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Final Environmental Impact Statement

Eldorado National Forest Public Wheeled Motorized Travel Management EIS

Record of Decision

Forest Supervisor's Office
Eldorado National Forest
Placerville, California 95667



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USDA Forest Service
Pacific Southwest Region (R5)
Eldorado National Forest

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Introduction

A Final Environmental Impact Statement (FEIS) disclosing the effects of allowing public wheeled motor vehicle use on the Eldorado National Forest (ENF) has been completed. This Record of Decision (ROD) documents the decision of Forest Supervisor Ramiro Villalvazo, to select an alternative for implementation. The FEIS and maps are available for review at the Eldorado National Forest Supervisors Office located on 100 Forni Road, Placerville, California, 95667. The documents and maps are also available on the ENF web site at <http://www.fs.fed.us/r5/eldorado/projects/route/index.shtml>.

The Eldorado National Forest (ENF) proposes to regulate unmanaged public wheeled motor vehicle use by allowing use on specific National Forest Transportation System (NFTS) roads and trails and prohibiting cross country travel. The designated routes will be exhibited on the Motor Vehicle Use Map (MVUM) by class of vehicle and season of use. The designated system of routes will provide for diverse public wheeled motor vehicle opportunities, provide routes that enhance wheeled motor vehicle recreation, and provide access to dispersed recreation. In prohibiting wheeled motor vehicle use off of designated routes, the Forest is minimizing damage to Forest resources, minimizing harassment of wildlife and limiting conflict between wheeled motor vehicle use and other recreation opportunities. Lastly, by issuing the FEIS and this ROD on travel management, the Forest will comply with the United States District Court for the Eastern District of California final order (Case Civ-S-02-0325 Lkk/Jfm, August 16, 2005, Senior Judge Lawrence K. Karlton).

Decision and Reasons for the Decision

Based on the analysis in the FEIS and the associated planning record, I have decided to implement Alternative Modified B as described on pages 2-8 through 2-11 in Chapter 2 of the FEIS and summarized below:

- Allow highway legal and non-highway legal motor vehicle use by the public on 1,002 miles of ML-2 native surfaced roads (this total includes the addition of 17 miles of unauthorized roads to the NFTS). In addition, there are 635 miles of surfaced roads suitable for passenger cars that are not a part of this decision.
- Allow motorcycle, ATV, and high clearance vehicle use on 210 miles of trails (this total includes the addition of 6 miles of unauthorized trails to the NFTS).
- Prohibit public wheeled motor vehicle cross-country travel.
- Seasonal closure on all NFTS trails and native surfaced roads to highway legal and non-highway legal vehicles from Jan. 1 through March 31 annually.
- Prohibit public wheeled over-the-snow travel on the following: all designated snowmobile routes and cross-country ski trails on the ENF, Mormon Emigrant Trail (10N50/Forest Route 5) from the junction of Silver Fork Road (11N40) southeast to the Iron Mountain SnoPark at Highway 88; Loon Lake Campground Road (13N17); Chipmunk Bluff Road (13N19); and Robbs Peak Road (13N31).
- Amend the ENF Land and Resource Management Plan (LRMP) as follows:

The following route segments would require non-significant Forest Plan amendments to be designated open for public wheeled motor vehicle use. These routes are proposed for non-significant Forest Plan Amendments because they provide a unique recreation opportunity (such as a high elevation trail experience), enhance the recreation experience by connecting routes or areas, provide access to an area of interest, or allow access to dispersed camping.

Route segments in Modified B requiring non-significant Forest Plan amendments

Existing ENF LRMP S&G	Proposed Amendments	Route Number	Segment Length (miles)
Forest-wide S&G –Management Practice 46 – Meadow Vegetation Management (pg.4-90): Consider closing and obliterating existing roads.	Consider closing and obliterating existing roads, except for the route segments identified in this table	NFS Roads	
		09N01	0.1
		09N04	0.2
		09N82	0.5
		09N83	0.3
		10N01	0.1
		10N13	0.1
		10N14	0.1
		10N21	0.2
		10NY06	0.1
Management Area 28 – Meadow Management – Management Practice 28 – Closed OHV Management (pg 4-278): Prohibit motor vehicle use on meadows.	Prohibit motor vehicle use on meadows, except for the route segments identified in this table	11N23F	0.1
		11N26F	0.3
		12NY15	0.1
		14N05	0.2
		14N39	0.6
		NFS Trails	
Management Area 28 – Meadow Management – Management Practice 104 – Transportation Management – Roads Closed (pg 4-282): Close roads to and across meadows.	Close roads to and across meadows, except for the route segments identified in this table	17E12	0.1
		17E17	0.2
		17E19	0.1
		17E21	0.7
		17E24	0.3
		17E51	0.4
		Total	4.8

These non-significant Forest Plan amendments are applicable forest-wide and in Management Area 28 within the ENF boundary.

