

Objection Issues

WINTER RECREATION

PRIMARY OBJECTORS:

- **Jon Anderson**
- **James Miller**
- Snowlands Network, Winter Wildlands Alliance and the Toiyabe Chapter of the Sierra Club, **Bob Rowen**
- Sierra Forest Legacy, Sierra Club, Friends of the River, California Wilderness Coalition, Snowlands Network, Sierra Nevada Alliance, Earth Justice, et. al., **Michael Graf and Craig Thomas**
- **Marjorie Sills**
- **Harold Singer**

Objection Issue Summary: Snowlands and the other co objectors feel strongly that the FEIS excuses the LTBMU's failure to consider expanded OSV restrictions on the ground that the LTBMU "received few specific suggestions for changes, and none that we thought would be acceptable to all parties." The first part of this statement is wrong: Snowlands has provided the LTBMU specific proposals for OSV restrictions, both in its comments on the plan and in a half-dozen meetings and other correspondence.

They also believe the "second part of the statement is irrelevant and demonstrates the LTBMU's unwillingness to assume the role of responsible land manager. If all changes were easy and unopposed, we would have little need for decision-makers in the Forest Service. Taken as a whole, the statement is disingenuous." The Objectors specifically asked the LTBMU to review OSV restrictions throughout the basin and feel the LTBMU consistently refused to consider specific management changes as part of its plan revision process.

Jon Anderson is concerned about the diminishing motorized access in the Lake Tahoe Basin area. James Miller is concerned about the increased recreational pressure on the Nevada side, especially in the northeast part of the area. He would like to see more separation of non-motorized and motorized winter uses. Snowlands and Sierra Forest Legacy are also concerned about the lack of separation of motorized and non-motorized uses. They believe the Forest Service has violated law, regulation and policy by not reconsidering the 1988 travel management decision in this Revision.

Miller is concerned that OSV impacts were dismissed without a thorough review, while Marjorie Sills is primarily concerned about climate change and the future effects on recreational decisions.

Sierra Forest Legacy and Snowlands object to the use of Recreation Opportunity Spectrum (ROS) as it does not adequately address winter recreation use. Both also believe there are OSV impacts on water and air quality, noise and safety issues that should be addressed in this analysis. Both contend the NVUM numbers do not adequately capture the range of non-motorized winter recreationalists, and therefore use of the numbers skew the results of user satisfaction.

Mr. Singer and others argue that in the FEIS the LTBMU analyzed OSV contributions to greenhouse gas emissions but did not look at the primary air pollution issue of local concern: the fact that OSVs can generate a toxic cloud at trailheads and other areas where users are trying to engage in cardioexercise, among other activities.

Review Team Summary: It appeared initially that the Objectors were alleging that the LTBMU failed to respond to comments and failed to integrate comments into the decision-making process. However, the underlying issues are: the brevity of the responses to some of the Public Concern statements and that the OSV restrictions were not expanded. The LTBMU has chosen to do site-specific travel management planning outside of the Forest Plan revision. This is the preferred method under the most recent Travel Management rules. The LTBMU has met the requirements of the 1982 planning regulations through the FEIS and Revised LMP: “The 1982 planning regulations at 36 CFR Part 219.21g require planning for off-road vehicle use, which includes OSV use. These requirements were met in the 1988 Land and Resource Management Plan, which describes open and closed areas in each Management Area. We propose to carry forward the current designations as shown on the published LTBMU Snowmobile Guide map and Map 18 in the Revised Forest Plan (USDA Forest Service LTBMU 2010c). The current map, plus the current published Motor Vehicle Use Map (MVUM) show the classification of “areas and trails of National Forest System lands as to whether or not off-road vehicle use may be permitted” (FEIS pg. 2-21). (Talking Point to start a discussion)

What is Required

FSM 7712.2 – Land Management Planning, Travel Analysis, and Travel Management Decisions

1. Land management plans contain desired conditions, objectives, and guidelines and identify suitability of areas for various uses (FSM 1920). Site-specific travel management decisions are not typically made in land management plans. Travel analysis may be used to inform land management planning when necessary to address issues relating to transportation.
2. Travel analysis provides a bridge between the strategic guidance in land management plans and travel management decisions made at the project level. Travel analysis should consider the role of the forest transportation system in achieving the desired conditions in the land management plan.
3. Travel management decisions are made at the project level and must be consistent with the applicable land management plan. If a proposal is not consistent with the applicable plan, follow one of the three options described in FSH 1909.12, section 25.4.

The LTBMU correctly states in appendix N; “Overall there were notable misconceptions about the current situation. The non-motorized group incorrectly portrayed that there were areas closed or unavailable to them. Currently 100% of the LTBMU is open to non-motorized use. Approximately 52% is open to OSVs, which means 48% of LTBMU lands are free of OSVs. Additionally there are over 19,600 acres of state lands (CA State Parks, CA Tahoe Conservancy, and NV State Parks) open to non-motorized use but closed to OSV use. Cumulatively this increases the area in the Lake Tahoe Basin that is free of OSVs by about 12%.”

