

Appendix J: Response to Comments on DEIS

Introduction

On June 5, 2009, the Forest published the Notice of Availability of the DEIS in the Federal Register (FR Volume 74, Number 107) for the Lower Trinity and Mad River Motorized Travel Management Project, initiating a 45 day comment period. In response to public comments the comment period was extended an additional 15 days, extending the comment period to August 4, 2009. The Forest received approximately 65 comment letters from individuals, organizations, and agencies during the comment period. The Forest Service has documented, analyzed, and responded to the public comments received in response to the DEIS. Appendix J contains the agency responses to all of the public concerns.

Content Analysis Process

The Forest followed a systematic process of carefully reading, numbering, coding and logging all comments. When an individual raised multiple concerns within the same letter, each unique comment was numbered and tracked separately. Each comment was assigned a unique tracking number and coded by subject or topic.

Concerns raised by different commenters on the same subject and with the same intent and issue were grouped in a single category and responded to collectively. In this way, multiple comments may be addressed by one response. In some cases, more nuanced or complex concerns may be answered through multiple responses to multiple concern statements, or they may have a single response dedicated to just that specific commenter.

The CEQ Regulations list five ways to respond to comments:

- Modify alternatives including the proposed action
- Develop and evaluate alternatives not given serious consideration,
- Supplement, improve, or modify the analysis,
- Make factual corrections, and
- Explain why the comments do not warrant further response.

The Forest responses to comments may describe modifications made to certain actions in the alternatives; or show that changes were made in the analysis of the alternatives or in factual corrections made in response to concerns raised in the comments. Other responses were intended to clarify information or analysis contained in the Final EIS or resolve some misunderstandings of the purpose and need and other elements of the Travel Management planning process.

How to Find a Response to Your Concern in Appendix J

The public concerns and responses are organized in a similar manner as the sections in the EIS. Find the section of the EIS that most closely aligns with the subject of your comment, and you should find your concern addressed in one or more of the responses in the corresponding section of Appendix J. In some cases, your concern may be addressed as part of several different, but related, concern statements. The project record contains a list of the tracking number assigned to each commenter as well as complete records of individual comments and concerns.

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Comments and Responses

Travel Management Rule

General

TMR1: It is unacceptable, and illegal, for the Forest Service to ignore the regulations and guidance that call for resource protection while preparing a document that will add significant additional road and trail mileage to the Forest Service road system [Commenter: 072809-01/ID193]

Response: The FEIS does not propose the addition of roads to the NFTS. All trails considered for adoption in the NFTS were identified using guidance provided in the Travel Management Rule, Subpart B, and have been analyzed for their direct, indirect, and cumulative impacts in accordance with NEPA.

Consistency

TMR2: CRPA's (California Rifle and Pistol Association) position is that there should be consistent application of the Travel Management Rule and strongly urges you to adopt the same dispersed camping policy as the Plumas National Forest. [Commenter: 073009-01/ID187]

Response: This project considered routes that provide access to dispersed camping areas in the development of the alternatives. The effects on access for dispersed camping are analyzed in the FEIS in the Recreation section of Chapter 3 and shown in Table 3-14-9. Routes that provide access into many dispersed camping areas were inventoried as part of the Forest route inventory completed in August 2006, and these routes are identified as a Dispersed Recreation Opportunity in Appendix A - Route Specific Data.

Subpart A

TMR3: The Forest Service has a nondiscretionary duty to identify the minimum roads system. 36 CFR 212.5. Our organizations are very concerned that no attempt has been made by the agency to identify the minimum road system in the Mad and Lower Trinity Ranger Districts. It is unacceptable, and illegal, for the Forest Service to ignore the regulations and guidance that call for resource protection while preparing a document that will add significant additional road and trail mileage to the Forest Service road system [Commenter: 072809-01/ID192]

TMR4: The proposed action must include a plan to close and decommission unnecessary or damaging roads (as determined through Travel Analysis as described in the draft directives for implementing the Travel Management Rule) to reduce road density in these forests. [Commenter: 072809-01/ID188]

TMR5: The SRNF has elected not to address and mitigate the harmful impacts of existing road system. The decision of the Forest Service not to analyze or disclose the minimum road system or to consider reasonable road closures or decommissioning while increasing the number of system roads and trails is arbitrary and capricious. [Commenter: 072809-01/ID190]

TMR6: Because the Forest must consider the road system as a whole when designating which roads will be open to motor vehicle use, it is critical that the Forest rely on an adequate, informed Forest Roads Analysis that complies with all requirements and guidance set forth for Roads

Analysis. We note that the scoping notice for this project and the proposed action make no explicit reference to the findings or recommendations contained in the Roads Analysis. [Commenter: 072809-01/ID189]

Response: The focus of this action is the prohibition of cross-country travel and the implementation of subpart B of the national Travel Management Rule (36 CFR 212). Future and ongoing actions outside the scope of this proposal address issues within the existing NFTS (e.g. annual watershed improvement projects and road decommissioning). The Travel Management Rule does not establish requirements for the order in which to implement the three parts of the Rule. Due to the large effort involved with the implementation of subpart B, and given the limited staffing and funding the responsible official has limited the scope of the project to the implementation of subpart B.

TMR7: EPA believes that a holistic approach to travel management planning, whereby route designations are guided by travel analysis, known locations of resource impairment, and prior determination of the minimum road system needed, would best serve the long-term interests of the public, Forest Service, and National Forest resources. Recommendations: The FEIS should describe the information that was used to formulate the motorized travel management plan alternatives, and the relationship of that information to the requirement to identify the minimum road system needed for safe and efficient travel and administration of National Forest System lands. The FEIS should describe how the minimum road system needed will be identified pursuant to the requirements of the Travel Management Rule (36 CFR Part 212 Subpart A). The FEIS should describe the factors that would be used in the consideration of future additions of unauthorized routes. We recommend that such factors include travel analysis and identification of the minimum road system needed. [Commenter: 080309-01a/ID191]

Response: This project is narrowly focused on the Travel Management Rule (36 CFR 212, subpart B). Travel analysis and the identification of a minimum road system are elements of 36 CFR, subpart A, which is outside the scope of this analysis. An assessment of the timeline for the SRNF to complete Subpart A of the Travel Management Rule will be conducted after the requirements of Subpart B have been satisfied. More information was added to the FEIS regarding how alternatives were developed. Future additions to the NFTS will be evaluated on a project specific basis and subject to NEPA analysis.

TMR8: We are also highly concerned with the amount of trails that are not mapped as existing [Commenter: 072809-01/ID113]

Response: The Forest completed an inventory of unclassified motorized trails on the Lower Trinity and Mad River Ranger Districts in 2006. The motorized trails identified through the inventory were then verified at public meetings by interested parties, which included representatives from the OHV community. Some motorized trails may have been inadvertently missed in the inventory or they may not have been identified by the public; however, cross-country travel will be eliminated on unauthorized routes not adopted in the NFTS, whether identified or not in the travel management process.

TMR9: Travel Management is a misapplication of the MOU with the State of California. We are concerned that the inventory of existing routes, which was completed under the MOU with the State of California, has not been utilized to improve OHV recreational opportunity on NFS lands, but rather to close a significant number of legal routes which developed during the time that cross-country travel was permitted. [Commenter: 080309-02a/ID115]

Response: The Travel Management process conducted by the SRNF is compliant with the MOI (Memorandum of Intent) between the Forest Service, the OHV Recreation Commission, and the

Division of OHV Motor Vehicle Recreation of the Department of Parks and Recreation. The MOI acknowledges the common goal of the three agencies is to improve management of motorized use. While the MOI requires the Forest Service to inventory unauthorized roads and trails, and involve the public in identifying, reviewing, inventorying, and designating motorized routes, there is no clause that requires the Forest Service to adopt all inventoried roads and trails in the NFTS. The results of the route inventory provided a starting point for interested publics to identify routes inadvertently missed in the inventory, and trails and loops that the OHV user community would like to see brought forward in the proposed action. 36 CFR 212.5 (b) directs the forest service to limit motorized travel to designated roads and trails in the NFTS. Trails created prior to the closure of cross-country travel are considered unauthorized trails, which are not part of the NFTS.

TMR10: The whole thing is becoming far too complex..if you really want to manage ORV use, keep it simple and understandable to the casual visitor, and, perhaps more important, reasonable in use limitation in the mind of the visitor. To do otherwise will simply be unenforceable and further damage public/pvt relationships. [Commenter: 070309-01/ID112]

Response: The SRNF is required to comply with the laws and regulations governing the national Travel Management Rule, subpart B (36 CFR 212 (b)) and the National Environmental Policy Act. We acknowledge that the Travel Management Process has been complex. The Forest put forth every effort to involve the public in order to help generate the proposed action and alternatives, identify issues, and has shared information about the process and information generated. Multiple methods of public involvement have been used to ensure accessibility by the public, including: numerous public meetings held throughout the Travel Management process where participants were presented with information, asked to engage in workshop exercises, and given the opportunity to speak with Forest Service representatives one-on-one, a Forest website about Travel Management provides information about the TM process and progress, and provides access to downloadable documents and maps for review. Letters were also sent to interested parties at key points in the NEPA process, news releases about meetings and project progress were released to major local media, the Team Leader conducted radio interviews about the process held, and, lastly, the Team Leader has been identified in public notices, letters, and meetings as the public contact for questions or more information on Travel Management. After the FEIS and ROD are issued the MVUM (Motor Vehicle Use Map) will be published to provide users with clear direction on authorized roads and trails and approved periods of use.

TMR11: I have been all over these mountains and you cannot see a track, as a matter of fact we have been using the Dan East Trail since 1986, and Ray McCrae told me there had never been an ATV on that trail, he had personally inspected it. So what kind of damage do we do? Apparently none, according to our Forest Trail Manager. [Commenter: 072909-03/ID63]

Response: The Dan East Trail is an existing designated motorized trail on the Mad River District in the Pilot Creek area open for motorcycle use only. Under Alternatives 2 and 3 change to vehicle use is proposed, to allow vehicles no greater than 50 inches in width.

National Environmental Policy Act

General

N1: I can tell by listening to some of you speakers at the meetings, that they are basing their decisions on lots of false information generated by themselves or someone out in the field. [Commenter: 072909-03/ID114]

Response: The Forest Supervisor is responsible for deciding which alternative to implement. The decision will be based on careful consideration of all the information available in the administrative record including the field data collected and analysis conducted as described in the FEIS, all of the supporting documentation, and the public comments on the DEIS.

N2: The changes to the transportation system that are being proposed are relatively minor and of the sort that normally would be implemented in the course of routine management of the Forest transportation system. This leads us to question the need for a lengthy DEIS that appears to represent administrative overkill needlessly imposed on a well managed Forest. [Commenter: 080309-02a/ID100]

Response: Concerns about potential impacts to sensitive plant resources and to the Inventoried Roadless Areas prompted the SRNF to complete an FEIS for Travel Management on the Lower Trinity and Mad River Ranger Districts. Potential impacts to sensitive plant resources include direct and indirect effects that could result in a loss of viability that could lead to a trend toward federal listing.

N3: At the meeting held at the Six Rivers headquarters on January 12, it was said several times by team members that routes not on this proposed map had the potential to be included at a later date. That process and the time restrictions need to be clarified so the mistakes and omissions that are clearly being made at this step in the process may be rectified in the not too distant future. [Commenter: 080409-07/ID116]

Response: The national Travel Management regulations (36 CFR 212.54) provide for revision of designations as needed to meet changing conditions, including the potential to add new routes following public involvement and site specific environmental analysis.

N4: The arbitrary closure of over 75% of historic user routes in even the most access friendly alternative (Alt. 3) brings to question the very nature of and the extent of analysis necessary to transition from an "open" to "designated" system in the current Forest Plan or this DEIS. The transition to "designated" roads/trails/areas requires additional analyses which are not attempted by the DEIS and these defects should be remedied in a modified environmental review document or a substantially modified alternative. [Commenters: 080409-05a, 080409-06/ID111]

Response: This project is focused narrowly on Subpart B of the Travel Management Rule. The alternatives generated were based on public comment received and issues identified during the scoping period. The alternatives presented in the FEIS are consistent with the Purpose and Need of the project, *Section 1.3 Purpose and Need* of the FEIS, which includes the "need for limited changes to the NFTS on the Lower Trinity and Mad River Ranger Districts." Direct, indirect and cumulative impacts have been analyzed for all resources disclosed in the document.

Analysis

N5: The proposal to rely on the No Action Alternative as a proxy for conducting the required analysis of cumulative impacts of past travel management actions is misplaced. [Commenter: 072809-01/ID84]

Response: The cumulative impacts of past travel management actions were analyzed using the Cumulative Watershed Effects (CWE) Analysis and are described in *Section 3.5.4.5 Cumulative Watershed Effects for All Alternatives* of the FEIS. The effects are displayed in Table 3.5-5.

Comment Period

N6: This is a note to let you know that there are quite a few people who come to Six Rivers for the purpose of hunting that do not live in this area. You should extend the comment period until the end of deer season on or near Oct 25th. [Commenter: 071709-03/ID85]

Response: The Travel Management Process is a collaborative effort that engaged stakeholders to develop proposed systems of roads, trails, and specifically defined areas for use by wheeled OHV. Multiple meetings were held between 2004 to 2008 on the Mad River and Lower Trinity Ranger Districts to solicit public input on the development of the proposed action, allowing time for interested publics to meaningfully participate. The public comment period for the DEIS was extended for 15 days to August 4, 2009.

Cumulative Impacts

N7: Rather than analyze, avoid or mitigate illegal cumulative soil degradation in watersheds like Lower South Fork Trinity and Cedar Creek, the SRNF attempts to define away the problem by contending that proposed routes are not subject to LRMP soil productivity standards. This contention relies solely on the tenuous argument that because user created routes already “exist” that the Forest Service action of designating and mapping these routes will not result in illegal cumulative impacts. [Commenter: 072809-01/ID86]

Response: The FEIS recognized the potential for unauthorized motorized routes to impact to soil and water resources (*Chapters 3.4 Soil Resource and 3.5 Water Resources* of the FEIS). The Six Rivers LRMP states that soils standards and guidelines relating to soil productivity do not apply to lands dedicated to other uses such as transportation system roads (LRMP IV-71). Designating motorized routes as part of the trail system means that these routes are no long expected to grow vegetation and therefore, soil productivity standards do not apply. Soil productivity standards apply to unauthorized motorized routes that will not be added to the NFTS trail system. Known erosion and water quality concerns need to be addresses so that BMPs and ACS objectives are met. Until unauthorized motorized trails that have signs of erosion have recovered or are actively restored, there is the potential for continued off-site impacts to soil productivity and water quality (*Section 3.4.5.2 Alternative 2 – Proposed Action* of the FEIS). Cumulative watershed effects of all roads and unauthorized trails was conducted and is described in *Section 3.5.4.5 Cumulative Watershed Effects for All Alternatives* and Appendix D of the FEIS.

N8: The DEIS as a whole, and Appendix D specifically, fail to adequately address the cumulative impacts "which result from the incremental impact of the action when added" to the already heavily impacted condition of the watersheds, the effects of increased motorized use from publication of the MVUM, the cumulative impacts of foreseeable road projects, the individual components of the proposed action and the cumulative effects of the individual components of the action taken together. [Commenter: 072809-01/ID87]

N9: It is not a diffuse "ongoing urbanization" that is impacting the listed species, soils, and hydrology in the Forest; rather here we see a concrete proposal to increase the number of system roads in Riparian Reserves. NEPA requires disclosure of the cumulative impacts from such proposals. [Commenter: 072809-01/ID88]

Response: The Cumulative Watershed Effects (CWE) Analysis, described in Appendix D, is the accepted methodology of Region 5 for analyzing CWE based on equivalent road acres. The assumptions and limitations of the CWE are discussed and addressed in *Section 3.5.4.5 Cumulative Watershed Effects for All Alternatives*.

N10: In a more general sense, the Forest Service has failed to convey an understanding of cumulative impacts because their perspective on environmental consequences is too narrow and limiting both in terms of natural processes and geographic scope. [Commenter: 072809-01/ID89]

Response: The direct, indirect, and cumulative impacts of the alternatives were analyzed for all resources disclosed in the DEIS. As stated in *Section 3.5.3 Affected Environment* of the FEIS, the affected environment includes all watersheds that drain to the Main-Stem Trinity, the South Fork Trinity, the Mad, the Van Duzen, and the Middle and North Fork Eel Rivers (*Section 3.3.4.1 Overview*). Both public and private lands were included in the Cumulative Watershed Effects (CWE) analysis (Appendix D).

Effects Analysis

N11: The DEIS fails to fully account for the effects of travel management within the planning area and across the larger landscape. Instead the DEIS presents the same sort of vague conclusory analysis rejected in *Neighbors*. In that decision, the court held that the cumulative impacts analysis of an agency action and the other projects proposed for the area "was very general, and did not constitute the hard look that the (government) is obligated to provide under NEPA." *Id.* at 1378-79. In that case, the Forest Service had stated that the cumulative impact of timber sales could cause isolation of Pileated woodpecker populations, and acknowledged "(t)here is some risk that the remaining mature and old growth forests on Cuddy Mountain may not be adequate in size, if isolated from adjacent suitable habitat, to maintain the dependent species." *Id.* at 1379. But the Forest Service stated: "It is not known to what degree this (isolation) may be occurring." *Id.* The court rejected this analysis. The analysis contained in Cuddy Mountain is quite similar to the SRNF summary dismissal of cumulative effects to anadromous fish, landslides, wildlife, soils, recreation, and visual resources contained in the DEIS. [Commenter: 072809-01/ID90]

Response: The direct, indirect and cumulative impacts for anadromous fish, soils, geology, wildlife, recreation and visuals can be found in their respective sections in Chapter 3 of the FEIS.

Extension of Public Comment

N12: We request you extend the public comment period for an additional 45 days (and not just two weeks as other forests have done). It is unprecedented for four forests to be issuing their DEISs in the same month. It will create a significant hardship for the public and ROC members to review hundreds of pages of information and draft lengthy responses in such a short timeframe. [Commenter: 052809-01/ID91]

Response: The public comment period for the DEIS was extended for 15 days to August 4, 2009.

Mitigation

N13: What constitutes the consideration of mitigation? [Commenter: 080409-07/ID92]

Response: The Council on Environmental Quality (CEQ) regulations state, "Mitigation includes:(a) avoiding the impact altogether by not taking a certain action or parts of an action.(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.(c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.(e) Compensating for the impact by replacing or providing substitute resources or environments" (40 CFR 1508.20). Consideration of mitigation in the FEIS includes

measures that fall within section B and C cited above. Section B is satisfied by the installation and / or the confirmation of existing and properly functioning waterbars and signage, which minimizes impacts to resources and human safety respectively. Section C is satisfied by ongoing maintenance.

Purpose and Need

N14: We believe that the purpose and need statement is neither sufficiently broad nor sufficiently precise to allow for a proper and complete analysis. We recommend that the Forest Service adjust its purpose and need statement, to reflect more accurately the intent of the Travel Management Rule and the purpose of travel planning. We have identified the following needs for this proposal:

The need to address public safety concerns, user conflicts, private property rights, lost • The need to adjust both the core transportation system and recreation travel network in light of funding limitations for maintenance, monitoring, and enforcement; and • The need to provide opportunities for motorized and non-motorized recreation within the carrying capacity of the land (minimizing damage to soil, watershed, vegetation, cultural sites, and other resources of the public lands; and minimizing harassment of wildlife or significant disruption of wildlife habitats); [Commenter: 072809-01/ID94]

Response: The focus of this action is the prohibition of cross-country travel and the implementation of subpart B. Future and ongoing actions outside the scope of this proposal address issues within the existing NFTS, such as annual watershed improvement projects, road decommissioning. The Travel Management Rule does not establish requirements for the order in which to implement the three parts of the Rule. Due to the large effort involved with the implementation of subpart B of travel management and given the limited staffing and funding, the responsible official has limited the scope of the project to the implementation of subpart B.

N15: Purpose and Need Statement Number 1 is not supported by the DEIS. This statement should be removed from the DEIS and replaced by a Statement of Purpose and Need that removes the assumption of proliferation of routes. This statement should read, “There is a need for regulation of unmanaged cross-country motor vehicle travel by the public in the instances where this activity adversely affects the environment.” The DEIS provides no evidence of significant route proliferation. Many of the routes called unauthorized are abandoned level 1 roads and temporary roads that were in fact authorized at the time of construction. Most of the limited route proliferation that has occurred is the result of dispersed camping access for quiet non-motorized recreation, not OHVs blazing in a new trail. [Commenter: 080309-02a/ID95]

Response: Unmanaged recreation by OHVs is identified as one of the “Four Key Threats Facing the Nation’s Forests and Grasslands (USDA Forest Service, June 2004).” The Travel Management Rule (36 CFR 212 (b)) directs the Forest Service to designate areas on National Forest System lands for motor vehicle use. After these roads, trails, and areas are designated, motor vehicle use, including the class of vehicle and time of year, not in accordance with these designations is prohibited by 36 CFR 261.13.

N16: How was the Administrative need assessed? We are concerned this rating is based largely on subjective factors (OHV enthusiasts’ mere indication of past use) as opposed to the very objective rating system used for rating risk to sensitive resources. [Commenter: 080309-03a/ID96]

Response: Subpart A of the Travel Management Rule requires identification of the minimum road system needed for safe and efficient travel and for administration, utilization, and protection of NFS lands (36 CFR 212 (b)). The purpose and need of this project focuses specifically on

satisfying the requirements of Subpart B of the Travel Management Rule. Assessing the administrative need for roads and trails is beyond the scope of this analysis. The purpose and need of this project is focused on: 1) regulating unmanaged cross-country motor vehicle travel by the public; 2) limited changes to the NFTS on the Lower Trinity and Mad River Ranger Districts of the SRNF to: a) provide motor vehicle access to dispersed recreation opportunities; b) provide a diversity of motorized recreation opportunities; and c) remove motorized use from trails with low motorized recreation value; and 3) permanently blocking locations where unauthorized routes access the North Fork Wilderness.