As per FSH 1909.12, the four criteria used to determine significance of the proposed amendment are responded to directly.

- **Timing** - The ENF is not currently undertaking a formal Forest Plan revision process. The latest schedule for Forest Plan revision to begin is 2011. Therefore, because the completion of the Forest Plan revision process is not imminent, these non significant Forest Plan amendments are being proposed at an appropriate time.
- **Location and Size** - The ENF includes approximately 596,724 acres in the central Sierra Nevada. These proposed amendments would pertain to 4.8 miles of linear route segments compared to approximately 2,868 miles of routes currently existing on the Forest.

- Goals, Objectives, and Outputs - These proposed amendments are not anticipated to negatively impact the long-term relationship between levels of goods and services on the ENF in any way.
- Management Prescriptions - These are site-specific amendments that would apply only to the route segments identified, and would not apply to the remainder of the Forest or Meadow Management Area 28.

My decision is based upon a careful consideration of all the information available in the administrative record including the field data collected and analysis conducted as described in the FEIS, all of the supporting documentation, and the public comments on the Draft Environmental Impact Statement (DEIS). Modified B will provide site specific, on-the-ground management actions to move towards a sustainable, managed system of motor vehicle roads and trails addressing user needs and safety with minimal environmental impacts. This environmental analysis process was conducted in accordance with the National Environmental Policy Act (NEPA) and the direction provided in the Forest Service Manual. Modified B is consistent with the goals and objectives of the LRMP as amended by the Sierra Nevada Forest Plan Amendment. Non-significant Forest Plan amendments to the LRMP are a part of this decision regarding public wheeled motor vehicle use across meadows.

My decision does not include specific actions for the future management of the NFTS. Decisions on future changes to the NFTS, including potential removal or changes to designated routes, or the addition of routes to the NFTS in future actions, will be made in response to a variety of factors. Any unauthorized route not included as a part of this decision is not precluded from consideration in future projects with the associated NEPA analysis.

My decision also includes the monitoring activities described on pages 2-19 to 2-20 of the FEIS for stream survey monitoring, meadow monitoring, sensitive plant monitoring, heritage monitoring, and road and trail condition monitoring. Monitoring for the project will help determine the effectiveness of travel management actions in this decision and provide information useful for future management of public wheeled motor vehicle use on the designated system.

Rationale for Decision

I became the Forest Supervisor of the Eldorado National Forest in June 2006. At that time, the NEPA process for this EIS was well under way. In November 2006 I finalized the range of alternatives that were analyzed in the DEIS. The Notice of Availability of the DEIS was published in the Federal Register on July 20, 2007. I extended the comment period an additional 45 days based on public requests for additional time to review the DEIS.

After hearing from more than 6,000 people in writing, and more than 1,200 in public meetings, the following important questions emerged: “Will I have access to my favorite places?”, “Will sensitive resources be protected?” and “Will quiet recreation be available?” My goal was to be responsive to the public who generated these questions by protecting resources and providing access where it is important to Forest visitors. I believe that we have done a good job of listening. Other comments that were received and taken into consideration include:

- Assure selected alternative minimizes impacts as called for in EO 11644
- Consider impacts from motor vehicle use on quiet recreation opportunities
- Consider impacts to wildlife, water quality, air quality, and other resources
- Consider potential impacts to roadless areas or loss of roadless areas
- Consider desire to access high country areas with roads and trails
- Consider using volunteers to accomplish route maintenance and public information/education
- Desire to continue to travel on unauthorized routes previously used
- Will the Forest Service be able to implement the decision; is there funding for implementation, road and trail maintenance, enforcement, etc.
- Seasonal closure is overly restrictive
- Seasonal closure is not protective enough
- Parking limits are not safe or reasonable

Considering the comments received from the public, I reviewed the DEIS further and concluded the preferred alternative in the DEIS (Alternative D) did not adequately respond to public concerns. In particular, Alternative D did not focus adequately on providing for a diversity of recreation opportunities. It focused on providing for a higher density of roads and trails available for public wheeled OHV and highway-licensed motor vehicle use in popular use areas. Outside of these areas, Alternative D focused on providing general motorized access with lower route density for all-purpose access. Alternative D provided minimal additional benefits to resources of concern when compared to Alternatives B and C.

After completing my review of the DEIS, and considering the changes I wanted to see made to provide a response to public concerns raised in their comments, it became clear that modifying Alternative B was the most logical starting point. Specifically, the modifications needed to comply with the LRMP Standards and Guidelines, minimize impacts to meadows, reduce impacts to stream courses and riparian habitat, and consider impacts on quiet recreation. In addition to the items listed above, the rationale for not allowing public wheeled motor vehicle use on native surface ML-2 roads was tracked and is displayed in Appendix G in the FEIS.