As to the environmental impacts of over snow vehicles on air, water and soils, the initiation of subpart C and more site specific analysis has started, and is in preliminary scoping. It is not within the scope of this Management Plan Revision to make the decisions regarding which areas are opened or closed, since the LTBMU has decoupled their over snow access decisions to a separate process. Current direction in the existing management plan will continue in the revised plan until further planning under Subpart C is complete. The programmatic level of analysis found in both the no action alternative and alternatives not considered in detail is sufficient to meet the 219 planning regulations and 1909.15 NEPA requirements.

There are, however, some general findings from the review of the plan and supporting documentation. Impacts from OSV emissions have been reviewed and that current levels are expected to decline due to aggressive implementation of improved State standards. Additional data or monitoring may be needed as more site specific analysis is conducted. Little data is currently available regarding the impacts of over snow vehicles, making this an excellent opportunity to consider contacting the PSW Research Station to initiate a research project on this subject to investigate such issues as potential water quality impacts in the Lake Tahoe Basin. It is not, however crucial at this point, nor necessary, to initiate research in order for the LTBMU and Responsible Official to move forward with their final decision. SG 2 and SG 4 does include language that forest management activities do have to be designed to prevent violations of applicable air and water quality standards.

INSTRUCTIONS BEING CONSIDERED

- Instruct the Regional Forester to encourage the LTBMU to continue the collaborative approach to resolving winter travel management issues in the Lake Tahoe Basin. If the existing collaborative group can resolve issues and reach agreements with respect to non- motorized and motorized winter recreation areas in the basin, the forest shall consider the results of such an agreement in an alternative in its environmental analysis under subpart C.

Minor clarification would be beneficial to better understand the following:

- Consider disconnecting wildfire and prescribed fire emissions from the response, substituting on-road vehicle traffic as the more major source of vehicle emissions from recreational users and other visitors and residents of the Lake Tahoe Basin. Reiterate or clarify that the state program to reduce OSV emissions will also effectively reduce OSV emissions in the Lake Tahoe Basin area. If not disconnected, explain why in the ROD.
- Clarify analytical conclusions regarding consequences of OSV use to air quality. Reiterate that OSVs have a very small CO₂ footprint compared to vehicles, prescribed fire and wildfire in the Basin; reducing OSVs will not significantly impact CO₂ footprints and cannot in itself be used as a reason to limit OSV area. Clarify that the contribution of NO_x and particulate matter from OSVs is a very small proportion of the total in the Basin.
- Clarify that the Basin is in attainment for the criteria pollutants of the Clean Air Act, including NO_x and ozone.
- Clarify that the LTBMU is in attainment for criteria pollutants under the Clean Air Act; that the IMPROVE monitor does not reveal impacts from OSVs and that no regulations currently cover CO₂ emissions.

REMEDY(S) PROPOSED BY OBJECTORS

- We also appreciate the addition of the Stanford Rock area to backcountry designation, although the distinctions between backcountry and general conservation also should be changed to deal with the issue of motorized use.
- Revise the Plan to acknowledge the need to review and revisit OSV restrictions in the basin, with particular attention to:
 - Assessing the demand for dispersed winter recreation and methods to accommodate growth in demand sustainably, considering the LTBMU as part of a broader Sierra recreation area
 - Assessing the impacts of OSV emissions and noise on other users, including at trailheads and heavy use areas, and also the propagation of such impacts to adjoining non-motorized areas.

- Revise the Plan to include a commitment to implement any basin-wide resolution of OSV restrictions agreed to by the existing winter collaboration group (or its reconstituted successor), and, if such resolution has not been so agreed to by all parties by July 1, 2015 – or is not acceptable to the LTBMU – then proposing its own subpart C travel management plan by December 31, 2015, and completing the management process by July 1, 2017. (Snowlands and Forest Legacy)
- Through Forest Order, immediately revise the OSV use map to close the Chickadee Ridge area as indicated on Exhibit 1. This closure is extremely important to non-motorized users because existing use will be severely adversely impacted by growth in OSV activity in this area. This closure will have very slight impact on OSV users because there currently is little OSV use in the area.
- Through Forest Order, immediately revise the OSV use map to close the meadows and riparian areas in Blackwood canyon as indicated on Exhibit 2. This closure will have slight impact on OSV users because most OSV use in this area is along the road which would remain open to OSVs travelling the road or accessing higher country. This closure is important to non-motorized users because it creates some separation of use originating at a multiple use Sno-Park, allowing novice skiers and snowshoers to recreate on the meadows with some separation from OSVs. OSV noise and some exhaust emissions will thus continue to adversely impact the nonmotorized area, but the proposal provides some balance in this popular joint-use area. The proposal is important to protection of the aquatic environment and Lake Tahoe clarity, keeping OSVs off the riparian environment where OSV emissions deposited on the snowpack go most directly into the lake....It is appropriate for the Forest Service to implement both of the above, very limited closures without further notice to the public or public comment because of the minimal impact to OSV users, the unlikelihood that such actions would displace any material amount of OSV use, the substantial benefits to the nonmotorized users, and the benefit to Lake Tahoe's clarity and the environment. These immediate closures do not eliminate the need for the LTBMU to take a broad look at OSV restrictions throughout the basin on full public notice and opportunity to comment.
- Revise the Plan to acknowledge the need to review and revisit OSV restrictions in the basin, with particular attention to:
 - Assessing the demand for dispersed winter recreation and methods to accommodate growth in demand sustainably, considering the LTBMU as part of a broader Sierra recreation area
 - Assessing the impacts of OSV emissions and noise on other users, including at trailheads and heavy use areas, and also the propagation of such impacts to adjoining non-motorized areas.
- Revise the Plan to include a commitment to implement any basin-wide resolution of OSV restrictions agreed to by the existing winter collaboration group (or its reconstituted successor),