Range of Alternatives

N17: The BRC believes the DEIS as configured is fatally flawed and should be corrected with the issuance of a supplemental DEIS. However, BRC believes that the agency by creating either an additional action alternative or modifying alt. 3 that address our aforementioned concerns would make the document comply with NEPA guidelines. [Commenters: 080409-05a, 080409-06/ID101]

N18: BRC believes the agency has created a flawed and deficient DEIS which fails to include a reasonable range of alternatives as mandated by NEPA. There is no action alternative that considers less than an effective blanket closure of the approximately 255+ miles of inventoried user routes that are presently open to motorized travel. No action alternative proposes or considers keeping open a significant or substantial percentage of these established non-system routes. It would have been viable and reasonable to consider some intermediate level or levels of non-system route designation in the DEIS as articulated in BRC et al., "Citizen's Alternative". [Commenters: 080409-05a, 080409-06/ID97]

Response: The Purpose and Need (Part 2-b of *Section 1.3 Purpose and Need* of the FEIS) acknowledges the "implementation of Subpart B of the Travel Management Rule will severely reduce acres and miles of motorized recreation opportunities relative to current levels. As a result, there is a need to consider limited changes to the NFTS." The road inventory analysis for the Lower Trinity and Mad River Ranger Districts conducted between September 2005 and July 2006 identified 255 miles of unauthorized routes. Of these routes, Alternatives 2, 3, and 4 proposed adding 0 miles, 64.09 miles, and 71.35 miles of unauthorized routes, respectively, to the NFTS. The range of alternatives generated is consistent with the stated purpose and need for the DEIS. The BRC's "Citizen's Alternative" was considered; more information on this can be found in *Section 2.6 Alternatives Considered, but Eliminated from Detailed Analysis* of the FEIS.

N19: The range of alternatives presented in the DEIS is artificially constrained to avoid reasonable system road closure/decommissioning, the identification of a "minimum road system," or implementation of the recommendations contained in the SRNF Travel Analysis. Instead, the SRNF has elected to ignore the Travel Rule, the Travel Analysis, the SRNF LRMP, the requirements at 36 CFR 212, the EPA, the Chief of the Forest Service, Senator Feinstein, the House Appropriations Committee, and citizen requests to consider and implement an action alternative that establishes a economically and ecologically sustainable transportation system. [Commenter: 072809-01/ID83]

Response: The Travel Management Rule is comprised of three parts: Subpart A Administration of the Forest Transportation System; Subpart B Designation of roads trails and areas for motor vehicle use; and Subpart C Use by over-snow vehicles. The scope of this action is focused on the prohibition of cross-country motor vehicle travel to allow implementation of subpart B and the production of a MVUM. The identification of the minimum road system needed for

administration, utilization and protection of NFS lands is contained in subpart A. There is no legal requirement in the regulations for the agency to implement subpart A as a pre-condition to, or part of, the current proposed action.

Scope

N20: EPA is concerned with the Forest Service's ability to adequately address known road- and trail- related resource impairments, given the acknowledged lack of maintenance funds and this proposal to add to the NFTS additional miles of roads and trails known to contribute to soil and water resource impairment. Recommendation: We recommend the Forest expand the scope of this action to consider, for seasonal or permanent closure to public motorized use, current NFTS roads and trails with known resource impacts. [Commenter: 080309-01a/ID98]

N21: Rather than analyze and disclose the direct cumulative impacts to the resource values listed above resulting from the existing (and proposed) road/route maintenance backlog, the DEIS limits itself to calling into question the exact dollar amount of deferred maintenance. NEPA requires more. The Forest Service must disclose the foreseeable cumulative and direct environmental impacts of its proposal to add roads to a system that it cannot afford to maintain to standard. [Commenter: 072809-01/ID99]

Response: Initial trail implementation cost is estimated at approximately \$462,000 for alternative 2 and \$512,000 for alternative 3. In addition, it is anticipated that these new NFTS motorized trails will result in additional annual trails maintenance costs of approximately \$58,000 for alternative 2 and \$65,000 for alternative 3, and \$11,105 in monitoring costs for alternatives 2 and 3. The development of partnerships and volunteers are expected to reduce that cost. By lowering the maintenance level of a 2 ½ mile road segment, Alternative 3 will slightly lower the annual road maintenance cost by approximately \$25,741. Allowing mixed use is not expected to change annual maintenance cost, but has an estimated implementation cost of \$40,500. To meet potential short falls in funding the forest will seek additional funds and resources such as grants and partnerships for implementing the decision which includes implementing mitigations and maintaining NFTS roads and motorized trails. The forest will also work with volunteer organizations in the management of roads and motorized trails and implementation of the Selected Alternative to build additional stewardship opportunities for the public and reduce the cost of implementation and maintenance by the forest. See the Affordability Measurement Indicator Table, Table 3.18-3 in the *Section 3.18 Transportation* in Chapter 3 of the FEIS. If a responsible official decides that motorized use is directly causing or will cause adverse effects associated with that trail such as public safety, soil, vegetation, and wildlife, the responsible official shall immediately close that road, trail, or area to motor vehicle use until the official determines that such adverse effects have been mitigated or eliminated and that measures have been implemented to prevent future recurrence (36 CFR 212.52 (2)).

Land and Resource Management Plan

General

LRMP1: Guideline 9-9 IV of the Six Rivers LRMP directs the Forest Service to "reduce existing system and non-system road mileage in Key Watersheds." This is a non-discretionary duty and any proposed action that addresses the designation of Forest Service system roads and trails must acknowledge and accommodate the direction provided by the LRMP. Hence, Six Rivers National Forest planners would be remiss to conduct travel management planning and ORV route-

designations in which OHV trails may be added to the Forest transportation system in Key Watersheds while precluding the analysis of Forest system route closures in these watersheds. [Commenter: 072809-01/ID75]

Response: The national Travel Management Rule (36 CFR 212) defines roads as A motor vehicle route over 50 inches wide, unless identified and managed as a trail. There are no additional roads proposed in the FEIS; only trails will be added to the NFTS.

LRMP2: The LRMP directs the agency to restrict OHV use to protect key resource values and meet management objectives. The SRNF proposal to facilitate additional system route designation in riparian reserves does not comport with the direction of the LRMP. [Commenter: 072809-01/ID76]

Response: The elimination of cross-country travel will reduce impacts to key resource values. The action alternatives are consistent with LRMP standards and guides regarding recreation management in Riparian Reserves. Trails adopted in the NFTS will not prevent meeting Aquatic Conservation Strategy objectives. Impacts that may be caused by trails located within a Riparian Reserve are minimized through mitigation, such as waterbars.

Alternatives

General

ARA1: I would like to voice my support for Alternative 1, no action, for the Mad River and Lower **ARA1** Trinity areas. All users get along just fine, and rarely do I witness off route travel or other resource damage. [Commenter: 072009-01/ID9]

ARA2: I urge you to adopt Alternative two (2) [Commenters: 072209-01, 072209-02, 072209-03, 072209-04/ID10]

ARA3: Please do not institute option 2 of the management plan. [Commenter: 062709-01/ID20]

ARA4: I support Alternative 3. [Commenter: 071209-01/ID11]

ARA5: This restriction [option 2] would punish law abiding riders and user. [Commenter: 062709-02/ID13]

ARA6: I do not agree with the current rules or any of the alternatives. [Commenter: 072909-02/ID14]

ARA7: The Redwood Unit, Back Country Horsemen of California prefers Alternative 3 for the Lower Trinity and Mad River Travel Management DEIS. [Commenter: 073009-02/ID15]

ARA8: The best alternative for motorized recreation is Alternatives 3 yet this alternative carries little additional impact compared to the proposed action. [Commenter: 080309-02a/ID16]

ARA9: I would prefer Alternative two, which would close the North Fork Wilderness and included 25 miles of mixed use routes. [Commenter: 080409-03/ID18]

Response: All comments have been considered in detail in reaching a decision on this project.

ARA10: From our reading of the DEIS it appears that the action alternatives all result in reduced impacts from motorized use of the trail system, primarily due to the elimination of cross-country travel. Although various tables rate differences between alternatives in a scale of 1-4, these tables, such as Table S-3, are misleading as the differences between impacts of action alternatives are in many cases negligible. This lack of significant difference between alternatives is a

recurring theme we have noted in many of the Region 5 Travel Management DEISs released to date. We contend that this is due to the fact that impacts from use of “unauthorized trails” are small when compared to other impacts such as logging, fires and the background sediment production due to the presence of natural erosion and established roads. [Commenter: 080309-02a/ID65]

Response: Chapter 3 of this document focuses on the effects of the Proposed Action and Alternatives and provides both the quantitative values in appropriate units for the respective indicators and a relative ranking, which does not, as you point out, indicate relative magnitude of the differences between alternatives. The analyses do not generally include other actions or natural events for effects comparison.

Range of Alternatives

ARA11: Please reconsider your choice of Alternative 2 as your Preferred Alternative. Assuming that alternative 1 is not "on the table" alternate 3 is the least objectionable choice. It seems to me that it would be in the forests best interest to include as many routes as possible in the final inventory, even if that route needs extensive mitigation before it could be included in the system. It would also be much easier to obtain funding and man power to upgrade a trail if it has the chance of being opened up for use in our lifetime without an act of congress. I believe there are still inventoried trails that can be added to alt 3 that would in the future greatly expand the available recreation potential of the forest. [Commenter: 080409-02/ID17]

ARA12: Assuming that alternative 1 is not "on the table" alternate 3 is the least objectionable choice. I believe there are still inventoried trails that can be added to alt 3 that would in the future greatly expand the available recreation potential of the forest. [Commenter: 062409-02, 062709-01, 062709-03/ID12]

Response: Unmanaged recreation by OHVs is identified as one of the “Four Key Threats Facing the Nation’s Forests and Grasslands” (USDA Forest Service, June 2004). The Travel Management Rule (36 CFR 212 (b)) directs the Forest Service to designate areas on National Forest System lands for motor vehicle use. The national Travel Management regulations (36 CFR 212.54) provide for revision of designations as needed to meet changing conditions, including the potential to add new routes following public involvement and site specific environmental analysis.

Route Closure

Decommissioning

RC1: All non-system routes should be securely closed, re-vegetated and/or decommissioned, and NEPA process should be conducted before incorporating any non-system routes into the FS road system. All illegally created routes and corridors need to be evaluated for appropriateness. [Commenter: 080309-03a/ID39]

Response: Restoration has not been included as an action component of the proposed action or alternatives, see RC2 response for more information. The NEPA process is being conducted before adding routes to the National Forest Transportation System (NFTS). Inventoried unauthorized routes are being evaluated for appropriateness for addition to the NFTS. See extended discussions in the Background Section 1.2 Background for the sideboards established

for proposed additions to the NFTS and see Chapter 3- Affected Environment and Environmental Consequences for evaluation of potential effects.

RC2: When an unauthorized route earns a Watershed High Resource Risk ranking and is within Riparian Reserve or a Key Watershed, we seek decommissioning and restoration, rather than seasonal closure. [Commenter: 080309-03a/ID49]

Response: Mitigation measures have been imposed on all high risk routes added to the NFTS. These measures include waterbar placement, stream diversion correction, route definition (signs or physical barriers) and seasonal closures. (*Section 3.5.4.2 Alternative 2 – Proposed Action*, and *Section 3.5.4.3 Alternative 3 – Expanded Recreation* of the FEIS) The Aquatic Biota *Section 3.6.7 Environmental Consequences* has been expanded to more fully display the actions within key watersheds. As described in FEIS *Section 1.2.2 Scope of Analysis*, this proposal is narrowly focused on the prohibition of cross-country travel and limited changes to the NFTS roads and motorized trails to improve motorized recreation opportunities on the Lower Trinity and Mad River Districts. Many suggestions were received during scoping, including the rehabilitation of unauthorized routes not proposed for addition, to either mitigate on-going resource damage and/or accelerate return to a natural condition. These suggestions have been captured and may be considered in future programs of work as availability of staff and funding allow in context of our overall mission. As discussed in *Section 1.2.1 Travel Management on the Lower Trinity and Mad River Districts of the Six Rivers National Forest*, this proposal is just one project, among many, in the Six River NF long-term goal of managing the transportation system. Over the last 12 years decisions have resulted in almost 170 miles of NFTS roads being closed or decommissioned" to improve watershed conditions. Ongoing efforts include: (1) reducing adverse environmental impacts associated with unauthorized routes through various project-level planning efforts; and (2) addressing impacts associated with the current NFTS through the Six River NF road and trail maintenance program. Implementation of this proposal and the subsequent designation of motor vehicle routes through publication of the MVUM are only one step in the overall management of the Six Rivers NFTS.

Season of Use & Wet Weather

RC3: Multiple comments addressed the desire for the SRNF to implement flexible date seasonal closures rather than fixed date seasonal closures, citing unpredictability of weather, historic methods of effecting seasonal closure which were responsive to rainfall, and the lack of “customer service” offered through this approach. One commenter stated that the SRNF had not considered a measured rain closure. [Commenter: 080409-05a/ID45, 080409-06/ID45; 062409-02/ID47, 062709-01/ID47, 062709-03/ID47, 080409-02/ID47]

Response: The Six Rivers considered flexible date seasonal closures as documented in Section 2.6 Alternatives Considered, but Eliminated from Detailed Analysis of the FEIS. The national Travel Management Rule requires that Motorized Visitor Use Maps (MVUM) specify the times of year for which use is designated (36 CFR 212.56).

RC4: Multiple comments ask that the EIS disclose the criteria and data used to support the season-of-use closure dates. [Commenter: 080309-01a/ID40 & ID41; 080409-05a/ID45, 080409-06/ID45; 062409-02/ID47, 062709-01/ID47, 062709-03/ID47, 080409-02/ID47]

Response: The FEIS has expanded the discussion of seasonal closure under 2.3 Alternatives Considered in Detail of the FEIS. Rather than being under the Mitigation Measures heading, this discussion is now under its own heading, referred to as Season of Use. See also the Terrestrial Wildlife discussion in Appendix I - Changes from DEIS to FEIS.

RC5: If a wet weather closure is needed, the implementing Forest Order should be for the shortest period of time rather than a longer time period. [Commenter: 080409-05a/ID45, 080409-06/ID45]

Response: Closure Orders will not be used for on-going management needs; their use has been clarified to be restricted to emergency needs. The Six Rivers LRMP requires each individual project to identify appropriate Best Management Practices (BMPs) necessary to protect or improve water quality. Appendix B lists applicable BMPs that are relevant to the Lower Trinity and Mad River Motorized Travel Management EIS. The primary BMPs which are driving the need to establish seasonal wet weather closures on specific routes are; Practice 2-24 (Traffic Control During Wet Periods) and Practice 4-7 (Water Quality Monitoring of Off-Highway Vehicle Use). Practice 2-24 requires wet weather use be limited to roads only when it has a stable surface and sufficient drainage to minimize sedimentation. Practice 4-7 states where OHV use can cause degradation of water quality appropriate mitigation measures shall be implemented to reduce the potential for offsite impacts to water quality. Approximately 50% of the routes considered for addition to the NFTS have natural (native) travel surfaces (not hardened with gravel or asphalt). Wet weather use on natural surfaced routes has the potential to cause direct damage to the tread width by concentrating runoff, increasing erosion and widening of the travel route. The climate in Lower Trinity and Mad River Ranger Districts is characterized by a rainy, wet winter season and followed by a dry summer season. Most of the annual precipitation occurs between October and May, according to annual precipitation records collected on these Districts for over 56 years. The Forest Service expects the date range selected to provide protection for the motorized trail tread and minimize potential off-site sediment delivery. The dates for wet weather closures will be published on the MVUM.

RC6: OHV and all-terrain vehicles (ATV) use during spring conditions, over routes that are part mud and part snow, is particularly destructive and should be prohibited. We (EPA) advocate the expanded use of seasonal closures as a means to avoid and minimize adverse resource effects of roads, trails, and motorized use. For example, we recommend season-of-use periods and wet weather closures in lower elevations, currently proposed to be open all year, in watersheds with sensitive resources such as meadows and fens, vulnerable threatened and endangered species habitat, or high erosion potential soils. [Commenter: 080309-01a/ID40 & ID42]

Response: The Forest Service proposes to use seasonal closures to avoid and minimize potential adverse resource affects from the use of the existing and proposed motorized trails. See discussion under Season of Use within Section 2.3 Alternatives Considered in Detail of the FEIS.

RC7: We are concerned with the conversion of closed routes to open, the enforceability of closure periods due to the large land area. [Commenter: 080309-01a/ID40]

Response: A total of 2.89 miles of closed NFTS roads have been proposed as motorized trails under Alternatives 2 and 3. All but 300 feet will be subject to seasonal closure. See Table A-2 in Appendix A.

Per the enforceability of closure periods, *Section 3.1.4 Law Enforcement Assumptions Common to Effects Analyses* of the FEIS discloses the Forest Service's expectation that "...the number of violations will decline as the users understand and comply with the rules." Note that some seasonal closures, such as proposed to reduce the risk Port Orford cedar root disease, are enforced with locked gates.

RC8: Two commenters asked that the EIS describe if current wet weather use of existing NFTS and unauthorized routes results in significant environmental impacts, and what those impacts are. [Commenters: 080309-01a/ID40; 080309-02a/ID44]

Response: The impacts from wet weather use are described in the Season of Use Section of 3.4.4 Affected Environment of the FEIS.

Enforcement

General

ENF1: I would like to see more Forest rangers policing the forest or getting some volunteers to help out. I see a lot of illegal fire wood cutting and a few folks cutting across the woods with their Trucks and quads. [Commenter: 061709-01/ID62]

Response: This continues to be a forest concern also.

Route Closures

ENF2: The Forest Service also relies on seasonal or year-round closures to mitigate the environmental and economic impacts of its travel management proposals. If the Forest Service intends to rely on seasonal closures, gates, or barricades as mitigation measures designed to protect significant environmental values (such as POC and listed fish) from damage, then the efficacy of those closure methods must be fully disclosed and analyzed. The efficacy of seasonal (or year-round) closure mechanisms was not disclosed in the DEIS. Please note that our organizations strongly believe that such an analysis would indicate that only a combination of physical road decommissioning, increased law enforcement presence, enactment of penalties for illegal activities, as well as education to user groups will prove effective. Gates and barricades rarely prove effective in preventing illegal motorized use. [Commenter: 072809-01/ID56]

Response: Increased law enforcement presence, as well as education to user groups, facilitates the effective use of the closures. The enforcement effects discussion does consider the effects of proposed mitigations. Monitoring of road and trail conditions is required each year. Road and trail condition surveys are conducted using a random sample and must meet national standards. If monitoring or road and trail condition surveys determine motor vehicle use on a national forest is directly causing or will directly cause considerable adverse effects on public safety or soil, vegetation, wildlife, wildlife habitat, or cultural resources associated with that road or trail the responsible official, in accordance with 36 CFR 212.52(2) shall immediately close that road or trail to motor vehicle use until the official determines that such adverse effects have been mitigated or eliminated and that measures have been implemented to prevent future reoccurrence.

ENF3: Expected impacts are important for the public and decision maker to know, prior to issuance of a decision. The Forest cannot evade expected impacts as per NEPA by claiming that they only have to analyze what they “legally” authorize. The effectiveness of mitigation must also be analyzed. The DEIS failed to contrast the above examples of ineffective closure mechanisms with the apparent successes of the nearby High Cascades Ranger District in the Rogue-Siskiyou National Forest of preventing illegal motorized use through law enforcement presence enabled by the agency’s green dot program. The Agency’s reliance on administrative remedies to address adverse ORV impacts — as opposed to route obliteration— is unacceptable because it has been proven not to work. (Various surveys and studies on ORV user behavior are described in detail) [Commenter: 072809-01/ID57]

Response: We are committed to using a combination of increased law enforcement presence and education of user groups to facilitate the effective use of the closures. We recognize illegal use will occur, but expect "Public education and enforcement of travel management restrictions will

successfully limit most public motorized use to designated routes" as discussed in *Section 3.1.4 Law Enforcement Assumptions Common to Effects Analyses*.

Disclosure of Mechanisms

ENF4: Triggers for action when new illegal routes are created need to be thoroughly addressed in the document, and mechanisms for funding law enforcement and rehabilitation of routes need to be clearly identified. [Commenter: 080309-03a/ID58]

Response: Action on new illegal routes is beyond the scope of this project. This is a trespass issue and law enforcement would be involved. Law enforcement is funded through annual appropriations. The Forest Service will also look for cooperative funding through agencies or groups such as the California State Parks Division of OHV and California Native Plant Society (CNPS), and will coordinate with volunteer organizations to get prescribed work completed. For more information about rehabilitation see Response to Comments in Route Closure 2 (RC2).

Law Enforcement/Season of Use

ENF5: ORV use should be considered only in areas where there are adequate funds for the enforcement that is required to protect resources. All routes should be "multi-purpose" routes to facilitate access for rangers and law enforcement activities. According to FSM 2355.05, the Forest Officer may consider availability of funding and manpower to prevent or correct adverse effects. [Commenter: 080309-03a/ID59]

Response: We are committed to using a combination of increased law enforcement presence and education to user groups to facilitate the effective use of the closures. Rangers and law enforcement will have access to all designated routes.

ENF6: The FEIS should identify specific enforcement measures proposed by the Forest Service to ensure that seasonal closures are followed. EPA encourages the Forest Service to consider enforcement as a significant issue during the design and analysis of alternatives for motorized travel management. Once a road closure occurs due to wet road conditions, we recommend considering a policy of keeping the road closed until the end of the wet season in order to minimize public confusion and simplify enforcement. [Commenter: 080309-01a/ID60]

Response: We are committed to using a combination of increased law enforcement presence and education of user groups to facilitate the effective use of the closures. Roads that are closed during wet weather are not typically opened until the end of the wet season.

Signage

ENF7: CNPS believes that the national forests should be closed to ORV use unless signed open. USFS policy directs the agency to select the method that better informs the public and that is easier to administer [FSM 2355.03]. Such policy would minimize the illegal removal of "area closed" signs, which has led to damage to natural resources by illegal ORV use. [Commenter: 080309-03a/ID61]

Response: All areas are closed; therefore signs are not required to distinguish between open and closed areas. Routes open for public motorized use will be signed with a route number and the type of vehicle use allowed. Routes not signed or shown on the MVUM will be closed for public motorized use, unless permitted through a different authority.