Alternative B was also used as the starting point because providing the highest level of public access was a main concern expressed by some of the public. The focus of the modifications to Alternative B was to allow a diversity of highway and non-highway classes of public wheeled motor vehicle use on ML-2 roads, while still reducing environmental impacts. Some routes from other alternatives that were analyzed in the DEIS were added that were consistent with the LRMP and provided a diversity of use and recreation opportunities. Routes that were inconsistent with the LRMP were closed to public motor vehicle use along with:

- Routes with a high potential for impacts to riparian conservation areas. These routes are located where 1/3 of a stream length is within 200 feet of a road and

where there were known sensitive aquatic resources or Management Indicator Species (MIS) (amphibians or trout),

- Unauthorized routes within California spotted owl or Northern goshawk protected activity centers (PAC) or within 200 feet of California spotted owl or Northern goshawk activity centers (nest sites), except for three routes that have been managed in the past for public use and that provide significant recreational benefits¹.
- Portions of ML-1 or unauthorized roads within meadows. Only select ML-2 roads and NFS motorized trails are proposed for non-significant Forest Plan amendments where these specific routes provide a unique recreation opportunity (such as a high elevation trail experience), enhance the recreation experience by connecting routes or areas, provide access to an area of interest, or allow access to dispersed camping, and
- Motorcycle trails within the recommended Caples Creek Wilderness area because the trails are within meadows and the intent of the LRMP decision is to manage the area for those wilderness values, such as high quality meadow habitats. This alternative will allow motorcycle and other public motor vehicle use of other high country routes, such as in the Squaw Ridge area.

I considered many different criteria when deciding which alternative to select. It is very important to me that the ENF be accessible to all forest uses including camping, hunting, fishing, hiking, horseback riding, OHV use, and driving for pleasure. My goal is to protect resources and provide access where it is important to Forest visitors.

Modified B is the selected alternative because it provides a balanced response to the public comments by satisfying many recreation and social benefit criteria while providing increased protection for the resources. It provides loop trails of different lengths and in different areas of the forest which are connected in ways that allow visitors to expand their riding range and difficulty as they explore the forest. While all of the action alternatives reduce the environmental impacts on forest resources, Modified B was the selected alternative because it best provides for protection of the resources while still addressing the other elements of purpose and need for this project. This balancing required considering many tradeoffs:

- Certain roads and trails in Modified B do not allow public wheeled motor vehicle use to minimize impacts to resources including streams, meadows, riparian habitat, and quiet recreation. Elimination of these roads and trails reduces public

¹ The three unauthorized routes are NSR1046-A and NSR1046-C (both parts of the Baltic 4WD road), and NSR1109A-A (Sayles Canyon trail head).

access to the forest. I selected Modified B because it maximizes public wheeled access while providing protection of forest resources.

- Implementation of the January 1 to March 31 seasonal closure in Modified B will provide protection to native surface roads and trails by minimizing rutting caused by vehicle travel on saturated roads as explained in Appendix D of the FEIS. I realize that the seasonal closure will restrict the number of months available to recreate in portions of the forest. I selected this closure period because it protects the roads and trails from damage during the periods they are most susceptible to impacts, yet minimizes impacts on public access to the forest. Surfaced roads will still be open for visitors to access the forest.
- Modified B provides a high level of public wheeled motor vehicle use across the forest. However, the noise associated with this use in areas where visitors come for quiet forms of recreation can lead to conflicts between uses. Modified B provides areas for quiet recreation in portions of the High Country recreation setting. There is an increase in the number of areas at least one-quarter mile from a motorized road or trail across the various recreation settings (described on pages 3-290, 3-291, 3-297 and 3-298 of Chapter 3 of the FEIS) in Modified B, while still allowing for access across much of the forest.
- Modified B provides opportunities for public wheeled motor vehicle use within Old Forest habitat. Providing these opportunities increases fragmentation of habitat patches, increases the amount of edge effect and increases the potential for disturbance and displacement of old forest dependent wildlife species (described on pages 3-109 to 3-111 of Chapter 3 of the FEIS). Yet, some Old Forest habitat areas are popular for dispersed forms of recreation. The Old Forest habitat areas are distributed across the Forest and cannot always be avoided while still providing for public recreation opportunities.
- Modified B allows public wheeled motor vehicle use on roads and trails that cross rivers and streams to provide access for dispersed recreation including fishing and swimming. Allowing this use increases the risk of degrading those rivers and streams through sediment delivery from the roads and trails, as described in the Soils, Hydrology and Aquatic Resources sections of Chapter 3 of the FEIS. Routes with a high potential for impacts to riparian conservation areas were removed in Modified B to minimize impacts to sensitive aquatic resources.
- Allowing public wheeled motor vehicle use on roads and trails that cross meadows has the potential to degrade the hydrologic function of meadows (see page 3-36 of Chapter 3 of the FEIS). However, many of the roads and trails in the high country that provide access for dispersed recreation cross meadows. In Modified B, I selected a small number of roads and trails with very short segments within meadows that allow public wheeled motor vehicle use to provide for a variety of recreation experiences. These routes are generally loop routes or provide access to a unique feature. In contrast, I decided not to allow motor vehicle use on short spur roads into meadows to provide meadow protection. I believe it is important to provide for a variety of recreation experiences including those in the high country.

