

APPENDIX M – RESPONSE TO COMMENTS

M.1 Introduction

The SNF provided the Travel Management Draft Environmental Impact Statement (DEIS) to interested parties for public comment on May 1, 2009. The Environmental Protection Agency published a Notice of Availability (NOA) for the DEIS in the Federal Register on May 8, 2009. The 60-day comment period ended on June 30, 2009. In response to the SNF request for comments, 4673 interested parties submitted comments. Form letters accounted for 4325 of the responses and 311 individual responses were received. After breaking down each letter into the individual comments contained in those letters the SNF determined that 1273 unique comments needed to be addressed. For tracking purposes, the SNF assigned a letter number¹ to each letter; and, an ID² number for each specific comment.

The Forest Service has documented, analyzed, and responded to the public comments received on the DEIS. Appendix M describes the substantive comments received on the DEIS and provides the agency's response to those comments. In general, the agency responded in the following five basic ways to the substantive public comments as prescribed in 40 CFR 1503.4 and responses to Comments, of the National Environmental Policy Act (NEPA) regulations.

1. Modifying alternatives.
2. Developing and analyzing alternatives not given serious consideration in the DEIS.
3. Supplementing, improving, or modifying the analysis that the DEIS documented.
4. Making factual corrections.
5. Explaining why the comments do not need further Forest Service response.

M.1.1 Content Analysis Process

Forest Service direction requires that Final Environmental Impact Statements (FEIS) respond to substantive comments on the draft DEIS (FSH 1909.15, 24.1). Substantive comments are within the scope of the proposed action; are specific to the proposed action; have a direct relationship to the proposed action; and, include supporting reasons for the Responsible Official to consider (36 CFR 215.2). The team reviewed all 1273 specific comments and identified 609 that do not meet this substantive test and screened them as non-substantive comments.

Public responses submitted regarding the Travel Management DEIS for the SNF were documented and analyzed using a process called content analysis. This is a systematic method of compiling, categorizing, and capturing all public viewpoints and concerns submitted during the official comment period in response to the DEIS. Information from public meetings, letters, emails, faxes, and other sources are all included in this analysis. Content analysis helps the SNF clarify, adjust, or incorporate additional technical information in preparation of the FEIS.

The SNF read all public responses and identified separate comments within them that relate to a particular concern, resource consideration, and/or requested management action. Analysts categorize each comment by using a numerical categorization or “coding” structure that has been specifically tailored to the project documents. Each relevant comment is coded by subject and

¹ For example, letter number 042509-02 is the second letter received on April 25, 2009.

² A four digit number (i.e., 1953) automatically generated for each specific comment.

verified by a second analyst for accuracy and consistency. Next, each respondent's set of coded comments is entered verbatim into the project database.

Finally, it is important to recognize that the consideration of public comment is not a vote-counting process in which the outcome is determined by the majority opinion. Relative depth of feeling and interest among the public can serve to provide a general context for decision-making. However, it is the appropriateness, specificity, and factual accuracy of comment content that serves to provide the basis for modifications to planning documents and decisions. Further, because respondents are self-selected, they do not constitute a random or representative public sample. NEPA encourages all interested parties to submit comment as often as they wish regardless of age, citizenship, or eligibility to vote. Respondents may therefore include businesses, people from other countries, children, and people who submit multiple responses. Every substantive comment and suggestion has value, whether expressed by one respondent or many. All input is read and evaluated and the analysis team attempts to capture all relevant public concerns in the analysis process.

Two general and related principles guide analysts when coding comments. These two principles: 1) encompassing both the need to maintain context and 2) the need to capture respondents' sentiments and reasoning, are crucial to capturing the full range of public concerns. They also, however, underscore the complexity of the coding process. A single comment referring to two or more resource areas could be legitimately coded to any of several categories. Innumerable permutations among multiple resources, perspectives, and emphases add to the complexity. The challenge, ultimately, is for analysts to classify comments in a way that fairly represents respondents' concerns and that facilitates the planning team's efforts to respond to those concerns. This challenge is addressed through frequent interaction among analysts augmented by regular consistency checks.

M.1.2 Comment Response

The project record contains the 609 summary comment statements deemed non-substantive, organized by the 76 general topics, along with the appropriate ID numbers. Analysts use the database sorting capabilities to produce reports that are then reanalyzed to identify all of the respondents' concerns. Public concern statements that capture the theme of similar comments are then prepared.

This Appendix contains the specific 664 substantive comments; combined similar comments into 381 summary statements grouped by 28 general topic areas; and, provided a response to each. The content analysis spreadsheet titled "Public Comments Summary Report" (see project record) contains all 1273 specific comments and identifies the reasons for those screened as non-substantive. That spreadsheet also includes respondents sorted by letter number and respondents sorted by ID number.

The SNF reviewed the public concern summary along with sample quotations, considered the substance of the concerns, evaluated whether they triggered a change in the environmental analysis, and drafted responses. For some concerns, they reviewed the original letters or other input to ascertain the full contexts for the concern statement.

The SNF provided any recommendations for improvements to the DEIS analysis of documentation to the deciding official of the SNF for review, consideration, and action.

This response document follows the organization of the public concern summary as prepared by the content analysts. This organizational structure is developed using many different sources. First, the public concern summary is based on the coding structure which is based on the organization of the DEIS. Then, as comments are received and important themes are identified,

the organization is modified to address concerns as the commenting public raises them. Therefore, the Response to Comment Appendix M does not directly match the organization of the FEIS and is instead more closely tied to concerns that the public shares with the DEIS.

M.2 Comments and Reponses, Table of Contents

Chapter 1: Purpose and Need	M-4
Purpose and Need	M-4
Principle Laws and regulations that influence the scope of the EIS	M-5
Public Involvement	M-6
Chapter 2: Alternatives	M-7
Development of the Alternatives.....	M-7
Adequacy and Range of Alternatives	M-10
Against Motorized Use	M-22
Supports Motorized Use.....	M-23
Comparison of Alternatives	M-25
Route Specific Issues.....	M-27
Chapter 3: Affected Environment and Environmental Consequences, Social Environment	M-31
Transportation Facilities	M-31
Recreation Resources.....	M-36
Society, Culture, and the Economy	M-40
Visual Resources	M-43
Cultural Resources.....	M-43
Chapter 3: Affected Environment and Environmental Consequences, Physical Environment	M-45
Air Quality.....	M-45
Soil and Geological Resources	M-45
Water Resources.....	M-46
Chapter 3: Affected Environment and Environmental Consequences, Biological Environment	M-58
Botany	M-58
Noxious Weeds and Invasive Species	M-63
Terrestrial Wildlife.....	M-68
Aquatics Biota	M-78
Chapter 4: Consultation and Coordination	M-86
Consultation and Coordination	M-86
Appendices	M-86
Additional Comments	M-88
Adequacy of Data and Analysis.....	M-88
Technical and Editorial Accuracy	M-95
Map Corrections.....	M-99
Implementation, Funding, Monitoring and Enforcement.....	M-100
Outside the Scope, General	M-106
Perspective on Decision Making	M-109

Chapter 1: Purpose and Need

Purpose and Need

PN-1. The Forest Service should make the impetus for the action clear in the FEIS.
[Commenter: L000038; L000322]

The Forest Service has failed to develop a purpose and need statement that addresses local trends and future desired conditions specific to the Sierra National Forest. [Commenter: L000223]

Response: Thank you for your comment. Please refer to section 1.3 of the FEIS entitled Purpose and Need. In general the motivation for this proposal is the need to regulate unmanaged cross-country motor vehicle travel and the Forest Service is applying limited changes to the SNF NFTS in order to:

- Provide a diversity of motorized recreation opportunities (4X4 vehicles, motorcycles, ATVs, SUVs, passenger vehicles, etc.).
- Provide motor vehicle access to dispersed recreation opportunities (camping, hunting, fishing, hiking, horseback riding, etc.).
- Reduce resource damage and administrative cost on NFTS roads and motorized trails.
- Resolve the conflict between US Forest Service national policy regarding motorized use on ML1 roads and the LRMP.

The Forest Service believes that local trends and future desired conditions have been addressed by the purpose and need statement relative to cross-country travel and motor vehicle recreation on the SNF.

PN-2. The Forest Service should take sufficient time to fully comply with the NEPA process.
[Commenter: L000052; L000223]

Response: Thank you for your comment. The Forest Service has taken time to fully comply with the NEPA process in the development of this document. See section 1.6 Public Involvement which describes the time frame for this analysis.

PN-3. The Forest Service should reconsider assumptions made in formulation of the DEIS.
[Commenter: L000258]

Response: Thank you for your comment. We believe the assumptions in the document are accurate and are based upon the best science and information available.

PN-4. The purpose and need of the DEIS is predicated on inaccurate information.
[Commenter: L000079, L000223, L000258]

Response: Thank you for your comment. The purpose and need for the EIS was determined primarily by the need to implement the 2005 Travel Management Rule (36 CFR Part 261) providing for a diversity of motor vehicle recreation opportunities, and motorized access to dispersed recreation opportunities while avoiding or decreasing effects to natural and cultural resources.
PN-5. The commenter notes the level of analysis more appropriately falls under the definition of a programmatic analysis for the forest. [Commenter: L000223, L000070]

Response: Thank you for your comment. As implementation of the Travel Management Rule related to the SNF is a site-specific action predicated on site-specific data, the SNF appropriately

has prepared a site-specific EIS. The SNF's Motorized Travel Management FEIS incorporates information gathered on a route specific basis. The impacts of adding individual routes or changing the season of use or vehicle class on individual routes was aggregated to develop an overall impact analysis for each alternative.

NEPA requires a programmatic EIS to be prepared when potentially significant impacts can result from the establishment of a program or new regulations. A programmatic EIS (40 CFR 1500.4(i), 1502.4(b) and (c), 1502.20) is one that analyzes broad-scope actions that are similar in terms of timing, geography, or other characteristics that provide a basis for evaluating environmental consequences. It provides a generic analysis of impacts that may not attempt to define the site-specific effects in detail but that do present at least a range of effects that reflect the reasonably foreseeable consequences of the program. While site-specific data may not be available, the requirement of NEPA to gather all reasonably available information needed to support a reasoned choice among alternatives does apply to a programmatic EIS. The range of alternatives considered may include various combinations of program elements. Careful screening of alternatives is necessary to keep the analysis manageable.

A programmatic EIS supports broad policy or program decisions that constrain or define specific proposals that may be proposed as part of the program or under the policy. Subsequent analysis of more specific proposals would generally be required under NEPA and would be more specific, since it would be of narrower scope.

Principle Laws and regulations that influence the scope of the EIS

PLR-1. Under Chapter 3, Affected Environment and Environmental Consequences: Commenter requests that the agency exercise all existing public access rights on private lands where legal rights-of-way and/or other documents including co-operator agreements state that public access is allowed. [Commenter: L000223; L000070]

Response: Thank you for your comment. The final Travel Management Rule requires responsible officials to recognize rights of access in designating roads, trails, and areas (§ 212.55(d)). Rights of access include valid existing rights and rights of use of NFS roads and NFS trails under § 212.6(b). This final rule does not affect reciprocal rights-of-way (ROW) between the Forest Service and private landowners. Some property owners also may possess reserved or outstanding ROW or other rights providing access across NFS lands, which may or may not require a written authorization from the Forest Service. Those rights must be recognized under § 212.55(d). Although many private landowners allow recreational use of their lands, it is at the discretion of the landowner what public access, if any, occurs on their lands. The Forest Service does not have the authority to dictate the use of private lands by private landholders within or adjacent to the forest boundary, and does not have the authority to display any lands without ROW on the MVUM or to direct the public to cross private lands where a ROW does not exist.

PLR -2. The DEIS references a 1998 Closure Plan that is out of conformance with current National Forest Service policies and direction. Please clarify if this earlier "Closure Plan" is driving the proposed road closures and if NEPA has been completed for each road. [Commenter: L000052]

Response: Thank you for your comment. The 1998 Closure Plan is not driving this project. Implementation of the 2005 Travel Management Rule (36 CFR Part 261) is the impetus for the action. Analysis under NEPA has been done on each route considered for inclusion in an alternative. See Appendix A Table A-1.

PLR-3. This document does not provide equal consideration for the multiple use sustained yields act of 1960. [Commenter: L000171]

Response: Thank you for your comment. The Multiple Use Sustained Yields Act of 1960 states that "It is the policy of the Congress that the National Forests are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes." Further into the act you find "The Secretary of Agriculture is authorized and directed to develop and administer the renewable surface resources of the National Forests for multiple use and sustained yield of the several products and services obtained there from. In the administration of the National Forests due consideration shall be given to the relative values of the various resources in particular areas." The SNF acknowledges that comparing the relative values of different forest uses can be difficult, but all of the work on this document has been completed with consideration for the Multiple Use Sustained Yields Act of 1960.

Public Involvement

PI-1. The public involvement process for the Travel Management Project was flawed because it was circumvented by the imposition of Regional templates that unduly shaped the DEIS and/or there was too much involvement at the Washington D.C. level. [Commenter: L000120; L000178; L000258; L000168; L000322]

Response: Thank you for your comment. The templates developed by the Regional Office provided a format for the EIS document and guidance for the analysis of site specific data. They had no influence on the public involvement process.

PI-2. The Forest Service disregarded scoping comments in the development of the DEIS. [Commenter: L000111; L000222; L000223; L000258; L000278]

Response: Thank you for your comment. The Forest Service has carefully considered the input it has received from the public throughout the travel management planning process. Comments have provided invaluable information about resource concerns and recreational opportunities that were used in the development of the Proposed Action and alternatives. However, the agency cannot always take the action suggested by a commenter. National Forests are managed by law for multiple uses with potential impacts on multiple resources, including water quality, wildlife habitat, endangered species, biological diversity, and outdoor recreation. These uses must be balanced, rather than one given preference over another. This means that the agency may not be able to take a particular action recommended by the public, even if the same suggestion came from hundreds of individuals. For example, some commenters stated that any restriction on motorized access to the Forest was unacceptable, and that use of all routes should be allowed. In this case, the Forest Service cannot take the requested action because in doing so, the agency would not be able to strike an appropriate balance in managing forest resources in concert with all types of recreational activities.

PI-3. The commenter provided maps that graphically display the difference between Alternatives 1, Alternative 2 and the actual existing situation according to the SNF's GIS database. The commenter believes this comparison illustrates the severity of change to the existing situation. [Commenter: L000258]

Response: Thank you for your time, effort and involvement in developing the maps. The deciding official will take these comments into consideration.

Chapter 2: Alternatives

Development of the Alternatives

DOA-1. The Forest Service should explain what issues have been determined to be insignificant in determining the scope of the alternatives and the criterion used to determine insignificant issues. [Commenter: L000258]

Response: Thank you for your comment. A discussion regarding insignificant issues and how they were determined can be found in Section 1.6.3 of the FEIS. A report titled “*Responsible Official Approval of Significant and Non-Significant Issues for the ATM EIS*”, dated April 11, 2008, provides additional detail on the determination of insignificant issues, and can be found in the project record at the SNF Forest Supervisor’s office at 1600 Tollhouse Ave. Clovis, California.

DOA-2. The Forest Service should develop alternatives including the Proposed Action that fully meet the stated purpose and need. [Commenter: L000223; L000258; L000267]

Response: Thank you for your comment. The SNF believes that it has developed a range of alternatives that, to varying degrees, meet aspects of the stated purpose and need. Information has been added to the FEIS to clarify how each alternative meets aspects of the purpose and need. See section 2.2.1

DOA-3. The Forest Service should fully explain how alternatives were considered and eliminated from further study including the alternative entitled “Designate Maximum number of routes” [Commenter: L000258]

The decision regarding which routes to designate as part of the Sierra NFTS was arbitrary and /or biased. The basis for choosing routes should be clearly stated in the FEIS. [Commenter: L000128; L000320]

Response: Thank you for your comment. Unauthorized routes may be designated for motor vehicle use pursuant to 36 CFR 212.51 of the Travel Management regulations following public consideration and appropriate site-specific environmental analysis. As explained in Section 2.2 of the FEIS, the proposed action and alternatives were developed by applying consistent criteria, but with different emphases in the various alternatives. These criteria balanced the potential opportunities and experiences provided by each route with potential conflicts or impacts to various resources caused by designating that route for public motorized use. Use of these criteria ensured that effects on natural and cultural resources were considered throughout the development of the alternatives, not just in the analysis of effects.

In order to minimize the effects to various resources and meet applicable standards and guidelines, the Forest Service used different approaches to reduce effects in the different alternatives. In alternatives that weigh more heavily toward the avoidance of resource impacts, those routes that would likely cause impacts to resources would not typically be designated for motorized use, unless there was clearly an important need or benefit to the route. On the other side of the scale, in alternatives giving more weight to the need for access and motorized recreation, impacts to resources are minimized through the implementation of additional mitigation.

A database containing the concerns and benefits identified for the unauthorized routes was made available to the public during the comment period on the DEIS and will be available upon request after publication of the FEIS. However, because the SNF must maintain the confidentiality of archaeological site locations, some resource information associated with all unauthorized routes cannot be provided to the public. The reason the alternative “Designate all inventoried

unauthorized routes” was not fully analyzed within the FEIS can be found in section 2.4. Additionally information on the development of Alternative 5, which maximizes the designation of routes in compliance with the Travel Management Rule, can be found in section 2.2.2.

DOA-4. The Forest Service should analyze a wider range of alternatives with clearer differences in impacts so a reasoned choice can be made. [Commenter: L000221]

Response: Thank you for your comment. The SNF considered a range of alternatives which address the diversity of motorized opportunities and resource impacts. Under Alternatives 2, 4, and 5, the NFTS is expanded by adding roads and trails, as well as the changes in vehicle classes providing opportunities for motorized recreation. Under Alternative 3 and 4, resource protection is emphasized in using differing tacts. See section 2.2.2 for further explanation on how the alternatives were developed and each alternative’s emphasis related to the purpose and need.

DOA-5. The USFS (R5) failed to comply with all of the requirements of the 2005 Travel Management Rule when it developed alternative plans which did not fully consider, evaluate and include both non-system and unauthorized routes in a broad array of alternative plans for both the public to comment upon and for the consideration by the decision maker. [Commenter: L000221; L000168]

Response: Thank you for your comment. The SNF considered a range of alternatives which address the diversity of motorized opportunities. Under Alternatives 2, 4, and 5, the NFTS is expanded by adding roads and trails, as well as the expansion of vehicle classes providing opportunities for motorized recreation. This action’s main focus is implementation of Sub Part B of the Travel Management Rule, however in potentially adding routes and trails to the NFTS, the interconnectivity and flow of motorized travel throughout the action area was reviewed and actions incorporated into alternatives to meet the purpose and need.

See section 2.2.2 for further explanation of how the alternatives were developed and each alternative’s emphasis relative to the purpose and need.

DOA-6. The structure of the alternatives rigs the outcome due to the lack of analysis of the existing condition. There is not a full range of alternatives because there is no inclusion of all existing trails. [Commenter: L00258]

Response: Thank you for your comment. Although the Travel Management Rule does not require a complete inventory to move forward with designation of known existing routes, the Forest conducted an exhaustive survey between 2003 and 2005, using field crews in trail vehicles with GPS units. Due to the difficulty of finding every route—especially those lightly traveled, overgrown, or used by smaller trail vehicles, such as motorcycles—a small percentage of routes may have been missed. The Forest requested input from the public about missing routes after the inventory, and received only limited additional data at that time.

Missing routes that were identified early in this process were incorporated into this analysis whenever possible. Routes identified later in the analysis process (after the publication of the DEIS) were considered when sufficient data was available, but in some cases were impractical to analyze in a timely manner and may not be addressed in the FEIS. These will be tracked for future consideration for public motorized use. Some routes identified recently appear to have been user-created in the period after the original inventory, and are not being considered.

There are other reasons that routes may not have appeared on maps or inventories. Routes were not inventoried if private property owners gated or posted no trespassing signs across routes. While a route may continue beyond the private property, this route is no longer available to the public (including the property owner) on NFS land, unless the property owner agrees to allow access and the NFS routes are analyzed for inclusion in the transportation system. Routes that

appeared to have no recent use and were apparently revegetating due to disuse were also not inventoried by field crews.

Past decisions on Travel Management are not being revisited during this analysis, so routes which have been closed to motorized use in past actions would not show as part of the inventory being considered for designation. Trails that have been managed by the Forest for non-motorized uses (mountain bikes, equestrians, cattle drives, or hikers) are not displayed on the maps and are not being analyzed for designation as motorized trails.

While the SNF would prefer to have analyzed every existing route in this EIS, there will be future opportunities to analyze routes that may not have been included in the original inventory. Routes identified through public comment on the DEIS have been recorded on digitized maps for tracking, and may be among those considered in future analyses.

See section 2.4 for an explanation of the alternatives that were considered but eliminated from detailed analysis.

DOA-7. The Forest Service must develop a true No Action Alternative in compliance with the law, NEPA and other planning regulations. As written, the description of the No Action Alternative implies that the unauthorized routes are part of the current condition of the Forest and is unlawful. Additionally the No Action Alternative does not reflect many currently open routes and therefore is not reflective of current conditions. [Commenter: L000237; L000258; L000320]

Response: Thank you for your comment. To effectively display the environmental effects of the alternatives, the SNF considered two “benchmark” alternatives in the EIS:

Alternative 1, the “No Action” Alternative represents a continuation of current management or direction, in that there would be no changes to the current NFTS of roads, trails, and areas, and no permanent prohibition on cross-country travel. Use of unauthorized routes would continue, but these routes would not be added to the transportation system or designated for motor vehicle use. This alternative establishes an important benchmark for the assessment of impacts resulting from the existing condition. It provides a point of reference for contrasting existing resource impacts and recreational uses with the action alternatives. This is the basis for comparison of impacts under NEPA.

Alternative 3, the Baseline System Alternative prohibits cross-country travel by motor vehicles with no change to the current NFTS of roads, trails and areas. This alternative is similar to the No Action Alternative in that there would be no changes to the current NFTS of roads, trails, and areas. However, because use of all unauthorized routes would be prohibited, this alternative establishes a key benchmark for contrasting the other alternatives as they relate to recreation access issues, resource protection, affordability and sustainability of the NFTS.

These alternatives provide two different scenarios for making no changes to the NFTS at this time. Together, they provide important benchmarks or points of reference for the comparison of the effects of the other alternatives.

The SNF has made a concerted effort to develop a complete inventory of unauthorized routes (see response to comment DOA-6 above.) Although every route in the SNF may not have been included in the inventory, the impact analysis remains accurate as any oversight would be minor in comparison to those that were included.

DOA-8. The No-Action Alternative Map in the DEIS does not reflect the true condition on the ground. The maps do not reflect the 552 miles of “unauthorized routes” as displayed in the Notice of Intent. Over 480 miles of “unauthorized routes” have been removed from

Alternative 1. The agency needs to correct this omission to Alternatives 2, 4, and 5, and its analysis to reflect the true existing condition. [Commenter: L000223]

Response: Thank you for your comment. The SNF had an extensive GPS inventory of unauthorized routes done in 2003. Their direction was to GPS any tire tracks not on the mapped system. Though some routes may have been missed, the public has been encouraged to also help identify them. Additionally much of the basis of the no action alternative map is data brought to us from the public which has been very useful. Those routes that have not been identified will be considered for future phases of Travel Management.

In some cases the route was determined to be a full or partial alignment of an NFTS road or trail and was removed from the pool of possible additions to the NFTS (See Appendix N). See section 3.3.2 “Motorized Recreation” where the FEIS states that under Alternative 1 an estimated 471 miles of inventoried unauthorized routes are on acres open to cross-country travel. The Alternative 1 map reflects this.

DOA-9. The Forest Service should provide information on how the action alternatives modify route maintenance levels and the maintenance budget needed to effect these changes in the FEIS. From the DEIS it appears that maintenance levels will not be assigned to each road until after the decision. [Commenter: L000052]

Response: Thank you for your comment. Road maintenance levels are assigned to the road system after the intended vehicle use is designated. Maintenance level assignment is a post Record of Decision implementation process. The maintenance schedule and associated costs for maintenance are based on an optimal maintenance scenario. As with many aspects of management of the NFS, what is undertaken as a program of work in an annual program is at the discretion of the responsible official and subject to the limits of staffing and funding. Even though annual or actual maintenance is often below this optimal level, that does not mean roads and trails are not being adequately maintained. The primary focus of maintenance for roads is to protect public health, minimize safety risks, and provide resource protection. The higher maintenance level roads are also maintained to protect the capital investment of the road itself. Information about the maintenance budget has been strengthened in the FEIS. See section 3.2.3.

Adequacy and Range of Alternatives

General

Many people wrote in and voiced an opinion in clear support or opposition to one of the alternatives (or a combination of alternatives) presented in the draft EIS. Many of these opinions were offered with supporting reasons. In most cases, the reasons for support or opposition are considered in one or more of the other concern statements listed in this appendix. It is important to note that the comment period is not an opportunity to “vote” for one’s favorite alternative, and that comments that state preferences without providing supporting rationale are difficult to use in the decision-making process. However, understanding public opinion and preferences is an important consideration for the Responsible Official. The diversity of viewpoints expressed in these comments reflect the many—and often competing—interests of the groups and individuals closely tied to the SNF and its resources. The Responsible Official must carefully weigh the information and perspectives provided by the commenters to select the alternative he feels best balances resource impacts with recreation access and opportunities.

Unauthorized routes may be designated for motor vehicle use pursuant to 36 CFR 212.51 of the Travel Management regulations following public consideration and appropriate site-specific environmental analysis. As explained in section 2.2 of the FEIS, the Proposed Action and

alternatives were developed by, applying consistent criteria, but with different emphases in the various alternatives. These criteria balanced the potential opportunities and experiences provided by each route with potential conflicts or impacts to various resources caused by designating that route for public motorized use. Use of these criteria ensured that effects on natural and cultural resources were considered throughout the development of the alternatives, not just in the analysis of effects.

In order to minimize the effects to various resources and meet applicable standards and guidelines, the Forest Service used different approaches to reduce effects in the different alternatives. In alternatives that lean more heavily toward the avoidance of resource impacts, those routes that would likely cause impacts to resources would not typically be designated for motorized use, unless there was clearly an important need or benefit to the route. On the other side of the scale, in alternatives giving more weight to the need for access and motorized recreation, impacts to resources are minimized through the implementation of additional mitigation.

A database containing the concerns and benefits identified for the unauthorized routes was made available to the public during the comment period on the DEIS and will be available upon request after publication of the FEIS. However, because the Forest Service must maintain the confidentiality of archaeological site locations, resource information associated with all unauthorized routes cannot be provided to the public.

ARA-1. The Forest Service should make changes to all the alternatives such as signage for road closure dates and a 5 mph speed limit for non-highway legal vehicles within developed campgrounds. [Commenter: L000181; L000052]

Response: Thank you for your comment. The road closure dates are displayed on the alternative maps as well as in Appendix A. We are currently working towards expanding our speed limit signage in campgrounds.

ARA-2. There are numerous trails with forks that have various open dates, will there be posted signs? [Commenter: L000181]

Response: Thank you for your comment. One of the engineering strategies is to provide Forest signing, both directional and informational, to assist the public to ensure they stay on designated trails and out of the wilderness and other sensitive areas. The detailed implementation plan for the chosen alternative will be developed after the decision is made.
ARA-3. The CWE analysis indicates that the difference in effects between alternatives is too small to accurately analyze, therefore the EIS does not provide a viable range of alternatives as required by NEPA. [Commenter: L000223]

Response: Thank you for your comment. The purpose of the CWE analysis is to display the effects not to be used as a tool to determine a viable range of alternatives.

As explained in section 2.2, the Forest Service strove to meet the purpose and need with varying emphasis of different aspects across the alternatives. It is not uncommon for certain resource areas to have common effects, however please see Tables 3-91, 3-93, 3-99, 3-106, 3-109 and 3-110 which do show differences in the CWE Assessment across alternatives.

ARA-4. The Forest Service should develop an alternative that adds all/most of the existing unauthorized routes to the NFTS and prohibits cross-country travel. The current range of alternatives is inadequate because it limits the choices to closing almost 97 percent of the existing unauthorized routes in the preferred alternative, to closing all of them in Alternative 3. [Commenter: L000176; L000260; L000070; L000032; L000052; L000223; L000223; L00022; L000311; L000318; L000323; L000002; L000007; L000013; L000016;

L000021; L000032; L000042; L000057; L000123; L000178; L000183; L000236; L000241; L000251; L000315; L000258]

Response: Thank you for your comment. The agency considered five alternatives that provide a wide range of motorized recreation opportunities on the SNF. Alternative 5 was specifically developed to maximize access and motorized recreation opportunities. In this alternative, the emphasis is on adding more unauthorized routes to the system as roads and trails—focusing on routes which form loops or connectors, or those which can be managed as motorized trails for different types of vehicles.

ARA-5. The Forest Service should consider at least one pro-recreation alternative that:

- **Maximizes or at least maintains motorized recreation opportunities.**
- **Provides opportunities for motorcycles and ATVs.**
- **Provides ability to recreate on loops and technical areas (hill climbs, rock crawling, etc.)**
- **Provides access to dispersed campsites, vistas, picnic areas, OHV staging and off-loading areas, equestrian parking areas, hang gliding, fishing and rock climbing.**
- **Meets the purpose and need by including at least 280 miles out of 520 miles of user defined routes. [Commenter: L000052; L000323]**

Response: Thank you for your comment. The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the SNF. Alternative 5 was specifically developed to maximize access and motorized recreation opportunities. In this alternative, the emphasis is on adding more unauthorized routes to the system as roads and trails—focusing on routes which form loops or connectors, or those which can be managed as motorized trails for different types of vehicles. The FEIS has been strengthened to address reasons why alternatives suggested by the public were or weren't fully analyzed. Please see section 2.2.2 and 2.4

The SNF believes the alternatives under consideration capture the major components of the alternative suggested by the commenters, including:

- Providing a range of opportunities for recreation experiences
- Adding unauthorized routes to the NFTS
- Providing sufficient recreation opportunities to meet the need for the foreseeable future.

A relatively small proportion of SNF visitors engage primarily in motorized recreation (NVUM 2007) and most routes on the SNF receive low to moderate use and have not reached their maximum capacity. Designations may be revised in the future in response to changing conditions, including use patterns or numbers.

The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities.

ARA-6. The Forest Service should develop a minimum transportation system alternative which would include closing additional routes; changing season of use; changing vehicle class and amending the LRMP to add trails in semi-primitive non-motorized areas. [Commenter: L000320]

The range of alternatives is inadequate because it does not include at least one alternative which emphasizes a minimum transportation system that is streamlined, non-redundant, and protects natural resources. [Commenter: L000320]

Response: Thank you for your comment. The Forest considered, but eliminated from detailed study, an alternative that would implement the provisions of Subpart A of the Travel Management Rule to identify the minimum road system needed for administration, utilization and protection of NFS lands as explained in section 2.4, this alternative was not analyzed in detail because it would not meet the purpose and need. This analysis is intended to close the forest to cross-country travel and identify unauthorized routes which would be of value as recreational OHV experiences. The minimum road system would require considering activities such as timber production, hydro power generation, Wilderness access, water recreation, developed camping, dispersed camping, mining, hunting, driving for pleasure, etc. The minimum system is outside the scope of this analysis.

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 an MVUM in accordance with the USFS timeline. 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 that the agency implement Subpart A as a pre-condition to, or part of, the current proposed action. The SNF has made an effort to look at NFTS roads and trails that interconnect with the proposed routes to provide flow throughout the NFTS in each alternative as applicable.

ARA-7. The Forest Service should include amending or reversing Standard and Guideline #17 as part of an alternative as there is a perceived conflict between S&G #17 and national policy. [Commenter: L000258]

Response: Thank you for your comment. We agree. The Forest Service is considering amending S&G #17 as part of action alternatives 2, 4 and 5. Further, the analysis reviewed Maintenance Level 1 roads for continued motorized use and has proposed that they be converted to Maintenance Level 2 roads, motorized trails or closed year round. Under some action alternatives the SNF would no longer be utilizing the direction to “open all maintenance level 1 and 2 roads for OHV use unless designated closed”.

ARA-8. Within the alternatives the Forest Service should be consistent in the allowance of cross-country travel for various activities for example it should be allowable for both wood cutting permittees and licensed hunters to travel off of designated routes to accomplish their permitted/licensed activities. [Commenter: L000024; L000151; L000279]

Response: Thank you for your comment. The SNF is considered to be a heavily roaded forest, providing ample opportunity to retrieve game without traveling cross-country. Therefore, designating areas for cross-country travel for game retrieval was not identified as part of the purpose and need for this project and is outside the scope of this project. Furthermore, wood cutting is a permitted activity and provisions will include allowing cross-country travel to retrieve cut wood. However, this will not include scouting around for wood to cut.

ARA-9. The Forest Service should analyze an alternative to serve as a comparative baseline that consists only of routes that have undergone previous NEPA analysis or prior decision documents that justify their inclusion into the NFTS. [Commenter: L000320]

Response: Thank you for your comment. The appropriate no action alternative, which serves as a baseline of comparison for determining the effects of the action alternatives, is the current

conditions projected into the future. Alternative 1 correctly fulfills this requirement. There is no requirement that the baseline condition has undergone previous NEPA analysis.

The FEIS has been strengthened to address reasons why the alternatives suggested by the public were or were not fully analyzed in the EIS. See sections 2.2.2 and 2.4.

ARA-10. The Forest Service should develop an alternative which removes unwarranted CVC mixed use restriction on the NFTS. Make sure the CVC is applied consistently particularly in relation to the three mile limit. [Commenter: L000052; L000223]

Response: Thank you for your comment. The mixed use proposal within Alternative 5 fall within the SNF and Region Five's policies and guidelines, as well as the California Vehicle Code provision 38026 (combined use - notably the "three mile limit"). Mixed use is a road management tool warranted only to facilitate OHV recreation. To not utilize this tool would only hamper the Forest's ability to provide quality OHV experiences. The SNF selective designation of mixed use road segments provides a safe and significantly enhanced green/red sticker recreational experience as a result of increased connectivity between previously detached segments. Please see section 2.2.2 for an explanation of how the SNF accommodated this suggestion.

ARA-11. The Forest Service should include an alternative proposed by the Stewards of the Sierra National Forest. [Commenter: L000223; L000323]

Response: Thank you for your comment. The Council on Environmental Quality's regulations for implementing NEPA specify that agencies are required to "Study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources" (40 CFR 1501.2(c)). The alternatives considered in the EIS were developed to resolve the conflicts (e.g., significant issues) raised by the public during the scoping period. There was not an alternative submitted by the Stewards of the Sierra National Forest, however, the comments and recommendations received during scoping were considered in determining the scope of issues to be addressed and for identifying the significant issues related to the proposed action. One of the primary elements the Stewards of the Sierra National Forest proposed, that was not carried forward into any of the action alternatives, was the inclusion of a large number of the existing unauthorized routes. These were not included in the action alternatives because they did not meet the criteria that was established for route inclusion at this time. Various alternatives that were considered but eliminated from detailed analysis can be found in section 2.4 of the FEIS.

The FEIS has been strengthen to address reasons why the alternatives suggested by the public were or were not fully analyzed in the EIS. See sections 2.2.2 and 2.4.

ARA-12. The Forest Service should analyze an alternative that will designate all NFTS roads in Exhibit 4 for motorized mixed use. Engineering reports, placed in an appendix, are requested to comply with FSH 7709.55.30.3. Mitigation should be developed and specified in the EIS to maximize the allowance of these road use designations. [Commenter: L000052]

Response: Thank you for your comment. Engineering reports for mixed use road segments which will be part of the Record of Decision have been completed, and are available on the SNF web page. A summary of the resulting recommendations are in Appendix I. Mitigation measures are reflected in Appendix A.

ARA-13. The Forest Service should analyze an alternative which does not close ML 1 roads to public use. [Commenter: L000258]

Response: Thank you for your comment. The SNF's Interdisciplinary Team, with Line Officer approval, evaluated all the ML 1 roads which the Forest had previously allowed travel on. It was determined that many could remain open (though the ML was changed); however, some had to be

closed as their continued use would cause unacceptable resource damage. An action alternative that continued to allow use of motor vehicles on ML 1 roads would be in direct conflict with Forest Service policy. As Alternatives 1 and 3 continue current management direction with regard to ML 1 roads, the analysis of continued use of ML 1 roads as currently allowable is included within these alternatives.

ARA-14. The Forest Service should analyze an additional alternative that would be a better balance between motor vehicle access, affordability and environmental stewardships. [Commenter: L00052; L000267; L000278; L000126; L000280; L000070; L000109]

Response: Thank you for your comment. The Council on Environmental Quality's regulations for implementing NEPA specify that agencies are required to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources" (40 CFR 1501.2(c)). The alternatives considered in the EIS were developed to resolve the conflicts (e.g., significant issues) raised by the public during the scoping period.

The FEIS has been strengthened to address reasons why the alternatives suggested by the public were or were not fully analyzed in the EIS. See sections 2.2.2 and 2.4.

ARA-15. The Forest Service should analyze an additional alternative that would expand motorized recreational opportunities consistent with anticipated growth of OHV recreation by the American public. [Commenter: L00258; L000070; L000164; L000186]

Response: Thank you for your comment. The agency considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest. Alternative 5 was specifically developed to maximize access and motorized recreation opportunities. In this alternative, the emphasis is on adding more unauthorized routes to the system as roads and trails—focusing on routes which form loops or connectors, or those which can be managed as motorized trails for different types of vehicles. The Forest also considered, but eliminated from detailed study, other alternatives designed to maximize motorized opportunities (see section 2.4 of the FEIS).

The Forest Service believes the alternatives under consideration capture the major components of the alternative suggested by the commenter, including:

- The effects of maintaining existing levels of motorized access are analyzed in detail as Alternative 1.
- Adding unauthorized routes to the NFTS as ML 2 and/or motorized trails
- Providing sufficient recreation opportunities to meet the need for the foreseeable future. Few visitors come to the SNF primarily to engage in motorized recreation and most routes on the SNF receive relatively low use and have not reached their maximum capacity (NVUM 2007). Designations may be revised in the future in response to changing conditions, including use patterns or numbers.

ARA-16. The FS should reduce the current road maintenance level to accept green sticker use, reduce FS road maintenance costs and connect riding areas; continue to allow use for all vehicles on maintenance level 1 roads that have been, and are currently being used by the public. Additionally, the FS should accept routes that were proposed by the commenter and designated to the trail system. [Commenter: L000258]

Response: Thank you for your comment. The Forest Supervisor will consider this and all alternatives considered in detail, along with their effects on resources and users, prior to making a final decision. The SNF's Interdisciplinary Team, with Line Officer approval, evaluated all the ML 1 roads which the Forest had previously allowed travel on. It was determined that many

could remain open; however, some had to be closed as their continued use would cause unacceptable resource damage.

Engineering reports for mixed use road segments which will be part of the Record of Decision have been completed, and are available on the SNF web page. A summary of the resulting recommendations can be found in Appendix I.

