



June 16, 2014

Canyon Lakes Ranger District
Att: Nehalem Clark
2150 Centre Ave, Building E
Fort Collins CO 80526-8119

RE: Cherokee Park Fuels Treatment

Dear Mr. Clark:

Please accept this correspondence as the comments of the above noted Organizations regarding the Cherokee Park Fuels Treatment proposal. The Organizations vigorously support the removal/thinning of dead trees in the planning area and management of the area for the long term sustainability of forest health. The Organizations believe the wildfire and subsequent flooding history on the Canyon Lakes RD provides first hand experiences and compelling evidence for the need for active forest management but the Organizations do have significant concerns with the Proposal.

Prior to addressing the specifics of these concerns, a brief summary of the Organizations is warranted. COHVCO is a grassroots advocacy organization of approximately 2,500 members seeking to represent, assist, educate, and empower all OHV recreationists in the protection and promotion of off-highway motorized recreation throughout Colorado. COHVCO is an environmental organization that advocates and promotes the responsible use and conservation of our public lands and natural resources to preserve their aesthetic and recreational qualities for future generations.

TPA is a 100 percent volunteer organization whose intention is to be a viable partner, working with the United States Forest Service (USFS) and the Bureau of Land Management (BLM) to preserve the sport of trail riding. The TPA acts as an advocate of the sport and takes the

necessary action to insure that the USFS and BLM allocate to trail riding a fair and equitable percentage of access to public lands. For the purposes of these comments, COHVCO and TPA will be referred to as the Organizations.

1. The Collaborative letter does not accurately reflect the project scope, which will impair public comment.

The Organizations are concerned regarding the narrow scope of project identification in the April 28 scoping letter, where the project is clearly identified as reducing fuels hazards project to improve forest health. This narrow scope will directly impact the involvement of the public, or lack thereof, in the project. This is very concerning as while forestry is a significant portion of the project, travel management is also a significant component of the project as reflected by the development of the Travel Analysis Report. The scope of this project simply is not reflected in the scoping summary letter and project name despite possible closures in the area being approximately 50% of routes.

The Organizations are aware that travel management is specifically addressed in the project overview power point for the May 15 meeting, but are concerned that many trail and route users would not attend the meeting to be able to comment on the proposal under the erroneous belief that the project was only a timber sale and that any route closures would only be temporary in nature. This is simply is not the case. The Organizations believe obtaining this input is a critical component to developing a quality planning product and developing significant public support for fuels projects moving forward and avoiding closures of routes that are a significant benefit to private lands.

2a. USFS Budget constraints cannot be addressed with multiple use closures alone.

The Organizations would like to be able to support all trails proposals from all user groups but this simply is not realistic given agency budgets and the unwillingness of many user groups to self tax in a manner similar to the programs that have been in place as a result of the motorize users self taxing a long time ago. This failure to provide a funding stream for site development has impaired these user groups ability to partner in development of projects such as the project now sought to be developed. The Organizations believe that these issues must be addressed at both the project level, district level and forest level to obtain a meaningful resolution of these issues. Creating numerous small projects to address multiple use access in a piecemeal p[rocess will never be effective and must be avoided.

Last year the Government Accountability Office concluded that only 20% of the US Forest Service trail network was financially sustainable. This sounds ominous for trails, but this

conclusion may not be all that applicable to multiple use trails given the vigorous OHV registration programs that many states have developed to fund trails on federal lands. The Organizations believe that all federal land managers must understand the scope of this study in order to avoid unnecessary closures and allow actual resolution of this issue.

Understanding the scope of the study is critical to remedying this management question and protecting multiple usage. The GAO study addressed all trails, including non-motorized trails in designated Wilderness, which the GAO study found accounts for 20% of the USFS trail network. While the GAO found Wilderness trails account for 20% of all trail mileage, Wilderness visitation accounts for only 3.3% of visitor days to USFS lands nationally, which results in a significant imbalance in supply and demand for these opportunities. While there is a significant oversupply of these opportunities, maintaining this oversupply is expensive due to management limitations on methods of maintenance that can be employed. Trail maintenance of any kind is always easier, cheaper and safer when mechanized devices are used and these are prohibited in Wilderness areas.

Throughout the western United States the motorized community has adopted voluntary registration programs to help off-set the costs of maintaining multiple use routes, which is addressed in the GAO report. This funding supplement is often lost in overly brief summaries of the GAO report but is a critical point in resolving this management question. Often these voluntary registration programs provide significantly more money for trail maintenance in a steady and predictable manner for land managers than the Forest Service has available internally. There is no similar program for the maintenance of Wilderness trails. Often any state funding for maintenance of Wilderness trails is very limited and highly fluctuating and there is only so much maintenance that can be performed by volunteers. This makes supporting the current oversupply of Wilderness routes very difficult to justify.