- One of the characteristics of roadless areas is the opportunity for semi-primitive motorized recreation, yet other visitors come to these areas for a more primitive experience without the sight and sound of motor vehicles. I have decided to not allow motorcycle use within the Caples Creek roadless area to protect meadows and enhance quiet recreation in Modified B. Public wheeled motor vehicle use will continue on other pre-existing NFS roads and trails within roadless areas. I have added only 3 short 4WD trails to the transportation system within roadless areas. These 4WD trails provide access to dispersed recreation directly off existing NFS routes.

I recognize that my decision will not meet 100 percent of the public interests, yet believe that we are much closer to a balanced decision because the public participated in this process. My decision about the Forest's Travel Management is only the beginning, and in no way ends this process. I know some of the public will find closed routes that they want open, and some will find open routes that they believe should be closed. The key to success in implementing my decision is providing the opportunity to make changes in the future.

When compared to the other Alternatives, Modified B is the alternative that best meets the needs identified for this project. I considered how Modified B responds to the public comments, significant issues, the Court Order, and the National Travel Management Rule. My rationale is based on an evaluation of each alternative against the issues, needs, and National Travel Management Rule.

Modified B provides a high level of motorized opportunities and access across the Forest, compared to the other alternatives, while still complying with ENF LRMP standards and guidelines. Modified B provides a balanced response to public comments received on the DEIS. Modified B addresses both Significant Issue Statements 1 and 2 as described in Chapter 1 of the FEIS by providing desired OHV opportunities and public access while reducing route proliferation, impacts to non-motorized uses, and impacts to forest resources. Modified B is also specifically responsive to the Purpose and Need.

Issues

- **Issue 1:** A reduction in motorized routes, changes in class of vehicles allowed, prohibition on cross-country travel, and seasonal closure during wet weather periods, will adversely affect forest visitors and adjacent landowners.
- **Issue 2:** The proposed level of motorized use will adversely affect forest resources, adjacent landowners, and non-motorized recreation opportunities.

Modified B provides a high level of motorized recreation opportunities and access across the Forest, while still complying with ENF LRMP standards and guidelines. This alternative provides the best balanced response to public comments received on the DEIS. In particular, this alternative provides a greater diversity of access for all classes of vehicles, complies with LRMP Standards and Guidelines, displays rationale where ML-2 routes are eliminated, minimizes impacts to meadows, reduces impacts to stream courses and riparian habitat, and provides for areas of quiet recreation. This alternative responds to both Significant Issue Statements 1 and 2 by providing easy access to general

areas and dispersed camping and providing OHV opportunities and public access while reducing route proliferation, impacts to non-motorized users, and impacts to forest resources.

Purpose and Need

The key elements of the Purpose and Need are (the entire Purpose and Need is described on pages 1-5 to 1-6 in Chapter 1 of the FEIS):

- regulate unmanaged public wheeled motor vehicle travel;
- comply with the United States District Court for the Eastern District of California final order;
- limit changes to the ENF NFS roads and trails to provide public wheeled motor vehicle route access to dispersed recreation opportunities and to provide a diversity of public wheeled motor vehicle recreation opportunities;
- comply with the ENF LRMP and the National Travel Management Rule of 2005.

Alternatives B, Modified B, C, D, and E regulate unmanaged travel, comply with the court order, provide access to dispersed recreation opportunities, provide diversity of recreation opportunities, provide loops and thru routes to enhance recreational opportunities, and comply with the National Travel Management Rule.

Alternative B was modified to provide a balanced response to public comments received on the DEIS. **Modified B** provides a high level of motorized recreation opportunities and access across the Forest, while still complying with ENF LRMP standards and guidelines. This alternative also reduces or minimizes the environmental impacts to certain resources and provides quiet recreation opportunities. In particular, this alternative provides greater access for all classes of vehicles, displays the rationale for eliminating use on ML-2 routes, minimizes impacts to meadows, reduces impacts to stream courses and riparian habitat and provides for additional opportunities for quiet recreation activities. In Modified B, motorized vehicle use is authorized on 1,847 miles of NFS roads and trails, the highest of the five action alternatives, along with Alternative B. Modified B provides access to dispersed recreation opportunities by allowing use on many existing NFS native surface roads, along with a number of previously unauthorized routes. This alternative will also allow access to routes that create loops and thru routes more so than in Alternatives C through E. The three month seasonal closure on NFS ML-2 roads and trails restricts public wheeled motor vehicle opportunities and access to dispersed recreation for part of the year, yet the closure from January 1 to March 31 is the shortest seasonal closure proposed in the action alternatives.