Seasons of Use

ARA-17. The Forest created a season of use schedule that is too complicated. [Commenter: L000052; L000086; L00106; L000221; L000240]

Response: Thank you for your comment. Any proposed seasonal closures were established to meet resource objectives and are implemented to allow the route to be added to the system as a motorized recreation and access resource on the forest. In many instances, as described in the Transportation section of chapter 3, section 3.2, seasonal closures have a beneficial effect on the cost and administration of the NFTS while allowing for additional motorized recreation opportunities on the forest. Once a decision is made, the season of use for each road and trail will be displayed on the MVUM.

ARA-18. The Forest created a season of use schedule does not take in to consideration hunting seasons and annual weather changes. [Commenter: L000133; 000016; L000109; L000070; L000057; L000123; L000137; L000151; L000176; L000221]

Response: Thank you for your comment. Hunting season and annual weather variations were considered. However, extensive motorized access is not an overriding right. Some hunting experiences including game retrieval may need to be accomplished through a combination of motorized and non-motorized travel.

The seasonal closures are needed to meet LRMP standards and guidelines that require unsurfaced routes to be closed during wet weather periods. Seasonal closures on such routes are intended to protect roads and trails from damage when the travel tread cannot support the vehicle use, as well as to prevent rutting, soil erosion, and other resource damage.

ARA-19. Supports the Forest's expanded season of use. [Commenter: L000106]

Response: Thank you for your comment and support.

ARA-20. The Forest Service should reconsider the "Season of Use" that is proposed in all of the action alternatives are too restrictive and confusing, and should be re-evaluated for season extension. [Commenter: L000181; L000254; L000070; L000107; L000226; L000228; L000250; L000307; L000321; L000322]

Response: Thank you for your comment. Seasons of use were developed based on protection of investment and in consideration of environmental resources. Any proposed seasonal closures were established to meet resource objectives and are implemented to allow the route to be added to the system as a motorized recreation and access resource on the forest. In many instances, as described in section 3.2 of the FEIS, seasonal closures have a beneficial effect on the cost and administration of the NFTS while allowing for additional motorized recreation opportunities on the forest.

Please note that some of the alternatives include changes in season of use and others do not. The Forest Service has developed a range of alternatives to determine the effects of different emphases in meeting the purpose and need.

Mitigation Related Comments

ARA-21. The Forest Service should disclose site specific issues that resulted in the closure of all routes and potential mitigation to correct the problem. [Commenter: L000258; L000323]

Response: Thank you for your comment. Please see section 1.3 in the FEIS for a list of criteria and considerations the Forest Service used in developing the routes to be included in the action alternatives. Even if a route was not considered in the analysis leading to a decision on this set of actions, the Forest Service plans to consider additional routes for future opportunities.

Inventoried unauthorized routes that were not proposed to be added in one of the alternatives went through a screening process based on public scoping comments, comparison with the existing transportation system (NFTS), recreation opportunity, and route suitability (based on Forest Service trail or road standards as described in Appendix G of the FEIS). The 2005 inventory of unauthorized routes identified approximately 550 miles of routes (raw data). During public scoping the public identified routes desired to be added, and not to add to the NFTS. A portion of these were also determined to be existing alignments of NFTS roads (see Appendix N of the FEIS). The remainder of the miles of routes were analyzed to determine motorized recreational value and if they currently met Forest Service trail or road standards. Those routes that met Forest Service standards were then subject to site-specific analysis for effects to environmental resources. Those routes that could be added to the NFTS either with, or without mitigations, were proposed to be added to the NFTS in one or more of the action Alternatives (Alternatives 2-5).

ARA-22. The Forest Service should leave routes needing mitigation open and mitigation should be done concurrently on a timeline and plan developed by the SNF. [Commenter: L000055; L000067; L000070; L000072; L000088; L000117; L000124; L000126; L000132; L000172; L000223; L000267]

Response: Thank you for your comment. The Forest was delegated the task to identify a motorized transportation system in compliance with Subpart B of the Travel Management Rule. This initial effort was to identify as many routes as possible to meet the needs of the motorized visitor. The Forest will be delegated the task to evaluate the existing road system in compliance with Subpart A of the Travel management Rule in the near future. In implementing Subpart B, Forest staff analyzed and applied mitigations (where needed) to as many routes as possible given the timeframe and budget available. The public was engaged to identify the most important of these routes during the scoping process. An implementation plan will be included as part of the ROD.

Comments and Concerns on Alternatives 1 through 5

The FEIS has been strengthened to address reasons why alternatives suggested by the public were or weren't fully analyzed. Please see sections 2.2.2 and 2.4.

Alternative 1

ARA-24. The Forest Service should analyze an alternative which is similar to Alternative 1 but prohibits all cross-country travel. [Commenter: L000321]

Response: Thank you for your comment. Please refer to Alternative 3.

ARA-25. The Forest Service should develop a Proposed Action which:

- **Flows from the TMR;**
- **Flows from the evidence before the agency;**

- **Flows from documented activities on the SNF;**
- **Is transparent;**
- **Conforms to Forest Service Policy;**
- **Meets the purpose and need stated in the DEIS.**

[Commenter: L000258; L000147; L000154]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

Alternative 2

ARA-26. The Forest Service should eliminate Alternative 2 from consideration due to the significant adverse effects to wildlife and recreational opportunities under this alternative. Season of use dates in this alternative do not seem to correlate to LOPs required by wildlife. Season of use dates should be verified [Commenter: L000277; L000271]

Response: Thank you for your comment. As explained in section 2.2 of the FEIS, the Proposed Action and alternatives were developed applying consistent criteria, but with different emphases in the various alternatives. These criteria balanced the potential opportunities and experiences provided by each route with potential conflicts or impacts to various resources caused by designating that route for public motorized use. Use of these criteria ensured that effects on natural and cultural resources were considered throughout the development of the alternatives, not just in the analysis of effects.

ARA-27. The Forest Service should modify Alternative 2 to protect Lahotan cutthroat trout (LCT):

- **Year-round road and trail closures in LCT Critical Aquatic Refuges.**
- **Decommission and rehabilitate routes in LCT CARS that are redundant or penetrate the 200 foot perimeter for stream protection areas**
- **If routes remain in LCT CARs necessary improvements to stream crossings be made to allow fish migration throughout the sub-watershed. [Commenter: L000138; L000052]**

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in

Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

ARA-28. The Forest Service should modify Alternative 2 to include a commitment to restoring existing NFTS roads into the system to reduce illegal use, shorten the time for soils to recover and reduce the long-term effects of erosion. Routes with severe gully erosion are difficult to mitigate and illegal to include. These routes must be stricken from Alternative 2. [Commenter: L000320]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

ARA-29. Alternative 2 has changed from the NOI to the DEIS and to prevent confusion the Forest Service should redesignate this alternative with a different number. [Commenter: L000223]

Response: Thank you for your input. NEPA regulations allow slight variations between the proposed action described in the NOI and the DEIS, while still keeping the same designation. Changes between the NOI and final proposed action/Alternative 2 can be found described in section 2.3.2.

ARA-30. The Forest Service should analyze an alternative which is similar to Alternative 2 but reduces the number and mileage of new roads and trails; reduces the number and mileage of existing roads and trails presently closed that are proposed to be opened to motorized use and maintains the Semi-Primitive non-motorized ROS class for all SNF lands which currently have this designation. [Commenter: L000138]

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities

and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The proposed alternative is similar to Alternative 3. The deciding official (SNF Forest Supervisor) will take your input into consideration.

Alternative 3

ARA-31. The Forest Service should amend Alternative 3 to exclude the 502 miles of native surfaced NFTS roads with severe Hydrologic Function Class that would otherwise remain open. This soils class can develop severe gully erosion and therefore routes and trails with this soil type should be excluded. [Commenter: L000320]

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration. Evaluating the impacts of the entire NFTS is outside the scope of this document.

ARA-32. It is premature for the Forest Service to adopt routes under subpart B prior to analyzing subpart A however if the process moves forward in this order there should be an alternative that includes parts of Alternatives 3 and 4, adopting the seasonal restrictions and ML 1 road closures but not adding any new unauthorized routes the NFTS. [Commenter: L000320]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the

amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

ARA-33. The Forest Service should analyze an alternative that is a combination of alternatives 3 and 4. This would not add any routes or trails and would close some sensitive routes and trails such as trails in the El Portal area and roadless areas. [Commenter: L000234; L000322; L000320]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

Alternative 4

ARA-34. The Forest Service should modify Alternatives 4 and 5 to omit year round road closures. [Commenter: L000205]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

Year round road closures, as well as seasonal closures, are necessary in order to assure the use of the road does not cause any unacceptable resource damage, create safety concerns or provide for a particular type of vehicle. Often the rationale and duration of these restrictions have been developed for previous environmental analysis and decision such as the Forest Land and Resource Management Plan as amended, and/or from site specific knowledge of the use conflicts.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

Alternative 5

ARA-35. The Forest Service should analyze an alternative that is a combination of alternatives 5 and 2. (Inclusion of specific routes from Alternative 2 were proposed.)

[Commenter: L000221]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

Against Motorized Use

AMU-1. The Forest Service should restrict and minimize motor vehicle use and road and trail development to reduce conflicts with non-motorized uses, protect forest resources, and ensure adequate monitoring and maintenance by Forest Service staff. [Commenter: L000129; L000131; L000147; L000234; L000320; L000322]

Response: Thank you for your comment. The SNF believes that National Forests should provide access for both motorized and non-motorized users in a manner that is environmentally sustainable over the long term. The National Forest System is not reserved for the exclusive use of any one group, nor must every use be accommodated on every acre. It is entirely appropriate for different areas of the SNF to provide different opportunities for recreation. These uses must be balanced, rather than one given preference over another.

The SNF's Travel Management Project is designed to help achieve that objective by designating a system of roads, trails, and areas open to motor vehicle use. Motor vehicle use off the designated system will be prohibited. During the designation process, SNF officials considered the compatibility of motor vehicle use with a variety of resource areas. The SNF also considered the need for maintenance and administration of the designated roads, trails, and areas, as well as the availability of resources for that maintenance and administration. The results of this analysis can be found in Chapter 3 of the FEIS.

AMU-2. The Forest Service should make analyzing the current system of roads a priority. [Commenter: L000147; L000320; L000322]

Response: Thank you for your comment. The Travel Management Rule is comprised of three parts: Subpart A, Administration of the SNF Transportation System; Subpart B, Designation of roads trails and areas for motor vehicle use; and Subpart C, Use by over-snow vehicles. Currently the Forest has been delegated the task of identifying a motorized transportation system in compliance with Subpart B of the Travel Management Rule. This initial effort identifies as many routes as possible that meet the needs of the motorized visitor. After the completion of this task, the Forest will begin evaluating the existing road system in compliance with Subpart A of the Travel Management Rule.

AMU-3. The Forest Service is adding motorized roads and trails in Inventory Roadless Areas. [Commenter: L000320; L000322]

Response: Thank you for your comment. The roads or motorized trails that are being added to the system are not located in inventoried roadless areas.

AMU-4. The Forest Service should eliminate specific routes from the MVUM to protect the forest and enhance non-motorized user's experience. [Commenter: L000086; L000231]

Response: Thank you for your comment. The SNF believes that National Forests should provide access for both motorized and non-motorized users in a manner that is environmentally sustainable over the long term. The National Forest System (NFS) is not reserved for the exclusive use of any one group, nor must every use be accommodated on every acre. It is entirely appropriate for different areas of the SNF to provide different opportunities for recreation. These uses must be balanced, rather than one given preference over another.

The SNF's Travel Management Project is designed to help achieve that objective by designating a system of roads, trails, and areas open to motor vehicle use. Motor vehicle use off the designated system will be prohibited. During the designation process, SNF officials considered the compatibility of motor vehicle use with a variety of resource areas. The results of this analysis are disclosed in Chapter 3 of the FEIS.

Supports Motorized Use

SMU-1. All unauthorized routes should be added to the NFTS as they are already established and provide access to the National Forest. [Commenter: L00002; L00004; L000008; L000009; L000010; L000012; L000020; L000025; L000026; L000045; L000059; L000069; L000070; L000075; L000076; L000078; L000087; L000095; L000112; L000115; L000118; L000126; L000132; L000135; L000159; L000160; L000162; L000164; L000166; L000169; L000176; L000182; L000186; L000193; L000195; L000199; L000201; L000202; L000203; L000206; L000207; L000208; L000209; L000210; L000211; L000212; L000213; L000214; L000216; L000218; L000219; L000233; L000235; L000237; L000239; L000243; L000244; L000258; L000259; L000267; L000283; L000284; L000290; L000291; L000304; L000309; L000310; L000315; L000322]

Response: Thank you for your comment. The purpose and need of the current action is to implement 36 CFR Parts 212, 251, 261, and 295 Final Rule: Travel Management; Designated Routes and Areas for Motor Vehicle Use, which requires designation of those roads, trails, and areas that are open to motor vehicle use. The Sierra National Forest considered a range of alternatives and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. Information and data used by the Forest Service to design the alternatives was gained from a variety of sources. This included the public, who has provided route-specific input about risks and opportunities of each route and the destination(s) that it accesses, including whether a route was a key connector or arterial route and of critical need. The public also identified recreational opportunities of importance such as dispersed camping, motorized access within Inventoried Roadless Areas, and general exploration.

Alternative 5 was designed to maximize motorized access on the National Forest, and incorporated many route-specific comments and sought to provide extensive opportunities for motorized exploration. Alternative 2 also identified important routes for motorized access for both motorized and non-motorized recreation activities.

When determined through an interdisciplinary process that an unauthorized route did not complement the approach of an alternative in addressing the significant issues, or the designation of an unauthorized route did not appropriately balance the need for motorized access with other

values sought by the public (e.g., resource protection, eliminating duplicate parallel routes), the unauthorized route was considered but did not result in a change in one or more of the alternatives.

Unauthorized routes that are not added to the NFTS are not precluded from consideration in future actions, but they would be closed to motor vehicle travel as part of the cross-country travel prohibition.

SMU-2. The Travel Management decision will unfairly eliminate access to the Sierra National Forest for those with disabilities or physical limitations. [Commenter: L000030; L000077; L000102; L000159; L000192; L000230; L000286; L000287; L000322]

Response: Thank you for your comment. Please refer to section 3.4.3, the Civil Rights Impact Analysis, where it states:

Implementation of the Travel Management Rule, Subpart B, including the prohibition of cross-country travel, is forestwide and applies to all forest users equally. There is no legal requirement to allow people with disabilities to use motor vehicles on roads, on trails, and in areas that are closed to motor vehicle use. Restrictions on motor vehicle use that are applied consistently to everyone are not discriminatory. Generally, granting an exemption from designations for people with disabilities would not be consistent with the resource protection and other management objectives of travel management and would fundamentally alter the nature of the Forest Service's travel management program (29 U.S.C. 794; 7 CFR 15e.103).

SMU-3. The Forest Service should include specific routes and areas in the MVUM as they provide high recreational values. (Commenters submitted specific routes for consideration/reconsideration) [Commenters: L000015; L000018; L000027; L000037; L000043; L000053; L000063; L000065; L000070; L000091; L000099; L000107; L000114; L000123; L000127; L000137; L000146; L00152; L000176; L000146; L000176; L000204; L000221; L000223; L000226; L000227; L000238; L000250; L000257; L000258; L000273; L000315; L000322; L000323]

Response: Thank you for your comment. All DEIS route-specific recommendations were considered for inclusion in one or more of the alternatives, where those recommendations complemented the approach of the alternative in addressing the significant issues listed in Chapter 1, and if the recommendation complemented the alternative in fulfilling the purpose and need of the project. However, where recommendations did not complement the approach of an alternative in addressing the significant issues, or when it was determined through an inter-disciplinary process that route-specific recommendations did not appropriately balance the need for motorized access with other values sought by the public (e.g., resource protection, eliminating duplicate parallel routes), the recommendation was considered but did not result in a change in any alternative.

Specifically, route-specific recommendations were considered by: reviewing project maps; surveying the route on the ground; identifying the risks and benefits provided by each recommendation; consideration of how the route was addressed in the range of alternatives; and an inter-disciplinary review. Based on these considerations, recommendations were either incorporated into one of the alternatives, or as stated above, did not result in a change in any alternative. In most cases, the DEIS route-specific recommendations had previously been identified in the route-specific risk/benefit analysis and proposed in one or more of the action alternatives.

As described in Chapter 2, the alternatives were designed to provide different approaches to address the significant issues while still fulfilling the purpose and need for the project. For example, Alternative 5 placed greater emphasis on maximizing motorized recreation, and sought

to designate the most miles of unauthorized routes. While Alternative 4, designates fewer miles, in favor of avoiding existing or potential resource concerns. Information used to develop the alternatives was gained from a variety of sources, including the public, who provided route-specific input about the risks and opportunities provided by each route and the destinations that they access.

The SNF believes the decision that results from the Travel Management process will result in better management of motorized recreation on the SNF, including the provision of high quality recreation opportunities and protection of forest resources. Future route additions to the NFTS, changes in vehicle class, or modification of motorized trail width are not precluded from consideration in future actions.

SMU-4. The Forest should consider maintaining access to the extent possible and provide limitations to protect sensitive habitats, riparian and wetland areas, cultural resources, and to prevent erosion and damage to SNF resources. [Commenters: L000109; L000280]

Response: Thank you for your comment. The Travel Management Rule provides a set of evaluation criteria for the designation of roads and trails. Providing access for a wide variety of motorized and non-motorized recreational experiences while simultaneously protecting valuable resources are key considerations.

SMU-5. The Forest should keep all primitive roads managed as motorized trails (for example Dusy-Ershim) open for use. [Commenters: L000018; L000043; L000053; L000107; L000114, L000123, L000176]

Response: Thank you for your comment. Route specific information for the Dusy-Ershim and every other OHV route that is a proposed addition or change to the NFTS can be found in Appendix A.

SMU-6. The elimination of unauthorized motorized routes will concentrate use on remaining routes, or adjacent areas; this concentration and limiting to a designated NFTS is not analyzed in the EIS. [Commenter: L000220; L000245; L000245; L000258; L000293; L000295]

Response: Thank you for your comment. The SNF believes the decision that results from the Travel Management process will result in better management of motorized recreation on the SNF, including the provision of high quality recreation opportunities and protection of forest resources. If designated routes or motorized trails become overcrowded in the future, the SNF can consider revising route designations to respond to changing conditions

The proposed action and alternatives are site specific changes to the NFTS and public motorized access, not a "plan". The national Travel Management regulations at 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. Please see section 3.3.3 for the recreation related effects of the alternatives.

Comparison of Alternatives

CA-1. The tables in Chapter 2 are not adequate to distinguish impacts among the alternatives. Not all relevant information needed for comparison is captured in Chapter 2 (One commenter proposed a table that would be useful.) [Commenter: L000258]

Response: Thank you for your comment and your ideas. The Forest Service believes it has identified the salient issues related to the potential environmental impacts of the action alternatives and has shown their comparative impacts in section 2.5 of the FEIS. This table has been updated.

The Forest Service is required to perform under NEPA an environmental analysis that is issue and objective-driven and analytic rather than encyclopedic (CFR Section 1502.2(c)). This also helps the public understand presented material without having to read detailed and lengthy analyses which serve as the basis for the information presented in the EIS and can be found in the project record. If you are interested in reviewing additional information to inform yourself on the details of the analysis, please feel free to review the project record which can be accessed at the SNF Supervisor's Office at 1600 Tollhouse Road, Clovis, California.

CA-2. Alternative 1 should be the basis for comparison for all the action alternatives. (Commenter requests corrections in DEIS to reflect this.) [Commenter: L000223]

Response: The DEIS compared the effects of the alternatives to both Alternative 1 and Alternative 3. Alternative 1 represents a continuation of current management or direction, in that there would be no changes to the current NFTS of roads, trails, and areas, and no permanent prohibition on cross-country travel. Use of unauthorized routes would continue, but these routes would not be added to the transportation system or designated for motor vehicle use. This alternative establishes an important benchmark for the assessment of impacts resulting from the existing condition. It provides a point of reference for contrasting existing resource impacts and recreational uses with the action alternatives. Alternative 3 prohibits cross-country travel but makes no other changes. Under this alternative, none of the unauthorized routes would be added to the transportation system. Alternative 3 provides a benchmark specifically for evaluating the additions to the NFTS and the changes to the NFTS in the absence of cross-country travel.

CA-3. Alternative 3 should be the basis for comparison for all the action alternatives. [Commenter: L000320]

Response: The DEIS compared the effects of the alternatives to both Alternative 1 and Alternative 3. Alternative 1 represents a continuation of current management or direction, in that there would be no changes to the current NFTS of roads, trails, and areas, and no permanent prohibition on cross-country travel. Use of unauthorized routes would continue, but these routes would not be added to the transportation system or designated for motor vehicle use. This alternative establishes an important benchmark for the assessment of impacts resulting from the existing condition. It provides a point of reference for contrasting existing resource impacts and recreational uses with the action alternatives. Alternative 3 prohibits cross-country travel but makes no other changes. Under this alternative, none of the unauthorized routes would be added to the transportation system. Alternative 3 provides a benchmark specifically for evaluating the additions to the NFTS and the changes to the NFTS in the absence of cross-country travel.

CA-4. The Forest Service should provide additional information to allow the public to accurately compare the differences between alternatives, including miles of roads open to all vehicles and highway-legal vehicles, roads proposed for closure, maintenance levels on roads, vehicle class changes and road additions. [Commenter: L000052]

Response: Thank you for your comment. Summarized information related to the listed items, (with the exception of maintenance level), can be found in Tables 2-10, 3-1, and 3-10 of the FEIS. More detailed information can be found in the project record which is available for review at the SNF Supervisor's Office at 1600 Tollhouse Road, Clovis California.

CA-5. The Forest Service should provide alternative maps that are consistent throughout the alternatives. The maps should:

- show additional features above those that are currently depicted
- show the same features for every alternative, such as camping areas
- use the same color scheme in all alternatives

- **depict equestrian staging areas;**
- **include all current trails. [Commenter: L000224; L000224; L000241]**

Response: Thank you for your recommendations on the maps. In order to keep file size to a minimum, the Forest created base maps that are not from USGS maps (which would have been extremely large in file size). The maps include digitized topo lines, streams, some peaks, and some locational data, but not as much as the public may be used to. Based on your and others' comments, the FEIS maps now have some additional locations added, but it may still be helpful to use other reference maps concurrently with the EIS maps.

Route Specific Issues

Public involvement should be evaluated and considered to insure that a full range of alternatives, representing a broad array of perspectives are analyzed in an EIS. The SNF identified unauthorized routes to be added to the NFTS in Appendix A, Table A.1. The Sierra National Forest Travel Management project record contains information and identifies concerns regarding unauthorized routes not proposed for addition to the NFTS in the FEIS. The Travel Management regulations require consideration of certain criteria when designating routes for motor vehicle use (36 CFR 212.55(a) through (e)) (Also see FEIS Section 1.3). The SNF considered these criteria throughout all stages of this process beginning with the Purpose and Need (FEIS Chapter 1), the alternatives (FEIS Chapter 2), the analysis of effects (FEIS Chapter 3)

RSI- 1. The access roads to Nelder Grove Camp Ground (05S019A.M), Shadow of the Giants (06S090G.M), Big Sandy Camp Grounds are Hwy Only. OHV users need to be able to access campgrounds horseback riding and pack stations. (L000139)

Response: Thank you for your comment. The roads mentioned are being considered for ATV access in the EIS under differing alternatives.

RSI - 2 I request that these routes at Miami trails be left open for use. Me and my family have been enjoying these trails for several years, if there are maintenance issues with some of them, there are volunteers that could rally to keep them open. Here are the routes I request be left open. jm-51,jm-36,pk29, SR-119, SR-112, TR-08, JM-29, JM-38, WFSC1, JM-44, JM-41, SR-82a, SR-94, SV37, SV35, SV38, PK21, PK24, SV33, PK11a, SV32, SV31, JM-27z, JM-27za, SR-56z, JM-22y, JM-23, JM-21y, SR-36z, SR-4z, JM-2y, SR-21z, SR-11z, SV-1, SV-1b, JM-14x, JM-13x(L000156)

Response: Thank you for your comment. The Miami trails area has some specific resource concerns including erodible soils that can cause erosion and stream sedimentation. The Forest has worked hard to maximize the number of trails in the Miami area that can meet the Travel Management Rule criteria with mitigation and monitoring in alternatives considered in the EIS. From your list these include: JM-2y (Alt 2 and 5), JM- 21y (Alt 5), JM- 22y (Alt 5), JM-23 (Alts 2 and 5), JM-27z (Alt 2 and 5), JM-27za (Alt 2 and 5), JM-36 (Alt 2 and 5), JM-38 (Alt 4 and 5), JM-41 (Alt 5), JM-44 (Alt 5), JM-51 (Alt 4 and 5), PK 11a (alt 2, 4 and 5), PK21 (Alt 2 and 5), PK24 (Alt 2 and 5), PK29 (Alt 2 and 5), SR-4z (Alt 4 and 5), SR-11z (Alts 2, 4 and 5), SR-21z (Alt 2 and 5), SR-36z (Alt 4 and 5), SR-56z (Alt 2 and 5), SR-82a (Alt 2 and 5), SR-94 (Alt2 and 5), SR-112 (Alt 2 and 5), SR-119 (Alt 2 and 5), SV-1 (Alt 2 and 5), SV-1b (Alt 2 and 5), SV31 (Alt 2 and 5), SV32 (Alt 5), SV33 (Alt 2 and 5), SV35 (Alt 2 and 5), SV37 (Alt 2 and 5), SV38 (Alt 5), TR-08 (Alt 2 and 5), and WFSC1 (Alt 4 and 5).

RSI-3 Alternative 1 and 3 describe road 5S048D, a public road, as passing through the private property of James and Gena Hopkins (Hart/Teaford property since 1926). We object to this road being represented as a public road, it has never been a public road. (L000198)

Response: Thank you for your comment. It is information such as you have supplied that helps us make our maps accurate. The eastern portion of 5S48D is on private property and has been recoded to reflect the correction.

RSI - 4 In any Sierra National Forest travel management plan Road 6S44C (a very short road which dead-ends at gated private land) should remain administratively open for continuation of its existing and necessary use for access to private property of myself and the other private property owners in the NW corner of Section 17. (L000242)

Response: Thank you for your comment. Road 6S44C which is east of the private property on the NW ¼ of Sec 17 is on NF land and is not planned for closure.

RSI - 5 I would like to request that the following roads and trails known as 007 be added to the route system as they are a very important part of the system for connectivity to the rest of the forest trail system. These routes lie in the Bass Lake SE and Bass Lake NE, and the roads and trails are, 6s042g, 6s042h, BP80, BP81, BP82, BP85, BP100, BP101, and BP102. These are the main 007 trails and tracks. There are also many other trails and BP tracks in the area that have been left off and we request that they be added as enhancements to the overall OHV recreational experience. (L000255)

Response: Thank you for your comment. Motorized use of 007 will be evaluated in the future. As we conducted a site specific review of this network of unauthorized routes and ML 1 roads receiving OHV use, we were able to evaluate many sites but we did not get to all of them. It will be a continuing process to address all existing dispersed campsites, parking lots, or horse unloading areas. The public expressed concern that by not including all of these sites, opportunities would be lost. The SNF did not have enough site specific data to take on designating a system for driving pleasure and the evaluation of all spurs to dispersed camping or other non-motorized related dispersed recreation sites at this time.

RSI - 6 Forest Road 6S038G is granted as an appurtenant easement to me and family members by Forest Service Easement Deed recorded in Official Records Madera County April 3, 1996, No. 9608743. So I respectfully request some kind of designation so 6S038G does not get categorized incorrectly.

I have been working with Forest Service for many years now to perfect access to the Reyes and Cavin properties via 6S504. We are expecting to complete the process this fall. So we respectfully request some kind of designation so 6S504 does not get categorized incorrectly (L000263)

Response: Thank you for your comment. Road 6S038G near Texas Flat CG is a private easement and has been recoded. It will not show up as available to the public.

No easement has been issued for Road 6S504 and therefore it is currently categorized appropriately. The map database will be changed appropriately if a decision necessitating a change is made.

RSI -6 If time would have permitted, I would have submitted all 1400 dispersed campsites. These sites provide great a means for persons for all income levels to use the forest and all interests. This past weekend was an opportunity to enjoy the Sierra's in a favorite dispersed campsite. While relaxing in our site, I watched a family spend the day at the site next to us. They spent quality time together playing in the water and enjoying nature. After they left another family came into the site for some fishing with the kids. This is the kind of healthy activities that are being threatened by the grave restrictions being proposed in the DEIS. All of the persons, including ourselves stopped at a LOCAL store on the way up the mountain to get food, gas and ice. That is the economic impact. (L000266)

Response: Thank you for your comment. The Forest did consider access to recreation opportunities as part of the purpose and need of the project. (See FEIS Section 1.3) The range of alternatives allow motor vehicle access to dispersed camping via additional routes added to the NFTS to a greater or lesser degree however parking one vehicle length off of the NFTS is allowed on all roadways under most alternatives analyzed. The Forest recognizes that not all current routes to dispersed camping are included in this decision and it is viewed as a first step.

As the Forest conducted a site specific review of this network of unauthorized routes and ML 1 roads receiving OHV use, we were able to evaluate many sites but we did not get to all of them. It will be a continuing process to address all existing dispersed campsites, parking lots, or horse unloading areas. The SNF did not have enough site specific data to take on designating a system for driving pleasure and the evaluation of all spurs to dispersed camping or other non-motorized related dispersed recreation sites at this time.

The Forest intends to continue working with the public to meet their recreation needs while protecting the natural resources as required by Forest Service policy, regulation and law. Walking to dispersed campsites from roadside parking is permissible under all alternatives.

RSI-7 - I have been visiting the cabin at Chinese Camp "Charlie's Camp" (see enclosed information about Chinese Camp) off of Bunny Road 08S042C off the Red Lake Road 088042 since at least about 1988. I would go in on Bunny 08S042C, visit the cabin, then leave by Coon Dog road 08S042B, making a loop.

The current Travel Management DEIS Alternatives 2, 4, and 5 recommend closing Coon Dog for protection of unsurfaced roads. It recommends closing of Bunny Road (which is already closed) because of Administrative Site Protection. The Chinese Cabin is approximately 100 yards off of Coon Dog Road 08S042B and a person has to know it is there in order to see it and find it. Both of these roads, Coon Dog 08S042B and Bunny 08S042C, should remain open for OHV access, as they have been for many years. These are public lands and we the public have a civil right to continue to have access to these roads which make it possible for us to use these public lands. (L000269)

Response: Thank you for your comment. Roads 8S42B and C access the recently acquired Chinese Cabin area. The area will not be open to motorized recreation use at this time in order to protect the new Forest property and until a long term strategy for the property is in place. In the meantime, people are welcome to park at the gate and walk into the area.

RSI 8 I have reviewed the maps from the NOI and compared the roads and trails requested with those on Alternative 5. I find many of the routes were not brought forward or closed to OHV without cause or explanation. These tracks and roads are very important for connection and dispersed camping, fishing, hunting and other activities by the public. For this reason I am asking all the routes requested by the Stewards of the Sierra National Forest in the NOI be reviewed and those that are missing brought forward and added to Appendix A-I, A-2 and the maps. Refer to the report submitted By the Stewards of the Sierra National Forest to the NOI. Roads and tracks with action needed prior to opening: AE-18z, AE-34, BLUCYN4, BLUCYN6, BPIII, BP112, BP130, BP30, BP133 I, BPI42, BP21, BP37, BP48, CHPOSDDL390, CNTRLCMPSPR3 45, ESIO, JD2, JGIO, JG135, JG140, JG46, J047, JG5, JG85, JG91a, JG-95, JHI, JH-I04, JH-I05, JHI07, JH-125, JH-126, JH-202, JH-40, IH-62z, JH-82z, IH-90, JH-91, JM-06, JM-13x, JM-14x, JM-16z, JM-20y, JM-21y, JM-21z, JM-22y, JM-23, JM-27z, JM-27za, JM-29z, JM-2y, JM-36, JM-38, JM39, JM-41, JM-44, JM-4z, JM-51, JM-7ay, JSM107, JSM113, JSM53, JSM56, JSM60, JSM70, KD-122, KD-197, KD-218, KD-219, KD-220, KD-94, ML115, ML2, ML403, ML404, ML75, MT-3, ONSPRGSO13, PK-05x, PK-09x, PKIIa, PK-128, PK-12z, PK13z, Pk-13z, Pk15z, PK21, PK22, PK24, PK25, PK29, PK-30z, PK-31z, PK-32x, PK-33z, PK39, PK47, PK-48, PK-5,

PK-51x, PK-65, PK-66, PK-85, PK-90, PUB-07, PUB-18, PUUB-19, RCKCRKSPR39I, SGRLFG1223, SR-112, SR-119, SR-liz, SR-2Iz, SR-3, SR-35z, SR-36, SR-36z, SR-45z, SR-4z, SR-56z, SR-78, SR-80, SR-82a, SR-92, SR-94, SV-I, SV16, SV-Ib, SV-25, SV31, SV32, SV33, SV35, SV37, SV38, TH-01, TH-02, TH-03, TH-04, TH-07, TH-08, TH-12, TH-13y, TH-145z, TH-14z, TH-161z, TH-20, TH-20w, TH-27, TH-28, TH-28z, TH-29z, TH-31x, TH-41y, TH-48z, TH-51z, TH-54z, TH-55z, TH-56, TH-56y, TH-60z, TH-67y, TH-67z, TH-68z, TH-74y, TH-7y, TH-97, TH-99, TR-08, VSTDM363, VFSCI, ZZ20, ZZ25, ZZ26 (L000270)

Response: Thank you for your comment. Please see Section 2.4 of the FEIS which addresses why the Stewards Alternative was considered but not analyzed in detail in the FEIS.

Routes included in one or more alternatives were required to meet the Travel Management Rule and comply with the required criteria. (See FEIS Section 1.3 for the required criteria.) The Forest has worked hard to include the maximize number of routes, meeting the Travel Management Rule criteria (with or without mitigation,) in at least one of the alternatives considered in the EIS. From your list these include: (See Appendix A Table A.1 for more information): JM-2y (Alt 2 and 5), JM- 21y (Alt 5), JM- 22y (Alt 5), J M-23 (Alts 2 and 5), JM-27z (Alt 2 and 5), JM-27za (Alt 2 and 5), JM-36 (Alt 2 and 5), JM-38 (Alt 4 and 5), JM-41 (Alt 5), JM-44 (Alt 5), JM-51 (Alt 4 and 5), PK 11a (Alt 2, 4 and 5), PK21 (Alt 2 and 5), PK24 (Alt 2 and 5), PK29 (Alt 2 and 5), SR-4z (Alt 4 and 5), SR-11z (Alts 2, 4 and 5), SR-21z (Alt 2 and 5), SR-36z (Alt 4 and 5), SR-56z (Alt 2 and 5), SR-82a (Alt 2 and 5), SR-94 (Alt2 and 5), SR-112 (Alt 2 and 5), SR-119 (Alt 2 and 5), SV-1 (Alt 2 and 5), SV-1b (Alt 2 and 5), SV31 (Alt 2 and 5), SV32 (Alt 5), SV33 (Alt 2 and 5), SV35 (Alt 2 and 5), SV37 (Alt 2 and 5), SV38 (Alt 5), TR-08 (Alt 2 and 5), AE-18z (Alt 4 and 5), AE-34 (Alt 5), BLUCYN4 (Alt 5), BLUCYN6 (Alt 5), BPIII (Alt 4 and 5), BP112 (Alt 4 and 5), BP130 (Alt 4 and 5), BP133 (Alt 5), BPI42 (Alt 4 and 5), BP21 (Alt 5), BP37 (Alt 4 and 5), BP48 (Alt 4 and 5), CHPOSDDL390 (Alt 4 and 5), CNTRLCMPSPR3 45 (Alt 5), ES10 (Alt 5), JD2 (Alt 2 and 5), JG10 (Alt 5), JG135 (Alt 5), JG140 (Alt 5), JG46 (Alt 5), JG47 (Alt 5), JG5 (Alt 4 and 5), JG85 (Alt 4 and 5), JG91a Alt 2, 4 and 5), JG-95 Alt 2 and 5), JHI (Alt 2 and 5), JH-104 (Alt 2, 4 and 5), JH-105 (Alt 2, 4 and 5), JHI07 (Alt 2, 4 and 5), JH-125 (Alt 2), JH-126 (Alt 2), JH-202 (Alt 2), JH-40 (Alt 2 and 5), JH-62z (Alt 4 and 5), JH-82z (Alt 4 and 5), JH-90 (Alt 2 and 5), JH-91 Alt 2 and 5), JM-06 (Alt 5), JM-16z (Alt 5), JM-20y (Alt 2), JM-21z (Alt 5), JM-29z Alt 5), JM39 (Alt 2), JM-4z (Alt 5), JM-7ay (Alt 2), JSM107 (Alt 2 and 5), JSM113 (Alt 5), JSM53 (Alt 4 and 5), JSM56 (4 and 5), JSM60 (Alt 2, 4 and 5), JSM70 (Alt 2,4 and 5), KD-122 (Alt 2 and 5), KD-197 (Alt 2), KD-218 (Alt 2), KD-219 (Alt 2, 4 and 5), KD-220 (Alt 2, 4 and 5), KD-94 (Alt 4 and 5), ML115 (Alt 5), ML2 (Alt 5), ML403 (Alt 2), ML404 (Alt 2 and 5), ML75 (alt 5), MT-3 (Alt 4 and 5), ONSPRGSO13 (Alt 5), PK-05x (Alt 4 and 5), PK-09x (Alt 4 and 5), PK-l28 (Alt 2, 4 and 5), PK-12z (Alt 2, 4 and 5), PK13z (Alt 2), Pk-13z (Alt 2, 4 and 5), Pk15z (Alt 2), PK22 (alt 2, 4 and 5), PK25 (Alt 2), PK-30z Alt 2 and 5), PK-31z (Alt 2 and 5), PK-32x (Alt 2 and 5), PK-33z (Alt 2 and 5), PK39 (Alt 2), PK47 (Alt 5), PK-48 (Alt 2 and 5), PK-5 (Alt 2), PK-51x (Alt 2, 4 and 5), PK-65 (Alt 4 and 5), PK-66 (alt 4 and 5), PK-85 (Alt 2), PK-90 (Alt 2), PUB-07 (alt 4 and 5), PUB-18 (Alt 4 and 5), PUB-19 (Alt 4 and 5), RCKCRKSPR39I (alt 5), SGRLFG1223 (Alt 4 and 5), SR-11z (Alt 2, 4 and 5), SR-2Iz (Alt 2 and 5), SR-3 (Alt 2), SR-35z (Alt 2), SR-36 (Alt 5), SR-36z (Alt 4 and 5), SR-45z (Alt 2), SR-78 (Alt 2, 4 and 5), SR-80 (Alt 4 and 5), SR-92 (Alt 2 and 5), SV16 (Alt 5), SV-25 (Alt 5), TH-01 (Alt 4 and 5), TH-02 (Alt 5), TH-03 (Alt 4 and 5), TH-04 (Alt 4 and 5), TH-07 (Alt 5), TH-08 (Alt 5), TH-12 (Alt 4 and 5), TH-13y (alt 4 and 5), TH-145z (Alt 4 and 5), TH-14z (Alt 5), TH-161z (Alt 5), TH-20 (Alt 4 and 5), TH-20w (Alt 4 and 5), TH-27 (Alt 2 and 5), TH-28 (Alt 2 and 5), TH-28z (Alt 4 and 5), TH-29z (Alt 5), TH-31x (Alt 2, 4 and 5), TH-41y (Alt 2, 4 and 5), TH-48z (Alt 4 and 5), TH-51z (Alt 5), TH-54z (Alt 4 and 5), TH-55z (Alt 5), TH-56 (Alt 4 and 5), TH-56y (Alt 4 and 5), TH-60z (Alt 4 and 5), TH-67y (Alt 2, 4 and 5), TH-67z (Alt 2 and 5), TH-68z (Alt 2 and 5), TH-74y (Alt 4 and 5), TH-7y (Alt 4 and 5), TH-97 (Alt 2), TH-99 (Alt 2), VSTDM363 (Alt 4 and 5), ZZ20 (Alt 4 and 5), ZZ25 (Alt 5), and ZZ26 (Alt 5).