Soil Resource

General

SL1: The contention that the proposed action will comply with the NFMA direction to protect and improve soil and water conditions are arbitrary and capricious. DIES pg. 74“...approximately half of unauthorized routes to be added to the NFTS have signs or erosion.” How is the DEIS in compliance with the NFMA direction to protect and improve soil and water condition when adding routes to the transportation system? In fact, many unique geological areas have been directly harmed by ORV use including the Mt. Lassics Botanical and Geological area. [Commenter: 072809-01/ID136]

Response: Section 3.4.5.1 Alternative 1 – No action, part 1, of the FEIS acknowledges that approximately half of the unauthorized routes to be added to the NFTS have signs of erosion (e.g. rilling and gullyng). The next sentence also states that with future maintenance and mitigations, the risk to soil and water resources is reduced to low. For unauthorized motorized routes proposed to be added to the NFTS, the intent of NFMA is being met with mitigations and maintenance because these actions will reduce risk soil and water resources when compared to Alternative 1 - No Action. The geology of the area will remain the same regardless of OHV use. However there is the potential for site impacts to the Lassics Botanical and Geological area should motorized users not stay to designated routes. The Resource Monitoring Plan for the project includes monitoring of use within the Lassics Botanical and Geological area and if resource damage is noted, it will be mitigated through signs, barricades or the route will be removed from the MVUM (Appendix H of the FEIS).

SL2: We had hoped that the DEIS would analyze or disclose the potential for increased off-route and off-road OHV abuse of serpentine sites due to the identification of such routes on the MVUM. The destruction of rare plants by motor vehicles is a direct impact that cannot be mitigated and may contribute to the need for Endangered Species Act listings (in violation of NFMA and Northwest Forest Plan). Ruts, rills, and gullies persist in serpentine areas for decades (in violation of the ASC) and prevent re-establishment of desired rare species (via permanent soil damage). [Commenter: 072809-01/ID137]

Response: We are also concerned about impacts to serpentine sites, particularly in the Lassics and Horse Mountain Botanical Areas. We have targeted these areas in the Botanical Resources Monitoring Plan in Appendix H of the FEIS. If adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not limited to, signing, barriers, closure to causative vehicle type(s), or removal of the route from the MVUM. Note that there are no known Sensitive plant sites within 100 feet of the routes proposed for designation under the action alternatives.

Water Resources

General

W1: Each alternative should describe how the Six Rivers NF is meeting the requirements of the CWA. [Commenter: 072809-01/ID198]

Response: Alternative 4 would prohibit motorized use on all unauthorized routes thereby facilitating passive restoration on routes with water quality concerns. Alternatives 2 and 3 would only designate routes that have no water quality concerns or where concerns could be mitigated

by installing erosion control structures such as waterbars. These action alternatives reduce the future risk of sedimentation when compared to Alternative 1, thereby meeting the intent of the CWA to protect water quality. Alternative 1 is not likely to fully comply with the CWA because it would not restrict motorized use of unauthorized routes with water quality concerns (Section 3.5.6 Compliance with the Forest Plan and Other Direction).

W2: The alternatives, except Alternatives 1 and 4 which do not add any new routes, would convert NFTS roads to trails and change 2.49 miles of NFTS roads from highway-legal-only to use by all vehicles with the associated reduced maintenance level (2.4-20). We are concerned with the potential adverse water quality effects of a reduction of maintenance on roads where existing use may already be adversely affecting resources. The FEIS should provide a more rigorous evaluation and description of the effects of the proposed re-designation of roads to trails, and highway-legal-only to all vehicle use. Specifically, the FEIS should include a description of the final maintenance levels for these roads and the potential environmental impacts to sensitive resources. We recommend additional best management practices (BMPs) be included to ensure the changes in NFTS use and maintenance levels do not result in additional adverse water quality or sediment effects. See <http://epa.gov/owow/nps/unpavedroads.html> for a Recommended Practices Manual for Maintenance and Service of Unpaved Roads. [Commenter: 080309-01a/ID199]

Response: The FEIS does propose to change 2.5 miles of road from maintenance level 3 to 2 to facilitate mixed use on these road segments. The difference between the levels of maintenance is that level 3 roads typically require more blading and grading of the road surface to facilitate passenger cars. However, level 3 roads do generally receive more regular maintenance as compared to Level 2 roads. Lowering the maintenance level of 2.5 miles of road will not significantly reduce the overall maintenance of roads in the analysis area. The FEIS does not propose changing any existing NFTS road to trail status. The DEIS does propose co-locating 2.9 miles of trail on top of existing NFTS roads. All applicable BMPs are included in Appendix B for reference.

W3: In Scoping the Six Rivers NF proposed these miles in Key watersheds:

- 5.3mls.of OHV routes in Cedar Creek
- 0.4mls. Grouse Creek
- 1.8 in Horse Linto Creek
- 6.2 in Lower South Fork Trinity
- 2.8 in Pilot Creek
- 1.0 in Salt Creek
- 1.0 in North Fork Eel River
- (<250 ft) in the Headwaters North Fork Eel River

Is this the same as proposed in the DEIS? The DEIS does not disclose this information. The EIS did not disclose which watersheds are over the Threshold of Concern and/or “impaired” and analyze road density, especially in key watersheds. We believe that these trails, because of trail and road density may be having a negative impact on key watershed, including the cluster that contains MM839, MM842-845, MM848-850, MM852 and MM853 and the proposed routes in the Horse Linto WA including MM826, MM800, MM826, PK804, 07N16, 07N27, MM790, MM791, MM792, PK820 AND PK 820-821.

We recommend that a serious effort be made to identify roads in Key Watersheds containing threatened Coho salmon that can be decommissioned or re-engineered to reduce sediment impacts. [Commenter: 072809-01/ID140]

Response: The Aquatic Biota *Section 3.6.7 Environmental Consequences* has been expanded to more fully display the actions within key watersheds. The DEIS disclosed the Threshold of Concern for each watershed (Table 3.5-4) and road density (Table 3.5-6). A route by route risk assessment was completed and was included in Appendix C. A Biological Assessment was prepared for ESA listed anadromous salmonids, including coho salmon. National Marine Fisheries Service concurred with the determination of "may affect, not likely to adversely affect".

As described in FEIS *Section 1.2.2 Scope of Analysis*, "This proposal is narrowly focused on the prohibition of cross-country travel and limited changes to the NFTS roads and motorized trails to improve motorized recreation opportunities on the Lower Trinity and Mad River Districts. Many suggestions were received during scoping, including the rehabilitation of unauthorized routes not proposed for addition, to either mitigate on-going resource damage and/or accelerate return to a natural condition. These suggestions have been captured and may be considered in future programs of work" as availability of staff and funding allow in context of our overall mission. As discussed in 1.2.1 "this proposal is just one project, among many, in the Six River NF long-term goal of managing the transportation system. Over the last 12 years decisions have resulted in almost 170 miles of NFTS roads being closed or decommissioned" to improve watershed conditions. Ongoing efforts include: (1) reducing adverse environmental impacts associated with unauthorized routes through various project-level planning efforts; and (2) addressing impacts associated with the current NFTS through the Six River NF road and trail maintenance program. Implementation of this proposal and the subsequent designation of motor vehicle routes through publication of the MVUM are only one step in the overall management of the Six Rivers NFTS.

W4: Alternatives 2 and 3 would add routes to the NFTS for motorized use in watersheds that already have high potential for cumulative watershed effects (Table C-1, Appendix C and 3.4-7.4). In the preferred alternative, 52 of the routes (25 miles) that would be added to the NFTS have issues with rilling and rutting erosion (3.4-73). No mitigation or active recovery has been proposed for unauthorized trails where travel is now prohibited despite the presence of potentially significant erosion. The EPA is concerned with the designation of existing, unauthorized trails known to have soil and water resource impairment requiring mitigation, especially given the challenge of enforcing motorized use across a vast landscape, and the backlog of maintenance needs. Recommendation: We recommend elimination of routes with existing resource impairments that are located in watersheds with a high risk of impaired water quality. In the FEIS, quantify the miles of additional eliminated routes. As the preferred alternative includes the addition of unauthorized routes in watersheds at moderate to extreme risk of cumulative watershed effects, we recommend that restoration or obliteration of impaired unauthorized routes in the at-risk watersheds to be included as mitigation. In addition, we strongly recommend completely decommissioning routes that are located in water quality impaired watersheds. Finally, we recommend restoration/mitigation efforts to decommissioned routes/trails that will not passively recover over the long-term. [Commenter: 080309-01a/ID204]

Response: EPA is correct that there are numerous unauthorized motorized routes that will not be added to the NFTS that have signs of erosion. Addressing these erosion problems is outside the scope of the purpose and need for this project and will not be addressed in this analysis. Unauthorized motorized routes that will be added to the NFTS that have signs of erosion and water quality concerns will be addressed through mitigation measures designed to reduce the risk of erosion and potential sedimentation. Propose routes that have signs of erosion will not be

included on the MVUM until the mitigations are in place. There are no watersheds that are at extreme risk of cumulative watershed effects because none of the affected watersheds are at or over the Threshold of Concern. For further information, see the response to Aquatic Biota Comment 6.

Sediment

W5: The Forest Service blithely assumes that publication of the MVUM encouraging motorized use on proposed routes will not increase the impacts discussed above. Proposed additions to the NFTS could have increased use, which may increase impacts. Currently many of the user-created routes are not illustrated on Forest Service maps and are known of through word-of-mouth or beyond dispersed campsites. The agency cannot contend that the foreseeable increase in motorized use on routes located in Riparian Reserves will not result in the cumulative sediment impacts listed above. If you map it, they will come. [Commenter: 072809-01/ID200]

W6: Despite the facts above regarding the connection between road/route use and sediment production, the DEIS generally limits its analysis to the impacts of route or road establishment as opposed to the foreseeable impacts of increased motorized use that will follow publication of a MVUM that codifies additional routes in riparian reserves. This is particularly important for those routes proposed in Key Watersheds. [Commenter: 072809-01/ID201]

Response: The Forest Service recognizes that motorized use has the potential to result in tread wear, erosion and off-site impacts, particularly where signs of erosion already exist. As a result, the FEIS (*Section 2.3-14 Mitigation Measures*) states that unauthorized motorized trails that are to be added to the NFTS, will not be included on the public Motor Vehicle Use Map (MVUM) until the erosion mitigations are implemented (e.g. water bars and diversion correction).

The cumulative watershed effects assessment conducted for all alternatives revealed that all watersheds in the project area are well below the Threshold of Concern (the limit of disturbance that a watershed can tolerate without adverse impacts to beneficial uses). The DEIS acknowledges that sedimentation in selected routes is occurring and on the routes proposed to be added, the watershed risk through mitigation measures will be lowered from high to moderate or low (*Section 3.5.4.5 Cumulative Watershed Effects for All Alternatives*).

The water resource monitoring plan (Appendix H) was developed to assess route conditions today and in the future. Annual monitoring would occur on high and moderate risk routes. Monitoring results are documented, along with the actions necessary to correct identified problems.

TMDL

W7: The Mad River Watershed has been listed as water quality impaired under section 303(d) of the Federal Clean Water Act for sediment and turbidity. A Total Maximum Daily Loads for Sediment and Turbidity Report (TMDL) was completed in December of 2007, recommending a reduction of sediment inputs from current levels. The Trinity River is 303(D) listed for temperature and nutrients. Does the SRNF contend that increasing the number of system roads in riparian reserves will meet the agency's obligations delineated in the Basin Plan? Does the SRNF contend that designating native surface routes in riparian areas that are 303(D) listed for sediment abides by the requirements of the CWA? [Commenter: 072809-01/ID202]

Response: The Trinity and Mad River watersheds are water quality impaired and actions by land managers to reduce sediment inputs need to occur to be in compliance with the CWA. Extensive road decommissioning has occurred within the Trinity watershed on the Six Rivers to address

TMDL (Total Maximum Daily Load) sedimentation concerns (Table 3.5-3). Within the Mad River watershed, as part of the Beaverslide Timber Sale and Fuel Treatment DEIS, several of the unauthorized motorized routes (0.87 miles) and system roads (7.4 miles) are proposed to be decommissioned. Road condition inventories are currently underway to identify future road decommissioning and restoration opportunities. Under this FEIS, unauthorized motorized routes that are proposed to be added to the NFTS that cross streams will be mitigated through use of water bars and rolling dips thereby reducing the high watershed risk rating to moderate or low (*Section 3.5.4.2 Alternative 2 – Proposed Action*). Neither the Basin Plan nor TMDLs limits the addition of roads or trails but rather requires that actions are taken to reduce sedimentation risks. Decommissioning proposed under the Beaverslide project and implementing subpart B of the Travel Management rule facilitates reducing sedimentation risks from system roads and unauthorized motored use, thereby moving the Forest Service towards the path of compliance with the TMDL and the CWA.

Watershed Impacts

W8: The watershed analysis indicates little difference between the action alternatives. The benefit to addition of a limited number of routes is that they will be maintained and will not undergo passive restoration that will take decades. There is a benefit to soils and watershed from Alternatives 2 and 3 as a result of maintenance and seasonal closures of routes that are added. Existing routes will take several decades to re-vegetate, therefore the limited benefit of making no additions of route to the system is outweighed by the benefit of a limited addition of recreational opportunity. [Commenter: 080309-02a/ID203]

Response: EPA is correct that there are numerous unauthorized motorized routes that will not be added to the NFTS that have signs of erosion. Addressing these erosion problems is outside the scope of the Purpose and Need for this project and will not be addressed in this analysis. Unauthorized motorized routes that will be added to the NFTS that have signs of erosion and water quality concerns will be addressed through mitigation measures designed to reduce the risk of erosion and potential sedimentation. Propose routes that have signs of erosion will not be included on the MVUM until the mitigations are in place. There are no watersheds that are at extreme risk of cumulative watershed effects because none of the affected watersheds are at or over the Threshold of Concern. For further information, see the response to Aquatic Biota Comment 6.

Aquatic Biota

General

AB1: It is still our view that SRNF has too many problem roads that impact fish. [Commenter: 072809-01/ID23]

Response: Roads are an acknowledged source of potential impacts to aquatic ecosystems including anadromous salmonids within Aquatic Biota, Section 3.6.5 General Effects Common to all Aquatic Biota. Closing routes and restoring drainage patterns are discussed under response to comments in AB6.

AB2: I would like to see the calculation of board foot to gallon of water that will be returning annually to the stream after the removal of any type of timber. The water gained is needed for the spawning of the trout, steelhead, and salmon. The water not taken in by vegetation can have effect on roads, culverts, and crossings. This new yearly water gain will have the largest impact

on the environment directly in the LT MR TM DEIS area and downstream to even more spawning beds. [Commenter: 072909-04/ID24]

Response: Removal of timber is outside the scope of the Proposed Action. The impacts of past timber removal has been analyzed in the cumulative watershed effects *Section 3.5.4 Cumulative Watershed Effects for All Alternatives*.

AB3: Alternatives 2 and 3 propose, for motorized use, adding routes that include 44 to 60 stream crossings, respectively. Recommendations: We recommend selection of an alternative that avoids and minimizes adverse effects to riparian and aquatic resources, and further recommend elimination of routes that traverse perennial creeks, wet meadows, and fens. In the FEIS, quantify the miles of routes reduced in each of these areas. [Commenter: 080309-01a/ID25]

Response: Chapters 3.5 *Water Resources* and 3.6 *Aquatic Biota* show the analysis of miles of routes within riparian reserves and the number of stream crossings by alternatives. The analysis does not separate out the types of riparian reserves widths; GIS analysis was based on the crenulated stream layer and did not differentiate between stream types. The Southern Torrent Salamander is a management indicator species that represents the Bog/Seep/Spring/Wet Meadow Assemblage (*Section 3.6.6 Aquatic Affected Environment*) in the Management Indicator Report (2009).

AB4: To be most protective of anadromous fisheries, NOAA Fisheries recommends that Alternative 4 be adopted and expanded to provide adequate drainage with effective closure (Poff 2004). [Commenter: 080409-01/ID26]

Response: Impacts to ESA listed salmonids were analyzed in the "Lower Trinity/Mad River Ranger Districts Travel Management Biological Assessment"(BA) submitted to NMFS on October 23, 2009. The BA included an analysis of the mitigations measures (waterbars and wet weather use restrictions) proposed that would decrease impacts to water quality, and therefore anadromous fish. National Marine Fisheries Service concurred with the determination of "may affect, not likely to adversely affect" via a Letter of Concurrence received November XX, 2009. Closing routes and restoring drainage patterns are discussed under response to comments in AB6.

Key Watersheds

AB5: We recommend that a serious effort be made to identify roads in Key Watersheds containing threatened Coho salmon that can be decommissioned or re-engineered to reduce sediment impacts. Obviously high priority roads for treatment or decommissioning should not appear on the MVUM. [Commenter: 072809-01/ID21]

Response: Information regarding Key Watersheds and the Aquatic Conservation Strategy has been updated in the Aquatic Biota Section 3.6.8 Compliance with Forest Plan and Other Direction of the FEIS. Within the project area, out of the 146 miles of NFTS roads that have been decommissioned to date, 133 miles of them have been in Key Watersheds (Water Resources 3.5.3 and Table 3.5-3). Impacts to ESA listed salmonids were analyzed in the "Lower Trinity/Mad River Ranger Districts Travel Management Biological Assessment" (October 23, 2009). Closing routes and restoring drainage patterns are discussed under response to comments in AB6.

Unauthorized Roads and Routes

AB6: NOAA Fisheries is concerned that the steps FS is taking to prohibit unauthorized use of roads, trails, and areas will not be sufficient to significantly reduce further sediment affects to our trust resources. Insufficient attention appears to have been focused on the likelihood that these

unauthorized roads will continue to be used. To be protective of our trust resources, we recommend that unauthorized roads also be physically blocked. This can be accomplished through the use of gates, large boulders, logs, or other means. This is consistent with Poff 2004 and DEIS Section 3.4.5.0. Unauthorized roads should be decommissioned and rehabilitated as described on page 3.5-90 of the DEIS, so that sediment effects to streams in these watersheds will be minimized. In addition, we recommend that blocking unauthorized roads be expanded throughout the SRNF instead of only the North Fork Wilderness (e.g., section 1.2.2 and 1.3) [Commenter: 080409-01/ID22]

Response: Unauthorized routes that have the potential to impact anadromous fisheries are discussed in Table 3.6-5 and Table 3.6-9. Further information about the impacts of individual routes is included in the "Lower Trinity/Mad River Ranger Districts Travel Management Biological Assessment" (October 23, 2009) prepared for ESA listed anadromous salmonids. The Equivalent Roaded Acres model in Appendix D is designed to determine if land management activities, past present and future would result in detrimental impacts to beneficial uses, including anadromous fish.

As described in FEIS *Section 1.2.2 Scope of Analysis*, "This proposal is narrowly focused on the prohibition of cross-country travel and limited changes to the NFTS roads and motorized trails to improve motorized recreation opportunities on the Lower Trinity and Mad River Districts. Many suggestions were received during scoping, including the rehabilitation of unauthorized routes not proposed for addition, to either mitigate on-going resource damage and/or accelerate return to a natural condition. These suggestions have been captured and may be considered in future programs of work" as availability of staff and funding allow in context of our overall mission. As discussed in 1.2.1 "this proposal is just one project, among many, in the Six River NF long-term goal of managing the transportation system. Over the last 12 years decisions have resulted in almost 170 miles of NFTS roads being closed or decommissioned" to improve watershed conditions. Ongoing efforts include: (1) reducing adverse environmental impacts associated with unauthorized routes through various project-level planning efforts; and (2) addressing impacts associated with the current NFTS through the Six River NF road and trail maintenance program. Implementation of this proposal and the subsequent designation of motor vehicle routes through publication of the MVUM are only one step in the overall management of the Six Rivers NFTS.

No barriers are proposed to physically block access on unauthorized routes not proposed for addition to the NFTS except where motorized access is provided into the North Fork Wilderness or blocking is incidental to definition of an adjacent route proposed for addition to the NFTS as described in 1.2.2. The restriction of public motorized use to designated roads and motorized trails is provided by the Motorized Visitor Use Map (MVUM). We recognize illegal use will occur, but expect "Public education and enforcement of travel management restrictions will successfully limit most public motorized use to designated routes" as discussed in 3.1.4. We agree that sediment effects to streams should be minimized, and feel that the proposed prohibition of cross-country travel and limited changes to the NFTS will make an incremental change toward that goal. Note that the designation of 28.1 miles of motorized trails is subject to the placement of waterbars and correction of stream diversions under Alternative 2, an additional 1.75 mile under Alternative 3. We will take your recommendations under advisement in the development of future projects, including actions focused on restoration.

Terrestrial Wildlife

General

WLD1: The Forest Service must manage public lands in an ecologically sustainable manner that protects soil and water resources, streams, streambanks, shorelines, wetlands, fish and wildlife, and the diversity of plant and animal communities. 36 CFR 219.27(a)(4)(1982). The agency must also show how it is protecting these resources and what species are being used to serve as management indicators of forest health and wildlife viability. 36 CFR 219.19(a)(1982). [Commenter: 072809-01/ID208]

Response: The Six Rivers Land and Resource Management Plan Monitoring Accomplishments is produced for each fiscal year. Within Chapter 3, discussions by resource areas include effects methodology, analyses, reference best available science in the literature, and discussion. The list of MIS species can be found in the LRMP Chapter 4 Table IV-10 as well as within the aquatic and terrestrial biota sections in Chapter 3.

WLD2: The travel management proposal affects species on the USDA Forest Service sensitive animal species list for the Six Rivers National Forest, specifically Northern Goshawk, Great Gray Owl, American marten, Pacific fisher, and Western pond turtle. The DEIS does not disclose the baseline condition of each of these species or how species will be effected, it simply concludes that both Alternatives 2& 3 would result in decreased amounts of activity. [Commenter: 072809-01/ID209]

Response: Current condition was added to the Wildlife section discussion within *Section 3.14.6 Environmental Consequences*. Current conditions capture the residual effects of past human actions including unauthorized routes and natural events, regardless of which particular action or event contributed to those effects. Therefore, this analysis relies on current environmental conditions as a proxy for the impacts of past actions and current conditions.

