

CHAPTER 1:

PURPOSE OF AND NEED FOR ACTION

Introduction

The Forest Service has prepared this supplemental draft environmental impact statement (SDEIS) as a continuation of the travel management plan process. The White River National Forest has employed the National Environmental Policy Act (NEPA) process to establish the travel management system and uses on that system on White River National Forest System lands.

Reason for the SDEIS

The White River National Forest prepared and released for comment a draft environmental impact statement (DEIS) with alternatives for the proposed Travel Management Plan in June. Since that time comments were received and read, and responses prepared. Although the DEIS did incorporate the Travel Management: Designated Routes and Areas for Motor Vehicle Use (travel rule), clarification on implementation of the travel rule has now been more formalized both nationally and regionally.

Based on the original DEIS range of alternatives, the ability to further incorporate the travel rule, and all the public comments received, the White River National Forest developed a preferred alternative for the Travel Management Plan. The decision-maker felt it was important to present the preferred alternative in a SDEIS for public comment.

The preferred alternative in the SDEIS – Alternative G, is a reflection of a blend of the previously presented alternatives, public comment, and management implication due to the travel rule.

The SDEIS also contains an alternative called minimal action required to be compliant with laws, regulations and the White River National Forest Land and Resource Management Plan, 2002 Revision, as amended (forest plan). This is now Alternative F; in the previous DEIS this was Alternative B. This alternative has incorporated corrections to the baseline system that were presented by internal and external parties.

The no action alternative, Alternative A, represents current conditions. Though this alternative would not meet current regulations or forest plan direction, it is being presented as the required no action alternative to provide a basis for comparison of the effects of the action alternatives.

In order to accurately reflect the changes due to the travel rule and respond to the comments that requested simplification, the document, purpose and need, and legend for both summer and winter uses was revised and simplified. Though the reader will see these types of changes from the DEIS to the SDEIS, the supplement reflects the ideas, concepts, and alternatives presented in the DEIS. The SDEIS is a continuation of the NEPA process to achieve the final Travel Management Plan.

This SDEIS has been prepared as required by the National Environmental Policy Act, the Council on Environmental Quality regulations for implementing NEPA provisions (40 CFR 1500), The National Forest Management Act (NFMA), as well as applicable Forest Service manuals, handbooks and other higher-level direction.

Background

Location

The White River National Forest is located in the west central part of Colorado and ranges in elevation from 5,000 feet to more than 14,000 feet, with most of its lands lying between 8,500 and 11,800 feet. There are approximately 2,482,000 acres within the current forest boundary; and approximately 198,300 of those acres are of other ownership.

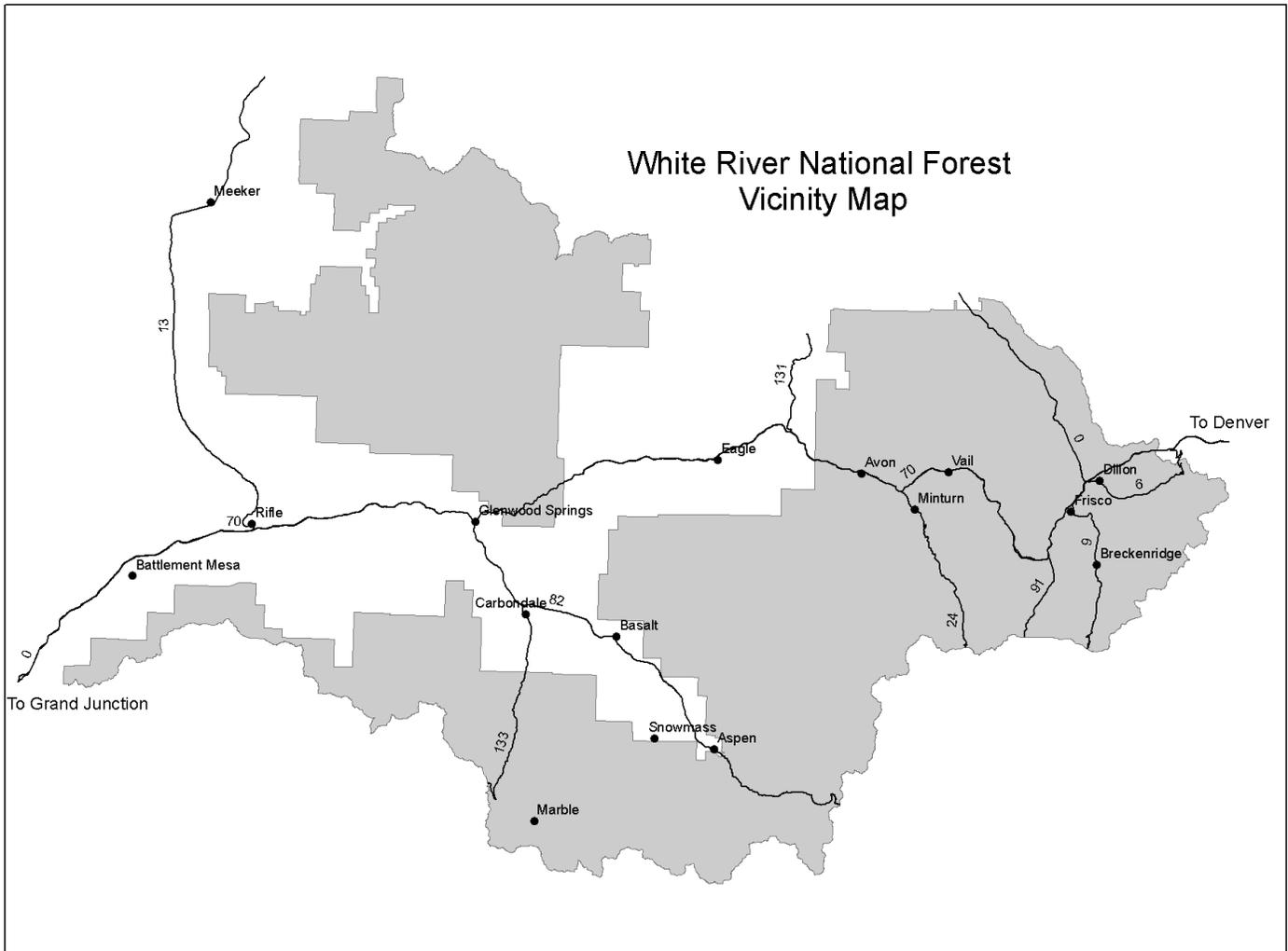


Figure 1.1—Location of White River National Forest

The White River National Forest resides in nine counties with the majority in Eagle, Garfield, Pitkin, and Summit counties and small parcels in Gunnison, Mesa, Moffat, Rio Blanco, and Routt counties. The forest is administratively divided into five ranger districts: Aspen/ Sopris, Blanco, Dillon, Eagle/ Holy Cross, and Rifle.

