



February 7, 2018

USFS Hahns Peak Bears Ears Ranger District  
Att: Mad Rabbit Trails Project  
925 Weiss Road  
Steamboat Springs, CO 80487

Re: Mad Rabbit Proposal

Dear Mr. Foster;

Please accept this correspondence as the comments of the above referenced Organizations opposing the Mad Rabbit Trails Project, hereinafter referred to as "the Proposal". The Organizations voicing support for Other Alternatives, mainly moving forward under the direction that was created after the trails charrette and working towards a master plan for the Steamboat Basin. The Organizations are frustrated to have to oppose both Alternative A and Alternative B for the project but our efforts to engage interested parties regarding our concerns around the projects throughout the Steamboat Springs basin since the passage of the lodging tax have simply never moved. We have provided extensive comments around City efforts, around the trails charrette and around the Buffalo Pass Trails project, which really have never significantly changed the direction of the Wishlist of trails that is currently driving discussions on the HPBE. The Organizations vigorously request that the consensus position arrived at in the charrette, mainly that the next step would be a masterplan for the Steamboat Area, be moved forward. The motorized community has stepped up with \$100,000 in grant funding to facilitate this project and do date there has been no action on this Proposal.

The Organizations are aware that this trail proposal is part of a much larger proposal from the mountain bike community in Steamboat Springs, which has already been the basis of several public meetings and what has become an exploding conflict of users in the steamboat basin. The Organizations submitted extensive comments on this proposal in response to public meetings held by the USFS last August, which were heavily attended by a wide range of multiple users expressing concerns very similar to those in these comments and previous ones submitted in response to that meeting. These comments and concerns remain highly relevant to the Mad Rabbit Project, as there were many foundational flaws in the analysis of the landscape level

analysis, which weigh heavily against single use trails in the Mad Rabbit project, such as the complete failure to address the ongoing need for basic maintenance of existing facilities. The Organizations are not aware of any timing limitations, other than with the motorized funding that is not moving, and as a result must assert that meaningfully planning these projects will not have anyone other than those seeking to move under an accelerated schedule. Creating new trails that simply cannot be maintained in the long run simply makes no sense to the Organizations and may put decades of effort and partnership at risk in the Steamboat basin.

Prior to addressing our specific concerns, a brief summary of each Organization is needed. The Colorado Off-Highway Vehicle Coalition ("COHVCO") is a grassroots advocacy organization advocating for the approximately 200,000 registered OSV and OHV vehicle users in Colorado 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.

The Trail Preservation Alliance ("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.

Colorado Snowmobile Association ("CSA") was founded in 1970 to unite winter motorized recreationists across the state to enjoy their passion. CSA advocates for the 30,000 registered snowmobiles in the State of Colorado. CSA has become the voice of organized snowmobiling seeking to advance, promote and preserve the sport of snowmobiling by working with Federal and state land management agencies and local, state and federal legislators. For purposes of these comments, TPA, CSA and COHVCO will be referred to as "the Organizations".

**1. The Organizations collaborate with diverse interests throughout the state on trails projects.**

Prior to addressing the specifics of our concerns around the Proposal, the Organizations believe it is important to explain our history and background on working on tough issues with a diverse range of interests with public land managers throughout the state. Even in situations where other user groups have not become involved in discussions for reasons that remain unclear, the Organizations have strived to achieve benefits for all interests and users. A list of a few of the examples of our recent collaborative efforts include:

