

**Inyo National Forest
Travel Management Project
Scoping Report
April 2008**

A. Introduction and Background

The motorized travel management planning process on the Inyo National Forest is part of a national effort to designate transportation systems on each national forest in the country. The goal is to develop a sustainable system of routes that provides an array of opportunities for access and recreation on the national forests, as well as protection of various resources by curtailing motorized cross-country travel.

For many national forest visitors, motor vehicles represent an integral part of their recreational experience. The growing popularity and capabilities of off-highway-vehicles (OHVs) has prompted the Forest Service to take a closer look at the management of OHV use and the designation of motorized routes nationwide.

Providing for the long term sustainability of national forest lands and resources is essential to maintaining the quality of the recreation experience for all users of the Inyo National Forest (INF). As recreation use on the Inyo increases, so does the need for recreation management, including the management of off-highway-vehicles.

In accordance with national direction, the Inyo is engaged in a process to ultimately designate a forestwide transportation system of roads and motorized trails. Designating motorized routes through travel management planning is a 5-step process, which the Inyo began in 2002 with an inventory of existing roads, trails and open areas.

Last October 1st, the Forest Service released a Proposed Action for public motor vehicle use on the Inyo National Forest. The Proposed Action—which would add more than 900 miles of currently unauthorized routes as roads or motorized trails—represents a starting point for the environmental analysis (Step 4 in the 5-step process) required to designate a system of motorized routes. In response to the solicitation for comments, close to 400 individuals, organizations, and agencies provided comments. This Scoping Report provides a summary of the comments received on the Travel Management Proposed Action, describes the process used to organize and analyze comments, and identifies the preliminary results of that analysis.

B. Scoping Process

Scoping is the first step in environmental analysis required by the National Environmental Policy Act (NEPA). It is the initial opportunity under NEPA for public participation from other agencies, individuals or organizations that may be interested in or affected by a proposed action. However, in this Travel Management planning process, the public has had the opportunity to be involved and provide comments since Step 1. Throughout Steps 1-3, the public helped to define and refine the inventory of existing routes as well as the criteria used to propose routes for inclusion in the transportation system.

During the formal NEPA scoping period, concerns and issues are raised by the public, and these issues are identified and prioritized for analysis. This process includes working closely with agencies and individuals, and soliciting input from interested organizations and individuals on issues,

concerns, needs, and resource uses, development, and protection. Public input helps focus management analysis and actions.

Public scoping for the INF Travel Management Project (TMP) began on October 1, 2007 with publication in the *Federal Register* of the Notice of Intent to prepare an Environmental Impact Statement. That notice identified the purpose and need for the TMP, summarized the Proposed Action, provided information about the process, and initiated a public comment period scheduled to end on November 15, 2007. The public was also notified of the scoping period through news releases to the local media, the INF website, and mailings to interested individuals and other agencies, tribes and organizations. The Forest Service will continue to consider public comment throughout the Travel Management Project process.

Early in the scoping period, the Forest Supervisor received a number of requests asking that the scoping comment period be extended. The Forest Service granted an extension and the public scoping period was extended for an additional thirty days until December 15, 2007. Notification of the extension was posted on the INF website and provided through news releases to the local media.

Scoping included three public meetings held in Bishop, Mammoth Lakes, and Ridgecrest. The meetings provided an overview of the need for the TMP and the planning process. In addition to these meetings, the public was invited to two open houses at the Supervisor's Office in Bishop and one at the Ranger Station in Lone Pine. A total of 103 people attended the six public meetings. Participants were invited to review materials, and participate in a question and answer period. The questions and answers from those meetings are available on the INF website (http://www.fs.fed.us/r5/inyo/projects/route_des/2007-1109-route-designation-qanda.pdf). The purpose of these meetings was informational, and all attendees were reminded and encouraged to participate in the scoping process by submitting their comments in writing.

C. Comment Summary

Almost 400 written comments have been received since the start of the scoping period. Comments included suggestions and concerns related to:

- **Travel Experience** – Desire for maximum motorized access, a diversity of riding experiences, loops and longer riding opportunities, historical and unique values of routes, and ensuring non-highway access to areas.
- **Destination Opportunities** – Camping and day-use destinations, historic and unique features, hunting and fishing.
- **Administrative Values** – Access to private property, commercial and Special Use Permits, wildlife improvements, and fire suppression.
- **Direction and Planning** – Process concerns and analysis suggestions, Inventoried Roadless Area direction, designated and proposed Wilderness concerns, density of routes, and overall Forest Plan consistency.
- **Resource Values** – Minimize roads to reduce or avoid impacts, wildlife concerns, archaeology, botany, visual impacts, and economic benefits.
- **Management Considerations** – Public safety, costs to maintain or mitigate impacts, and potential conflicts with non-Forest Service lands.