National Travel Management Rule

In designating NFS roads, NFS trails, and areas on NFS lands for motor vehicle use, the responsible official shall consider effects on NFS natural and cultural resources, public safety, provision of recreational opportunities, access needs, conflicts among uses of NFS lands, the need for maintenance and administration of roads, trails and areas that would arise if the uses under consideration are designated; and the availability of resources for that maintenance and administration.

- Damage to soil, watershed, vegetation, and other forest resources

- Harassment of wildlife and significant disruption of wildlife habitats
- Conflicts between motor vehicle use and existing or proposed recreational uses of NFS lands
- Conflicts among different classes of motor vehicle uses of NFS lands
- Compatibility of motor vehicle use with existing conditions in populated areas, taking into account sound, emissions, and other factors
- Speed, volume, composition, and distribution of traffic on roads
- Compatibility of vehicle class with road geometry and road surfacing

Modified B minimizes damage to soil, watershed, and vegetation from motor vehicle use on trails by:

- restricting use to designated trails, implementing a seasonal closure prohibiting travel on trails during the time when rutting or other damage to trails is most likely to occur,
- not allowing use on trails within the Caples Creek roadless area and recommended wilderness area,
- prohibiting cross country travel and not allowing use on many unauthorized routes which may be impacting sensitive plant species, and
- prohibiting cross country travel and not allowing motorized use on many unauthorized routes that negatively effect at-risk historic properties.

Modified B minimizes harassment of wildlife and significant disruption of wildlife habitats from motorized trail use by:

- not allowing use on some unauthorized trails within California spotted owl and Northern goshawk protected activity centers or within 200 feet of nest sites,
- prohibiting cross country travel to reduce vegetative cover and forage loss, and
- not allowing motorized use of most unauthorized routes to reduce fragmentation within roadless areas.

Modified B minimizes conflicts from motorized trail use between motor vehicle use and existing or proposed recreational uses of NFS lands by:

- restricting travel to designated trails,
- not allowing motorized use of trails in the Caples Creek roadless area and the Indian Valley trail,
- providing maps and other information so that recreationists can be informed about the types of uses possibly occurring in the area, while still allowing access for other recreational uses, such as hunting and fishing.

Modified B minimizes conflicts on trails among different classes of motor vehicle uses of NFS lands by:

- providing maps, signing, and other information that will inform trail users of the classes of vehicles allowed to use each motorized trail, and
- providing a diversity of trails open to motorcycles, ATVs and 4WDs.

Modified B provides for compatibility of motor vehicle use with existing conditions in populated areas, taking into account sound, emissions, and other factors by:

- limiting the designation of trails in the vicinity of campgrounds and other developed facilities, and
- limiting the designation of trails near communities or other private residential property.

My decision to select Modified B considered the speed, volume, composition, and distribution of traffic on roads along with the compatibility of, vehicle classes with road geometry and road surfacing, as described on pages 3-204 and 205 in Chapter 3 of the FEIS. A mixed use analysis was prepared for the native surface roads that will allow both highway and non-highway legal vehicles. The mixed use analysis found that no unusual risks or accidents attributed to mixed use were identified on the ML-2 roads that are being proposed. The mixed use analysis concluded that allowing continued mixed use on the ML-2 roads, and roads to be added to the transportation system as ML-2 roads, will not present an increased risk to public safety

Public Involvement

The Notice of Intent (NOI) was published in the Federal Register on October 26, 2005. The NOI asked for public comment on the proposal from October 26, 2005, to December 1, 2005. A brief description of the project was included in the ENF Schedule of Proposed Actions (SOPA) in July 2005. On October 25, 2005, approximately 300 letters were mailed to adjacent property owners; potentially affected business; federal, state, and local agencies; special interest groups; and other interested parties. The letters contained notice that the Forest Service was proposing to prohibit motorized cross country travel and restrict motorized travel to designated roads and trails open to public wheeled motor vehicle use. Individuals and groups were requested to submit information and to identify issues they might have. The mailing list is included in the project record.

The Notice of Availability of the Draft Environmental Impact Statement (DEIS) was published in the Federal Register on July 20, 2007 and copies of the DEIS were mailed to over 510 individuals, organizations, tribes, and government agencies. The comment period was extended an additional 45 days based on request from the public for additional time to review the DEIS. The comment period ended on October 22, 2007. Over 6,000 individuals responded during the comment period. Appendix C contains the summary of comments and responses to comments. Six public meetings were held between July 24 and August 14, 2007 in Placerville, Jackson, Markleeville, Folsom and Concord California to discuss the DEIS. A total of over 900 individuals attended the various public meetings. In addition to the public meetings, the ENF website included a section devoted to information about the DEIS, links to the DEIS, and instructions on how to comment on the DEIS. An information handout was made available to the public which also described the purpose of the project, the availability of the DEIS, and information on how to comment on the DEIS.