History

The transportation system on and around the forest has evolved over time. From as early as 10,000 B.C.E., Paleo-Indians moved through the region seasonally following big game and the trails they created. The Ute Nation occupied the area for several centuries. The Utes were skillful nomadic hunters who followed herds of bison and elk on their seasonal migrations. They developed an extensive network of foot and horse trails throughout the region. Fur traders traveled through the area in the 1820s, trapping beavers and establishing trading posts in the area. Roads and trails were developed to access these posts and grew with the mining boom of the 1870s. Roads and trails were also created to access timber needed to support the mines and new towns. Railroads soon followed, along with ranching and farming, to provide for the growing population. Roads, trails, and rail lines were created to access the mines and timber, and to move livestock. Historic roads and trails were built as needed without much forethought into planning for future access and maintenance needs or environmental protection.

As resource extraction continued, conservation measures became necessary to protect future uses of these natural resources. President Benjamin Harrison signed a proclamation on October 16, 1891 establishing the White River Plateau Timberland Reserve, encompassing 1,198,180 acres. Additional lands were added over time, including the Battlement Reserve and the Holy Cross National Forest, to form today's White River National Forest. At first the land was managed primarily for livestock grazing and timber production. Conflict resolution, conservation of use, and land protection were the early rangers' primary responsibilities. Trails and roads were created as needed to accommodate any immediate transportation needs. With the Great Depression came the establishment of the Civilian Conservation Corps (CCC). From 1933 to 1942 the CCC built roads, trails, recreation facilities, and buildings. These were perhaps the first engineered facilities on the forest, and the works enhanced user recreation opportunities.

During World War II, Camp Hale was established to train soldiers in winter mountaineering techniques. Some of these men later returned to create resort alpine skiing in the area. During this time period (1937-1951) outbreaks of mountain pine beetle and spruce beetle attacked thousands of acres of forest. This led to an increase in timber production in an attempt to stop the spread of the beetles. With this increase in timber harvesting came more roads, generally native surface roads with limited engineering. Recreation use increased on the forest after the war, and in 1951 the White River National Forest began to receive new budget allotments for clean-up, maintenance, and restoration of the forest's campgrounds and hiking trails. The Flat Tops Primitive Area was established in the 1950s and later was designated as wilderness. Alpine ski resorts were developed on the forest in the 1960s, which brought more people to the area. Highways were improved to meet access needs to these newly established resort towns. The Wilderness Act was passed in 1964, and between 1964 and 1993 eight wilderness areas were designated on the White River National Forest. Any roads that had been developed in these areas were either closed or converted to trails to meet the management objectives for wilderness areas.

The Forest Service developed road design standards and construction practices in the early 1950s with an emphasis on direct alignments with specific road grades and curves. Although economic considerations were, and continue to be, a major driving force in road construction, the impacts of such design standards were recognized in the 1970s, when road alignments and grades were designed to follow topographic contours in order to minimize ground disturbance and other impacts.

Timber production on the White River National Forest increased from 1984 to 1997, mostly as a result of the demand for beetle-killed timber. This led to the planning and construction of engineered transportation system roads to access the acres that required treatment. The Forest Service established road standards in 1985 to minimize resource impacts from roads and provide guidance over route location, construction, operation, and maintenance. The forest continues to incorporate more advanced techniques for water and erosion control to preserve water quality and watershed health.

Today the emphasis is to minimize additional road construction, and, instead, to reconstruct, maintain, or decommission roads in the transportation system.

For recreation, the future emphasis will be to design and utilize trails and networks that meet the needs of users while protecting the natural resources. This new emphasis requires designing systems for that use, not necessarily accepting systems designed from the past. This also means providing networks in certain particular areas that are best suited for the intended use.

Travel Management

Travel management is the integrated planning of, and providing for, movement of people and products to and through National Forest System lands. A travel management plan provides clear, specific direction on the appropriate levels of land, water, and air access opportunities to be made available.

Travel is an important part of virtually every activity that occurs on the forest. Motorized modes of travel on the forest include large commercial trucks, automobiles, high clearance vehicles, four-wheel-drive vehicles, all-terrain vehicles (ATVs), motorcycles, snowcats, snowmobiles, and bicycles with motors. Non-motorized modes of travel include cross-country skiing, downhill skiing and snowboarding, dog sledding, snowshoeing, horseback riding, pack animal driving, hiking, and bicycling (including mountain biking). Boating can be motorized with gas driven or electric motors, or non-motorized as in paddle-driven canoes, kayaks, rafts, and rowboats. Air travel also can be both motorized (helicopters, planes, and ultralights) and non-motorized (ballooning, hang gliding and paragliding).

Travel management on the White River National Forest seeks to incorporate planning for appropriate movement of people and products across the forest. An efficient transportation network is essential for forest resource management, outdoor recreation use, and access. To balance the diverse needs of all those who use the system, the transportation network and the manner in which it is used must be effective in providing access, be properly maintained, and be ecologically sound.

Legal and Administrative Framework

Travel management on the White River National Forest must adhere to management direction on many levels. The travel management plan must adhere to all statutes, regulations, laws, executive orders, and national forest directives. Travel management on National Forest System lands must follow both federal and appropriate state level laws and regulations.