While most of the comments were more general in nature, a number of commenters identified key concerns or benefits associated with specific routes and locations on the forest. These route specific comments provided much helpful information about locations of campsites, exceptional travel

experiences, viewpoints, locations of private inholdings, resource concerns at specific locations, and exact locations of apiaries and other permitted activities. Comments were also received on routes that were not inventoried, and – conversely – some routes that were shown on maps, but that no longer exist on the ground due to gates, past closures, or lack of use.

D. Classifying the Issues to Determine the Scope of Analysis and Design of DEIS

An issue is an unresolved conflict with the Proposed Action, or an effect on physical, biological, social, or economic resources caused by the Proposed Action. An Interdisciplinary Team (IDT) of specialists representing a variety of disciplines participated in the comment analysis and issue identification.

The IDT recorded, compiled, reviewed, and analyzed the comments to identify the issues that will be addressed in the Draft Environmental Impact Statement (DEIS). At this stage in reviewing and analyzing the comments, the IDT determined whether the comment identified an unresolved conflict with the Proposed Action. Comments that identified specific impacts that would be caused by one or more components of the Proposed Action were identified as issues.

During this review process, the issues with the Proposed Action were categorized as Significant Issues, Minor or Non-Significant Issues, or Issues Not Analyzed in Detail. From the comments received, the IDT identified three significant issues, five non-significant issues, and seven issues not analyzed in detail. These issues are listed below.

Significant Issues are used to formulate alternatives to the Proposed Action or prescribe mitigation and monitoring measures to reduce or eliminate environmental effects. They are also used to focus the environmental analysis in the Environmental Impact Statement on the main issues raised by the public.

Significant Issue #1

A reduction in miles of routes available for public motorized use and the prohibition on cross-country travel will adversely affect the quality and quantity of motorized recreation experiences because it:

- Lacks loops and connectors to provide longer riding time and spurs for exploration;
- Lacks diverse opportunities for different vehicles (ATVs, motorcycles, 4WD); and
- Lacks semi-primitive riding opportunities and experiences.

Significant Issue #2

Public motorized use of roads and trails as described in the Proposed Action will adversely affect non-motorized recreation experience (engine noise, dust, conflicts, and aesthetic values).

Significant Issue #3

Public motorized use of roads and trails as described in the Proposed Action will adversely affect forest resources. This includes:

- Erosion, soil compaction, and reduction in water quality;
- Degradation of habitat for fish and wildlife;
- Damage to heritage resources;
- Proliferation of weeds; and
- Inventoried roadless area character, compromising future wilderness designation.

As described above, significant issues provide the basis for formulating a range of reasonable alternatives to the Proposed Action and making a decision. Potential environmental effects related to each significant issue will be determined and documented in the DEIS to compare and contrast

the impacts of each alternative on the human environment. (See page 8 for a list of the alternatives currently being developed.)

Minor or Non-Significant Issues involve minor (but still measurable or noticeable) effects resulting from the Proposed Action. Effects related to non-significant issues will be described in the Environmental Impact Statement; however, specific non-significant issues may or may not be addressed in each of the alternatives.

Non-Significant Issue #1

A reduction in miles of routes available for public motorized use and the prohibition on cross-country travel will:

- Concentrate use on fewer routes and increase traffic;
- Adversely affect local economies by reducing riding opportunities; and
- Would not provide hunters adequate access to hunting areas.

#1 Response: The Forest Service believes that a system of designated roads, trails, and areas offers better opportunities for sustainable, long-term motor vehicle use and better economic opportunities for local residents and communities. The INF is managed by law for multiple use and should provide access for both motorized and non-motorized users in a manner that is environmentally sustainable over the long term.

Non-Significant Issue #2

Public motorized use of roads and trails as described in the Proposed Action will lead to increased pollution, dust, and engine exhaust.

