## Compliance with 36 CFR § 212.55 (b)
## Travel Minimization Criteria

36 CFR § 212.55 (b) provides direction to Federal agencies in response to Executive Order 11644, as amended by Executive Order 11989. The rule applies to decisions on motorized access designations. Sub-section (b) provides:

> **b.** ***Specific criteria for designation of trails and areas.*** In addition to the criteria in paragraph (a) of this section, 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.

**Where 36 CFR § 212.55 (b) Applies**

This sub-section applies to the "designation of trails and areas" for motorized use." In the Mud Creek Project, the following changes to trails and areas for motorized use are proposed:

Ten connectors, totaling 3.09 miles of new trail construction, would be built to connect existing motorized routes. Proposed new connector trails are listed in Table 1.

***Table 1 – Proposed New Trails***

| Trail Number | Route Identifier | Trail Mileage | Trail Class | Designed Use | MVUM Code | Implementation Requirements |
|---|---|---|---|---|---|---|
| TBD | Connector 1 | 0.21 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 2 | 0.23 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 3 | 0.64 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 4 | 0.18 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 6 | 0.53 | 2 | 4WD >50" | 6 | Full bench construction |
| TBD | Connector 10 | 0.29 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 11 | 1.12 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 14 | 0.42 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | 74047 | 0.58 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 7 | 0.19 | 2 | 4WD >50" | 6 | Full bench construction |
| TBD | Connector 8 | 0.04 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 11b | 0.19 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 14b | 0.16 | 3 | OHV <50" | 17 | Full bench construction |
| TBD | Connector 15 | 0.16 | 3 | OHV <50" | 17 | Full bench construction |

The following changes are also proposed:

- New Trail from Road: 0.58
- New Trail from temporary road: 1.28 miles

- Decommission existing road-maintain as trail: 21.01
- Decommission Co-incident Route: 34.84 miles

See additional details in Attachment I.

The Proposed Status for routes displayed in Table 1 were developed through the consideration of 36 CFR § 212.55 (b) items 1 – 4.

**Context for the Decision and Application of 36 CFR § 212.55 (b).**
The project area is in Forest Plan Management Areas 1, 2, 3a and 5. Overall, there are approximately 282 miles of roads in varying condition and levels of access, from fully closed to no restriction. This extensive road system has provided recreational and administrative access. There are also adverse effects from roads in the project area, including sediment contribution from road/stream crossings and road segments that closely parallel streams. These road system effects helped drive the purpose and need of watershed improvement. Thirty-nine miles of road decommissioning and 16 miles of road storage are proposed in this project to reduce watershed effects. The amount of road open year-long will be reduced by 9 miles to help reduce both sediment and wildlife effects.

Cross-country travel was closed across the entire Bitterroot National Forest in 2001, eliminating adverse effects from that use in the project area, including the IRA and recently acquired private parcels. Many roads on the acquired sections that were historically open to the public were closed at the time of acquisition, further reducing transportation system effects. The ban on cross-country travel has been in effect on the recently acquired sections since the lands became USFS jurisdiction.

There is an opportunity to link existing roads across the historic jurisdictional boundaries for recreational access, using short connector trails. These new trails would add approximately 3.8 miles to the trail system, for a total of about 58 motorized loop trails. This motorized access would occur within a historically roaded setting and would not convert any non-motorized areas or trails to motorized use. The selected alternative reduces the total amount of trail and road mileage open to motorized use to by over 34 miles. This approach helps minimize the effects of new motorized trail segments in the project area. These new trail segments, and designation of motorized use on existing trails, falls under 36 CFR S 212.55 (b).

Adding or removing motorized access to trails does not change the Elk Habitat Effectiveness (EHE) attainment, although the wildlife assessment cites studies suggesting motorized trail use may negatively affect elk. However, as discussed in the Wildlife Specialist Report for the Mud Creek Project EA (PF-WILD-001), the proposed action would have positive benefits to vulnerability/security. Broadening the definition of security habitat to include all existing motorized roads and trails open at any time during the year, results in 7,202 acres of the project area currently providing security habitat (areas ≥ 250 acres, ≥ ½ mile from any existing motorized road or trail). The proposed motorized route decommissioning would result in 7,423 acres of security habitat (221 acres gained) (EA Appendix B, Figure 22). The minimal gains in security habitat are because most of the decommissioned roads are not located in existing security habitat under this definition.