The vast majority of the routes you suggested to be analyzed and considered were included in at least one alternative with the majority in Alternative 5 as you suggested. The few routes on your list that are not included in one or more alternatives were deemed to not meet the Travel Management Rule criteria with mitigation that was practical to accomplish at this time.

RSI 9 - At the request of my fellow Club members, I have been tasked with providing documentation and information about areas that have been overlooked by your staff during this Travel Management Plan process. During the USFS initial survey of existing roads, the access roads into the campground at Ershim Lake were overlooked. Ershim Lake has always enjoyed vehicular access to the camp sites. In the DEIS map dated April 2009 the symbols showing the campgrounds have been reduced from 3 to 1 and have been relabeled "Managed Use Areas". Please include these access roads into the Ershim Lake campgrounds in the Travel Management plan, or provide the mitigation issues that must be addressed to include them. I look forward to your response. (L000274)

Response: Thank you for your comment. The dispersed camping area at Ershim Lake will continue as an existing managed Open Area.

RSI 10 I was very disappointed to find out that the Forest Service had not given any consideration to my proposal of using existing trails and logging roads. Most of the trails and road ways have be in existence for thirty years or more.

I request that the Forest Service review my proposal and approve same. If you find a problem with my proposal, please contact me. An example of a problem may be in item # 1 of my proposal. The proposed trail crosses a meadow. It may be a rule of the Forest Service that trails should not cross a meadow. If you contact me, a trail could be cut south east of the meadow and eliminate going through the meadow. The new trail would be constructed by people from Beasore Meadow, but under the direction of the Forest Service. (L000314)

Response: Thank you for your comment. Inventoried routes were reviewed by Forest staff to determine which met the Travel Management Rule criteria (see Section 1.3 of the FEIS). The Forest did consider access to recreation opportunities as part of the purpose and need of the project. (See FEIS Section 1.3) As the Forest conducted a site specific review of this network of unauthorized routes and ML 1 roads receiving OHV use, we were able to evaluate many sites but we did not get to all of them. The Forest intends to continue working with the public to meet their recreation needs while protecting the natural resources as required by Forest Service policy, regulation and law.

Chapter 3: Affected Environment and Environmental Consequences, Social Environment

Transportation Facilities

TF-1. The Forest Service should eliminate from consideration in this Travel Management EIS forest roads that were authorized as temporary roads in any previous NEPA analysis but were later incorrectly identified and/or marked as a system road, and/or placed on maps officially or not. [Commenter: L000086]

Response: Thank you for your comment. Many roads were constructed as temporary roads in order to reduce the cost of timber sales. Though most temporary roads have been obliterated, some were very well-constructed and demonstrated their value as a long term road. Some of these have been, or will be, brought into NFTS, following proper procedures.

TF-2. The Forest Service should consider seasonal or permanent closure to public motorized use of current NFTS roads and trails with known resource impacts.

[Commenter: L000106]

Response: Thank you for your comment. The SNF has considered the necessity of seasonal or year-round closures on all NFTS roads and trails. These considerations are reflected in Tables A-1 and A-2.

TF-3. The Forest Service should consider the cost of preparing and forwarding mixed use proposals to the CHP as well as CHP review costs. Acceptable “mixed use” assessments for proposed mixed use roads should be included in the FEIS. [Commenter: L000052]

Response: Thank you for your comment. There are no significant costs for submitting mixed use proposals to the CHP for review and comment. Engineering Reports have been completed for all mixed use recommendations in the Record of Decision (ROD).

TF-4. The Forest Service should explain, absent recent traffic survey data and vehicle class information, the need to maintain 289 miles of unpaved roads as ML 3 passenger car roads on the SNF. Sufficient information should be provided in the FEIS for the public to evaluate how vehicle class restrictions on ML 3-5 “passenger car” roads will affect motorized recreation opportunities. [Commenter: L000052]

Response: Thank you for your comment. The Forest Service designates roads which will be managed under the Federal Highway Safety Act (HSA). Gravel roads to be managed under the HSA are maintained for passenger cars and are smooth grades. Gravel roads not under the HSA are maintained for high clearance vehicles and are rough graded. Rough graded is also the term the California Vehicle Code for roads on which green sticker and red sticker use is allowed (CVC Division 16.5).

There are two categories of roads open for motor vehicles on the SNF. They are roads “Open to Highway-legal Vehicles Only” and roads “Open to All Vehicles.” The category “Open to Highway-legal Vehicles Only” are ML 3-ML5 roads designated by the Forest Service for passenger care use under the Federal Highway Safety Act and the category “Open to All Vehicles” are typically designated as ML 2.

TF-5. The Forest’s road closure plan has not taken into consideration crowding of equestrians, OHV riders, maintenance costs, and limiting access of visitors. [Commenter: L000007; L000070; L000090; L000183; L000125; L000137; L000032; L000158; L000167; L000178; 000201; L000203; L000205; L000208]

Response: Thank you for your comment. The SNF considers many factors for determining limited operation periods on roads and motorized trails such as: types of use, natural and cultural resources, maintenance costs, public safety and conflicts among users. The Forest’s basic access philosophy is to provide as much access as possible while protecting the users, National Forest System lands, and public safety.

TF-6. The Forest Service should provide information in the FEIS about the actual traffic volume and vehicle classes using SNF passenger car roads to justify road maintenance levels and “traffic service levels” in INFRA. [Commenter: L000052]

Response: Thank you for your comment. There are many factors to be considered beside volume, speed, composition, distribution and geometrics. As per FSM 7715.5 Forest management also considers the effects on natural and cultural resources, public safety, differing recreation access needs, maintenance costs, user conflicts among other rationale for vehicle class decisions.

TF-7. The Forest Service should include under Alternatives 2, 4, and 5, a description of the “conflicts between passenger cars and unlicensed vehicles” and discuss whether previous

mitigation measures such as education, engineering, signs, volunteer patrols or enforcement have been successful in resolving the conflict. Please include specific information on each road in an Appendix to the FEIS. [Commenter: L000052]

Response: Thank you for your comment. Conflicts between passenger cars and non-highway legal vehicles are conflicts between differing sets of laws and operator behavior. Passenger car drivers follow all the rules and expectations they use in their day to day experiences. Non-highway legal vehicle operators follow the rules under CVC Division 16.5; the typical driver in California is not familiar with these activities. Passenger car drivers' behavior is predicated on things they typically encounter such as engineering, signs and enforcement. While non-highway operators have learned the special rules governing green/red sticker recreation and easily respond to education, signs, volunteer patrols and enforcement.

The typical "mixed use" road on the SNF is a maintenance level 2, rough graded road, which allows traditional green/red sticker use under CVC Division 16.5. The SNF has not experienced any known crashes between highway-legal vehicles and non-highway legal vehicles on these roads. Therefore, it can be assumed that a combination of education, engineering, signs, volunteer patrols and enforcement have been adequate to operate a reasonably safe road system. However, the Forest is designating several mixed use roads (CVC 38026) which operate under conditions not familiar to either highway drivers or to ATV operators. In order to continue the safe operation of the Sierra NFTS of roads, these roads will utilize current traffic laws and safety techniques, as well as operating under CVC 38026. The challenge is to provide a safe transportation system for as many Forest visitors as possible. Information for those roads being proposed for inclusion can be found in Appendix A, Appendix I and in the engineering traffic studies posted on the internet.

TF-8. Please correct the following two transportation assumptions in the DEIS. "5. The California Vehicle Code (CVC) requires roads maintained for passenger cars allow only highway registered vehicles and be operated by licensed drivers. The CVC allows the operation of non-highway legal vehicles operated by unlicensed operators on roughly graded roads (ML 2).7. Roads maintained for passenger cars are considered highways by the CVC and the operation of OHVs on those roads is not consistent with State law unless designed as mixed use." Regarding Assumption #5: The CVC does not address "passenger car roads" and does not restrict motor vehicle use on "passenger car roads" to only highway registered vehicles and licensed drivers. The only term used in Section 16.5, CVC, is "highways." Please delete the CVC reference to passenger car roads. [Commenter: L000052]

Response: Thank you for your comment. Transportation agencies call their motorized transportation system different terms such as roads, highways, routes, trails, streets, etc. The California Vehicles Code defines a highway as "... a way or place of whatever nature publicly maintained and open to use of the public for purposes of vehicular travel. Highway includes streets." Forest Service Manual 7733.04.c.1 states, "Ensure that RMOs for NFS roads identify whether or not the roads are to be managed as public roads." FSM 7733.03.1 states "Operate and maintain NFS roads that are managed as public roads to provide safe passage by prudent drivers in standard cars." The California Highway Patrol does recognize Forest Service ML3-5 roads as meeting their definition of a highway.

Cross-country Travel Prohibition

TF-9. The Forest Service should reconsider its stance on big game retrieval and allow cross-country travel for this purpose. [Commenter: L000052]

Response: Thank you for your input. SNF has no big games hunting species; therefore, it is not necessary to consider motorized access for big game retrieval.

TF-10. The Forest Service should reconsider the one vehicle length from the edge being considered cross-country travel as parking so close to a road can be a safety hazard.

[Commenter: L000104; L000178; L000323]

Response: Thank you for your comment. The "one car length" distance is guidance that has been published in the Travel Management Rule, and is considered to be a safe distance.

Vehicle Class Change

TF-11. The Forest Service should allow non-street legal vehicles on forest roads and trails.

[Commenter: L000068; L000070]

Response: Thank you for your comment. The SNF does allow green sticker and red sticker vehicles on rough graded maintenance level two (ML2) roads. On the maps and in the narratives the term "Open to All Vehicles" is synonymous with allowing green/red sticker use. ML 3-5 roads fall under the Highway Safety Act and therefore the use of green and red sticker vehicles is not allowed unless designated as a mixed use road.

TF-12. The Forest Service should reclassify all of the forest's unpaved passenger car roads to ML 2 to allow mixed use and reduce road maintenance costs. [Commenter: L000052].

Response: Thank you for your comment. The designation of vehicle class is predicated on what type of travel the SNF wants to encourage, not how many vehicles will use it. There are many different people wanting to use the NFTS. SNF road management tries to accommodate as many different travelers as possible while minimizing conflicts and safety concerns.

TF-13. The Forest Service should reevaluate its determinations of which road segments should be open to all vehicle classes. [Commenter: L000052, L000221]

Response: Thank you for your comment. As part of this analysis, the SNF has reevaluated all the road segments for the type of use and the period of use. Appendix A-2 lists all the changes to the SNF's road system.

TF-14. The Forest Service should consider reducing operational road maintenance levels to bring the SNF's road maintenance program in alignment with the Forest's expected out-year budgets. [Commenter: L000052]

Response: Thank you for your comment. This Travel Management analysis is recommending significant reductions of maintenance levels which will reduce the need for out year road maintenance funding, please see Chapter 3, Table 34. This, in coordination with increased attention from a number of volunteer groups will be used to maintain the roads at the designated levels.

TF-15. The Forest Service should make sure the roads analysis complies with Section 38026 CVC, that all mixed use and combined use segments have been reviewed by the CHP, and traffic volume and vehicle class surveys should be conducted. [Commenter: L000052]

Response: Thank you for your comment. Mixed use, or normal green/red sticker use, does not require CHP review under CVC Division 16.5. All mixed use road segments have the requisite engineering report completed by a qualified engineer, approved by the Region 5 Director of Engineering and reviewed by the CHP. Traffic volume and classification survey have not been necessary to make a determination as whether a section of road could be recommended for combine use.

Road Closures

TF-16. The FEIS should provide sufficient road-specific analysis and documentation to support the proposed closures. The FEIS should explain how these roads will be closed to all motor vehicle travel (installation of barriers, signs, road engineering, etc.) and the cost to implement. [Commenter: L000052]

Response: Thank you for your comment. The recommendations for limited operating periods on the Sierra's current NFTS were accomplished road segment by road segment in an interdisciplinary team process with Line Officer recommendations. The inclusion of these recommendations in this Final EIS is part of the necessary public involvement. The actual method of traffic control will be part of the implementation plan. If there is any ground-disturbing activity required, a separate environmental assessment will be conducted as appropriate.

TF-17. The Forest Service should address the effects of the proposed closures on motorized recreation, other forest uses, and the road maintenance budget in the FEIS. [Commenter: L000052]

Response: Thank you for your comment. Changes to the seasonal open period provide additional protection to resources and provides for stabilized tread. Stabilizing the tread through the use of erosion control devices and wet-weather closures provides for a positive effect for maintenance and the recreation experience. Changes in allowed vehicle class provide benefits to motorized recreation visitors by providing more roads for travel by non-highway legal vehicles. The positive effects on road maintenance allow for a reduction in road maintenance costs. Year round closures will not affect visiting publics as the roads have historically been managed as closed. Closed roads that continue to be closed provides no change to maintenance budgets.

Public Safety

TF-18. The Forest Service should accurately analyze the impact to public safety with the change in the available routes and require suitable mitigation measures. [Commenter: L000002]

Response: Thank you for your comment. The SNF does evaluate the public safety concerns of its operation of the NF road system. If a road situation exists which is counter to public safety, mitigation measures are implemented.

TF-19. Public Safety on Mixed Use Roads: The Forest Service does not have enough mixed use accident data from Region 5 National Forests to adopt a regional policy that prohibits motorized mixed use on thousands of miles of unpaved passenger car roads in California. Region 5's mixed use accident information does not substantiate the agency's concern about public safety. In the past 15 years, there have been 11 mixed use accidents on 41,501 miles of NFTS roads in California. [Commenter: L000052]

Response: Thank you for your comment. Mixed use designations are not predicated on the number of crashes between highway-legal vehicles and non-highway legal vehicles. Each road is evaluated for its safe operation as a mixed use road under CVC Division 16.5 or as a mixed use road under CVC 38026.

TF-20. "On low-volume roads, crash history is seldom a reliable indicator of significant safety problems. Accordingly, use common sense and judgment to determine safety deficiencies and the priority for corrective action." Based on the Forest Service Handbook and Manual on Uniform Traffic Control Devices (MUTCD), low volume roads are any roads with less than 400 average daily traffic (ADT). Unless a traffic study has been completed, we believe almost all SNF ML 3 roads have less than 400 ADT. Accidents related

to human factors (alcohol, medical emergency, reckless driving, etc.), weather, time of day or mechanical failure may have nothing to do with road safety. The occurrence of an accident is not necessarily an indictment of the road or the public safety risk. [Commenter: L000052]

Response: Thank you for your comment. Mixed use designations are not predicated only on the number of crashes between highway-legal vehicles and non-highway legal vehicles. Each road is evaluated by the Forest Service for its safe operation as a mixed use road under CVC Division 16.5 or as a mixed use road under CVC 38026.

TF-21. In accordance with FSH 7709.59, 23, the SNF should impose temporary road closures for certain vehicle classes (i.e. OHVs) when commercial traffic is present, such as log haul during timber sales. This is an appropriate mitigation measure for public safety. [Commenter: L000052]

Response: Thank you for your comment. A policy for minimizing the effects of conflicts with commercial truck haul will be implemented when and where necessary for safety.

TF-22. The Forest Service should view safety of minors on routes consistently with its view on other uses such as hiking, mountain biking, skiing, snowboarding, rock climbing, hunting, firearm use, driving with street legal vehicles or other recreational activities on the National Forests and set requirements to maintain safe conditions but not prohibit activities. [Commenter: L000052]

Response: Thank you for your comment. The Forest Service designation of highway-legal vehicle only roads, mixed use roads is consistent with Forest Service policy and the California Vehicle Code. By following existing laws and regulations the Forest minimizes the risk to public safety and reduces the Forest Service exposure to unnecessary tort liability.

TF-23. There are numerous safety training programs for youth offered by the State, vehicle manufacturers, state-wide OHV organizations, and local OHV clubs. If there are continued safety concerns, the FS should approach the California Highway Patrol and State OHMVR Division to determine if State safety requirements for minors need to be strengthened. [Commenter: L000052]

Response: Thank you for your comment. The Forest Service designation of highway-legal vehicle only roads, mixed use roads is consistent with Forest Service policy and the California Vehicle Code. By following existing laws and regulations the Forest minimizes the risk to public safety. National, State and local road and traffic safety policies and laws are continually evaluated and updated to maintain their effectiveness.

TF-24. The Forest Service should verify data related to probability and severity of crashes. [Commenter: L000052]

Response: Thank you for your comment. The data collected for crash probability and severity has been verified during the field data collection and traffic analysis of the requisite information by the Qualified Engineer.

Recreation Resources

REC-1. The Forest Service should not amend the Forest's Land and Resource Management Plan (LRMP) to reclassify some areas as Semi-Primitive Motorized in order to allow for certain unauthorized routes to become part of the NFTS. This action would:

- **Not be consistent with Forest Service policy**

- **Violate the intent of the Forest Standards and Guidelines of the LRMP [Commenter: L000138]**

Response: Thank you for your comment. Please reference 3.3.3 Recreation Resource section. Current LRMP direction is to “Maintain acreages in each ROS class to meet objectives shown on ROS element map (USDA-FS 1991, p. 4-13).” The alternatives not completely consistent with this direction because of the proposed additions to the NFTS within Semi-Primitive Non-Motorized ROS Class as mapped during LRMP development. The proposed amendment would change the ROS class for the area immediately surrounding the route added to the NFTS in Semi-Primitive Non-Motorized ROS class to recognize existing motorized access and allow the addition of routes to the NFTS to provided needed semi-primitive motorized opportunities.

The overall percentage of change of acres of Semi-Primitive Non-Motorized is neutral effect. Eight (8) percent of the SNF remains designated as Semi-Primitive Non-Motorized.

REC-2. The Forest Service should not add new motorized routes to Inventoried Roadless Areas. [Commenter: L000138; L000320]

Response: We appreciate your concern, but none of the routes proposed in the FEIS are located in Inventoried Roadless Areas.

REC-3. The Forest Service should consider equestrian staging areas and access as routes and areas included in the NFTS. When routes are closed to vehicles, and not to riders, there must be provision made for equine access past barriers. [Commenter: L000035; L000050; L000055; L000067; L000124; L000125; L000126; L000172; L000256; L000055; L000110; L000149]

Response: Thank you for your comment. The 2005 Travel Management Rule, 36 CFR Section 212, Subpart B, provides for a system of NFTS roads, trails and areas on National Forest System lands that are designated for motor vehicle use. The alternative maps only show the proposed motor vehicle access to dispersed recreation opportunities (including horseback riding). The FEIS maps display the existing managed areas as well as the proposed Open Areas that will provide access to dispersed recreation opportunities. Access routes that are not added to the NFTS are not precluded from consideration in future actions, but they would be closed to motor vehicle travel as part of the cross-country travel prohibition. Access for equine past barriers will be engineered into future road closure projects.

REC-4. The South Fork Analysis Unit in the Jerseydale area of Mariposa has only two staging areas, one at the Heliport near the Jerseydale Fire Station, and one nearby at the Jerseydale campground, across the road from the fire station. Riders badly need several (or at least one!) staging locations in the Mariposa Pines area (farther back in the forest). MMR representatives identified several good sites to be considered for the draft maps, but none are included. This is very important for the riding community in this area. [Commenter: L000055; L000124]

Response: Thank you for your comment. The 2005 Travel Management Rule, 36 CFR Section 212, Subpart B, provides for a system of NFTS roads, trails and areas on National Forest System lands that are designated for motor vehicle use. The alternative maps only show the proposed motor vehicle access to dispersed recreation opportunities (camping, hunting, fishing, hiking, horseback riding, etc.). The FEIS maps display the existing managed areas and parking areas as well as the proposed areas that will provide access to dispersed recreation opportunities. Access routes that are not added to the NFTS are not precluded from consideration in future actions, but they would be closed to motor vehicle travel as part of the cross-country travel prohibition.

RCE-5. The Forest Service should outlaw 2-stroke vehicles in the National Forest and keep all the roads open. [Commenter: L000007]

Response: Thank you for your comment. Dual sport motorcycles, 2-stroke vehicles, and their riders are all encouraged to enjoy the forest. However, the California Air Resource Board (CARB) requires that all two-stroke vehicles display a red sticker that can be obtained at the Department of Motor Vehicles. These red stickered vehicles are limited to OHV riding areas for seasonal use only. Riding season dates are established by CARB. On the SNF the riding season for red stickered vehicles is from October 1 through May 31.

REC-6. The Forest Service should analyze differences in impacts with different classes of vehicles. Two wheeled motorcycles cause more resource damage due to higher ground pressures and tendency to spin the tire on loose soil. Jeeps and similar 4 wheel drives with heavier wheel loads also cut ruts particularly when traveling over saturated soils. [Commenter: L000032; L000070]

Response: Thank you for your comment. A motor vehicle recreation program provides for managing the impacts from different classes of vehicles. A well sited motorized trail is easier to manage than a trail that does not lay on the land well. The SNF is working with volunteers to implement a strategic maintenance plan for key areas. Travel on saturated soils may cause some sort of displacement. There are wet weather "seasonal" closures on routes with sensitive soils.

REC-7. The Forest Service should take a balanced approach in designating roads and trails to provide for recreational opportunities while protecting habitat for endangered or threatened species, be they animals, birds, or plants. [Commenter: L000322]

Response: Thank you for your comment. Motor vehicle users are valued forest visitors, and the Travel Management Rule provides a clear set of evaluation criteria for designating roads and trails. Within this set of criteria, the protection of endangered and threatened species is a key consideration. The SNF is committed to providing the public with opportunities for a wide variety of outdoor experiences, while simultaneously protecting fragile resources.

REC-8. The Forest Service should restrict specific routes to licensed drivers, and all laws regarding children (such as the use of car seats) need to be enforced to minimize the risk of young children being injured. [Commenter: L000152]

Response: Thank you for your comment. Superseding Federal and State vehicle and traffic laws and regulations is outside the scope of this analysis.

REC-9. The Forest Service should reconsider the following assumptions in Chapter 3, Recreation Resources, Introduction, Assumptions Specific to Recreation Analysis:

- **Assumption #4 & #5, due to the limited number of proposed additions to the NFTS in all action alternatives**
- **Assumption # 6, as public scoping comments should be used to validate the NVUM [Commenter: L000223]**

Response: Thank you for your comment. The assumptions are based upon implementing a closure to cross-country without designating routes in the lower elevation areas. The FEIS is implementing the 1991 Land and Resource Management Plan (LRMP). The LRMP states in section 4.3.4, SNF LRMP Standards and Guidelines, "...Some additional OHV routes and areas will be designated where cross-country travel was previously allowed. LRMP implementation will also include development of a new SNF OHV Plan which will designate an OHV route system and contain management direction from the LRMP (Forest Plan)."

Proposed additions and changes to the NFTS are beneficial to motorized recreation opportunities and motorized access to dispersed recreation activities as opposed to not proposing any additions or changes, as in Alternative 3. Remember, this environmental analysis is the beginning. The SNF expects to continue to review, analyze and bring suitable roads, motorized trails and areas into the NFTS.

REC-10. The Forest Service should reanalyze the direct and indirect effects in Chapter 3, Recreation Resources, Affected Environment and Environmental Consequences, Environmental Consequences as they are fundamentally flawed because the analysis restricts the comparisons to mileage totals only and fails to discuss trail use capacity on the SNF. The analysis must take into consideration traffic levels and types, duration of use and speeds. The Recreation Resources cumulative effects analysis should address the effects of increased use on a reduced trail system as proposed by the action alternatives. [Commenter: L000223]

Response: Thank you for your comment. The SNF has reviewed the Recreation Resources analysis and believes that the FEIS provides an appropriate analysis of the effects of the alternatives.

REC-11. The Forest Service should describe and analyze in the FEIS, Chapter 3, Recreation Resources section, the true effects and consequences of reducing the existing motorized recreation system (Alternative 1) to any of the other proposed alternatives. [Commenter: L000223; L000323]

Response: Thank you for your comment. The SNF has reviewed the Recreation Resources analysis and believes that the FEIS provides an appropriate analysis of the effects of the alternatives.

REC-12. The Forest Service should capture within the FEIS that recreationists have observed damage to the forest in several locations due to off road uses. [Commenter: L000223; L000231]

Response: Thank you for your comment. The FEIS includes information on environmental impacts due to off road uses.

REC-13. The Forest Service should accurately analyze the direct, indirect and cumulative impacts of noise levels with the consideration that many off-highway vehicle users recreate in groups which can compound noise levels. [Commenter: L000277; L000320]

Response: Thank you for your comment. To compare the opportunities for recreational experiences beyond the immediate influence of roads or motorized trails in each alternative, a 1/2 mile buffer was applied to all roads and motorized trails, and the acreage outside of this buffer calculated. This buffer was selected in part because California's noise limit requires off-highway legal vehicles manufactured after January 1, 1998 to be no louder than 96 decibels at a distance of 20 feet. At 1/4 mile, 96 decibels is perceived by non-motorized recreationists as a level comparable to rural residential areas. If one considers additional noise reduction due to varied topography and the presence of dense vegetation, the perception of 96 decibels at 1/4 mile drops to approximately the level of comfortable conversation. The 1/2 mile buffer used for the analysis represents an estimate of the limits of severe engine noise impacts and provides a reference point to enable the comparison of the different alternatives. This noise criterion is included in the FEIS, Chapter 3, Recreation Resources, Recreation Indicator Measures, Measurement Indicator #5: Impact of Proposed Changes to the NFTS on Neighboring Private and Federal Lands (dust, noise and use impacts). The FEIS has been updated to include noise impacts for all alternatives for direct, indirect and cumulative impacts.

Society, Culture, and the Economy

SCE-1. The economic impact of virtually eliminating all historical dispersed access to camping areas has been grossly misstated. Much of the public are dependent on this type of dispersed recreation. High campground fees \$16-\$25 per night are often prohibitive to low and middle income recreating public. Low cost and availability makes dispersed recreation economically feasible. The commenter wants the SNF to reanalyze the adverse effects in the economic analysis. The SNF has failed to analyze the adverse effects of the massive loss of dispersed recreation opportunities (nearly 1250) that will reduce recreational opportunities to minority or low-income groups. [Commenter: L000223]

Response: Thank you for your comments. The Forest Service disagrees that the economic impact to low and middle income families have been misstated. As stated in the Summary of Socio-economic effects section in Chapter 3, the Forest Service estimates that use patterns may change, but the availability of access to motorized use (including dispersed camping) would be relatively static.

SCE-2. The analysis fails to consider the potential financial impacts on individual counties (Fresno, Madera and Mariposa) and local community businesses, sportsmen, tourists, and outdoor enthusiasts. If people can't recreate, they won't buy related goods and gear, and this will impact many businesses in many areas, including markets, sporting goods, feed and hay dealers, clothing stores, specialty recreation vehicles, auto/truck repair, gas stations, and many others. The DEIS fails to adequately consider economic impacts of significantly reducing motorized recreation opportunities. The economic impact of virtually eliminating historical dispersed access to camp areas has been so grossly misstated. Many hundreds of the public use these sites each year, including the equestrian community, and depend on the low cost and availability to make their recreation economically feasible. [Commenter: L000040; L000046; L000063; L000070; L000094; L000103; L000108; L000109; L000111; L000119; L000165; L000167; L000184; L000222; L000223; L000238; L000237; L000276; L000289; L000301; L000312; L000319; L000322]

Response: Thank you for your comments. While the individual economies of each county have unique qualities and characteristics, they do not exist in a vacuum. They are complex, dynamic, and interconnected. The decision to use county aggregates as the basis for the analysis was made by Forest Service economists who felt this method would more accurately reflect the economic impacts of a Travel Management decision region-wide. It should be noted that the economic analysis in the FEIS was also not narrowed to the county or local community level because Forest Service modeling and data is less accurate at scales smaller than forestwide (the SNF lies within all three counties). The Forest Service National Visitor Use Monitoring (NVUM) data is the best available science for economic analysis of National Forest effects to local economies and its accuracy is compromised with more narrow data sets. General census data is available at smaller scales (zip code), but sample sizes are much decreased, and the link with Forest Service modeling and data would become too weak resulting in compounding error levels at that scale.

In regards to the claim that many business would experience economic losses due to loss of recreation opportunities on the Sierra National Forest, the Forest Service disagrees. The Sierra National Forest motorized recreation opportunities will remain available (though use patterns are likely to change) and the quality of the experience will be enhanced over time with maintenance and management of the NFTS motorized trail system.

Please note Table 58 in the Socio-economic analysis section of Chapter 3 in the FEIS. It displays data on the relative contribution of both jobs and revenue from various recreation activities on the Sierra National Forest and in within the three county region (Fresno, Madera, Mariposa) affected by this action. The data is based on Sierra National Forest recreation use data collected in 2007

(National Visitor Use Monitoring, USDA). As you can see, the industry sectors of retail trade, arts, entertainment and recreation, and accommodations and food service contribute 10% or less to the economy (jobs and income) of these three counties. Also, as stated in the Summary of Socio-economic effects section in Chapter 3, the Forest Service estimates that the amount of motorized use (including dispersed camping) would be relatively static (though use patterns may change). In addition, the data shows that motorized recreation is a small percentage of overall recreation use on the Sierra National Forest. Therefore the conclusion is that there would be little or no measurable change to the overall local economies.

SCE-4. The Mono Hot Springs area year around road closures would effectively close Mono Hot Springs Resort. [Commenter: L000143; L000312; L000316]

Response: Thank you for your comments. There was an error on the map which has been corrected; the road to Mono Hot Springs Resort will not be closed to public use.

SCE-5. The issue of economic valuation resulting from lost recreation opportunity is a legitimate and essential one. It is sufficiently relevant and tangible that both the Plumas and Lassen National Forests have EACH received over \$50 million dollars from Union Pacific/BNSF to compensate the public for the lost recreation opportunity resulting from the 2000 Storrie Fire. [Commenter: L000108]

Response: The Storrie Fire Settlement compensated the Forest Service for \$22 million for firefighting expenses and \$80 million for damage to natural resources. It was not specifically related to lost recreation opportunity. However, the SNF agrees that economic valuation of recreation opportunity is a legitimate and essential practice in some situations. The SNF does not agree that a similar valuation applies to the designation of motorized recreation opportunities. Also the SNF estimates that the amount of motorized use (including dispersed camping) would be relatively static with the potential to increase as non-local visitors learn about the opportunities via the MVUM, web pages, and other likely marketing tools.

SCE-6. Consider the loss of revenue from off-road tags due to the lack of locations to use OHVs. [Commenter: L000165; L000178]

Response: “Off-road tags” are registration for non-highway legal vehicles. The revenue from this form of registration goes to the State of California. “Green Stickers” and “Red Stickers” are issued to off-highway vehicles for use at all California OHV riding areas. The revenue from registration plus other sources of funds are used for the Grants and Cooperative Agreement Program administered by the State of California, Parks and Recreation Department, Off-Highway Motorized Vehicle Recreation Division. The funds are applied for, and if successful, received. Successful applications provide financial assistance to cities, counties, districts, federal agencies, state agencies, educational institutions, federally recognized Native American Tribes, and nonprofit entities. Therefore, there will be no “loss of revenue from off-road tags” as the Forest has no guarantee to be successful in obtaining such funds.

SCE-7. The Forest Service should analyze the financial impacts to the SNF of reduced OHV registration revenue. [Commenter: L000165]

Response: Thank you for your comments. Analyzing the financial impacts to the SNF of reduced OHV registration revenue is not within the scope of this analysis. Please note the response to SCE-6.

SCE-8. Commenter is concerned about the loss of access for those that are physically handicapped and rely on motorized access to recreate on the Forest. Commenter wants the Civil Rights Impact Analysis to be revised and address these concerns and the effects of the alternatives. [Commenter: L000223]

Response: Thank you for your comments. Please refer to section 3.4, Society, Culture and Economy, where it states:

Implementation of the Travel Management Rule, Subpart B, including the prohibition of cross-country travel, is forestwide and applies to all forest users equally. There is no legal requirement to allow people with disabilities to use motor vehicles on roads, on trails, and in areas that are closed to motor vehicle use. Restrictions on motor vehicle use that are applied consistently to everyone are not discriminatory. Generally, granting an exemption from designations for people with disabilities would not be consistent with the resource protection and other management objectives of travel management and would fundamentally alter the nature of the Forest Service's travel management program (29 U.S.C. 794; 7 CFR 15e.103).

SCE-9. Commenter disagrees with the agencies' implication that there are no known social impacts. Commenter believes this statement is in direct conflict with sections in both Transportation and Recreation that claim motorized recreation is the #1 activity within the SNF. [Commenter: L000223]

Response: Thank you for your comments. The social analysis did not state there are no known social impacts. In the summary of effects for Alternative 3 the analysis concluded:

“... that under Alternative 3, levels of motorized use would likely decrease but not be eliminated because a range of motorized opportunities would remain available with the NFTS. And, because motorized recreation is a small percentage (3 percent) of the overall visitation to the SNF, there would little to no measurable change to the overall or local economies within the SNF region.” (Section 3.4)

The social analysis for action alternatives 2, 4, and 5 states that the actions “...are likely have short-term effects on local users. In the short term, until the public becomes familiar with the use of the MVUM, there may be confusion regarding allowed and prohibited use in some areas. The Forest Service estimates that under Alternatives 2, 4, and 5, the amount of motorized use (including access to dispersed camping) would be relatively static over time, as the amount of high quality motorized recreation opportunities would increase as compared to Alternative 1. For example: there would be more effective trail maintenance and signing; and there would be more mixed use roads providing for longer loop connections, etc. However, in Alternatives 2, 4, and 5 use patterns may change and the same amount of motorized use may become more concentrated on designated roads, trails and areas. Alternative 5 would designate more mixed or mixed use roads resulting in increased ability to disperse motorized use over larger areas (e.g. connecting the proposed motorized trails in the Gaggs AU with those in the Globe AU) would allow for less concentration. If motorized recreation use were to increase, at some point some motorized recreationists may seek other areas to recreate off the SNF. The point at which this would occur is speculative. It is likely that public identification and management of a motorized trail and road system that previously was not designated for this use, coupled with publication of the motor vehicle use map (MVUM), visitor use maps, web site information, and possibly GPS coordinates for public use, would likely result in attracting more non-local visitors (section 3.4).”

The SNF acknowledges that nearly all forest visitors, regardless of the purpose for their visit, use the motorized transportation system to reach their destination. In regards to the direct conflict with the Recreation section of the FEIS, National Visitor Use Survey (NVUM) 2007 data displayed in Table 47, clearly reveals that motorized recreation (OHV use, driving for pleasure, and other motorized activities) accounts for approximately 16 percent (survey respondents could select multiple activities so visitors may have participated in many activities on one visit) of recreation activities on the SNF.

The claim in the Transportation section that driving for pleasure has become the single largest recreation use of National Forest System lands was in error (per the NVUM data in Table 47. The sentence has been changed to read: “Driving for pleasure has become the single largest motorized recreation use of National Forest System lands.”

Visual Resources

V-1. The Forest should reevaluate Table 2-11, Summary Comparison of Alternatives by Effects. There is a concern the summary data displayed in this table is overreaching conjecture and are in conflict within the separate alternatives presented. [Commenter: L000223]

Response: Thank you for your comment. The Summary Comparison of Alternatives by Environmental Effects in Chapter 2 (Table 2-11) summarizes the information presented in Chapter 3 – Affected Environment and Environmental Consequences. The Visual Resources data in the table was changed to clarify the viewshed information.

V-2. The Forest Service should analyze the impact to visitors that will have reduced opportunities to enjoy scenic vistas due to reduced motorized vehicle access routes. [Commenter: L00007; L000322]

Response: Thank you for your comment. The LRMP was developed to direct the management of the SNF. The LRMP identified the designated recreational travel routes and destination recreational areas deemed as important facilities for viewing and enjoying the SNF’s recreation settings and key scenic attractions. Consistent with the LRMP, these facilities and their corresponding viewsheds, were brought forward in this analysis and referred to as “key viewsheds.” An indicator measure was developed specifically to analyze effects from these key viewsheds.

V-3. Chapter 3, Affected Environment and Environmental Consequences, Visual Resources is outside the scope of this analysis and should not be included in the FEIS. [Commenter: L000223]

Response: Thank you for your comment. Visual Resources is within the scope of the analysis. As defined in the Forest Service Manual 2300, Chapter 2380-Landscape Management, the statutory authorities and Federal regulations for the management of landscape aesthetics and scenery (visual resources) within the National Forest System lies in several acts, including, but not limited to, the National Environmental Policy Act (NEPA) of 1969 and the National Forest Management Act (NFMA) of 1976. The Travel Management Rule and the LRMP are additional statutory authorities for the management of visual resources.

Cultural Resources

CR-1. It is felt the Motorized Recreation PA provides adequate mitigation alternatives to protect cultural resources while providing a motorized recreational experience. However, the SNF interpretation and application of mitigation measures was ultra conservative and resulted in complete routes being deleted without the opportunity to apply the mitigation available to the Forest. [Commenter: L000223]

Response: Thank you for your comment. The SNF used multiple criteria, including consideration of potential effects to cultural resources, to develop the alternatives. In cases where potential routes were not included in the alternatives in part or in whole because of cultural resource concerns, the SNF considered the social and financial costs of evaluation and potential mitigation, the need to include a route as part of a system, and other site-specific factors. There are a number

of routes included in the alternatives that have cultural resource mitigations per the stipulations of the Motorized Recreation PA.

CR-2. The Forest has misconstrued its obligations to apply the minimization criteria at a site-specific level during the route designation process and is proposing to designate roads through at least 27 known cultural resource sites (and quite likely many unknown sites) resulting in potentially negative effects to the heritage resources on those sites and in the analysis area. [Commenter: L000320]

Response: Thank you for your comment. The SNF has considered the effects to cultural resources in development of this undertaking, and has applied the stipulations of the Motorized Recreation PA in identifying historic properties, and determining and managing effects on historic properties in the area of potential effect, as described in the cultural resource reports and FEIS.

CR-3. Before motorized use is allowed on the routes considered to have a "moderate effect", a baseline of the condition of these sites must be established, which does not currently exist on a majority of the cultural resource sites. [Commenter: L000320]

Response: Thank you for your comment. Routes identified with a 'moderate' effect on cultural resources will have standard protection measures derived from the Motorized Recreation PA implemented to ensure that the cultural resource values will be protected. Monitoring alone is prescribed only where the effects are 'minor' and the origin, age, agent and severity of effect is ambiguous. Monitoring will be employed to more fully characterize the nature of effects, the need for evaluation, or whether additional management measures may be employed.

