



## ***Stanislaus National Forest Over-Snow Vehicle Use Designation Analysis***

### ***Frequently Asked Questions***

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Updated December 12, 2014

#### **What is the Stanislaus National Forest doing?**

The Stanislaus National Forest is undertaking the analysis required to allow, restrict or prohibit over-snow vehicle (OSV) use through the designation of roads, trail and areas on the Stanislaus National Forest. These designations will comply with Subpart C - Use by Over-Snow Vehicles, of the Forest Service Travel Management Rule. In addition, the Stanislaus National Forest will combine the analysis needed for OSV use designations with analysis to formalize the identification of National Forest System Snow Trails that will be groomed for OSV use.

The Stanislaus National Forest is also undertaking this effort to comply with the 2013 Settlement Agreement between the Forest Service and Snowlands Network, Winter Wildlands Alliance, and Center for Biological Diversity (Snowlands Network, et al. v. U.S. Forest Service, Case No. 2:11-cv-02921-MCE-DAD (E.D. Cal. August 26, 2013)).

#### **Why Here? Why Now?**

The project's goal is to designate over-snow vehicle use and formalize the groomed snow trail system on the Stanislaus National Forest to ensure over-snow vehicles are well managed to promote the safety of all users, to minimize impacts to natural resources, , and to minimize conflicts among the various uses.

The Code of Federal Regulations (36 CFR 212, Subpart C) will soon be revised to require the Forest Service to designate roads, trails, and areas on National Forest System lands that receive adequate snowfall for over-snow vehicle use to occur.

The Stanislaus National Forest will evaluate its existing management of over-snow vehicle use and the snow trails historically groomed on the Stanislaus National Forest and determine if there are site-specific issues that new management direction should address.

The Forest Service has decided to undertake the NEPA analyses required by the settlement agreement and by Subpart C at the same time in order to be more efficient with our resources and to involve the public more effectively, in a timely manner.

#### **How can the public participate in the process?**

Public participation is essential for the project's success and in helping identify issues and concerns to be considered in the analysis.

Prior to initiating the NEPA process, the Lassen, Eldorado, Stanislaus, and Plumas National Forests hosted public meetings in November 2014, to introduce the project and enhance public awareness of the associated NEPA process. The Tahoe National Forest will host meetings once the NEPA process begins.

Additionally, during the subsequent public scoping phase of the analysis, which initiates the NEPA process, the public and interested parties are encouraged and invited to comment on the proposed actions developed for each forest.

We will also invite you to review the draft environmental impact statement, final environmental impact statement, and draft record of decision for each forest. During the objection period following the release of each draft record of decision, we will work with any objectors to attempt to resolve any objection issues before making a final decision. (This is because the project is subject to pre-decisional administrative review consistent with the Consolidated Appropriations Act of 2012 (Pub. L. 112-74) as implemented by subparts A and B of 36 CFR Part 218.)

The Forest Service will update this “Frequently Asked Questions” document with information on how you can have your contact information placed on the list of interested participants so you can receive updates on this project throughout the process.

**Who will sign the decision to designate roads, trails, and areas for over-snow vehicle use?**

The Forest Supervisor of the Stanislaus National Forest will sign the decision.

**Who will produce the analysis?**

The Forest Service’s TEAMS Enterprise Unit, in close coordination with Stanislaus National Forest resource specialists and regional office staff, will complete the analysis. The TEAMS Enterprise Unit is a group of Forest Service employees who are experts in meeting the requirements of NEPA. They work on environmental analyses nationwide and are typically assigned to complete environmental analyses when local Forest Service units lack the sufficient staff to complete the project. Local and regional office staff will review TEAMS’ analyses before completion and finalization, and the Forest Supervisor will approve key checkpoints during the analysis process.

**What will the analysis cost?**

While a specific dollar figure for the entire analysis (including the support from staff at each forest and the regional office) has not been calculated, it is estimated that the work needed to complete the analysis for all five-forests, including all local, regional, and TEAMS staff is likely to cost between 1 and 2 million dollars, over the life of the project. This is based on the completion of five separate environmental impact statements over an approximate 3 year period.

**Besides designation of roads, trails, and areas, what other decisions will be made?**

Of the roads and trails designated for over-snow use, the Forest Service will identify snow trails where grooming for over-snow vehicle use will occur. The need for an analysis and decision on grooming stems from the 2013 Settlement Agreement between the Forest Service and Snowlands Network, Winter Wildlands Alliance, and Center for Biological Diversity (*Snowlands Network, et al. v. U.S. Forest Service*, Case No. 2:11-cv-02921-MCE-DAD (E.D. Cal. August 26, 2013)).

The Forest Service agreed in the settlement to “complete appropriate NEPA analysis(es) to identify snow trails for grooming on the Plumas National Forest, Tahoe National Forest, Eldorado National Forest, Stanislaus National Forest, and Lassen National Forest.”