To meet the intent of 36 CFR S 212.55 (b), the ID Team reviewed the details of the CFR and reviewed all proposed trails in respect to the four criteria provided and the condition and characteristics of the project area. I also asked the IDT to review Switalski and Jones (2012), a peer-reviewed paper on off-

road vehicle BMPs, for additional direction in planning OHV routes. After considering the results of this review, I decided in response to
Criteria (b) 1:

- To *not* consider opening any "play" or "challenge" areas, despite several requests from the public, to minimize erosion and vegetation damage. * Proposed Action meets this goal and does not open any areas to cross-country riding.
- To *not* consider other new connector trails that need new water crossings or are closer than 300' to fish-bearing streams or 150' to other streams, to minimize erosion and effects to water quality*. The Proposed Action meets this goal, as the connector trails included in Proposed Action are outside of INFISH Riparian Habitat Conservation Areas (RHCAs) specified in the Forest Plan.
- To avoid locating new connectors near threatened, endangered or unique plant species, or through bogs, wetlands or riparian areas, to minimize ecological disturbance.* The Proposed Action meets this goal by completing rare plant and wetland surveys on potential connector routes prior to inclusion in an alternative – no connectors are proposed within these sensitive areas.
- To *not* consider adding new connector trails above treeline, to minimize erosion and ecological effects to these fragile areas. * The Proposed Action meets this goal, as all connector trails included in the Proposed Action are well below tree line.
- To direct the IDT to focus on minimizing the length of potential new connectors and use existing roads, where possible, to minimize new disturbances and erosion. The Proposed Action meets this goal, by connecting selected roads with the shortest possible connectors that also meet the other criteria.

- To direct the IDT to focus on ensuring potential new connectors would meet Forest Service trail specifications for the design vehicle, to minimize erosion and promote long-term sustainability.* The Proposed Action includes two segments where 4-wheeled drive vehicles over 50" would be permitted to provide opportunity. The remainder will utilize either open roads or old roads being changed to trail.

Criteria (b) 2:

- To include big-game rifle season restrictions on all new connectors to reduce the tendency to push elk to private lands and support better traditional, non-motorized hunting opportunities. The Proposed Action meets this goal, by restricting motorized access on all new connector trails.
- To only consider connector trails that did not need new water crossings, to minimize effects to fisheries.* The Proposed Action meets this goal, have no new water crossings, and are located outside of RHCAs specified in the Forest Plan.

Criteria (b) 3:

- To restrict motorized use during big-game rifle season on all new connectors, to reduce user conflicts during the busiest time of year. The Proposed Action meets this goal by including the above restrictions.

Criteria (b) 4:

- To separate vehicle classes where resource concerns are fully addressed and feasible, to increase recreational experience and reduce safety hazards. The Proposed Action meets this goal to the extent feasible, while minimizing effects to other resources, as all new connectors are limited to OHV<50" in width.

*- Criteria is directly related to Planning and Decision-making BMPs in *Off-road vehicle best management practices for forestlands: A review of scientific literature and guidance for managers* (Switalski and Jones 2012).

36 CFR § 212.55 (b) does not require that every designation choice be made in favor of natural resources. I feel the motorized designations in the Proposed Action minimize resource effects in a feasible, prudent, and reasonable manner and meet the intent of 36 CFR § 212.55 (b) in the multiple-use context in which the designations occur.

TRAVEL MINIMIZATION CRITERIA – ATTACHMENT I
MUD CREEK PROJECT TRAIL PROPOSALS

**Summary**

-Three ATV loop trails = 58.0 miles in length.

