimum and not exceed an eight degree (15 %) grade.
- Do not locate routes above treeline or in other high elevation areas that are ecologically significant and/or especially prone to erosion. (emphasis added).
- Locate routes in discrete, specified areas bounded by natural features (topography and vegetative cover) to provide visual and acoustic barriers and to ensure that secure habitat is maintained for wildlife.
- Locate routes in forest cover and not in open country. Long sight lines in open country make the visual effects of machines more pronounced.

It seems to me that having trails and trail use designations that meet BMP’s for motorized travel allows smart, more sustainable management.

c- All of the information in the section on trail maintenance feasibility assumes that the damage done to trails by motorcycles can be alleviated/corrected/mitigated by trail work. This is not a correct assumption and the following issue needs to be addressed in the DEIS.

There are many examples in the RWD area where trail work has been performed and it does not solve the problem. A particular example is the Twin Springs trail – a few years

ago (in response to complaints) the USFS did quite a bit of trail work on this trail where it passes through a riparian/wet area. Boardwalks, turnpikes and flat stones were put in place to provide a path through the boggy area. The motorcycles just ride around the flat stones (through the bog) and destroy the terrain. I have pictures if you want them. The fact that there are many motorcycle riders that do not “do the right thing” has to be considered when designating trail use – and deciding that trail work/etc can address the resource destruction issues.

This problem is confirmed by research. During the Workshops I submitted a number of research articles that address this compliance problem. Excerpts from the review I supplied on Compliance follow:

- Off-roaders often complain that there are only a few bad apples out there that damage the land and ride off-trail. A number of studies prove that this is not the case. See my ref doc 011115 Report-Status & Summary OHV Responsible Riding Campaign.pdf and my ref doc 020118 Report-OHV Uses & Owner Preferences in Utah.pdf
- The first study (011115 Report-Status.....), conducted by Monaghan and Associates, a marketing research firm, at the behest of the Colorado Coalition for Responsible OHV Riding, a coalition of off-road vehicle representatives, environmentalists and public officials. □□ Monaghan and Associates found that the majority of off-roaders understand that staying on designated routes is “fundamental trail etiquette” and that going off trail is not “correct” off-road vehicle behavior. The survey revealed that regardless of this knowledge “as many as two-thirds of adult users go off the trail occasionally.” A significant percentage of riders, 15-20 percent, admitted to frequently breaking the rules and riding off of legal routes often. Survey participants also stated that “others” ride off-route and cause most of the damage.
- In a somewhat similar study (020118 Report-OHV Uses.....), the Utah Division of Parks & Recreation commissioned Utah State University to survey riders who had registered their off-road vehicles in 2000 to determine their “OHV uses and owner preferences.” The Utah report reveals that an inordinate number of riders prefer to ride “off established trails.” Of the ATV riders surveyed, 49.4% prefer to ride off established trails, while 39% did so on their most recent excursion. Of the dirt bike riders surveyed, 38.1% prefer to ride off established trails, while 50% rode off established trails on their most recent excursion. The study found that “one-third of the respondents said there should be more law enforcement presence in OHV” (p. 38, drawing from Table 4.5 on p. 30). Only 6% cited “resource management conservation” as the most important issue affecting OHV use in Utah (p. 40, drawing from Table 4.8 on p. 33).

20- Appendix B – Design Features

a- On p.236 under Trail Layout, it states: - Sections of road or trail may be realigned up to 500 feet on either side of the current trail tread in order to improve trail layout and maintenance.”

If this means that trails can be reconstructed at distances up to 500 feet from the original trail without any NEPA analysis, this is too large of a distance. At this distance from the original trail many resource impacts can be encountered. Without specific reconstruction proposals, this DEIS cannot analyze let alone authorize such reconstruction.

b- On p. 240 under Parking for Dispersed Camping, it states: - “Allow vehicle parking for the purposes of dispersed camping within 300 feet of designated Forest roads and motorized trails.”

This Design Feature specification should definitely eliminate “within 300 feet of motorized trails”. This is a recipe for disaster (and off trail riding) - and there is no need for it (most motorcyclists and ATV riders do not camp while on the trail in the RWD area).” Allowing this to occur is the same as allowing motorcycle travel within a 600 foot band along the path of all motorized trails. Therefore, one can not enforce “stay the trail” because you have permitted off-trail travel up to 300’ from the trail. If this is allowed the DEIS should contain justification of the purpose and need for it, an analysis of impacts, and a means of protecting the resources all along the motorized trails. A good example of the problems that can be caused by this allowance is on Calico trail where it is above treeline in the tundra habitat.

21 –Ensuring that Calico NRT meets the Forest Plan Requirement for consistency with Establishment Report

a- The portion of the Calico trail that is a National Recreation Trail (from northern trailhead south to East Fall Creek trail) needs to meet the requirements of the Forest Plan which states in para 3.11.1 – “Consistent with their designation, the significant scenic, historic, recreation and natural resources for each trail are identified, interpreted, and protected. The values for which these trails were established are retained (emphasis added).”

The establishment report for the Calico NRT stated:

“The Calico Trail receives very light use. (emphasis added). An estimated 300 visitors hike or ride the trail annually. The majority of these are big game hunters during the months of October and November. Approximately 50% of the total use is by horseback. A small amount of trail bike use also occurs along this trail. Little or no change in use, over present conditions, is anticipated as a result of NRT designation.”

Therefore, the travel management decisions for this part of the Calico trail need to retain the values of limited trail bike use.

It does not matter whether or not the Calico NRT establishment report described future use levels. The key point here is that the Forest Plan specifies that the original values for which the trail was established need to be retained. The Calico NRT Establishment document describes the “significant scenic, historic, recreation and natural resources” for the Calico NRT – and anything exceeding “a small amount of trail bike use” does not meet the values for which the Calico NRT was originally established. Also, the Establishment Report stated “*Little or no change in use, over present conditions, is anticipated as a result of NRT designation.*”

How can one conclude that the change that will occur with increasing levels of motorcycle travel do not result in violation of the original values? This needs to be explained in detail.

22 – Comments submitted by CPW are not included in the DEIS

– Colorado Parks and Wildlife (formerly Colorado Division of Wildlife) submitted extensive comments, concerns and recommendations on the previous (remanded) RWDTMP in their scoping letter dated 2/5/08, and their EA comment letter dated 6/5/09. Note that you informed us that comments submitted for this previous TMP would be considered in the current redo. CPW also submitted a comment letter on the current project. They raised many issues that should be considered – and provided extensive reasons for their thoughts. Your Alternatives do not address many of their issues. Since wildlife and wildlife habitat are critical parts of the Travel Management process, I think that the input from the group responsible for managing the wildlife should be acknowledged and addressed.. CPW has extensive field knowledge that can help us in this project. Examples of their comments are that many of the trails should be closed to motorized use (Calico and some of the connecting trails, Bear Creek and it's connecting trails, Roaring Fork, etc) – this information should be presented in the DEIS as a “qualified source”.