The analysis effects to wildlife extend beyond the immediate road prism itself, into what can be referred to as a “zone of influence” adjacent to motorized roads and trails. In this “zone of influence”, habitat effectiveness or suitability is potentially reduced and wildlife population densities could be lower (Trombulak and Frissell I 2000, Gaines, et al. 2003). The degree of effect of the various factors associated with roads and trails can be evaluated more effectively when considering the proportion of a given species habitat that occurs within this “zone of influence”. *Section 3.7.3 Effects Analysis Methodology* illustrates that the Great gray owl is outside the range of this project; therefore, it is a "Species Excluded from Analysis" (Table 3.7-1). The Western pond turtle was analyzed in the Aquatic Biota section of Chapter 3. Northern goshawk, American marten, and Pacific fisher are discussed under the respective species sections.

WLD3: Lastly, we bring to your attention that your colleagues in the Rogue-Siskiyou National Forest concluded on pages II-33 and II-47 of the aforementioned DEIS that limiting OHV use near spotted owl sites would contribute to the avoidance of owl harassment. No such acknowledgement is present in the SRNF DEIS. [Commenter: 072809-01/ID210]

Response: Alternatives are in compliance with the Regional Programmatic Agreement. See Chapter 3.7 Effects of Mitigation Measures and northern spotted owl Environmental Consequences section.

WLD4: The DEIS is not explicit in determining how OHV routes in LSRs are consistent with the LRMP and ROD guidelines. The DEIS had no information pertaining to how many miles are designated for each different LSR or what the current condition of the LSRs are. The EIS did not disclose why each LSR, that has OHV routes proposed in them, was designated and what its specific purpose is. [Commenter: 072809-01/ID149]

Response: See Section 3.7.4 – Late Successional Forest Associated Species. Route miles by alternative in LSR are posted in Table 3.7-6. Describing rationale for the LSR designation selection is beyond the scope of this analysis. For more information on LSR goals, desired conditions, standards and guidelines refer to the SRNF Forest Plan, section 4, management area 8.

LSR/CHU

WLD5: The FS is proposing to designate and encourage motorized use on routes within LSRs and CHUs. Note that Alternative 2 and 3 would authorize 5.2 miles of user-created route within LSRs and CHUs, potentially effecting NSO dispersal, foraging, and nesting. [Commenter: 072809-01/ID150]

Response: See Section 3.7.4 – Late Successional Forest Associated Species discussion. Analysis by alternative is documented within northern spotted owl Environmental Consequences section as well as captured within the Effects of Mitigation Measures.

MIS

WLD6: The Six Rivers LRMP (IV 96) indicates that MIS species “serve as the primary measure of the biological diversity trend on the Forest.” Given this purpose of the MIS designations and the acknowledgment that some “MIS were selected based on concern for their current population status,” it is very difficult to understand how MIS could fulfill their management function if the SRNF refuses to collect information about population size, distribution, and trend and analyze and disclose that information in landscape level projects in EISs like Motorized Travel Management. Simply listing of acres affected while refusing to conduct any analysis of MIS populations does not constitute the “hard look” at environmental impacts that NEPA requires. [Commenter: 072809-01/ID151]

Response: MIS are animal or plant species identified in the Six Rivers NF LRMP (USDA 1995, Chapter 4, Pages 96), which was developed under the 1982 National Forest System Land and Resource Management Planning Rule (1982 Planning Rule) (36 CFR 219). Guidance regarding MIS set forth in the Six Rivers NF LRMP directs Forest Service resource managers at project scale, to analyze the effects of proposed projects on the habitats of each MIS/assemblage affected by such projects. Project-level effects on MIS are analyzed and disclosed as part of environmental analysis under the National Environmental Policy Act (NEPA). This involves examining the impacts of the proposed project alternatives on MIS habitat by discussing how direct, indirect, and cumulative effects will change the quantity and/or quality of habitat in the analysis area. These project-level impacts to habitat can be then related to appropriate scale; watershed or national forest scale, of habitat trends through analysis of change in seral stage.

The Six Rivers NF LRMP does not require project level surveys for MIS. NFMA requires maintaining populations of existing and desired non-native vertebrate species in the planning area (36 CFR 219.19) and the Forest meets this expectation through the management of habitat, not individual animals. Current conditions capture the residual effects of past human actions including unauthorized routes and natural events, regardless of which particular action or event

contributed to those effects. Therefore, this analysis relies on current environmental conditions as a proxy for the impacts of past actions and current conditions. Since the project prohibits cross-country travel and adds specific unauthorized or unclassified routes and areas to the NFTS for recreational wheeled motor vehicle use and no new ground disturbance would occur as the routes already exist. The only new ground disturbance would be the installation of water bars and work would occur on the travel way, which is already a disturbed site therefore, habitat trends are expected to remain the same, as summarized in the project MIS report.

NSO

WLD7: We are surprised at the Forest Service’s decision to rely on the discredited and illegal re-designation of Spotted Owl Critical Habitat. We know of no other agency, industry or party that continues to rely on the obviously illegal NSO critical habitat re-designation. [Commenter: 072809-01/ID152]

Response: The 2008 Critical Habitat designation is legal and is the official designation of record, however, analysis of NSO critical habitat was accomplished spatially using both the 1992 designation and the 2008 revised designation, because; 1) 1992 designations encompass more area than the revised 2008 designation thereby capturing both, 2) the 2008 ruling is currently being challenged legally, and is still valid until the 2008 rule is vacated and therefore the analysis used is not illegal. The LT/MR Travel Management Project will not remove or degrade primary constituent elements of NSO Critical Habitat. See the northern spotted owl section which includes the analysis and explains the conclusion and determination.

Insufficient Analysis

WLD8: In analyzing impacts of travel management, please consider how sensitive wildlife species are affected by fragmentation. If the data is available, what is the threshold road and trail density – for presence, reproduction, or mortality – for each species? The EIS did not consider and equate noise volume and its effect on each species. [Commenter: 072809-01/ID205]

Response: FEIS Section 3.7.3 *Effects Analysis Methodology* identifies road and trail associated risk factors. The response of species as well as individuals to human activities is variable. Individuals can show different thresholds of tolerance for disturbance. Also, the distance at which a disturbance causes modified behavior is influenced by terrain, vegetation cover, line of sight, and prevailing winds. Forested habitats can mute noise generated by vehicles and screen the vehicle from sight. Presence, reproduction and mortality when available from local surveys, literature, annual monitoring or accounts are documented within each sensitive species section.

WLD9: The DEIS did not consider the effects of OHV routes on wildlife corridors. [Commenter: 072809-01/ID206]

Response: Since the project prohibits cross-country travel and adds specific unauthorized or unclassified routes and areas to the NFTS for recreational wheeled motor vehicle use and no new ground disturbance would occur as the routes already exist and occur on the travel way, which is already a disturbed site there would be no effect on corridors.

The Riparian Reserves also serve as connectivity corridors among the Late-Successional Reserves (Forest Plan IV – 45) and is discussed in 3.7.4 LSR Associated Species. Further discussion can be found in the Mitigation Measures section.

WLD10: The discussion of the Pacific fisher is lacking. The Forest Service has not disclosed the impacts of motorized use on this at-risk species. The DEIS page 185 states, “There are no known

fisher sites in the project area.” Is this because no surveys have been done? The DEIS simply assumes that publication of the MVUM will not result in additional motorized harassment of the species. [Commenter: 072809-01]

Response: In *Section 3.7.6 Late-Successional Forest Associated Species*, the sentence correctly reads, "There are no known fisher dens within the project area." It continues to read, "In the event that a fisher den site is detected, mitigation measures would be imposed according to the LRMP on all routes that occur within 1/4-mile of a nest." This analysis is based on numerous surveys as documented in the FEIS to read, "Extensive research projects (some within the project area) throughout the 1990s were performed by the USFS Redwood Sciences Laboratory and resulted in numerous publications by taxa expert W. Zielinski. Some of the results of these studies are summarized here." Extensive literature is cited throughout this section including local research projects some of which concluded fishers were "common and increasing" in the extreme northwestern counties of California (Schempf & White (1977 in Zielinski et al. 1995)).

TES

WLD11: Pursuant to the ESA, the Six Rivers National Forest must “ensure” that travel planning “does not jeopardize the existence of any endangered species or threatened species or result in the destruction or adverse modification” of critical habitat of such species.[1] This obligates the Six Rivers National Forest to engage in “consultation” with the U.S. Fish and Wildlife Service. [Commenter: 072809-01/ID155]

Response: *Section 1.5 Principle Laws and Regulations that Influence the Scope of this EIS*, *Section 3.6.1 Analysis Framework: Statue, Regulation, Forest Plan, and Other Direction* and *Section 3.7.1 Analysis Framework: Statue, Regulation, Forest Plan, and Other Direction* of the FEIS all discuss the Forest Service responsibilities under the Endangered Species Act in regards to consultation with the United States Fish and Wildlife Service and the National Marine Fisheries Service. Consultation requirements have been met for this project.

WLD12: the FS’ Threatened and Endangered Plants Program Handbook requires recovery plans to be made for sensitive plant species, aimed at achieving the goal of removing the species from sensitive/threatened status as soon as possible. Activities in the populations of these rare plants should therefore be devised in order to improve and enhance their habitat, not to destroy them. Lacking substantive biological information about the trends, status, and threats to these species on federal and private lands, the FS is simply guessing at the possible impacts from this project. [Commenter: 072809-01/ID156]

Response: The Forest Service Threatened, Endangered and Sensitive Plants and Animals Manual (Chapter 2670) does not require the Forest Service to develop Recovery Plans. Recovery Plans come under the purview of the U. S. Fish and Wildlife Service. Section 2670.21 states that National Forest System habitats and activities for threatened and endangered species will be managed to achieve recovery objectives so that special protection measures provided under the Endangered Species Act are no longer necessary. Recovery Plans and recovery objectives apply to Federally Listed species, not to Sensitive species. It was determined that no Federally Listed species would be affected by actions proposed (*Section 3.8.2 Effects Analysis Methodology* of the FEIS). Section 2670.22 sets the objective of developing and implementing management objectives for populations and/or habitat of Sensitive species. These management objectives are designed to maintain the viability of the species and to ensure that species do not become listed. The success of management objectives relies heavily on being able to make an assessment of the health of a species. This assessment is only as good as the data it is based on. Hence, key

components for evaluating trends, status and threats to a species is stored inventory and monitoring data collected over time, particularly for the rarest species whose viability is the most at risk. In light of these objectives, the evidence for lacking substantive biological information is not supported by review of the DEIS. *Section 3.8.2.3 Data Sources* of the DEIS lists the substantive data sources used in the analysis. *Section 3.8.3 Affected Environment* of the DEIS lists information on trends, status and threats to species analyzed. Note that the trend listed for most species is "unknown" because detecting long term trends for herbaceous plants is difficult because trends are obscured by short-term variation. Due to the absence of survey data substantive biological information in the form of presence/absence was lacking for Alternative 1, the No Action Alternative, and presence was assumed. However, for the proposed alternatives no Sensitive botanical species were found, except for *Sanicula tracyi*, and there are no direct or indirect effects and no individuals being destroyed. *Sanicula tracyi* is managed via a Conservation Strategy (*Section 3.8.4.1 Alternative 1 – No Action*) and its persistence is assured by setting aside core areas that represent the largest/healthiest sub-populations. The loss of individuals outside of these core areas will not affect the persistence of the species. A careful reading of the DEIS provides ample evidence that the Forest Service is not guessing at the possible impacts from this project.

Botanical Resources

General

B1: I believe that with proper management of this area the animals and fish will increase but it will take removing the non historical native conifer (NNC) as well as other non native vegetation (NNV). With all things considered in that area the benefit of the proposed plans far exceed the negative impacts. [Commenter: 072909-04/ID28]

Response: The removal of non native conifers is outside the scope of the analysis. However, as noted in the FEIS in Section 3.9.5 Environmental Consequences, when native plants are replaced by non native vegetation, the entire ecosystem can be impacted, including microbial flora and fauna and insect pollinators, all of which contribute to normal ecosystem function. The removal of priority non native plant species is a mitigation noted Table 3.9-6 to reduce the risk of spread of known weeds under Alternatives 2 and 3.

B2: The removal of the conifers will help restore this area to its historic state. This will allow for defensible fire conditions, grass and grass seed improvement. The food source increase for non endangered species will increase their population providing food source for the protected cats, owls, and hawks. [Commenter: 072909-04/ID29]

Response: Removal of conifers is not within scope of the analysis.

B3: Alternative 3 would indirectly affect nearly 60.8 acres of rare plant habitat within 100 feet of travel routes, with direct impacts to 16.7 acres within 30 feet of travel routes (3.8-255). EPA strongly recommends that any new authorized travel routes avoid proximity to rare plant habitat. If it is not possible to avoid rare plant habitat, we recommend routes not be added to the NFTS. [Commenter: 080309-01a/ID30]

Response: The 5.50 miles of routes not surveyed prior to the publication of the DEIS were surveyed during the summer of 2009 and neither Sensitive nor Survey and Manage botanical species were not found to be present. Therefore the acreage of Mature Forest and Openings listed in Table 3.8-11 in the DEIS no longer represents potential habitat for rare botanical species. The FEIS will reflect this change.

B4: Botanical: The following statement is not supported by evidence provided in the DEIS and should be removed from the list of assumptions. "1. Vehicle use on and off established routes has affected or has the potential to affect rare plant Populations, either directly by damage or death to individual plants from motor vehicles (Stem breaking, crushing, etc.), or indirectly by altering the habitat through soil disturbance, Changes in hydrologic functioning, or by the introduction of non-native, invasive plant Species that can out-compete sensitive species for water, sunlight, and nutrients."(DEIS p.3-8 234) The policy of restricting vehicles to existing roads limits the potential effects to a tiny percentage of the habitat, and does not increase the potential to affect the plants, because the plants do not grow in the roads, and the roads already exist. Aside from the claim that vehicles on roads have the potential to crush plants not on roads, if we place this assumption in the context of the proposed action, this assumption is "wildly conjectural." "Vehicle use on and off established routes has affected or has the potential to affect" is a statement intended to cover every possible scenario, no matter how far-fetched. Assumption # 1 is saying that it doesn't matter what we do. Vehicle use will be bad for the plants. This assumption should be removed from the DEIS. [Commenter: 080309-02a/ID31]

Response: Because the DEIS focuses on adding routes (motorized trails) and not roads it is assumed that the author is addressing the issue of impacts on and off routes (motorized trails) and not roads. The statement that vehicle use on and off established routes has affected or has the potential to affect rare plant populations, either directly by damage or death to individual plants from motor vehicles (Stem breaking, crushing, etc.), or indirectly by altering the habitat is supported by evidence provided in the FEIS. *Section 3.8.3 Affected Environment* of the DEIS notes that "field observations of specific sites such as Lassics lupine and Lassics sandwort sites in the Lassics Botanical and Geological Area show the Sensitive plants have been impacted in the past by unauthorized motor vehicle use". To further clarify the impacts to these single populations the DEIS will be revised in the FEIS to state that "Repeated field observations of the Lassics lupine and Lassics sandwort, two endemics each restricted to a single population and known only from the Lassics Botanical and Geological Area, have been driven over and crushed by motor vehicles". By stating that "the policy of restricting vehicles to existing roads limits the potential effect to a tiny percentage of the habitat" the author assumes that the analysis of effects is restricted to road (route) travel surfaces. However the analysis of effects on established routes analyzed direct effects within 30 feet of routes to account for vehicles pulling over beyond the worn travel surface to allow vehicle to pass and indirect effects within 100 feet of routes (*Section 3.8.2.2 - Assumptions specific to botanical resources analysis*).

B5: All federally-listed, state-listed, and CNPS 1B plant species need to be included in the analysis of route designation. The advantage of a complete analysis and comprehensive conservation strategy of the unlisted species is to preclude future listing activities. [Commenter: 080309-03a/ID32]

Response: See the Effects Analysis Methodology section of the FEIS in Section 3.8.2 Effects Analysis Methodology. All Forest Service Sensitive Botanical species known or suspected to occur on Six Rivers N.F. have been addressed in the FEIS (see Chapter 3.8) and in the Biological Evaluation (B.E.). Additionally, Survey and Manage Botanical species whose range includes Six Rivers N.F. have been addressed in the EIS. No other botanical species were identified during scoping for the project nor have comments to the DEIS mentioned specific botanical species that have not been addressed in the analysis.

B6: We request the closure of routes that bisect known sensitive plant occurrences because closing it and rehabilitating it would reduce fragmentation, and will more effectively restrict damage from off-road travel and road maintenance. [Commenter: 080309-03a/ID33]

Response: No known Sensitive plant occurrences are bisected by routes included in the action alternatives.

B7: Endangered Species Act Section 7 consultation and State of California Conference requirements need to be addressed. [Commenter: 080309-03a/ID34]

Response: Following a pre-field review of the analysis area It was determined that no Federally listed botanical species would be affected by this project given that the project area does not correspond with the range or habitat of the listed species, specifically McDonald’s rock-cress (*Arabis Macdonaldiana*), Menzies wallflower (*Erysimum Menziesii*), Beach layia (*Layia carnosa*), Kneeland prairie pennycress (*Thlaspi californicum*), and western lily (*Lilium occidentale*) (page 3.8-232 DEIS). Section 7 Consultation for wildlife and fisheries species is described in the following sections: 3.7.1 - Terrestrial Species and 3.6.1 - Aquatic Biota.

B8: The document needs to analyze the impacts to rare plant communities and other unique community designations. Any impacts from routes to/through these existing unique resources require full disclosure under NEPA. [Commenter: 080309-03a/ID35]

Response: Rare plant communities are rare assemblages of individuals of one to many plant species distinct in structure and composition from other adjacent such groupings that are defined by a specific combination of environmental characteristics such as temperature, moisture and soil chemistry. There are no known rare plant communities managed by Six Rivers National Forest within the scope of the project area, the Mad River or Lower Trinity Ranger Districts. The Lassics and Horse Mountain Botanical Areas were designated, in part, due to their distinctive serpentine vegetation and Sensitive Botanical species found therein. Impacts to these areas are noted in Section 3.8.3 Affected Environment of the EIS. Section 3.8.4.2 Alternative 2—Proposed Action notes that to address concerns regarding past motorized impacts to botanical areas noted in the EIS it is recommended that signs be posted at dispersed camping sites and trail heads to increase public awareness about the impacts of cross-country travel and nonconforming vehicular use of trails to the unique features for which the Horse Mountain and Lassics Botanical Areas were established. Additionally, the Final EIS will include a recommendation that law enforcement concentrate their patrol efforts during those times of the year when motorized use is heaviest, particularly during hunting season. Because of past off trail impacts, the Botanical Areas are included in the Botanical Resource Monitoring Plan (EIS H-3) which recommends that if adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not limited to, signing, barriers, closure to causative vehicle type(s), or removal of the route from the MVUM.

B9: The document needs to evaluate how long-term native plant communities are affected by factors associated with routes, including weeds, fire and soil erosion that are scientifically documented issues associated with roads. Vehicles are known dispersal vectors for disturbance and weed introduction. Weeds are documented culprits for increased carrying capacity for fire. Increasing fire frequency where fire is not part of the ecological regime is documented to eliminate native plant communities, often resulting in a “type-conversion” from native communities to exotic communities. All of these issues associated with route retention, by route and plant community, need to be discussed and evaluated. [Commenter: 080309-03a/ID36]

Response: Effects to botanical resources are described in Section 3.8.2.1 Impacts Relevant to Botanical Resources of the FEIS. Long term effects to native plants and native plant communities include but are not limited to: death and damage to plants and habitats when run over, and/or damage to seed banks resulting in reduced seed production or diminished seed bank; loss of viability and vigor; increase in access resulting in collection and over-collection of

flowers, bulbs, and botanical products (for example, tribal basketry materials), habitat loss and fragmentation, edge effects, changes in hydrology, changes to soils, especially erosion and sedimentation, and changes in mycorrhizal associations . Impacts to native plants and native plant habitat from invasive plants are disclosed in Section 3.9.4 - Environmental Consequences which states that impacts to native plants and changes in habitat can lead to the eventual replacement of native plant species with non-native species more adapted to frequent disturbances and altered soil conditions, such as invasive non-native species.

B10: The significant deleterious impacts of motorized recreation on botanical resources has been a reoccurring problem in the region and is likely to be exacerbated by the Forest Service proposal to allow and encourage motorized use within Special Interest area Lassics Botanical Area. The DEIS did not analyze or disclose the potential for increased off-route and off-road OHV abuse of sensitive sites due to the addition of non-system roads to the system. The destruction of rare plants by motor vehicles is a direct impact that cannot be mitigated and may contribute to the need for Endangered Species Act listings (i.e. violation of NFMA and Northwest Forest Plan). The assumption in the law enforcement and botanical sections of the DEIS that publication of the MVUM will decrease rather than increase off-road/route use is not credible or substantiated. [Commenter: 072809-01/ID141]

Response: Section 3.8.4.2 Alternative 2 – Proposed Action of the EIS notes that, "Field surveys of potential suitable serpentine habitat within 100 feet of these inventoried unauthorized routes have been completed. These surveys were performed in July and August of 2008 and in July of 2009. The habitat was found not to be occupied by rare botanical species." Therefore, there are no impacts to Sensitive plant species. The EIS continues on the same page to note past damage to unique serpentine vegetation in the Lassics and the need to increase public awareness of the unique values through the use of signs. The Final EIS will recommend to increase law enforcement presence during hunting season when, historically, most of the off route use has occurred. We too are concerned about impacts to serpentine sites, particularly in the Lassics and Horse Mountain Botanical Areas. We have targeted these areas in the Botanical Resources Monitoring Plan in appendix H of the EIS. If adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not limited to, signing, barriers, closure to causative vehicle type(s), or removal of the route from the MVUM. The botanical section of the EIS did not include the assumption that publication of the MVUM would decrease off-road/route use.