1. SB 17-100- The Organizations spearheaded passage of this Legislation in 2017 that significantly reduced the liability for clubs performing stewardship actions on public lands in Colorado, while the legislation protected all users the only group that showed up and supported these efforts was the Nature Conservancy;
2. CPW LEAN Event – This was almost a years' worth of collaborative efforts from the Organizations with CPW, State Treasurers Office and numerous others regarding how to achieve more timely implementation of grants from the trails program and as a result of these efforts all grants are now available to the applicants almost 1 year earlier than before the LEAN event, while these efforts again benefitted all grant applicants there was no support from any other user groups;
3. Tenderfoot Mountain Project on Dillon Ranger District- trail was constructed to benefit a wide range of interests including motorized and mechanized users with improved wildlife habitat in the area after years of collaborative meetings, this project remains ongoing but has extended more than 5 years;
4. Bear Creek Trails Project on the Pikes Peak Ranger District - where an entire trail network was moved and rebuilt from scratch to address generically pure cutthroat trout habitat being impacted by the existing trail next work- this took more than 4 years;
5. Hermosa Watershed Legislation outside Durango- here first of its kind federal legislation resulted from years of collaboration of interests ranging from water, ranching, local government, snowmobile, summer motorized and mechanized and the Wilderness Society and this effort took almost a decade;
6. Badger Flats Campground project on South Park Ranger District – the Organizations collaborated with the Wilderness Society, campers, local property owners and other interests to renovate a poor managed area into a regional trails hub and camping facility with an extensive multiple use trails network efforts here remain ongoing but have already covered more than 5 years;
7. Bangs Canyon SMA outside Grand Junction – a collaborative effort spanning more than a decade on GJFO where again a diverse range of interests collaborated to develop a multiple use area that also improved wildlife habitat and protected cultural resources and this project has taken more than a decade;
8. 667 Trails Projection Pikes Peak Ranger District- restoration of a heavily used trail network lost in Hayman Fire and then heavily impacted by flooding which took almost 20 years to complete;
9. Hartman Rocks area on the Gunnison BLM Field Office - a multiple use were ongoing efforts longer than a decade have leveraged resources to develop a unique trails based recreation area that has been highly successful;
10. Canadian Lynx research with USFWS- in this project CSA partnered with the USFWS to facilitate targeted lynx research by providing resources and expertise to researchers

working to understand the relationship between lynx habitat and recreation. This support ranged from removing snowmobiles broken or stuck in the backcountry during blizzards with CSA grooming equipment to oil and gas for basic operation to educating researchers how to ride and operate equipment in the backcountry.

The Organizations are proud of the history of collaborative projects that has been developed across often wide interests groups with benefits for all parties involved. In these efforts, often laying the groundwork has been very slow and often verging on shaky but throughout these efforts the strong foundation has been important in uniting the groups and interests as the projects moved forward and resulted in quality projects being developed and being successful in the long run.

The Organizations would also note that even in situations where other groups could be excluded from benefits of collaborative efforts because of their failure to become in any manner in the discussions or efforts (such as SB17-100, CPW Lean, Lynx research) these groups have not been excluded. It is unfortunate that similar collaborative efforts have not been displayed in more projects throughout the State, such as the passage of the lodging tax and related implementation that has been a driving force in this discussion. The Organizations submit that if such an open and collaborative effort had been pursued much earlier in this process, USFS staff would not be in the situation we are now facing. Even after the groups came together in the charrette efforts, certain uses still simply refuse to move forward in the collaborative efforts everyone agreed to in the charrette.