23– Wildlife Viewing needs to be addressed in 3.13 Recreation

Quiet users want to be able to see wildlife everywhere that they travel – not just in the meadows. In fact, more wildlife is seen during the day in the woods, where there is cover. Motorcycle noise and presence “teach” the wildlife to stay away from the trails. The DEIS does not address this issue on a comprehensive basis – and it is a huge issue. I never see game near the trails when motorcycles have been using the trail – even if it was a couple of days previously. USFS research (25 year Starkey project) concludes that motorized travel displaces elk 0.5-1.0 mile from the trail - depending on terrain/openness/etc. NVUM data states that 58% of SJNF visitors participate in wildlife viewing. As indicated in the references that I supplied, more than 71 million people engaged in wildlife watching in 2011, spending \$55.0 billion on their activities (in the USA). And, nearly 38 percent of all Americans participated in wildlife-related recreation in 2011. If we continue to drive this wildlife to their “security areas” (as motorcycle travel does), we will not see or appreciate them as much.

The effect of the different Alternatives (different levels of motorized trail activity) on wildlife viewing needs to be evaluated.

24- 3.17 Colorado Roadless Area Characteristics

a- Quiet users highly value the Colorado Roadless Areas (CRAs). Roadless areas are quiet except for the possibility of motorized travel on the trails. They should not be bisected by single-track motorized trails.

b- The Forest Plan has requirements for managing the Roadless Areas. On p.12 of the ROD for the LRMP it states:

“I have followed a similar line of reasoning in identifying “core undeveloped areas.” These lands have long served as refuges for wildlife, conservation areas for rare or uncommon plants and plant communities, reference areas for research activities, and sanctuaries to

which humans can retreat from the sights and sounds of modern life. These lands also provide for less-tangible amenity values such as clean air, clean and dependable water, tremendous scenery, and the simple knowledge that such areas exist for current and future generations. It is my decision to continue to manage these areas for these purposes, and in some cases add to this network of undeveloped lands, which are primarily comprised of MA 1 areas, Research Natural Areas, recommended Wilderness areas, the Piedra Area, Wilderness areas, and Colorado Roadless Areas.

I want to stress the importance of these undeveloped areas in our habitat management responsibilities. Much of the management direction in the LRMP revolves around a “Sustainable Ecosystem Strategy” that was developed to ensure the continued diversity and viability of species on the San Juan NF, and “protected areas” play a key role in maintaining the biological diversity that vegetation and wildlife species depend on. The terrain, variety of well-functioning ecosystems, and historical patterns of use of the San Juan NF, combine to present a great opportunity to balance the many commodity-based and amenity-based public demands.”

The RWD area contains extensive “protected areas” that are referred to in the above paragraph – these include six Colorado Roadless Areas, two Upper Tier Colorado Roadless Areas (Ryman and upper Bear Creek), Recommended Wilderness areas (upper Bear Creek), and Wilderness Areas. (see figure 2.1.1 on p. 18 of the LRMP). As stated on p.14 in the LRMP:

“Management objectives for protected areas on TRFO and SJNF lands include:

- Preserving habitats, ecosystems, and species in as undisturbed a state as possible;
- Conserving the area’s biodiversity through protection, not through active management;
- Ensuring the integrity of its ecosystems; and
- Maintaining established ecological processes.”

Therefore, the LRMP states that wildlife and wildlife habitat in these “core undeveloped areas” need to be protected. This includes protecting them from degradation from motorized travel.

c- The noise and impacts of motorcycle travel do not “preserve habitats, ecosystems, and species in as undisturbed a state as possible”. It is certainly possible to eliminate the noises of motorized activities in these CRAs. CRAs comprise only 12% of the Dolores District of the SJNF. Examples of trails that bisect CRA’s and destroy habitats, ecosystems, etc are Johnny Bull, Calico, Eagle Peak, Stoner Mesa, East Fork, Priest Gulch, Bear Creek, Little Bear, Rough Canyon, Grindstone, etc – just about all of the motorized trails in the RWD area.

25- Section 3.19 Administration and Enforcement

a- On p.195 it states: - “Illegal cross-country travel is relatively low currently on single-track trails as most riders stay on the trails.” This statement needs data to support it, or it should not be said. Based on my observations, this is not correct (I spend approximately 3 days per week on the trails in the RWD area (for every week that snow is not closing the trail). Almost every day (greater than 80% of the days), I see illegal travel by motorcycles – either off-trail or on non-motorized trails, including during seasonal closure periods. I have sent you emails about this on numerous occasions. The comments file for this

project contains many examples of non-compliance. Research papers that I have supplied to you document the compliance problem (see below). Again, the users of the RWD area are the same users that are riding in the NVUM researched areas – the RWD area is not an isolated island for public land usage that has a group of users that is different from other areas. We need to believe the peer-reviewed, high quality research - and not value the opinions of a few above it. (Regarding the usage issue - the only thing that is unique about the Calico area is that it has above treeline motorcycle trails. All the other national forests in Colorado have closed these above treeline trails to motorcycle travel. And for good reasons - due to resource concerns they are not suitable for motorized travel. Since we are the only place that does not recognize this lack of suitability, our above treeline trails see increased motorcycle travel and displacement of quiet users. This must be reversed.)

b- In your environmental analyses, the analysis of the environmental consequences of law enforcement relies heavily on signing, maps, education, limited enforcement, etc. This is great, but it does not work. Recent research has proven that information and education per se – will not result in substantial behavioral change.

Many public land managers grappling with a history of cross-country travel and resulting recreation impacts and conflicts assume that ORV route designation will lead directly to greater compliance. Specifically, some believe that ORV riders will quit making unauthorized routes once more routes are designated open and riders are educated as to where they can and cannot ride.

Off-roaders often complain that there are only a few bad apples out there that damage the land and ride off-trail (local motorcyclists claim that it is only a minor problem in our area) and, in fact, the DEIS states that this is not much of a problem in our area. Field observations confirm that it is a problem in our area – we see motorcycle tracks going over a mile into Lizard Head Wilderness, motorcycles riding around water dams, cross-country motorcycle riding, motorcycle riding on non-motorized trails, see Sockrider Facebook video, etc. User research verifies that this is a problem. See my ref doc 011115 Report-Status & Summary OHV Responsible Riding Campaign.pdf and my ref doc 020118 Report-OHV Uses & Owner Preferences in Utah.pdf. These reports were also discussed above in section 19. These reports are from OHV organizations. This research was performed with the same users that ride in our area.

Please see section 19 above for information on the applicable research. The first study (011115 Report-Status.....), conducted by Monaghan and Associates, a marketing research firm, at the behest of the Colorado Coalition for Responsible OHV Riding, a coalition of off-road vehicle representatives, environmentalists and public officials funded by the (former titled) Colorado Division of Parks that dispenses OHV license fee trail grant funds. Researchers surveyed Colorado off-road vehicle riders through a series of three focus groups. The key conclusion of the Colorado study: “information and education per se – will not result in substantial behavioral change” (emphases in original).