B11: We are concerned with routes JM-2085, 2087, 893, 894 and TH108 and their impacts on the Mt. Lassics Botanical Area and sensitive serpentine soils. [Commenter: 072809-01/ID143]

B12: We strongly oppose the adoption of Routes JM-2085 and JM-2087 into the National Forest Transportation System (NFTS). The routes traverses highly unstable serpentine soil and they are badly eroded in many locations. The area is especially vulnerable when the ground is wet and tires leave extensive ruts. In addition, because of the fairly open and gentle nature of the terrain, it is easy for irresponsible recreationists to leave the routes and ride cross-country. Indeed, the land along the routes show ample evidence of cross-country trespass, particularly in the widely-spaced Jeffrey pine forests at the southern end of JM-2085 and in the three large, dry meadows traversed by the routes. The DEIS fails to discuss the site-specific impacts of adding Routes JM-2085 and JM-2087 to the NFTS and it fails to explain how cross-country trespass will be effectively prevented in this particularly sensitive area. [Commenter: 080409-04a/ID146]

Response: Section 3.8.4.2 Alternative 2 – Proposed Action of the FEIS addresses impacts to the unique serpentine vegetation for which the Lassics Botanical and Geological Area was designated. We too are concerned about impacts to these serpentine sites. We have targeted these

areas in the Botanical Resources Monitoring Plan on page H-3 of the DEIS. If adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not limited to, signing, barriers, closure to causative vehicle type(s), or removal of the route from the MVUM.

B13: The preferred alternative (2) minimizes cross-country travel through major habitat areas, but adds 0.99 miles of formerly unauthorized routes within the Lassics Botanical Area. As the previously unauthorized routes with the Area have facilitated access to dispersed camping sites (3.8-251), it is important that continued use on the newly authorized routes not cause adverse effects. Select a preferred alternative that avoids and minimizes adverse effects to threatened, endangered, and sensitive species and their habitat, such as Alternative 2. [Commenter: 080309-01a/ID144]

Response: All identified unauthorized routes were evaluated against many different possible resource opportunities and concerns during steps 1 - 3 of the Travel Management process to determine if they would be proposed to be added to the National Forest Transportation System as discussed in Chapter 1 of the EIS. If it was determined that the route would cause major environmental consequences to resources that could not be mitigated, the route was not proposed for addition. Detailed route-by-route analysis is available in the project record for travel management, located in the Forest Supervisor's Office in Eureka, CA. Both Alternative 2 and 3 proposed to add the same routes in the Lassics Botanical and Geological Area with identical mileage (0.90 miles) to the NFTS in order to facilitate access to dispersed camping sites. In order to minimize adverse effects to Sensitive species and their habitat the Lassics Botanical and Geological Area is included in the Resource Monitoring Plan in appendix H of the FEIS. If adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not limited to, signing, barriers, closure to causative vehicle type (s), or removal from the MVUM.

B14: EPA recommends prohibiting usage within the Botanical Area if at all possible. However, if use is unavoidable, the Botanical Area should be prominently marked with permanently erected signs. [Commenter: 080309-01a/ID145]

Response: As noted in *Section 3.8.4.2 Alternative 2 – Proposed Action* of the EIS, routes within the Lassics Botanical and Geological Area that are proposed for addition to the NFTS access dispersed camping sites that have a long history of use. Prohibiting use is possible but would not be prudent or well-advised considering those who have used these dispersed camping sites for decades. This section of the FEIS continues on to recommend installing additional signs in the Lassics Botanical and Geological Area to inform and educate users.

B15: For many years now SRNF staff have worked hard to block cross-country vehicle use in the Lassics Botanical Area with rocks, trees, etc. Given these experiences we are surprised that the DEIS would not offer a stronger list of required mitigations. [Commenter: 080409-04a/ID147]

Response: We have found that the most effective way to block cross-country travel where it is occurring in the Lassics has been to use large boulders (minimum dimension 3 feet on narrowest side) in conjunction with signs stating "No Vehicles Off Road". In the Final EIS boulders will be used on TH108 to clarify route extent and facilitate resource protection. In addition in *Section 3.8.4.2 Alternative 2 – Proposed Action* of the EIS there is a recommendation to install signs to educate the public about the unique values for which the Lassics was designated. Also, we have targeted designated routes within the Lassics Botanical and Geological Area in the Botanical Resources Monitoring Plan located in Appendix H of the EIS. If adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not

limited to, signing, barriers, closure to causative vehicle type(s), or removal of the route from the MVUM. Lastly, in the Final EIS we are recommending that law enforce concentrate their efforts during hunting season which, historically, is when a majority of the off-route impacts have been noted.

Risk Rating

B16: The risk rating for sensitive resources should be based on the reasonable probability that recreational or other use on specific road segments will lead to degradation of off-road resources, both as a result of authorized use, and foreseeable unauthorized uses, such as vehicular use off road. [Commenter: 080309-03a/ID27]

Response: The risk ratings for Sensitive and Survey and Manage botanical resources and for noxious weeds included impacts from direct effects within 30 feet of inventoried unauthorized routes and indirect effects with 30 to 100 feet from these routes (Section 3.8.2.2 Assumptions Specific to Botanical Resources Analysis of the FEIS). It was determined that no Federally listed plant species would be affected by this project given that the project area does not correspond with the range or habitat of any botanical Federally listed species. The analysis also determined that only one Sensitive plant species would be affected by the project. See section 3.8.4 for the analysis of effects that lead to the determination in the Record of Decision that actions proposed might affect individuals but is not likely to result in a trend toward Federal listing or loss of viability for Tracy's sanicle. (Section 3.8.2 Effects Analysis Methodology of the FEIS). Section 7 Consultation for wildlife and fisheries species is described in the following Sections: 3.7.1 - Terrestrial Species and 3.6.1 - Aquatic Biota.

Noxious Weeds

General

NW1: Existing weed infestations will continue to spread and the rate of spread will be increased by motor vehicle activity. We firmly believe that SRNF staff has underestimated the potential of mixed use to spread noxious weeds on the Forest. [Commenter: 072809-01/ID104]

Response: The EIS identifies the direct and indirect effects of adding facilities with regards to the introduction and spread of noxious weeds and the severe environmental consequences (EIS 3.9-268) that these alien plants pose. One approach to dealing with the noxious weed issue is to not designate for use routes that are currently infected. The other approach covered in the EIS is to treat to eradicate known infestations rather than walk away from them. Also if new infestations are found the associated route will be removed from the Motor Use Vehicle Map, thereby stopping use until the risk of introduction and spread is reduce to low.

NW2: The DEIS Chapter 3.95 states that motor vehicles may cause the spread of invasive weeds. Invasive and non-native plant species constitute a significant problem on NFS Lands (USDA Second Avoiding Arm Report for FY 2004 to the Invasive Species Advisory Council and the National Invasive Species Council, February 18, 2005), but according to the literature off highway vehicles may be only one of many factors causing the spread of invasive weeds. The spread of invasive weeds is due to many causes such as wind, water, animals, recreation in all forms, and vehicles in general, not only off highway vehicles (Sheley and Petroff, 1999). [Commenters: 080309-02a/ID105]

Response: The EIS analyzes the effects of designating motorized routes and associated impacts from motor vehicles. An analysis of effects associated with the spread of invasive weeds due to wind, water, animals, and recreation is outside the scope of the analysis.

NW3: The DEIS cites an unpublished study by Rooney (2003) (DEIS, Chapter 3.95) in support of the spread of invasive and non-native plants by off highway vehicles. Unpublished studies are not subject to peer review and should not be cited as if they are scientific references in a document such as a DEIS. Rooney (page 7) makes a number of simplifying assumptions such as “ORVs are the only dispersal agent for exotic species”. If ORVs are assumed to be the only dispersal agent this statement could be considered correct, but of course this assumption bears no relation whatsoever to nature. Rooney’s study indicates that out of 41 plants germinating from seeds obtained from the frames of ORVs that all but two were native species. This study hardly supports the assertion that off highway vehicles are a major vector that spreads invasive and non-native plants. In a later published article based on the same research presented in the cited reference (Rooney, TP: Distribution of Ecologically-Invasive Plants Along Off-Road Vehicle Trails in the Chequamegon National Forest, Wisconsin, Michigan Botanist, 44, p.178) Rooney makes the following statements: “Because orange hawkweed is wind dispersed, ORVs most likely play only an incidental role in its dispersal...Because this species (bird’s foot trefoil) is still promoted as a forage crop and is added to wildlife seed mixes, deliberate planting remains the most important dispersal vector for this species.” Regarding reed canary grass and spotted knapweed: “ORVs probably do not account for ecologically-significant seed dispersal.” “Off-road vehicles will not account for ecologically-significant seed dispersal, but the trail infrastructure will provide suitable habitat.” [Commenter: 080309-02a/ID106]

Response: Thomas Rooney is an assistant professor at the University of Wisconsin-Madison whose research focuses on ecology and conservation biology and, hence, he is well versed in the scientific method. His study did not make unsupported claims regarding the introduction and spread of invasive and non-native plants nor was it cited as asserting that off highway vehicles are a major vector for spread. Rather his study was cited in the DEIS as stating that "motor vehicles pick up and disperse weeds and that the probability of colonization increased with increasing traffic". Other published peer reviewed studies, notably Long-Distance Dispersal of Plants by Vehicles as a Driver of Plant Invasions by Von Der Lippe and Kowarik, published in 2006 in Conservation Biology, came to the same conclusion. This reference will be added to the Final EIS. These findings are supported by the fact that most of the weed infestations on Six Rivers N.F. are distributed along relatively well traveled roads, along turn-outs, near developments, and are most abundant along state highways as noted in *Section 3.9.4 Affected Environment*.

NW4: “Field surveys were not performed for the following 5.50 miles of additional inventoried unauthorized routes that are proposed for addition under this alternative.” (See table 3.9-8)

“None of these un-surveyed routes are within 100 feet of known weed infestations, however, in the absence of surveys it is possible that they harbor weed infestations. Since surveys have not been performed the risk of spreading weeds by the addition of these routes to the NFTS is high. In order to reduce the high risk rating, field surveys need to be performed during project implementation and weed occurrences found will need to be mitigated as described in Table 3.9-6. If noxious weed occurrences are found as a result of the field surveys the routes will not be placed on the MVUM until the mitigations are complete.” The author claims that routes in this table should be assumed to be at risk for the spread of invasive weeds even though they are not within 100 feet of a known infestation. Appendix A lists these trail as requiring mitigation prior to opening when all that is actually needed is a survey. We certainly hope that these trails can be

left open to the public in the absence of any evidence that they are in proximity to invasive weeds. [Commenter: 080309-02a/ID107]

Response: The 5.50 miles of routes not surveyed prior to the publication of the DEIS were surveyed during the summer of 2009 and none of the priority weed species with high potential for introduction and spread were found to be associated with these routes. Hence, these routes will not require weed mitigations and they will be left open to the public.

Insufficient Analysis

NW5: “Vehicle traffic is a major factor/vector in the introduction and spread of noxious weeds...” DEIS p.261. Please note, that the quotation referenced above acknowledges the significant impacts of motorized use (as opposed to route/road construction or establishment) on the spread of invasive plant species. Existing weed infestations will continue to spread and the rate of spread will be increased by motor vehicle activity. Unfortunately, the SRNF makes no attempt to quantify or analyze the foreseeable change in motorized use patterns that will result from publication of the MVUM. This omission represents a significant flaw in the agency’s NEPA analysis given that proposed additions to the NFTS could have increased use, which may increase impacts. [Commenter: 072809-01/ID102]

Response: Mitigations to prevent the introduction and spread of invasive plant species under the action alternatives can be found in *Table 3.9.6 Mitigations to Reduce the Risk of Spread of Weeds* of the FEIS. These mitigations, combined with the noxious weed monitoring plan, will mitigate introduction and spread if use increases because if new infestations are found resulting from increased use the associated route will be removed from the MVUM, thereby stopping use until the risk of introduction and spread is reduce to low (Appendix H).

Port Orford Cedar

General

POC1: Our organizations are very concerned that Alternative 2 allows for and encourages motorized use in watersheds containing uninfected Port Orford cedar populations. The agency’s POC strategy relies primarily on gates and seasonal closures to mitigate the potential spread of POC root disease. Permanent road closure/decommissioning combined with robust law enforcement is the only reliable method of reducing the spread of POC root disease, and should be prioritized in all uninfected stands and watersheds. [Commenter: 072809-01/ID109]

Response: Gates and seasonal closures are effective at reducing vehicle traffic in POC areas and reducing the risk of spreading POC root disease. It is true that permanent road closure/decommissioning is the best method for reducing the spread of POC root disease. However, all gated roads with seasonal POC closures are on system roads, and decommissioning or road closure of system roads are beyond the scope of this Travel Management process.

POC2: Reliance upon the Risk Key as described in the 2003 Range Wide Assessment of Port Orford Cedar on Federal Lands is inadequate as described below by Port Orford cedar experts Jules and Kauffman (2004): [Commenter: 072809-01/ID110]

Response: The 2003 document, Range Wide Assessment of Port Orford cedar on federal lands, does not contain a risk key. It contains a method for evaluating risk based on physical factors in the environment. A risk rating is then assigned to each factor, from low to high. A Geographic Information System (GIS) is then applied to delineate risk areas. The document does say that "the

next decision is whether or not to mitigate the risk and what methods are available". It further states after the risk analysis has been made, "additional factors must be considered after the risk analysis to determine whether or not action is to be taken and if so, what action." In this case mitigation can simply be dropping the route determined to be at high risk, instead of dropping the project entirely.

Water Quality

POC3: Loss of mature Port Orford cedar due to *P. lateralis* is certain to significantly reduce shade in serpentine areas because POC is the major shade tree in serpentine riparian reserves. Thus, the increased risk for spreading the root disease in serpentine areas constitutes a water quality violation. [Commenter: 072809-01/ID108]

Response: It is true that POC growing in serpentine areas are major shade tree components, and loss of POC within these areas would significantly reduce shade to riparian zones. However, increased risk for spreading POC root disease does not constitute a water quality violation. Risk is a measure of the possibility of something happening and not the event itself.

Cultural Resources

General

CR1: We have discussed the proposed project and although we have ongoing concerns regarding protecting cultural resources in the forest, we have no specific concerns at this time with the document. However, if as a result of Travel Management cultural remains are unearthed, all activity should be halted and consultation with the Forest Heritage coordinators and members of the Tsungwe tribe should occur immediately. The Tsungwe Council expects to be contacted immediately in the event any human remains are unearthed. [Commenter: 072609-01/ID50]

Response: Native American Graves Protection & Repatriation Act (NAGPRA) processes would have been followed and tribes would have been contacted if human remains had been exposed. However, there were no ground-disturbing activities or excavations involved in the cultural surveys and site protection mitigations.

CR2: After reviewing the information sent to me, there seems to be a lack of documentation of the Native American archeological sites. I know of more than five in a cell area. In our native history, this cell was dominant hard wood, pine, and grass. [Commenter: 072909-04/ID51]

Response: Cultural site surveys were completed for vehicle use areas only. Documentation regarding specific cultural sites and locations is retained in the cultural resource files of the Forest Supervisor's Office. Files are inaccessible to the general public to comply with site protection per The Federal Historic Preservation Act (NHPA, Section 304) of 1966 and The Advisory Council on Historic Preservation (ACHP) regulations (36 CFR 800) (*Section 3.11.1 Analysis Framework: Statute, Regulation, Forest Plan, and Other Direction*).

Air Resources

Safety

AQ1: The DEIS did not determine whether NOA is present on proposed routes. The SRNF does not even contend to test sites in the future. How is the public supposed to provide informed comments given the lack of information contained in the DEIS? Exposure [to NOA] has been

shown to be hazardous on other public lands in California. Asbestos exposure has been associated with several forms of lung and esophagus diseases. Land managers should assess what the risk is on human health. [072809-01/ID8]

Response: In a letter dated 2/11/2009, the Regional Forester stated, "According to EPA, the scientific assessment and identification of actual public health risks associated with NOA is a complex and time intensive process. Until such studies are performed, the Region will not have definitive information regarding actual employee and public health risks posed by NOA on NFS lands. Therefore, no decisions are being made or direction issued at this point in time to restrict or alter public access to and/or recreational use of the national forests." Areas of potential risk due to NOA within the project boundary are identified and disclosed to the public and will be displayed on the Region 5 NOA website at <http://www.fs.fed.us/r5/noa/index.php>. Larger scale maps are also available for public viewing at the District and Supervisor's office.

Climate Change

General

CC1: The FEIS should include a discussion of climate change and its potential effects on the Forest as they relate to the route designation decision and future NFTS. Of specific interest are potential cumulative effects of climate change and the NFTS on the connectivity of wildlife and threatened and endangered species habitat, air quality, water quality and quantity, fire management, invasive species management, and road maintenance. [Commenter: 080309-01a/ID37]

Response: As stated in Section 3.12.4, subsection Cumulative Effects of the FEIS, "The intensity and severity of climate change impacts are expected to vary regionally and even locally, making any discussion of potential site-specific effects of global climate change on forest resources speculative."

CC2: We recommend the discussion include a short summary of applicable climate change studies, including their findings on potential environmental effects and their recommendations for climate change adaptation and mitigation measures. [Commenter: 080309-01a/ID38]

Response: EPA (Environmental Protection Agency) "State of Knowledge" verbiage about global climate change, supplied by the Regional Office, will be added to the Final EIS.

Recreation

General

R1: In my lifetime, I have witnessed the gradual reduction in areas available to ride in this area. Of those areas still available for riding, SRNF is one of the premier locations. [Commenter: 071209-01/ID125]

R2: Consider OHV needs and concerns in decision making [Commenter: 071709-02/ID127]

Response: The national Travel Management Rule requires the prohibition of cross-country travel and designating a system of roads and trails open for public wheeled motor vehicle use. Combined, Lower Trinity and Mad River Districts provide 898 miles of NFTS roads managed for high clearance vehicles including non-street legal OHVs. Chapter 3 in the EIS highlights the analysis used for determining which routes are appropriate for wheeled motor vehicle use in the alternatives. Under Alternative 2, 33.32 miles of unauthorized trail were proposed to be

designated for use by both highway and non-highway legal high-clearance vehicles plus an additional three miles by change in road maintenance level. Under Alternative 3, 1.64 miles were proposed in addition to the mileage under Alternative 2 to expand motorized recreation opportunity and access across the Districts.

R3: Need parking areas and staging areas with restrooms, concern for vandalism [Commenter: 071309-01/ID126]

Response: The need for parking areas and staging areas were considered. Some routes proposed for designation provide this need. Also, terminal facilities, trailheads, and turnouts associated with the existing NFTS roads and trails help further provide this need. The placement of new restrooms is outside of the scope of this analysis. The distance wheeled motor vehicles can travel off of a road or trail is based on national Forest Service direction.

Analysis

R4: It is hard to overstate the loss of access and recreation opportunities associated with a closure of hundreds of miles of existing and historically-travelled routes. This is a truly major impact unexamined with the DEIS. [Commenters: 080409-05a, 080409-06/ID117]

Response: The national Travel Management Rule requires the prohibition of cross-country travel and designating a system of roads and trails open for public wheeled motor vehicle use. Chapter 3 in the EIS highlights the analysis used for determining which routes are appropriate for wheeled motor vehicle use in the alternatives. Impacts to recreation by alternative are analyzed in *Section 3.14.6 Environmental Consequences* of the FEIS.

Companion Trails

R5: The BRC believes the agency should develop the "Companion Trail" that extends from Horse Mountain south along Route 1 for a number of miles. There exist many segments of challenging and fun OHV trails that parallel Route 1. BRC believes the agency acted in an arbitrary manner by dismissing all or parts of the proposals below: A STREET LEGAL (DUAL SPORT) COMPANION TRAIL Designate appropriate segments of the companion trail for street legal OHV use. This would allow for the almost immediate use of those trail segments on FS lands by street legal vehicles and would not require a mixed use designation on Route 1. OHV NON-STREET LEGAL COMPANION TRAIL Designate appropriate segments of the companion trail on FS lands and connect them with mixed use designation along Route 1. This would allow for a high-quality OHV experience from Horse Mountain to the south. Also, consider reclassifying Route 1 from a high standard road to a level 2. [Commenter: 080409-05a, 080409-06/ID118]

Response: All of Route 1 (FS Road 6N01) is available to street legal OHVs. Approximately 15 miles south of Horse Mountain an intermittent companion trail along Pilot Ridge is proposed under Alternative 3. South of the Dan East motorized trail (5E14) another segment of a companion trail and mixed use are proposed under both Alternatives 2 and 3 connecting these routes into the Pilot Creek motorized trail network in the vicinity of Blake Mountain. A companion trail, approximately 3 1/2 miles long, between Pilot Rock and Last Chance motorized trail (5E39) waits funding for construction (analyzed and decided under a separate completed analysis). A companion route along most of the remaining segments of Route 1 would require construction, and is therefore beyond the scope of this analysis. Consideration of new mixed use on existing NFTS roads requires a mixed use analysis, approval by the Regional Engineer, and approval of the California Highway Patrol. Because of the time frames established for this

project by the Regional Forester, limited forest resources to conduct mixed use analysis, and the lengthy analysis and review process, consideration of additional mixed use is beyond the capability of the Forest. Route 1 was reviewed under the Six Rivers NF Roads Analysis conducted in February 2003. No decision was made to reclassify it and remains a high standard road.

Dispersed Camping

R6: CRPA's position is that limited cross-country travel for dispersed camping, parking and big game retrieval should be allowed within 300 ft. of designated routes, unless signed as sensitive environmental areas (e.g., meadows). CRPA strongly urges you to adopt the same dispersed camping policy as the Plumas National Forest. The Plumas National Forest has eliminated designated dispersed camping sites from their Travel Management Project because it does not closely relate to travel management. The Plumas National Forest Interdisciplinary Team also pointed out, in section 2.4.2 of their DEIS, that: "Dispersed campsites are flat areas where people can camp and park vehicles incidental to camping, generally adjacent to roads. They are travel routes." The proposed action by Plumas National Forest could allow dispersed camping within 300 feet of designated routes. This approach is reasonable and demonstrates common sense relative to regulating dispersed camping on Forest Service lands. In order to provide consistency, the same logic should be applied to permit big game retrieval and dispersed camping throughout all national forests [Commenter: 073009-01/ID119]

Response: The Travel Management Rule (36 CFR 212.51 (b)) states, "In designating routes, the responsible official may include in the designation the limited use of motor vehicles within a specified distance of certain designated routes, and if appropriate within specified time periods, solely for the purposes of dispersed camping or retrieval of a downed big game animal by an individual who has legally taken that animal." Region 5 has developed guidance on parking and dispersed camping that precludes big game retrieval as part of designations and recommended a process for careful consideration by the responsible official to make those decisions as appropriate on their individual travel management actions. On the Six Rivers NF the decision was made to not allow motor vehicle travel for the purposes of retrieving big game. The ability to hunt and gather big game is not a part of this decision. Limiting vehicles to one vehicle length from the edge of the route provides a guideline between parking on the route system and driving cross-country. The distance proposed in this analysis is the distance currently proposed nationally by the Forest Service. This project considered routes that provide access to dispersed camping areas in the development of the alternatives. The effects on access for dispersed camping are analyzed in the FEIS in the Recreation section in Chapter 3 and shown in Table 3-14-9. Routes that provide access into many dispersed camping areas were inventoried as part of the Forest route inventory completed in August 2006, and these routes are identified as a Dispersed Recreation Opportunity in Appendix A - Route Specific Data.