Management must be consistent with the overall direction in the White River National Forest Land and Resource Management Plan, 2002 Revision, as amended (forest plan). No amendments to the forest plan will be proposed through this travel management planning process. The travel management plan will adhere to all direction provided for in the forest plan. Therefore, the forest plan is incorporated into this document by reference.

Purpose of and Need for Action

Purpose

The purpose of this initiative is to identify the transportation system with the goal of balancing the physical, biological, and social values of the forest. It responds to several needs noted below.

Needs

Need: To Identify an Official Designated Travel System On the White River National Forest.

National direction requires national forests to clearly designate travel systems and opportunities. The existing travel plan was developed in conjunction with the 1984 forest plan. It is recorded in the 1985 White River National Forest Travel Map (USDA Forest Service/ White River National Forest 1985). Map corrections are needed for route locations, changes in ownership, and changes in area travel management due to the 2002 forest plan and inventory updates. Improved technology in mapping and information exchange has allowed for considerable refinement of the forest road and trail data.

The forest supervisor expressed the need to revise the forest-wide 1985 forest travel management strategy, described in the travel map of 1985, to align the travel strategy on the forest with the forest plan, along with any changes in laws and regulations. Travel strategies focus on which uses are going to be allowed where. These uses include motorized, mechanized, and non-motorized modes of transportation.

This action responds to the goals, objectives, standards, and guidelines outlined in the forest plan, and it helps move the forest toward desired conditions described in that plan. The White River National Forest Travel Management Plan will be developed in accordance with the forest plan and the laws and regulations that govern forest management.

By providing a designated travel system for the White River National Forest, the public will be able to clearly know where and what modes of travel are allowed and not allowed across the forest.

Need: To Identify What Is Not On the Official Designated Travel System On the White River National Forest and be Able to Restore Lands Back to Their Natural State.

Sometimes referred to as “ways”, “unauthorized”, or “user-created”, these roads and trails on National Forest System lands are routes that are not managed or recognized as part of the designated transportation system. These travelways have not been determined to be necessary for administration of National Forest System lands. Many of these routes are older timber, range, mining, or oil and gas exploration roads that no longer serve their intended purpose and were never properly closed. Others have been created by off-road/trail recreation use. These roads and trails were created without due process and therefore are considered illegal.

The travel management plan will identify the designated system in summer. In so doing, user-created roads and trails will be examined for designation or elimination. This is a one-time consideration of these travelways as specified in the forest plan EIS (USDA Forest Service 2002b, p. 385-386).

The process outlined for the user-created routes in the travel management plan was to consider those that could possibly serve as designated road or trail. Most of these were nominated by both internal and external parties. Some were carried forward from old inventories. To be added, personnel examined the need, resource conditions, and public input. Those not added will be rehabilitated. Others not considered will also be rehabilitated. To have any new routes added to the designated system after the travel management plan is signed, NEPA will have to be initiated. All new routes considered will have to undergo the scrutiny that is equal to adding a constructed route to the system.

Upon conclusion of the travel management process, all user-created roads and trails on the landscape will be designated for elimination through rehabilitation. This includes any user-created route, whether or not it is considered in this process. All newly discovered user-created routes will be rehabilitated as they were created without the proper NEPA process.

Also included in the travel management plan will be the identification of designated roads and trails no longer needed, which will therefore be decommissioned.

This process will clarify the designated travel system for the forest. The end result of the travel management plan process will be a clear description of the travel system necessary for administrative and recreational use on the White River National Forest.

Need: Designate a Travel System That Is Aligned With the Forest Service Mission, Including the Need to Manage the Land By Providing a System That Attempts to Balance Social and Resource Demands.

Population growth and demand on the Forest resources has prompted the need to evaluate and designate a travel system to accommodate supply and demand placed on Forest Service lands, while still protecting those same lands for the conditions that enhance water quality, natural landscapes, and wildlife habitat.

Travel management, which plays an important role in every forest resource program, remains one of the most controversial elements in forest management. Since the 1985 plan was developed, motorized and non-motorized forms of travel have both increased and become more diversified. The advent of mountain bikes and ATVs, the growing popularity of four-wheel-drive vehicles and snowmobiles, and stable to increasing uses such as hiking, horseback riding, and backcountry skiing, all are competing for the same land base. Local communities near the forest have seen rapid growth in their populations, and tourism is on the rise.

Travel for recreation is not limited to activities that occur on the routes, but also includes access to other recreation activities such as camping, hunting, site-seeing, picnicking, and fishing. Lastly, access or networks are needed so one can get to a trail to participate in a particular activity like hiking, mountain biking, or horseback riding.

Access is also needed for other land management activities such as timber and habitat improvements, forest product gathering, range allotment maintenance, vegetation treatments, power lines, radio and cell towers, natural gas development, private land in-holdings, and administrative activities.

While there is a need to provide access for people across the landscape, there is also a need to protect the landscape from the impacts travel and people can cause. The footprint of a travel system can cause changes to the natural landscape that can cause additional sedimentation and fragmentation, and allow more people into an area.

Forest managers need to determine the proper balance in the type, extent, and levels of forest transportation facilities and uses in order to resolve user conflicts and adequately protect resources.

Proposed Action

The action proposed by the Forest Service to meet the purpose and need is to present a comprehensive travel management plan for the White River National Forest. The travel management plan and supporting environmental impact statement (EIS) will present options to accommodate and balance the transportation needs of the public and to provide adequate access for forest and resource management, while still allowing for protection of natural resources.

This document looks at the impacts of the travel system on recreation, administrative access needs, wildlife, and natural resources, among others. The intent is to have a clear and concise plan for a transportation system that addresses the needs for forest management, public access, and recreation use.

The objectives of the travel management plan are to:

- Bring summer and winter transportation systems into compliance with laws, regulations, agency or national direction, and the forest plan;
- Designate the forest roads and trails system and eliminate through rehabilitation those that are not part of the system;
- Provide a travel plan that defines modes of travel across the forest by area and by route;
- Identify resource solutions to impacts resulting from the transportation system, including routes identified for decommissioning.