Resolving the USFS funding issues for trails is going to be a significant issue moving forward and is one that cannot be remedied by closing the trails that are sought after by most people and at least partially funded by the users, such as those in the proposal area. Resolution of this management issue should start with closing Wilderness trails that are not used and are exceptionally expensive to maintain and in bad need of maintenance. Closing multiple use routes will never resolve the USFS funding issues and would impact large numbers of users for the benefit of a severely underutilized resource.

2b. Funding sources for multiple use routes are available.

The Organizations are strong partners with the CPW trails grants program, which annually grants more than \$4,000,000 in funding to public lands management in Colorado. The

Organizations are aware that several grants have been awarded to the Clear Creek Ranger District over the last several years such as the Kelly Flats Grant awarded previously. However the Clear Creek Ranger District has not applied for an OHV good management crew from the CPW program. These grants allow for a streamlined application process to provide consistent annual funding for seasonal employees dedicated to multiple use trails in the Ranger District. Many of the Ranger Districts and BLM Field Offices have found these teams to be invaluable resources for the maintenance of multiple use trails, and have found these teams to be invaluable in avoiding large scale trail closures in attempts to address financial shortfalls. The Organizations strongly encourage the Clear Lake RD to work towards obtaining such a team and would be willing to assist or facilitate in this process in any manner needed. A summary of the most recent OHV grant awards has been enclosed with these comments for your reference.

2c. Alternatives for travel management of some routes must be addressed.

The Organizations believe that most of the routes in the proposal area to be closed are identified as Forest Service Roads. The Organizations would like to explore possible alteration of these routes to Forest Service Trails, and possibly restricting usage to 50 inches or under or 30 inches and under. These designations would significantly reduce maintenance costs for these routes and maintain these routes for multiple use recreation. The Organizations are aware of numerous trail width restrictors that are being unused in other ranger districts and would be able to assist with obtaining these items. While these routes may not be extensive, these routes could provide a highly valued recreational experience for users at a minimal cost. As noted in other portions of these comments, these opportunities are very limited on the Front Range due to the heavy impacts of flooding on all public lands.

3. Project Timing

The Organizations believe the wildfire and subsequent flooding history on the Canyon Lakes RD provides first hand experiences and compelling evidence for the need for active forest management. While these impacts are compelling, the Organizations vigorously assert that these impacts are not limited to the Canyon Lakes District as much of the Arapahoe/Roosevelt NF has been heavily impacted by flooding last year. This flooding has heavily impacted many of the easily accessible areas and routes along the northern front range, such as the Lefthand Canyon area and Storm mountain area, and the time frame for restoration of these opportunities is unclear at best. These challenges make the recreational opportunities provided in the Cherokee Park area exceptionally highly valued in the short term, and the Organizations have to believe that Canyon Lakes staff has already noted an increase in

recreational visitation as a result of the area being one of the few accessible day use recreation areas remaining along the front range.

The Organizations would request that the timing of forest thinning activities be coordinated to minimize any impacts to these limited recreational resources until such time as mitigation and restoration has occurred on other areas to allow recreational activity to resume.

4. Lynx management decisions are based on in accurate summaries of out of date management standards.

The Organizations are very concerned that best available science and management standards have not been applied for the management of lynx habitat and linkage areas in the Travel Analysis Report (TAR), and as a result limited resources will be directed towards issues that can never be resolved with those funds. These concerns are based on the identification of high risk factors assigned to roads that may be in lynx corridors and habitat areas, while roads outside these habitat areas are a low risk factor.¹ The Organizations are concerned regarding the basis for the allocation of risk in this decision matrix, even under the Southern Rockies Lynx Amendment, which provides:

“Unlike high-speed highways, the types of roads managed by the Forest Service do not have the high speeds and high use levels that would create barriers to lynx movements or result in significant mortality risk. Roads may reduce lynx habitat by removing forest cover, but this constitutes a minor amount of habitat. Along less-traveled roads where roadside vegetation provides good hare habitat, sometimes lynx use the roadbeds for travel and foraging (Koehler and Brittell 1990). Research on the Okanogan NF in Washington showed that lynx neither preferred nor avoided forest roads, and the existing road density did not appear to affect lynx habitat selection (McKelvey et al. 2000). Available information suggests lynx do not avoid roads (Ruggiero et al. 2000) except at high traffic volumes (Apps 2000).”²

The Organizations question if the SRLA reflects the heightened risks that are reflected in the decision matrix. The Organizations are even more concerned that the TAR relies on data that has been superseded the SRLA. The Organizations have been highly involved with the management of lynx in Colorado, and have been active participants in the Lynx Blueprint project and have been partners with the Colorado Snowmobile Assoc, who has been actively

¹ See, Travel Analysis Report at pg 30.