R7: The proposed action would limit dispersed camping to one car length from a road in most areas. This is a major change in the use of the Forest that will affect a very large number of Forest visitors. The DEIS anticipates a 25% reduction in dispersed camping under alternative 4. This will have a significant negative effect on traditional visitors to the Forest as well as the local economy. Most traditional dispersed camping areas will be accessible only by foot. It appears this approach has received little study. [Commenter: 080309-02a/ID120]

R8: Of all aspects of this DEIS the restriction on dispersed camping will potentially affect the greatest number of visitors. Such a restriction seems unjustified given the long history and

popularity of dispersed camping on the Six Rivers NF. Designation of a reasonable number of spur roads to traditional camping sites is clearly the solution. [Commenter: 080309-02a/ID121]

Response: This project considered identifying routes that provide access to dispersed camping areas in the development of the alternatives. The effects on access for dispersed camping are analyzed in the FEIS in the Recreation section in Chapter 3 and shown in Table 3-14-9. Routes that provide access into many dispersed camping areas were inventoried as part of the Forest route inventory completed in August 2006, and these routes are identified as a Dispersed Recreation Opportunity (DRA) in Appendix A, Route Specific Data.

Hiking Trails

R9: CNPS strongly urges Six Rivers National Forest to consider the construction of new recreational hiking trails as part of this Travel Management DEIS. The Forest has not nearly enough non-motorized recreational opportunities, and CNPS believes that the construction of new hiking trails close to population centers would serve the public well. CNPS and other hiking groups like the Geezers, Sierra Club, Audubon, Mycological Society, and others need trails that are within 2 hours' drive from the Arcata/Eureka area and make a loop or go to a nice destination. Six Rivers National Forest has a lot of roads that go to good botanical spots, but we like to walk, not just drive and park, drive and park. [Commenter: 080309-03a/ID122]

Response: The construction of new hiking trails is excluded from the Travel Management decision since the Travel Management Rule focuses on public wheeled motor vehicle travel.

Hunting

R10: Particularly "highway-legal only" there appears to be a serious disconnect from where users, particularly buck hunters, congregate and camp and it would seem fundamental that you would radiate out from those concentrations with "all vehicle/mixed use." Specifically—1N03 Mad Ridge—hunters tend to congregate in and around Oak Grove and usually ride their ORVs from there, in fact they may not be able to trailer their equipment up the grade to Pine Butte. Likewise 2S08 Watts Lake, and vicinity. Hunters will camp there and nearby and expect to use 2S08 as well as portions of 2S17, 1S07 by the most convenient class of vehicle. 6N01 and upper 2N12 and 2N05 from fall "town sites" at Race Track, Cold spring, Blake Mtn., etc. Upper S Fork Mountain becomes one big overlapping hunting ground from the various camps and users are simply not going to load/unload bikes & quads several times a day to travel a few short miles to a favorite hunting spur. (Yes I recognize that some this is STNF) There are probably other areas such as Buck Mt, Three Forks/ Swim Ridge/ Cobb Ridge, and the like but you get the idea. Look at the visitor congregations and judge are you enhancing the recreational experience or unnecessarily hindering it? I would suggest [game retrieval] be allowed under such conditions. In other words, you get a free pass only if you come out with legal game on board and minimal impact. [Commenter: 070309-01/ID123]

Response: Consideration of new mixed use on existing NFTS roads requires a mixed use analysis, approval by the Regional Engineer, and approval of the California Highway Patrol. Because of the time frames established for this project by the Regional Forester, limited forest resources to conduct mixed use analysis, and the lengthy analysis and review process, consideration of additional mixed use is beyond the capability of the Forest. Region 5 has developed guidance on parking and dispersed camping that precludes big game retrieval as part of designations and recommended a process for careful consideration by the responsible official to make those decisions as appropriate on their individual travel management actions. On the Six

Rivers NF the decision was made to not allow motor vehicle travel for the purposes of retrieving big game. The ability to hunt and gather big game is not a part of this decision.

ROS Classification

R11: Is there anything I can do from down here to help restore that route to SPM in the ROS designation? Darn, that's [Bug Creek trail] one of the important core routes for the club riders and it must be preserved as an opportunity. [Commenter: 071309-02/ID124]

Response: The ROS class for this area as well as the entire forest was first evaluated and assigned in the 1995 Six Rivers NF LRMP; it has not been changed. The ROS class system was developed and first used nationwide in forest planning in the early 1980s. This was the first comprehensive forest plan for the Forest done in accordance with the National Forest Management Act, 1982. Bug Creek Trail (4E26) has been shown on nine versions of forest maps for years 1952, 1954, 1956, 1969, 1977, 1984, 1994, 2004, and 2009 as a non-motorized trail. Only for the 1988 forest map edition was it shown as an OHV trail; however, it was corrected in subsequent map versions. To change the ROS class would require a forest plan amendment. The Forest will begin the forest plan revision process in 2010 and input through the public involvement process on this concern is encouraged.

User Conflict

General

UC1: The proposed routes have potential to conflict with traditional recreational users seeking quiet recreation and are causing unnecessary destruction. [Commenter: 072809-01/ID195]

UC2: Restrictions of existing use and substantial closures of existing routes under the guise of erring on the side of preservationist caution may actually increase adverse effects to the physical environment. Active and effective management requires an understanding and proper balance of use patterns, types, locations, season and myriad of other factors. Simply closing areas/routes might actually redirect use in a manner that disrupts the management balance in a fashion that creates resource impacts, increases frustration within and between user groups, and creates greater management challenges. [Commenters: 080409-05a, 080409-06/ID66]

Response: In designating roads, trails, and areas, local agency officials must consider minimization of conflicts among uses of NFS lands (36 CFR 212.55(a)). These regulations implement Executive Order (E.O.) 11644 (February 8, 1972), "Use of Off-Road Vehicles on the Public Lands," as amended by E.O. 11989 (May 24, 1977). These Executive orders direct Federal agencies to ensure that the use of off-road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands.

The Travel Management Process is a collaborative effort that engaged stakeholders to develop proposed systems of roads, trails, and specifically defined areas for use by wheeled OHV. Multiple meetings were held between 2004 to 2008 on the Mad River and Lower Trinity Ranger Districts to solicit public input on the development of the proposed action, allowing time for interested publics to meaningfully participate. Public involvement directly influenced the development of the proposed action and alternatives were generated from comments received and issues identified. The Six Rivers NF has made every effort to reduce user conflict in the alternatives developed.

The effects to non-motorized recreation opportunity, including Quiet Recreation, are addressed in Chapter 3, *Chapter 3.14 Recreation*. The effects to resources are also disclosed in Chapter 3. Destruction is not anticipated. Note that routes causing resource concerns were eliminated from consideration or included with associated mitigations.

Access

General

A1: We support providing as much public access and especially the provision on as many ORV trails as possible. [071709-01/ID7]

Response: In response to this and other public comments gained from reviewing the proposed action, Alternative 3 was developed. Alternative 3 provides a higher level of access than Alternative 2, the preferred alternative, while minimizing impacts to certain resources.

Disabled

A2: This road (JM947 and JM948) was installed by Six Rivers Forest as an access road to Horse Ridge Lookout and for the communication lines between Cedar Cap Ranger Stations. The reason for keeping it open is that it allows access to the Govt. Trail located under Horse Ridge lookout. Now that I have reached the age of 60 and can only access this trail with my truck you decide to close it. This will close off an area to all people with disabilities. [Commenter: 063009-01/ID1]

Response: The trails (JM947 and JM948) are proposed to be designated for use by high clearance vehicles under Alternatives 2 and 3.

A3: You say [wilderness] lands are not off limits but as one who has a disability the wilderness that I use to be able to walk into are off limits to myself and hundreds of other people. [Commenter: 071709-03/ID2]

A4: All forest users would be impacted, but the elderly, disabled and those pulling a horse or camp trailer would be especially impacted. This rule would make the use of forest land, in areas historically used for recreation impossible for many citizens. [Commenter: 073009-01/ID3]

Response: The Rehabilitation Act of 1973, which was amended by the Americans with Disabilities Act of 1990, set the direction that no person with a disability can be denied participation in a Federal program which is available to all other people solely because of their disability. This Travel Management project is designed to provide reasonable access for public wheeled motor vehicles and the decision to be made would apply to all Forest visitors. As stated in the preamble to the national Travel Management regulations, there is no requirement to allow people with disabilities to use motor vehicles on road or trails otherwise closed to motor vehicles since such an exemption could fundamentally change the travel management program (Fed. Reg. V.70, No. 216, p 68285).

Hunting

A5: You are stopping thousands of families from enjoying their annual hunting vacation, all the big game hunters depend on off road vehicles to pack their game out. [Commenter: 072909-03/ID4]

Response: The Travel Management Rule (36 CFR 212.51 (b)) states, "In designating routes, the responsible official may include in the designation the limited use of motor vehicles within a

specified distance of certain designated routes, and if appropriate within specified time periods, solely for the purposes of dispersed camping or retrieval of a downed big game animal by an individual who has legally taken that animal.” Region 5 has developed guidance on parking and dispersed camping that precludes big game retrieval as part of designations and recommended a process for careful consideration by the responsible official to make those decisions as appropriate on their individual travel management actions. On the Six Rivers NF the decision was made to not allow motor vehicle travel for the purposes of retrieving big game. The ability to hunt and gather big game is not a part of this decision.

A6: When we pack our game out it's a one-time thing. A week later I cannot find my own tracks where I packed out. So what was the damage to the "resources"? There is none! As far as damage to the resources, what can a four foot trails over a small portion of over a million acres possibly do? As far as resources go, what resources? You have already shut them down!
[Commenter: 072909-03/ID64]

Response: Short and long term impacts to National Forest Resources were discussed in Chapter 3 of the EIS.

Maintain Maximum Amount of Trails

A7: I am also a user of the forest roads with my Quad. Having access to these [spur] roads is a major concern to me. This is my form of recreation. [Commenter 061709-01/ID5]

Response: In combination, Lower Trinity and Mad River Districts provide 898 miles of NFTS roads managed for high clearance vehicles including non-street legal OHVs. Under Alternative 2, 28.45 miles of unauthorized trails were proposed to be designated for use by both highway and non-highway legal high-clearance vehicles plus an additional three miles by change in road maintenance level. Under Alternative 3, 6.57 miles were proposed in addition to the mileage under Alternative 2 to expand motorized recreation opportunity and access across the Districts.

Wilderness

A8: My main concern on that issue [Backcountry Horseman access] is that I still have access to the roads that allow me access to wilderness Trailheads... [Commenter 061709-01/ID6]

Response: Wilderness trailhead access was considered as part of the DEIS. If access was missed to an established trailhead, the national Travel Management regulations (36 CFR 212.54) provide for revision of designations as needed to meet changing conditions, including the potential to add new routes following public involvement and site specific environmental analysis.

Inventoried Roadless Areas

General

IRA1: We are concerned that the proposed action designates a significant amount of currently unauthorized or user-created OHV routes for motorized in Inventoried Roadless Areas, habitat for sensitive plant species, sensitive wildlife species, in Riparian and Late Successional Reserves, and in or adjacent to Botanical Areas. [Commenter: 072809-01/ID157]

Response: All inventoried unauthorized routes proposed for addition to the NFTS, including those within botanical areas and those associated with suitable habitat for Sensitive species that could be affected by the proposed actions were surveyed and Sensitive Botanical species were not

found to be present within 100 feet of those routes. The unique serpentine vegetation adjacent to the routes proposed for addition in the botanical areas will be monitored for motorized impacts as per the Botanical Resources Monitoring Plan in Appendix H of the FEIS. If adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not limited to, signing, barriers, closure to causative vehicle type(s), or removal of the route from the MVUM.

IRA2: The Forest Service did not assess the wilderness qualities of the adjacent IRA lands or the impact of motorized use on those qualities. There is also a well-settled line of decisions that hold that proposed activities that might harm the roadless quality of an area constitute significant impacts and must be analyzed in an EIS independent of wilderness considerations. We are particularly concerned about the unavoidable loss of quiet zones from authorized motorized use. The NEPA analysis for this project simply does not adequately discuss the impacts of proposed road use and maintenance on the many significant values of roadless forests. These legally recognized (see 36 CFR §294.11) values include: (1) High quality or undisturbed soil, water, and air; (2) Diversity of plant and animal communities; (3) Habitat for threatened, endangered, proposed, candidate, and sensitive species and for those species dependent on large, undisturbed areas of land; (4) Primitive, semi-primitive non-motorized and semi-primitive motorized classes of dispersed recreation; (5) Reference landscapes; (6) Natural appearing landscapes with high scenic quality and other locally identified unique characteristics. [Commenter: 072809-01/ID138]

Response: There are nine IRAs within the Lower Trinity and Mad River Ranger Districts. The analysis presented in section of the FEIS focused on how each alternative would affect three of the nine IRAs. Changes to the NFTS and/or unauthorized route additions were not proposed within the six IRAs not analyzed in the FEIS.

IRA3: Motor vehicle use is prohibited in Wilderness and Primitive Areas [36 CFR 293]. Boundaries of Potential Wilderness Areas and Inventoried Roadless Areas should be taken into consideration in the roads analysis, and indirect impacts to these areas from existing roads should be considered. Roads increase the threat of wildfire, the spread of invasive non-native plants and plant pathogens, and cause fragmentation of native plant and animal populations. [Commenter: 080309-03a/ID139]

Response: There are nine IRAs within the Lower Trinity and Mad River Ranger Districts. The analysis in 3.15 Inventoried Roadless section of Chapter 3 of the FEIS focused on how each alternative would affect three of the nine IRAs and their characteristics specifically within Mad River Ranger District. *Section 3.15.2.1 Assumptions* states that no further analysis or decision is necessary to continue public motorized use of the existing NFTS roads within IRAs. These decisions were made previously. The 2001 regulations for the protection of IRAs prohibited the construction of new roads, reconstruction of existing roads, with some exceptions, and prohibition of timber harvesting (36 CFR 294 Subpart B). The regulations do not require the closure of existing NFS roads (Fed Reg V66, NO. 9 p 3249), nor do they prohibit the closing of roads. FS regional direction (letter dated November 28, 2007) re-emphasized the direction that the regulations do not prohibit wheeled motor vehicle use within IRAs, nor do they require the closure of existing NFS roads. The regulations and direction for management of IRAs do not preclude the use of motor vehicles for remote recreation.

IRA4: To allow OHV use in these areas would cause disproportionate conflict between non-motorized recreationists and OHV users and will risk precluding roadless areas from further consideration for Wilderness designation. We strongly recommend that you preserve roadless areas with superlative opportunities for quiet recreation by restricting the use of non-licensed motor vehicles to areas that have been previously managed. [Commenter: 072809-01/ID194]

Response: The 2001 regulations for the protection of IRAs prohibited the construction of new roads, reconstruction of existing roads, with some exceptions, and prohibition of timber harvesting (36 CFR 294 Subpart B). These regulations do not modify the land management allocations, prescriptions, or standards and guidelines as established in the Six Rivers NF LRMP, other than to prohibit road construction, reconstruction and timber harvesting. The IRA values and characteristics, outlined in the regulations include “primitive, semi-primitive non-motorized and semi-primitive motorized classes of dispersed recreation” and “other locally identified unique characteristics” (36 CFR 294.11). The preamble to these regulations specifically recognizes that IRAs are important in providing remote recreation opportunities, without the activity restrictions of Wilderness, including off highway vehicle use (Federal Register V66, No. 9, p 3267). A range of alternatives was developed based on public comments and issues during the scoping period. The effect on the IRA characteristics from implementing each of these alternatives is presented in *Section 3.15.4 Environmental Consequences*. In addition, non-motorized recreation opportunity, including "Quiet Recreation", is addressed in Chapter 3, *Section 3.14 Recreation*.

IRA5: Given that roads and OHV routes serve as corridors for exotic plant[1] and disease[2] invasion, and that invasion by exotic species is one of the four threats to the health of the National Forests identified by the former Forest Service Chief, we believe that roadless areas should serve as refuges from motorized encroachment. [Commenter: 072809-01/ID103]

Response: If existing trails in roadless areas are not added to the NFTS, exotic plants that become established at some future date will thrive un-noticed. Routes that are designated have a better chance of being inventoried for new exotic plant infestations. If new infestations are found the associated route will be removed from the Motor Use Vehicle Map, thereby stopping use until the risk of introduction and spread is reduce to low (Appendix H).

Route Designation

IRA6: We also wish to remind you that you cannot label a route that exceeds 50” width as a “motorized trail” to evade non-compliance with the roadless rule. [Commenter: 072809-01/ID171]

IRA7: The FS Roadless Area Conservation Rule (36 CFR 294) currently applies to the SRNF, Routes JM-2085 and JM-2087 cannot be added to the NFTS since designating an unauthorized /unclassified route qualifies as "construction" under 36 CFR 294.11(3) and would therefore violate the Rule. Also, since both JM-2085 and JM-2087 are over 50" wide and they function as roads the SRNF should not arbitrarily designate them as "trails" in order to skirt the requirements of the Rule. [Commenter: 080409-04a/ID148]

Response: The Roadless Rule differentiates between a road and a motorized trail. A road is defined as “a motor vehicle travelway over 50 inches, unless designated and managed as a trail” (Fed. Reg. V66, No. 9, p 3272). All currently unauthorized travelways, located in an IRA within the project area that are proposed for adoption in the NFTS as trails, are designated as such because their function is to provide recreational opportunities consistent with the purpose and need of this project. In addition, these trails will be managed within the Recreation - OHV Program area.

Lassics

IRA8: Specifically, we are concerned with 3.9 miles of routes proposed in the Mt. Lassics IRA, JM 2085 and JM 2087. The Lassics region is known for its rare plants, unusual geology and serpentine soils. The ultramafic flora here is special and distinct from other ultramafic areas in

Northern California. This area is generally open and has seen much abuse by the OHV community. It is very difficult to keep OHV out of these sensitive areas. The DEIS was not specific when describing how land managers are proposing to protect the outstanding biological diversity and resource values of this IRA. [Commenter: 072809-01/ID142]

Response: We too are concerned about impacts to serpentine sites, particularly in the Lassics and Horse Mountain Botanical Areas. We have targeted these areas in the Botanical Resources Monitoring Plan on page H-3 of the FEIS. If adverse effects are noted, or are likely to occur, corrective action will be taken. Corrective actions may include, but are not limited to, signing, barriers, closure to causative vehicle type(s), or removal of the route from the MVUM. Note that there are no known Sensitive plant sites within 100 feet of the routes proposed for designation under the action alternatives. *Section 3.8.4.2 Alternative 2 – Proposed Action* notes past damage to unique serpentine vegetation in the Lassics and the need to increase public awareness of the unique values through the use of signs. The FEIS will include a recommendation to increase law enforcement presence during hunting season when, historically, most of the off route use has occurred.

Pilot Creek

IRA9: We are very concerned by the proposed addition of OHV use on Route 5E14 in the Pilot Creek IRA. We strongly believe that in order to protect the integrity of this IRA and Key watershed that this route should be designated as horse, bike and foot traffic only. [Commenter: 072809-01/ID153]

Response: The 2001 regulations for the protection of IRAs prohibited the construction of new roads, reconstruction of existing roads, with some exceptions, and prohibition of timber harvesting (36 CFR 294 Subpart B). These regulations do not modify the land management allocations, prescriptions, or standards and guidelines as established in the Six Rivers National Forest LRMP, other than to prohibit road construction, reconstruction and timber harvesting. The IRA values and characteristics, outlined in the regulations include “primitive, semi-primitive non-motorized and semi-primitive motorized classes of dispersed recreation” and “other locally identified unique characteristics” (36 CFR 294.11; emphasis added). The preamble to these regulations specifically recognizes that IRAs are important in providing remote recreation opportunities, without the activity restrictions of Wilderness, including off highway vehicle use (Fed. Reg. V66, No. 9, p 3267). The preamble also differentiates between a road and a motorized trail, and does not preclude the construction, reconstruction or maintenance of motorized trails (including those over 50 inches wide) (Fed. Reg. V66, No. 9, p 3251). A range of alternatives was developed based on public comments and issues during the scoping period. The effect on the IRA characteristics from implementing each of these alternatives is presented in *Section 3.15.4 Environmental Consequences*. The comparison of effects will be used by the Forest Supervisor in making a decision.

Subpart A

IRA10: The USFS must consider the closure and decommissioning of those roads that are both low value and high risk. Key Watersheds, LSR and Riparian Reserves, Inventoried Roadless Areas, Botanical Areas, and Port Orford cedar watersheds, are logical high priority areas for reducing road associated ecological damage. [Commenter: 072809-01/ID154]

Response: The Forest Service does consider closure and decommissioning of those roads that are low value and high risk, but not as a part of this action. Note as discussed in *Section 1.2.1 Travel*

Management on the Lower Trinity and Mad River Districts of the Six Rivers National Forest.

"This proposal is just one project, among many, in the Six River NF long-term goal of managing the transportation system. Over the last 12 years...decisions have resulted in almost 170 miles of NFTS roads being closed or decommissioned" to improve watershed conditions. "...ongoing efforts...include: (1) reducing adverse environmental impacts associated with unauthorized routes through various project-level planning efforts; and (2) addressing impacts associated with the current NFTS through the Six River NF road and trail maintenance program. Implementation of this proposal and the subsequent designation of motor vehicle routes through publication of the MVUM are only one step in the overall management of the Six Rivers NFTS."