and, if such resolution has not been so agreed to by all parties by July 1, 2015 – or is not acceptable to the LTBMU – then instituting full travel management review of OSVs in the basin, with such review to begin by November 1, 2015, and to be completed by June 1, 2017.

- Through Forest Order, immediately revise the OSV use map to close the Chickadee Ridge area as indicated on Exhibit 1. This closure is extremely important to non-motorized users because existing use will be severely adversely impacted by growth in OSV activity in this area. This closure will have very slight impact on OSV users because there currently is little OSV use in the area.
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- Protection one of America's most cherished bodies of water and recreation areas, by reviewing OSV impacts.
- Revise the Plan to acknowledge the need to review and revisit OSV restrictions in the basin, with particular attention to: (...) Taking a hard look at whether OSV emission may be adversely impacting aquatic systems or the clarity of Lake Tahoe, and how to minimize such impact
- Provide for "abundant quiet recreation areas" by analysis of impacts of noisy recreational vehicles.
- Revise the Plan to acknowledge the need to review and revisit OSV restrictions in the basin, with particular attention to:

- Assessing the demand for dispersed winter recreation and methods to accommodate growth in demand sustainably, considering the LTBMU as part of a broader Sierra recreation area
- Assessing the impacts of OSV emissions and noise on other users, including at trailheads and heavy use areas, and also the propagation of such impacts to adjoining non-motorized areas
- Taking a hard look at whether OSV emission may be adversely impacting aquatic systems or the clarity of Lake Tahoe, and how to minimize such impact.
- Closing dates for parking areas need to be reconsidered, as well as the viability of plowing parking areas, particularly after early-season snowfalls which may sit on the ground – without further accumulation – for two months or more (as was the case this year.) Thus, a small expenditure in early season plowing may reap large rewards when, as in 2013- 2014, it is the only snowfall before a long stretch of dry weather including the high-traffic holiday season. In order to recognize the importance of this adaptation, section 2.2 of the Revised Plan should be modified by adding to “Recreation Program Strategies – Public Access Strategies” the following additional bullet point: · Increase opportunities for winter trailhead parking, as funds permit, by keeping parking areas open longer and/or creating new plowed parking areas.
- Review OSV emissions in the context that their exhaust clouds are created at some of the exact points where other users are trying to enjoy clean air and could cause unhealthy levels of air pollutants for recreationists.
- Be an “international model for sustainable alpine communities that apply the best-known practices in...environmental protection...” among other things, to maintain “exceptional water quality” by reviewing OSV impacts and potential impacts.
- Provide for “abundant quiet recreation areas” by analysis of impacts of noisy recreational vehicles.
- Pollutants resulting from recreational activities allowed at the discretion of the LTBMU should not be compared to those resulting from natural processes such as wildland fires and prescribed burns to limit such fires. Emissions from OSVs should logically be evaluated in terms of the benefits to be derived from OSV recreational use versus the harm caused by such activities.

- Review whether unhealthy levels of pollutants are occurring in the exhaust clouds that are created at points where other users are trying to enjoy clean air.
- Consider an alternative to prescribed fire treatments that result in less air emissions that may include significantly more biomass removal or other action resulting in less material that would be left to burn in a prescribed fire."
- To optimize carbon sequestration, the only large trees (over 20 inches in diameter) that should be cut outside of the WUI zone are identified hazard trees.
- To reduce CO2 emissions, exclude OSVs from inventoried roadless areas.
- Convert the Dardanelles and Freel IRA's to Wilderness to provide high altitude wilderness as refugia for climate impacted species and include these areas in the long-range management plan.
- Manage recreation or parking to reduce more mechanized traffic that makes the greatest contribution to CO2 that causes atmospheric pollution and climate change.
- Review OSV restrictions in this plan revision in light of changing recreational use and the noise and water quality problems created by OSVs.