² *Id* at pg 16.

supporting lynx research both on the San Juan and White River National Forests. This research has specifically targeted the analysis of lynx utilizing areas where high levels of recreation are occurring and as such should be highly relevant to these issues.

After reviewing the TAR, several critical issues were immediately apparent. The TAR relies on the Southern Rockies Lynx Amendment ("SRLA") for the management of many issues, but the SRLA was recently superseded by the 2013 Lynx Conservation Assessment and Strategy, which made significant changes to the management of many issues. A complete copy of this document has been included with these comments for your reference.

The Organizations are troubled that the decision matrix appears to conclude there is a negative relationship between motorized routes and lynx habitat. This could not be further from the truth, as in 2013 there were significant changes in national lynx management standards specifically regarding recreation including the following conclusions:

- Recreational usage of lynx habitat is a second level threat and not likely to have substantial effects on the lynx or its habitat. Previous theory and management analysis had placed a much higher level of concern on recreational usage of lynx habitat;³
- Lynx have been known to incorporate smaller ski resorts within their home ranges, but may not utilize the large resorts. Dispersed motorized recreational usage certainly does not create impacts that can be equated to even a small ski area;⁴
- Road and trail density does not impact the quality of an area as lynx habitat;⁵
- There is no information to suggest that trails have a negative impact on lynx;⁶
- Snow compaction from winter recreational activity is not likely to change the competitive advantage of the lynx and other predators;⁷
- Snow compaction in the Southern Rocky Mountain region is frequently a result of natural process and not recreational usage;⁸
- Winter recreational usage of lynx habitat should only be "considered" in planning and should not be precluded given the minimal threat this usage poses to the lynx; and⁹

³ See, Interagency Lynx Biology Team. 2013. *Canada lynx conservation assessment and strategy*. 3rd edition. USDA Forest Service, USDI Fish and Wildlife Service, USDI Bureau of Land Management, and USDI National Park Service. Forest Service Publication R1-13-19, Missoula, MT. 128 pp. at pg 94. Hereinafter referred to as the 2013 LCAS.

⁴ 2013 LCAS at pg 83.

⁵ 2013 LCAS at pg 95.

⁶ 2013 LCAS at pg 84.

⁷ 2013 LCAS at pg 83.

⁸ 2013 LCAS at pg 26.

⁹ 2013 LCAS at pg 94.

Failing to manage habitat areas to mitigate impacts of poor forest health issues, such as the spruce and mountain pine beetle, is a major concern in lynx habitat for a long duration.¹⁰ Clearly these new national management standards fall well short of creating any basis for implications that a properly managed road and trail network in lynx habitat will negatively impact that habitat. The Organizations are not asserting that there are negative implications to lynx habitat from the forest thinning, as the 2013 LCAS concludes there are significant benefits.