**Didn’t the State of California Off-Highway Motor Vehicle Recreation Division already analyze an OSV program on these forests?**

The State of California prepared an environmental impact report analyzing the program and the funding the Off-Highway Motor Vehicle Recreation Division provides for the Over-snow Vehicle Program under the California Environmental Quality Act. This Forest Service analysis covers Federal requirements under NEPA and is wider in scope.

**What types of vehicles will the Forest Service’s over-snow route designations cover?**

These designations will only apply to the use of over-snow vehicles. An over-snow vehicle is defined in the Travel Management Rule as “a motor vehicle that is designed for use over snow and that runs on a track or tracks and/or a ski or skis, while in use over snow” (36 CFR §212.1).

Other types of motor vehicles that may operate over snow, but do not meet the definition of an over-snow vehicle, are already regulated.

**What types of uses will the Forest Service’s over-snow route designations cover?**

The over-snow route designations will generally apply to all over-snow vehicle use on the Stanislaus National Forest, where snowfall is adequate for the use of that vehicle type to occur. However, the following uses will be exempt from the resulting designations:

- 1) Limited administrative use by the Forest Service;
- 2) Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes;
- 3) Authorized use of any combat or combat support vehicle for national defense purposes;
- 4) Law enforcement response to violations of law, including pursuit; and
- 5) Over-snow vehicle use that is specifically authorized under a written authorization issued under Federal law or regulations (proposed Subpart C rule at 36 CFR 212.81(a))

**How are non-motorized uses going to be factored into the analysis?**

This analysis that the Stanislaus National Forest (as well as the Tahoe, Plumas, Lassen, and Eldorado National Forests) is undertaking is confined to the analysis needed to designate over-snow vehicle use and formalize the system of groomed snow trails. This analysis is not a comprehensive winter recreation planning effort.

Once decisions are made for each forest, these would apply only to the use of OSVs on each forest. No designation of non-motorized trails or areas would result. Non-motorized winter recreational opportunities would be considered in the analysis, but only to the extent that requires analysis and disclosure of the effects of designating OSV uses and grooming on non-motorized recreational opportunities.

**What issues will the Forest Service consider in making this decision?**

We will consider the issues and concerns identified externally and internally during scoping, as well as any input we receive prior to scoping during public open houses in November 2014. We will also consider potential effects on “National Forest System natural and cultural resources, public safety, provision of recreational opportunities, access needs, conflicts among uses of National Forest System lands, the need for maintenance and administration of roads, trails, and areas that would arise if the uses under consideration are designated; and the availability of resources for that maintenance and administration” (36 CFR §212.55(a)).

**Is there a potential for impacts to the Sierra Nevada yellow-legged frog from designation of over-snow vehicle use?**

Based on information and a synthesis of the literature contained in the Federal Register Final Rule for the listing of the Sierra Nevada yellow-legged frog [Federal Register 79(82):24256-24310] and the Proposed Rule for Designation of Critical Habitat [Federal Register 78(80):24516-24574], over-snow vehicles and associated actions are not identified as a threat to the species or proposed critical habitat.

During the analysis we will continue to work with all resource specialists on the interdisciplinary team to evaluate the potential for over-snow vehicle impacts to resources, including wildlife species. When necessary, we will also consult with local, state and federal agencies, including the U. S. Fish and Wildlife Service, when appropriate to ensure any potential for impacts are considered in the analysis and minimized.

**What is the range of alternatives that the Forest Service will analyze in this process?**

The range of alternatives will depend on the issues and concerns raised by the public once they’ve had the opportunity to consider the Forest Service’s proposed action. The Forest Service considers an alternative as reasonable if it addresses the underlying purpose and need for action. We will base the need for action on site-specific issues that the Forest Service identifies when developing its proposed action.

The need for an analysis also stems from the 2013 Settlement Agreement between the Forest Service and Snowlands Network, Winter Wildlands Alliance, and Center for Biological Diversity (*Snowlands Network, et al. v. U.S. Forest Service*, Case No. 2:11-cv-02921-MCE-DAD (E.D. Cal. August 26, 2013)).

**How is over-snow vehicle use currently managed on the Stanislaus National Forest and is it going to change?**

The Stanislaus National Forest currently grooms approximately 60 miles of snowmobile trails. Snowmobile travel is allowed when there is at least 12 inches of snow. On the portion of the Forest that receives adequate snowfall (generally above 5,000 feet in elevation), snowmobile use is allowed on about 45% of this. Snowmobile travel is currently not allowed in wilderness and other areas of minimal management influence; 55% of the NFS lands within the portion of the Forest that receives adequate snowfall is currently closed to snowmobiles, or has restrictions on snowmobile use. *These estimates are currently being validated and refined utilizing Geographic Information Systems (GIS) and will be updated, if needed, once this validation step is completed.*

<b>Stanislaus National Forest Current OSV Management</b>	<b>Approximate Miles or Acres</b>
Groomed OSV Routes	60 miles
Un-groomed OSV Routes	undetermined
National Forest System (NFS) Lands OSV Project Boundary (that portion of the Forest that is above 5,000 feet in elevation)	540,180 acres
NFS Lands Closed To OSV Use Within Project Boundary	296,494 acres
NFS Lands Restricted OSV Use Within Project Boundary	undetermined
NFS Lands Open To OSV Use Within Project Boundary	195,154 acres
NFS Lands Within Administrative Boundary	900,371 acres

There are financial limitations on the size of the forest's snow trail grooming program and the frequency at which snow trails are groomed. This is because the forest's current snow trail grooming program is funded by the State of California. These funds are not likely to substantially increase in future years.