The Utah report (020118 Report-OHV Uses.....), reveals that an inordinate number of riders prefer to ride “off established trails. Of the dirt bike riders surveyed, 38.1% prefer to ride off established trails, while 50% rode off established trails on their most recent excursion. When surveyed on issues affecting OHV use in Utah, survey respondents

recognized the need for enforcement but not the need for protection of the natural resources where they ride, further throwing into question the assumption that ORV riders will stay on-route if educated that this is the rule. The study found that “one-third of the respondents said there should be more law enforcement presence in OHV” (p. 38, drawing from Table 4.5 on p. 30). Only 6% cited “resource management conservation” as the most important issue affecting OHV use in Utah (p. 40, drawing from Table 4.8 on p. 33).

You cannot regulate desire. These two studies show a pronounced desire among off-road vehicle recreationists to ride off of designated routes. The findings of these two studies suggest that even if the “demand” for more off-road vehicle riding opportunities is met, riders will continue to fulfill their preferences by riding “off established trails.” The likelihood of such undesirable, illegal, and damaging behavior is predictable. This problem is compounded when forests designate dispersed route networks that are inherently impossible for the cash-strapped, understaffed agency to monitor, maintain, and enforce. The signs of such historical behavior across the RWD TMP area are rampant. The only good news is that the RWD terrain has extensive spruce forests that are full of blow-down and impossible to motor through – this will keep down cross-country travel somewhat.

The difficult question for the USFS is to determine what to do about this issue. It can not be ignored. Instead of relying on protecting or expanded motorized riding opportunities and education, forests need to designate off-road vehicle route networks that they can sustain and enforce. This can be partially accomplished by careful designation of motorized trails in areas that provide limited access to off-road riding (thick forests, etc), and non--designation of trails for motorized use that provide potential access to sensitive areas and non-motorized trails that motorcyclists will want to ride on. Second, national forests need to aggressively enforce rules that limit the machines to route networks if they really expect compliance.

The above results demonstrate the need for law enforcement as the only effective means of controlling the environmental consequences of off-trail motorcycle use and motorcycle use of closed trails. This requires an analysis of the resources available to enforce the permitted travel. At present, the DPLO has one enforcement officer for 1,034,426 acres – therefore there is 24% of one person for enforcement in the Rico-West Dolores area. It is clear to us that you do not have the resources to enforce the rules that are in place today (which may be less restrictive than those that will result from the TMP). To deny the need for increased law enforcement presence and law enforcement budgets is to accept the failure of the new TMP.

The provisions of 36 CFR 212.55 require an analysis of the availability of the resources available to administer the TMP and a plan to ensure success.

26 – The Forest Plan Requires Meeting the Requirements of the Rico Special Area When Designating Trail Use

a- All of the Alternatives do not meet all of the requirements of the Rico Special Area. The Desired Conditions for the Rico Special Area in the LRMP state:

3.27.4 Trails accessing SJNF-administered lands from within town boundaries emphasize non-motorized recreation modes in order to emphasize the community's quiet-use character.

3.27.5 Restoration and preservation of the natural space, beauty, and terrain of the area is recognized as the principal resource asset to the town.

3.27.6 Undeveloped areas and CRAs on SJNF-administered lands near and/or around Rico provide quality elk and other large game habitat and wildlife corridors. These areas also provide quality hunting and wildlife viewing, as well as pristine backcountry non-motorized recreational experiences.

3.27.7 Undeveloped and Roadless areas on SJNF-administered lands near and/or around Rico continue to provide habitat for wildlife and contribute to the sustainable reintroduction of the Canada lynx.

b- The boundaries of Rico Special Area are given in Figure 3.27.1 of the SJNF LRMP. A close examination of the area clearly shows that the western boundary of the Rico Special Area is the ridgeline that contains the Calico Trail. Figure 2.1.1 shows that the upper portion of the Rico Special Area is a Colorado Roadless Area (CRA). Small portions of the Upper Calico trail are in the Rico Special Area and substantial portions of the Calico trail are adjacent to the Rico Special area – therefore, they should be non-motorized per the above Desired Conditions for the Rico Special Area. An even stronger case for the non-motorized status of these portions of the Calico trail is that it lies within a CRA at these locations. According to 3.27.6 (above), these areas provide quality hunting and wildlife viewing, as well as pristine backcountry non-motorized recreational experiences. The LRMP therefore requires that this section of the Calico trail be non-motorized.

c- The Burnett Creek trail clearly lies within the boundaries described in the above paragraph. It lies within the boundaries of the Rico Special Area and it lies within a CRA. For the same reasons given above, this needs to be a non-motorized trail.

d- The upper portions of Wildcat trail and Horse Creek trail also lie within the boundaries described above. Therefore, they need to be non-motorized.

27- Comments on the Alternatives – General

a- In the Executive Summary of the DEIS you state: - “This DEIS does not identify a preferred alternative. The public is encouraged to comment on the individual aspects of each alternative.” Also, in the cover letter you stated: - “Commenters are encouraged to be as specific as possible about the actions proposed and about specific areas on this landscape.” Therefore, I have decided to use a comment format based on the Specific Alternative descriptions for the sub-areas - given in section 2.2.3. I think that this meets your desires and provides an excellent methodology to discuss the proposals within each Alternative.

b- Many of the comments in the above paragraphs discuss information on the environmental consequences of the various Alternatives. I presume that you will address all of these previously mentioned issues. This information will not be presented again unless it is particularly pertinent to the area or trail.

28- Alternative Comments - Sub-Area 1 – Lone Cone, Groundhog Point, Fish Creek, and Willow Divide Area

a- The permanent road and trail closures, etc. that occur with Alternatives B, C, D, E make these Alternatives preferable to Alternative A. You should seriously consider closing all of the FR534 system to provide wildlife habitat connectivity. The area to the north of the FR534 system in the Uncompahgre NF is roadless and the Lone Cone State Wildlife Area to the west has an extensive roadless area. Closing the FR534 system would provide a large unroaded habitat for wildlife and would provide important connectivity. The creation of two OHV loops in Alternative C decreases secure wildlife habitat, so it should be rejected.