CR-4. The Forest Service must provide a monitoring plan with a dedicated funding stream. [Commenter: L000320]

Response: Thank you for your comment. Per the Motorized Recreation PA, the SNF will develop and implement a monitoring plan for at-risk cultural resources within one year of route designation.

CR-5. The Forest should complete mitigation for JG10 before the route can be designated for motorized use and placed on the MVUM. [Commenter: L000320]

Response: Thank you for your comment. Route JG10 will remain closed until mitigation is completed, as indicated in FEIS Appendix A-1.

CR-6. It is not clear from the description of the Effects Analysis Methodology that all of the potentially affected historic properties were inventoried in the field. [Commenter: L000320]

Response: Thank you for your comment. As described in the cultural resource inventory reports, all sites in the area of potential effect were visited and assessed in the field. Clarification was added to the FEIS section 3.6, Cultural Resources, to indicate such assessments.

CR-7. The Forest should not defer a field study on routes with high risk cultural resources. [Commenter: L000320]

Response: Thank you for your comment. See response above regarding development of a monitoring plan. Approximately two miles of proposed routes were deferred from cultural resource inventory per the stipulations of the Motorized Recreation PA. The PA requires monitoring of deferred routes; if effects or use changes, inventories will be completed. Per the Motorized Recreation PA, the SNF will develop and implement a monitoring plan for at-risk cultural resources within one year of route designation.

Chapter 3: Affected Environment and Environmental Consequences, Physical Environment

Air Quality

AQ-1. The Forest Service must prepare a comprehensive emissions inventory, which includes fugitive dust emissions, and then model these figures in near-field, far-field, and cumulative analyses. Without doing so, the Forest Service cannot know what impact these activities will have and whether it is complying with federal and state air quality standards. [Commenter: L000320]

Response: Thank you for your comment. The San Joaquin Valley is in attainment for PM10. Fugitive dust adds to the PM10 problem, but not to PM2.5. When dealing with human health we are more concerned with the smaller particles (PM 2.5).

The San Joaquin Valley Air Pollution Control District has exempted fugitive dust above 3000 feet. For the location below this elevation, fugitive dust created by the different alternatives will create a local not a regional problem when dealing with PM10. Also better roads may inhibit the production of dust. So doing nothing will probably create a bigger problem. Fugitive dust from the SNF is insignificant compared to how much dust is created in the Valley.

The Particulate Matter problems in our air basin come from anthropogenic sources (combustion engine emissions) and biomass burning, and not from fugitive dust. The activities permitted in the SNF are not going to increase due to the different activities proposed by the alternative or no action alternative. The activities are going to continue to be the same. Most of the pollution found in the SNF is created in the Valley and other urban locations and transported into the SNF.

Again, looking at the speciation of Particulate Matter, fugitive dust is an insignificant amount. Thus dispersion modeling is not necessary since we are not proposing drastic changes and the amount of visitors are not expected to increase, and we don't foresee a fugitive dust problem. Also, we don't have the resources to conduct dispersion modeling, it is a very expensive exercise and unnecessary, and it would be a waste of money.

AQ-2. Under Chapter 3, Affected Environment and Environmental Consequences, Public Health. The DEIS has not provided sound science to assert the concerns pertaining to natural occurring asbestos (NOA). The SNF has stated there is little to no known information available on this subject specifically with regards to OHV and other motorized activities. Therefore any assumptions are conjecture. We want this section relevant to NOA, including mitigation measures removed from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. The section on NOA has been modified in Section 3, Air Resources section to acknowledge what is currently known about NOA. A determination has been made that there is a low potential for NOA to occur in the project area and along the proposed routes, because NOA is known to occur in similar geology. If NOA is present along any of these proposed routes, it will occur in short, discrete sections along the routes. The exposure of NOA to the public will be minimal if at all, therefore the public health risk is low to no risk from NOA. The air quality mitigation measure that would have required the routes to be evaluated prior to inclusion on the MVUM has been removed.

Soil and Geological Resources

SG-1. The Forest is closing unauthorized routes and roads due to erosion. Erosion is a natural event in the mountains that can be fixed if the proper measures are taken. [Commenter: L000029; L000267]

Response: Thank you for your comment. All of the evaluated routes were included in at least one action alternative. Soil sensitivity, erosion potential and hydrologic function were evaluated to assign an overall risk rating that identified routes most susceptible to erosion and degraded soil productivity. The ratings were used to prioritize field review by the soils crew and watershed crew. All of the proposed routes were reviewed on the ground by either the soils crew or watershed crew. See the Soil Resource and Water Resources Effects Analysis Methodology sections in Chapter 3 for more discussion on how routes were evaluated. Field forms and photos are available in the project record. Only those routes that were assessed as having an Assessment Rating of 4 were excluded from Alternative 4. Some of those routes were included in Alternative 5.

SG-2. The Forest should reevaluate cumulative effects analysis for soils without regard to past activities. [Commenter: L000223]

Response: Thank you for your comment. The legal definition of cumulative effects requires the consideration of past, present and reasonably foreseeable future actions. “Cumulative impact ...the impact on the environment which results from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).

SG-3. The Forest should reconsider the 0.5 mile limitation for naturally occurring asbestos. [Commenter: L000223]

Response: Thank you for your comment. Section 3.9, Geological Resources, has been modified to include a section entitled “Recommended AML Assessment Priorities”. Routes within 0.25 and 0.5 miles of an abandoned mine land (AML) is strictly to prioritize assessment of AML under the AML Program. There are no proposed routes that are mitigated because of their proximity to AML.

SG-4. The Forest Service should use good science analyzed by professionals in developing their soil and geology impact analysis. [Commenter: L000258]

Response: Thank you for your comment. The Forest Service is confident that the FEIS has been predicated on the best available science analyzed by qualified professionals, including the analysis in the Soil and Geological Resources Sections.

Water Resources

WR-1. The OHV routes are point sources of pollutants with associated permitting requirements. [Commenter: L000320]

Response: Thank you for your comment. Roadways and OHV trails are non-point sources of pollution (see definitions and discussion of point sources and nonpoint sources at <http://www.epa.gov/watertrain/cwa/cwa52.htm>). Implementing BMPs (as specified in the site-specific prescriptive actions) and monitoring their effectiveness constitutes our compliance with the Clean Water Act for management of nonpoint sources. We believe that implementing the specified prescriptive actions will adequately protect water quality, and that no waste discharge permit will be required.

WR-2. The Water Resources section should analyze changes in road maintenance levels and vehicle classes. Additional BMPs should be included to address the impacts of these changes. [Commenter: L000106]

Response: Thank you for your comment. The same BMPs apply to all roads and motorized trails. The techniques used for BMP implementation may vary based on ML and vehicle type, but the intent of the BMPs to protect water quality applies. No additional BMPs are required for lower ML roads or for trails. In addition, as stated in Assumption #4 in the Water Resources section of the EIS, variations in the impacts of different vehicle types on established routes are not well-documented in literature. For these reasons, ML, vehicle type, and differences between roads and motorized trails were not considered to have distinct direct or indirect effects in the water resources analysis. The CWE analysis accounted for differences by applying different widths to the various types of trails. The FEIS has been updated to describe the road and trail widths used in the CWE analysis.

WR-3. The Forest should reduce road and stream crossing density in high value fish or wildlife habitat such as Riparian Conservation Areas and Critical Aquatic Refuges. There should be no motorized routes added in Riparian Conservation Areas and Critical Aquatic Refuges, and existing motorized routes in these areas should be closed, or motorized use should be limited by season and by number of users. [Commenter: L000138]

Response: Thank you for your comment. RCAs and CARs are land allocations with a specific set of Desired Conditions, Riparian Conservation Objectives, and Standards & Guidelines, none of which indicate that roads are incompatible. The Forest considered the effects of the routes being added to the NFTS in RCAs and CARs, and site-specific design features were developed where necessary to minimize their potential impacts to these areas, and ensure consistency with applicable management direction (see prescriptive actions in Appendix A and the RCO Consistency Analysis in Appendix J of the EIS, as well as the Water Resources section, 3.10). No routes are being added in meadows, which is consistent with the stated LRMP direction.

Because RCAs occupy such a large proportion of the landscape (ranging from 26 – 40% in the various AUs, see Water Resources, section 3.10), it is impractical to keep all roads out of RCAs.

WR-4. LRMP and SNFPA direction to protect and enhance riparian resources requires the SNF not just to end existing illegal use, or minimize additional damage to riparian areas under the action alternatives. It requires that both inventoried routes and existing NFTS roads that are impacting riparian resources be identified and considered for restoration or realignment. Removing traffic from unauthorized routes and adding routes to the system will not sufficiently correct impacts or meet SNFPA goals. [Commenter: L000320]

Response: Thank you for your comment. The existing use is “illegal” only in the area where cross-country use was prohibited in the 1977 OHV Plan. Outside of that area, the Forest has been open to cross-country use, which includes the use of the inventoried routes.

In the SNFPA ROD (USDA 2004), the Goals for Aquatic, Riparian, and Meadow Ecosystem and Associated Species are described as “endpoints toward which management moves watershed processes and functions, habitats, attributes, and populations” (p.32). No single project is expected to fully meet all SNFPA goals – they represent desired conditions to move towards. The RCO Consistency Analysis (Appendix J) documents the rationale for whether each alternative does this.

Although restoring inventoried routes is outside the scope of this project, data collection for the project has provided the opportunity to identify inventoried routes and areas that are causing damage to riparian resources. This information will be used to initiate future projects.

Evaluation of NFTS roads and trails for realignment, improvements or restoration potential is outside the scope of this project.

WR-5. The Water Resources analysis overestimated the number of stream crossings and, therefore, overstated the impacts of the routes. The analysis should contain a correction for this overestimate. It would be preferred for the EIS to rank routes in terms of low, moderate, or high risk of watershed impact rather than using these GIS-derived indicators. [Commenter: L000221]

Response: Thank you for your comment. The number of stream crossings is the only indicator in the analysis that included an element of “Order 0” channels. The number of stream crossings is used as an indicator, and is not construed to have specific impacts – the concept, supported by literature (Schnackenberg and MacDonald 1998, Coe 2006,) is that more crossings are more likely to have greater impacts. The numbers of crossings are only compared to each other, and because each number includes a similar amount of ‘over-estimation’, the comparisons are meaningful even though the absolute numbers are elevated.

There is not enough information to estimate the proportion of channels shown as Order 1 that are actually Order 0, which is why no ‘correction’ was applied. The EIS also explains that Order 0 unscoured swales collect and transport sediment to the channel network, although on a more episodic basis, than scoured channels. Therefore, it is not inappropriate to include the Order 0 crossings in these numbers.

Although GIS analysis was used to generate some basic indicators for the comparison of alternatives, the main basis for the determination of effects is the route-specific information collected in the field (reflected by the miles of documented erosion and numbers of stream diversion tables for each alternative in the Water Resources section, 3.10), and implementation of the prescriptive actions that are based on route-specific conditions (Appendix A). A qualitative risk assessment would present more uncertainty than the semi-quantitative indicators derived from GIS.

WR-6. The commenter claims this document has failed to address the SNFPA S&G #94: “As part of project-level analysis, conduct peer reviews for projects that propose ground disturbing activities in more than 25 percent of the RCA or more than 15 percent of a CAR. (S&G 94)”. Commenter requests the SNF to provide the peer review in the DEIS. [Commenter: L000223; L000070]

Response: All of the Riparian Conservation Objectives were reviewed for their applicability to this project. S&G #94 was determined to not be applicable - see Table J-4 in Appendix J of the FEIS. None of the alternatives would result in this amount of ground-disturbing activities in an RCA or CAR. This has been validated in the Cumulative Watershed Effects Analysis with all ground disturbances less than 14% in any given subdrainage. See Table 3-109 for total %ERA values by alternative for the subdrainages assessed in the Detailed CWE Analysis.

WR-7. The validity of the presentation of stream crossing and route density on sensitive soils (Table 111 in the DEIS) is reduced because the numbers of stream crossings are overestimated. [Commenter: L000221]

Response: Thank you for your comment. The table that presents route and stream crossing density on sensitive soils is part of the description of the Affected Environment. The route densities are not overestimated. As explained in response to the comment WR-5 above in more detail, the overestimation of stream crossings does not invalidate the analysis when the numbers are only compared to each other in order to indicate areas of relatively higher or lower risk.

WR-8. Some of the data presented in the Water Resources section (SCI, PFC, and Pfankuch stability ratings) either does not reflect present conditions or is not related to motor vehicle use. This data is not relevant to the analysis. [Commenter: L000221]

Response: Thank you for your comment. The EIS states that the utility of the SCI, PFC, and Pfankuch data is to describe the condition of stream channels and their sensitivity to disturbances, and to track changes over time. The relevance of the stream channel condition data is to establish where there are streams that are sensitive to disturbances that could be impacted by this project, as well as where there are stream reaches that are not likely to be affected. The information is relevant to describing the Affected Environment in which this analysis occurs. The description of this data has been clarified in the FEIS.

WR-9. The PFC condition rating performed in the Westfall Analysis Unit (AU) did not identify any impacts from roads or unauthorized motor vehicle use. This is surprising given that this is described throughout the analysis as having the highest potential for watershed impact of any AU on the Forest. [Commenter: L000221]

Response: Thank you for your comment. PFC was evaluated in one stream reach in the Westfall Analysis Unit. The reach was located in the upper portion of Soquel Meadow (in subdrainage 504.0014, which is under threshold for CWEs and was not included in the Detailed CWE Assessment), not in the Miami area. The characterization that the Westfall AU has the highest potential for watershed impacts does not imply that every stream channel in WES will be impacted equally; as shown by the stream data, almost half of the inventoried reaches in WES are Low sensitivity channels, where this project would not be expected to have an impact.

WR-10. The comparison of V* and visual observations is subjective and should not be part of the analysis. [Commenter: L000221]

Response: Thank you for your comment. This is information relevant to the description of the Affected Environment. Although V* has not been collected since 1996, an interdisciplinary team of qualified resource professionals (a geologist, a hydrologist, and a fisheries and aquatic species biologist) evaluated stream condition in 2008 - the comparison of the two different types of information is appropriate and informative.

WR-11. The GIS analysis used to describe direct and indirect effects is a qualitative method that does not allow comparison of numerical data as presented in the tables. The EIS should disclose that the data is qualitative and does not indicate the amount of sediment contribution from the routes. [Commenter: L000221]

Response: Thank you for your comment. GIS analysis to generate indicators such as numbers of stream crossings or miles of roads in RCAs is not strictly qualitative, it is semi-quantitative – it produces numeric values generated from discrete data sources. Because the numbers are indicators that do not directly express the impacts, they are used in a semi-quantitative manner. The EIS explains that GIS-based indicators have a relationship to watershed impacts, but does not suggest a specific relationship, for example, that a certain number of stream crossings indicates a certain volume of sediment contribution.

WR-12. A meaningful comparison of values between AUs should be presented in a statistical analysis. [Commenter: L000221]

Response: Thank you for your comment. The analysis was conducted by AU and ‘Forestwide’ (across all AUs, but not including Wilderness and other areas outside of AUs). The numbers for the AUs are presented to allow the reader to focus on areas of interest if they desire. Because the numbers are derived from analysis of GIS data rather than from a sample, statistics are not required in order to meaningfully compare them to each other.

WR-13. The threshold of use used to determine the range of positive, neutral and adverse effects to Watershed Resources should be identified. [Commenter: L000223]

Response: Thank you for your comment. There is no ‘threshold of use’ or ‘threshold of routes’ for Watershed Resources that, by itself, predicts positive, neutral, or adverse watershed effects. There are many factors that combine to determine the level of use that a given area can withstand. The Detailed CWE Assessment has considered these site-specific factors in determining the risk of CWEs of each alternative.

WR-14. The baseline condition in the DEIS does not include the 552 miles of inventoried routes. [Commenter: L000223]

Response: Thank you for your comment. The baseline condition presented in the Affected Environment for Water Resources, section 3.10, clearly includes the footprint and impacts of the 552 miles of routes, as shown in Tables 108, 109, and 110 of the DEIS (columns indicating values from Inventoried Routes, then Totals including Roads and Inventoried Routes). The inventoried routes are also included in the data presented in Table 111 of the DEIS. This data is shown in Table 3-76, Table 3-77, Table 3-78, and Table 3-79 of the FEIS. The effects of Alternative 1 also include all of these unauthorized routes, but makes the distinction between those that would be open for use under Alternative 1 and those that would be closed because they are located in areas where cross-country travel has been prohibited since 1977 (Table 115 in the DEIS; Table 3-83 in the FEIS).

WR-15. The elimination of use of 480 miles of routes will reduce effects, including road/trail densities and stream crossings. This reduction is not analyzed in the DEIS. Adverse effects of the alternatives are based on the false implication that actual miles of use will be increased. [Commenter: L000223]

Response: Thank you for your comment. We agree that the effects are reduced between Alternative 1 and the other alternatives in terms of the cumulative route density and number of stream crossings. The direct and indirect effects of closing the inventoried routes is described under Direct and Indirect Effects – Prohibition of Cross-Country Travel, and are also reflected in the CWE analysis.

The alternatives analyze the addition of routes to the NFTS, as directed in the Travel Rule, which is why the effects are stated as ‘additions’. The language calling them additions is consistent with the actions proposed in each alternative. We agree that the effects are not new on the landscape. The effects of the routes are additions to the effects of the NFTS in relation to Alternative 3, and reductions in total impacts on the landscape in relation to Alternative 1. Tables have been added to Water Resources, section 3.10 of the FEIS, to compare the risk of CWEs in each Alternative to Alternatives 1 and 3 in order to clarify this point.

WR-16. The effects of the 552 miles have been omitted from the existing condition baseline. If they had not been omitted, the analysis would have shown a greater decrease in CWEs. Because of this, there could be more routes added to the NFTS while still reducing CWEs from the current condition. [Commenter: L000223]

Response: Thank you for your comment. This is incorrect. The 552 miles were included in the baseline (see Tables 108, 109, 110, 111 of the DEIS, and the Baseline CWE Assessment), and the analysis does show a decrease in cumulative effects from the Alternative 1 baseline values in every other alternative. Tables have been added to show how the risk of CWEs in each alternative compares to both Alternatives 1 and 3 in order to clarify this point.

WR-17. The science, analysis, rationale, reference materials, and liberal interpretation of standard and guidelines used in the Water Resources analysis are over reaching and result in faulty conclusions. [Commenter: L000223]

Response: Thank you for your comment. The SNF is confident that standards and guidelines have been properly applied, and the FEIS has been predicated on the best available science analyzed by competent professionals arriving at sound conclusions.

WR-18. BMP 4-7 was inaccurately summarized in the DEIS and appears to apply to all motor vehicle use. Not all requirements of the BMP are met by the EIS. The BMP actually applies to the development of a Forest OHV Plan, and therefore should not apply to this EIS. [Commenter: L000223]

Response: Thank you for your comment. The summary of BMP 4-7 has been reworded to specify ‘OHV’ rather than ‘motor vehicle use’ in response to your concern. The BMP also appears in Appendix H, where it is clear that it applies to OHV use, not to all motor vehicle use. Items 2, 3, and 4 from BMP 4-7 are addressed in the project Monitoring Plan. While it is true that this BMP was written specifically to apply to OHV Plans, direction in Section 11.1 of Water Quality Management for Forest System Lands in California – Best Management Practices (USDA-FS 2000) describes that BMPs are to be applied whenever their intent to protect water quality matches a proposed activity, even if the BMP falls under a different category (Timber, Roads, Recreation, etc) than the proposed activity. Since BMP 4-7 was intended to minimize water quality impacts from OHV use, and Forest Service direction and the project Purpose and need clearly indicate that this is necessary for this project, this BMP does apply to OHV use under this project, as do several of the BMPs pertaining to the management of roads.

WR-19. The Standards and Guidelines (S&Gs) listed apply to NFS roads, not to OHV trails, which are significantly different. Many S&Gs are only partially documented and incomplete. [Commenter: L000223]

Response: Thank you for your comment. The S&Gs that do not apply specifically to OHV trails include SNFPA #70 and Sierra LRMP #77, 78, 129, and 210. However, S&G 92 goes on to state: “Ensure that appropriate mitigation measures are enacted to 1) minimize the risk of activity-generated sediment entering aquatic systems and 2) minimize impacts to habitat for aquatic- or riparian-dependent plant and animal species.” The trails result in similar disturbances, as a result of similar processes, as roads. Therefore, guidance for minimizing the effects of roads on riparian and aquatic areas applies to the effort of minimizing similar effects from the trails, and assists with implementing the direction in S&G 92. The specific ways in which the guidance is implemented will vary based on the intended use (the structures used on trails may be different than what would be constructed on roads), however, the strategies for minimizing impacts are the same. The verbiage of some of the S&Gs was abbreviated (#70, #92, #100, #129, #210); however the complete S&Gs are available in the project record.

WR-20. The requirement to bring routes to standard is not reasonable. BMPs are not being applied appropriately. [Commenter L000323]

Response: Thank you for your comment. Adding these routes to the NFTS is to be considered in the same manner as creating them, per the Travel Management Rule. If these routes were being constructed, they would meet the specified BMPs. The guidelines for analysis of this project directed that they were to be analyzed for RCO consistency as well. This does not imply that the existing road system will be shut down if BMPs are not met. The BMPs are being applied appropriately, per direction in Section 11.1 of Water Quality Management for Forest System Lands in California – Best Management Practices (USDA-FS 2000), as described in Response to Comment WR-18 above.

WR-21. We note an absence of determinations and analysis from protocol surveys to determine actual non-point source locations and cause. [Commenter: L000223]

Response: Thank you for your comment. The protocol used for data collection included the California State OHV Soil Loss Monitoring protocol required by the Green Sticker Grant ('Enclosure 5' of the grant materials, commonly referred to as 'Red-Yellow-Green monitoring'), and the OHV Stream Channel Crossing Wildlife Habitat Monitoring protocol ('Enclosure 7' of the grant materials), with modifications that were developed specifically for this project in order to characterize hydrologic connectivity of routes to streams, sediment delivery to streams, and condition of stream crossings. These methods were used to collect site-specific soil and hydrology data on a total of 203 miles of routes (103 miles of which are included in this EIS). The data is supplemented with photos. The information from the field data sheets was tracked in Excel, and imported into the project database. The information is too voluminous to present in the EIS, but is available in the project record. The field data, verified by notes and photos, was used to calculate the length of documented erosion features on each route and the number of diversions and potential diversions, and to specify necessary prescriptive actions to implement direction from the LRMP, including the SNFPA ROD (2004).

WR-22. The reference materials used as rationale for Analysis Methodology were not correlated with local ground conditions, vehicle capabilities and use rates. These references are suspect in representing effects that may be encountered on the SNF. [Commenter: L000223]

Response: Thank you for your comment. The applicability of the reference materials is described in the EIS. Findings of studies that were determined to represent very dissimilar areas, such as the effects of vehicle use on vegetation and ground cover on sand dunes, were not cited in the EIS.

WR-23. The note below Table 100 appears to imply that there are a larger number of order 1 streams than truly reflect the ground conditions. This would significantly increase the RCA identified for order 1 streams. We ask that the SNF correct this error to reflect accurate RCA acreage for order 1 streams. [Commenter: L000223]

Response: Thank you for your comment. The footnote to Table 100 (Table 3-68 in the FEIS) has been clarified to explain that not all Order 1 streams have RCAs delineated around them. The analysis did not overestimate RCAs and does not need to be corrected.

WR-24. Under Chemical Constituents and Oil and Grease, we note that the section makes an assertion that; "Motor vehicle use results in the introduction of chemical constituents, including oil and grease, into the environment". This statement is in conflict with a later sentence; "There is no data that suggests there is a problem with chemical constituents, including oil and grease, affecting beneficial uses on the SNF." [Commenter: L000223]

Response: Thank you for your comment. These statements are not in conflict. While oil and grease are introduced by motorized use, to our knowledge, this does not occur frequently enough or at high enough levels to affect beneficial uses on the SNF.

WR-25. Tables 108, 109, and 110 should be revised to compare alternatives. [Commenter: L000223]

Response: Thank you for your comment. Tables 108, 109, and 110 (DEIS) are in the Affected Environment section. The effects of the alternatives are described in the Environmental Consequences section (although the Affected Environment does describe the short-term effects of Alternative 1, No Action).

WR-26. Information about crossing improvements is needed in order to make an informed decision about the effects described by Tables 109 and 110. [Commenter: L000223]

Response: Thank you for your comment. Crossing improvements minimize direct impacts from vehicles on the stream banks and bed. However, studies have found that these improvements do

not preclude the road from being hydrologically connected, or from delivering runoff and sediment to the stream (this is documented in Bowling and Lettenmeier 1997, Coe 2006, and Wemple and others, 1996).

There is enough information for the deciding official to make an informed decision: the watershed analysis concludes that, with mitigations, the effects of Alternatives 2-5 are very small in relation to the effects of the NFTS, and are only relevant in a few areas such as in drainages with High and Moderate CWE risk, and in a few locations where a specific element of an alternative is not consistent with RCOs (see Table J-3).

WR-27. The Seasonal Closures and Year Round Prohibitions on Existing Roads information does not represent the true existing condition because it does not reflect roads that are inaccessible due to locked gates on access roads or roads where snow prevents use. [Commenter: L000223]

Response: Thank you for your comment. The direction was to analyze the changes from the 1998 closure plan. The SNF agrees that the open and closed mileages based on the 1998 closure plan do not accurately reflect the miles that are actually accessible for use, since many more miles of road are behind closed gates. However, the public has argued that cross-country use is legal, and it is legal to use roads that are accessed off of restricted roads if they do not have their own restriction, as long as one travels cross-country, not on the closed road, to get there. The effect of this is that the many updates to the road closure plan that actually clarify existing management appear as changes. It appears that more miles are closing (that were previously open) than is truly the case.

WR-28. The watershed section indicates that there is stream channel instability and sediment deposition in Miami Creek, but does not explain the reason for these conditions. This section should disclose that the proportion of the excess sediment that is attributable to the motorized routes has not been quantified. [Commenter: L000221]

Response: Thank you for your comment. The SNF believes that the stream channel conditions in Miami Creek are the result of cumulative watershed effects. It is true that no sediment budget has been developed for the Miami Basin to quantify the contribution of these routes to sedimentation in Miami Creek, or to determine the relative contributions of various sources of sediment to the stream system. However, information dating to the 1980s indicates that the OHV routes have been contributors through time. In the 1992 Miami Watershed Improvement Plan, 51% of the identified sites needing restoration in the Miami Basin were associated with OHV trails, and another 10% with roads (USDA 1992). Much of the work in the 1992 Watershed Improvement Plan has been completed, and more recent monitoring of the Miami trail network has shown that an active OHV trail maintenance program is needed in order to prevent deterioration of trail condition (Roath 2000, p.1). The field data collected on these routes in 2008 documented erosion and sediment delivery to streams on many routes – the site-specific data is in the project record. Rather than attempting to determine the specific sediment contribution of the routes in relation to other sediment sources in the Miami area, this project proposes to minimize the contribution of these routes by implementing the prescriptive actions shown in Appendix A – this is consistent with our direction (S&G 92) even if the routes are not the primary contributor to the observed watershed degradation.

WR-29. The watershed section should disclose that the proportion of the excess sediment in Miami Creek that is attributable to the motorized routes has not been quantified. [Commenter: L000221]

Response: Thank you for your comment. This has been clarified in the FEIS (see the Baseline (Current Condition) Cumulative Watershed Effects Analysis discussion for the Miami Creek

Drainage). Information dating to the 1980s indicates that the OHV routes have been contributors through time. In the 1992 Miami Watershed Improvement Plan, 51% of the identified sites needing restoration in the Miami Basin were associated with OHV trails (USDA 1992). Rather than attempting to determine the specific sediment contribution of the routes in relation to other sediment sources in the Miami area, this project proposes to minimize the contribution of these routes by implementing the measures shown in Appendix A – this is consistent with applicable direction from the SNF Plan Amendment Record of Decision (USDA-FS 2004a, S&G 92) even if the routes are not the primary contributor to the observed watershed degradation.

WR-30. The EIS does not provide adequate information to support that the condition of Miami Creek is degraded or that OHV use contributes to degradation. The commenter disagrees with the assessment of stream channel condition and notes that it is similar to conditions in Lewis Creek. [Commenter: L000221; L000223; L000267]

Response: Thank you for your comment. Miami Creek and Lewis Creek have both been evaluated for channel condition, channel sensitivity and cumulative watershed effects in the DEIS. This evaluation is backed by over 20 years of assessment work conducted by Forest Service hydrologists or aquatic biologists. See discussion in Chapter 3 of the FEIS under Water Resources – Affected Environment, Forest Wide – Baseline Cumulative Watershed Effects Analysis – Miami Creek Drainage and Lewis Fork Drainage. See Bazlen 1978, Adams 1996, and Gallegos 2009 in the project record for data pertaining to conditions in Miami Creek. The data indicates that Miami Creek is in a degraded condition from too much fine sediment, and that poor to moderate channel and aquatic habitat conditions exist in Miami Creek. Soils, hydrology and / or aquatic biology crews visited every route in the Miami area that was included in any alternative in the EIS during the summer of 2008. The data and digital photos, available in the project record, document that severe erosion problems exist on OHV trails in the area and that some of them contribute moderate to large quantities of sediment directly to streams. In contrast, the most recent review of Lewis Creek, conducted under the 2007 Cedar Valley Fuels Reduction Project and the 2008 Sugar Pine Fuels Reductions Project, found fine sediment within desired conditions, and overall good quality channel conditions and aquatic habitat. See Gallegos 2006, Gallegos 2008 and Strand 2008a for data on Lewis Creek.

WR-31. The conclusions about the Miami area are not accurate and are not based on recent information. [Commenter: L000223]

Response: Thank you for your comment. The conclusions regarding the Miami area are based on current information. The condition of Miami Creek was evaluated by a fisheries biologist, hydrologist, and geologist in 2008. They concluded that the condition of Miami Creek does not appear to be improving. Soils, hydrology and / or aquatic species crews visited every route in the Miami area that was included in any alternative during the summer of 2008 – the field data and digital photos are available in the project record.

Cumulative Watershed Effects

WR-32. The EIS should consider all potential sources of CWEs, and should provide the coefficients used for all disturbances in the analysis. [Commenter: L000221]

Response: Thank you for your comment. The Cumulative Effects analysis for Water Resources did consider all potential sources of CWEs. Disturbance activities included roads and OHV trails, vegetation management and logging activity, grazing, and land development (private and federal government) (see Gallegos, 2009 for more details on CWE analysis). See Appendix E for list of Past, Present and Reasonably Foreseeable Activities. Disturbance coefficients for all disturbance related activities are included in the CWE database and are available upon request. See USDA-FS

1990: Chapter 20 for full discussion on Cumulative Off-Site Watershed Effects Analysis including disturbance coefficients.

WR-33. The Water Resources section contradicts the CWE Analysis. [Commenter: L000221]

Response: Thank you for your comment. The purpose of the CWE analysis is to evaluate and describe the cumulative effect of this project when it is considered in addition to / in combination with the effects of other activities. Therefore, the areas where a High risk of CWEs is identified are not necessarily the same as the areas where the contributions from this project are the greatest.

The information cited in the comment is not contradictory. It means that of the 96 HUC8s that have inventoried routes and areas within them, the one containing the most ERAs attributable to those features is 503.0003, which has 2.37% ERAs from the inventoried routes and areas. Even though this subdrainage has more ERAs from routes and areas than any other HUC8 on the Forest, the total ERAs from all known disturbances is only 3.16%, which is below the threshold of 4%.

The comment did highlight an error in the DEIS that has been corrected in the FEIS: 503.0003 was described in the quoted passage as having a Low risk of CWEs, but was displayed in all tables as having a Moderate risk, which is accurate. The narrative has been corrected in the FEIS.

WR-34. The age of disturbances should be considered when analyzing cumulative effects. Most of the inventoried routes are over 25 years old and their impacts are no longer relevant to CWEs. [Commenter: L000223]

Response: Thank you for your comment. The age of disturbances are accounted for in the CWE analysis by applying a recovery coefficient to disturbances such as timber sales and fires. Roads and trails create a short-term disturbance when they are constructed. However, they also create a long-term disturbance from their continued presence on the ground and from their repeated use. While recovery is applied to disturbances such as timber sales and fires, roads that are being used do not recover – they remain compacted, continue to affect hydrologic processes as described in Chapter 3, and remain susceptible to erosion. The ERA model does not apply recovery to active roads, and did not apply recovery to inventoried routes in Alternative 1. It did assume that undesignated routes would recover over time in Alternatives 2-5.

WR-35. Chapter 3 stated that past activities would not be considered because the existing condition would be used as the baseline, but the CWE analysis included the effects of past activities. Past activities should be removed from the CWE analysis. [Commenter: L000223]

Response: Thank you for your comment. Past activities were used in order to describe the existing environment for the baseline ERA analysis, and recovery that has occurred since the time of the past activities was included in the calculations. This is standard procedure for ERA analysis. The cumulative effects analysis has not double-counted the effects of past activities, as you suggest. The CWE analysis complies with the stated direction and does not require re-evaluation.

WR-36. The limitations of the ERA model described in the EIS indicate that the Detailed CWE assessment model does not accurately show changes in impacts. The model was developed to account for the impacts of new ground disturbances like timber sales. [Commenter: L000223]

Response: Thank you for your comment. The ERA analysis is used to identify areas where a Detailed CWE Assessment is needed. The Detailed Assessment takes additional information into account to address the limitations of the ERA model. ERA stands for Equivalent Roaded Acres –

it uses roads as the basis for expressing disturbances and it was clearly intended to apply to roads and motorized trails.

WR-37. The assumption that no maintenance will be performed on inventoried routes is not valid and should be removed from the analysis of Alternative 1. [Commenter: L000223]

Response: Thank you for your comment. Maintenance is performed on designated roads and trails. Alternative 1 would not provide any new designations.

WR-38. Because the number of stream crossings is overestimated, and most (nearly 90%) of the crossings are dry when used, the CWE analysis should be revised where the number of stream crossings affects a conclusion. [Commenter: L000223]

Response: Thank you for your comment. Number of stream crossings was one of many pieces of information considered in the Detailed CWE Assessment. No conclusions were based solely on number of stream crossings. In addition, dry stream crossings are relevant to the analysis because sediment delivered to stream crossings that are dry when used is still transported downstream by subsequent flow events and affects water quality and aquatic habitat conditions.

WR-39. The EIS should display the soil erosion effects from management activities that have occurred in the Miami Basin since 1978, including timber sales, mastication, prescribed burns and wildfires, in comparison to the erosion from OHV use. [Commenter: L000223]

Response: Thank you for your comment. The Cumulative Watershed Effects (CWE) Analysis for the Miami Basin did take into account all disturbances and erosion including roads, OHV trails, timber sales, mastication areas, prescribed burns and wildfires. The CWE analysis uses ERA as an indicator of CWE. ERA is an indirect measurement of erosion and sedimentation. Please refer to the response to WR-40 for more explanation of the CWE analysis process. See subdrainages 503.0002, 503.0003, 503.0053, and 503.0054 in Tables 3-91, 3-93, 3-99, 3-106, and 3-109 of the FEIS for comparison of the ERAs attributable to OHV routes and effects on risk of CWEs in Miami Basin.

WR-40. The apparent accuracy of the ERA model (appears to be tenths of a percent) indicates two things: the watershed effects are so minimal that they cannot be accurately analyzed, and there is no difference in effects between alternatives. [Commenter: L000223]

Response: Thank you for your comment. Chapter 3 in the FEIS, Water Resources, Water Resources Analysis Methodology, Cumulative Effects section has been modified to include information on coefficients and ERA values used for roads and OHV routes. See Supplemental Cumulative Watershed Effects Report for ERA data attributable to OHV routes for Alternative 5. The relative contribution of ERA from the unauthorized routes varies from subdrainage to subdrainage and is discussed in the Baseline (Current Condition) Cumulative Watershed Effects Analysis. The contribution of routes in each alternative is shown as the difference in ERAs between Alternative 3, which includes none of the routes, and the alternative of interest. New tables have been added to the FEIS to facilitate the comparison of the risk of CWEs resulting from each alternative with Alternative 1 (the existing condition including all inventoried routes) and Alternative 3: Alternative 2 = Table 3-90, Alternative 3 = Table 3-93, Alternative 4 = Table 3-98, Alternative 5 = Table 3-105. Table 3-109, Summary of Detailed CWE Assessment, shows the ERA contribution from OHV routes by comparison of Total ERA Percent for Alternative 3 and Alternative 1.

The ERA model and the values that are presented are used to identify subdrainages that should have a detailed assessment, which includes reviewing channel and aquatic habitat condition in the subdrainage of concern. The detailed assessment includes process-based field assessment and the

consideration of the number of OHV route channel crossings. The primary and most important consideration for cumulative effects in subdrainages where a detailed assessment was conducted is the field data. The ERA values are secondary to the field data. The subdrainages listed in Table 3-109 all had detailed assessment where field data was recently collected. This field data in combination with the ERA values was used to make the CWE risk determinations. See discussion under Water Resources – Water Resources Analysis Methodology – Cumulative Effects.

WR-41. The effects of the inventoried routes are not properly accounted for in the CWE analysis, based on the assumption that all unauthorized routes are 8' wide and have similar impacts as roads that are 12' to 24' wide and have cut and fill slopes. The unauthorized routes are generally less than 50" wide and do not have cut or fill slopes. [Commenter: L000223]

Response: Thank you for your comment. Unauthorized routes were accounted for in the CWE analysis. There is no reference to an assumption of a width of 8' in the DEIS. The Cumulative Effects analysis for Water Resources did consider all potential sources of CWEs. Disturbance activities included roads and OHV trails, vegetation management and logging activity, grazing, and land development (private and federal government) (see Gallegos, 2009 for more details on CWE analysis). See Appendix E for list of Past, Present and Reasonably Foreseeable Activities. Disturbance coefficients for all disturbance related activities are included in the CWE database and are available upon request. See USDA-FS 1990: Chapter 20 for full discussion on Cumulative Off-Site Watershed Effects Analysis including disturbance coefficients.

The description of the CWE analysis has been clarified in the FEIS (section 3.10, Water Resources, Cumulative Effects, Methodology) to disclose the widths that were used for the routes in the analysis.

WR-42. Gallegos reports that two of the Miami Creek sub watersheds are rated as having a high risk of CWE's, HUC-7 sub watersheds 503.0053 and 503.0054, however these had naturally unstable channels (30% - 21%) and natural sensitivity. [Commenter: L000221]

Response: Thank you for your comment. That is a correct statement. Naturally unstable and sensitive channels are response reaches and are highly susceptible to disturbances in the watershed. Their current condition is not solely due to their naturally unstable and sensitive nature.