-Marks Loop = 18.3 miles
- -New trail construction - Connectors 2, 1, 8, 3, 4 = 1.3 miles

-South Loop = 19.0 miles
- -New trail construction – Connectors 7 connecting roads #13494 and #6021 (0.2 miles), Conn 6 = 0.9 miles
- -Decommissioned road #13494 turned to trail status = 2.0 miles

-North Loop = 20.7 miles
- -New trail construction – Connectors 14, 10, 11 = 0.9 miles
- -Decommissioned road #74047 to trail status = 0.6 miles
- -Spec road to trail (Conn 15) = 0.2 miles
- -Temp road to trail (Conn 11) = 0.9 miles

-Ten connectors, new trail construction = 3.1 miles total
-One spec road to convert to trail status = 0.2 miles
-One temp road to trail status = 0.2 miles
-Two decommissioned roads to trail status = 2.6
-Convert trail status from system to non-system = 38.7 miles

Design Parameters

Designed Use for **All-Terrain Vehicles** (ATV) on Marks Loop and North Loop

Trail Class 3

| | |
|---|---|
| Design Tread Width | 60” |
| Design Grade | 5%-15%, with short pitches of 25% |
| Design Clearing | 6’-8’ height<br>5’-6’ width |
| Design Turn | Radius 8’-10’ |

Designed Use for **Four-Wheel Drive Vehicle > 50”** on South Loop

Trail Class 3

| | |
|---|---|
| Design Tread Width | 72“ - 96” |

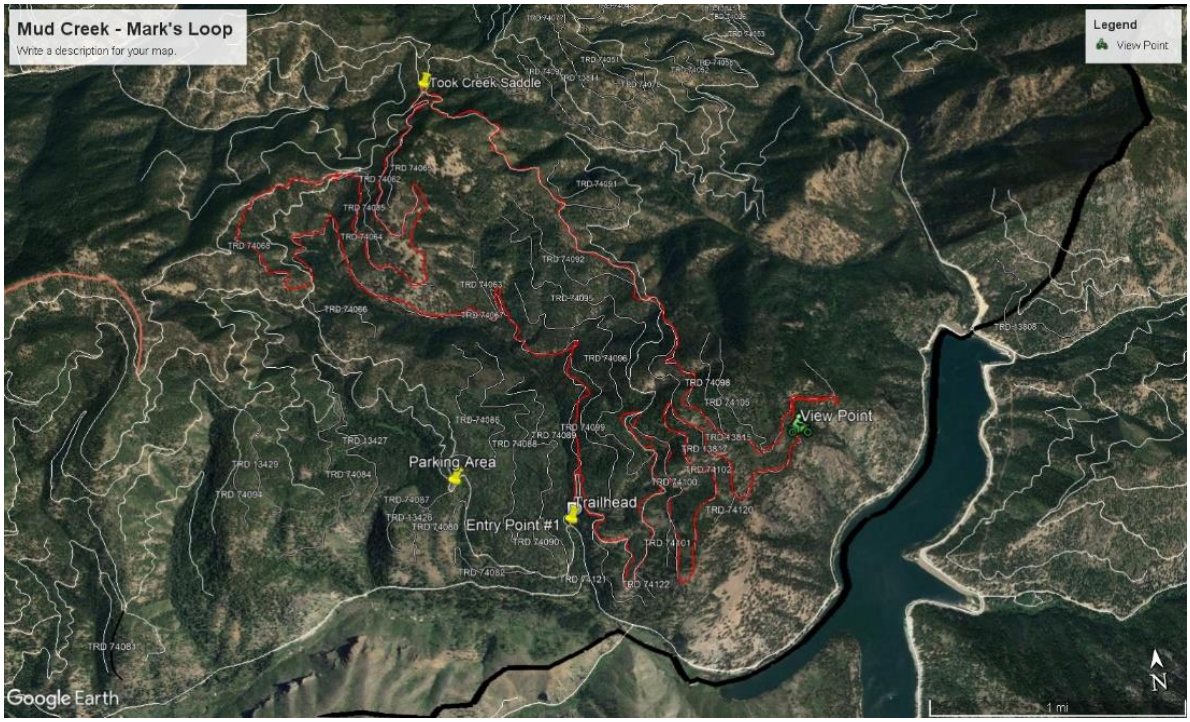
| | |
|---|---|
| Design Grade | 5% - 18%, with short pitches of 20% |
| Design Clearing | 6'-8' height<br>6'-8' width |
| Design Turn | 15' – 20' |