During the scoping period the following issues were determined to be significant and within the scope of the project decision as described in 40 CFR 1502.2.

Significant Issue Statement 1: A reduction in motorized routes, changes in class of vehicles allowed, prohibition on cross-country travel, and seasonal closure during wet weather periods, will adversely affect forest visitors and adjacent landowners.

Significant Issue Statement 2: The proposed level of motorized use will adversely affect forest resources, adjacent landowners, and non-motorized recreation opportunities.

Other Alternatives Considered

In addition to the selected alternative, I considered 5 other alternatives, which are discussed below. A more detailed comparison of these alternatives can be found in Chapter 2, pages 2-2 through 2-19 of the FEIS.

Alternative A: Under the No Action alternative, the existing condition, as reflected in the forest route inventory completed on February 1, 2006, would continue. Cross-country travel would not be prohibited, and there would be no changes to the existing NFTS. Use of unauthorized routes by the public is expected to continue potentially causing resource damage. Areas for dispersed activities would continue to be used by public wheeled motor vehicles primarily for the purpose of dispersed camping and parking.

By maintaining the existing condition, Alternative A, does not regulate unmanaged public wheeled motor vehicle travel or comply with the court's final order. Judge Karlton ordered the ENF to be consistent with regional guidelines for OHV route designation, but Alternative A is neither based on NEPA analysis nor does it minimize conflict between motorized and non-motorized uses. This alternative provides public wheeled motor vehicle route access to dispersed recreation opportunities and provides a diversity of public wheeled motor vehicle recreation opportunities with 2,868 miles of roads and trails open for public motorized vehicle use. In addition, the abundance of mileage in Alternative A provides routes that create loops and thru routes.

Alternative B would allow use on 1,120 miles of ML-2 roads and 242 miles of trails for public wheeled motor vehicles. This total includes the addition of 46 miles of unauthorized routes to the NF transportation system. Public wheeled motor vehicle cross-country travel would be prohibited. Alternative B includes a non-significant Forest Plan amendment for specific route segments and a seasonal closure on designated system trails and ML-2 roads from Jan. 1 through March 31. Wheeled motor vehicle over-the-snow travel would be allowed on ML-3, -4, and -5 roads only with 12 inches of snow or more and no ground contact. There are additional prohibitions on wheeled over-the-snow travel on specific route segments. Wheeled motor vehicles would be limited to one vehicle length from the edge of the route surface for parking and dispersed camping.

Alternative B provides a high level of motorized recreation opportunities and access across the Forest. In addition to allowing public wheeled motor vehicle use on NFS motorized trails and ML-2 roads (including converting ML-3 native surface roads to ML-2) this alternative proposes to change some ML-1 roads to ML-2, thereby allowing public motorized use on these roads. The design of this alternative primarily addresses Significant Issue Statement 1 by providing: easy access to general areas and dispersed camping; camping opportunities; OHV opportunities and public access; destination travel and driving for pleasure; access for fishing, biking, equestrian use, camping and other recreational activities; and limiting displacement of use to private property.

The three month seasonal closure on NFS ML-2 roads and trails negatively affects public wheeled motor vehicle opportunities and access to dispersed recreation for part of the

year, yet the closure from January 1 to March 31 is the shortest seasonal closure proposed in the action alternatives.

Alternative C would allow use on 1,068 miles of ML-2 roads and 177 miles of trails for public wheeled motor vehicles. This total includes the addition of 20 miles of unauthorized routes to the NF transportation system. Public wheeled motor vehicle cross-country travel would be prohibited. Alternative C includes a non-significant Forest Plan amendment for specific route segments and a seasonal closure on designated system trails and ML-2 roads from Nov. 1 through April 30. Wheeled motor vehicle over-the-snow travel would be allowed on ML-3, -4, and -5 roads only with 12 inches of snow or more and no ground contact. There are additional prohibitions on wheeled over-the-snow travel on specific route segments. Wheeled motor vehicles would be limited to one vehicle length from the edge of the route surface for parking and dispersed camping.

Alternative C was intended to be similar to the interim court order described on page 1-3 in Chapter 1 of the FEIS, which allowed public wheeled motor vehicle use only on NFS routes on the Forest. A small portion of unauthorized routes were added to this alternative because they were identified as historically popular routes that create connections or access to dispersed campsites. In doing so, this alternative minimally directs OHV use onto routes where there is available mileage and connections to other routes designated for OHV use. This design addresses both Significant Issue Statement 1 and Significant Issue Statement 2 by providing easy access to general areas and dispersed camping and providing OHV opportunities and public access while reducing route proliferation, impacts to non-motorized users, and forest resources.