WR-43. The contribution of impacts from OHV trails to watershed impacts in Miami Creek is not supported by evidence provided in the DEIS. Neither Strand (2008) nor Gallegos (2009) describe the source of sedimentation or channel instability. There are many activities besides motorized vehicle use that contribute to CWEs in Miami Creek. [Commenter: L000221]

Response: Thank you for your comment. The statement that the trails are likely contributors to CWEs is based on trail condition and sediment delivery data collected in 2008, which, along with photos of the eroding trails, is available in the project file. This has been clarified in the FEIS. Information existed prior to the summer of 2008 that suggested that the OHV trails are eroding and contributing to degraded watershed condition. The 1992 Miami Basin Watershed Improvement Plan (USDA 1992) lists 83 known sites in need of restoration, of which 42 (51%) are associated with OHV trails and 8 (10%) are associated with roads. Roath performed monitoring on OHV trails in Miami between 1989 and 2000, and also prepared a Soil and Watershed Monitoring Report for Miami Creek in 1991. These reports are available in the project record, and a summary of the relevant conclusions of these reports has been added to the Water Resources Specialist Report (Gott 2010).

In recent years, road and trail improvements have been made in an effort to minimize erosion and sediment delivery in Miami, and some but not all of the rehabilitation work recommended in earlier reports has been implemented. The prescriptive actions specified in this EIS for OHV routes in Miami are based on these earlier recommendations for managing trails in the Miami area, as well as on applicable standards and guidelines and BMPs.

WR-44. There is no discussion of the effects of the recent drought (the lack of rain events to produce flushing flows) on sediment accumulation in Miami creek. [Commenter: L000223]

Response: Thank you for your comment. The EIS does not specifically discuss the effects of the recent drought on sediment accumulation. However, documentation of sediment accumulation dates back over 20 years, and therefore is not likely to be attributable to the current drought. The EIS does display sediment data that spanned a year with very high flushing flows (1995), and discusses that the data showed little change in deposition as a result of the event, indicating that sediment delivery replaced the sand that was transported downstream by that event.

WR-45. [Duplicate of WR-44]

Chapter 3: Affected Environment and Environmental Consequences, Biological Environment

Botany

B-1. The Botanical Resources section is asserting that this DEIS identifies “ground-disturbing activity in areas that sensitive plants are known or suspected to occur.” The commenter feels that elimination of cross-country travel and designating a system of routes does not constitute a ground disturbing activity and would like any references to survey requirements prior to designation of routes removed from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. The Forests were directed to consider that this project constitutes a ground-disturbing activity, requiring surveys for sensitive plants and noxious weeds as directed by the Forest Service Manual (FSM 2670) and the LRMP.

B-2. The DEIS does not provide the science that supports the assumptions used in the Botanical Resources Analysis, specifically, #1, #3, and #4. We want any references to these assumptions removed from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. These assumptions are based on widely available literature on the effects of off-highway vehicles on vegetation, soils, hydrology, and rare plants. This section and the introduction have been edited to make this clearer in the FEIS.

B-3. Botanical Resources Indicators and Methodology: This section fails to describe what and how impacts are created based on numbers of miles of roads and routes in relation to plants and their locations. We want the SNF to display the different impacts created resulting from location, use levels, time of year and reevaluate the conclusions found in this section. [Commenter: L000223]

Response: Thank you for your comment. This section has been made clearer in the FEIS. The basis for selecting miles of roads and routes as an indicator is supported by extensive literature on the effects of roads and OHVs on rare plants and by the observations of SNF botanists. The SNF selected season of use (overall number of miles open for use each month of the year) as an indicator based on the fact that most places on the SNF open up when the snow comes off or

when the rainy season ends and that usually coincides with the germination and growth of rare plant species.

B-4. This section does not address the direct effect of designating routes which confine the travel width from 2 feet to 12 feet. By implementing these routes and eliminating cross-country travel you eliminate any effects to plants that are not located directly within the travelway, and within the 100 and 200 foot corridors. For use areas and route travelways containing plants of concern, simple mitigation measures including reroutes, and barriers are examples of protection measures that could be applied. We want the SNF to incorporate these points and reevaluate your conclusions in this section. [Commenter: L000223]

Response: Thank you for your comment. The suggestions regarding mitigation measures are excellent points and are being used to protect rare plants and to prevent weed spread (please see EIS Appendices A and B for specifics). The effects analysis does acknowledge the benefit to rare plants of restricting future travel to a narrower band of 2 to 12 feet. Despite the benefit of narrowing the travelway to a 2-12 foot corridor, this does not eliminate indirect effects, which originate within the 100 foot corridor. Indirect effects make up the majority of botanical resource/noxious weed effects. For example, the introduction of weed propagules (usually seeds) along the 2-12 foot travel corridor can reduce or degrade habitat for rare plants when weeds establish and expand to a larger area.

B-5. Table 152 displays existing road systems that are currently open for motorized public access. The SNF states; Changes to the season of use for roads and routes under Alternative 5 are not expected to affect SNF TES species in a significant manner.” Also “The direct/indirect effects of these road closures will be small but positive for TES species as a whole.” The SNF has determined with their own conclusions that significant impacts to these plants are not expected. The consequence of this action creates a significant adverse impact to the public from a recreational perspective. We want the SNF to continue to allow at minimum, seasonal access for the roads identified in Table 152. [Commenter: L000223]

Response: Thank you for your comment. The road closures as analyzed in Alternative 5 would bring mostly small, positive impacts to affected rare plants. This information will be weighed with all other considerations including recreational opportunities under Alternative 5 by the deciding official when making the final decision.

B-6. In light of the "no effect" result of the Biological Evaluation, the Botanical Resources Effects chapter in the DEIS was examined, to determine the integrity of the scientific methods used in this DEIS. To illustrate this, please refer to the REVIEW OF: METHODS TO COMPLETE WATERSHED ANALYSIS ON PACIFIC LUMBER LANDS IN NORTHERN CALIFORNIA Review prepared for the National Marine Fisheries Service by Dr. Leslie M. Reid, USDA Forest Service Pacific Southwest Research Station. October, 28, 1999. This review provides specific guidance on how to develop an analysis that is accurate, complete, and has scientific integrity. On page 8-9 Issue 2: Identifying, Quantifying and Demonstrating Cause and Effect (Relationship) "However, for a significant relationship to be found, data must be accurate enough that variance is sufficiently low to allow the relationship to be identified.” [Commenter: L000258]

Response: Thank you for your comment. The Biological Evaluation contains “no effect” determinations for some, but not all rare plant species, and the determination varies from species to species depending on the alternative in question. Thus the understanding that the Biological Evaluation has an overall “no effect result” is inaccurate. The point is well taken that applying the best available science is important for effects analyses. However, the Reid paper refers to hydrologic modeling and the adequacy of the data provided for such models. Principles relating to hydrologic modeling and Cumulative Watershed Effects analyses are not directly applicable to

the botanical resources effects analysis. However, in response to these comments, the FEIS provides a more clear understanding of the scientific basis for gauging effects of the alternatives on rare plants.

B-7. The commenter objects to the use of proximity of rare plant populations to routes as an indicator for the botany effects analysis, and states that the key elements of an analysis of the human effects on the environment are: human action or activity; environmental change over time; and a provable (or reasonably identifiable) relationship between them. The commenter claims that this DEIS lacks the fundamental ingredients needed for a scientifically credible analysis and that the agency's standards for such analyses are not met. The commenter claims that the botanical effects analysis should contain statistical analysis of the indicators and feels that the rationale for the selection of the indicators and how they are used is not clear enough. The commenter assumed that the primary discussion of the indicator "number of rare plant populations or sensitive habitat areas affected by changes in road closures" occurs in relation to Forest Order 15-90-22 on page 280 of the DEIS. [Commenter: L000258]

Response: Thank you for your comment. The FEIS contains a clearer description of the logic of proximity of routes to rare plants as an indicator. This should help with understanding that comparison of the baseline number of plant occurrences to the routes proposed in the action alternatives provides a semi-quantitative comparison for the effects analysis. The FEIS better explains the context for this use of numbers to assess relative risk.

In response to the commenter's concern with the indicator for the number of plant populations affected by road closures, the FEIS contains clarifying text making it easier to see that each alternative uses this indicator under the heading "Changes to the NFTS" and the subheading "SEASON OF USE," and that the primary use of this indicator is actually not related to the Forest Order discussion at the beginning of the Environmental Consequences sections. In addition, this indicator was discussed in the DEIS under Alternatives 2, 4, and 5 in Tables 144, 148, and 152. The Biological Evaluation has also been strengthened in response to this comment, incorporating observations of OHV impacts to several sensitive plant species where the Forest has documented problems in the past, and providing a better understanding that there is a logical relationship between proximity to routes and likelihood of negative impacts to rare plants.

Although it would be ideal to have more data and more research on the effects of motorized vehicles on each of the rare plant species being analyzed, there is no requirement that botanical effects analysis for NEPA decisions use statistical methods. There can be no historical or empirical analysis of cause-and-effect relationships for plant occurrences and OHVs because there is no data that pre-dates OHV presence on the SNF in order for that comparison to be made. In addition, plant populations change over time in numbers and in area, with annual species being especially dynamic.

B-8. The commenter states that effects to rare plants as a result of the Forest Order 15-90-22 (DEIS p. 280) are not adequately disclosed and implies that the Forest Order would not have been likely to significantly change conditions for rare plants in the Sierra National Forest. The commenter assumes from the discussion on p. 280 of the DEIS that the primary impact to rare plants is from motorcycles and posits that effects from motorcycles are self-limiting due to terrain and vegetation. The rationale is that motorcycles are light on the land and in the opinion of the commenter comprise only a small percentage of forest recreation activities. The commenter concludes that "The footprint of the motorcycle trails in any given land base is rarely more than 0.003 percent--that is, three one-thousandths of one percent. This leaves 99.997 percent of the open area available for the plants." The commenter suggests that the impact to rare plants is statistically insignificant when taken in context

with other activities occurring in the forest. The commenter makes the point that in some cases rare plants are found growing directly in roads or tracks, and asks that the Forest demonstrate whether the presence of OHV disturbance can be correlated with an increase or a decrease in rare plants. [Commenter: L000258]

Response: Thank you for your comment. Forest Order 15-90-22 is discussed under Alternative 1 in order to characterize the current condition of botanical resources on the SNF in relation to the action. This section of the FEIS has been strengthened in response to points made about cause and effect in this comment. There are no data on numbers of plant occurrences to compare to before the Forest Order was made; therefore the analysis is qualitative in nature and reasonable judgment was used to determine the potential effects of OHVs on TES plant occurrences, focusing on habitat guilds. The judgment is based on documented effects to native plant communities and rare plants in the scientific literature as well as on-the-ground observations of SNF botanists. It can be stated with relative certainty that TES plants did not increase as a result of cross-country travel. Instead, at best, the effect to most plant communities was neutral and most likely was slightly negative. Within areas affected by the Order, there is photographic and observational evidence of motorized vehicle damage to rare plants and rare plant habitat, summarized in the FEIS and detailed in the Biological Evaluation (e.g. Kellogg's lewisia, Yosemite lewisia, orange lupine).

The suggestion that only 0.003 percent of native plant communities are affected by motorcycle trails is not supported with empirical evidence for the SNF, and even if this number were roughly true across the 660,000 acres outside of wilderness, it does not account for the fact that habitats for many SNF rare plants receive a disproportionate amount of motorcycle and other motorized traffic.

Regarding the point that rare plants are sometimes found growing in routes or roads: several species of rare plants evolved to withstand or even thrive after natural disturbances (e.g. fire, wind-thrown trees, avalanches, etc). Depending on the species and its life form (annual, perennial, shrub) the response to natural or human-created disturbance varies with timing, intensity and frequency of disturbance, and many other factors. An OHV passing through habitat of an annual plant such as the orange lupine after seed set and when the soil is dry may result in little or no damage compared to passing through when seedlings are emerging and the soil is wet and prone to compaction. There are real impacts to rare plants because of use of rare plant habitat by OHVs.

B-9. The claims made on DEIS pages 282 (about effects to Blandow's bog moss which has suitable habitat but is not yet known to occur in the SNF) and 306 (that overall effects to rare plants are greater under Alternative 1) are conjecture and are not in accordance with CEQ regulations on the disclosure of unknown information (40 CFR 1502.22). Disclosure and consideration of importance come first. Assumptions such as the one cited from page 282 above amount to nothing more than conjecture because 97 percent of the habitat is not affected by road-and trail-based recreation. [Commenter: L000258]

Response: Thank you for your comment. In reference to the assessment of likely effects to Blandow's bog-moss, the point is that it is highly likely that undiscovered populations of this moss (not fungus) do occur in the Forest, and that judging effects to riparian habitat (guild) is the best proxy at this time as there have not yet been exhaustive field surveys conducted across the SNF. Regarding the charge that the quote from p. 306 is conjecture: the conclusion that Alternative 1 has a greater likelihood for rare plant impacts is the professional judgment of the SNF botanists based on their review of the scientific literature about OHV impacts to rare plants, their experience on the SNF working with OHVs and rare plants (25 combined years of experience), and is based on information presented in the preceding pages, which have been

augmented in the FEIS to clarify the basis for this statement. The commenter expresses the opinion implicitly that the Forest should be basing the assessment of impacts on the fact that 97 percent of the land base is unaffected by road and trail based recreation. No citations are provided supporting this number.

B-10: Regarding the statement about Assumption #1 on DEIS page 266- it is utterly impossible for vehicles that are on the roads to "crush and break stems" more than or even the same as vehicles off the roads. 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." Because "Vehicle use on and off established routes has affected or has the potential to affect" is a statement intended to cover any 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. Alternatively, Assumption # 1 is saying, we don't have any idea what will happen when we restrict every vehicle to designated routes, so we need assumptions that cover any possible scenario, no matter how far-fetched. Item # 4 on page 266, belongs in the soils analysis. The botanist is overstepping his/her area of expertise by making this assumption. [Commenter: L000258]

Response: Thank you for your comment. The point of Assumption #1 is to explain the types of impacts that motorized vehicles have on rare plants, and to set the stage for evaluating the relative effects of the alternatives. The botanists agree that impacts are much fewer when vehicles are restricted to existing roads, but the assumption is needed to evaluate the differences among the action alternatives, and to acknowledge that there are impacts associated with even a designated system. In reality, vehicles do vary at least somewhat from the routes; for example if two vehicles encounter each other and one needs to edge off the route to allow the other to pass. This assumption is made with this type of scenario in mind and to encompass the indirect effects that are possibly more important to rare plants and their habitat than direct effects. Because plants grow in soil and are affected by soil movement, the assumption about sediment production and erosion are considered to be within the botanists' realm of expertise.

B-11. Was the proximity of a route to plants of concern the rationale to determine if a route was included in an alternative? Could routes have facilitated the spread of plants of concern? [Commenter: L000258]

Response: Thank you for your comment. Mere proximity of a route to rare plant occurrences did not automatically mean that it would be dropped from further analysis. There are many instances where routes are near rare plants and impacts are few to none, or can be mitigated. The latter part of the comment implies that the proliferation of routes is positively correlated with the expansion of rare plants. As an overall statement pertaining to all 49 species of TES plants in the SNF, this is not true. In some cases the opening created by a road or route has been conducive to the expansion of certain annual plant species (e.g. orange lupine in areas already occupied by the species). This observation cannot be taken to mean that the more roads there are, the more rare plants there will be.

B-12. The commenter has reviewed the Botanical Resources citations, and found all to be either inappropriately used in this analysis, or outdated and discredited by the passage of time and events.

Most of the resource disciplines use this methodology (proximity is the sole metric, the literature is inaccurately cited or out-of-date, statements that attempt to address any and all conflicting and/or far-fetched possibilities are unavoidably conjectural). [Commenter: L000258]

Response: Thank you for your comment. The references cited were deemed by the botanists to be relevant to the analysis; however the FEIS contains additional references and better addresses the use of proximity as an indicator.

B-13. One fen will be directly or indirectly affected by an existing unauthorized route proposed for addition to the NFTS. Although it is located across a road from the proposed trail, erosion and drainage from the trail threaten to have negative impacts on the fen habitat (p. 295). While Appendix B describes Best Management Practices for maintenance and monitoring, it does not provide specific measures to protect fens or other sensitive habitat from direct encroachment or other potential impacts resulting from easy access. Recommendation: Describe and implement mitigation measures specific to the protection of fens and other sensitive habitats adjacent to designated routes. [Commenter: L000106]

Response: Thank you for your comment. Consideration of fens (listed in the 2004 Sierra Nevada Forest Plant Amendment ROD under Riparian Conservation Objective #5, S&G #118) is an essential component of any project on the SNF. The Forest has been conducting an inventory of fens since 2002, resulting in a GIS map and database documenting at least 50 meadows with fens in the Forest, most of them in good condition. However, the fen mentioned in the comment is located across from an identified route that is considered for being brought into a potential transportation system. Specific mitigations will be finalized with a SNF hydrologist, botanist, aquatic biologist and recreation specialist refining the recommended measures which may include: a wet season closure, drainage improvements, sediment filter, low-water crossing, and minor re-alignment of the proposed trail. It is important to note that in the action alternatives, this is the only route that may pose negative effects for fen habitat. Other routes do not cross or come near identified fens on the SNF. The importance of fens to Forest Service managers is reflected in a new Proper Functioning Condition protocol for fens, recently published and being used in the SNF this year (Weixelman, D.A., and Cooper, D.J. 2009. Assessing Proper Functioning Condition for Fen Areas in the Sierra Nevada and Southern Cascade Rangers in California: A User Guide. USDA R5-TP-028. April 2009).

B-14. The Forest Service should clarify the relative impacts of the alternatives on botanical resources. [Commenter: L000258]

Response: Thank you for your comment. See summary of effects of alternatives on botanical resources in Table 2-8, DEIS p. 36, and detailed analysis, Section 3.8.4, DEIS p. 217. Rare plant viability will be maintained for all species in all of the action alternatives. See DEIS, Environmental Consequences, Botanical Resources and/or the Biological Evaluation for sensitive plants.

B-15. The commenter is concerned that readers may come away with a misperception with regard to the relative impacts of the alternatives on botanical resources. The commenter has concluded that there are no differences in effect between any action alternative and Alternative 1. [Commenter: L000258]

Response: Thank you for your comment. Readers are encouraged to read the biological effects sections in Chapter 3 and review the comparison alternative tables in Chapter 2 to determine relative impacts between alternatives.

Noxious Weeds and Invasive Species

NWIS-1. The commenter is concerned with OHV impact and noxious weed species, particularly the dissemination of invasive weed species throughout the Sierra National Forest as areas are opened up to motor vehicles. Increased motor vehicle/OHV use will lead to increased soil disturbance and distribution of noxious weed seeds, not only along the

right-of-way areas, but also into other areas of the forest as well as being transported out of the area on vehicles parked in the yellow star thistle infested staging areas. Implementation of the preferred Alternative 2 has a high risk for the spread of existing noxious weed infestations and for the introduction of new weed infestations as well as for indirect and direct effects on native vegetation and soils, whereas Alternative 3 would present a much lower risk for spreading noxious weeds. While most of the forest is considered relatively weed free, the lack of weed infestation in most areas of the Sierra National Forest may be due to less access onto the forest by motor vehicles. It is reasonably foreseeable that, with the implementation of Alternative 2, invasive weed species such as yellow star thistle will continue to spread on the Sierra National Forest and will be introduced into native plant communities over both the short and long term whereas Alternative 3 would present a much reduced chance for their introduction in comparison to the other alternatives.

[Committer: L000066]

Response: Thank you for your comment. The control and eradication of noxious weeds is a high priority for the SNF, and will play an integral part in implementation of the Travel Management project. Many of the points made in the comment are also made in the affected environment and environmental consequences sections of the DEIS. Certain species of weeds, such as yellow star thistle, spotted knapweed, and scotch broom (to name a few) are the focus of the SNF's efforts due to their aggressive propagative ability, tenacity, and ability to dominate local biotic communities. In addition, the SNF is a founding member of the Sierra-San Joaquin Noxious Weed Alliance, working to combat yellow star thistle (and other invasive plant species) in the Sierra Nevada. With the exception of Alternative 1, there are mitigation measures built in to reduce the spread and establishment of noxious weeds resulting from the implementation of the project. Routes will receive manual treatment (hand-pulling, weed wrenching, hand tools, etc.) before and during their establishment on the Sierra Motor Vehicle Use Map, which will indicate the new OHV system. It is also important to note that the selection of any alternative outside of Alternative 1 will effectively reduce OHV use to an established system, whereas now OHV users can ride their vehicles cross-country almost anywhere in the non-wilderness portions of the SNF. This reduction in area traveled will mean increased use for the routes comprising the new system but the banning of cross-country travel will greatly diminish the probability of spreading weeds such as yellow star thistle to other parts of the SNF. Having an established system will also make it easier to monitor, map, and control noxious weeds that are spread due to OHV use.

The SNF has been successful in working with California Department of Food and Agriculture and the counties in eradicating infestations of spotted knapweed (A-rated), as well as B-rated weeds such as perennial pepper weed and hoary cress. SNF noxious weed program managers would appreciate any specific information on staging areas with yellow star thistle that the commenter could provide as these types of areas would be top priority for prompt control.

NWIS-2. The commenter hopes that the Sierra National Forest would take into consideration their concerns about invasive weed species and the very real possibility that increasing motor vehicle/OHV traffic in the forest as proposed by Alternative 2 will provide an avenue for the proliferation of noxious weeds, not only in the areas where they currently exist, but also into new areas of the forest and onto adjacent private lands as well as public right-of ways outside the forest boundaries. [Committer: L000066]

Response: Thank you for your comment. It is acknowledged in the DEIS that OHVs are known vectors for the spread of noxious weeds, and this is why mitigations for selected routes from any of the action alternatives include prompt treatment of weeds to prevent their proliferation as a result of motor vehicles. This work has already begun during 2009 and will continue until the routes are free of invasive weeds.

The issue of weed spread via OHVs is discussed in the EIS and is one of many factors the decision maker uses to select an alternative. The SNF works in partnership with the counties, State agencies, and other federal agencies to address common problems of weed spread and infestations that cross property boundaries. The selection of any alternative other than Alternative 1 would reduce the amount of OHV use (in overall acreage). Alternative 2, if chosen, reduces the current amount of known available roads and trails for OHVs to use and therefore would reduce the risk for spread of noxious weeds by such means. Mileage would decrease from 479 known miles (and cross-country use) that exists now to 44 miles of routes and six miles of roads. This would lessen the risk for many miles of roads and trails for invasive plant spread due to motor vehicles. Prohibiting cross-country travel effectively reduces the probability of OHVs being vectors for noxious weed propagules to a more manageable system than currently exists. It does not *eliminate* that risk of spread by OHVs but the amount of forest being accessed by motor vehicles will be much smaller. Additionally, with a defined system in place, the task of controlling and monitoring weed populations can be more focused and efficient. Routes leading to private lands were not brought into this EIS and so the direct threat of spread to private lands is minimal.

NWIS-3. Parking cars and trucks along roads would create fire and other safety hazards for visitors; additional and unnecessary damage to roads will lead to increased maintenance costs, and that off road parking will be detrimental to efforts to control noxious weeds.
[Commenter: L000172]

Response: Thank you for your comment. The parking of vehicles alongside roads and trails does add risk of introduction of spread of noxious weeds; however, some of these activities are outside the scope of this EIS. These threats currently exist and will continue to exist after the implementation of any of the alternatives for the Motorized Travel Management project. Existing National Forest Transportation System roads are not included in the scope of this EIS but the inclusion of new routes was analyzed for potential effects from invasive plant species and mitigations were included to minimize the effects of vehicles using these new routes. Mitigations for noxious weeds include manual treatment of routes identified with noxious weed occurrences. Monitoring of new system OHV routes is expected to occur on a regular basis and noxious weed surveys would be a key component of that monitoring.

NWIS-4. The relatively noxious weed-free condition of the Sierra National Forest portrayed in the DEIS is a reflection of the existing condition of the SNF management activities including cross-country travel since at least 1977. The conclusions reached in the Noxious Weed analysis as a result of any action alternatives, all of which will result in significant loss of access to the SNF, are not consistent with the defined existing condition of the SNF.
[Commenter: L000223]

Response: Thank you for your comment. The spread of noxious weeds in the SNF has been especially rapid since about 1998. The state of the SNF has changed since 1977, and without the vigilance of the SNF weed program managers and cooperators such as the State and Counties (and many others), yellow star thistle, spotted knapweed, Scotch broom, and Italian thistle would be much more abundant than they are currently. In addition, the EIS describes the degree to which motorized recreation has increased in the past decades, and motor vehicles of all types are well-known to be vectors for weed spread. The FEIS has been strengthened to better describe the weed control efforts that prevent the SNF from becoming as badly infested by noxious weeds as other regions in the State. The current condition of relative weed-free higher elevation areas would be upheld as the result of implementing any of the action alternatives rather than Alternative 1 (cross-country travel allowed) which would increase the risk for noxious weed spread at all elevations.

NWIS-5. The assumptions made in the Noxious Weed section of the DEIS identify the project as ground disturbing activity in areas where noxious weeds are known or suspected to occur. The actions of eliminating cross-country travel and designating routes do not constitute ground disturbing activities. We want any references to survey requirements prior to designation of routes removed from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. The Forests were directed by the Regional Office to consider that this project constitutes a ground-disturbing activity, requiring surveys for noxious weeds as directed by the Forest Service Manual (FSM 2670) and the LRMP. Surveys conducted for this project revealed the presence of noxious weeds along many of the routes proposed for designation (e.g. DEIS Table 154), with the result that the SNF is actively controlling these infestations beginning in 2009.

NWIS-6. Under Assumptions Specific to the Noxious Weed Analysis. This document does not provide the science that supports these assumptions. We want any references to these assumptions removed from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. Assumptions provided are standard language developed by the Regional Office for these reports, and are based on widely available scientific literature and the history of weed spread and control in the SNF. The effects of OHVs on the introduction and spread of noxious weeds is discussed in the introduction to the noxious weed report with pertinent citations given. This section has been strengthened in the FEIS to underscore the scientific basis for the assumptions.

NWIS-7. Under Noxious Weeds Indicators and Methodology. This section fails to describe what and how impacts are created based on numbers of miles of roads and routes in relation to plants and their locations. We want the SNF to display the different impacts created resulting from location, use levels and time of year and reevaluate the conclusions found in this section. [Commenter: L000223]

Response: Thank you for your comment. This section has been made clearer in the FEIS. The basis for selecting miles of roads and routes as an indicator is fairly straightforward and is supported by extensive literature on the effects of roads on weed spread and by the observations of SNF weed program managers. The SNF selected season of use (overall number of miles open for use each month of the year) as an indicator based on the fact that most places on the SNF open up when the snow comes off or when the rainy season ends and that usually coincides with the germination and growth of most weed species. Thus vehicles would be on routes when seeds are being shed and are most likely to be carried by passing vehicles (on undercarriage, tires, or in crevices).

NWIS-8. This section does not address the direct effect of designating routes which confine the travel width from 2 feet to 12 feet. By implementing these routes and eliminating cross-country travel you eliminate any effects to plants that are not located directly within the travelway, and within the 100 and 200 foot corridors. For use areas and route travelways containing plants of concern, simple mitigation measures including reroutes, and barriers are examples of protection measures that could be applied. We want the SNF to incorporate these points and reevaluate your conclusions in this section. [Commenter: L000223]

Response: Thank you for your comment. The suggestions made in the comment regarding mitigation measures are excellent points. Indeed, the SNF is incorporating mitigations to prevent inadvertent weed spread, and this work has already begun and will continue annually until the weeds are eradicated from the routes and their immediate vicinity. The effects analysis acknowledges the benefit of restricting future travel to a narrower band of 2 to 12 feet. Despite the benefit of narrowing the travelway to a 2 to 12 foot corridor, this does not eliminate indirect

effects, which originate within the 100 foot corridor. Indirect effects make up the majority of botanical resource/noxious weed effects and must be seriously considered. For example, the presence of weed propagules (usually seeds) within 100-200 ft of travel can and does have an effect on noxious weed spread. Alternatively, vehicles with seeds attached can disperse airborne seeds easily within 100 ft of a route or road.

NWIS-9. The information in Table 155 is flawed and inaccurate because under Alternative 3 there are no risk indicators, this column has failed to address the impacts of the existing road system for Alternative 3. It is evident that the complete analysis and assertions for noxious weeds is flawed because it does not consider location, use levels, and time of year. We want the SNF to display the different impacts created resulting from location, use levels, time of year and reevaluate the conclusions found in this section. [Commenter: L000223]

Response: Thank you for your comment. The SNF is not evaluating the existing transportation system in this project as it is outside the scope of the EIS; therefore, with no added routes or changes to seasonal use, there is nothing to analyze.

NWIS-10. The commenter expresses concern that noxious weed mitigation measures requiring closure of trails for a 1-year period after weed eradication unduly impacts motorized recreation use and is not a current practice applied for other projects or used on the existing forest road system. The commenter recommends that weed eradication, monitoring and continued weed removal occur as identified, and are practiced along with concurrent use of the trail. [Commenter: L000223]

Response: Thank you for your comment. The SNF is addressing this concern by beginning weed control measures immediately (2009) for some routes in order to provide more opportunities for motorized recreation and by allowing the use of other routes before mitigations occur (please see the Record of Decision and the Implementation Plan). In addition, the ROD will address this issue further by allowing some routes to be open on the MVUM while concurrent weed treatments are occurring up to three years after publication.

NWIS-11. The commenter believes that routes should not be designated until after the noxious weed mitigations are completed. Weed surveys should be done for all routes proposed for motor vehicle use; weeds on system routes may pose unacceptable threats of spreading weeds. Those routes should be closed unless or until that threat is adequately mitigated. The EIS should include an alternative that closes some existing NFTS routes in order to minimize and mitigate the potential for vehicles to spread weeds from those routes. Cumulative effects analysis for all alternatives should include a discussion of weed populations on existing NFTS routes and the potential for those populations being spread to other areas of the forest through vehicle or other vectors. This should include the potential for spreading weeds from infested NFTS routes to newly designated routes. Alternative 5, as disclosed in the DEIS, would include a work load with monitoring and treatment of noxious weeds higher than other alternatives and will be harder to comply with Forest Service and SNF standards and regulations. (p. 332) The EIS should attempt to quantify the cost of monitoring and treatment of noxious weeds under each alternative. [Commenter: L000320]

Response: Thank you for your comment. Analysis of existing NFTS roads for noxious weeds is outside of the scope of this EIS. However, SNF weed program managers and crews regularly patrol roadsides as part of an early detection/rapid response program, as roads are well-established as key to weed spread (and prevention). As for mitigations, mitigations were made for routes identified as having noxious weed species and the intent is to complete those mitigations before the route is brought into the motor vehicle use map as an open route. However, some routes identified with weeds may be brought in as open routes and the associated treatment work done concurrently with the designation of that route. Weed control along many of these routes

began in 2009 and will continue as high priority annual work until the weeds are eradicated along those routes. The SNF will likely address weed infestations along roads leading to these routes to protect the investment being made along the routes. These areas will be higher priority for weed treatment because of the commitment made in the Record of Decision, and although the FEIS stated that Alternative 5 would bring more monitoring and control than the other action alternatives, the work load will still be vastly easier to accomplish compared to Alternative 1, where cross-country travel limits the ability to predict where new weed infestations will occur.

Terrestrial Wildlife

TW-1. It would also benefit the public if the final EIS discussed how potential impacts from the proposed action and alternatives would be mitigated so that loss of roosting habitat is significantly reduced or eliminated. [Commenter: L000089]

Response: The Townsend's big-eared bat affected environment and potential impacts are addressed in the Terrestrial Section 3.13, beginning on pg 3-334. Loss of roosting habitat is mitigated by unauthorized routes not being located in the riparian corridor areas.

TW-2. Game Animal Values - We therefore suggest, and petition, that the SNF amend the final Action Alternative to add zero new miles of motorized routes in mule deer migration corridors, winter range, and population centers. The DEIS says (Chap. 3, Biological Environment, p. 362) that "Table 199 shows the average route densities within deer herd ranges under each Alternative." We find no table which illustrates this very useful comparison. In fact, we would be more convinced of the merits of Alternative 2 for mule deer if we were assured that this Alternative reduces motorized route density for all deer habitat on the Forest more than any of the other Alternatives. [Commenter: L000138]

Response: Thank you for your comment. Clarification, the wording is incorrect for the table labeled *Deer Areas that are Intersection with Existing (Alt 1) or Added Routes (Alts 2, 4, and 5)* (Table 3-189). The road densities per habitat type are in the table labeled *Road and Unauthorized Route Density within MIS Vegetation Type* (Table 3-141). Effects of the alternatives on deer winter range, population centers, and holding areas are disclosed in the FEIS pages 3-390 through 3-405. In addition, mule deer are a Management Indicator Species (MIS) for Oak-associated Hardwood and Hardwood/conifer habitat type (pgs 3-405 through 3-411).

Also, under *Mule Deer: Environmental Consequences* section the road density per alternative for deer winter range, population centers and holding areas has been included in tables 3-165 through 3-188, as well as updated information in Table 3-189.

TW-3. Roads and motorized trails can divide an area of relatively continuous habitat into smaller, disconnected parcels causing habitat fragmentation and altering the behavior of wildlife. [Commenter: L000147]

Response: Thank you for your comment. Habitat fragmentation has been addressed in the FEIS in the terrestrial section under *Modification of Animal Behavior and Some potential Effects of Habitat Alteration to Terrestrial Wildlife Habitats*.

TW-4. The agency has stated many times that the majority of literature, reviews and studies used to describe and analyze the interactions of wildlife are focused on roads and highways and not wildlife interaction with trails. These statements clearly show that the agency has no sound science or literature of which to analyze the effects of trails on terrestrial and aquatic species. One example is the omission of considering "frequency of use" in the analysis. Any determinations of affects for terrestrial and aquatic species are purely conjecture, assertions and not supported by sound science. We want the agency to

reevaluate all Wildlife Analysis to consider the frequency of use on each specific route. [Commenter: L000223]

Response: Thank you for your comment. Given the scientific uncertainties regarding disturbance effects on wildlife related to frequency of use, as well as uncertainties regarding what frequency of use each route will receive, our conservative assumption is that all routes provide the same level of disturbance, depending on the location of the route, unless local data or knowledge indicates otherwise. See *Assumptions Specific to the Terrestrial Biota Analysis*, Assumption #2 Location of route is equal to disturbance effects from that route (i.e. assume all routes (roads or motorized trail) provide the same level of disturbance, unless local data or knowledge indicate otherwise. Only anecdotal use level information was available and it could not be used for analysis

TW-5. Under Wildlife Analysis Assumptions. The commenter challenges the validity of the assumptions listed. [Commenter: L000223]

Response: Thank you for your comment. These assumptions are based on widely available literature on the effects of off-highway vehicles on wildlife.

TW-6. Under Analysis Measures or Indicators. Again the agency has omitted the “frequency of use” as a very important analysis measure to compare project effects. [Commenter: L000223]

Response: Thank you for your comment. Given the scientific uncertainties regarding disturbance effects on wildlife related to frequency of use, as well as uncertainties regarding what frequency of use each route will receive, our conservative assumption is that all routes provide the same level of disturbance, depending on the location of the route, unless local data or knowledge indicates otherwise. See *Assumptions Specific to the Terrestrial Biota Analysis*, Assumption #2 Location of route is equal to disturbance effects from that route (i.e. assume all routes (roads or motorized trail) provide the same level of disturbance, unless local data or knowledge indicate otherwise. Only anecdotal use level information was available and it could not be used for analysis.

TW-7. There are concerns with the references, studies, science, and conclusions that are as old as 1980s, outside the State of California, and are irrelevant to the SNF. Specific examples include; mortality rate studies, effects on wildlife from travel on highways and major road systems that have high speeds (greater than 50 MPH and ADT of 50 vehicles or higher). This section has not provided the science that addresses OHV traffic, use rates and speeds. We want all study comparisons and conclusions not designed to represent motorized travel on the SNF be removed from the final EIS. Under Assumptions Specific to the Terrestrial Biota Analysis: This document does not provide the science that supports these assumptions. We want any references to these assumptions removed from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. The wildlife terrestrial section uses literature that is appropriate for the topics at hand, in light of requirements to use Best Available Science. This includes some literature from the 1980's, as well as literature from the 1990's and 2000 to current. Please see Appendix C - Reference Section.

TW-8. This section describes routes and roads proposed in any action alternative as “new” meaning newly constructed where the true condition for these routes, there uses, their impacts are already included in the existing condition. We want this section to recognize this fact and reevaluate all analysis conclusions to reflect this use as existing and not a new action. [Commenter: L000223]

Response: Thank you for your comment. This section does not describe the routes and roads as “new.” The terrestrial wildlife section describes three discreet actions as displayed in the template. One of the actions is the addition of new facilities to the NFTS. Although these new facilities currently exist on the landscape as unauthorized routes, there has never been an analysis and disclosure of the effects of these routes on the environment as required by NEPA. Therefore, it is appropriate and required for the wildlife section to analyze the impacts of adding these new facilities to the NFTS. This required analysis and disclosure of effects includes meeting the following Sierra Nevada Forest Plan Amendment Standard and Guidelines:

- #82 (California spotted owls and Northern goshawk Protected Activity Centers (PACs): Mitigate impact where there is documented evidence of disturbance to the nest site from existing recreation, off-highway vehicle route, trail, and road uses (including road maintenance). We have the design features to implement a season of use that will minimize disturbance to the species. Evaluate proposals for new roads, trails, off-highway vehicle routes and recreational and other developments for their potential to disturb nest sites.
- #87 (fisher den sites) Mitigate impacts where there is documented evidence of disturbance to the den site from existing recreation, off-highway vehicle route, trail and road uses (including road maintenance). Evaluate proposals for new roads, trails, off-highway vehicle routes, and recreational and other developments for their potential to disturb den sites.

TW-9. The Sierra Nevada Plan Amendment allows for activities such as road maintenance and motorized vehicle use as exemptions during wildlife Limited Operation Periods. We want the SNF to remove this restriction where applied to motorized roads and trails. [Commenter: L000223]

Response: Thank you for your comment. The design features for spotted owls and goshawks are implemented when there will be a noise disturbance within ¼ mile of known nests for the species. The design features for the mule deer are based on the standard and guidelines in the LRMP.

TW-10. The FEIS fails to describe what and how impacts are created based on numbers of miles of roads and routes in relation to wildlife and their locations. We want the SNF to display the different impacts created resulting from location, use levels and time of year and reevaluate the conclusions found in these sections. Under Zone Of Influence. This section fails to describe what and how impacts are created based on numbers of miles of roads and routes in relation to wildlife and their locations. We want the SNF to display the different impacts created resulting from location, use levels and time of year and reevaluate the conclusions found in this section. [Commenter: L000223]

Response: Thank you for your comment. The science that supports these assumptions is listed in Appendix C – References. The different impacts are listed under the direct and indirect effects for the three discreet actions for each alternative. There is further discussion in the Management Indicator Species Report and the biological assessment/evaluation which are in the project record.