<u>Trailhead/Parking Area</u>
-Jct. of Road #1303 and #13428
-1.2 miles from Entry Point #1
-4.8 miles from Hwy #473, near boat launch.

| **Mud Creek Mark's Loop -** Counter Clock-wise riding direction | | |
|---|---|---|
| Segment # | Length (Miles) | Comment |
| Parking Area | | 1.17 miles on #1303 |
| 5648 | 2.3 | |
| 74100 | 1.0 | |
| -Conn 2 | 0.2 | New construction |
| 74102 | 1.1 | |
| 13187 | 1.2 | |
| -Conn 1 | 0.1 | New construction |
| 13815 | 0.3 | |
| -Conn 8 | 0.1 | New construction |

| | | |
|---|---|---|
| 13815 | 1.5 | |
| 5648 | 2.4 | |
| Took Cr. Saddle | | |
| 5644 | 0.1 | Open to full sized vehicles |
| TRD 74062 | 1.5 | |
| -Conn 3 | 0.7 | New construction |
| TRD 74064 | 1.1 | |
| 5644 | 0.1 | Open to full sized vehicles |
| 5643 | 0.6 | |
| TRD 74068 | 0.6 | |
| -Conn 4 | 0.2 | New construction |
| TRD 74067 | 2.9 | |
| 5648 | 0.3 | |
| Parking Area | | 1.17 miles on #1303 |
| **Total** | **18.3** | |

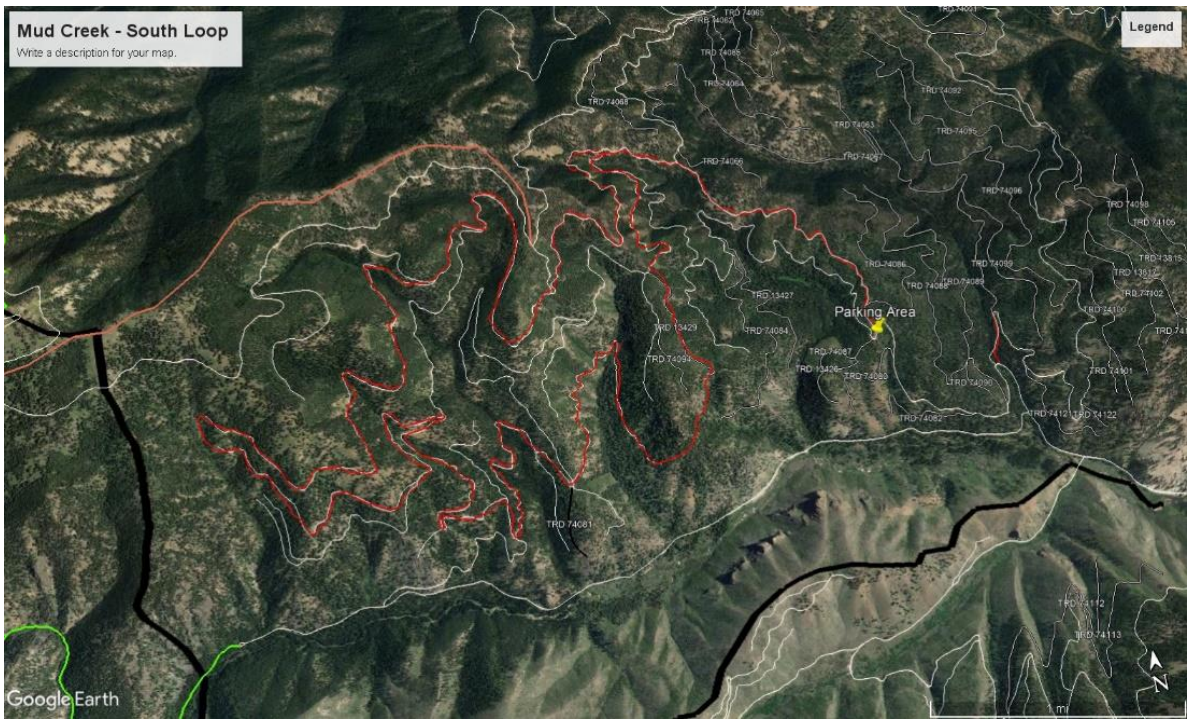
| **Mud Creek Marks Loop** - Convert Trails to Non-system Status | | |
|---|---|---|
| Segment # | Length (miles) | Comment |
| TRD 74121 | 0.6 | |
| TRD 74122 | 0.1 | |
| TRD 74120 | 0.2 | |
| TRD 74105 | 0.7 | |
| TRD 74098 | 0.7 | |
| TRD 74086 | 1.3 | |
| TRD 74088 | 1.6 | |
| TRD 74099 | 0.7 | |
| TRD 74088 | 1.6 | |
| TRD 74096 | 1.7 | |
| TRD 74063 | 0.6 | |
| TRD 74095 | 1.6 | |
| TRD 74092 | 0.8 | |
| TRD 74091 | 1.3 | |
| TRD 74085 | 0.7 | |
| TRD 74065 | 0.4 | |
| TRD 74068 | 0.6 | |
| TRD 74066 | 0.6 | |
| **Total** | **15.8** | |