#2 Response: Air quality across the Forest is generally considered good to excellent due to low population and the remote nature of the area. Dust currently generated by travel on all unpaved roads within the PM¹⁰ non-attainment areas on or near the Forest (Southern Owens Valley, Coso Junction, Mammoth Lakes and Mono Basin) is negligible according to the Owens Valley PM¹⁰ Planning Area Demonstration of Attainment State Implementation Plan (2008), the Mono Basin Planning Area PM¹⁰ State Implementation Plan (2005) and the Air Quality Management Plan for the Town of Mammoth Lakes (1990). The largest sources of emissions are from the Owens Lake Bed, Mono Lake exposed lake bed and cinders used to melt snow on paved roads in the Mammoth Lakes area.

Non-Significant Issue #3

The Proposed Action does not represent a well-designed trail system because it is not designed to accommodate potential increases in future use levels (miles of roads/trails are being reduced, while the number of users is increasing).

#3 Response: Most routes on the Inyo National Forest receive relatively low use and have not reached their maximum capacity. For each alternative, the analysis in the EIS will consider the relationship between proposed changes to the transportation system and potential increases in use levels.

Non-Significant Issue #4

Lack of seasonal use restrictions will lead to increased erosion and sedimentation.

#4 Response: Consistent with the national Travel Management Rule (36 CFR 212.55(d)), route designations will be made by class of vehicle and, if appropriate, by time of year. Any proposed seasonal use restrictions will be identified and analyzed in the EIS.

Non-Significant Issue #5

High road density and cross country travel adversely affect game populations and reduce the quality of hunting opportunities on the Forest.

#5 Response: The Inyo National Forest has not proposed, and does not intend to allow, cross country travel for hunting. Route designations will be made to protect the resources of the Forest, to promote safety of all users, and to minimize conflicts amount the various uses.

Issues Not Analyzed in Detail involve effects not directly related to (or caused by) the Proposed Action; concerns which are already decided by higher law, regulation, or policy such as the Inyo National Forest Plan, the national Travel Management Rule, or the 2001 Roadless Rule; and concerns that are conjectural and not supported by scientific evidence. These concerns and brief conclusions will appear in the Environmental Impact Statement (EIS); however, issues in this category may or may not be specifically addressed in each of the alternatives.

Issue Not Analyzed in Detail #1

A reduction in miles of routes available for public motorized use and the prohibition on cross-country travel will adversely affect the quality and quantity of motorized recreation experiences because it eliminates access for those who have limited mobility (such as disabled or elderly individuals).

#1 Response: Under section 504 of the Rehabilitation Act of 1973, no person with a disability can be denied participation in a Federal program that is available to all other people solely because of his or her disability. In conformance with section 504, wheelchairs are welcome on all National Forest System lands that are open to foot travel and would be allowed on routes that are closed to motor vehicles through the Travel Management Project, even if they are battery-powered. However, there is no legal requirement to allow people with disabilities to use OHVs or other motor vehicles on roads, trails, and areas closed to motor vehicle use because such an exemption could fundamentally alter the nature of the Forest Service's travel management program (7 CFR 15e.103). Reasonable restrictions on motor vehicle use, applied consistently to everyone, are not discriminatory.

Issues Not Analyzed in Detail #2

Proposed Action adversely affects the rights of landowners by restricting private property access to certain vehicle classes (in Inventoried Roadless Areas).

#2 Response: Consistent with the national Travel Management Rule (36 CFR 212.55(d)), the responsible official for this project will recognize rights of access to private property when designating roads, trails, and areas. Rights of access include valid existing rights and rights of use of system roads and system trails (36 CFR 212.6 (b)).

For example, the Alaska National Interest Lands Conservation Act (ANILCA) provides a landowner a right of access across National Forest System lands in certain circumstances, and decisions resulting from this project would not amend or modify that statute. Access to non-Federal land does not have to be a road in all cases, nor does it have to be the most economical, direct, or convenient for the landowner, although the agency tries to be sensitive to the cost in time and money to the inholder. During the application process for such access, applicable laws, such as the National Environmental Policy Act and the Endangered Species Act, still must be considered.

Issues Not Analyzed in Detail #3

Proposed Action designates roads for public use across private land when no right-of-way exists.

#3 Response: The Forest Service will not manage, maintain, or designate roads and trails where it does not have the right to do so. Existing rights-of-way will be verified before routes across private land are added to the transportation system and designated for public use. Where the Forest Service has a legal right to a particular road or trail, that road or trail will be considered for designation.

Issues Not Analyzed in Detail #4

A reduction in miles of routes available for public motorized use and the prohibition on cross-country travel will adversely affect future mineral exploration and development.