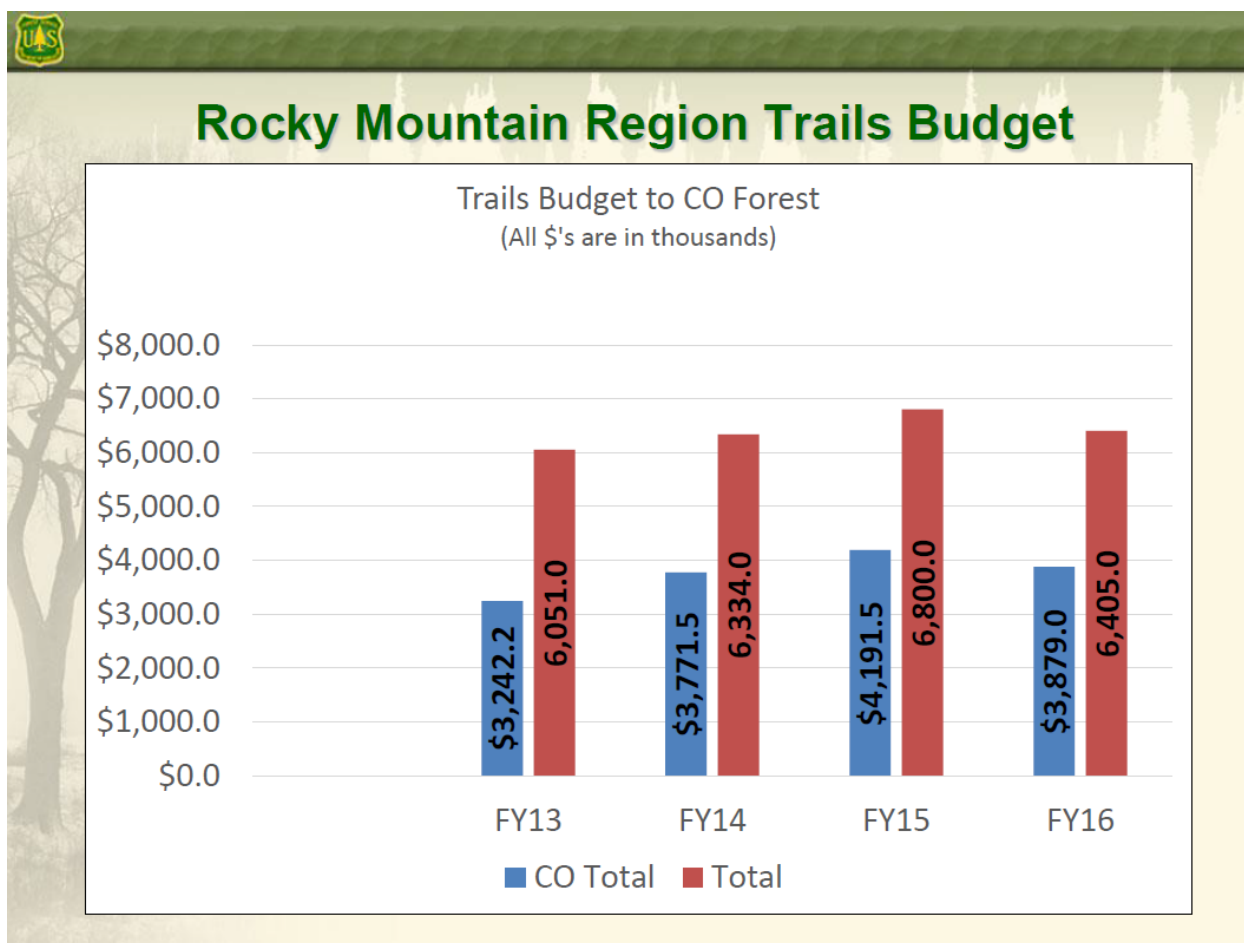
The Organizations expected the Steamboat efforts to develop into another successful collaboration, but that expectation appears to be at risk for reasons that remain unclear. Rather than pursuing true collaboration, the interests of a single group have been placed above all others and pushed forward at breakneck speeds. Rather than a strong foundation resulting from the shaky slow start, this collaborative effort appears to be put at risk for reasons that simply make no sense to the Organizations.

#### **1b. The Colorado Trails Program benefits to all users.**

In addition to the above collaborative projects, the Organizations have supported the development and implementation of the voluntary registration programs for both summer and winter recreation that is coupled with the funding from the Federal Recreational Trails Program. This program provides almost \$8 million (or \$1.25 for every resident of the State) per year for trails of all kinds which is almost entirely funded by the motorized community for more than 20 years. This program maintains routes for the benefit of all users, as all motorized roads and trails

are open to all other forms of recreation and this funding is now critical in providing basic access due to among other things, the HPBE being some of the hardest hit areas in the country in terms of mountain pine beetle and spruce beetle infestations.