29- Alternative Comments - Sub-Area 2 – Winter Trail, East Fall and West Fall Creek Trails, and NFSR471

a. - Decommission the ML1 road FR471A (Eagle Creek A) for 0.68 miles is good and needed.

b- All the other Alternatives are better than Alternative A.

c- Alternative E is the only Alternative that meets the minimization goals of the TMR and the requirements of the Forest Plan – see previous comments. This preserves excellent wildlife habitat and provides needed habitat connectivity and so minimizes impacts to wildlife. The East Fall and West Fall Creek drainages are the only main drainages to the northwest of the Calico trail for a considerable distance – they should be protected from motorized use top to bottom, not just above Eagle Peak Road. East Fall Creek trail is in meadows for a substantial portion of the trail (exposing it to more noise with motorized travel). Also, the meadows along the East Fall Creek trail are used by big game a lot. See Desired conditions/standards/guidelines/objectives from the Forest Plan and TMR minimization info – listed above

d- There is a need to respond to quiet user desires for a fully non-motorized trail to access the Calico trail and associated high-country (Sockerider Peak trail, etc) from FR471 and the northwest, connect with the Winter trail, etc. NVUM data for the SJNF indicates that there are at least 10X more “quiet users”. The Johnny Bull trail (in sub-area 5 below) also provides this linkage for a longer hike.

30 – Alternative Comments - Sub-Area 3 – Taylor Mesa, Stoner Mesa, Spring Creek, East Twin Springs and West Twin Springs

a- It is a good idea to allow motorcycle travel on the Spring Creek (627) single track trail which will create a connection from Stoner Mesa to the Taylor Mesa road system. This connection provides substantial additional loop opportunities for motorcycle users. Therefore, we support the Spring Creek trail and FR547 Actions in Alternatives C, D, and

E – if this corresponds to a favorable decision on the non-motorized status of trails in other areas.

b- Adding motorcycle use to Loading Pen trail (738) in Alternatives C, D, and E is acceptable if it is necessary to provide enough loops for motorcycle travel to protect other areas from having motorcycle travel. I don't understand the advantage of this since Taylor Mesa road is not far down Hwy 145 – but it provides another loop. The Loading Pen trail is very steep and rocky in places and it will require a lot of work to make it sustainable. I know that the motorcycle enthusiasts have desired that this trail be motorized, but I doubt if many of them have ever hiked this trail and assessed the conditions.

c- Allowing motorcycles on West Twin Springs Trail (739) and on Stoner Creek trail from Spring Creek trail to West Twin Springs trail is needed to provide the link discussed in section a above.

d- East Twin Springs Trail (741) should be non-motorized. The primary use of East Twin Springs trail is to get to Eagle Peak Trail via a one mile distance on East Twin Springs trail and another one mile on Stoner Creek trail (625). This route intersects the Eagle Peak Trail about 1 ¼ mile up the Eagle Peak Trail from the trailhead at the end of FR686. A motorcycle rider can also get to the trailhead for the Eagle Peak Trail by riding one mile on FR686 past the East Twin Springs trailhead on to the trailhead for the Eagle Peak Trail. That is, the motorcycle rider gets to ride about the same distance of single-track trail on both routes. The closing of East Twin Springs Trail provides a large benefit for resource protection and habitat preservation. There is excellent wildlife habitat along the East Twin Springs Trail and in the upper Stoner Creek drainage (see below also). A study of this habitat is needed before continuing motorized use on the East Twin Springs trail and the upper part of Stoner Creek trail. The East Twin Springs trail has extensive wear and resource damage issues – it passes through a few wetlands that have received extensive resource damage.

One might argue that closing East Twin Springs Trail to motorcycles eliminates a loop. However, almost no one on motorcycles rides the short loop consisting of the East Twin Springs trail and the West Twin Springs Trail – both present and projected future usage data is needed to justify this short loop.

e - Stoner Creek trail from West Twin Springs trail to Eagle Peak trail (629) does not need to be motorized to provide the connection and should be non-motorized. This provides a connection to Taylor Mesa, but protects the upper Stoner Creek wildlife habitat. Very few, or no, motorcyclists currently ride the Stoner Creek trail between the West Twin Springs trail and the East Springs trail – and this portion of the trail is in a beautiful valley that is excellent wildlife habitat. The Stoner Creek trail between the West Twin Springs trail and the Eagle Peak trail passes through large meadows (some with beaver ponds) and excellent wildlife habitat - make it non-motorized. The Eagle Peak trail should be non-motorized for many reasons (also see below) - wildlife, unsustainable trail maintenance, ridgeline noise, extensive existing resource damage, etc

31- Alternative comments - Sub-Area 4 – Priest Gulch, South Calico, Tenderfoot, and Wildcat Area

a- The Trail Actions for Alternatives B, C, D, E that include motorcycle use on Priest Gulch Trail and South Calico Trail and no motorcycles on Wildcat trail are acceptable. Priest Gulch Trail and South Calico Trail provides an excellent loop with good trailhead facilities. And, it connects to the Stoner network for extensive loops and long rides (with little backtracking).

b- Trail Actions in Alternative C only to add motorcycle as a managed use to the Tenderfoot Trail is a bad idea. This is excellent wildlife habitat and the lower portion is used by hunters a lot. As stated in the DEIS, this trail needs a lot of work to make it motorized, and even after that work it will not be sustainable. Have you tried to hike the entire length of this trail up to Calico? It is almost impossible to follow in its present condition.

32- Alternative Comments - Sub-Area 5 – North Calico NRT, Johnny Bull, Eagle Peak Trails

a- The Trail Actions for Alternatives B, C, D, and E to (1) Add a bridge where Johnny Bull Trail crosses the West Fork of the Dolores River; and (2) Add Sockrider Trail to the Forest trail system as a non-motorized trail (This trail parallels the Calico Trail around Sockrider Peak) are good proposals.

b- The Trail Actions for Alternatives B, C, D, and E to reroute a portion of Johnny Bull Trail so that it does not cross private land may be a good proposal if you also solve the Calico trail trespass problem that occurs just north of the intersection of the Johnny Bull trail with the Calico trail. If this is not solved, the stated advantages of loops to the northern parts of Calico and other trails can not be enjoyed, so there is much less justification to have Johnny Bull trail as motorized (The landowner will allow non-motorized travel and a non-motorized Johnny Bull trail does not have to be rerouted). Note: There are many other reasons that Johnny Bull should be non-motorized – see other parts of these comments).

b- The Trail Actions for the northern most 4 miles of the North Calico NRT for Alternatives B, C, D, and E contain many issues. Many of these issues have been discussed in the previous sections that comment on the Environmental Consequences or the requirements of the TMR, the Forest Plan, the Rico Special Area, etc. I think that it is clear that the only Alternative that will meet all of the LRMP Desired Conditions (and the TMR minimization criteria) is Alternative E. Therefore, I support Alternative E and reject the other Alternatives.

c- The Trail Actions under Alternative E to remove motorcycle as a managed use on the portion of the Calico NRT from the North Calico Trailhead to the intersection with Eagle Peak Trail; remove motorcycle use from all of East Fall Creek Trail and from West Fall Creek Trail; and remove motorcycle use from the Johnny Bull Trail are excellent and need to be implemented. Managed uses for these trails would be Pack and Saddle, Mountain Bike and Hiker/Pedestrian. The issues that will determine the use designation of these trails have been discussed in the previous sections that comment on the Environmental Consequences or the requirements of the TMR, the Forest Plan, the Rico Special Area,

etc. The only Alternative that will meet all of these conditions (especially the TMR minimization criteria) is Alternative E. Therefore, I support Alternative E and reject the other Alternatives.