#4 Response: Access for administrative uses, such as mineral exploration, can be provided under permit on routes that are not otherwise available to recreational motorized traffic. Determination of access requirements for exploration or development of locatable minerals is governed by the provisions of 36 CFR part 228. Within Inventoried Roadless Areas (IRAs), access for the exploration of locatable minerals pursuant to the General Mining Law of 1872 is allowed, as is reasonable access for the development of valid claims pursuant to the General Mining Law of 1872. In some cases, access other than roads may be adequate for mineral activities. This access may include, but is not limited to, helicopter, road construction or reconstruction, or non-motorized transport.

Issues Not Analyzed in Detail #5

Public motorized use of roads and trails as described in the Proposed Action will cause an increase in fire risk (not enough law enforcement officers (LEOs) to adequately patrol road network, increasing potential for arson).

#5 Response: Proposals to add unauthorized routes to the system include an evaluation of fire risk, such as identification of areas in which arson has been a concern in the past. Forest Service law enforcement personnel play a critical role in ensuring compliance with laws and regulations, protecting public safety, and protecting national forest resources. Education and cooperative relationships with users support enforcement efforts by promoting voluntary compliance.

Issue Not Analyzed in Detail #6

Defined baseline prevents public from driving on existing routes to which they have legitimate access.

#6 Response: The “baseline” road system on the Forest has evolved in recent years. In 2001, Forest Supervisor Jeff Bailey signed a letter which described his intent to manage many roads on the Forest as part of our transportation system. Although Supervisor Bailey’s 2001 letter was preceded by a series of public meetings and workgroups, his determination about the status of roads on the Forest did not include an environmental effects analysis as required under the National Environmental Policy Act (NEPA). NEPA applies to all federal actions including the action of adding new motor vehicle routes or areas to the forest transportation system. The responsible official and the public must be informed of, and consider the consequences of, route designation before a decision can be made. The 2001 letter was not accompanied by sufficient environmental analysis to support a decision regarding the designation of routes for public motorized use.

For that reason, the Forest reexamined its baseline system prior to publication of the Proposed Action to ensure previous travel management decisions were taken into account. The baseline system includes approximately 1,240 miles of National Forest System roads with clear record of our intent to manage for motorized public use, or which had been analyzed under NEPA prior to inclusion in the system.

Issue Not Analyzed in Detail #7

Allowing cross-country travel to camp or retrieve game will complicate enforcement, confuse the public, and impact wide areas on the forest.

#7 Response: While the Travel Management Rule allows limited discretion in allowing cross-country travel for retrieving game, the Inyo National Forest has not proposed this, and does not intend to allow such travel – unless specifically authorized by permit. Region Five guidance for dispersed camping allows vehicles to travel up to 50 feet from a designated route for the purpose

of camping – if not causing resource damage. The Inyo NF has inventoried even very small “routes” leading to dispersed camping sites, and does not intend to authorize a corridor on either side of designated routes.

E. Development of Alternatives to the Proposed Action

The IDT is currently using the significant issues listed on page 3 above to develop a range of reasonable alternatives to the Proposed Action. The proposed range of alternatives is displayed on page 8. The alternatives being developed will fulfill the purpose and need for the project, and address the significant issue while not violating any minimum environmental standards or objectives.

Each alternative that implements the national Travel Management Rule will include the following components:

- Adding unauthorized routes to the forest transportation system for public motorized use. Routes may be added as either roads or motorized trails.
- Prohibition on travel off of forest transportation system roads and trails

The alternatives will vary primarily in terms of the number of unauthorized routes proposed for addition to the transportation system, and whether those routes are added as roads or trails. For example, the Proposed Action (October 2007) would add 870 miles of unauthorized routes as roads and 53 miles as motorized trails. Although the details of the alternatives have yet to be determined, Alternative “M” in the list below would add more unauthorized routes to the system as roads and trails—focusing on those routes which form loops or connectors, or those which can be managed as motorized trails for different types of vehicles (Significant Issue #1). Alternative “R”, on the other hand, would add fewer miles of routes to the system than the Proposed Action by avoiding routes with existing or potential resource concerns, such as erosion, impacts to archaeological sites, or habitat needed by rare plant and animal species (Significant Issue #3).

The potential environmental effects related to each significant issue will be determined and documented in the DEIS to compare and contrast the impacts of each alternative on the natural, social, and economic environments of the Forest.