| **Mud Creek South Loop** - Counter Clock-wise riding direction | | |
|---|---|---|
| Segment # | Length (Miles) | Comments |
| Parking Area | | |
| 1303 | 3.6 | |
| 13499 | 1.6 | |
| -Conn 7 | 0.2 | New trail construction |
| 13494 | 2.0 | Decommissioned road to trail |
| 1357 | 2.7 | |
| 1307 | 1.0 | |
| 13498 | 1.7 | |
| -Conn 6 | 0.7 | New trail construction |
| TRD 13429 | 0.7 | Existing trail |
| 1307 | 1.2 | |
| 1303 | 3.6 | |
| Parking Area | | |
| **Total** | **19.0** | |

| **Mud Creek South Loop** - Convert Trails to Non-system Status | | |
|---|---|---|
| Segment # | Length (Miles) | Comments |
| TRD 74088 | 1.6 | |
| TRD 74082 | 0.6 | |
| TRD 74080 | 0.5 | |
| TRD 13426 | 0.6 | |

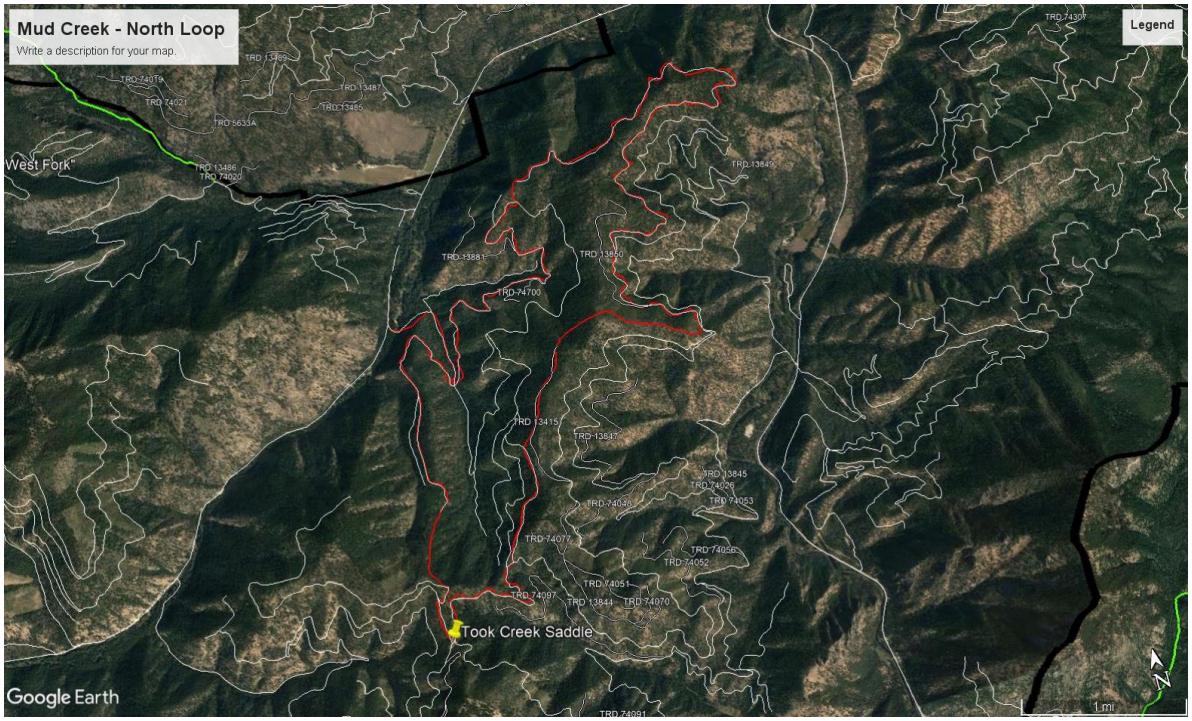
| | | |
|---|---|---|
| TRD 74087 | 0.3 | |
| TRD 74089 | 1.6 | |
| TRD 74090 | 0.2 | |
| TRD 74086 | 1.3 | |
| TRD 74084 | 1.2 | |
| TRD 13427 | 1.1 | |
| TRD 74094 | 0.4 | |
| TRD 74081 | 0.3 | |
| **Total** | **9.7** | |