d- There needs to be a Trail Action to make Eagle Peak trail non-motorized. This trail is on steep ridgeline overlooking Johnny Bull drainage, one can hear motorcycle noise down to West Dolores Road, it is non-sustainable, and it has extensive resource damage issues. We have talked a lot about this trail so you probably know the issues well. I previously sent you a set of pictures documenting the poor condition of this trail. You have attempted to repair some of the areas, but the repair has made it worse. If this trail is non-motorized, you need to reduce the motorized section of Calico trail in Alternative E

e- Since the Calico trail passes through alpine tundra habitat, a SJNF expert report that provides an assessment of the SJNF Alpine Tundra Habitat should be considered in the designation of users for this trail. This report is available as "0211xx Report-K Nickell SJNF Alpine habitat Assessment.pdf" in the documents that I provided during the workshops.. The map in the report includes the alpine areas in the RWD area – this indicates that this report applies directly to the Calico trail. This report states - "The non-Wilderness alpine areas have the potential to become a motorized playground. Motorcycles, jeeps, and all-terrain vehicles (ATV's) have the potential to alter a community of plants completely to mineral soil in a matter of minutes. The capacity to recover or allow the community succession to start from the beginning may take decades or even centuries just to get started. Then more decades to develop if left undisturbed. Many of the disturbed sites are on steep slopes, allowing erosion to cut deeper ruts into the soil or bedrock deteriorating the site continuously into the future." The report further states "However, the dramatic recent (since 1980) increase in number of recreationists along many designated motorized routes has probably increased impacts in some localized areas along these preferred motorized routes and will have to be considered in future management".

The above conclusions must be considered in the light of existing data on motorcycle users – see previous information presented on compliance where it states – "The survey revealed that regardless of this knowledge "as many as two-thirds of adult users go off the trail occasionally." A significant percentage of riders, 15-20 percent, admitted to frequently breaking the rules and riding off of legal routes often." That is, allowing motorcycle usage on trails in alpine tundra habitat will lead to substantial resource damage off the allowed trails due to the non-compliance of the motorcycle riders (which is verified by research).

33- Alternative Comments - Sub-Area 6 – Burnett Creek, Horse Creek, and the Town of Rico

a- The Trail Actions for Alternatives B, C, D, and E to remove motorcycles as a managed use from Horse Creek Trail is good.

b- Burnett Creek Trail - The Trail Action for Alternative B only, to remove motorcycles as a managed use from the Burnett Creek Trail is the only action that will meet the requirements of the Rico Special Area – see previous comments on the Rico Special Area

and trails in that area. The Trail Actions for Alternatives C, D, and E to construct a new trail (that allows motorcycles) south from NFSR422 to connect to the new (proposed) Rio Grande Southern Trail and down to the Montelores Bridge may appear to be appealing because it solves a number of high profile issues raised by the motorcycle community. I do not agree that these “high profile issues” are valid or would be justified by real data. The safety issues cited (need an escape route from ridgeline) can be solved by getting down off the ridge in a number of locations. The need for gasoline is manageable in many other ways. The economic benefits to Rico are overestimated, and, in fact, may provide less of an economic benefit than that provided by the non-motorized users that have been displaced from this area. A sound economic study that considered the numbers of non-motorized users that would normally recreate in the area (based on NVUM data, etc) may conclude that having Burnett Creek trail motorized is reducing the economic benefit to Rico. We need decisions made on facts, not opinions and unsupported statements.

34 – Alternative Comments - Sub-Area 7 –Barlow Road and East Fork Creek Trail

a- The Trail Actions for Alternative E to remove motorcycles as a managed use on East Fork Trail is excellent. This trail runs parallel to a motorized road and there is no need to have both of them motorized. Also, this trail is right next to the Grizzly Peak RNA and we should protect the solitude, etc. of this area. The situation for this trail is the same as that for the other trails (like Johnny Bull, Calico North, Bear Creek, etc) that bisect large parcels of roadless areas, excellent wildlife habitat, etc. A proper environmental analysis addressing the issues pointed out in the previous sections to which the TMR minimization criteria must be applied will make this decision in favor of Alternative E.

35 – Alternative Comments - Sub-Area 8 – Ryman Creek, Lower Ryman, Scotch Creek, and NFSR564

a- The Trail Actions Common to Alternatives B, C, D, and E to remove motorcycle as a managed use on Ryman Creek Trail and decommission a section of the Upper Ryman Creek Trail are very good.

36 – Alternative Comments - Sub-Area 9 – Bear Creek, Little Bear, Grindstone, Rough Canyon, and Hillside Drive

a- The Trail Actions Common to Alternatives B, C, D, and E for adding the existing Little Bear Pack Loop Trail (1.73 miles) and Pack Connector (0.52 miles) to the system as non-motorized trails and changing the end of the Grindstone Trail (0.27 miles) to a non-motorized trail where it intersects with the Colorado Trail so that a motorized trail does not ‘dead-end’ at a non-motorized trail are good.

b- The different Trail Actions for each of the Alternatives for the Bear Creek Drainage Trails are described in Table 2-20 on p. 47 of the DEIS.

The issues that will determine the use designation of these trails have been discussed in the previous sections that comment on the Environmental Consequences or the requirements of the TMR, the Forest Plan, etc. Alternatives D and E which remove motorcycle use from Bear Creek, Gold Run, Grindstone, and Little Bear trails entirely are the only two Alternatives which will meet these needs and requirements. In addition to the information supplied in the previous sections, see the next paragraphs.

c- There is a lot of demand for quiet use on the Bear Creek Trail past the first four miles. Many anglers that desire a non-motorized experience fish between the Gold Run trail and the Grindstone trail – they access Bear Creek via the Gold Run trail and fish in the surrounding area. There is an extensive list of quiet-use outfitters that use this section of the Bear Creek trail that is more than 4 miles from Hwy 145. Many bicyclists ride a loop up Hillside Drive and down Grindstone trail and Bear Creek trail. Horse riders like to ride down Gold Run trail, up Bear Creek and do the Grindstone loop. There also are a significant number of backpackers that hike/camp in upper Bear Creek. A popular hike for locals is Sharktooth trailhead – Bear Creek trail – Gold Run Trail to Gold Run trailhead (with a car left at both trailheads).

d- The entire Bear Creek drainage is superb wildlife habitat and provides connectivity between the Animas River drainage and the Dolores River drainage. See Desired conditions/standards/guidelines/objectives from the Forest Plan – listed above.

e- Bear Creek drainage upstream from Little Bear trail is especially good wildlife habitat which needs to be considered in this analysis.