We are currently in the process of assessing our current management of OSV uses on the Stanislaus National Forest in order to determine if there are any site-specific issues that should be addressed by new management direction. These cause-effect relationships will help us to further define the need for action. Examples of items we are in the process of evaluating include:

- Forest Plan consistency (e.g., what does the Forest Plan say regarding winter recreational use and are there any known conflicts?)
- Resource protection (e.g., are there any known conflicts between current OSV use and vegetation, soils and water, wildlife and fish, or air quality?)
- Laws and regulations (e.g., are there any known conflicts between current OSV use and threatened and endangered species, cultural resources, or designated wilderness?)
- Other uses (e.g., are there any known conflicts between motorized and non-motorized users and/or safety considerations?)

Considering these examples and others is not yet complete and we are continuing to work with the project interdisciplinary team on this step. We encourage the public to also provide input on site-specific issues with the Stanislaus National Forest's current OSV management to assist us in further developing the purpose and need for action.

**Will the use of over-snow vehicles be allowed on the Stanislaus National Forest after the decision is issued?**

Yes. The decision is expected to improve the management and safety of over-snow vehicle use and ensure that the health of the land is viable and sustainable over the long term.

**How will the public know which National Forest System roads, National Forest System trails, and areas on National Forest System lands will be open to over-snow vehicle use?**

After the decision is issued, the forest will publish an over-snow vehicle use map (OSVUM) that will show the over-snow vehicle use designations. This map will be available to the public at no cost on national forest websites and at local offices upon request.

**How will “areas” open to cross-country over-snow vehicle use be defined?**

We will do our best to use roads, ridges, rivers, and other natural features to help delineate boundaries for open areas. We will delineate boundaries of areas open to use by over-snow vehicles on the over-snow vehicle use maps. We will post these maps on national forest websites and make them readily available to the public at local Forest Service offices.

We recognize that over-snow vehicle use may occur across a broad landscape within large designated areas. Areas with sufficient snow depth make such cross-country use appropriate. When properly operated and managed, over-snow vehicles do not make direct contact with soil, water, and vegetation.

**Why does the agency allow over-snow vehicle use on national forests and grasslands?**

National forests and grasslands were established with a multiple-use intent. This includes a wide variety of recreation opportunities. Recreation is the most notable use of over-snow vehicles. However, for many people, the use of over-snow vehicles is part of their everyday life and allows them to access their property during the winter months. With adequate snow and when properly operated and managed, over-snow vehicles do not make direct contact with soil, water, and vegetation and generally permanent trails are not created.

**Can over-snow vehicles cause damage to soil and vegetation?**

Yes, if not properly operated or managed. It is important for adequate snow cover to be present for all winter recreation opportunities such as skiing, snowshoeing, and snowmobiling to avoid impacts to natural and cultural resources.

**Would the decision take away valid existing rights held by federally recognized tribal governments, counties, or private individuals, including treaty rights, other statutory rights, or private rights-of-way?**

No. The Forest Service will recognize valid existing rights in making designations at the local level.

**How does the over-snow vehicle analysis process relate to the process the Forest Service is required to complete under 36 CFR 212, Subpart A of the Travel Management Rule?**

Subpart A provides requirements for basic administration of the forest transportation system. This includes a requirement for identifying the needed minimum road system, as well as identifying unneeded roads. The first step of Subpart A is for each forest to complete the Travel Analysis

Process (TAP). As a result of TAP a report will be published that includes the risks and benefits of forest roads, and will identify roads likely to be needed in the future and roads not likely to be needed in the future.

It is unlikely the TAP will be completed in time to have any recommendations included in the over-snow vehicle analysis. However, if there are recommendations from the TAP included in the over-snow vehicle analysis they will undergo proper environmental analysis and decision-making in accordance with NEPA.

**How does this process relate to the process for Subpart B of the Travel Management Rule?**

The region, including the Stanislaus National Forest, has already completed the designation process for motor vehicles as required by 36 CFR 212, Subpart B and a motor vehicle use map has been published. Under Subpart C the same regulatory steps are followed to ultimately make NEPA decisions. However, there are differences between proposed Subpart C and Subpart B of the Travel Management Rule. The definition of “areas” is different for over-snow vehicle use and Subpart C does not require the prohibition of cross-country travel.