To create appropriate strategies, travel will be defined by both summer and winter seasons. For summer travel, the travel management plan will define the designated roads and trails system along with allowable uses on these routes. For winter travel, it will display where motorized uses are allowed by area or designate routes. The travel management plan carries forward forest plan direction for determination of travel use opportunities.

Decision Framework

Geographic and Physical Scope

The Travel Management Plan for the White River National Forest will only make travel management decisions on White River National Forest lands. The White River National Forest travel management plan for summer travel will only make decisions on roads and trails that are under national forest jurisdiction. Only roads and trails that are all ready in existence will be considered in this document. No new road or trail construction or reconstruction is part of the decision.

User-Created Roads and Trails

Decisions have to be made regarding the miles of user-created routes across the forest. They either have to be added to the system or decommissioned. The forest is making a commitment in this document to evaluate user-created routes submitted by the public and from within the agency, routes that may be necessary for the transportation network. This

will also fulfill the obligation to look at user-created routes as stated in 212.52 of the rule. All user-created routes considered were examined on the ground by ranger district personnel to ensure they truly are necessary and are in good enough shape to be added to the system. All routes considered not necessary for the system or routes that would require construction or reconstruction work to be brought to an acceptable standard are going to be considered unauthorized and will be rehabilitated.

Some user-created routes are not part of the evaluation because they were either not submitted, not found in good enough condition to be considered, or created subsequent to the inventory (and thus created illegally).

All user-created routes discovered subsequent to this document will also be considered unauthorized and be rehabilitated.

Any route proposed after the signing of this document will be considered new construction. The process for construction of a new road (or trail) is quite extensive. The process includes examination of the purpose and need, travel analysis, NEPA, surveying, design, contract preparation, and all construction costs.

The treatment of these user-created roads and trails is consistent with the forest plan EIS. “Public scoping has shown that some of these unclassified roads and trails are of interest and value to forest users. For all, management objectives need to be developed. Decisions will be made in the travel management plan to designate these routes or eliminate them. In most cases, the objective will be to eliminate the routes by obliteration, along with all subsequent routes created there after. Any new route, road, or trail that needs to be created will have to have a compelling need and will go through the proper process before construction” (USDA 2002b, p. 3-386).

White River National Forest Land and Resource Management Plan – 2002 Revision, as Amended (Forest Plan)

The Travel Management Plan will adhere to the forest plan. As established since the beginning, this Travel Management Plan is not going to amend the forest plan; it will comply with the forest plan. The reason for this decision is that the forest plan went through an intensive NEPA process that resulted in a final plan and record of decision. The travel management plan is not the mechanism to change that decision, rather to develop a system that helps to meet forest plan desired conditions. Therefore, the action alternatives do not vary in forest-wide direction as established in the forest plan; however, they do vary in mileage and acreages allocated to each type of use. The forest plan defines a set of goals, objectives, strategies, standards, and guidelines that provide the forest-wide direction for managing the White River National Forest and its resources.

Forest **goals** are broad statements that describe overall conditions managers will strive to achieve. They are not directly measurable and there are no time frames for achieving them. In other words, goals describe the ends to be achieved rather than the means to these ends; they serve as vision statements. **Objectives** provide means in the form of measurable steps, referred to as **strategies**, taken to accomplish goals. Objectives generally are achieved by implementing projects or activities. However, objectives are not targets, which are a measure of annual outputs dependent on budgets.

The travel management plan will strive to meet the goals and objectives established in the forest plan.

Chapter 1 of the forest plan outlines the goals, objectives and strategies. While all apply, there are particular goals that the travel management plan can help to meet:

- Goal 1 – Ecosystem Health
- Goal 2 – Multiple Benefits to People
- Goal 4 – Effective Public Service

Also, the travel management plan must honor Goal 6 to help protect American Indian rights and interests.

Some of the key objectives are to:

- Protect the basic soil, air, and water resources;
- Provide for multiple uses and sustainability in an environmentally acceptable manner;
- Provide for a variety of species through management of ecosystems;
- Provide for scenic quality and a range of recreation opportunities that respond to customers and local communities;
- Emphasize cooperation with individuals, organizations, and other agencies in coordination with planning and project application; and
- Improve the financial efficiency of programs and projects.

All action alternatives adhere to the concepts of multiple use and ecosystem management. They also all share a set of basic forest-wide goals and objectives and a set of standards and guidelines that ensure protection of forest resources and comply with applicable laws.

Basic terms and conditions the forest plan sets for land management include standards, guidelines, desired conditions, and management areas.

A **standard** is defined as a course of action that must be followed or a level of attainment that must be reached to achieve forest goals. Adherence to standards is mandatory. Standards are used to assure that individual projects are in compliance with the forest plan and other legal mandates that govern the Forest Service.

A **guideline** is a preferred or advisable course of action or level of attainment. Guidelines are designed to achieve desired conditions (goals). Guidelines for the most part should be followed.

A forest plan also establishes additional direction for individual **management areas**, such as dispersed recreation, deer and elk winter range, or ski areas. The management areas are where emphasis is placed on the certain desired conditions for an area. While other activities may exist, the emphasis is still guided by the overall objective of meeting the desired condition for the specific management area prescription. **Management area direction** includes a desired condition statement, and defines which management activities may be carried out, with additional standards and guidelines needed to manage or protect specific resources.

Each management area prescription further defines what motorized and mechanized uses are allowed, restricted, or prohibited within each prescription. Some prescriptions also include restrictions on the density of roads within a management area. The travel management plan follows the guidance for each management area prescription to help meet desired conditions set forth in the forest plan.

For summer travel, the forest plan directed in a forest-wide standard that all motorized and mechanized travel must be on designated routes. All alternatives adhere to this

standard. When applying management area prescriptions, the forest plan essentially creates three summer strategies by management area allocation. The strategies are non-motorized / non-mechanized; non-motorized; and motorized and mechanized use on designated routes. Some standards and guidelines dictate road density requirements and/or seasonal restrictions to meet desired conditions.