f- Bear Creek trail is adjacent or within Recommended Wilderness area in the Forest Plan and also lies within an Upper Tier CRA.

g- There are extensive “layout issues” with the Little Bear trail and the Rough Canyon trail that will require extensive rerouting, not just continued work. Rerouting of these trails was not discussed in the DEIS. They are very steep with large “steps”. The Obstacles and protrusions on these trails do not meet the specifications in FSH 2309.18. These trails are not sustainable. Data and facts are needed here. Motorcycle users state that they need to ride downhill on both of these trails. Therefore, these two trails do not provide a connection between Haycamp Mesa and destinations to the west and north. We need data on the number of motorcycle users that make a connection between Haycamp Mesa and areas in the RWD landscape. My observations are that there are very few. Also, need to consider the excellent wildlife habitat in Rough Canyon.

h- The Grindstone trail is not sustainable to motorcycles where it switchbacks its way up the mountain from Bear Creek. This trail lies at the boundary of a Recommended Wilderness area in the Forest plan and the boundary of an Upper tier CRA. It also passes through a huge hillside meadow that is visible from the Colorado trail. This huge meadow that the Grindstone Trail passes through is great forage for big game and should be protected.

i- Many safety issues with motorcycles on Bear Creek trail have been reported because some portions of the trail allow high speeds (trail is flat and mostly dirt) and there are “blind encounters”.

j- The entire Bear Creek drainage is roadless, unique, and pristine. Protecting this type of environment needs to be a priority.

k- Regarding the desire to “provide connections for motorcycles from Haycamp Mesa to the Rico-West Dolores road system”, you should obtain data on how much this is really needed and how much it would be used in the future (vs. the benefits of protecting Bear Creek). At present, there is almost no use of this type of travel plan by motorcycles. It does not provide a loop and requires a lot of backtracking, Bear Creek trail is flat and not challenging, going uphill on the Little Bear trail is extremely difficult and requires walking/lifting the motorcycle, non-licensed motorcycles (which comprise almost all of them due to the highly technical nature of some of the trails) cannot access the trails on the west side of Hwy 145, etc.

l- Hillside Connector trail should remain as it is now - non-motorized. This trail is in prime wildlife habitat, is in a wildlife connectivity area, is extensively used by quiet users that do not want motorcycle noise, runs near fens, provides quiet user access to the Colorado trail, etc. There are also safety issues for this trail. Also see above information on fens, wetlands, etc near or crossed by this trail. More study and data is needed to decide on the suitability of this trail for motorized use.

37- Comments on Proposed Timing Restrictions for Motor Vehicle Use of Trails, by Alternative

a- The timing restrictions by Alternative are given in Table 2-3 on p.30.

The final decision should allow for all motorized travel to occur from July 1 to September 8, similar to that specified in Alternative B. For simplicity, ease of communication and enforcement, resource protection, etc. the seasonal closure dates for motorcycles and ATV/UTV should be the same for all motorized trails in the RWD TMP. The most restrictive seasonal Closure date, from Sept. 8 to July 1, should be applied to all motorized trails, but most critically this should absolutely be applied without variance in the highest elevation, wettest, elk production-intensive zones. Small latitude should be applied for Ranger adjustment of the closure dates in other zones, with bookends such as not more than one week without more public comment.

b- These timing restrictions are the result of many items discussed in the sections on Environmental Consequences, Forest Plan direction, TMR minimization requirements, etc. In order to satisfy all of these requirements, the trails need to be closed to motorized travel until July 1 and after September 8. Refer to previous comments and information in the DEIS on: elk calving season, closure during wet trail periods, wetlands protection, closure during hunting seasons, user conflict (including hunters), trail maintenance, Quality recreation experience, minimization, etc.

38- Additional discussion on the Requirements of the TMR

Subpart (b) of the Travel Management Rule (TMR) requires that, in designating National Forest System trails and areas on National Forest System lands, the responsible official shall

consider effects on the following, with the objective of minimizing:

- (1) Damage to soil, watershed, vegetation, and other forest resources;
- (2) Harassment of wildlife and significant disruption of wildlife habitats;
- (3) Conflicts between motor vehicle use and existing or proposed recreational uses of National Forest System lands or neighboring Federal lands; and
- (4) Conflicts among different classes of motor vehicle uses of National Forest System lands or neighboring Federal lands.

In addition, the responsible official shall consider:

- (5) Compatibility of motor vehicle use with existing conditions in populated areas, taking into account sound, emissions, and other factors.

36 C.F.R. § 212.55(b).

a- A legal decision dated 1/4/13 on Travel Management in the Stanislaus National Forest (see United States District Court, Eastern District of California, Central Sierra Environmental Resource Center v. US Forest Service, Civ. No. S□10□2172 KJM□AC) verified the need for the Forest Service to comply with the TMR minimization criteria. The issues in this case are very similar to the issues present in this Project, so I will briefly review this case (in the next five paragraphs).

In the referenced Stanislaus National Forest case, both sides agreed that the Forest Service must “consider both the need for recreation access and the need to minimize environmental damage” and “that Subpart B does not require the Forest Service to eliminate environmental damage entirely.” (see Order p. 19). However, disagreement arose on what “having an “objective” to minimize environmental damage means” and whether the Forest Service must take “affirmative steps to do so.” (see Order p. 19)

After a brief summary of recent case law interpreting the minimization criteria of the TMR, the court concluded that:

“This court reads the language of Subpart B ***as imposing an affirmative obligation on the Forest Service to actually show that it aimed to minimize environmental damage when designating trails and areas.*** While the final outcome of the Forest Service’s designation process may not necessarily minimize environmental damage to the greatest extent possible, the Forest Service ***must show that it satisfies the objective of minimizing environmental impacts. This means the Forest Service must do more than merely consider those impacts.*** (see Order p. 20 (emphasis added)).

The Forest Service claimed that its NEPA analysis was sufficient to meet this showing of minimization, citing specifically to several tables disclosing impacts from trail designations and a conclusory statement in the ROD that the decision minimized impacts. Plaintiffs provided citations to the record supporting their argument that the Forest Service failed to do anything more than provide a cursory review of impacts, and did not take the next step to show how those impacts were minimized.