TW-11. Under Table 168. We believe mitigation measures WL-1, WL-2, and WL-3 are over reaching the intent of Limited Operating Periods as they were developed for commercial activities such as timber sales and mastication projects. They were not designed to impose restrictions on activities such as road maintenance and motorized use. (See Sierra Nevada Plan Amendment) We want the SNF to remove these mitigations from the final EIS. Mitigation measures WL-4 and WL-5 are over reaching the intent of the LRMP as defined in the Standards and Guidelines, it states to “minimize” not prohibit activities within the deer management areas. We see this as over reaching the intent of the standards and

guidelines by prohibiting all activities rather than restricting commercial activities that present a much greater impact than dispersed recreation and motorized travel would present. We want the SNF to remove these mitigations from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. Design features WL-1 through WL-3 are to minimize disturbance to the species, activities are not being prohibited. Design features WL-4 and WL-5 are from the LRMP states minimize activity, which is being done. The activities are not being prohibited they are just excluded during the important time for deer. During the interdisciplinary process it was decided the season of use would have the design feature applied where the routes were intersecting the majority of deer holding areas and winter ranges. The table labeled *Deer Areas that are intersecting with Existing (Alt 1) or Added Routes (Alts 2, 4 and 5)* display those that may have a design feature implemented for deer. Appendix A, route cards, display if the route has the design feature applied for deer.

TW-12. Under Direct and Indirect Effects – General for Terrestrial Biota. This DEIS has not provided local science or studies relative to the SNF that support the impacts as stated in this section. We want the SNF to remove these assertions from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. The BE/BA addresses local research that has been done on the SNF for specific species.

TW-13. Under Cumulative Effects. We note this section states that; “loss of habitat through catastrophic wildfires; timber and fuels management where cover and forage has been reduced or removed; urban development and expansion within a highly checkerboard land ownership pattern” we feel this statement does not reflect the true private land patterns in and around the SNF and more accurately reflects National Forests located in Northern California. The commenter wants the section to be revised to accurately reflect the land ownership patterns for the SNF. This section also states; “It is expected that non-motorized use may occur on these unauthorized routes which would likely result in disturbance to mule deer. Some studies indicate that certain non-motorized activities (hiking, mountain bicycling, equestrian, etc.) could actually result in greater disturbance to mule deer. At any rate, the amount of disturbance caused by non-motorized use will depend on the type, intensity, timing and duration of the use.” We believe that this statement is accurate and supported by this document as well but what is significant here is the agency acknowledges that impacts to non motorized use are dependent on “type, intensity, timing and duration of the use.” This is exactly what is needed to analyze the impacts of motorized use as well and is exactly what is missing from all wildlife analysis that are addressed in this document. We want the SNF to display the different impacts created resulting from location, use levels and time of year and reevaluate the conclusions found throughout this DEIS. [Commenter: L000223]

Response: Thank you for your comment. The ‘checkerboard’ information has been corrected. Specific detailed biological information related to each route can be found in the wildlife files at the High Sierra Ranger District office. However the FEIS does appropriately provide an overview of the route specific information and addresses quantitatively those routes that are in areas important to sensitive species (e.g. miles within Spotted Owl PACs; routes within ¼ mile of nest sites; miles of routes within Fisher habitat.) The BE/BA addresses local research that has been done on the Forest for specific species.

Only anecdotal use level information was available and it could not be used for analysis, however, the times of year was taken into consideration particularly with respect of LOPs and in consideration of the wildlife LOP information seasons of use were developed for each route.

Given the scientific uncertainties regarding disturbance effects on wildlife related to frequency of use, as well as uncertainties regarding what frequency of use each route will receive, our conservative assumption is that all routes provide the same level of disturbance, depending on the location of the route, unless local data or knowledge indicates otherwise. See *Assumptions Specific to the Terrestrial Biota Analysis*, Assumption #2 Location of route is equal to disturbance effects from that route (i.e. assume all routes (roads or motorized trail) provide the same level of disturbance, unless local data or knowledge indicate otherwise).

TW-14. This section states: “The bald eagle guidelines do not provide protection provisions for general motorized use, but it does provide the following guidelines for off-road vehicle use. During the breeding season, do not operate off-road vehicles within 300 feet of the nest. In open areas, where there is increased visibility and exposure to noise, this distance should be extended to 660 feet.

This Document has not provided the supporting science to increase the buffer restrictions of ½ mile for Bald Eagle Nest Sites. We want the SNF to remove this restriction and follow the guidelines determined by the RLMP. [Commenter: L000223]

Response: Thank you for your comment. The zone of influence distance is taken from the Design Criteria from U.S. Fish and Wildlife titled “Route Designation Project Design Criteria for ‘No Effect’ or ‘May affect Not likely to Adversely Affect’ determinations” (USFWS 2007). The ½ mile was incorrect it should show ¼ mile buffer around bald eagle nests. The document reflects this change.

TW-15. Under Riparian-Associated Species: Environmental Consequences. Willow flycatcher and Western Red Bat - Environmental consequences. We note that in these sections the analysis has incorporated lengths of routes affected to as little as 0.05 (264 feet) miles as an impact. This could be considered humorous if this were not such an important document to the public. We ask the SNF to demonstrate that each of their analysis can produce a conclusion that can weigh the difference of effects on 264 feet to any habitat. [Commenter: L000223]

Response: Thank you for your comment. The lengths of routes are determined from the GPS locations. Some of the routes are short and then when you overlay the habitat type or species information it can be a minimal amount such as 0.05 miles that are affected. This information has been revised in the EIS.

TW-16. Please provide the science that supports the following assertion; “Recreation activities in willow flycatcher habitat can have effects similar to livestock grazing, although to a lesser extent and intensity in many cases.” We want this statement removed from the final EIS. [Commenter: L000223]

Response: Thank you for your comment. The statement is taken from Sierra Nevada Forest Plan Amendment, Final Environmental Impact Statement, Chapter 3 Part 4, Volume 3 of 6 part 4.4 page 156 2nd paragraph. The document goes on to say, “Few correlative or causative studies on willow flycatchers and recreation are available. Blakesley and Reese (1988) reported that in riparian areas in Utah, the presence of willow flycatchers was negatively correlated with campgrounds. Anecdotally, Haas (pers. comm. In Marshall and Stoleson 2000) reported a pair of southwestern willow flycatchers successfully fledged young from a nest located only several meters away from a frequently used picnic table. Other studies of recreation on riparian birds suggest that dispersed and developed recreation activities in meadows and riparian areas have the potential to affect willow flycatchers through disruption of nest contents, vegetation trampling that removes nest cover and disturbs the insect community, altered hydrology through soil compaction and streambank chiseling, modified plant community composition and structure, and

habitat fragmentation from trails and campgrounds that also influence the microclimate (Aitchison 1977, Luckenbach 1979, Johnson and Carothers 1982, Davis 1982, Riffell et al. 1996, Gutzwiller et al. 1997, 1998 Hamann et al. 1999). In addition the supplemental food provided by developed and dispersed recreation and residential developments in close proximity to riparian areas and meadows, as well as movement corridors provided by trails, may indirectly affect willow flycatchers through an increase in local abundance of brown-headed cowbirds as well as nest predators, both native (such as jays, squirrels, chipmunks) and non-native (cats, dogs) (Johnson and Carothers 1982, Blakesley and Reese 1988, Small and Hunter 1988, Hickman 1990, Burkey 1993, Askins 1994, Paton 1994, Rich et al. 1994, Miller et al. 1998).”

TW-17. Under Cavity dependent species: Environmental Consequences. Please see comments regarding snag and hazard tree removal on Forest roads and trails. The removal of snags for use of OHV trails is an assertion that greatly over exaggerates the acreages affected and do not reflect current management practices unless these snags pose an eminent threat to the public. We want the SNF to reevaluate the analysis in this section to reflect current SNF snag removal practice and policy for maintenance level 3, 4, and 5 roads compared to maintenance level 1 and 2 roads and trails. [Commenter: L000223]

Response: Thank you for your comment. Snags are removed with regards to safety usually within 300 feet of the roads. They are removed on maintenance level 3, 4 and 5 and reviewed for removal depending on administrative use and public use for levels 1 and 2.

TW-18. Wildlife Species - A system for additional route closures should be developed when impacts to special status species or significant impacts to wildlife species are determined. Since the location of all nests, roost/rest trees, natal dens, important fawning areas, etc., are not known at this time, a system to incorporate and adjust routes is needed as additional information develops. Additional comments on specific taxa follow. Nesting Birds: The Department believes that implementation of the preferred alternative (Alternative 2) using the assumption of a 1/4-mile disturbance limit does not adequately evaluate the loss of available nesting habitat, which could result in a significant loss of Forestwide habitat availability. [Commenter: L000277]

Response: Thank you for your comment. The zone of influence distance was decided by a literature review and comparison to what other forests have used in the travel management analysis. It is also discussed under the *Zone of influence* heading that the ¼ mile ZOI should cover a large enough area to encompass habitat taken out of effective use in high motorized Open Areas where disturbance to wildlife has the potential to be the greatest. Beyond the ¼ mile ZOI, it is likely that there would be enough vegetative screening to decrease an animal’s sensitivity to disturbance, thereby permitting the animal to effectively use habitat beyond that point (Knight and Gutzwiller 1995).

TW-19. Great Gray Owls: Impacts to the California endangered great gray owl are not fully assessed since the DEIS assumes the owls only occur in meadows. Assessment should include meadow foraging areas along with forest stand nesting, roosting, and fledging areas. Potential impacts to these equally critical habitats should be examined at all known breeding locations and route closure and/or route relocations should be implemented during the breeding and fledging period. Mitigation measure WL-3 requires seasonal route closures from March 1 through August 15. The map for the preferred alternative (Alternative 2) shows route season of use in areas of known great gray owl nest sites as occurring May 21 through November 30, which contradicts the stated mitigation measure. The Department recommends that the Forest implement route closures within 1/4 mile of all known breeding locations during the breeding and fledging period of March 1 through

September 30 (Beck and Winter, 2007; unpublished Department research) and implement permanent route closures within meadows. [Commenter: L000277]

Response: Thank you for your comment. The route layer and great gray owl information was reviewed and does not show any existing routes overlaying with known great gray owl locations. A PAC has been created where there is known nests. The mitigation measure WL-3 is based on the Sierra Nevada Forest Plan Amendment S&G 83. When new owl locations are detected then the limited operating period would be applied and season of use may need to be adjusted.

We are using the most current data. When the Department releases the unpublished research, it will be utilized to update the great gray owl information. It is our understanding it is not ready for use at this time.

The Department provided preliminary maps on July 30, 2009 with great gray owl information. One of the maps shows the areas that have nest activity and along a main road that would not be closed (e.g. Dinkey Creek Road) and a Protected Activity Center is delineated with those sightings.

A Protected Activity Center has been delineated with the other nest site provided and there are no proposed additions to the NFTS in that area.

At this time Alternative 5 is the selected alternative and there is only one route (TR-08) that intersects with known great gray owl PAC on the Bass Lake Ranger District; however it is not near the nest site and the season of use is from August 16 through November 30.

TW-20. Mule Deer: The DEIS acknowledges that motor vehicles have the potential to disturb deer and thus have negative impacts on them. However, the Department is concerned that the DE IS underestimates off-highway vehicles (OHV) related impacts to deer under particular circumstances and in critical areas. Based on current and historic Department studies of collared deer, the season of use for the North Kings Deer Herd on the winter range occurs October 1 through May 15. Arrival on the winter range occurs from October 1 to December 10 and is dependent on weather on the summer and transitional ranges. The deer breeding period (rut) occurs from late November through December. Deer begin leaving the winter range from mid-April through May 15. Migration out of the winter range is somewhat determined by weather, but not as directly as fall migration. Depending on the weather, deer use on the winter range of the North Kings Deer Herd can extended into mid- to late May. The Department recommends that vehicle use in areas of identified critical winter range be restricted from November 15 through May 15. In particular, critical deer wintering habitat in the Secate Ridge area has the potential to be significantly impacted by vehicle use. A closure period is currently prescribed for this area from December 1 to April 1. Data supplied by the North Kings Deer Herd Study (1977) and over 30 years of annual deer herd surveys since then have shown that deer are wintering in this area in substantial numbers both before and after the proposed closure period. Forest road 11 S002 in particular needs to have access regulated. This road traverses the Secate Ridge area and a large swath of winter range. In addition, maps provided with the DEIS indicate that nearby road 11 S004 is "Open to All Vehicles". In fact, the road is only open at each end where it leaves 11 S002. It is traversable for some distance by high clearance vehicle but eventually is blocked off with rocks and the "road" disappears completely. The official status of this road should be changed to reflect this and it should not be improved to make it "Open to All Vehicles".

A migration corridor of the Oakhurst Deer Herd passes through the Miami Motorcycle Trails area. The Department recommends that deer improvement projects be implemented for this herd using green sticker funds to mitigate for the motor vehicle disturbances that

the current routes and unauthorized routes added to the NFTS located within this migration corridor will cause. Finally, roads that are designated as non-NFTS should be substantially closed, i.e., with dozer piles. [Commenter: L000277]

Response: Thank you for your comment. The closure periods for deer are based on the current LRMP dates. The dates were set up when the LRMP was written in conjunction with information from Department of Fish and Game in 1991. The dates are also set with the current knowledge of wet weather closures so the dates for deer should be a subset within the closure period. Where applicable the winter range may incorporate the dates listed above because of the wet weather closure period as well. Some of the routes and areas are only potentially opened from mid – August through the end of November. When looking at the routes within the winter range, if it was at the periphery of the designated winter range a season of use was not applied because it was thought there would be negligible disturbance since it wasn't in the middle of the winter range. Sycamore Springs Road (11S002) is proposed to be closed from December 1 to April 1 in Alternatives 1, 2 and 3 and December 15 to May 1 in Alternatives 4 and 5 to protect the winter range. The ends of the Sacate Ridge Road (11S004) off of the 11S002 road are proposed to be open year round in Alternative 1 and 3, closed December 1 to April 1 in Alternative 2, and closed December 1 to May 1 in Alternatives 4 and 5. The middle of the Sacate Ridge Road is proposed to be closed year round. The Forest Service has developed alternatives for analysis designed to meet the stated purposes and needs. Impacts of these closure dates were analyzed. The Forest Service can look into using green sticker money to mitigate disturbance listed above. Closure of unauthorized routes not selected to be added to the NFTS is outside the scope of the EIS.

TW-21. The DEIS states that there are: 234 known California spotted owl Protected Activity Centers (PACs); 18 known great gray owl PACs; an undisclosed number of Pacific fisher den sites; 55 northern goshawk PACs; and numerous critical deer winter, summer, holding, fawning areas, etc., yet there are very few roads listed in Appendix A receiving wildlife protection seasonal use dates. It is unclear if this is because there are only a few proposed new routes or existing routes within these sensitive areas or if routes were overlooked. [Commenter: L000277]

Response: Thank you for your comment. The season of use dates incorporate the dates that are important for wildlife. When you review Appendix A, if there is a resource issue code under Terrestrial wildlife than a season of use was applied. For instance, if the route cannot be used until August 16, it is most likely that there is a spotted owl within ¼ mile of the proposed or existing route. All proposed routes were reviewed by the District wildlife biologist.

TW-22. The DEIS states that protocol-level surveys for California spotted owl, great gray owl, and Pacific fisher were conducted. There is no information provided on when these surveys were conducted, the results of the survey, or if additional surveys will be conducted in subsequent years throughout the life of this document. Route Season of Use dates or relocation of routes may need to be implemented in additional areas depending on where active nest/den sites are found. [Commenter: L000277]

Response: Thank you for your comment. The survey data and results are discussed in the biological evaluation and biological assessment. The season of use dates will be evaluated to see if they need to be applied when new active den or nest sites are located.

TW-23. Mule Deer - All the action alternatives should benefit deer, as all would reduce the overall presence of vehicles on the forest. Still, the analysis is incomplete and inadequate, for a number of reasons. First, while route density is key to determining the influence and impact of motorized vehicle travel on deer, the DEIS does not disclose this important information for any of the alternatives. The DEIS states “Table 199 shows the average route densities within deer herd ranges under each Alternative,” (DEIS, p. 386). However, Table

199 displays Deer Areas that are intersecting with Existing or added routes, not route density. There is no information in the DEIS regarding route density in deer ranges. [Commenter: L000320]

Response: Thank you for your comment. Route density has been added to the EIS under mule deer with regards to winter range, holding areas and population centers.

TW-24. The DEIS notes “deer avoid primary roads more than secondary or tertiary roads” but it does not disclose which routes are primary, secondary or tertiary (p. 379 - 380). [Commenter: L000320]

Response: Thank you for your comment. The SNF does not categorize by the routes listed by Perry and Overly (1976) or deVos et al (2003). If we were to make a comparison/crosswalk the primary roads are highway, some county roads and Forest Service Roads that are Maintenance Level (ML) 5 and 4; secondary roads are ML 3 and tertiary roads are ML2. In Appendix F, glossary, there are definitions of arterial and local roads these would be equivalent to primary and tertiary roads. Secondary roads would be the same as collector roads.

TW-25. The DEIS discloses “impacts are most significant in: deer population centers during the reproductive season (July); (2) deer winter range from December through April; and/or (3) deer holding areas during migration seasons (May 15-June 15, Oct 1-Nov 30 above 5,000 feet; and May1-June1, Oct 15-Nov 30 below 5,000 feet)” (p. 381). However, it does not disclose where these areas are, what the route density within them is, or whether the routes are primary, secondary or tertiary. [Commenter: L000320]

Response: Thank you for your comment. There are maps available in the project file disclosing the deer population centers, holding areas and winter ranges. The route density has now been added to *Ungulates* section in Chapter 3. The SNF does not categorize by the routes listed by Perry and Overly (1976) or deVos et al (2003). If we were to make a comparison/crosswalk, the primary roads are highway, some county roads and Forest Service Roads that are Maintenance Level (ML) 5 and 4; secondary roads are ML 3; and tertiary roads are ML2.

TW-26. The DEIS fails to discuss the importance of meadows to deer. The DEIS should discuss routes in or influencing meadow habitat under each alternative. [Commenter: L000320]

Response: Thank you for your comment. Meadow habitat is covered in the aquatic section. Meadows are an important habitat for deer. When queries were run for deer areas and habitat the results did not show meadows being impacted by this project; therefore, they were not brought forward in the discussion.

TW-27. Cumulative effects analysis fails to discuss the effect of livestock grazing on mule deer habitat, especially on meadows and other fawning areas. [Commenter: L000320]

Response: Thank you for your comment. Grazing is mentioned briefly under the cumulative effects section for deer. Livestock grazing on meadows and fawning areas have been added to this section.

TW-28. The failure of the DEIS to discuss existing NFTS routes means that significant impacts to deer could be occurring and continue to occur under any alternative. [Commenter: L000320]

Response: Thank you for your comment. The EIS has been revised with the numbers of NFTS roads and trails within each deer winter range, population center and holding areas and impact to deer.

TW-29. Wildlife Resources Implementing the proposed action under Alternative 2 would, for example, “likely increase disturbance to some roosting [California spotted] owls within the analysis area” because 11 miles of routes would be added to the NFTS within owl Protected Activity Centers (PACs), affecting 5,352 acres within the motor vehicle routes’ zone of influence. In the biological determination in the DEIS, the Forest biologists states that “Travel Management may impact individuals, but is not likely to result in a trend toward Federal listing or loss of viability for the California spotted owls...because habitat will be impacted by noise disturbance from motorized use.” While this analysis may satisfy the requirements of NEPA to consider effects to wildlife and their habitat, it does not satisfy the requirements of the Travel Management regulations, which state that the responsible official must consider the effects “with the objective of minimizing...harassment of wildlife and significant disruption of wildlife habitat.” This deficiency is repeated throughout the Terrestrial Wildlife section of the DEIS and must be remedied. A science-based, landscape-scale travel analysis on all routes that adopted a minimum route system and recommended routes for decommissioning would likely satisfy the minimization requirements. Until that analysis is complete, the Forest should refrain from designating new NFTS routes in habitat for threatened, endangered, and sensitive species. The Forest has not shown how the proposed additions of motor vehicle routes minimizes disturbance to wildlife, or even defined the term “minimize.” [Commenter: L000320]

Response: Thank you for your comment. Please see comments ARA-6 and AC-16. The terrestrial section states for each alternative and the three discreet actions the effects of adding the routes. There are also design features outlined under the section *Environmental Consequences – General* to alleviate disruption to the wildlife species.

The Travel Management rule requires that the Forest Service consider 14 criteria of which minimizing harassment of wildlife and significant disruption of wildlife habitat is one. See section 1.3.

In the initial screening of unauthorized routes for consideration in an alternative, a key criterion was if the route avoided natural and cultural resources. See section 1.2.1. The alternatives were developed to emphasize aspects of the purpose and need with Alternative 4 being most protective of natural resources. Action Alternatives 2, 4 and 5 include changes to season of use designed to reduce current wildlife disturbance by closing road and trails during time frames sensitive to species. The Forest Service has carefully evaluated the impacts of the proposed alternatives and will consider all criteria specified in the Travel Management Rule in making a final decision.

TW-30. Pacific Fisher: The Pacific fisher has been found to warrant federal listing under the Endangered Species Act and is currently a Candidate for listing under the California Endangered Species Act. The Forest should conduct a focused analysis of how existing routes, changing patterns of vehicle use on existing routes, and the addition of new routes to the NFTS resulting from the preferred alternative (Alternative 2) would impact the conservation and recovery of the Pacific fisher. The DEIS does not clearly explain how the Pacific fisher will be protected, especially known den sites within the Southern Sierra Fisher Conservation Area, within the Project boundary. [Commenter: L000277]

Response: Thank you for your comment. The analysis that was conducted was 3 fold as described in the DEIS under the section *Pacific fisher – affected environment*. The categories were as follows *miles of routes added to the NFTS within probability of fisher detection, number of routes in the Southern Sierra Fisher Conservation Area, miles of route in SSFCA, Density in the SSFCA, miles of routes within 700 acres of den site buffers and miles of routes within ¼ miles of den site buffers*. The CBI developed a model predicting the probability of fishers occurring in areas of the southern Sierras. The probability categories were intersected with the routes to determine where

overlap occurred. Routes that overlapped with current known den sites were removed for consideration to add to the system. The EIS has strengthened the fisher analysis with more information and effects analysis.

TW-31. Chapter 3, Northern goshawk - In research conducted by Reich et al. (2004), models were used to predict the location of northern goshawk nests by modeling the spatial dependency between nest locations and forest structure. The final EIS should consider using available modeling studies such as this one to help assess nest site sensitivity to disturbances from humans and develop mitigation measures to minimize or avoid impact on this species. [Commenter: L000089]

Response: Thank you for your comment. It is noted in USDA 2001, “potential disturbance from human recreational activities has impacts at the scale of individual territories located in areas that receive recreational use or at subregional scales, such as the Lake Tahoe Basin, that receive extensive human recreational use. The problem appears most acute where active northern goshawks nests are located along trails and in areas that receive heavy foot traffic. Goshawks are aggressive nest defenders. In some cases humans have responded by returning and shooting the birds or harassing the birds through repeated visit to the nest site. The limited case studies suggest that efforts should be directed towards minimizing the potential for negative northern goshawk-human interactions. Management of recreational activities (e.g. temporary seasonal or permanent trail closures; refusal to establish new trails or roads near northern goshawk territories) and education of reactions are needed to minimize these potential conflicts.”

In addition, the Northern Goshawk model was reviewed. The SNF used something similar on part of the forest due to another project. John Keane and Sean Parks (2003) developed a model to compare population biology in conjunction with landscape modeling of nesting habitat suitability to focus efforts on the location with higher predicted probability of occurrence. The objective of this was to develop a procedure for increasing survey efficiency for the northern goshawk. Field reconnaissance, prior surveys and California Wildlife Habitat Relationship GIS layer were utilized to determine suitable habitat and where surveys were conducted. See response to ID 280.

Design feature WL-1 addresses disturbance to goshawks.

Aquatics Biota

General Aquatic Biota

AB-1. Commenter notes wild trout are a high value for sportsmen, yet in many areas -- Upper Chiquito Creek and its tributaries being a prime example -- OHV use and insufficient route maintenance and improvements (particularly at stream crossings) are degrading aquatic habitat and small stream fishing opportunities. Commenter requests that the SNF work with Trout Unlimited and other sportsmen’s groups to identify streams such as Chiquito Creek which are incurring substantial damage from motorized use and improve (install bridges, etc.) motorized routes as necessary to protect fish values. [Commenter: L000138]

Response: Thank you for your comment. The SNF Travel Management Plan has been developed with criteria to reduce effects to SNF resources from cross-country travel or from unauthorized routes. Routes included in the action alternatives have accompanying mitigations to reduce erosion and effects to aquatic habitat utilized by trout.

AB-2. Commenters request scientific proof that frogs do, in fact, mate, directly on the trails themselves. [Commenter: L000107; L000321]

Response: Thank you for your comment. All SNF planned, funded, executed, or permitted programs and activities require a review for possible effects on endangered, threatened, proposed, or sensitive species. These reviews are required to ensure that SNF actions do not contribute to the loss of viability of any native or desired non-native plant or animal species or contribute towards a trend for Federal listing of any species as threatened or endangered. Viability includes consideration of habitat needs by different life phases, as well as movement patterns, timing of movements, and connectivity of habitat. It is not expected the species evaluated directly breed in trails. However, some trails cross habitat that may be traversed by animals dispersing between sites utilized by different life phases.

AB-3. Commenter states there is no actual site specific data mentioned in the document as proof that backs up the statements made by Forest Service staff in regards to any species mentioned, Yosemite Frog, Red Legged Frog, etc. The Sierra National Forest has provided no documentation of actual physical studies or population counts to the general public. [Commenter: L000174]

Response: Thank you for your comment. California red-legged frog habitat is evaluated in terms of suitable breeding habitat, which is the result of U.S. Fish and Wildlife Service protocol assessments conducted by the SNF or contractors between 1997 and 2008. This is the habitat evaluated in the Travel Management DEIS. Potential breeding habitat for Yosemite toad was surveyed by the SNF between 2002 and 2005, and the toad was confirmed at over 300 sites. The toad likely occurs at additional sites since surveys were a one-time visit and females may only breed once in a three-year period. Other species have been less completely surveyed, but were either identified or suitable habitat noted during individual project analysis. Because protocol level surveys for all species were not possible in the amount of time available for analysis, suitable habitat was assumed occupied. The presence of threatened, endangered, or sensitive species or their habitat did not eliminate routes for consideration in the action alternatives. If necessary, mitigations were developed to reduce impacts to the species and habitat.

California Red Legged Frog

AB-4. Under California Red-Legged Frog – Affected Environment: Commenters quote “that although there have not been any observations of the CRLF on the forest or in the project area, all suitable habitat has not been surveyed within the last two years to the most recent protocol (USDI-USFWS 2005). Therefore, this analysis assumes that suitable habitat is occupied.” Given the current conditions as referenced above the commenter fails to understand how the conclusion that “suitable habitat is occupied” is reached. The SNF has not provided evidence or latest science to support this assertion. Commenters request the SNF remove this assumption and reevaluate the analysis for the species to reflect the accurate occupied habitat areas. [Commenter: L000223; L000070]

Response: Thank you for your comment. Federal actions, such as the SNF Travel Management Plan are required to evaluate the effects of that action on threatened, endangered, and proposed species. Guidance for the California red-legged frog is provided in the Recovery Plan for the species. The SNF is within the Western foothill and Sierra Nevada foothill recovery unit and responsible with managing habitat toward recovery goals and objectives. The California red-legged frog species evaluation in the SNF Travel Management Plan analyzes suitable breeding habitat. Suitable breeding habitat has previously been evaluated for other projects through Habitat Assessment following US Fish and Wildlife Service protocols. For the California red-legged frog a combination of up to eight day and night surveys are required to determine presence. Surveys must be conducted within a specific time frame by individuals who comply with strict qualification criteria. The results of accepted surveys are good for two years, after which the

cycle may need to be repeated. While presence can be established, absence cannot and therefore it is difficult to screen out suitable habitat.

Foothill Yellow-legged Frog

AB-5. Under Foothill Yellow-legged Frog – Environmental Consequences: Commenters note many statements of minimal or no effect resulting from motorized travel. Additionally Table 221 states the percentage of suitable habitat directly impacted for the action alternatives ranges from 0.001 percent to 0.005 percent, with Alternative 1 at a high of 0.10 percent. Commenter contends there are no adverse impacts to this species from motorized travel and want all mitigation measures for this species removed from the final EIS. [Commenter: L000223; L000070]

Response: Thank you for your comment. The numbers displayed do portray that a low level of habitat is being affected across the SNF by the proposed actions analyzed. However, the scale of habitat being evaluated incorporates a much larger area than the analysis units where the routes are located. Some of the habitat included is within wilderness and other unroaded or untrailed areas. Since routes do cross suitable or known occupied habitat, adverse effects warrant consideration. Mitigation measures included relate to erosion control and water quality which benefits the habitat, but were not developed specifically for the species.

AB-6. Commenter states the demise of the "Yellow Legged Frog" has nothing to do with motorized recreation but rather, fungus and trout that are having a huge impact on this species of frog. Commenter requests that all routes that have not been included to the system in any of the alternatives on the basis of the "Yellow Legged Frog" and or its habitat be included in the final rule as open and accessible to motorized recreation. Included article link: <http://www.msnbc.msn.com/id/11324438/> [Commenter: L000134]

Response: Thank you for your comment. There are two species of “yellow-legged frog” on the SNF. The mountain yellow-legged frog continues to be greatly affected by the amphibian pathogen *Batrachochytrium dendrobatidis* (chytrid fungus) as noted in your letter. It is still not clearly defined how the pathogen moves through the environment, but it may be facilitated by wet or muddy equipment. The presence of mountain yellow-legged frog or their habitat did not eliminate routes for consideration in the action alternatives. If necessary, mitigations were developed to reduce impacts to the species and habitat.

Mountain Yellow Legged Frog

AB-7. Under Mountain yellow-legged Frog – Environmental Consequences: Commenters note many statements of minimal or no effect resulting from motorized travel. Additionally Table 223 states the percentage of suitable habitat directly impacted for the action alternatives ranges from 0.01 percent to 0.04 percent, with Alternative 1 at a high of 0.16 percent. Commenter contends there are no adverse impacts to this species from motorized travel and want all mitigation measures for this species removed from the final EIS. [Commenter: L000223; L000070]

Response: Thank you for your comment. The numbers displayed do portray that a low level of habitat is being affected across the SNF by the proposed actions analyzed. However, the scale of habitat being evaluated incorporates a much larger area than the analysis units where the routes are located. Some of the habitat included is within wilderness and other unroaded or untrailed areas. Since routes do cross suitable or known occupied habitat, adverse effects warrant consideration. Mitigation measures included relate to erosion control and water quality which benefits the habitat, but were not developed specifically for the species.

AB-8. Commenter has belonged to the four wheel driver club of Fresno for 41 years and the Mt Steppes for 25 years and has never seen a yellow or red legged frog on trails.

[Commenter: L000275]

Response: Thank you for your comment. Both species of frogs blend in well with their background environment. They would not be expected to utilize trails over long periods of time. Possible effects from motor vehicle use vary from the direct effect to individual animals (crushing) when crossing trails during movement to other habitats, to indirect effects to the species including reduction of habitat from sediment movement resulting from use of routes.

Western Pond Turtle

AB-9. Under Western Pond Turtle – Environmental Consequences. Commenters note many statements of minimal or no effect resulting from motorized travel. Additionally Table 224 states the percentage of suitable habitat directly impacted for the action alternatives ranges from 0.006 percent to 0.007 percent, with Alternative 1 at a high of 0.09 percent.

Commenter contends there are no adverse impacts to this species from motorized travel and want all mitigation measures for this species removed from the final EIS. [Commenter: L000223; L000070]

Response: Thank you for your comment. The numbers displayed do portray that a low level of habitat is being affected across the SNF by the proposed actions analyzed. However, the scale of habitat being evaluated incorporates a much larger area than the analysis units where the routes are located. Some of the habitat included is within wilderness and other unroaded or untrailed areas. Since routes do cross suitable or known occupied habitat, adverse effects warrant consideration. Mitigation measures included relate to erosion control and water quality which benefits the habitat, but were not developed specifically for the species.

Yosemite Toad

AB-10. Under Yosemite toad – Environmental Consequences: Commenters note many statements of minimal or no effect (and lack of available supporting science), resulting from motorized travel. Additionally Table 225 states the percentage of suitable habitat directly impacted for the action alternatives ranges from 0.01 percent with Alternative 1 at a high of 0.15 percent. Commenters note that seasonal closures restrictions for the Yosemite toad were applied to the action alternatives. These restrictions are not consistent with protection measures on a neighboring National Forest. Commenters cite the Stanislaus NF as an example, where there are no closure restrictions for the Yosemite toad. Commenters request the SNF to remove all restrictions as described for this species in the final EIS.

[Commenter: L000223; L000070]

Response: Thank you for your comment. The US Fish and Wildlife Service identified in the 12th month finding on the petition to list the Yosemite toad (2002) that more than 30 percent of the known toad populations occurred on the SNF, while less than 10 percent occurred on the Stanislaus National Forest. The SNF also included seasonal closures for its road system as part of its Travel Management analysis, which the Stanislaus National Forest did not. The association of the routes on the Stanislaus to occupied Yosemite toad meadows is unknown and outside the scope of this analysis. In the case of the SNF, one trail evaluated passes within dispersal range of 41 meadows occupied by Yosemite toad. Damage to meadows, including those used for breeding and rearing by Yosemite toad, has been documented within the SNF. Recent damage on the Stanislaus National Forest to Groundhog Meadow (<http://www.fs.fed.us/r5/stanislaus/news/2009/2009-07-01-habitat.shtml>) by motorcycles

demonstrates damage is not unique to the SNF and the need for seasonal closures to protect species.

AB-11. Commenter notes that motorized recreation was not identified in the Sierra Nevada Forest Plan Amendment as having negative affects to the Yosemite toad. Commenter requests that all existing routes not considered for addition to the system on the basis of "Yosemite Toad" and or its habitat be included in the final decision and that said routes are to be open and accessible to motorized recreation. [Commenter: L000140]

Response: Thank you for your comment. The focus of the Sierra Nevada Forest Plan Amendment (2001, 2004) regarding Yosemite toad was effects to breeding and rearing habitat, which is primarily meadows. Cattle grazing has been suggested as a possible agent for declines in breeding habitat and the SNF is in the process of studying the effects of cattle grazing on the toad. Recent studies (Liang 2007; Martin 2009) indicate that adult toad dispersal to breeding sites, from breeding sites to foraging habitat, and from foraging to over-wintering sites may involve movements over longer distances than previously indicated. Possible effects to adult toads during dispersal remain a consideration for confirmed breeding sites. Some routes were excluded due to their crossing meadows, but none were excluded from being brought forward under an action alternative specifically because of Yosemite toad occupancy. All SNF planned, funded, executed, or permitted programs and activities require a review for possible effects on endangered, threatened, proposed, or sensitive species. These reviews are required to ensure that SNF actions do not contribute to loss of viability of any native or desired non-native plant or animal species or contribute towards trend for Federal listing of any species as threatened or endangered.

The deciding official will take your suggestion into consideration in the decision.

AB-12. Commenter requests recent scientific evidence on the "Yosemite Toad" that supports closing of the Dusy-Ershim OHV Route until August 1 and asks will Kaiser Pass road, Rock Creek road, Stump Springs road and the Dinkey Creek road be closed also. [Commenter: L000281]

Response: Thank you for your comment. There has been limited information available on the life history of the Yosemite toad. Much of the data available is from studies conducted during the 1950-1990s. Over the past several years the SNF has worked with researchers to study the Yosemite toad. Recent studies (Liang 2007; Martin 2009) indicate that adult toad dispersal to breeding sites, from breeding sites to foraging habitat, and from foraging to over-wintering sites may involve movements over longer distances than previously indicated. Most roads are under snow during the breeding period. However, adult toads dispersing between breeding and foraging sites may be susceptible to direct impacts while crossing roads. Being relatively long-lived (possibly up to 15 years), loss of an adult represents an effect to future breeding opportunities. As the toad is a high-elevation species, it is not unexpected that nearly 70 percent of the known occupied meadows on the SNF occur in wilderness. The Dusy-Ershim trail is unique due to its location within a corridor between wildernesses, which allows it to traverse across higher elevations than most SNF roads. Because of this unique location the Dusy-Ershim traverses four meadows occupied by Yosemite toad, but could also influence toads dispersing from an additional 37 known occupied meadows. This route has the potential to affect more than 10 percent of the known breeding meadows on the SNF.

The SNF believes the Dusy-Ershim represents a unique situation relative to the roads mentioned in the comment due to the circumstances of its location and potential effects. Season of use dates (closure periods) have been applied to Kaiser Pass, Rock Creek, Stump Springs and Dinkey Creek area roads independent of the Dusy-Ershim date.

AB-13. Commenter states Yosemite toad guidelines only relate to Wilderness, and thus should not apply to the Dusy-Ershim trail. [Commenter: L000107]

Response: Thank you for your comment. There is no SNF management direction regarding Yosemite toad that is only applicable to wilderness.

Standard and Guidelines

AB-14. Commenters note that many of the S&Gs (Standards and Guidelines) cited in this section reference the required review of the existing transportation system. This transportation system review is outside the scope of this DEIS as defined in the purpose and need. Commenters request the SNF to remove all S&Gs and any direction resulting from these S&Gs that are not within the scope of the Final rule and purpose and need. [Commenter: L000223; L000070]

Response: Thank you for your comment. The existing transportation system has not been analyzed for direct and indirect effects. However, cumulative effects analysis requires consideration of all past, present and reasonably foreseeable future actions. The existing road system is included as part of the analysis on cumulative effects.

Aquatic Assumptions

AB-15. Under Assumptions Specific to the Aquatic Biota Analysis, #1 uses an average of 8 feet for trail width for analysis when actual route data is currently available for width determinations. There is a significant difference in tread widths of a motorcycle trail, versus a 4wd trail. Commenters request the SNF to reevaluate all analysis utilizing the tread width identified during the field data collection and GIS route inventory collection process. [Commenter: L000223; L000070]

Response: Thank you for your comment. For this analysis, data tables grouped tread widths into categories instead of actual widths. This was considered local information. Using an average 8-foot tread width may appear to be a conservative approach. However, if the minimum average 4-foot width was used to calculate acres of habitat directly affected by the routes, there is less than 0.05 percent difference in potentially affected habitat. A change of this magnitude would not result in changes to any determination.

AB-16. Under Assumptions Specific to the Aquatic Biota Analysis, #4 assumes the accuracy of the GIS layer is correct without field verification sampling to determine accuracy of the GIS data. [Commenter: L000223; L000070]

Response: Thank you for your comment. Routes were initially evaluated for potential habitat based on GIS information and the assumption that the layers were correct. However, the assumption continues on to say “Project-level analysis would improve the accuracy of this assumption”. Site-specific data was collected on all routes analyzed in the action alternatives and where conflicts were identified (i.e. meadow crossings, perennial stream channels), mitigations were developed.

AB-17. Under Assumptions Specific to the Aquatic Biota Analysis, Assumption #6 creates flaws in the RCA (Riparian Conservation Area) analysis by adding non-habitat stream order 1 miles to stream order 2 miles resulting in inflated habitat miles of stream order 2 habitat. Commenters request the SNF to correct this error and the RCA analysis. [Commenter: L000223; L000070]

Response: Thank you for your comment. This comment does not match assumption #6. Stream orders 1 and 2 were not used to establish habitat, and the EIS does not indicate that order 1 and 2

were combined. Table 206 describes RCA habitat. Stream order 1 was not used except in Critical Aquatic Refuges or upslope of meadows for habitat. A combination of stream order and information from the California Wildlife Habitat Relationship (CWHR) models were used to develop species habitat.