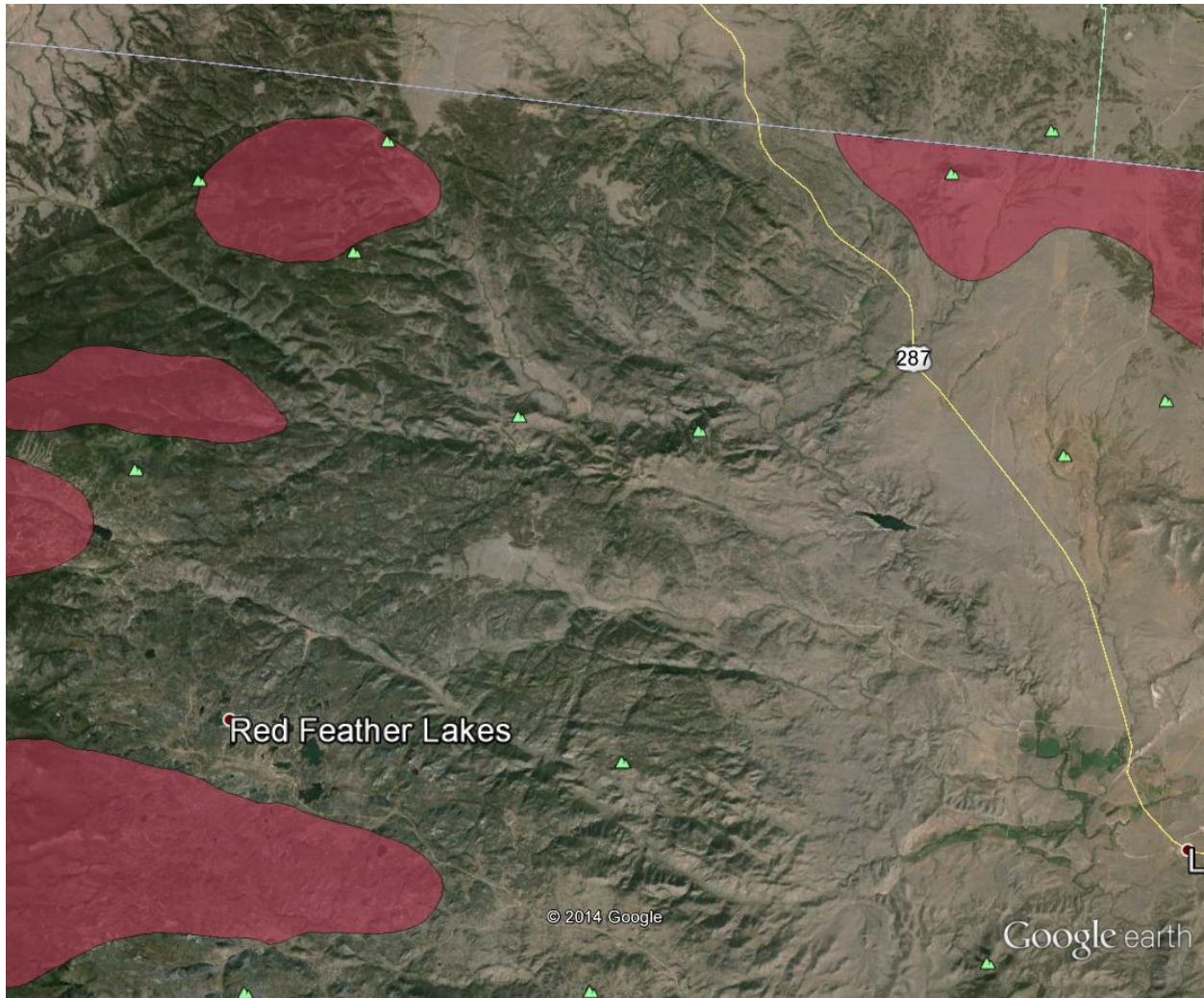
A complete review of up to date information on this issue would have referenced the benefit that active forest management and timber sales involving roads would provide to the lynx rather than continuing the erroneous belief that lynx habitat and recreational usage are mutually exclusive. While the Organizations are unable to apply the decision matrix to particular routes, the Organizations vigorously assert that any closures that were to be addressed in Cherokee Park thinning plan must be re-reviewed under a new decision matrix in order to apply best available science and avoid management to avoid negative impacts to lynx habitat that are not supported by best available science.

5. Seasonal closures are highly effective for the protection of Calving and Lambing areas.

The Organizations have been vigorous supporters of mitigation efforts that avoid possible impacts to wildlife from trail usage. The Organization's have found that seasonal closures of calving and birthing areas have been highly effective in protecting recreational access to areas and use of the area for birthing and calving. The Organizations continue to support this management but have to question the basis for any seasonal closures of routes or permanent closures of routes for the protection of calving and birthing areas after a review of CPW information on calving and birthing areas in the project area. The Cherokee Park fuels Plan again assigns higher risk factors to routes in elk calving areas and lower risk to routes outside calving areas.

The CPW mapping of calving and birthing areas for elk generally in the planning area reveals there are no calving and birthing areas within the project area. The closest calving area is generally adjacent to the Boulder Ridge area, which is well to the northwest of the project areas. The CPW mapping of reproduction areas reflects these boundaries as follows:

¹⁰ 2013 LCAS at pg 91.



CPW Elk Production areas¹¹

The Organizations are opposed to any elevated risk factors in the route decision matrix, and resulting route closures as CPW information reveals that there is no calving and birthing areas for elk in the fuels treatment area.

¹¹ Boundaries are based on Google Maps of these factors available for purchase from hunting GPS maps at http://www.huntinggpsmaps.com/store/computer-maps?hgm_map_states=432

6. Conclusion

The Organizations commend the Canyon Lakes RD for undertaking the fuels treatment project, as the Organizations have been long time and vigorous supporters of the active management of forest resources. Fuels treatment is a critical component of this active management and critical to the ongoing stability of the forest resources.

The Organizations are concerned that public input on routes in the planning area will be impacted by the limited scope of the notice and that there are funding options available for the maintenance of routes in the planning area that have not been utilized. The Organizations are very concerned with USFS budget situations for trails, and are also concerned that these issues extend well beyond any resolution in the project area. The budget issues can only be resolved by addressing recreational access to areas that are badly underutilized and exceptionally expensive to maintain, such as Wilderness trails. The Organizations believe that providing resources to the largest number of public users must be the priority.

The Organizations respectfully request to be included in any further proceedings relative to this project. Please feel free to contact Scott Jones, Esq via phone at 518-281-5810 or via email at scott.jones46@yahoo if you should have any questions regarding these comments.

Sincerely,



Scott Jones, Esq.
COHVCO/TPA authorized representative

D.E. Riggle
Director of Operations
Trails Preservation Alliance

Enclosures