The court found that “the Forest Service has not made the required showing that it minimized environmental impacts as required by the TMR.” The opinion goes on in detail about why NEPA analysis, by itself, is not necessarily sufficient to meet the showing of minimization required by the TMR:

“Unlike NEPA, which requires agencies to assess environmental consequences of their decisions but does not obligate agencies to take actions that minimize those consequences, the TMR requires the Forest Service to aim to minimize environmental damage when designating routes (emphasis added). The Forest Service has not explained how satisfying the procedural requirements of NEPA through the EIS analysis meets the substantive requirements of Subpart B of the TMR, nor pointed to any specific parts of the EIS that sufficiently demonstrate its application of the minimization criteria. Contrary to the Forest Service’s arguments, this is not an instance in which the court must defer to the Service’s technical expertise in analyzing the best way to minimize environmental damage in designating routes.” (see Order p.23)

The court found that the Forest Service did not demonstrate a link between the NEPA assessment on mitigation of impacts and showing that the data was used to minimize environmental impacts. Conclusory statements made in the ROD were not enough to meet this obligation. (see Order p. 23-24) The court relied heavily on the earlier decision on the Salmon-Challis that found the Forest Service analysis insufficient to show a minimization of impacts.

b- The need to satisfy the minimization criteria articulated in Executive Orders 11,644 and 11,989, and in subpart (b) of the Forest Service’s travel management regulations is supported by the following recent Court ruling. On March 11, 2015, U.S. District Court Judge Lodge, in the District of Idaho, ruled that the Forest Service’s 2011 travel management plan (TMP) for the Clearwater National Forest was flawed in a number of respects and sent the plan back to the agency. *Friends of the Clearwater v. U.S. Forest Service*, No. 3:13-CV-00515-EJL, Memorandum Decision & Order (Mar. 11, 2015). Judge Lodge’s decision stated that the Forest Service must do more than simply consider the executive order minimization criteria in its travel management decisions. Rather, the agency must actually apply the criteria and implement them into its decisions by selecting routes with the objective of minimizing resource damage and user conflicts – and it must explain in the administrative record how it did so. See p. 31-32. Based on the record, the Court concluded that the Forest Service “failed to demonstrate how it selected motorized routes ‘with the objective of minimizing’ their effects.” See pages 33, 37. Importantly, the Court rejected the Forest Service’s approach that travel management decisions minimize impacts as long as they are consistent with forest plan standards, goals, and objectives, and otherwise comply with the law. See p. 33-34

c- The above discussed decisions adds to the growing body of cases overturning travel management plans for failure to “minimize”. In the past four years, federal courts have repeatedly invalidated travel management decisions for failure to correctly apply the criteria to minimize resource damage and user conflict when designating ORV areas or trails.

Additional examples are:

- *Idaho Conservation League v. Guzman*, 766 F. Supp. 2d 1056, 1071-74 (D. Idaho 2011) (record did not reflect whether or how Forest Service applied minimization criteria in travel plan for Salmon-Challis National Forest)
- *The Wilderness Society v. U.S. Forest Service*, No. CV08-363-E-EJL, 2013 U.S. Dist. LEXIS 153036, at *22-32 (D. Idaho Oct. 22, 2013) (remanding travel plan for portion of Sawtooth National Forest where agency relied on unsupported conclusion that route closures and elimination of cross-country travel minimized impacts)

- *Wildlands CPR v. U.S. Forest Service*, 872 F. Supp. 2d 1064, 1081-82 (D. Mont. 2012) (Forest Service failed to apply the minimization criteria at the route-specific level for designated snowmobile routes in Beaverhead-Deerlodge National Forest)

d- The DEIS for this RWD TMP needs to meet this TMR requirement. The Forest Service has an obligation to minimize environmental damage when designating trails and areas. As discussed in the above referenced cases, considering the impacts of these designations is not sufficient. The TMR requires the Forest Service to aim to minimize environmental damage when designating routes and areas.

39- Methodology for performing the analysis in this DEIS

In a 6/3/16 meeting with Padilla, Kill, Messinger, we discussed the minimization requirements of subsection b of the TMR. Mr. Padilla said that all that they have to do is minimize the results of the decision relative to the baseline, which he said was very clearly stated in the DEIS as the existing condition. That is, Mr. Padilla indicated the USFS does not have to minimize the effects of designating a trail as motorized relative to it being non-motorized. This is not the direction given by the TMR.

In previous meetings and conversations, Mr. Padilla and Ms. Kill stated an opposite approach for this project. They previously stated that they plan to perform a complete analysis that evaluates the consequences of designating each of the trails as motorized. In a handout given at the pre-NEPA Workshops, Ms. Kill handed out a sheet entitled "Overview of NEPA Process" dated 6/12/14. Under a section entitled "Purpose and Need and Proposed Action", it stated "Because we are taking a new look at the whole road and trail system, alternatives may be similar but may also be quite different from the Proposed Action". On 6/17/14 Steve Johnson and I had a meeting with Padilla and Kill to discuss a lot of material regarding the TMP, but also had specific conversation regarding the baseline. Mr Padilla said that the baseline would be the 2005 Visitor map, but that regardless of the baseline, they will look at cumulative impacts of motorized travel on a trail by trail basis. He said it will be a fresh, comprehensive look. We all agreed, that unlike the court case, which challenged the lack of NEPA, this is different under the TMR that must minimize impacts to resources, wildlife, etc.

39- Chart summarizing desired Trail Status recommended in this Letter

In Appendix A , I have prepared a chart which summarizes some of the issues related to the designation of allowed use on the trails in the RWD area. This is not intended to replace all of the comments given in this letter. It is hoped that such a summary aids the reader in taking a global view of the trails. In this summary chart, the trails that are desired to be motorized per this comment letter are shown in red. There is about 60 miles of motorized trails which provide extensive loops and meet many of the desires of the motorcycle rider.

We look forward to a more thorough analysis based on additional data collection and scientific research review and consideration of the points and issues discussed in this comment letter. Feel free to contact me with any questions.

Regards,

Signed by Robert H Marion

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Appendix A – see following five page Table

Trails desired to be non-motorized in this comment letter are shown in black.
Trails desired to be motorized in this comment letter are shown in red.

| # | Trail Name | Mil- eage | In Road- less Area | Viol- ate BMP | Sust- ain- able To Motor | >15% Grade | On Ridge Line | CPW Want Non- Motor ized | Comments |
|-----|---------------------------------------|--------------|-----------------------------|---------------------|--------------------------------------|---------------|---------------------|--------------------------------------|--|
| | <u>Bear Creek network</u> | | | | | | | | |
| 607 | Bear Creek | 14.0 | Yes | Yes | No | Yes | No | Yes | Entire Bear Creek drainage roadless and pristine, superb wildlife habitat and linkage, CPW/etc improved trout fishery, one of the only significant streams in the region with out a road running along or near it (anglers desire non-motorized for unique resource values), adjacent or within Recommended Wilderness area in 2013 Forest Plan, trail in open meadows, noise travels far, many quiet users, extensive user conflict, used by many quiet user permittees, safety issues with motorcyclists |
| 618 | Gold Run | 2.2 | Yes | Yes | ? | ? | No | Yes | Popular access for fishing, crosses scree pile |
| 608 | Grindstone | 4.0 | Yes | Yes | No | Yes | No | Yes | Is boundary of Recommended Wilderness area in 2013 Forest Plan, passes thru huge hillside meadow, provides motorized access (and noise) to Colorado trail, not sustainable to motorcycles |
| 658 | Grindstone Loop | 4.9 | Yes | Yes | No | Yes | Yes | Yes | Passes thru large meadows on flat ridgetop, on ridgeline above fens and Grindstone Lake (re:noise) |
| 614 | Hillside Conn. | 0.5 | Yes | Yes | No | ? | No | Yes | Need to stay non-motorized to prevent easy motorized access to Colorado trail, habitat issues, near fens, etc |
| 609 | Little Bear | 2.4 | Yes | Yes | No | Yes | No | Yes | Narrow, steep with 2ft drop-offs, motorcycles can not ride up trail, wildlife habitat |
| 610 | Morrison | 2.2 | No | No | No | No | Yes | No | Private Land issues (can not be motorized?) |
| 620 | Sharkstooth | 6.5 | Yes | Yes | No | Yes | No | ?Yes | Above treeline, in Recommended Wilderness Area in 2013 Forest Plan |
| | <u>Ryman Creek network</u> | | | | | | | | |
| 735 | Ryman/Upper Ryman Creek | 5.0 | Yes | Yes | No | Yes | Yes | Yes | Is Upper Tier Colorado Roadless Area, climbs very steep non-sustainable ridgeline, extensive resource damage, |