AB-18. Under Assumptions Specific to the Aquatic Biota Analysis, #9 places an unwarranted constraint on the implementation of the Travel Management designation process. This will cause an adverse impact to motorized access without realizing immediate short or long term effects of the proposed mitigation. Commenters request the SNF to remove this assumption and develop an “implementation plan” that allows concurrent use while mitigation measures are addressed. [Commenter: L000223; L000070]

Response: Thank you for your suggestion. The deciding official will take it into consideration in the decision.

AB-19. Under Assumptions Specific to the Aquatic Biota Analysis Assumptions #11 and #12 do not support local conditions. Commenters request the SNF to provide sound science that reflects local conditions. If not available, the commenters request these assumptions be removed. [Commenter: L000223; L000070]

Response: Thank you for your comment. Sediment affects aquatic habitat. Although not all studies are “local”, the information is applicable to effects. The SNF has identified sediment entering aquatic habitat from routes and applied specific mitigations (EIS Appendix A) to each route with the identified issues. Local sediment information is outlined under the existing Water Quality Data of Water Resources (section 3.10).

AB-20. Under Aquatic Biota methodology by Action: These sections fail to describe what and how impacts are created based on numbers of miles of roads and routes in relation to aquatic species and their locations. Commenters request the SNF to display the different impacts created resulting from location, use levels and time of year and reevaluate the conclusions found in these sections. [Commenter: L000223; L000070]

Response: Thank you for your comment. Miles of routes, number of crossings, and roads in relation to aquatic habitat were evaluated in the EIS Chapter 3; the BA/BE; the MIS Report; and in the RCO Consistency Analysis. Routes adjacent to or crossing stream channels provide an increased opportunity for effects to aquatic habitat. Time of year was considering in developing wet weather closure, and in some instances a season of use to reduce the effect on aquatic species.

Literature and Science

AB-21. Commenters note several references are dated as old as 1962 and 1982 which suggests that conclusions and assertions resulting from this literature are stale and do not represent the latest science and local conditions. Commenters request the SNF to reevaluate their determinations based on latest science. [Commenter: L000223; L000070]

Response: Thank you for your comment. Older references used in this analysis support the assertion that effects to species or habitat have been known over a long period of time. Age alone does not indicate it is irrelevant, and more recent information has additionally been utilized in the analysis.

AB-22. Under Aquatic Biota Affected Environment and Environmental Consequences: Commenters state that there are many assertions and conclusions from literature references that do not represent local conditions and latest science. Many of the studies stated they address road conditions and that ‘studies of effects on trails are more limited’. [Commenter: L000223; L000070]

Response: Thank you for your comment. The SNF disclosed literature and assumptions used in the analysis. In some instances the SNF did disclose information from roads to supplement information on effects from motorized trails. Effects to animals from roads would likewise have similarity to effects from motorized trails. On a cumulative basis, both need to be evaluated, thus road effects need to be considered.

AB-23. Under Human Caused Mortality. Commenters state the SNF has not provided science to support the assertion of increased mortality due to the additions of route and human activity. Commenters request this section be removed from the final EIS. [Commenter: L000223; L000070]

Response: Thank you for your comment. Science to support Human Caused Mortality from roads or human activities is outlined in the Aquatic Biota Affected Environment and Environmental Consequences direct and indirect effects section of the EIS. This section is informational and effects of routes are not being addressed. Effects from adding routes were analyzed in the Environmental Consequences section of the EIS by species.

Tables – Affected Environment

AB-24. Under Existing Conditions in the Analysis Units: Commenters state Table 208 represents RCAs that over estimate the percent of acreage for each analysis area because the area of potential habitat includes stream classes that do not typically support aquatic habitat. Commenters request the SNF to reevaluate this analysis and correct this error. [Commenter: L000223; L000070]

Response: Thank you for your comment. Table 208 displays miles of stream by order, along with lakes, meadows, and RCAs. The table by itself does not portray habitat. RCA's in Table 208 do not include all the miles of ephemeral streams. Ephemeral miles included are described in Table 206. The footnote to Table 208 has been clarified to explain that not all Order 1 streams have RCAs delineated around them.

AB-25. Under Stream Condition Inventory: Commenters note there are no SCI plots identified for Miami Creek. Commenter requests the location of plots in relation to existing roads and trails in Miami. [Commenter: L000223; L000070]

Response: Thank you for your comment. SCI plots are a requirement of the 2001 Sierra Nevada Forest Plan Amendment to evaluate ground disturbing activities on channel types that could be affected by the activity. No ground disturbance activities have been proposed in the Miami Creek area since 2001.

AB-26. Commenters state Tables 214 and 215 fail to display the road and inventoried route density for each alternative. Commenters request this data is displayed for each alternative [Commenter: L000223; L000070]

Response: Thank you for your comment. The tables are part of the Affected Environment section describing the existing environment. The number miles of route and road, including density by alternative are evaluated in Water Resource (section 3.10), under Environmental Consequences. Road densities are also displayed in Terrestrial Wildlife (section 3.13).

AB-27. Commenters state Table 216 fails to display stream crossings and Road/Inventoried route density for each alternative. It is important to display the differences between the existing condition and the change in density for each alternative. Commenters request the table be revised to include stream crossings protected by improvements and density for each alternative. [Commenter: L000223; L000070]

Response: Thank you for your comment. Table 216 is part of the Affected Environment section describing the existing environment. The number of crossings and density by alternative are evaluated in Water Resource (section 3.10), under Environmental Consequences. Most of those features mentioned above are associated with a road, not a route. Roads were not analyzed for direct and indirect consequences for this analysis. Routes were analyzed as if brought up to SNF standard. Please refer to the Hydrology Environmental Consequences for this information by alternative.

Chapter 4: Consultation and Coordination

Consultation and Coordination

C-1. Under Chapter 4-Consultation and Coordination: Others. Commenter notes there is no listing of individuals or groups that provided written or verbal input into this environmental analysis. Commenter requests the SNF to provide this information in the final EIS. [Commenter: L000223; L000070]

Response: Thank you for your comment. A full list of all commenters, comments and comment analysis is available as part of the project record which can be accessed at the SNF Supervisor's Office at 1600 Tollhouse Ave., Clovis, CA.

C-2 Commenter requests selection of a preferred alternative that avoids and minimizes adverse effects to threatened, endangered and sensitive species and their habitat. [Commenter: L000106]

Response: Thank you for your comment. The project includes design measures for all action alternatives which were developed to reduce conflicts and effects to threatened, endangered, proposed, and sensitive species. In an effort to facilitate consultations on threatened, endangered species with the U.S. Fish and Wildlife Service (FWS), that agency provided Route Designation Project Design Criteria. For threatened or endangered species, the SNF has generally incorporated those criteria as project design measures. For those items not incorporated, the SNF has consulted with the FWS for concurrence of effects.

Appendices

APP-1. The Forest should display all unauthorized routes and remove unauthorized routes that have been determined to be existing roads from Appendix A, Table A-1. [Commenter: L000223].

Response: Thank you for your comment. Appendix A displays the site specific resource information for all proposed additions to the National Forest Transportation System. Routes not analyzed will not be included in Appendix A. Routes that are classified as existing system roads remain in Appendix A-1 in order to track information on routes that were analyzed in this document.

APP-2. The Forest should display all updated road information established during the analysis. [Commenter: L000223]

Response: Thank you for your comment. Appendix A-2 has been updated to include existing alignments of roads that are currently a part of the transportation system.

APP-3. The Forest Service should add more specific information on why a road is proposed for closure as required under NEPA to Appendix B. [Commenter: L000052, L000277]

Response: Thank you for your comment. The SNF has analyzed alternatives that provide a full range of options to meet the stated purpose and need of the action. Site specific actions needed to open specific proposed routes considered in one of the alternatives are listed in Appendix A.

Unauthorized routes may be designated for motor vehicle use pursuant to 36 CFR 212.51 of the Travel Management regulations following public consideration and appropriate site-specific environmental analysis. As explained in section 2.2 of the FEIS, the Proposed Action and alternatives were developed using a “risk/benefit” analysis, applying consistent criteria, but with different emphases in the various alternatives. These criteria balanced the potential opportunities and experiences provided by each route with potential conflicts or impacts to various resources caused by designating that route for public motorized use. Use of these criteria ensured that effects on natural and cultural resources were considered throughout the development of the alternatives, not just in the analysis of effects.

In order to minimize the effects to various resources and meet applicable standards and guidelines, the Forest Service used different approaches to reduce effects in the different alternatives. In alternatives that weigh more heavily toward the avoidance of resource impacts, those routes that would likely cause impacts to resources would not typically be designated for motorized use, unless there was clearly an important need or benefit to the route. On the other side of the scale, in alternatives giving more weight to the need for access and motorized recreation, impacts to resources are minimized through the implementation of additional mitigation.

A database containing the concerns and benefits identified for the unauthorized routes was made available to the public during the comment period on the DEIS and will be available upon request after publication of the FEIS. However, because the Forest Service must maintain the confidentiality of archaeological site locations, resource information associated with all unauthorized routes cannot be provided to the public.

APP-4. The Forest should analyze effects of projects that use native surfaced NFTS roads when the road has a wet season closure. [Commenter: L000223]

Response: Thank you for your comment. The SNF does consider the affects of wet seasons on all roads, with particular attention given to those with native surfaces.

APP-5. The Forest should remove references to mitigation, new road construction, and BMP 2-26 from Appendix H. Best Management Practices. [Commenter: L000223]

Response: Thank you for your comment. Table H-1 contained only one reference to required mitigation prior to designation (in BMP 1-8). This was a descriptive phrase, not prescriptive, and has been re-worded to address this concern. Please note that re-wording to avoid this phrase does not change the meaning or application of the BMP.

Table H-1 identifies the mitigation actions for which each BMP applies. None of the listed BMPs apply solely to new road construction – they also apply to stream crossing improvements, minor realignments, or maintenance activities. There are no BMPs listed that are outside the scope of the analysis.

APP-6. The Forest should reevaluate the consistency analysis and provide supporting documentation and sound science in Appendix J – RCO Consistency Analysis. [Commenter: L000223]

Response: Thank you for your comment. The rationale for the RCO consistency determinations is provided in Appendix J. The information that supports the rationale in the RCO Consistency Analysis is contained in Chapter 3 of the EIS, where the existing condition and effects of each alternative are discussed in relation to riparian-related resources (particularly the Water

Resources and Aquatic Biota sections), and in the route-specific field data in the project file. Changes made as a result of public comment did not trigger a need for the RCO Consistency Analysis to be reevaluated.

APP-7. It was difficult to track the information in Table A-1 with the information on the maps. [Commenter: L000277]

Response: Thank you for your comment. SNF staff was available in evening and Saturday drop in sessions, via phone, and on the web to assist with reading and navigating the maps and the documents. The SNF also provided specific maps as requested for those who did not have access to a computer. You can also use the digitized maps and query them for the route of interest.

APP-8 The Forest violated NEPA by failing to analyze the impacts of climate change. [Commenter: L00320]

Response: Thank you for your comment. This action is focused on managing where motor vehicles travel. This action does not change or regulate the number of vehicles on NFS lands. The regulation of emissions is not within the jurisdiction of this agency. As stated in Air Quality (section 3.7), currently part of the SNF is located in an area designated as non-attainment for ozone and PM2.5 under the National and California air quality standards.

Climate change has the potential to affect resources on the forest. The greenhouse gases associated with global climate change and the alternatives' impact on these gases is addressed in the Air Quality section of the FEIS.

APP-9. The Forest should not have roads or motorized trails in areas incompatible with motorized use. [Commenter: L000320]

Response: Thank you for your comment. The DEIS did not analyze any route for addition to the NFTS that is located in wilderness, Inventoried Roadless Areas, Research Natural Areas, Special Interest Areas, Primitive ROS Class, or where the route would adversely affect federally listed threatened or endangered species. Also, no routes considered for addition to the NFTS are likely to result in a trend toward Federal listing or a loss of viability for Forest Service sensitive species. Please see the Summary of Direct and Indirect Effects, Table 2-11 in Chapter 2 of the FEIS.

Additional Comments

Adequacy of Data and Analysis

AD-1. The DEIS states that 550 miles of unauthorized routes were inventoried in 2005. A total of 243 miles of inventoried unauthorized routes were brought forward for detailed study in the alternatives, and displayed in Appendix A. The remainder of the unauthorized routes were eliminated from detailed study. Please display all 550 miles of unauthorized routes in Appendix A so the public understands why routes were eliminated from detailed study and not proposed for designation. [Commenter: L000052]

Response: Thank you for the comment. Of the 550 miles, a number were duplicates, already existed as roads or trails, required detailed environmental analysis or re-routing as a mitigation measure, or required consultation with other federal agencies the process and time of which, made them unable to be considered in this decision. As mentioned at public meetings, this decision is the beginning of an on-going process during which, additional routes can and will be analyzed for inclusion.

AD-2. Include a table that shows the road maintenance levels under each alternative in the FEIS. Display the miles of roads open to all vehicle classes or just highway-legal vehicles.

The reader cannot evaluate the effect of all these proposals on motorized recreation and road maintenance budgets without this information. [Commenter: L00052]

Response: Thank you for your comment. Although road maintenance levels are not displayed, the miles of roads open to all vehicle classes or just highway-legal vehicles is shown in Table 2-10 in Chapter 2. Road maintenance levels can be generally inferred from the vehicle class allowable. The ability of different classes of vehicles to have recreation opportunities is the focus of the EIS and therefore it is the focus of the analysis. To determine the road maintenance budgets under for each alternative, please see Tables 3-4 in the FEIS.

AD-3. The majority of unauthorized routes are in fact authorized routes under the 1991 LRMP (Forest Plan) and the Travel Management Rule. This should be stated in the FEIS. [Commenter: L000221]

Response: Thank you for your comment. The 1991 Forest LRMP did not authorize individual routes to be included in the NFTS. The designation of unauthorized routes as part of the NFTS under the Travel Management Rule is the subject of this FEIS. This requirement is discussed in Chapter 1.

AD-4. Under Chapter 3, Affected Environment and Environmental Consequences, Introduction. This section refers to “Effects can be neutral, beneficial or adverse.” The DEIS does not define these terms or apply them in the analysis. This section also states; “The irreversible and irretrievable commitments of resources” section is located at the end of this chapter.” We want the agency to display this section in the DEIS for public review and comment. [Commenter: L000223]

Response: Thank you for your comment. The SNF believes that the terms neutral, beneficial and adverse are common terms that the general public understands and do not need to be defined. The FEIS has addressed irreversible and irretrievable commitments of resources in all resource areas. Please see Chapter 3.

AD-5. In Chapter 1, Issues, the Forest Service has removed phrases found in CEQ regulations from their proper context. The commenter particularly takes issue with (2) "...or other higher level decision." There is no regulation that allows for the use of some "higher level decision" permitted by CEQ. Only NEPA-compliant Decisions are admissible for the purpose of narrowing the scope of a NEPA compliant analysis, for identifying significant issues, and for changing the authority of the Forest Service such that individuals will be subject to newly created criminal penalties as a result of the Decision. [Commenter: L000258]

Response: Thank you for your comment. The statement in Chapter 1 refers to LRMP or other higher level NEPA decisions and does not use language directly contained in the CEQ NEPA regulations. This is consistent with the following paragraph that references the regulation which states, "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review."

AD-6. Adding this vague, unspecified option sets the stage for arbitrary choices and the application of individual federal employee preferences, under the color of that employee's status as an Executive Branch employee. [Commenter: L000258]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the

NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

AD-7. Adding its own interpretation of 1506.3 suggests that the Forest Service has some prior review(s) which may be applicable to this planning area, and these review(s) were incorporated into the DEIS. It is requested that such prior reviews be identified, and the areas or activities for which the prior review(s) are adopted be specifically called out in the FEIS. [Commenter: L000258]

Response: Thank you for your comment. The Forest transportation system has developed through both active management and decision making over time, both pre and post NEPA. The baseline system represents those routes included in the forest transportation atlas, roads with Forest Service signing and numbering, and documentation of maintenance and other management activities. The NFTS was reviewed prior to the start of this project, and was established as the baseline. NEPA documentation and other agency documentation per the Paperwork Reduction Act 44 U.S.C 3501 et.seq. are only required to be retained for 6 years. As a result, many NEPA decisions on the NFTS predate this timeframe.

AD-8. There are serious mistakes in this analysis. It calls into question the competency of the entire document. [Commenter: L000258]

Response: Thank you for your input. The SNF addressed identified errors or omissions as is customary for a draft document in a public process.

AD-9. No alternative in the DEIS includes the complete inventory of trails as part of the existing management situation. The SNF: 1. Fails to disclose any rationale to support the decision to eliminate ~90 percent of the unclassified, known roads and trails from this analysis before the analysis even began; 2. Selects for the Proposed Action just 46 miles for addition to the NFTS; 3. Fails to provide any factual or rational reason explaining why these miles were chosen and why the rest of the mileage (~ 90%) was rejected prior to the analysis and prior to scoping; 4. Fails to provide in the DEIS any record of a prior NEPA analysis and Decision, conducted between 2005 and the present, which lawfully eliminated from the analysis 90% of the original 710 unclassified miles; 5. Fails to disclose the Forest Service commitment to ~1,700 dispersed campsites (Ch.3 pg.68) which rely on short spur roads for access, and fails to disclose that the Forest Service advertises "dispersed camping" as one of the desirable recreation opportunities available on the Forest. [Commenter: L000258]

Response: Thank you for your input. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV

management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. Please see the response to comment for ARA-5. Please see section 1.2.1 for information on how unauthorized routes were inventoried and selected for inclusion in an alternative. Impacts to “dispersed camping” can be found in the Recreation section 3.3.3. Motorized access to dispersed recreation serves as an impact measurement indicator.

The deciding official (SNF Forest Supervisor) will take your input into consideration.

AD-10. The analysis of environmental impacts is insufficient No consistent method of analysis is given for determining which unauthorized routes were proposed for addition to the NFTS. [Commenter: L000320]

Response: Thank you for your comment. Please see section 1.3, Purpose and Need for a list (A through I, and 1 through 3) of the criteria taken into consideration to determine routes to be added to the NFTS. Routes identified for inclusion in the NFTS were routes that provided a unique recreation opportunity (such as high elevation trail experience), enhanced the recreation experience by connecting routes or areas, provided access to an area of interest, or allow access to dispersed camping. The ecological importance of meadow habitat was considered and the number of routes crossing meadows was minimized. The Alternative Development section at the beginning of Chapter 2 in the FEIS describes the process for developing the range of alternatives, including allowing public wheeled motor vehicle use on trails.

AD-11. By virtue of the number of natural resource impacts considered, the Forest Service’s considerations of the impacts from motorized recreation in the action alternatives are underestimated. [Commenter: L000067]

Response: Thank you for your comment. Unauthorized routes may be designated for motor vehicle use pursuant to 36 CFR 212.51 of the Travel Management regulations following public consideration and appropriate site-specific environmental analysis. As explained in section 2.2 of the FEIS, the Proposed Action and alternatives were developed applying consistent criteria, but with different emphases in the various alternatives. These criteria balanced the potential opportunities and experiences provided by each route with potential conflicts or impacts to various resources caused by designating that route for public motorized use. Use of these criteria ensured that effects on natural and cultural resources were considered throughout the development of the alternatives, not just in the analysis of effects.

In order to minimize the effects to various resources and meet applicable standards and guidelines, the Forest Service used different approaches to reduce effects in the different alternatives. In alternatives that weigh more heavily toward the avoidance of resource impacts, those routes that would likely cause impacts to resources would not typically be designated for motorized use, unless there was clearly an important need or benefit to the route. On the other side of the scale, in alternatives giving more weight to the need for access and motorized recreation, impacts to resources are minimized through the implementation of additional mitigation.

A database containing the concerns and benefits identified for the unauthorized routes was made available to the public during the comment period on the DEIS and will be available upon request after publication of the FEIS. However, because the Forest Service must maintain the

confidentiality of archaeological site locations, resource information associated with all unauthorized routes cannot be provided to the public.

AD-12. The NEPA process started in 1969, and every plan since then has increased protection of natural and cultural resources, and decreased opportunities for recreation. The NEPA process appears to be very open-ended, allowing plans to be amended frequently. Constant plan amendments have become counter-productive. The money spent on developing these plans and amendments should be spent on maintenance that has accumulated from lack of funding. [Commenter: L00067; L000125]

Response: Thank you for your comment. The Travel Management Rule provides a set of evaluation criteria for designating roads and trails and considering the availability of resources to maintain the system is a criterion. A number of other criteria also need to be taken into account, including the consideration of the effects of route designation on the NFTS, natural and cultural resources, public safety, provision of recreational opportunities, access needs, and conflicts among uses of National Forest System lands.

NEPA is a federal law with which the Forest Service must comply. It is designed to encourage public involvement and result in good decision-making since the decision-maker will be aware of the environmental impacts of his or her decision.

AD-13. The Forest Service should describe the impacts of motor vehicle use of existing trails, including the impacts of concentrating the use to fewer trails, as well as the illegal and unmanaged use that will likely result with a reduction in trails. [Commenter: L000288; L000322; L000303; L000088; L000176; L000258]

Response: Thank you for your comment. The impacts of the various alternatives have been analyzed and described in Chapter 3. A managed motorized recreation program is much better than an unmanaged system. The forest is working with volunteers to implement a strategic maintenance plan for key areas.

AD-14. Damage caused by motorcycles and bicycles is far less than the damage that equestrians cause. [Commenter: L000288]

Response: Thank you for your comment. By law, the National Forests are managed to allow for multiple use. The Multiple Use-Sustained Yield Act, defines “multiple use” in part as “management of all the various resources of the National Forests so that they are utilized in the combination that will best meet the needs of the American people.” Motorcyclists, mountain bikers and equestrians all have a place in the SNF, and prohibiting any group from enjoying their chosen activity would not meet the purposes of this project.

AD-15. The impacts of off road vehicle use are minimal when compared to some land management practices, and natural events. Please quantify the impacts scientifically, and illustrate the management measures required to halt or repair that damage. [Commenter: L000088, L000303, L000322]

Response: Thank you for your comment. Please see Chapter 3 which addresses the impacts of the various alternatives on various resource areas. Additionally in Appendix B there is a description of the measures that will be taken to address potential and occurring environmental impacts.

AD-16. Access for motor vehicle use has impacted other forest users such as equestrians, hunters, and campers. Eliminating route access, in conjunction with rising OHV users, will increase pressure on existing resources, and accidents will become more common. [Commenter: L000176]

Response: Thank you for your comment. As stated in the Travel Management Rule as part of the evaluation criteria for designating roads and trails where motor vehicle use will be allowed, the

Forest Supervisor must consider the effects of route designations on conflicts among uses of NFS lands. In designating roads, trails, and areas, local agency officials must consider minimization of conflicts among uses of NFS lands (§ 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 Recreation Resources section of the FEIS (section 3.3) discusses the possible conflicts among uses that would result from implementing each of the alternatives.

AD-17. The forest has failed to perform site-specific field checks for natural and cultural resources on every unauthorized route that is in the preferred or other alternatives. Because these routes are unauthorized, these routes should be checked on site to ensure that there are no resource problems before they are designated for recreational motor vehicle use. It should be a minimum requirement that the forest visit each route at least once to check for each major resource area of concern listed in the DEIS. [Commenter: L000320]

Response: Thank you for your comment. An extensive amount of site specific information was used in developing the alternatives, including information collected from Forest Service staff and the public. Public meetings and field trips were held during summer 2006, in which many individuals and groups identified specific routes and areas that they use for a variety of recreation purposes. This information was used in the development of the alternatives. Additionally, information regarding specific resource concerns and areas with concerns was provided by groups and individuals, which was also used in the development of the alternatives.

Data collection forms were one of the items used in the analysis of impacts on resources. Each resource used existing information concerning impacts associated with public wheeled motor vehicle use. This information comes from a variety of field-data based sources, such as vegetation mapping, inventories of cultural resources, ongoing monitoring of wildlife species occurrences and activity, including occupied nest sites, presence of sensitive amphibian populations, etc. Analysis of existing and potential conflicts with non-motorized recreationists can be found in the Recreation section. Analysis of existing and potential conflicts with wildlife can be found in the Terrestrial Wildlife section, section 3.13. Analysis of existing and potential conflicts with cultural resources can be found in the Cultural Resources section, section 3.6. Analysis of existing and potential conflicts with sensitive plants can be found in the Botanical Resources section, Section 3.11. Analysis of existing and potential conflicts risks of spreading noxious weeds can be found in the Noxious Weeds section, section 3.12.

AD-18. The science, analysis, rationale, reference materials, and liberal interpretation of standard and guidelines used in the DEIS analyses are over reaching and result in faulty conclusions. [Commenter: L000223]

Response: Thank you for your comment. The applicability of standards and guidelines, and reference materials has been reviewed for the FEIS. The Forest Service is confident that the FEIS has been predicated on the best available science analyzed by qualified professionals.

Cumulative Impacts

AD-19. All of the Forests listed in Region 5 (19 total) are preparing Travel Management Plans. Many of the plans have proposed a substantial reduction of motorized access. The DEIS has failed to address the cumulative effects of this Region-wide reduction in NFS land motorized access. [Commenter: L000258; L000237]

Response: Thank you for your comment. The Council on Environmental Quality (CEQ) in 40 CFR 1508.7 defines “cumulative impact” as the impact on the environment which results from the incremental impact of the action when added to other past present and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. The area analyzed in the cumulative effects analysis is usually not limited to the project area, and it varies with the resource or species being analyzed. The area considered will provide the appropriate context for reasonable determination of effects for a given resource. The cumulative effects analysis contained in Chapter 3 documents the analysis area, timing, and reasonably foreseeable future actions to be discussed in the environmental consequences. The recreation cumulative impacts section is being updated to address this issue.

AD-20. The DEIS cumulative effects fails to reveal the survey results from the SNF-specific NVUM. [Commenter: L000258]

Response: Thank you for your comment. The FEIS summarizes the survey results from the NVUM in Chapter 3, Recreation Resources, Table 47. This information was incorporated into the cumulative effects analysis. Specific survey results are available in the project record.

AD-21. The Forest Service should include the environmental impacts of the entire transportation system in its cumulative impacts analysis. [Commenter: L000320]

Response: Thank you for your comment. The Council on Environmental Quality (CEQ) in 40 CFR 1508.7 defines “cumulative impact” as the impact on the environment which results from the incremental impact of the action when added to other past present and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. The area analyzed in the cumulative effects analysis is usually not limited to the project area, and it varies with the resource or species being analyzed. The area considered will provide the appropriate context for reasonable determination of effects for a given resource. The cumulative effects analysis contained in Chapter 3 documents the analysis area, timing, and reasonably foreseeable future actions to be discussed in the environmental consequences.

The cumulative impacts analysis in the Transportation Section in Chapter 3 includes the current NFTS in its analysis.

AD-22. The DEIS cumulative impacts analysis is inadequate. [Commenter: L000258]

Response: Thank you for your comment. The Council on Environmental Quality (CEQ) in 40 CFR 1508.7 defines “cumulative impact” as the impact on the environment which results from the incremental impact of the action when added to other past present and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. The area analyzed in the cumulative effects analysis is usually not limited to the project area, and it varies with the resource or species being analyzed. The area considered will provide the appropriate context for reasonable determination of effects for a given resource. The cumulative effects analysis contained in Chapter 3 documents the analysis area, timing, and reasonably foreseeable future actions to be discussed in the environmental consequences.

The Council on Environmental Quality (CEQ) issued an interpretive memorandum on June 24, 2005 regarding analysis of past actions, which states, “agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions” (CEQ 2005). See Cumulative Effects (section 3.1.2) for additional rationale.

The SNF believes that the cumulative impacts reflected in each of the resources sections in Chapter 3, some of which have been revised in the FEIS, are complete.

Technical and Editorial Accuracy

TE-1. The SNF should be consistent with R-5 on the usage of “for inclusion”, correct errors and display the correct data in the final EIS. [Commenter: L000223; L000254]

Response: Thank you for your comment. The data has been reviewed and edits to the Final EIS have corrected errors.

TE-2. There is a discrepancy in the number of “Motorized Areas”. As stated in the DEIS there are 59 areas, however the number of “Motorized Areas” listed in Volume 2, Appendix A-1 Route Card Summary, pages 3 to 150, is only 20. 39 “motorized areas” are not included in this DEIS. [Commenter: L000254]

Response: Thank you for your comment. The 59 managed areas (125 acres) stated in the DEIS describe the existing system. The DEIS proposes up to 20 additional areas to be added to the existing system. Alternative 2 adds 1 area (6 acres); Alternative 4 adds 7 areas (14 acres); and Alternative 5 adds 20 areas (16 acres). Thus, the appendix A-1 Route Card Summary identifies only those areas that are proposed to be added to the system in alternatives 2, 4, and 5.

TE-3. The SNF should provide a title page for Volume 2, Table A-2. and explain the “Codes” for the various abbreviations. [Commenter: L000254]

Response: Thank you for your comment. The table is being revised to include a title page and explanation of codes.

TE-4. Change the definition of “user-created routes” to “system routes” where appropriated funds were expended on said routes. [Commenter: L000258]

Response: Thank you for your comment. Appropriated funds are spent on existing system roads and trails; however, funds received from grants have been used in OHV areas that included “unauthorized routes”. This project defines an unauthorized route as a road or trail that is not part of the NFTS; it is not included in a forest transportation atlas (see Glossary). All routes proposed to be added to the system need environmental analysis, no matter how long they have been in existence or been used and managed as OHV routes or areas. Routes were either in the NFTS or not in the NFTS. If they were not, they were considered unauthorized. “Grandfathering” in routes is not an option. The reasons why certain routes were not added can be found in the Alternatives Submitted document (see project record). Unauthorized routes that are not added to the NFTS are not precluded from consideration in future actions, but they would be closed to motor vehicle travel as part of the cross-country travel prohibition.

TE-5. The DEIS has many map errors, inconsistencies in vehicle use types, incorrect road maintenance levels, and complete omissions of SNF roads and existing routes. Motorized use areas and staging areas should be labeled and included as part designated transportation system. [Commenter: L000048; L000258]

Response: Thank you for your comment. The maps and data have been reviewed and edits to the FEIS have corrected errors. In the development of the maps, a balance was required between the level of detail included to make the maps functional and informative, as compared to the file size/maps being overly large/detailed and becoming non-user friendly. Accessing the Analysis Unit Maps, which break the forest into ten areas, displays a more zoomed-in portion of the forest where it is more user-friendly to pan around and zoom in and out. Roads and routes are displayed on the maps as open, closed, or open to certain kinds of vehicles. This was determined to be the clearest way to convey the necessary information. The maps are intended to illustrate the

connectivity of the open roads, and are less useful for indicating the precise road number of every segment. The road number labeling is to guide the reader, and can be used to reference additional road information in Appendix A-2.

TE-6. Camping areas were not shown on all the alternative maps, or were shown in some areas and not others. [Commenter: L000130; L000224]

Response: Thank you for your comment. The 2005 Travel Management Rule, 36 CFR Section 212. Subpart B, provides for a system of NFTS roads, NFTS trails and areas on National Forest System lands that are designated for motor vehicle use. The alternative maps only shows the motor vehicle access to dispersed recreation opportunities (camping, hunting, fishing, hiking, horseback riding, etc.). The FEIS maps will display the existing managed areas and parking areas as well as the proposed areas that will provide access to dispersed recreation opportunities. Access routes that are not added to the NFTS are not precluded from consideration in future actions, but they would be closed to motor vehicle travel as part of the cross-country travel prohibition.

TE-7. The commenter is concerned that not all of the unauthorized routes added to the NFTS were visited by Forest Service staff to determine potential impacts on botanical resources, recreation, heritage resources, aquatic species, wildlife, hydrology, and soils. [Commenter: L000320]

Response: Thank you for your comment. The routes that were not visited for water resources were: outside of the RCA, had no stream crossings, were not on sensitive soils, were not in watersheds that were over threshold for CWEs, and had no existing information suggesting that a visit was necessary. These were also screened on imagery to verify that the GIS data appeared to be correct. There were 5 Open Areas and 32 routes that met these criteria, and did not have water resources data collected in the field. However, each route was visited by at least one member of the IDT to ensure that it was well-suited and sited. Please also see response to AD-17.

TE-8. The monthly mean streamflow for gaging station number 11216500, North Fork Kings River below Dinkey Creek, at Balch Camp, CA, listed in the DEIS does not match the data available on the Internet at

http://waterdata.usgs.gov/nwis/monthly/?referred_module=sw&site_no=11216500&por_1121650

[Commenter: L000089]

Response: Thank you for pointing out an error in the DEIS. The station number listed for North Fork Kings River below Dinkey Creek, at Balch Camp, CA was actually the station number for the location upstream of Dinkey Creek. The correct station number for this location is 11218400. This has been corrected in the FEIS.

TE-9. The Forest Service should correct the statements made in Volume 1, Chapter 3, page 85, fifth paragraph, last sentence which discussed SNF acreages of motorized and non-motorized recreation. [Commenter: L000254]

Response: Thank you for your comment. Chapter 3, page 85 of the DEIS indicated 592,000 of non-motorized which is 45.5% of the 1.3 million acres of forest land. The 660,000 acre figure that is given on page 84 is the number of acres in the 1977 OHV plan that were open to cross-country travel.

TE-10. ROC asserts unpaved NFS roads are not “highways.” Our analysis of the Region’s mixed use policy and the California Vehicle Code supports this recommendation. California Vehicle Code: The Pacific Southwest Regional Forester has said all NFS passenger car roads (maintenance level 3-5) are “highways” under the California Vehicle Code (CVC). This conflicts with the December 19, 2007 letter from the California Highway Patrol (CHP).

Forest Service Manual (FSM) 7740.5 (8/24/2000) defines a “forest highway” as: “Forest Highway. A designated forest road under the jurisdiction of, and maintained by, a public authority that is subject to the Highway Safety Act.” [Commenter: L000052]

Response: Thank you for your comment, but the SNF does not agree, however. FS ML 3-5 roads, even unpaved, are required to be in compliance of the Highway Safety Act, and meet the California Vehicle Code definition of highways per the California Highway Patrol. The term “forest highways” in FSM 7740 defines a programmatic activity to assist states and counties with road projects. This term does not refer to the operation and maintenance of roads under the jurisdiction of the National Forest.

TE-11. The following language is missing from the DEIS, “In accordance with Subpart B of the Travel Management Rule (36 CFR 212.56), following a decision on this proposal, the Sierra will publish a motor vehicle use map (MVUM) identifying all NFTS roads, trails, and areas that are designated for motor vehicle use. The MVUM shall specify the classes of vehicles and, if appropriate, the time of year for which motor vehicle use is designated.” We request the language be added to the FEIS. [Commenter: L000258]

Response: Thank you for your comment. We have added this language to the FEIS.

TE-12. The Forest Service should correct Table 29 related to Alternative 5 to correctly depict the mileages. [Commenter: L000034; L000223]

Response: Thank you for comment, Table 29 related to Alternative 5 has been reviewed and corrected.

TE-13. The FS should correct inaccurate utilization of terms such as:

- “User-created routes” – should be changed to system routes
- “highway”
- maintenance level (ML) 3, 4, and 5 roads as being “passenger car roads”; only ML 5 should be considered a passenger car road
- “Added”
- “Combined use” for “mixed use” and visa versa
- “unauthorized route
- “OHV cross-country”

[Commenter: L000258; L000052]

Response: Thank you for your comment. A glossary is included in Chapter 4 of the FEIS which correctly defines the unique terms used in the FEIS.

TE-14. 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 determination is presumably announced to the public through the publication of maps, signage, web sites and other USFS documents such as Forest Plans and OHV Plans. The 1991 LRMP (Forest Plan) states that maintenance level 1 and level 2 (ML-1 and ML-2) roads are open to OHV use unless signed closed. ML-1 roads in many cases originated as temporary roads and are authorized according to the definitions of the TMR, authorized. It is our contention that many routes described in the DEIS as unauthorized routes are ML-1 and ML-2 routes or temporary routes which are in fact authorized. 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” and exist in prohibited areas. We contend that user created routes that exist in areas where cross-country travel is legally permitted under the 1977 OHV Plan have not been adequately addressed by the DEIS as they are neither clearly authorized nor unauthorized and in some cases have been signed and included on USFS maps. 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: L000221]

Response: Thank you for your comment. The SNF disagrees. All routes proposed to be added to the system need environmental analysis, no matter how long they have been in existence or been used and managed as OHV routes or areas. Routes were either in the NFTS or not in the NFTS. If they were not, they were considered unauthorized. Grandfathering in routes was not an option. However, a few routes were identified as having not been properly mapped and had been through the NEPA process; these route have been properly included in the NFTS and taken out of consideration in the TM analysis. The routes proposed in Alternatives Considered and Eliminated, were considered. The reasons why they were not added can be found in the Alternatives Submitted document (see project record). Unauthorized routes that are not added to the NFTS are not precluded from consideration in future actions, but they would be closed to motor vehicle travel as part of the cross-country travel prohibition.

TE-15. None of the 4 usable alternatives are acceptable to the equestrian community as they each have the same language related to parking along designated routes of One Vehicle Length Off the road thus limiting access to the hundreds of historically used parking and camping areas for disbursed recreation. The implied definition of these locations is that they are considered OHV cross-country travel and now closed under the proposed DEIS Plan. We strongly disagree with this definition. [Commenter: L000014]

Response: Thank you for your comment. The 2005 Travel Management Rule, 36 CFR Section 212. Subpart B, provides for a system of NFTS roads, NFTS trails and areas on National Forest System lands that are designated for motor vehicle use. The alternative maps only show the proposed motor vehicle access to dispersed recreation opportunities (camping, hunting, fishing, hiking, horseback riding, etc.). The FEIS maps will display the existing managed areas and parking areas as well as the proposed areas that will provide access to dispersed recreation opportunities. Access routes that are not added to the NFTS are not precluded from consideration in future actions, but they would be closed to motor vehicle travel as part of the cross-country travel prohibition.

The "one car length" parking has been instituted to provide some parking opportunities as per FSM 7716.1.

The completion of this EIS is the beginning of adding additional routes to the NFTS. Based on public interest and need as well as SNF resources, additional unauthorized routes will be environmentally analyzed and potentially added to the NFTS.

TE-16. Commenters note the SNF is in error in the classification of route SR-35z as a non-authorized route (Table 229). This route was converted to a motorized trail from a system road (6S41A) under the Miami Basin 10% Project. This decision is supported by a Decision Memo signed by the SNF on June 6, 1999. Commenters request that the SNF remove the label of non-authorized route for this trail and to identify all trails and roads as defined in the Miami Basin 10 Percent Project Decision Memo as part of the existing transportation system for trails and roads. [Commenter: L000223; L000070]

Response: Thank you for your comment. You are correct that the Miami Basin 10 Percent Project Decision included road 6S41A. However, the entire SR-35z route was not covered by the

decision, only the segment that had been a road. The route has been split, with the appropriate portion included under analysis in the FEIS.

TE-17. The Forest should correct the errors in the page numbers for the List of Tables [Commenter: L000254]

Response: Thank you for your comment. These errors have been reviewed and corrected as appropriate in the FEIS.