Society and Culture

General

SC1: The change in status and the publication of this road [PK571] as a "public road" would have negative consequences. Our concerns are generated by the anticipated increase in motor traffic. we see significant risks and potential erosion of our quality of life in this secluded and environmentally pristine area of Hettenshaw Valley. Specifically, degradation of the environment due to increased noise, litter, erosion of the roads leading to PK571, and increasing traffic, and the subsequent increase in noise levels, would generally degrade the charm and quality of life we now enjoy. Detrimental effects to our livestock and to our property values could be anticipated with increased exposure to traffic. [Commenter: 071909-01/ID135]

Response: These roads and proposed motorized trail are currently open and used. A noticeable change in use on route PK751 is not expected.

Economics

Impact

E1: Why don't you do like other areas do and realize the importance of this issue to the public and open up more areas, work with the public and help create recreation for thousands of families, this will create millions of tax dollars, isn't this what we need? The OHV industry and their suppliers create millions of tax dollars. [Commenter: 072909-03/ID52]

Response: The assessment of economic impacts identifies the potential effects that the alternatives may have on the local, county and regional economic systems. Both direct and indirect effects were analyzed on full and part-time jobs and labor income (*Section 3.17.5 Environmental Consequences*). The cumulative effects with the adoption of Alternatives 2 or 3 were found to be the same as Alternative 1, the no action alternative (*Section 3.17.5 Environmental Consequences*). The cumulative effects for Alternative 1 showed no change in future opportunities for jobs and incomes to the counties. The cumulative effects associated with the adoption of Alternative 4 showed a reduction of 5.2 jobs and \$142,714 in labor income when compared to Alternative 1. For all alternatives, Forest projects such as thinning, shredding, fuels reduction, vegetation management, and grazing will continue into the future. The Payment in Lieu of Taxes (PILT) and Secure Rural Schools Act funding should continue to support jobs and spending locally. No actions in this project would jeopardize these funding programs.

Impacts to Property Values

E2: The change in status and the publication of this road [PK571] as a "public road" would have negative consequences. Our concerns are generated by the anticipated increase in motor traffic. Detrimental effects to our livestock and to our property values could be anticipated with increased exposure to traffic. [Commenter: 071909-01/ID53]

Response: PK751 (Note: PK571 is not a route identified in this analysis) starts on National Forest System lands at the Bradburn Trailhead in Section 32 T2S R7E just south of Assessor's Parcel 020-120-10-00 and ends 1.07 miles to the east at Forest Service Road 2S30. Access to the west edge of this route is from Forest Service Road 2S40 which starts in the south half of Section 29, T2S R7E at its junction with Trinity County Road 550 and crosses private property in this section under authority of an existing easement. Forest Service Road 2S40 south of Section 29 does cross within the southwest corner of a private parcel (Assessor's Parcel 020-120-10-00) without benefit of an easement. Access to the west end of PK751 over Forest Service Road 2S40 will require acquisition of an easement or rerouting the road around the private parcel. Use of route PK751 as an unauthorized route has been ongoing for many years. It is not expected that if the route is authorized traffic would increase substantial. Effects of any minor increase in traffic would be expected to have a minor increase in effects to adjacent property owners.

Analysis

E3: 3.17.3 Economic Methodology: I find no mention of or reference to (page 1.48 C.) access to public and private lands. At the very least adoption of the preferred alternative would require the expenditure of some money by adjacent landowners. [Commenter: 062709-04/ID54]

Response: The adoption of Alternatives 2, 3, or 4 could require expenditures by adjacent landowners for access to their land. Existing laws and regulations limit expenditure of NFS road and trail funding to what is necessary to meet NFS access needs. The laws and regulations allow adjacent landowners to use the roads, as the Forest Service provides roads for NFS access purposes. The use of any NFS or non-system road that is closed to the public for vehicle access requires a special use authorization. Requests for special use authorizations are evaluated on a case-by-case basis. The costs to a landowner requesting a particular special use authorization would be dependent on the type of access requested (primary or secondary), the route(s) used, and any required resource protection measures. An estimate of potential costs to adjacent landowners is not included in the economic analysis because the Forest cannot reasonably predict who would request a special use authorization, whether or not the request would be granted, or potential costs associated with any required resource protection measures.

E4: The survey questioner (Table 3.17-4) that was used to define the probable economic impact and the values assigned (Table 3.17-5) to those activities is suspect at the very least. I would suggest that those values be comparable to the trail head fees charges by the Shasta-Trinity or any other public facility. [Commenter: 062709-04/ID55]

Response: The values listed in Table 3.17-4 do not reflect recreational use fees charged by the Forest Service or other public facilities; they reflect the estimated employment and labor income response coefficients (employment and labor income per 1,000 visits) by local and non-local activity types. The response coefficients indicate the number of full and part-time jobs and dollars of labor income per thousand recreation visits by activity type. Table 3.17-3 displays an estimate of average expenditure per visit by activity type. These estimates are based on all expenditures (e.g. gas, food, lodging, equipment, use fees, etc.) associated with a particular

activity and whether or not the recreational user is local or non-local. The response coefficients displayed in Table 3.17-4 along with the visits presented in Table 3.17-2 were used to estimate the economic effects for local and non-local use by activity type as displayed in Table 3.17-5.

Transportation Facilities

General

T1: Please note that NFMA itself directly mandates that surplus roads constructed in support of a contract, permit or lease are to be closed and re-vegetated “within ten years after the termination of the contract, permit, or lease.” 16 U.S.C. § 1608(b). This mandate is unwavering “[u]nless the necessity for a permanent road is set forth in the forest development road system plan.” Id. Because the Agency has not established that these surplus roads are a necessary component of its permanent road system, they must be closed and re-vegetated. [Commenter: 072809-01/ID183]

Response: Surplus roads were not identified as part of this project. This project did attempt to identify unauthorized routes that existed on lands managed by the Forest Service. The unauthorized routes were not determined to have been constructed in support of a contract, permit or lease.

T2: Please note that your staff in the Orleans District of the Six Rivers National Forest not only considered a travel management alternative that closed unneeded system roads to mitigate the resource and economic impacts of route designation but in fact selected such an alternative. Does the SRNF contend that the selected action alternative in the Orleans District was unreasonable? Does the SRNF contend that the EPA scoping comments requesting consideration of such an alternative were unreasonable? Any decision to add road mileage to the system should consider the constrained road maintenance budget and the potential conflicts that additional maintenance needs will engender. [Commenter: 072809-01/ID184]

Response: On the Orleans District, Travel Management Rule subpart A and B was implemented because sufficient road condition and needs data were available for all system and non-system NFTS road and routes. Similar data is not currently available for the Mad River District; however, it is presently being collected in anticipation of conducting Subpart A for system roads at a future date. On the Lower Trinity Ranger District, Travel Management Subpart A was implemented between 1996 and 1998 under three separate Environmental Assessments and is discussed in *Section 3.5.3 Affected Environment*. With the completion of the FEIS, greater opportunities to better fund and maintain motorized trails will exist through grants and partnerships. Without completed NEPA, opportunities to seek grants to fund maintenance do not exist.

T3: Over 255 miles of route were inventoried. By proposing only minor additions to the NFTS the DEIS fails to provide adequate opportunity for motorized recreation. Six Rivers National Forest is proposing to add up to 72 miles of high clearance trail, of which 23 miles is trail < 50” and 6 miles is for motorcycle, the only motorcycle only opportunity on the Forest. This amount, out of 255 miles of inventoried route, is insufficient to provide a diversity of recreational opportunity and is identified as Significant Issue #1. Many of the proposed additions to the system are for dispersed camping access and are in fact for motorized access to non-motorized quiet recreation. In addition motorized use is removed for 6 miles of NFTS route. [Commenter: 080309-02a/ID185]

Response: Currently, there are 14.4 miles of NFTS motorcycle only trails available within the Pilot Creek area of the Mad River Ranger District. A net increase of 5.1 miles are proposed

under Alternative 3. The addition of motorcycle only trails was based on use identified during the route inventory and public comment period.

Analysis

T4: The DEIS does not describe the rationale or criteria used to develop these proposed changes [converting NFTS roads to NFTS trails, changing closed roads to open, changing open roads to closed, and changing highway-legal-only roads to open to all vehicles]. We recommend the FEIS include a description of the rationale and criteria used to develop the proposed changes to the existing NFTS. [Commenter: 080309-01a/ID158]

Response: The rationale or criteria used to develop proposed changes (e.g. changing closed roads to open, and changing highway-legal-only roads to open to all vehicles) is discussed in *Section 1.2.2 Scope of the Analysis*. There was no consideration of converting NFTS roads to NFTS trails or closing NFTS roads in the FEIS.

T5: FSM 2355.14 directs the agency to recognize the differences between various types of off-road vehicles, and to recognize the different impacts that they may have on the various resources and on public safety. It is not clear how impacts if different types of off-road vehicles were considered in the roads analysis. CNPS believes that the roads analysis process should be reevaluated to reconsider these various types of impacts to natural resources and non-motorized recreation. [Commenter: 080309-03a/ID159]

Response: FSM 2355.14 has been superseded by FSM 7710 – Travel Planning. Impacts were analyzed by the highest level of impact and were not differentiated by vehicle type.

T6: I would like to see all the considered routes. What was the issue for routes that didn't make the map? [Commenter: 080409-07/ID160]

Response: Public review occurred during the initial steps in the Travel Management process. In 2007, Draft OHV route inventory maps (Step 1) was shared with the public. The public helped validate the accuracy and completeness (presence/absence of routes) of the maps identifying the inventoried unauthorized/unclassified motorized routes. This review determined the extent of motorized use within the two Districts and served as the basis for continuing the route designation process. A copy of the maps was placed on the web site on October 18, 2007. Public input on routes continued until June 30, 2008. In addition, a decision was made to proceed with Step 3 within this same timeframe. Step 3 involves gathering additional information to help in developing site-specific proposals for changes to a motorized transportation system. In April, 2008, public workshops were held to share information, review and determine if traveled routes had been identified, and to gather additional information about opportunities and benefits as well as concerns with individual routes. This input served as the basis for development of a proposed action analyzed under the National Environmental Policy Act. Also at these workshops, information was shared on management areas where unauthorized routes could not be considered for inclusion into the Forests transportation system according to the Six Rivers National Forest Land and Resource Plan. These include Wilderness, Research Natural Areas and areas classified as Semi-primitive Non-motorized. Updated Inventory Maps, with Forest Plan land allocations, were posted on the web site prior to these workshops. Two additional workshops were held in May and June 2008 completing Steps 1 and 3 of the OHV Route Designation process. Parameters were adopted (e.g. resource concerns and recreational value) to screen identified unauthorized routes for designation described in *Section 1.2.2 Scope of the Analysis*, thus eliminating some routes from consideration.

BMP

T7: We request that you adopt the Wild Utah Project and Wildlands BMPs in your travel planning effort, as we believe they offer a comprehensive and rational approach to minimizing impacts, as required by Executive Orders 11644 and 11989. If you choose to not utilize these recommendations, we ask that the Final EIS/ROD please provide an explanation for why the BMPs were not incorporated into the planning and environmental analysis. [Commenter: 072809-01/ID161]

Response: Best Management Practices are incorporated into the planning and environmental analysis utilizing USFS Region 5 Best Management Practices for OHV use and road construction and maintenance (from Regional Water Quality Management Plan, 2000). Refer to Appendix B of the Lower Trinity and Mad River Motorized Travel Management EIS.

Change in Designation

T8: Many of the routes that access dispersed recreation sites continue beyond the site, usually as a low standard, user-created quad-jeep trail. Because an effort has been made to retain as many dispersed sites as possible, the Forest has not made clear how the route to the site will be retained while simultaneously blocking off access BEYOND the site. We are concerned that specialists may have not surveyed routes beyond the dispersed sites to assess potential impacts to botanical, water/soil, cultural or wildlife resources. Should OHVs continue beyond the dispersed site, law enforcement personnel would find it difficult to write a citation and/or obtain a conviction for the operation of an OHV on what was clearly a route. [Commenter: 072809-01/ID162]

Response: The core team of resource specialists, including recreation, wildlife, fisheries, hydrology, botany, soils, and archaeology, considered all unauthorized routes for inclusion. This includes inventoried routes to dispersed campsites. In general, access to unauthorized routes past campsites are not proposed to be physically blocked. However, all added routes will have identification signing. This may include signing the route terminus. If the need is identified during monitoring, additional signing and/or a physical barrier would then be considered.

Companion Trails and Wet Weather Closure

T9: The importance of companion trails to the motorized trail system should not be disregarded. Companion trails link sections of NFTS motorized trail for vehicles that are CA OHV licensed.

Of importance addressed in Alt 3 is the expansion of seasonal use for 12 miles of motorized trail to match NFTS access roads. For a motorized trail system to be viable there must be continuity of connecting sections. The above items contribute to that continuity. [Commenter: 071209-01/ID163]

Response: The importance of companion trails and the expansion of seasonal use to match NFTS access roads to the motorized trail system were recognized in Alternative 3 to provide continuity for a motorized trail system.

Designation

T10: Unfortunately many of the routes on the Six Rivers NF have been assigned unauthorized status in the DEIS. We contend that these routes are in fact authorized as there was no prohibition on their creation. In many cases the routes are temporary roads or ML 1 roads that were constructed during logging operations. [Commenter: 080309-02a/ID164]

T11: According to the TMR any road determined by the Forest “to be necessary for the protection, administration and utilization of the National Forest System and the use and development of its resources” is a Forest road or trail. This includes temporary and ML 1 roads that might not be open to the public, but are authorized and included in the atlas. The DEIS should make this distinction. User created routes in closed or restricted areas may meet the TMR’s definition of unauthorized, as they were never determined by the Forest to be “necessary”. In any case the DEIS fails to make a clear distinction between unauthorized routes, ML-1 roads and temporary routes. The status of routes according to definitions in the TMR and other Forest documents should be clarified in the DEIS. [Commenter: 080309-02a/ID165]

Response: Temporary roads are defined as roads or trails necessary for emergency operations or authorized by contract, permit, lease, or other written authorization that is not a forest road or a forest trail and that is not included in a forest transportation atlas (36 CFR 212.1). Temporary roads are decommissioned after operations have been completed. Such routes that have received recreational motor vehicle use are considered unauthorized in the Travel Management process. Maintenance Level 1 roads are part of the NFTS, but are constructed for an identified management purpose. ML1 roads are intermittent service roads and are, by definition, closed for vehicle traffic. While ML1 roads are part of the NFTS, recreational motor vehicle use on these roads is not authorized (FSH 7709.58, Ch. 10). The FEIS is not intended to revisit previous decisions that resulted in the current NFTS. It is narrowly focused on the prohibition of cross-country travel and limited changes to NFTS roads and motorized trails. The parameters for limited changes to the NFTS roads and motorized trails are identified in *Section 1.2.2 Scope of the Analysis*, and the route specific data in Appendix A.

Designation Type

T12: I cannot understand why 02S05 is designated “street legal” vehicles only. Riding my OHV over this road particularly is a pleasant peaceful experience and allows me access to other areas open for my use. [Commenter: 072909-02/ID166]

Response: As stated in *Section 3.18 Transportation Facilities* of the FEIS, "The California Vehicle Code requires motor vehicles operated on highways be highway-legal and be operated by licensed drivers. Region 5 considers passenger car roads (Maintenance Level 3, 4 & 5) to be subject to state highway law." 02S05 has an objective maintenance level of 3.

Mixed Use

T13: There is no accident history cited or other data included to support the need for restriction of OHVs on level 3 roads. We are pleased by the Six River’s approach to mixed use which leaves lightly used connecting roads open to non-highway licensed vehicles to complete loop opportunities. [Commenter: 080309-02a/ID167]

Response: There are issues other than accident history that support the need for restricting OHV use on level 3 roads.

T14: BRC is concerned the Forest may not propose for mixed use designation some level 3-5 roads for OHV use to connect up various trails and staging areas, based on an outdated R5 interpretation of CVC 38001. It is clear the California legislature intended for "logging roads...regardless of surface composition" to be exempt from the CVC. BRC believes the Forest Service continues to operate under the false assumption that the CVC prohibits "green sticker" OHVs on level 3 roads. If the Forest continues with its flawed interpretation of the "mixed use/combined use" issue," BRC believes the Forest should cite the January 11, 2009 Region 5

"Mixed Use" memo (see attached) as the real reason for proposing to close a significant number of miles of roads to green sticker vehicles. BRC believes if any of the action alternatives are selected that it makes the proposal susceptible to a successful appeal or challenge because the submitted "mixed use" information during public comment period was not functionally incorporated into the decision-making process. [Commenters: 080409-05a, 080409-06/ID168]

Response: Logging is not the sole use of all system roads. The exemption of logging roads in the California Vehicle Code from the definition of a highway is not applicable for all roads under Forest Service management. In June of 2009, the Six Rivers NF submitted the mixed use analysis for roads proposed for mixed use on the Lower Trinity and Mad River Ranger Districts to the Regional Office for review. In August of 2009, the Six Rivers NF received a recommendation from the Regional Engineer regarding which roads proposed for mixed use should be allowed. The Forest Supervisor is the responsible official who will decide which alternative to select.

Parking

T15: The Back Country Horsemen are very concerned about the issue of parking in the "Dispersed Recreation" section on page 3.14-350. It states that "parking will be limited to a vehicle length off these routes." In conversation with Leslie Burkhart of the Travel Management Team it was explained that this restriction would not apply to vehicles with trailers with park parallel to, and off of, a designated road. We feel this should be stated in the management plan to clarify any confusion over parking in the forest. [Commenter: 073009-02/ID169]

Response: To clarify, the restriction does apply to vehicles with trailers. The situation described, parking parallel off a designate road or trail, meets the requirement of being within one vehicle length and is legal, assuming no other infractions occur (e.g. causing resource damage). Additional clarification of parking restrictions has been added to the FEIS in *Section 2.3 Alternatives Considered in Detail* under the subheading Parking.

ROS Class

T16: when did Bug Creek trail become solely semi-primitive non-motorized? As I recall, we had a deal worked out with Larsen before he retired that left the first portion to the turnoff down into the "hole" open as SPM in the ROS treatment. In addition, it did not qualify as SPNM under the ROS definitions. The SRNM portion then took off at the turnoff out to Chaparral Mt. Now I hear that the whole deal is going down as SPNM under the new Trans Mgt Plan. How did this change occur and what was the public comment on it? [Commenter: 071309-02/ID170]

Response: The area in which the Bug Creek Trail is located was classified as Semi-primitive Non-motorized in the 1995 Six Rivers LRMP; the whole forest was evaluated and assigned various ROS classifications at this time. This classification has not been changed. This was the first comprehensive forest plan for the Forest done in accordance with the National Forest Management Act, 1982. The trail itself has always been shown on forest maps as non-motorized with one exception, which was later corrected. The Six Rivers became a national forest in 1947. One of the earliest official maps - dated 1952, a Lower Trinity Ranger District map, indicated Bug Creek Trail as non-motorized, according to the legend, since there was a different symbol used to indicate "poor motor roads." The 1977 map symbol indicates the route as "infrequently maintained trail" not as a "primitive road." In reviewing the Forest's historical map files, nine editions of official forest maps for years 1952, 1954, 1956, 1969, 1977, 1984, 1994, 2004, and 2009 show Bug Creek Trail as a non-motorized trail. Only for the 1988 forest map version was it shown as an OHV trail. It was corrected for subsequent map editions. To change the ROS class

would require a forest plan amendment. The Forest will begin the forest plan revision process in 2010 and input through the public involvement process on this concern is encouraged.

Route Specific

T17: EPA is concerned with the addition of unauthorized user-created roads and trails to the NFTS, which may not have undergone site-specific environmental analysis or public involvement. The FEIS should state how the Forest would ensure specific user-created routes are adequately evaluated pursuant to NEPA requirements. Where prior site-specific environmental analysis has not occurred, we recommend the FEIS specify the manner and criteria by which specific user-created routes would be analyzed prior to the route's addition to the NFTS or its designation for public motorized use. [Commenter: 080309-01a/ID173]

Response: The unauthorized routes proposed for addition to the NFTS have gone through site-specific environmental analysis and public involvement as described in the FEIS. Site-specific environmental analysis and public involvement will be required prior to future route additions.

T18: We request the following trails be added to the system. They provide exceedingly rare "most difficult" opportunity for motorcycles. Travel Management will all but eliminate this class of trail from California Forests making them worthy of consideration as an "endangered species" that deserves special consideration. Tish Tang Point MM 821, MM 823, MM 824, MM 825, UALT 00007r. Other less difficult motorcycle trails need to be preserved for younger riders, such as Board Camp PK 843-PK 857. [Commenter: 080309-02a/ID174]

Response: The trails you have identified are proposed to be designated for use by motorcycles under Alternatives 3. Designation of Tish Tang Point (MM 821 & MM 825) would be subject to the construction of waterbars. The Board Camp routes have been changed to protect resource values but are still included in Alternative 3 and subject to mitigation. (Appendix I - Changes between Draft and Final)

T19: We are extremely pleased to see that the existing designated trail system in the Pilot Creek area is preserved as the product of a prior decision, including routes such as 5E 12 A, B, and C, 5E 14, 5E 21 and 5E 24. [Commenter: 080309-02a/ID175]

Response: These identified trails were designated under the Pilot Creek Watershed Trail Use Strategy Environmental Assessment in 1998. Some changes to the system are being considered under this proposal, such as changing Trail 5E14 from motorcycle to allow vehicles less than or equal to 50" and placing seasonal closures on some of the trails to conform to the seasonally closed roads leading to their trailheads.