| **Mud Creek North Loop** - Counter Clock-wise riding direction | | |
|---|---|---|
| Segment # | Length (Miles) | Comments |
| 468 | | Start |
| 732 | 2.8 | |
| 5650 | 2.1 | |
| -Conn 14 | 0.5 | New trail construction |
| 13800 | 0.2 | |
| 5644 | 0.3 | |
| Took Creek Saddle | | |
| 5644 | 1.1 | |
| Mud Cr. Saddle | | |

| | | |
|---|---|---|
| 5644 | 0.1 | |
| 74047 | 0.6 | Convert to trail - decommission non system road |
| -Conn 10 | 0.1 | New trail construction |
| TRD 13415 | 1.1 | Existing trail |
| Temp Road | 0.9 | Convert to trail |
| -Conn 11 | 0.3 | New trail construction |
| 5649 | 5.8 | |
| Spec Road | 0.2 | Convert to trail for Conn 15 |
| 732 | 4.6 | |
| 468 | | End |
| **total** | **20.7** | |

| **Mud Creek North Loop** - Convert Trails to Non-system Status | | |
|---|---|---|
| Segment # | Length (miles) | Comment |
| TRD 13415 | 1.1 | |
| TRD 74077 | 0.3 | |
| TRD 74097 | 1.4 | |
| TRD 13844 | 1.5 | |
| TRD 74070 | 0.5 | |
| TRD 74051 | 0.8 | |
| TRD 74052 | 0.9 | |
| TRD 74056 | 0.8 | |
| TRD 74053 | 0.5 | |
| TRD 74026 | 0.1 | |
| TRD 13845 | 0.2 | |
| TRD 74048 | 0.7 | |
| TRD 13847 | 1.8 | |
| TRD 74700 | 0.2 | |
| TRD 13850 | 1.0 | |
| TRD 13849 | 0.4 | |
| TRD 13881 | 1.0 | |
| | | |
| **Total** | **13.2** | |




Discussion with Collaborative Groups

-The Forest has worked with Ravalli County Off-Road Users Association (RCORUA) to get their input about desired ATV route in Mud Creek Project area. They want to have a trail system that offers riders loop opportunities on trails, where other full size vehicles are not present. They are supportive of decommissioning trails and roads that are not desirable, as long as they are fully not re-contoured. Roads and trails currently open to OHV use were utilized to the extent possible and new connector trails were identified to create loop opportunities. The draft proposal was adjusted and reduced where resource concerns developed.

Points RCORUA made:

-Castle Rock trail #627 single track to dual track. Rational for not converting?

-South Loop, use Design Parameter for 4-wheel Drive Vehicles > 50”

-Existing and Suggested MVUM Code is an 8

-Season of use is 6/16 to 10/14, proposed use 04/01 to 11/30. Road system around the trails have a season of use 6/16 to 10/14. Would need to make both types of use consistent.