Map Corrections

General

MAP-1. DEIS alternative maps are unwieldy and extremely difficult to utilize. [Commenter: L000128; L000150; L000176; L000224]

Response: Thank you for your comment. In the development of the maps, a balance was required between the level of detail included to make the maps functional and informative, as compared to the file size/maps being overly large/detailed and becoming non-user friendly. The SNF understands your concern that the labeling of the maps can be hard to read and that not everyone has access to a computer. Accessing the Analysis Unit Maps, which break the forest into ten areas, displays a more zoomed-in portion of the forest where it is more user-friendly to pan around and zoom in and out. Roads and routes are displayed on the maps as either open, closed, or open to certain kinds of vehicles. This was determined to be the clearest way to convey the necessary information. The maps are intended to illustrate the connectivity of the open roads, and are less useful for indicating the precise road number of every segment. The road number labeling is to guide the reader, and can be used to reference additional road information in Appendix A-2.

MAP-2. EIS Map in Error; the base map provided on the EIS CD does not accurately depict the location of roads 10S071.H, 10S071A.H and 10S071AB.H in relation to the Camp El-O-Win property. Enclosed, please find a topographical map which accurately shows the camp property in relation to these roads. This map clearly indicates the close proximity of the roads in question to the camp property line and camp buildings. Additionally, please note there is a USFS survey, identifying the Camp El-O-Win property line. [Commenter: L000175]

Response: Thank you for your comment. The amount of detail on the Large PDF Maps in the EIS CD might get distracting if every symbol, grids, and labeling is turned on. The purpose of the PDF Maps is to turn off symbols and labels that are not of your interest. If zoomed to the Camp El-O-Win area and turning off layers that are not of concern, road 10S071.H, 10S071A.H, and 10S071AB.H are outside and away of Camp El-O-Win. The Tamarack-Dinky Analysis Unit Map clearly gives a better image of the location between 10S071, 10S071A.H, 10S071AB.H, and El-O-Win property.

MAP-3. Inventoried routes and route ID numbers identified on the Inventory maps and NOI have been excluded from the DEIS maps. It has been all but impossible to address specific routes and make informed comments. [Commenter: L000223; L000320]

Response: Thank you for your comment. The DEIS maps display only those routes that were selected to be in the alternatives. The information provided in Appendix L of the EIS provides the crosswalk between the route identifiers presented in the NOI and those used in the DEIS, including the maps. If a route is not called for in the DEIS then it can be found in the 2005 initial inventoried maps on our forest service website <http://www.fs.fed.us/r5/sierra/projects/ohv/2005-maps.shtml>.

**MAP-4. The colors assigned to existing system roads varies between alternatives.
[Commenter: L000224]**

Response: Thank you for your comment. Each of the alternative maps utilizes the same map legend, which adopts the same style of symbols and color. The colors indicate whether there is a change between the existing or current management and what is proposed in the alternative. Therefore, if roads are different colors in different alternatives, it means that there would be differences in how they are managed between those alternatives.

Implementation, Funding, Monitoring and Enforcement

General

IF-1. OHV is a legitimate use of public land that can be done without negative impacts. OHV license fees are collected for trail maintenance; if these funds were used properly, there would be no need to close trails because of environmental impacts. [Commenter: L000070; L000322]

Response: Thank you for your comment. It is true that OHV license fees can be applied to trail maintenance. However, the funds generated, are not adequate by themselves to maintain the system.

IF-2. Funds from OHV licenses should be used to keep roads open and maintained instead of focusing on law enforcement. [Commenter: L000153]

Response: Thank you for your comment. Funds from the Off-Highway Motorized Vehicle Recreation funds may be used for both motorized trail and road maintenance. Once a designated system is implemented the Forest expects for apply for grants to help maintain both motorized trails and roads with significant OHV use. In addition, the Forest has requested and received funds for law enforcement. It is our intent to educate and inform our visitors and use citations and other law enforcement options as a last resort. Please reference Appendix D – Law Enforcement in the FEIS. The Forest strategy for enforcement consists of engineering (prevention of inadvertent violations with barriers, signing, etc); education (development of responsible Forest users); and lastly, law enforcement (reduction of criminal activity).

IF-3. When motorized mixed use is designated on a road in California, State OHV Trust Funds may be used to maintain the road. They will help reduce the forest's backlog of road maintenance if the FS chooses to apply for these grants. [Commenter: L000052]

Response: Thank you for your comment. The SNF is aware of this and will include requests for maintenance of qualifying roads in future grant proposals.

IF-4. Lack of trail maintenance makes trails more difficult and thereby less used. The commenter prefers it this way. [Commenter: L000002]

Response: Thank you for your comment. With this decision, maintenance on trails will be more frequent in those areas where negative environmental effects would result from continued lack of maintenance.

IF-5. The commenter is concerned about the Forest's road maintenance backlog and the gap between maintenance needs and anticipated maintenance budgets. It is unclear how the SNF can meet their road and motorized trail maintenance expectations with this deficit. [Commenter: L000032; L000052; L000126; L000136; L000153; L000177; L000197; L000221; L000226; L000234; L000250]

Response: Thank you for your comment. It is true that the SNF road maintenance budget is not expected to increase appreciably in the near future. This TM analysis proposes significant reduction in road maintenance levels under some alternatives which should reduce the need for some funds. The small increase in road mileage is comprised of primitive roads with few maintenance needs. The proposed changes are not expected to adversely affect the standard of road maintenance the Forest has accomplished in the past. See Chapter 3, Table 3-4 for a summary of the expected road maintenance funding requirements.

In addition, the SNF plans to work closely with volunteer groups and individuals who have shown and increased interest in providing maintenance support.

IF-6. The SNF does not have sufficient funds to implement and enforce the proposed MVUM and mitigations. [Commenter: L000001; L000176]

Response: Thank you for your comment. By designating the motorized trail system in this decision, the SNF is in a much better position to effectively administer and enforce the motorized use opportunities in the future. For example: when this decision is finalized, the SNF will be eligible to and will request and likely receive appropriated (Congressional) funds to maintain the motorized trails, at this time the forest is not eligible to receive this type of funding.

Law enforcement, public education and free maps will be among the tools used to ensure that road restrictions are respected.

IF-7. The Forest should consider reducing maintenance levels, where appropriate, to reduce road maintenance costs. [Commenter: L000223]

Response: Thank you for your comment. It is true that the SNF road maintenance budget is not expected to increase appreciably in the near future. This TM analysis proposes under some alternatives, significant reductions in road maintenance levels which should reduce the need for some funds. The small increase in road mileage is comprised of primitive roads with few maintenance needs. The proposed changes are not expected to adversely affect the standard of road maintenance the Forest has accomplished in the past. See Chapter 3, Table 34 for a summary of the expected road maintenance funding requirements.

In addition, the SNF plans to work closely with volunteer groups and individuals who have shown and increased interest in providing maintenance support.

IF-8. There are not enough routes in any of the analyzed alternatives. Approximately 70% of trails that are 50" or less in width will be closed (with single track losing the most). This will result in overcrowding, overuse, etc. [Commenter: L000176]

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

**IF-9. There are connected trail systems where the season of use varies. Will there be signs?
[Commenter: L000181]**

Response: Thank you for your comment. Compliance with Travel Management Rule Subpart B 36 CFR Section 212.57 includes the development of an implementation strategy that will be formulated in accordance with the decision made in the ROD. One of the engineering tactics will be forest signing, both directional and informational, to assist the public to ensure they stay on designated trails, and out of the wilderness and other sensitive areas. Additionally, the SNF supports the concept of adaptive management and agrees that monitoring and, if needed, revision of motor vehicle designations will be an ongoing part of travel management. Since the system of designated routes and areas will change over time, the Forest anticipates that it will publish new motor vehicle use maps (MVUM) annually and update signs as necessary or appropriate.

**IF-10. The route cards in Appendix A indicate that most routes have work needed before they will appear on the MVUM. Please include an implementation schedule. Without this, the public cannot tell when routes will appear on the MVUM and be available for use.
[Commenter: L000052; L000126; L000250].**

Response: Thank you for your comment. The SNF is addressing this concern by beginning some of the identified mitigations immediately. The deciding official may consider allowing the use of other routes before mitigations occur.

IF-11. Requiring the routes to be brought to standard before they are on the MVUM will cause an adverse impact to motorized access. The commenter requests that the SNF develop an “Implementation Plan” that allows concurrent use while mitigation measures are enacted. [Commenter: L00223]

Response: Thank you for your comment. An implementation schedule is being developed and will be attached to the ROD.

IF-12. Explain the reason for 244 new Administration site closures. [Commenter: L000128]

Response: Thank you for your comment. The increase in year round closures for administrative sites and concessionaire facilities is in recognition that previously there have been problems controlling access to locations which require a care taker or administrative oversight to be present. Due to concerns regarding this type of closure, we developed a closure rationale of “O – Open when occupied only.” This is reflected in the Final EIS in Appendix A-2.

IF-13. The Eldorado National Forest's experience in closing most dispersed camp entrance roads resulted in more labor and expense to re-open many of them. [Commenter: L000128]

Response: Thank you for your comment. This Travel Management analysis does not evaluate dispersed camping sites for appropriate use; however, it does analyze the motorized wheeled access. People may have to carry or cart their equipment to sites they have previously been able to drive to. Where there is no designated access to a dispersed campsite, and the visitor has a need to park in a safe location. They can park one vehicle length off the road. Existing log landings and pullouts are already part of the NFTS road system and are therefore available for parking and camping. The Forest is considering alternative methods of providing some additional access to dispersed sites.

IF-14. The commenter requests that the SNF analyze all existing roads and trails, identify those with resource concerns, and inform the public about what those concerns are and how they can be mitigated. [Commenter: L000132]

Response: Thank you for your comment. The SNF was delegated the task to identify a motorized transportation system in compliance with Subpart B of the Travel Management Rule. This initial effort was to identify as many routes as possible to meet the needs of the motorized visitor. In

implementing Subpart B, SNF staff analyzed and applied mitigations (where needed) to as many routes as possible given the timeframe and budget available. The public was engaged to identify the most important of these routes during the scoping process. The SNF has developed a list of future opportunities (Appendix O) to continue the process of analyzing those routes the public identified as important, but that the SNF was unable to address in this decision. Also, the existing Sierra NTSF of roads was evaluated for its compatibility with OHV and green/red sticker use. Changes to the season of use on the road system are reflected in Appendix A-2.

IF-15. Natural resource protection should take priority over motorized recreation and take into account the financial constraints and limited trail maintenance and enforcement capabilities. [Commenter: L000128]

Response: Thank you for your comment. The SNF disagrees; balancing natural resource protection and recreational opportunities are required under the National Forest Management Act. The SNF is striving to apply that balance in this decision. In addition, the SNF will continue working with volunteer groups and individuals interested in the management and implementation of the NFTS roads, trails, and areas on the SNF.

IF-16. The physical impact of off-road travel within the Sierra National Forest has increased dramatically over the past 20 years. The human population within the Forest's sphere of influence has increased significantly as has the number of individuals owning some type of 4wd vehicles and motorcycles. The Forest Service has been unable to effectively manage increased use because they simply do not have the personnel and budget to do the job at the needed intensity. The best choice is to restrict future travel to the historic and already impacted routes. [Commenter: L000135]

Response: Thank you for your comment. By designating the motorized trail system in this decision, the forest is in a much better position to effectively administer and enforce the motorized use opportunities in the future. For example: when this decision is finalized, the forest will be eligible to and will request and likely receive appropriated (Congressional) funds to maintain the motorized trails, at this time the forest is not eligible to receive this type of funding. The deciding official will consider your comments before making the final decision.

IF-17. Set up a hot line type of service for the public to report trees or wash outs that are beyond the ability of people to remove on their own and respond to remove the obstacle as soon as possible. [Commenter: L000153]

Response: Thank you for your comment. Please call the respective Ranger District Office to report these types of situations.

IF-18. There is a perceived lack of commitment by the Forest to utilize these funds, coordinate with volunteers and maintain the OHV trail system to prevent its degradation. This perception does not foster confidence in the ability of the SNF to complete the mitigation described in this DEIS. The public depends on motorized travel to access to non-motorized recreation, and a balanced approach to recreation includes motorized recreation. [Commenter: L000221]

Response: Thank you for your comment. By designating the motorized trail system in this decision, the SNF is in a much better position to effectively administer and enforce the motorized use opportunities in the future. For example: when this decision is finalized, the SNF will be eligible to and will request and likely receive appropriated (Congressional) funds to maintain the motorized trails, at this time the forest is not eligible to receive this type of funding.

The SNF will continue working with volunteer groups and individuals interested in the management and implementation of the NFTS roads, trails, and areas on the SNF. The activities that volunteers can assist with include:

- Developing a public volunteer strategy to identify opportunities for the public to help implement, enforce, maintain, and fund the designated motorized trail system.
- Expanding the volunteer core capable of supporting the implementation of ongoing resource protection and efforts, expanding public information dissemination, effectiveness and resource monitoring, and the maintenance of NFTS infrastructure (including signs, kiosks, roads, trails, and restoration efforts).
- Developing and disseminating a public education strategy that incorporates successes from programs such as “Stay the Trail”, “Don’t Crush The Brush” and “Volunteer Host” to: 1) educate forest visitors about the designated route system; 2) assist the public with reading the public MVUM; and 3) educate forest visitors about best practices for minimizing impacts resulting from motorized recreation.
- Assisting with mitigation efforts described in this decision.
- Assisting with field verification and reroute options of routes that are future opportunities for motorized trail additions to the NFTS.
- Assisting with restoration efforts that will be planned and designed in future NEPA actions.

IF-19. Road maintenance costs used in the analysis should be based on local data associated with the SNF’s maintenance activities rather than on data from national averages, and should be displayed by road maintenance level. [Commenter: L000223]

Response: Thank you for your comment. These costs are realistic. The SNF does not have the resources to continually inspect, evaluate and update the results for over 2,500 miles of roads. The SNF annually evaluates a statistical sample of roads nationwide and applies the results to the entire NF road system. These are the expected needs for deferred and annual maintenance. The SNF directs its road budget as much as possible to road repair work instead of data collection and analysis. The differences in the expected maintenance cost are a good measure of the affects each alternative has on road maintenance funding needs.

IF-20. What is the process and source of funding for the annual MVUM update? How can the public participate after this decision is made? Will it be announced when it is time for input? [Commenter: L000281]

Response: Thank you for your comment. The SNF is required to annually issue the MVUM to the public. At least each year the MVUM will be updated with changes to the NFTS. These changes may include additional motorized trails and roads after analysis in the NEPA process, or removal of motorized trails and roads if conditions change in the field. Each ranger district has the opportunity to analyze (in a NEPA document) new proposed routes (a list of future opportunities identified by the public is available in Appendix O) for addition to the designated system. Funding for this analysis could be applied for in the State OHV grant process. Public involvement is required for NEPA decisions and those who express interest in this process will be contacted for their input.

IF-21. The Forest should not designate new routes because of the maintenance backlog. The DEIS does not explain how the maintenance backlog will not increase, or how the mitigation measures will be funded. These funding questions should be addressed in the FEIS. [Commenter: L000320; L000322]

Response: Thank you for your comment. Meeting maintenance needs for the transportation system will continue to be a challenge. However, the proposed alternatives will have a net reduction in road maintenance funding needs (see Table 34). There will be a slight increase in necessary motorized trail maintenance funding (see Table 35). Due to the interest in the motorized trail system the SNF expects the SNF and its advocates to successfully apply for and receive Green Sticker grants to do work. By designating the motorized trail system in this decision, the SNF is in a much better position to effectively administer and enforce the motorized use opportunities in the future. For example, when this decision is finalized, the forest will be eligible to and will request and likely receive appropriated (Congressional) funds to maintain the motorized trails - at this time the forest is not eligible to receive this type of funding.

The various mitigation measures are individually small projects and could be accomplished by appropriated Congressional funds, Green Sticker grants or volunteer assistance. The activities volunteers can assist with are listed in the Response to Comment IF-18, and include participating in mitigation activities.

IF-22. I don't understand the motivation for this proposal, particularly since service and supervision for the parks is about to be severely curtailed. [Commenter: L000322]

Response: Thank you for your comment. Please refer to the Purpose and Need (section 1.3). In summary the motivations for this proposal for the SNF are:

6. Regulate unmanaged cross-country motor vehicle travel by the public.
7. Apply limited changes to the Sierra NFTS to:
 - a. Provide motor vehicle access to dispersed recreation opportunities (camping, hunting, fishing, hiking, horseback riding, etc.).
 - b. Provide a diversity of motorized recreation opportunities (4X4 vehicles, motorcycles, ATVs, SUVs, passenger vehicles, etc.)
 - c. Reduce resource damage and administrative cost on NFTS roads and motorized trails. Resolve the conflict between US Forest Service national policy regarding motorized use on ML1 roads and the LRMP.

IF-23. It is surprising that the undesignated routes will not be closed on the ground. [Commenter: L000322]

Response: Thank you for your comment. Undesignated routes will be individually closed on the ground relative to the potential risk (i.e. resource damage) of continued use. Education and enforcement will also be utilized to ensure that undesignated routes are no longer used.

IF-24. Without proper decommissioning and the funding and man hours even roads in current use cause harmful impacts to forest ecosystems through sediment production and transport. [Commenter: L000322]

Response: Thank you for your comment. The effects of erosion of the inventoried routes are included in the described Environmental Consequences of Prohibiting Cross-country in the Water Resources section of Chapter 3 of the FEIS (section 3.10). Existing roads are outside the scope of the project, but their effects are included in the CWE analysis. The risk of CWE for each alternative, summarized in Table 139 of the FEIS, considers that restoration will not occur as part of this project.

Volunteer Participation

IF-25. Please address the opportunity to use volunteers to maintain roads if they are designated for mixed use (e.g. remove vegetation encroachment). Describe your current OHV volunteer program and its potential to assist with the Forest's future road and trail maintenance through such programs as Adopt-a-Trail or Adopt-a-Road. [Commenter: L000052]

Response: Thank you for your comment. The SNF has several volunteer groups and individuals helping manage and maintain roads and motorized trails. There is particularly new interest in helping work on roads the OHV community has recognized as part of their recreating experience. The current historic OHV routes have volunteer advocates, and as motorized trails are designated, we expect new Adopt-a-Trail requests will include the rest of the newly designated system. The SNF expects to increase the pool of volunteers as road and trails are designated and the community sees the value of their work. The activities that volunteers can assist with are listed in the Response to Comment IF-17. To become involved, please contact the SNF Recreation Officer at (559) 297-0706.

IF-26. Commenter wants to be included in the volunteer efforts to keep and maintain present and future designated trails. There are lots of volunteers who will help. [Commenter: L000011; L000012; L00029; L000047; L000070; L000088; L000322]

Response: Thank you for your comment. The activities that volunteers can assist with are listed in response to comment IF-17. To volunteer, please contact the SNF Recreation Officer at (559) 297-0706.

IF-27. Please keep all existing trails that are in your inventory open. If there are issues with any trails, please give us a chance to work with you and correct those issues. There are lots of volunteers that will help with this effort. [Commenter: L000322]

Response: Thank you for your comment. The National Environmental Policy Act (NEPA) does not allow a federal agency to "grandfather" in activities which were implemented after the Act became law in 1969. To volunteer, please contact the SNF Recreation Officer at (559) 297-0706.

Outside the Scope, General

O-1. Commenter states that 30 years ago they could ride all day and never see another rider due to the extent of the trail system. Also due to the extensive trails available there was no real damage to the trails and surrounding terrain [Commenter: L000322]

Response: Thank you for your comment. The situation 30 years ago was very different from the current state of affairs. Population increases and the growing popularity of off-highway vehicles require an adjustment in the way that the SNF is managed.

O-2. Commenter asks why the USFS is in effect turning itself into more wilderness. [Commenter: L000278]

Response: Thank you for your comment. 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 FEIS highlights the analysis used for determining which routes are proposed for addition to the NFTS for wheeled motor vehicle use in the alternatives.

O-3. Commenter asks if unauthorized routes are designated in watersheds with moderate or high risk of Cumulative Watershed Effects (CWEs), will the SNF restore or obliterate other unauthorized routes in those watersheds as mitigation. [L000106]

Response: Thank you for your comment. This decision is focused on creating a designated trail system and prohibiting cross-country use. Restoration and obliteration of unauthorized routes will be accomplished with future NEPA decisions. Areas that are at High or Moderate risk for CWEs will be priority areas for this future work.

O-4. Commenter points out the current bear situation in the Sierra National Forest and surrounding areas. The California Department of Fish and Game depends on local sportsman to help keep bear over population in hand as best it can with the ever decreasing hunting opportunities due to private land ownership of what once was public land. This has either taken away hunting opportunities by private ownership, or has blocked access to public land by the purchase of easements. Over the last 40 years these have been the most consistent as far as bear harvest is concerned, due to the accessibility to the area by four wheel drive vehicles. The quota was raised by the Fish and Game due to low harvest counts. The cut back on accessibility will make meeting those quotas even harder. [Commenter: L000264]

Response: Thank you for your comment; however it is outside of the scope of this EIS. Please see response to comment ARA-8.**O-5. Commenter states that the pressure of California's exploding population is sure to eventually destroy the rest of our native wildlife habitat. Commenter asks "Is that what we want folks to enjoy along an endless road system, a natural environment no more?" [Commenter: L000322]**

Response: Thank you for your comment; however, it is outside of the scope of this EIS. The Forest Service is seeking to find a balance between natural resource protection and recreational use.**O-6. With such people allowed to have guns, it's even worse. The wildlife won't stand a chance. Anyone who can use a vehicle to carry out whatever they "bag" won't have to be responsible. Hiking doesn't allow for too much poaching. [Commenter: L000322]**

Response: Thank you for your comment; however it is outside of the scope of this EIS.**O-7. Commenter indicates that as a biologist who has personally conducted literature searches on the detrimental effects of roads on wildlife, commenter is upset that our National Forests continue to erode the habitat for our nation's wildlife. [Commenter: L000322]**

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

O-8. The Forest Service should require the OHV users to bear the cost of needed mitigation. [Commenter: L000252]

Response: Thank you for your comment; however it is outside of the scope of this EIS.**O-9. The Forest Service's discussion of the scope of the document in the DEIS should be accurate. [Commenter: L000223; L000258]**

Response: Thank you for your comment. The Forest Service has reviewed the FEIS and determined that the scope of the document is accurate.

O-10. The Forest Service should remove the Measurement Indicator #2 section and analysis from the final EIS as it is outside the scope of the analysis. [Commenter: L000223]

Response: Thank you for your comment. Removing the Recreation Indicator Measurement #2: Non-Motorized Recreation Opportunity would prevent this document from accurately reflecting the impacts of the various alternatives. The impact to non-motorized recreational experiences is one of the significant issues identified (see section 1.6.3) and therefore must be analyzed in the EIS. This measurement is an estimation of the acreage that each alternative provides for quiet recreation and non-motorized activities. The SNF must provide access to multiple types of recreational experiences, from the highly developed to the primitive, and this indicator helps to ensure that balance.

O-11. The Forest Service should consider dispersed camping and wood cutting be outside the scope of the Sierra National Forest DEIS. [Commenter: L000070; L000253; L000261; L000297; L000308]

Response: Thank you for your comment. Wood cutting and dispersed camping are outside the scope of this document. However, vehicle access and parking for these activities are within the scope of the document.

O-12. Comments on Forest policy documents are outside the scope of the analysis within the FEIS. [Commenter: L000052; L000157]

Response: Thank you for your comment. The SNF agrees. The FEIS does not analyze past policy decisions.

O-13. The following SNF existing system roads should be closed to motor vehicle use at all times of the year and eventually restored to a more natural condition. The commenter states that Maintenance Level 2 system roads in: Wilderness Areas, Primitive and Semi-primitive Non-motorized Areas, Research Natural Areas, Special Interest Areas, federally Endangered and Threatened Species critical habitat, agency-inventoried roadless areas, citizen-inventoried roadless areas, and montane meadows are incompatible with motorized use and should be closed (see Table 1). Any maintenance level 2 system road or motorized trail that travels through these areas is recommended for closure. [Commenter: L00320]

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

O-14. The Forest Service should analyze the direct and indirect impacts of existing routes within the DEIS. [Commenter: L000320]

Response: Thank you for your comment. Impacts to roads and trails in the NFTS with changing vehicle class or season of use as part of an alternative were analyzed within the EIS. Analysis of all existing routes are outside the scope of this analysis. Please also see response to comments ARA-6 and AC-16.

Perspective on Decision Making

AC-1. The Forest Service should list prior Decisions that guided the route screening process in the DEIS. [Commenter: L000258]

Response: Thank you for your comment. The route screening process was not guided by prior decisions but rather by a process developed for the SNF's Travel Management Rule Subpart B compliance. Route-specific recommendations were considered by: reviewing project maps; surveying the route on the ground; identifying the risks and benefits provided by each recommendation; consideration of how the route was addressed in the range of alternatives; and an inter-disciplinary review. Based on these considerations, recommendations were either incorporated into one of the alternatives, or as stated above, did not result in a change in any alternative. In most cases, the DEIS route-specific recommendations had previously been identified in the route-specific risk/benefit analysis and proposed in one or more of the action alternatives.

AC-2. The Forest Service should correct flawed assumptions that were made in the development of the DEIS such as:

- **The reference to the CVC addressing “passenger car roads” – Assumption #5;**
- **Assumption #7 conflicts with CHP interpretation of the CVC for Forest Service unpaved passenger car roads;**

[Commenter: L000052; L000258]

Response: Thank you for your comment. The Forest Service and the California Highway Patrol are in agreement that maintenance level two roads (ML 2) are rough graded and fall under CVC Division 16.5, and maintenance level 3-5 are smooth graded and fall under general CVC and CVC 38026 if designated for mixed use. The Forest Service determined which roads fall under the HSA and which roads allow non-highway legal vehicles use. Maintenance level two (ML2) roads are rough graded and allow non-highway legal vehicles use under CVC.

Assumption #7 is consistent with the CVC. Many people in passenger cars want a relative rustic experience. A gravel ML3 road is a good forest experience as long as they feel confident that they will be able to negotiate the road with their car

AC-3. The Forest Service should consider its obligation to serve the American people and their best interests as the DEIS is developed and decisions are made. [Commenter: L00002; L000021; L000031; L000032; L000036; L000040; L000062; L000067; L000081; L000083; L000084; L000089; L000091; L000092; L000096; L000097; L000101; L000128; L000148; L000170; L000179; L000278; L000322]

Response: Thank you for your comment. The SNF is ever mindful of its mission to care for the land and serve the people. It is the Forest Service's responsibility to balance various uses of the Forest with maintaining the natural resources.

AC-4. Some commenters take no position at this time. [Commenter: L000171]

Response: Thank you for your comment and involvement.

AC-5. Alternative 1 appears to maintain the status quo. [Commenter: L000178]

Response: Thank you for your comment. Alternative #1, the No Action Alternative, is required by NEPA to serve as a comparison of the baseline impacts to the impacts of the action alternatives. A no action decision by the Sierra is not selectable since it is counter to the Chief of the Forest Service decision to close all National Forest, to cross-country motorized travel.

AC-6. The Forest Service should select Alternative 3 with modifications below:

- **Prohibition on cross-country travel**
- **No addition of new roads or trails**
- **Make 268 miles of NFTS roads and trails unavailable (a component of Alternative 4)**
- **Change season of use on 1,404 miles of NFTS roads (a component of Alternative 4) [Commenter: L000147]**

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

AC-7. The Forest Service should select Alternative 3 because it allows access to trailheads while limiting off road damage. [Commenter: L000262]

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

AC-8. The Forest Service should select Alternative 4 because it ultimately has fewer miles of routes through the forest however it still may not be the appropriate long term solution to route management. [Commenter: L000177]

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

AC-9. The Forest Service should select Alternative 5 because:

It minimizes the impact on recreational use of motorized vehicles. [Commenter: L00036; L000178]

With the addition of other roads this alternative affords the best recreational opportunities of the alternatives analyzed. [Commenter: L000137]

It allows families to see the Sierras and appreciate the spectacular views, the plants, wildlife, and fresh air. [Commenter: L000141]

With modification, it maximizes opportunities for rock climbing. [Commenter: L000190]

While preserving the pristine area it allows access for climbing and hiking. [Commenter: L000190]

It is the best option of the options available but it is supported with reservations. [Commenter: L000224; L000317]

Additional routes should be added: JG143; JG5; JG2; JG52; JG 62; JG 42; JSM62; JG64; JG12; JM17; BP49; BP47; 07S507A; JG60; BP82; BP103; BP 102; BP 100; BP101; BP81; BP85; BP80; BP44; BP76; BP74; BP75; BP73; BP32; JSM118; JSM 119; PUB13 [Commenter: L000306]

No reason provided. [Commenter: L000028; L000194]

Response: Thank you for your comment. The purpose and need of the current action is to implement the Travel Management Rule (36 CFR Parts 212, 251, 261, and 295), which requires designation of those roads, trails, and areas that are open to motor vehicle use. The focus of the current action is to implement the prohibition on cross-country motor vehicle travel contained in Subpart B of the Travel Management regulations and to consider the addition of unauthorized routes to the NFTS to ensure continued motorized access to dispersed recreation opportunities and activities. Construction of new motorized and non-motorized trails and suggestions for the Forest's OHV management program are beyond the scope of the designation provisions of Subpart B of the regulations.

The SNF considered five alternatives that provide a wide range of motorized recreation opportunities on the Forest, and analyzed the effects of those alternatives on both motorized and non-motorized recreation activities. The SNF estimates that under Alternatives 2, 4 and 5, the

amount of motorized use would be relatively static, although in time these patterns could change. The deciding official (SNF Forest Supervisor) will take your input into consideration.

AC-10. The Responsible Official must carefully weigh the information and perspectives provided by the commenters to select the alternative he feels best balances resource impacts with recreation access and select 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. [Commenter: L000106]

Response: Thank you for your comment. Each alternative (except Alternative 1) includes measures to minimize adverse impacts to aquatic and riparian resources. The deciding official is informed about the impacts of each alternative on soils, aquatic and riparian resources, and will weigh this information, along with the effects to other resources, as the decision is made.

AC-11. Do not designate routes located in watersheds with high risk of CWEs that may contribute to impaired water quality. [Commenter: L000106]

Response: Thank you for your comment. A full range of alternatives have been analyzed in the FEIS including Alternative 4 which is designed to have limited impacts on natural resources including CWEs. Alternative 4 was designed to avoid designating routes that would contribute to a high risk of CWEs. There are no HUC8s that would have a high risk of CWEs as a result of Alternative 4. The deciding official will weigh the impacts to resources and the need for new routes to be added to the NFTS.

AC-12. The Forest Service should make as many decisions as possible at the local level as District Rangers are the most knowledgeable about the dynamics of the forest and infrastructure [Commenter: L000178; L000223]

Response: Thank you for your comment. The deciding official is specified in the FEIS as the Forest Supervisor. However, the two District Rangers on the SNF have been involved in this process throughout, and have directly advised the Forest Supervisor.

AC-13. The prohibition against determination by the Regional Office is clearly reiterated in the Final Rule, page 68268, middle column; “The Department believes that evaluation of user-created routes is best handled at the local level by officials with first-hand knowledge of the particular circumstances, uses, and environmental impacts involved, working closely with local governments, users, and other members of the public”. Please reevaluate the appropriateness and legality of issuing a DEIS that clearly preempted the local forest authorities the opportunity, and the right to designate a sustainable system of roads and trails suitable for OHV use in the Sierra National Forest. [Commenter: L000223]

Response: Thank you for your comment. Templates were provided by the Regional Office to provide guidance in consistency across forests in resources analytical approach and document format. Alternatives were developed at the local level as a result of public involvement. Site specific data was gathered by local staff. Impacts were determined based on site specific information and were analyzed by local Forest Service professionals. The FEIS is a product developed locally predicated on local information and input.

AC-14. The Forest Service’s decisions on route designations should be within the scope and intent of the Final Rule. [Commenter: L000223]

Response: Thank you for your comment. The Forest Service agrees and has developed the FEIS within these bounds.

AC-15. The Forest Service’s ROD should include a statement of commitment to starting Travel Analysis for all system routes. [Commenter: L000320]

Response: Thank you for your comment. 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 focus of the current action is to implement the prohibition on cross-country travel contained in Subpart B and to designate a system of roads, trails, and areas for motor vehicle use. The identification of the minimum road system needed for administration, utilization and protection of NFS lands is contained in Subpart A. Travel analysis is a tool developed to assist with that process (FSM 7709.55).

The Forest Service is committed to fully implementing the Travel Management regulations 36 CFR 212.55. However, there is no legal requirement in the regulations that the agencies implement Subpart A as a pre-condition to, or part of, the current proposed action. The Sierra National Forest decided to complete Subpart B prior to Subparts A and C because:

- In 2006, the Chief of the Forest Service directed the Sierra National Forest to complete the identification of designated roads, trails, and areas on a motor vehicle use map as required by Subpart B by fiscal year 2009 (<http://www.fs.fed.us/recreation/programs/ohv/>).
- The Forest Service believes that the greatest urgency lies in establishing a designated system of roads, trails, and areas and prohibiting cross-country travel. The clear identification of roads, trails, and areas for motor vehicle use will enhance management of Forest lands; sustain natural resource values through more effective management of motor vehicle use; enhance opportunities for motorized recreation experiences; and address needs for access to National Forest System lands.
- The permanent prohibition of travel off of the designated system of roads, trails, and areas (36 CFR 261.13) will aid enforcement of motor vehicle use by substituting a regulatory prohibition for closure orders and providing for a motor vehicle use map supplemented by signage. This prohibition cannot take effect until designated roads, trails, and areas are identified on a motor vehicle use map.
- A designated system should be established prior to undertaking Subpart A of the regulations to allow the Forest to consider administration of the transportation system as a functioning whole, rather than confining the analysis to the current road system. The current proposal to add unauthorized routes to the transportation system—and prohibit use of those that are not—may change use patterns on existing system roads. The need for some current system roads may increase as adjoining unauthorized routes are closed to motorized use. Conversely, some system roads may no longer be needed if newly designated routes provide the access needed to meet management objectives.

Designations of roads, trails, and areas for motor vehicle use are not permanent. Completion of travel analysis as required by Subpart A of the regulations, unforeseen environmental impacts, changes in public demand, route construction, and monitoring may lead responsible officials to consider revising designations under 36 CFR 212.54.

AC-16. The Forest Service should analyze Subpart A prior to or simultaneously with the current analysis of Subpart B. [Commenter: L000106]

Response: Thank you for your comment. 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 focus of the current action is to implement the prohibition on cross-country travel contained in Subpart B and to designate a system of roads, trails, and areas for motor vehicle use. The

identification of the minimum road system needed for administration, utilization and protection of NFS lands is contained in Subpart A. Travel analysis is a tool developed to assist with that process (FSM 7709.55).

The Forest Service is committed to fully implementing the Travel Management regulations 36 CFR 212.55. However, there is no legal requirement in the regulations that the agencies implement Subpart A as a pre-condition to, or part of, the current proposed action. The Sierra National Forest decided to complete Subpart B prior to Subparts A and C because:

- In 2006, the Chief of the Forest Service directed the Sierra National Forest to complete the identification of designated roads, trails, and areas on a motor vehicle use map as required by Subpart B by fiscal year 2009 (<http://www.fs.fed.us/recreation/programs/ohv/>).
- The Forest Service believes that the greatest urgency lies in establishing a designated system of roads, trails, and areas and prohibiting cross-country travel. The clear identification of roads, trails, and areas for motor vehicle use will enhance management of Forest lands; sustain natural resource values through more effective management of motor vehicle use; enhance opportunities for motorized recreation experiences; and address needs for access to National Forest System lands.
- The permanent prohibition of travel off of the designated system of roads, trails, and areas (36 CFR 261.13) will aid enforcement of motor vehicle use by substituting a regulatory prohibition for closure orders and providing for a motor vehicle use map supplemented by signage. This prohibition cannot take effect until designated roads, trails, and areas are identified on a motor vehicle use map.
- A designated system should be established prior to undertaking Subpart A of the regulations to allow the Forest to consider administration of the transportation system as a functioning whole, rather than confining the analysis to the current road system. The current proposal to add unauthorized routes to the transportation system—and prohibit use of those that are not—may change use patterns on existing system roads. The need for some current system roads may increase as adjoining unauthorized routes are closed to motorized use. Conversely, some system roads may no longer be needed if newly designated routes provide the access needed to meet management objectives.

Designations of roads, trails, and areas for motor vehicle use are not permanent. Completion of travel analysis as required by Subpart A of the regulations, unforeseen environmental impacts, changes in public demand, route construction, and monitoring may lead responsible officials to consider revising designations under 36 CFR 212.54.

AC-17. The DEIS should provide a basis for determining which unauthorized routes should be added to the NFTS. The analysis should be used to choose which routes are added to the system. [Commenter: L000320]

Response: Thank you for your comment. The FEIS effects analysis in Chapter 3 has displayed the relative impacts of the alternatives. The decision maker will take this information into consideration as he formulates his decision on inclusion of routes into NFTS.

AC-18. The ROD should state that Congress has directed the Forest to conduct a travel analysis to identify unneeded roads and the Forest will be amending the travel plan following a science-based analysis. [Commenter: L000320]

Response: Thank you for your comment. See Response to Comments AC-14 and AC-15. The criteria that must be considered in the designation of roads, trails, and areas for public motor vehicle use under Subpart B of the Travel Management rule are listed in section 36 CFR 212.55.

The TM project proposed and analyzed is consistent with the LRMP and has considered the best available science. The analysis has considered papers, reports, literature reviews, citations, peer reviews, science consistency reviews, results of field reconnaissance and local field data.

AC-19. The decision should use the same route names as the analysis for consistency and ease of understanding. [Commenter: L000258]

Response: Once a decision is made on which routes will be added to the NFTS, the SNF will follow the official NFTS road and trail unique identifier protocols based on the INFRA database. There will be a crosswalk between route names used in the FEIS and the ROD and the new NFTS unique identification number.

AC-20. Commenter states that the 2005 Initial Inventory Routes maps located at: <http://www.fs.fed.us/r5/sierra/projects/ohv/2005-maps.shtml> are more user friendly than the DEIS maps.

[Commenter: L000128; L000150; L000176; L000224]

Response: Thank you for the comment. The public is welcome to use all available resources.

AC-21. Select a preferred alternative that avoids and minimizes adverse effects to threatened, endangered, and sensitive species and their habitat. [Commenter: L000106]

Response: Thank you for your comment. Information was presented in the DEIS to facilitate the Forest Supervisor's understanding of how the alternatives vary in their effects on TES plants and Riparian Conservation Areas. These are major issues that will be considered in the decision-making process.

AC-22. There is a concern regarding mitigation measures to be completed prior to designation, that it places an unwarranted constraint on the implementation of the Travel Management designation process. [Commenter: L000223]

Response: Thank you for your comment. The deciding official will take it into consideration in the decision. An implementation schedule is being developed and will be attached to the ROD.

AC-23. The Forest should consider additional Combined Use and Mixed Use opportunities that provide connectivity to campgrounds and other areas. [Commenter: L000223]

Response: Thank you for your comment, the responsible official will take it into consideration in the decision.