Alternative D would allow use on 847 miles of ML-2 roads and 216 miles of trails for public wheeled motor vehicles. This total includes the addition of 34 miles of unauthorized routes to the NF transportation system. Public wheeled motor vehicle cross-country travel would be prohibited. Alternative D includes a non-significant Forest Plan amendment for specific route segments and a seasonal closure on designated system trails and ML-2 roads from Dec. 1 through April 30. Wheeled motor vehicle over-the-snow travel would be allowed on all designated routes with 24 inches of snow or more and no ground contact. There are additional prohibitions on wheeled over-the-snow travel on specific route segments. Wheeled motor vehicles would be limited to one vehicle length from the edge of the route surface for parking and dispersed camping.

Alternative D was designed to take into account past patterns of OHV use on the Forest as well as other public motor vehicle use. It allows for a higher density of roads and trails available for public wheeled OHV and highway-licensed motor vehicle use in popular areas that have had such use in the past. This design responds to both Significant Issue Statement 1 and Significant Issue Statement 2. In particular it addresses Significant Issue Statement 2 by reducing route proliferation, improving enforcement ability, reducing user conflicts and impacts to non-motorized recreation, and reducing impacts to forest resources. The popular areas and connections primarily address Significant Issue Statement 1 by providing OHV opportunities and public access and limiting displacement of use to private property.

Alternative E would allow use on 714 miles of ML-2 roads and 131 miles of trails for public wheeled motor vehicles. This total includes the addition of 21 miles of

unauthorized routes to the NF transportation system. Public wheeled motor vehicle cross-country travel would be prohibited. Alternative E includes a seasonal closure on designated system trails and ML-2 roads from Jan. 1 through March 31. Wheeled motor vehicle over-the-snow travel would be allowed on ML-3, -4, and -5 roads only with 12 inches of snow or more and no ground contact. There are additional prohibitions on wheeled over-the-snow travel on specific route segments. Wheeled motor vehicles would be limited to one vehicle length from the edge of the route surface for parking and dispersed camping.

Alternative E focuses on providing greater protection for forest resources and increasing opportunities for non-motorized recreational activities. Alternative E was based on the routes proposed in Alternative D, then motorized use was eliminated from inventoried roadless areas (IRAs) and the Caples Creek Proposed Wilderness, as well as routes with greater potential for erosion, spreading noxious weeds, damaging sensitive plants, or threatening wildlife. NFS ML-1 roads were generally not included in Alternative E. As a result Alternative E provides the least mileage open for wheeled motor vehicle use, adversely impacting users as well as access to dispersed recreation areas. Conversely, the January 1 to March 31 seasonal closure on NFS ML2 roads and trails maximizes the time that wheeled motorized recreationists have access in Alternative E. The primary intent of Alternative E was to meet Significant Issue Statement 2 by reducing route proliferation, improving enforcement ability, reducing user conflicts and impacts to non-motorized recreation, and reducing impacts to forest resources.

Alternatives Considered but Eliminated From Detailed Study

Federal agencies are required by NEPA to rigorously explore and objectively evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). Public comments received in response to the Proposed Action provided suggestions for alternative methods for achieving the purpose and need. Some of these alternatives may have been outside the scope of the purpose and need, duplicative of the alternatives considered in detail, or determined to be components that would cause unnecessary environmental harm. Therefore, a number of alternatives were considered, but dismissed from detailed consideration for reasons summarized on pages 2-21 through 2-27 in Chapter 2 of the FEIS.

Many comments and suggestions were received during the scoping process and throughout the travel management process. All suggestions were considered and discussed during the development of alternatives to the agency proposed action.

1. Prohibit OHV use on the Forest. Only public highway-licensed wheeled motor vehicles would be permitted on existing NFS roads.
2. Prohibit over-the-snow travel for public wheeled motor vehicles.
3. Do not designate unauthorized routes.
4. Limit ATV, truck, and automobile use to NFS roads. Do not allow these vehicles on trails or going cross-country.

5. Designate all NFS and unauthorized routes that are not determined to be non-compliant with ENF LRMP standards and guidelines.
6. Designate all routes included in the 1977 and 1990 OHV Plan.
7. Designate all NFS roads and trails equivalent to the recent court order.
8. Designate routes not included on the current route inventory.
9. Designate areas, including OHV use areas and dispersed campsites.
10. Designate event only trails.
11. Trigger seasonal closure on and off throughout the wet season.
12. Designate areas for cross-country travel for big game retrieval.
13. Blue Ribbon Coalition Alternative R
14. Alternative E with Alternative C Seasonal Closure

Environmentally Preferable Alternative

The NEPA implementing regulations (Section 1505.2) require that the alternative(s) that best promotes the national environmental policy as expressed in NEPA, Section 101, be identified in the ROD as the “environmentally preferable alternative” or alternatives. This is ordinarily “the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources” (FSH 1909.15, 05). For this project, I believe Alternative E is the environmentally preferable alternative for reasons discussed above.