For winter travel the forest plan contains standards and guidelines that dictate by management area where motorized winter travel (machines manufactured for over-snow travel) is allowed, restricted, or prohibited. The strategies for winter motorized travel equate to open terrain travel, travel restricted to designated routes, and non-motorized travel areas.

Further clarification of these strategies for recreation incorporates the **recreation opportunity spectrum (ROS)** designations. These designations, found in the forest plan, are used to inform the public on what types of recreational settings can be expected across the forest. The standards under *Travel System Infrastructure* (USDA Forest Service/ White River National Forest 2002a) refer to ROS classifications. These standards refer to the range of ROS classes found in each management area description. The guideline under *General Recreation*, forest plan, chapter 2, section 4, pages 1-31, refers to the ROS map itself. For recreation, roads and trails should blend and reflect the overall recreational setting of an area, as well as provide the necessary access needs.

The forest plan reflects the need to provide travel systems only where necessary while protecting resources and minimizing the effects from roads and trails where possible. There is also an emphasis on decommissioning and rehabilitating a road or trail when it is no longer needed for the purpose it was built or to protect resources. The concept is to have a system that meets the needs and attempts to also be economically viable. For areas where a route is no longer necessary the idea is to get that piece of ground back into production (into a natural state).

USDA Forest Service Rule; Travel Management–Designated Routes and Areas for Motor Vehicle Use; Revisions to 36 CFR Parts 212, 251, 261, and 295

On November 9, 2005, the Forest Service published a new rule on providing motor vehicle access to all national forests. The rule titled *Travel Management: Designated Routes and Areas for Motor Vehicle Use*, rewrote direction for motor vehicle use on National Forest System lands under 36 CFR 212, 251, 261, eliminating 295 (travel rule). The travel rule was written to address at least in part the issue of unmanaged recreation. The rule provides guidance to the Forest Service on how to designate and manage motorized recreation on the forest. The travel rule requires each national forest and grassland to designate those roads, trails, and areas open to motor vehicular use.

The travel rule provides regulations governing use of motorized vehicles, including off-road vehicles on Federal lands, to protect natural resources, promote public safety, and minimize user conflicts as directed in Executive Order 11644 – *Use of Off-Road Vehicles on the Public Lands*, February 8, 1972, as amended by Executive Order 11989, May 24, 1977.

Key Components of the Rule (36 CFR 212, 251, 261) Include:

Roads system management: a) Traffic on roads is subject to state traffic laws where applicable... b) roads or segments thereof may be restricted to use by certain classes of vehicles or types of traffic... (§212.5) Motor vehicle use on National Forest System

roads, on National Forest System trails, and in areas on National Forest System lands shall be designated by vehicle class, and if appropriate, by time of year... (§212.51a).

Meeting the requirement to establish a designated system for motorized use, the White River National Forest began by incorporating the standard in the forest plan that states that all snow-free motorized (and mechanized) use would be on designated routes and not include any open areas (USDA 2002a, Travel System Infrastructure, Standard 4, p. 2-36). The Travel Management Plan will establish which vehicles will be allowed on which routes, and what time of year, where appropriate.

To meet sections a) and b) of the §212.5 regulations, we have to look at the following components:

- Colorado state traffic laws regulate licensing, registrations, safety, and allowable modes of travel on public roads. Colorado state law also addresses the use of off-highway vehicles under Title 33, Article 14.5. Section 33-14.5-108 addresses off-highway vehicle operations prohibited on streets, roads, and highways. The section reads: (1) No off-highway vehicle may be operated on public streets, roads, or highways of this state except in the following cases:...(h) (I) When the United States or any agency thereof authorizes by any means such operation on lands units jurisdiction (II) No action is required to be taken by the United States pursuant to this paragraph (h) to authorize the use of off-highway vehicles on lands under the jurisdiction of the United States.
- There is an agreement with the Forest Service and the Federal Highways Administration (FHWA) in a Memorandum of Understanding (Forest Service Roads subject to the Highway Safety Act 1976, 1982)
- That maintenance level 3, 4, 5 roads are subject to “open to public” travel regulations.

On the White River National Forest

Under the current Travel Management order of 1985, no distinction was made between which vehicles were allowed on motorized routes. The White River National Forest has been managing motorized travel under a hierarchical system. Basically, if a full-sized vehicle is allowed, so is a jeep, ATV, motorcycle, and bicycle. This concept was accepted based on design. If a road is able to accommodate a full-sized vehicle, then conceptually by design it could also accommodate other vehicles such as ATVs and motorcycles under most circumstances.

Exceptions were made for some roads and trails based on site-specific conditions. For example, a paved road is not considered safe for certain uses, such as ATV use. Another example is when a use may conflict with other recreational or resource objectives, such as ATVs in a campground where dust could disrupt the camping experience. Other decisions to restrict use include safety considerations and/ or resource protections. Until recently, the amount of non-highway legal vehicle use (ATVs, motor-cross) was low enough that mixed use was not an issue in most areas. However, numbers have greatly increased. Between 1995 and 2003, off-highway vehicle registrations in Colorado rose by 223 percent, an average of 18 percent per year (SCORP, p. 15).

Obligations Under the Travel Rule and Travel Management

Under the travel rule, it was recognized that across the country motorized uses have increased substantially, and the Forest Service needs to get a handle on managing these uses. Also, as stated in the above regulation, the Forest Service is to designate what

motorized uses are allowed in what areas, and thus create a system that clearly defines what type of motorized use is allowed on what route. This system is not hierarchical, but rather designates what use is appropriate for each route. Several factors are considered when making determinations for use on roads and trails.

Safety

One major factor is whether a road that allows highway legal vehicles should or should not allow non-highway legal vehicles. A road that allows highway legal and non-highway legal vehicular use is referred to as mixed use. A major component of this issue is that in Colorado, ATVs cannot be licensed and therefore are not highway legal.