**Trail Quality**

One of the design criteria used for our original recommendations was to minimize the need to include shared use roads in an OHV route. Separating OHV travel from travel by full-sized vehicles is desirable for many reasons, not the least of which is safety. OHV routes that include few or no segments shared with full-sized vehicles are higher quality routes. For example, the Mud Creek route referred to as “Marks Trail” is virtually entirely on old logging roads reserved for OHV travel and is highly valued in part for that reason. On the other hand, the revised Northern Loop route is 18 miles long but only 5.4 miles are designated for OHV only travel; and the revised Southern Loop is 13 miles long with

only 5.2 miles designated for OHV only travel. The bottom line is that OHV routes that contain such high proportions of roads shared with full sized vehicles are of low quality and of little interest to OHV riders. The quality of trails is also dependent upon the season of use. The proposed season of use for the Mud Creek OHV routes from 4/01 to 11/30 greatly enhances the desirability of these proposed routes, and we vigorously endorse that change from the existing condition.

**Took Creek Trail**

This is a highly desirable route, due in part to the fact that it lies almost entirely on routes reserved for OHV travel. Our original proposal included Connector 4 and portions of roads 5643 and 74068 for OHV travel which would have eliminated the need for travel on shared use road 5644M. The proposed revision does not include this recommendation, and OHVs would be required to travel about a mile on FS 5644M. This would introduce a conflict in the season of use of the loop route and somewhat diminish the quality of the route. We recommend that CONN 4 and roads 5643 and 74068 be retained as originally proposed.

**North Loop**

As mentioned above, with only 5.4 miles of designated OHV travel, the revised North Loop has little attraction for OHV visitors. Our original recommendation attempted to address that issue by creating an OHV only route involving Conns 10 and 11 and roads 74047, 13415, and 5649 and a second route utilizing Roads 5650 and 13800 together with Conn 14. These two routes represent viable alternatives to travel on full-sized roads and make the North Loop a more acceptable OHV route. At a minimum, we recommend that these two routes be restored as originally proposed.

**South Loop**

Again, we noted above that the revised South Loop utilizes only 5.2 miles of designated OHV roads (only 38% of total route miles). This revised proposal would have very modest appeal to the OHV community. The loss of OHV opportunity on the southern loop from our original proposal is the result of removing roads 1357b (3.0 mi), 13494 (1.9 mi) and Conn 7 (0.1mi) from the project. Apparently, one of these two roads has been committed as a candidate for decommissioning and cannot be considered for use as an ATV trail. We submit that the rationale for this decision apparently lacks plausibility. It is difficult to rationalize how decommissioning a few miles of road better serves the public good than establishing 5 miles of high-quality OHV route. We recommend this decision be revisited. At the very least this decision and the logic for this decision should be thoroughly disclosed in the Draft EA.

Our original proposal suggested that routes in the South Loop be designated as trails for OHVs wider than 50". We have discussed this possibility with our members, and it has received strong support. Many people, especially older people, are utilizing OHVs wider than 50" (sometimes referred to as UTVs or side-by-sides), and would enjoy having trails designed for their vehicles. Most other Forests have accommodated this user group, but no such routes exist in the Bitterroot National Forest.

**Trail 627**

In our original proposal, we suggested that Trail 627 be converted from single track motorized to dual track motorized. With the designation of other ATV routes in the area, we felt that Trail 627 would be better utilized and appreciated by ATV riders. The reality is that Trail 627 is only 2.2 miles long and is presently the only single track motorized route in the area. It is highly unlikely that a motorcyclist will ride for miles and miles to access a 2.2 mile trail. We reassert that converting Tr 627 to dual track would best serve the public interest.

-The Forest talked with Ravalli County Collaborative, they recommended we keep any trails (troads) open for non-motorized use.
-I recommend changing trails (troads) that are to be decommissioned, to non-system.

The anticipated effects to trails are addressed by the design features and mitigation measures in the activity cards. If I've missed something let me know. I have existing condition and locations.