T20: The agency has created an artificial regulator barrier regarding the designation of 4E26--Bug Creek Trail and 4E28 which the agency admits were, "on the motorized trails system at one time". BRC and the Far West Motorcycle Club have advocated their desire for this important and historic OHV route to remain on the system. The land transected by those trails [4E26--Bug Creek Trail and 4E28] were reclassified as Semi-Primitive Non-Motorized in the 1995 Forest Plan. However, the forest did not perform the subsequent site-specific NEPA planning to legally close it to existing use as is required by NEPA and recent court decisions. BRC asserts that 4E26 is a motorized trail and hence was wrongly excluded from the decision matrix and is in fact within the scope of the analysis. [Commenter: 080409-05a, 080409-06/ID176]

Response: Bug Creek Trail (4E26) has been shown on nine editions of official forest maps for years 1952, 1954, 1956, 1969, 1977, 1984, 1994, 2004, and 2009 as a non-motorized trail. Only for the 1988 forest map version was it shown as an OHV trail. It was corrected in subsequent

map editions. The required site-specific NEPA (National Environmental Policy Act, 1969) analysis did not occur before or during 1988 to change the use of the trail from non-motorized to motorized. The ROS class system was developed and first used nationwide in forest planning in the early 1980s. The ROS class for this area as well as the whole forest was evaluated and assigned in the 1995 Six Rivers NF FLRMP; it has not been changed. This was the first comprehensive forest plan for the Forest done in accordance with the National Forest Management Act, 1982. To change the ROS class would require a forest plan amendment. The Forest will begin the forest plan revision process in 2010 and input through the public involvement process on this concern is encouraged.

T21: The forest consistently can't find or acknowledge historically used routes like 5N19, see the 1972 map or see the current map 02N18 to Becker's Cabin. This could connect to STNF so to get north to 3N06 or north to Blake Mountain. Either would require a quarter mile of Route One or a short construction in the future. [Commenter: 080409-07/ID177]

Response: County Line Trail (5N19) was used as an identifier during the Pilot Creek Watershed Trail Use Strategy Environmental Assessment in 1998. This trail was then dropped from consideration do to resource issues.

T22: I would like to see and try to understand the written condition of the Pilot Rock Jeep road impacted by Route One. My sense is there is still a possibility of using said route to connect the Pilot Rock area to Board Camp and Bug Creek. [Commenter: 080409-07/ID178]

Response: You are welcome to visit this area. Segments of inventoried routes along Pilot Ridge have been included in Alternative 3 as described in Chapter 2. Note that both Board Camp and Bug Creek are located within the ROS classification of SPNM where motorized use is not allowed and therefore this connection has not been pursued under this project.

T23: There is a need to look at the Three Creeks area routes (for motorcycle only), specifically 27N11G, 27N3B, 2503, 2505, Lost Creek Trail, Clover Gulch, Grouse Ridge, Swim Ridge and allow Route 27 as a loop back. Kelsey Peak area routes including the Humboldt Historic Trail are needed and users need to be included in the fire restoration. [Commenter: 080409-07/ID179]

Response: The area in question is believed to be the Three Forks area located in the Mad River Ranger District. 27N11G, 27N13B, and 2S03 (located west of Ruth Lake) are NFTS roads currently allowing high clearance vehicles including OHVs. 2S05 (located on Mad Ridge), and Route 27 are higher maintenance NFTS road allowing licensed vehicles only. Consideration of new mixed use on existing NFTS roads requires a mixed use analysis, approval by the Regional Engineer, and approval of the California Highway Patrol. Because of the time frames established for this project by the Regional Forester, limited forest resources to conduct mixed use analysis, and the lengthy analysis and review process, consideration of additional mixed use is beyond the capability of the Forest. NFTS Trails Lost Creek (12W11), Clover Gulch (12W14), Grouse Ridge (12W09), Swim Ridge (12W08) are non-motorized trails and are beyond the scope of this analysis as disclosed in Section 1.2.2 Scope of Analysis and *Section 2.6 Alternatives Considered in Detail but Eliminated from Detailed Analysis* of the FEIS. Route TH1020, in the vicinity of Kelsey Peak, is proposed for designation under Alternatives 2 and 3. The Humboldt Historic Trail was identified as having resource concerns not readily mitigated. (*Section 2.6 Alternatives Considered, but Eliminated From Detailed Analysis* of the FEIS).

T24: We've been using Bug Creek and Mad River Buttes trails for 30+ years. Tell us what we need to do to continue using them. [Commenter: 080409-07/ID180]

Response: The Six Rivers became a national forest in 1947. One of the earliest official maps, dated 1952, a Lower Trinity Ranger District map, indicated Bug Creek Trail as non-motorized,

according to the legend since there was a different symbol used to indicate "poor motor roads." The 1977 map symbol indicates the route as "infrequently maintained trail" not as a primitive road. In reviewing the Forest's historical map files, nine versions of official forest maps for years 1952, 1954, 1956, 1969, 1977, 1984, 1994, 2004, and 2009 show Bug Creek Trail as a non-motorized trail. Only for the 1988 forest map version was it shown as an OHV trail. It was corrected for subsequent map versions. The ROS class for this area is Semi-Primitive Non-Motorized. To change it would require a forest plan amendment. The Forest will begin the forest plan revision process in 2010 and input through the public involvement process on this concern is encouraged.

Single Track to OHV < 50" = declining quality

T25: Issue of concern: the reclassification of historically single track motorcycle trail to allow OHVs of less than 50" in width. Allowing 4-wheeled vehicles in areas that are single track will significantly alter the nature and the quality of the trail. Motorcycles and quads create different trail signatures. Quad tracks predominantly overwrite motorcycle single track with parallel tracks and a berm in the middle. One of the greatest pleasures in off-road motorcycling is to ride single track. I would truly be saddened if those trails were to disappear. [Commenter: 071209-01/ID181]

Response: A change in vehicle type is proposed on one NFTS motorized trail (motorcycle only) Dan East Trail (5E14) under both Alternatives 2 and 3.

Trail Width

T26: Need trails for wider OHVs, has a rhino 59" wide. [Commenter: 071309-01/ID182]

Response: According to the Travel Management Rule, a trail is a route 50 inches or less in width or a route over 50 inches wide that is identified and managed as a trail. (36CFR212.1). Combined, Lower Trinity and Mad River Districts provide 898 miles of NFTS roads managed for high clearance vehicles including non-street legal OHVs. Under Alternative 2, 22.97 miles of unauthorized trail were proposed to be designated for use by both highway and non-highway legal high-clearance vehicles plus an additional 2.49 miles by change in road maintenance level. Under Alternative 3, 6.68 miles were proposed in addition to the mileage under Alternative 2 to expand motorized recreation opportunity and access across the Districts.

Safety

General

S1: The DEIS did not adequately address public health and safety issues. A comparison of potential injuries vis-à-vis open route miles might be valuable to your decision. Similarly, the presence of law enforcement vis-à-vis public health and safety should be analyzed. It is essential that the agency disclose and analyze the potential for fatal injuries resulting from such a decision. [Commenter: 072809-01/ID133]

Response: As stated in Section 3.18.2.1 Assumptions Specific to Public Safety of the FEIS, "Due to very low traffic volumes and the relatively remote location of NFTS roads, there is insufficient reporting of crashes on the roads to make determinations regarding whether roads are safe."

S2: The Six Rivers National Forest proposed action in Alternative 2 would limit motor vehicles to parking within one vehicle length from the edge of the road. This means that hunters, target shooters and campers could no longer pull off onto spur roads and turnouts that have historically

been used for parking and dispersed camping. And, it means that they would have severely limited alternatives to safely park, camp or hunt. [Commenter: 073009-01/ID134]

Response: Region 5 has developed guidance on parking and dispersed camping. Limiting vehicles to one vehicle length from the edge of the route provides a guideline between parking on the route system and driving cross-country. The distance proposed in this analysis is the distance currently proposed nationally by the Forest Service. This project considered routes that provide parking and access to dispersed camping areas in the development of the alternatives. Some routes proposed for designation provide this need. Also, terminal facilities, trailheads, and turnouts associated with the existing NFTS roads and trails help further provide this need. The effects on access for dispersed camping are analyzed in the FEIS in the Recreation section in Chapter 3 and shown in Table 3-14-9. Routes that provide access into many dispersed camping areas were inventoried as part of the Forest route inventory completed in August 2006, and these routes are identified as a Dispersed Recreation Opportunity in Appendix A - Route-Specific Data.

Dan East Trail

S3: No matter which alternative is chosen I believe that changing the Dan East trail (5E14) from motorcycle only to ≤ 50 " is a very bad idea. As the system is laid out you are inviting Quads to ride up and down the trail leading to an unsafe and trail damaging pattern of use. Yes I know that there is a future provision for the quads to have a loop in that area. It is still a bad idea. At the very least, Dan East should remain a motorcycle only trail until the forest can complete the future trails comprising the loop. [Commenter: 080409-02/ID132]

S4: No matter which alternative is chosen I believe that changing the Dan East trail (5E14) from motorcycle only to ≤ 50 " is a very bad idea. As the system is laid out you are inviting Quads to ride up and down the trail leading to an unsafe and trail damaging pattern of use. At the very least Dan East should remain a motorcycle only trail until the forest can complete the future trails comprising the loop. [Commenters: 062709-01, 062709-03/ID132]

Response: Currently, the trail network located in the Pilot Creek area has a large component of motorcycle trails. There are few ≤ 50 " trails available. Changing Dan East Trail(5E14) from motorcycle to ≤ 50 " motor vehicle use expands loop type opportunities providing greater access to motorized recreation enthusiasts. In general, given: the areas light use; the trail classification of 'most difficult'; design features associated with the trail; and the relatively low speed required to traverse this technical trail, safety and trail damage is not anticipated.

Fire

S5: The more traffic that travels this road [PK571] (due to its designation as a public road), the higher the fire danger will be. The added traffic and the location of my property concern me during hunting season. [Commenter: 071909-02/ID129]

Response: A noticeable change in use is not expected.

Fire and Conflict of Use

S6: Due to the change in status and the publication of this road [PK571] as a "public road" we anticipated increase in motor traffic, resulting in an increase in fire danger, from an increase in the vehicles themselves, as well as, the greater risk from discarded cigarettes. There are no emergency services (police or fire) available to respond in a timely manner to an injury or conflict, which could result from increased public usage. [Commenter: 071909-01/ID130]

Response: A noticeable change in use is not expected.

Track Width/Vehicle Height

S7: ATV riders are mostly relegated to 4x4 roads which are sometimes very dangerous to the difference in track width. I hope you consider the creation of 50 inch trails and do not short change your ATV riders [Commenter: 062309-01/ID131]

Response: The addition of 50 inch wide trails is has been considered and is included in alternatives.

Maintenance

General

M1: All roads are in poor condition and get little maintenance. [Commenter: 061719-01/ID79]

Response: Maintenance activities are occurring on many system roads. Portions of some roads been fully reconstructed in the past few years. The service level of Forest Service roads is generally lower than state highways and county roads and the objective maintenance level must be considered when evaluating the condition.

M2: Current maintenance budgets are insufficient to meet current maintenance needs. The deferred maintenance backlog for the Six Rivers exceeds nine millions dollar and will continue to grow until additional funds can be found or road densities are reduced. We do not understand how the agency intends to draw adequate funding for maintenance of thousands of miles of existing roads and motorized trails while simultaneously proposing user-created additions to the motorized travel system in light of the existing and significant maintenance backlog. [Commenter: 072809-01/ID80]

Response: Initial trail implementation cost is estimated at approximately \$462,000 for alternative 2 and \$512,000 for alternative 3. In addition, it is anticipated that these new NFTS motorized trails will result in additional annual trails maintenance costs of approximately \$58,000 for alternative 2 and \$65,000 for alternative 3, and \$11,105 in monitoring costs for alternatives 2 and 3. The development of partnerships and volunteers are expected to reduce that cost. By lowering the maintenance level of a 2 ½ mile road segment, Alternative 3 will slightly lower the annual road maintenance cost by approximately \$25,741. Allowing mixed use is not expected to change annual maintenance cost, but has an estimated implementation cost of \$40,500. To meet potential short falls in funding the forest will seek additional funds and resources such as grants and partnerships for implementing the decision which includes implementing mitigations and maintaining NFTS roads and motorized trails. The forest will also work with volunteer organizations in the management of roads and motorized trails and implementation of the Selected Alternative to build additional stewardship opportunities for the public and reduce the cost of implementation and maintenance by the forest. See the Affordability Measurement Indicator Table, Table 3.18-3 in the *Section 3.18 Transportation* in Chapter 3 of the FEIS.

Safety

M3: Furthermore, adoption of the system will result in significant human safety risks and injury resulting directly and indirectly from the failure to maintain the system to standard. [Commenter: 072809-01/ID77]

Response: 36 CFR 212.52 (2) states, “If the responsible official determines that motor vehicle use on a National Forest System road or National Forest System trail or in an area on National Forest System lands is directly causing or will directly cause considerable adverse effects on public safety or soil, vegetation, wildlife, wildlife habitat, or cultural resources associated with that road, trail, or area, the responsible official shall immediately close that road, trail, or area to motor vehicle use until the official determines that such adverse effects have been mitigated or eliminated and that measures have been implemented to prevent future recurrence.”

Sediment Delivery

M4: We conclude from the preponderance of empirical research and from experience on the ground that the decision to adopt a system that cannot be maintained to standard (due to the disparity between available and likely funding and the system’s maintenance needs) will result in sediment mobilization and delivery to streams. [Commenter: 072809-01/ID78]

Response: It is true that a road or trail system that is not maintained will have a greater probability of erosion and potentially delivering sediment if there are adjacent water courses. The FEIS recognized the risk to water quality of adding unauthorized routes to the system that are currently showing signs of erosion and water quality impacts. To address this concern and reduce the risk to water quality, design criteria were included that state that the unauthorized routes would not be added to the MVUM until the water quality mitigations were implemented (e.g. water bars and correction of stream diversions). References to these actions are discussed in *Section 2.3 Alternatives Considered in Detail - Mitigation Measures*. These soil/water quality mitigations affect 25 miles of proposed motorized trail additions under Alternative 2 and 26.8 miles under Alternative 3 (*Section 3.4 Soil Resource* of the FEIS).

Lands / Special Uses

General

L1: School kids use quads and bikes for necessary access to the school bus at Lamber- how do you propose to permit that? [Commenter: 070309-01/ID72]

Response: Use of bicycles (a non-motor vehicle) on Forest Service system roads is permitted when following traffic safety rules. Use of OHVs (unlicensed motor vehicles) is permitted on FS Road 1N15 (a maintenance level 2 road) but not on Forest Service Route 1, a maintenance level 4 route.

L2: The LRMP plan amendment proposes to change wording in the LRMP from “OHV use is restricted to designated routes” to “Prohibit motor vehicle travel (with the exception of snowmobiles) off designated roads, trails and areas except as allowed by permit or other authorization.” We believe that this would mean a significant change. The EIS did not explain what permits are expected and why the Six Rivers NF is not considering snowmobiles. [Commenter: 072809-01/ID73]

Response: Use of roads on NFS land that are not part of the NFTS requires a special use permit authorization. *Section 3.19 Special Uses* of the FEIS describes this permit. The permit sets the conditions for use and maintenance of these non-system roads. Snowmobiles were not considered in the FEIS as resource issues of concern to the Six Rivers National Forest involved non-snowmobile traffic on roads and routes that were not part of the NFTS.

L3: The Forest should not arbitrarily reject a popular historic OHV route simply because segments of it end or transect private property and the agency does not have document rights. BRC urges the agency to review such routes brought forth by the public via site-specific suggestion during the DEIS comment period for consideration for designation using "acquired but undocumented rights" [Commenters: 080409-05a, 080409-06/ID74]

Response: Routes that go through private lands where there is no recorded right-of-way were dropped because the Forest Service does not want to encourage trespass. Prior use of old trails and roads through private lands without recorded rights does not accrue the Forest Service any public right over these private lands.

Emergency Access

L4: 3. Lots 5 & 6, all in the northwest 1/4 of section 10 can be accessed by a spur road that connects to 03S42. All the property and roads are in Township 3 South, Range 6 East, H B & M. Number 3 above provides an emergency access route that can be used when the ranch roads have become impassable. The road provides a way to get heavy equipment to substantial hydroelectric project facilities during major flood events. There can be no other way when the exact wrong conditions exist, such as the flood of 97/98. [Committer: 062709-04/ID67]

Response: Use of any non-system road or NFTS road that is closed to the public for vehicle access requires a special use authorization. The special use process will evaluate the route and set the conditions for use for resource protection.

Maintenance

L5: Who will maintain the roads leading to "PK571"? Will they be plowed in the winter? Currently the property owners have been absorbing this responsibility as principal users. [Committer: 071909-01/ID68]

Response: Route PK571 is not within this analysis but based on your description of the area you are probably referring to route PK 751. PK751 lies between two Forest Service system roads, 2S30 to the east and 2S40 to the north. Maintenance of NFTS road is dependent on use, maintenance level and availability of funds.

L6: The road [PK571] is located on a 1/4 mile section of private property that separates the end of West Hettenshaw road (county) and the Forest Service road. This 1/4 mile section of road is maintained by the private property owners who currently own the land that the road is located on. If public access is granted, who will be responsible for maintaining this section of road? [Committer: 071909-02/ID69]

Response: PK751 (PK571 is not route in this analysis) begins on NFS land at the Bradburn trailhead in Section 32, T2S R7E HM. Forest Service Road 2S40 connects County Road 515 to PK751. The Forest Service acquired an easement for 2S40 through the private lands in Section 29, T2S R7E HM in 1976. Maintenance of this portion of road is dependent on use, maintenance level and availability of funding.

Private Property/Commercial Purposes

L7: The proposed action would significantly negatively impact our tree farm and ranching activities and create an economic hardship. The ranch is accessed by three existing, non designated/abandoned USFS spur roads. 1. The homestead parcel that Zera Burgess, my grand

uncle patented, accesses USFS road 03S47 using a road that begins in the North East 1/4 of the north east 1/4 of Section 15. The road was there before the USFS began numbering roads and provides the primary access to approximately 60 acres of our tree farm. I have never seen it on any USFS map but it is on the USGS maps. 2. Lots 19 and 22 and about 1/2 of lots 20 and 21, all in the north east 1/4 of section 10, can only be accessed by commercial vehicle via an unnumbered spur road that connects to USFS road 03S41. 3. Lots 5 & 6, all in the northwest 1/4 of section 10 can be accessed by a spur road that connects to 03S42. All the property and roads are in Township 3 South, Range 6 East, H B & M. I had had a limited special use permit to haul logs over the roads referenced in 1 & 2 above, and I did apply for a special use permit (June 2000) that would allow use at any time on 1 & 2 but was never granted or denied that right. The paperwork just disappeared. [Commenter: 062709-04/ID70]

Response: The road described in this comment connects your property (AP # 20-350-07) starting on the east line of the NE1/4 NE 1/4 Section 15 T4S R6E HM to NFTS road 3S47. This existing road is not part of the NFTS and its use will require a special use permit. Items 2 and 3 refer to roads that are on National Forest System lands but are not part of the NFTS. Their use is only allowed under a special use permit authorization. A short-term permit to haul logs is a road use permit. This permit allows hauling of commercial products on NFTS roads and covers maintenance responsibilities and costs plus proportional payments for the investments the Forest Service has made into the road.

Rights of Way

L8: I am opposed to the designation of Trail #PK571 as a public use trail for four wheel drives and ATVs. My reasons are as follows: 1. I currently own parcel #020-120-10-00. This designated trail would run directly through the corner of my property. [Commenter: 071909-02/ID71]

Response: PK751 (PK571 is not a route in this analysis) begins on NFS land at the Bradburn trailhead in Section 32, T2S R7E HM just below AP#020-120-10-00 and ends 1.07 miles to the east at FS Road 2S30. Forest Service Road 2S40 connects PK751 at the Bradburn trailhead to County Road 515 in Hettenshaw Valley. FS road 2S40 crosses the private lands (AP # 020-120-24-00 and 020-120-25-00) in section 29 T2 S R6E HM to the edge on National Forest ownership on the south edge of Section 32, T2S R7E HM under authorization of a 1976 easement (recorded in Trinity County Official Records Book 171 page 976). FS 2S40 then continues southeast ward through National Forest System land for several hundred feet and then crosses the corner of private property (AP# 020-120-10-00). The Forest Service does not have an easement through this private parcel. Access through this portion of AP# 020-120-10-00 cannot be authorized until an easement is obtained or the trail is rerouted on NFS lands around this private parcel.

Monitoring

General

MON1: The reliance on monitoring and post-hoc site-specific action “to maintain viability” is misplaced. Monitoring and mitigating damage after it occurs will not achieve the SRNF LRMP and NFMA goals and requirements listed on page 293 of the DEIS. [Commenter: 072809-01/ID81]

Response: The Forest Service proposes monitoring to verify that our assumptions are correct. The Action Alternatives as proposed are expected to meet Forest Plan Standards and Guidelines, and

meet the full spectrum of statute, regulation, and other direction as outlined in the Analysis Framework sub-section at the beginning of each resource section in Chapter 3. The addition of JM722 is an exception to meeting standard and guides. See Section 3.1.5 Analysis Framework: Statute, Regulation, Forest Plan and other Direction and Section 3.10.4.3 Alternative 3 – Expanded Recreation, and in Appendix I under Section 3.10 Port Orford cedar of the FEIS for more information on route JM722.

MON2: ORV use should be considered only in areas where there are adequate funds for monitoring of impacts that is required to protect resources. According to Section 8 of Executive Order 11644, the respective agency head shall monitor the effects of the use of off-road vehicles on lands under their jurisdictions. On the basis of the information gathered, they shall from time to time amend or rescind designations of areas or other actions taken pursuant to this order as necessary to further the policy of this order. According to Section 9 of Executive Order 11989 of 1977 [42 FR 26959, 3 CFR, 1977 Comp., p. 120], the respective agency head shall, whenever he determines that the use of off-road vehicles will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails of the public lands, immediately close such areas or trails to the type of off-road vehicle causing such effects, until such time as he determines that such adverse effects have been eliminated and that measures have been implemented to prevent future recurrence. [Commenter: 080309-03a/ID82]

Response: The Forest Service does not dispute these regulations. As is noted in the DEIS and FEIS under the Monitoring and Condition Surveys sub-heading of *Section 2.3 Alternatives Considered in Detail*, "If monitoring, or road and trail condition surveys, determine motor vehicle use on a National Forest is directly causing or will directly cause considerable adverse effects on public safety or soil, vegetation, wildlife, wildlife habitat, or cultural resources associated with that road or trail the responsible official, in accordance with 36 CFR 212.52(2) shall immediately close that road or trail to motor vehicle use until the official determines that such adverse effects have been mitigated or eliminated and that measures have been implemented to prevent future reoccurrence."