Under the rule, the forest is required to make independent decisions on the safety of each motorized use for each route. On most of the forest's maintenance level 2 roadways, where the surface is rough enough to keep speeds down and use levels are lower, mixing highway legal and non-highway legal use in most cases is generally not as much of a safety issue as it is on the level 3, 4, and 5 roadways, which are constructed and maintained for the speed and volumes of passenger car travel.

The White River National Forest conducted mixed-use studies on national forest roads designed to handle passenger cars. These roads include the major arteries across the forest. These studies reflect which roads would be safe for allowing licensed and unlicensed vehicles to utilize the same route.

Recreation Management

Often, users of the forest must rely on state, county, or local roadways to access forest roads and trails. State law prohibits non-highway legal motorized vehicle use on public roadways unless the jurisdiction controlling the roadway has made a formal declaration to allow that use.

This leads to the question of what makes sense from a recreation management standpoint. In order to provide a quality experience for motorized users, the network has to provide several miles of connected opportunity. Another factor is to look at what legally makes sense. For example, if a county road does not allow non-highway vehicle use and it directly leads to a Forest Service road, or if a road goes back and forth in jurisdiction and therefore back and forth between highway legal and non-highway legal use; the Forest Service would likely not allow non-highway vehicular use. This action prevents a scenario that may encourage illegal use on the sections of road that only allow highway legal use. The forest will work with the various state, county and local agencies to determine where non-highway vehicles may be legally used on routes under the control of those entities. Decisions in the final travel management plan will reflect the legality and practicality of non-highway motor vehicles to access areas of the forest. The practicality analysis will include factors such as the availability of adequate trailhead parking, need, and whether other legal options exist.

In addition to safety and access, the rule also requires the responsible official to consider the provision of recreation opportunities. For example, it would not make sense to allow ATVs on a road that is part of or connected to a road that does not allow ATV use, especially if the portion that would allow ATVs is only ¼ mile long (for example), or does not lead to a destination. This would not be considered a quality experience for the ATV user. Rather, it makes sense to develop and design networks for ATV and other non-highway legal vehicle users where they can access the quality and quantity of road and trail to have an enjoyable recreational experience.

Resource Considerations

Provisions under §212.55 require consideration of the effects of the designation of motorized use on National Forest System natural and cultural resources, public safety, provision of recreational opportunities, access needs, conflicts among users of National Forest System lands, the need for maintenance and administration of uses on roads and trails....; and the availability of resources for that maintenance and administration.

The White River National Forest presents in the travel management plan where motorized use may or may not be allowed. Key aspects to this are:

- 1) Examination of unauthorized routes for rehabilitation or inclusion into the designated travel system. Examination of system routes also needs to be conducted to determine whether their purpose is still valid or whether they are not needed for the travel system. Based on inventory efforts that included public input and involvement, the travel management plan will provide the foundation for decisions on these routes. Factors include whether these routes serve a need and whether there are any resource impacts, and if so, how they should be mitigated. Also, the forest has to consider whether it can afford the maintenance and administration of these routes. Although decommissioning and rehabilitation has initial costs, once a route is decommissioned or rehabilitated any resource impacts or administrative costs should essentially be eliminated.
- 2) Examination of existing system routes and whether they are suitable for certain vehicle uses, especially mixed use. Because maintenance level 3, 4, and 5 roads are considered “open to public” roads, special considerations have to be made as to whether these roads are safe for mixed use.

Other aspects of the decision regarding mixed use include the elements presented above where the decision-maker is required to consider safety, effects on resources, potential impacts to wildlife, ability to administer and enforce, and providing for recreation opportunities instead of recreational conflict. When making decisions for use across the forest, the decision-maker will take all these factors into account, including public input and comment.

Winter Motorized Use

Directives for use by over-snow vehicles are included in the rule under Subpart C, §212.80 and §212.81. An over-snow vehicle is defined as a motor vehicle that is designed for use over snow and that runs on a track or tracks and/ or a ski or skis while in use over snow §212.1. The directives specify that over-snow vehicles may be allowed, restricted, or prohibited. The rule states that the responsible official may use the process outlined in §212 to establish where over-snow vehicles would be allowed, restricted, or prohibited. The difference between the summer motorized designations and winter motorized designations is that the Forest Service has to officially designate where summer motorized use is allowed; for winter, the Forest Service has the option to show where winter motorized use is restricted or prohibited. The White River National Forest has chosen to follow the process outlined in the rule through the travel management plan and subsequently will produce winter motor vehicle use maps to show where motorized winter use is allowed, restricted, or prohibited.

During the winter season, motorized and mechanized vehicles other than those defined as motorized over-snow vehicles in 36 CFR 212 are prohibited unless designated as allowed in the winter motor vehicle use map. This prohibition includes vehicles designed for travel during the summer and retrofitted with optional equipment for over-snow travel in the winter.

Parking Off of Designated Roadways and Trails

The rule provides the responsible official with the opportunity to authorize the limited use of motor vehicles within a specified distance of certain designated routes, and if appropriate, within specified time periods solely for the purposes of dispersed camping or retrieval of a downed big game animal by an individual who has legally harvested that animal (§212.51).

The national rule does not make allowances for any use off of the road prism other than for two purposes: dispersed camping and game retrieval. Driving off the road for the purpose of game retrieval has never been authorized on the White River National Forest and the forest will not enter into any analysis to allow that use.

The forest plan identifies that the forest will permit motor vehicle travel up to 300 feet from designated travel ways for direct access to campsites, parking, firewood cutting, or gathering forest products provided that: minimal resource damage occurs and such access is not otherwise prohibited (USDA 2002a, p. 2-36). The forest plan does not allow for motorized travel off travel ways for game retrieval. There are some routes that have special orders restricting any off-road travel and that only allow dispersed camping in designated sites.

Driving off of the road for the purpose of fuelwood cutting and gathering of forest products may still be allowed to continue through the permitting system. Permits have long been required for the removal of forest products such as firewood. The new regulation gives allowance for driving off of designated roadways for a specified distance that is specifically authorized under a written authorization issued under Federal law or regulation (§212.51(a)(7)).