| | | | | | | | | | |
|-----|----------------------------------|------------------------------------|-----------------------------|---------------------|--------------------------------------|---------------|---------------------|---------------------------------------|---|
| | Kilpacker | | | | | | | | |
| | Kilpacker Basin | | | | | | | | |
| | Navajo Lake | | | | | | | | |
| ? | Groundhog St Dr | 10.4 | No | No | ?Yes | No | No | No | Partly in Wilderness and Recommended Wilderness in 2013 SJNF Plan |
| # | Trail Name | Mil- eage | In Road- less Area | Viol- ate BMP | Sust- ain- able To Motor | >15% Grade | On Ridge Line | CPW Want Non- Motor- ized | Comments |
| | Cross Mountain | | | | | | | | |
| | Lizard Head | | | | | | | | |
| | Woods Lake | | | | | | | | |
| | <u>Calico Network</u> | | | | | | | | |
| 208 | Calico Lower Upper | 18.8 8.0 ? 10.8 ? | Yes | Yes | No | Yes | Yes | Yes | Trail should be evaluated as two sections – Upper Calico and Lower Calico (dividing point is intersection with Priest Gulch trail – ascends very steep ridgeline after this). Upper Calico is steep & non-sustainable as motorized, has extensive user conflict and user displacement history, superb wildlife habitat, documented wetland damage from trail braiding and attempted (ineffective) drainage work, is mostly above treeline and has large open meadows, conflict with private landowner who considers motorized uses as trespass, partly in Rico MA2 area, safety issues with motorcyclists, extensive resource damage issues, etc. Lower Calico is more sustainable/appropriate for motorized uses but still has issues, has ridgeline views |
| 641 | Burnett Creek | 2.6 | Yes | Yes | No | No | No | ?Yes | In Rico MA2 area, also see Upper Calico, extensive user conflict, extensive resource damage issues |
| 629 | Eagle Peak/ Upper Stoner | 6.0 | Yes | Yes | No | Yes | Yes | ?Yes | On steep ridgeline overlooking Johnny Bull drainage, can hear motorcycle noise down to West Dolores Road, non-sustainable, extensive resource damage issues |
| 646 | East Fall Creek | 2.5 | Yes | Yes | No | Yes | No | ?No | Private land issues, also see Upper Calico |

| | | | | | | | | | |
|-----|--|--------------|-----------------------------|---------------------|--------------------------------------|---------------|---------------------|---------------------------------------|---|
| 626 | Horse Creek | 3.6 | Yes | Yes | No | No | No | ?Yes | Private land issues, in Rico MA2 area, extensive user conflict, also see Upper Calico |
| 639 | Johnny Bull | 5.5 | Yes | Yes | No | Yes | No | ?No | Superb wildlife habitat and linkage, no bridge at river, extends thru wetlands along riverbank, Private land issues, steep grade and sidehills, safety issues with motorcyclists, trailhead camping riparian impacts, also see Upper Calico |
| 201 | Priest Cut-Off | 0.8 | Yes | Yes | No | Yes | No | No | Too steep and large drop-offs for motorized |
| # | Trail Name | Mil- eage | In Road- less Area | Viol- ate BMP | Sust- ain- able To Motor | >15% Grade | On Ridge Line | CPW Want Non- Motor- ized | Comments |
| 645 | Priest Gulch | 7.6 | Yes | No | Yes | Yes at top | No | No | Entire trail in trees near bottom of drainage, crosses FR592 which provides connection to Taylor Mesa |
| 660 | School House | 2.3 | Yes | Yes | No | Yes | No | No | Very steep and not sustainable for motorized |
| 200 | Section House | 2.7 | Yes | Yes | No | Yes | No | No | Very steep and not sustainable for motorized |
| 644 | Tenderfoot | 3.8 | Yes | Yes | ?Yes | Yes? | No | No | Private land at start (?easement), parking issues, excellent wildlife habitat, needs a lot of work to make it sustainable to motorized. |
| 640 | West Fall Creek | 4.1 | Yes | Yes | No | Yes | Yes | ?No | Private land issues, also see Upper Calico |
| 207 | Wildcat | 6.1 | Yes | Yes | No | Yes | Yes | ?No | Private land at start, climbs steep ridgeline for many miles, not sustainable, |
| 202 | Winter | 5.1 | No | Yes | ?Yes | No | Yes | No | Noise extends into West Dolores valley, extensive user conflict, Numerous non-bridged water and wetlands crossings, several wood bridges inadequate for horseback riders, occasional trespass into Dunton Hot Springs resort. |
| ? | Winter Conn. | 0.7 | No | No | No | No | No | No | |
| | <u>Stoner Mesa/ Stoner Creek Area</u> | | | | | | | | |
| 624 | Stoner Mesa | 11.1 | Yes | No | Yes | No | Yes | Yes? | On top of mesa is open, CPW okay with motorized on upper part. Trail is quite hardened to motorized travel(even where it goes up to the mesa top), |

| | | | | | | | | | |
|-----|-----------------------|------------|-----|----|------|----|----|----|--|
| 625 | Stoner Creek Lower | 11.4 9? | Yes | No | Yes | No | No | No | Can be motorized from southern end to intersection with West Twin Springs trail (~9.0 mi), not steep, not on ridge and probably sustainable. |
| 739 | East Twin Sprgs | 1.4 | Yes | No | ?Yes | No | No | No | Extensive wear and resource damage issues |
| 739 | West Twin Sprgs | 0.9 | Yes | No | Yes | No | No | No | Can be motorized connector to Spring Creek trail to Taylor Mesa |
| 627 | Spring Creek | 2.4 | No | No | Yes | No | No | No | Can be motorized connector to FR547 on Taylor Mesa, not steep and probably sustainable, Designated Colorado Outstanding Waters, needs to be assessed for native fish impacts |