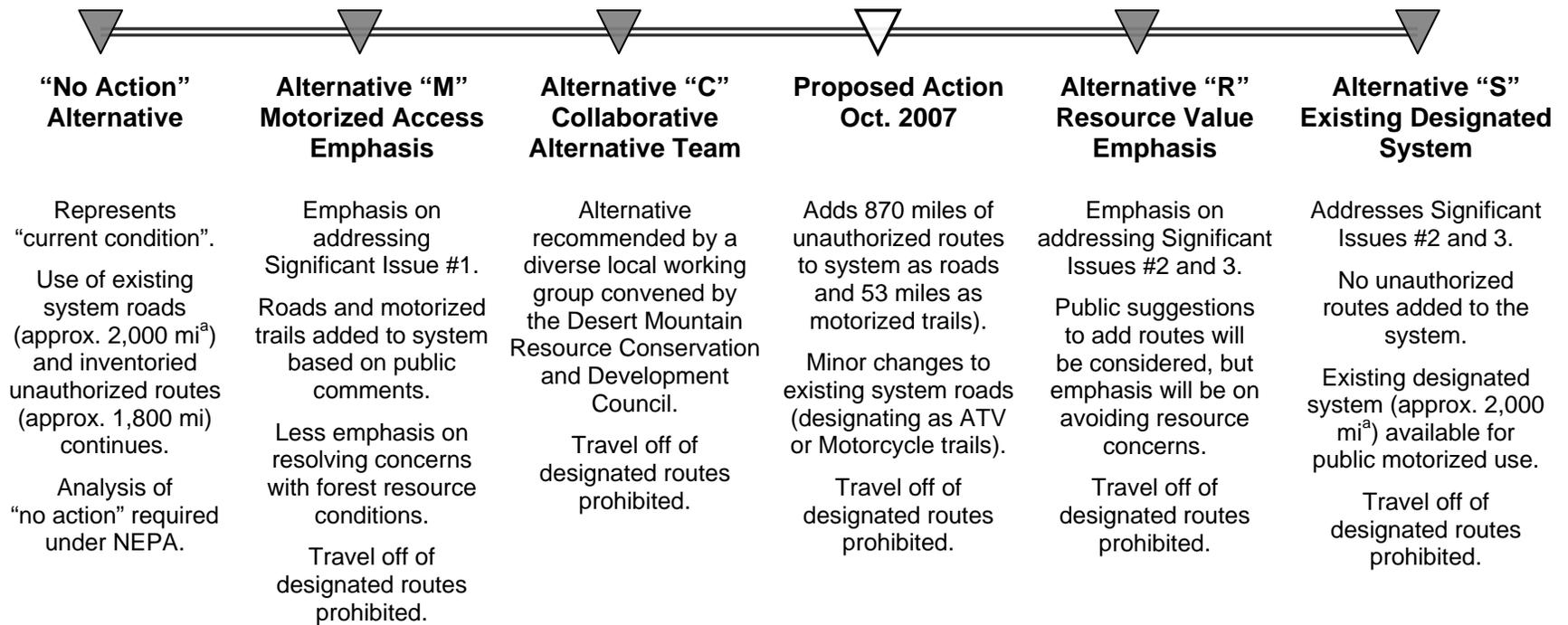
In addition to the alternatives outlined below, additional alternatives may be considered in the EIS but not analyzed in detail. These alternatives will be described in Chapter 2 of the EIS, in the section entitled “Alternatives Considered but Eliminated from Detailed Study”.

F. Summary of Future Steps and Opportunities for Public Participation

Once the range of alternatives has been defined, the Inyo National Forest will complete a Draft Environmental Impact Statement (DEIS) to assess the environmental effects of the Proposed Action and its alternatives. The DEIS will disclose effects of the roads and trails proposed in each of the alternatives on the “human environment”. The human environment includes both the physical or biological environment (such as air and water quality, soil condition, wildlife) as well the social environment (such as recreation experience and local economies).

The DEIS is expected to be available for a 45-day public comment period this summer. Public meetings will be held to help explain the DEIS and its contents to the public. Your comments on the content of the DEIS will help us identify possible changes to the alternatives to better address public concerns, as well as areas in need of additional analysis before a decision can be made.

Travel Management Project Inyo National Forest Draft Range of Alternatives April 2008



^a Includes National Forest System roads as well as County and highway roads.