Findings Required by Other Laws and Regulations

All management practices and activities of Modified B are consistent with the management direction of the ENF LRMP as amended.

National Environmental Policy Act of 1969

The NEPA requires that Federal agencies complete detailed statements on proposed actions that significantly affect the quality of the human environment. The Act’s requirement to prepare an environmental impact statement is designed to provide decision makers with a detailed accounting of the likely environmental effects of a proposed action prior to adoption and to inform the public of, and allow it to comment on, such effects. The FEIS does a comprehensive job of analyzing the alternatives and displaying the environmental effects. The procedural requirements of the NEPA have been followed.

This EIS has been prepared in accordance with the following regulations:

National Historic Preservation Act (NHPA) of 1966

Section 106 of the NHPA of 1966 requires federal agencies to consider the potential effects of a Preferred Alternative on historic, architectural, or archaeological resources

that are eligible for inclusion on the National Register of Historic Places and to afford the President's Advisory Council on Historic Preservation an opportunity to comment. Section 110 of the Act requires federal agencies to identify, evaluate, inventory, and protect National Register of Historic Places resources on properties they control. Potential impacts to archaeological and historic resources have been evaluated in compliance with Section 106 of the NHPA.

Clean Water Act

The Clean Water Act, as amended, regulates the dredging and filling of freshwater and coastal wetlands. Section 404 (33 USC 1344) of the Clean Water Act prohibits the discharge of dredged or fill material into waters (including wetlands) of the United States without first obtaining a permit from the U.S. Army Corps of Engineers. Wetlands are regulated in accordance with federal Non-Tidal Wetlands Regulations (Sections 401 and 404). No dredging or filling is part of this proposed action and no permits are required. This project is consistent with the Clean Water Act.

Clean Air Act of 1970

The Clean Air Act of 1970 and its amendments provide for the protection and enhancement of the nation's air resources. No exceeding of the federal and state ambient air quality standards is expected to result from the proposed action. This project is consistent with the Clean Air Act.

Endangered Species Act (ESA) of 1973

The Endangered Species Act of 1973 (16 USC 1531 et seq.) requires that any action authorized by a federal agency not be likely to jeopardize the continued existence of a threatened or endangered species, or result in the destruction or adverse modification of the critical habitat of such species. Section 7 of the ESA, as amended, requires the responsible federal agency to consult with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) concerning endangered and threatened species under their jurisdiction. In consultation with the USFWS, Region 5 of the FS developed Route Designation Project Design Criteria. The USFWS has concurred that the implementation of the route designation activities as described in the Design Criteria will have no effect on or is "not likely to adversely affect" the 25 federally listed species addressed by the criteria (USFWS memo dated Dec. 27, 2006). The Biological Assessment prepared for the Eldorado National Forest Travel Management Plan FEIS finds that the Preferred Alternative is consistent with these Project Design Criteria, and thus determines that the project will have "no effect" or "is not likely to adversely affect" the Layne's butterweed, the California red-legged frog or the Valley elderberry longhorn beetle. Based upon this finding, no further consultation is required with the Fish and Wildlife Service for these species (USFWS memo dated Dec. 27, 2006).

National Forest Management Act (NFMA) of 1976

The National Forest Management Act of 1976 amends the Forest and Rangeland Renewable Resources Planning Act of 1974 and sets forth the requirements for Land and Resource Management Plans (Forest Plans) for the National Forest System. The proposed action is consistent with the NFMA and the Forest Plan for the ENF including the non-significant Forest Plan amendments for meadows.

Implementation

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

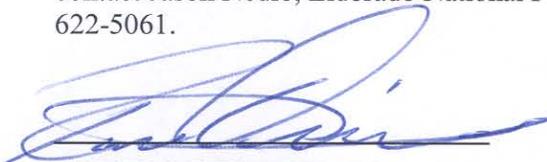
This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at: Randy Moore, Regional Forester, USDA Forest Service, Regional Office R5, 1323 Club Drive Vallejo, CA 94592, fax: (707) 562-9229.

The office business hours for those submitting hand-delivered appeals are: 8:00 am to 4:00 pm Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to appeals-pacificsouthwest-regional-office@fs.fed.us. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the notice in the Mountain Democrat, the newspaper of record. Attachments received after the 45-day appeal period will not be considered. The publication date in the Mountain Democrat, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source. Individuals or organizations that submitted comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact Jason Nedlo, Eldorado National Forest, 100 Forni Road, Placerville, CA 95667, (530) 622-5061.



RAMIRO VILLALVAZO

Forest Supervisor

03.31.08

DATE