Other special uses under permit that may allow off-road travel include administrative activities such as utility maintenance, range and livestock management, vegetation management, mining, residence maintenance, and outfitter-guide activities. All permits that allow off-road travel will have to be very specific as to what type of use is allowed, for what purpose, when the use is authorized, and where the off-road use is allowed to occur.

Driving off designated roadways and trails for any other purpose is inconsistent with the rule. There is a recognized need for persons to be able to pull off of the traveled portion of the roadway for a number of reasons such as parking, picnicking, etc. There is currently a national effort underway to create clear guidance on the distance a person is allowed to pull off of the traveled surface strictly for parking purposes. National direction may be set through agency directives in the Forest Service's manual and handbook system. The White River National Forest will incorporate the new national direction on parking.

Tie to Travel Management Plan and Beyond

The White River Travel Management Plan takes measures to meet the intent of the rule. The travel management plan however goes beyond the rule because travel systems and recreation use goes beyond just summer motorized travel. The goal of the travel management plan is to lay the foundation for establishing the transportation network needed for forest management and public use/ access. The travel management plan specifies the designated system by all modes of travel and season to convey appropriate uses of the travel system. When tied together, these specific designations create a logical system of routes over which people can travel in order to enjoy the national forest.

So why specify certain modes of travel on each route? One reason is because many people come to enjoy a particular experience that occurs on the route itself, be it to hike, mountain bike, horseback ride, ATV, motorcycle, go 4-wheel-driving, or even go for a pleasure drive. Conflicts can occur when a route can only accommodate so much traffic or where certain types of uses disrupt the experience of another. Certain routes are designed to accommodate only certain types of use. Safety to the user is a key consideration that is factored into route design and types of use allowed. The Forest Service also has a responsibility to minimize impacts on the land. Resource considerations such as soils, wildlife, and water quality are factors that need to be considered when allowing certain types of use.

The travel management plan is a platform from which the White River National Forest will be able to present the designated system. Once completed, the designated system will be legally indoctrinated by:

Creation and distribution of a Motor Vehicle Use Map as specified under the rule in §212.56. This map will only display where motor vehicle uses are allowed on roads and trails. It will specify seasons of use and only identify use for motorized over-land (not snow) vehicles. This map becomes the official legal documentation for allowable motorized use and will be enforced as such.

Creation and distribution of a Motor Vehicle Use Map for over-snow vehicles. The creation and use of the rule to produce this map is allowed under §212.81. This map will display where motorized over-snow vehicle use is allowed, restricted or prohibited.

Other allowances and restrictions will be reflected in order(s) based on the decisions made in the travel management plan record of decision.

It should be noted that travel management and decisions are not static decisions, but are continually examined to provide the best opportunities and reduce impacts where and when necessary. In fact, §212.54 discusses the need for revision of designations. Designations of National Forest System roads, National Forest System trails, and areas on National Forest System lands may be revised as needed to meet changing conditions.

Decisions to be Made

The deciding official, the forest supervisor, will review the purpose and need, the proposed action, the alternatives, and the environmental consequences to make the following decisions:

- 1) Designation of the summer roads and trails system:
 - a) Defining the designated forest roads and trails;
 - b) Defining what modes of travel are accepted on each road and trail;
 - c) Deciding whether to incorporate or rehabilitate user-created routes;
 - d) Determining if certain forest routes are no longer needed as part of the system and identifying those for decommissioning.
- 2) Designation of winter uses:
 - a) Designating open areas and routes for motorized use by vehicles made for over-snow travel.

The record of decision (ROD) accompanying the final EIS will detail the decision.

The SDEIS decisions to be made were simplified to focus on the decisions that are legally necessary for travel planning. Foot, horse, cross-country skiing, and snowshoe travel is allowed on all White River National Forest System lands (unless specifically restricted by an order). All routes on the summer map allow foot and horse travel unless specifically prohibited. There are some trails that due to safety issues do not allow horse use. All areas on the winter map are open for cross-country skiing, snowshoe, and foot travel unless specifically shown to be prohibited.

The travel management plan carries forward forest plan direction and establishes the baseline for travel across the forest. Since this is incorporated by design, it is unnecessary to create area strategies. Area strategies were basically maps that represented areas where motorized and non-motorized activity is allowed, restricted, or prohibited. Since these are based on forest plan direction, it was determined that to create them for the travel management plan would be redundant. Any future amendments (outside of this process) to the forest plan will also be carried forward into the travel management plan if changes affect travel management.

Site-specific project level decisions will continue to be made over time. Some of these decisions can include changes and additions to the roads and trails system or changes to winter uses. No new construction of roads or trails is proposed in this document, but construction may be initiated through some future project-specific analyses. Some project proposals may also include changes in recreation, such as new routes to create loop opportunities. The travel management plan and associated maps will be updated to reflect any decisions that contain travel management changes.

Public Involvement

The White River National Forest travel planning effort was initiated in response to a demonstrated need in the 1997 analysis of the management situation (AMS) and the public interest during the creation of the forest plan. The draft forest plan, released for public comment in August 1999, contained a detailed travel management plan. The decision-maker decided to separate the two decisions based on public comment about the difficulty in reviewing both the travel management and forest plan decisions simultaneously and the desire for more time to review travel management. Planning information from the initial effort, including site-specific comments received during the comment period on the draft forest plan, helped to formulate the platform and considerations to be made in this travel management plan.

The notice of intent (NOI) for the travel management plan was published in the *Federal Register* on August 27, 2002. The NOI asked for public comment on the proposal from August 27, 2002 to October 31, 2002. The agency held six public meetings in September 2002 to introduce the travel management plan process and solicit comments. Open houses were held at ranger districts, where many members of the public visited and provided input into the process.

Some of the comments provided specific information on the current inventory of non-system or user-created roads and trails and winter recreation areas. This information was used to update the computerized inventory base layers.

During the public scoping period the White River National Forest received more than 580 letters. The USDA Forest Service Content Analysis Enterprise Team analyzed all the letters submitted during scoping. The team uses an established analytical process for transferring, sorting, disseminating, and categorizing letters into a database where individual comments were then evaluated. More than 2,000 comments were derived from

public scoping letters. Using the comments from the public and other agencies (see Issues section), the interdisciplinary team developed a list of issues needing to be addressed in this document.

The White River National Forest released the Draft EIS for the White River National Forest Travel Management Plan on July 28, 2006 for comment. During the comment period meetings were held with individuals, interest groups, and government representatives by numerous White River National Forest staff members. Over 600 CD's were distributed and the document was available on the White River National Forest web site along with an interactive map. There were 1447 comment letters, e-mails, and faxes received on the proposed White River Travel Management Plan and Draft Environmental Impact Statement during the public comment period, from July 28 to October 26, 2006. Of the 1447 comment letters, 589 were organized response (form) letters and 858 were unique responses. These submissions contained a total of 3,958 identified comments or expressions of concern on specific topics. Of the 3,958 comments 2,237 were site-specific and addressed particular routes or areas. Other comments addressed general or programmatic issues, concerns, support, ideas, or solutions. Forest Service responses to comments are available for review on the White River National Forest website at www.fs.fed.us/r2/whiteriver.

Issues

Issue definition helps highlight those issues of public concern, as well as those of internal concern, relating to the initial proposal. Issues are derived during the initial environmental analysis process, generally during scoping. Once a list of issues is identified, those issues are analyzed through interdisciplinary review and categorized.

The interdisciplinary team for travel management reviewed all comments in the database and categorized each comment into significant and non-significant issues. Council on Environmental Quality (CEQ) NEPA regulations, Sec. 1501.7, direct the team to "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)..."

Significant Issues

NEPA regulations define significant issues as matters that are bound up in the nature of the proposed action and in the choice among alternative courses of action. These are issues that are related to the proposed action or its implementation. Many of the significant issues that deal with effects are tracked through the analysis process but are not considered key issues. Key issues are those that have the ability to drive alternative formulation. Significant issues were grouped to create the key issues, and then alternatives were derived.

Non-Significant Issues

Non-significant issues have a range of definitions. Generally these are identified as those issues that are:

- Outside the scope of the proposed action;
- Already decided by law, regulation, or other higher-level decision;
- Already decided by the forest plan;
- Conjectural and not supported by scientific or factual evidence; an opinion.

Non-significant issues identified through scoping or comments are generally not addressed by the alternatives described in this document as they fall outside the purpose and need and decisions to be made.

Key Issues from Scoping

The Forest Service identified the following key issues during scoping:

- Volume and type of recreation access;
- Resolution of recreation conflict;
- Protection of natural resources.

Key Issues from DEIS Comment Period

Issues raised during the DEIS comment period echoed those of the scoping period. Hundreds of separate concern statements were raised and responded to. Most fell within the key issues already identified during scoping. The key issues identified above continued to be the primary concerns. For more details the reader is encouraged to review the responses to comments documents.

Other comments focused on the need to reflect on the costs of the transportation system including maintaining, rehabilitating, and decommissioning. General concerns still center around the need to provide for certain uses. People tend to lean toward a use they are looking to do on the national forest. Some understand the growing population and recognize that other uses occur as well, and made very good suggestions as to how to accommodate them. Issues were also raised about how much infrastructure the forest could afford to add and which routes would be good or not good to add due to condition or cost. While many requested a separation from other users, most wanted their use to remain available close to where they recreate. Over 2000 comments were on site-specific roads, trails, and winter use areas. Some specific routes or areas had several comments that reflected a range of wants, i.e. to allow motorized, restrict motorized, add a route, do not restrict my use of choice, etc. Some of the same routes or areas had opposing views as well.

The White River National Forest appreciates the time people took to input their ideas and was able to utilize many of the informative and helpful suggestions. The comments were heavily considered in development of the SDEIS. The staffs responsible for the site-specific recommendations for alternative development were also the same members who reviewed and responded to the site-specific comments. The staffs responsible for analysis were the same members who reviewed and responded to the programmatic comments. This effort involved most of the Forest Service personnel across the entire White River National Forest that incorporated their expertise into the travel management plan.

The preferred alternative was derived from the previous alternatives presented in the DEIS that were designed to address the three key issues. As stated in the DEIS, blending the concepts and ideas from the previous alternatives presented the best solution to trying to meet the goals of the travel management plan. In total the “blend” is not evenly distributed, rather each geographic area was examined and determinations were made as to how each would best serve the forest as a whole when it comes to travel. The further incorporation of the travel rule also influenced how networks were designed. Then, perhaps most importantly, was the consideration of the comments, which really helped the forest to design, simplify, and incorporate the many thoughts presented to us.

Valid Outstanding Rights

The travel management plan was prepared with the understanding by the Forest Service that individuals and entities may have established valid rights, unknown to the Forest Service at this time, to occupy and use the National Forest System lands under laws and authorities established by Congress. The courts have established that such valid outstanding rights may be subject to some federal regulation (*Sierra Club v. Hodel*, 848 F.2d. 1068, 10th Circuit, 1988). This plan recognizes that such valid outstanding rights may exist and the Forest Service will certainly honor such valid outstanding rights when it is subsequently determined that the specific facts surrounding any claim to such rights meet the criteria set forth in any respective statute granting such occupancy and use (*Washington County v. The United States*, 903 F. Supp. 40, D. Utah, 1995). Upon discovery of such valid outstanding rights, amendment or modification of the travel management plan may be necessary.

Nothing in the following restrictions shall be construed as prohibiting the use of a wheelchair, by a person whose disability requires use of a wheelchair, in any area open to public foot travel. For the purposes of this statement, the term wheelchair means a device designed solely for use by a mobility-impaired person for locomotion, which is suitable for use in an indoor pedestrian area (Title V Sec. 507(c) of the ADA).