The lion's share of the projects are now directed towards basic maintenance of existing facilities for a variety of reasons including decades of communication with USFS and BLM staff which have consistently identified that proving basic maintenance is the most effective manner to keep routes open. The importance of the \$4.3 million to USFS recreational budget is reflected in the tile below from the 2015 OHV workshop presentation from the USFS:



In addition to the \$4.3 million in OHV funding the funding is leveraged with an additional \$1.1 million dollars for winter recreational route maintenance and almost \$2.4 million in funding for maintenance for non-motorized recreation. In addition to providing a massive portion of the funding for basic recreational activity on USFS and BLM lands in the State of Colorado, the motorized community has also been repeatedly identified in Volunteer Stewardship reports

prepared by the State of Colorado as the single largest source of volunteer support for trails in the State.

While the State Trails Program is the largest funding source in the state, the Organizations can say with absolute certainty, that this Program simply does not go far enough in terms of maintenance even with the motorized community funding. The Organizations are also intimately familiar with the limited benefit that change be achieved with the revenue from the Steamboat lodging tax. It can be game changing if applied in an exclusionary manner providing benefits for a small community but will make a very small impact if seeking to benefit a larger community or seek to offset the ever declining budget situation of the USFS managers in the Steamboat area.

Because the State Program is the primary source of funding for trails projects, the Trails Committee is also uniquely situated to identify the failures of trail construction expectations as often the first place that is asked to address these funding shortfalls and failures in projections for long term sustainability is the State Trails Committee and Program. A cornerstone of this whole project is that when additional funding was provided from new sources that those funding sources would be guided towards assisting in maintenance efforts rather than directed towards building new trail that simply cannot be maintained in the long run. This is a major concern for the Organizations as when these maintenance shortfalls become apparent the limited resources of the agency are redirected to address these maintenance shortfalls, and in the end stretches the limited funds even further. As noted elsewhere in these comments, these types of maintenance and long term sustainability failures are becoming systemic with mountain bike trails that have been expanded in the last decade.

#### **1c. What we do on Colorado portions of MBRNF.**

The Organizations believe it is highly valuable to clearly identify the significant benefits that accrue to all trails users on the Medicine Bow Routt National Forest as a result of the collaborative efforts of the motorized community with USFS management. The partnership results in almost \$1 million a year throughout the year for the benefit of all recreational users on the MBRNF. These efforts are highlighted by:

1. 3 good management crews are currently in place on the MBRNF, each of which are funded at levels comparable to the total revenue of the Steamboat lodging tax revenue:
  - a. HPBE GM crew has been in place for more than a decade and directly resulted in more than \$1.5 million in funding alone;
  - b. Parks District GM Crew;

- c. Statewide Heavy Crew out of Grand Lake funded at twice the levels of Ranger District based crews;
2. 3 winter grooming operations – Rout, North Park and Steamboat Lake programs which support hundreds of miles of groomed routes on the District that are open to everyone free of charge;
3. Extensive direct funding for projects- such as strategic planning grant on HPBE of more than \$100,000 to supplement local funding identified at the charrette, purchase of mini-excavators, rock-breakers, motorcycles and trailers to make other grant funding needs of crews and volunteers.

The Organizations have embraced the maintenance needs of the land managers, and been consistently informed that this was the most effective way to keep trails open on any planning USFS unit. The Organizations are also aware that the CPW funding is leveraged by USFS funding that is available to allow for the support of trails crews that are simply not even a topic of discussion in most other locations in the country. When other trails projects fail, the USFS portion of funding for trails crews is put at risk of loss or reallocation to address these types of project specific failures and that is not acceptable to the Organizations as it reduces the leverage available for the proven programs on the ground. The Organizations would also note that the vigor and zealous levels of interest around projects like Buff Pass and Mad Rabbit Mtn. bike trails has placed a large amount of stress on the partners in the CPW program. Since this new interest, good management crew grant funding is not being accounted for in a timely manner, planning efforts have stalled and equipment purchases have not been completed or utilized. While we are not sure of the exact basis of this changes, the organizations would note putting almost \$1 million in funding at risk to obtain \$100,000 is simply not rational or good management.

It should be noted that if all revenue from the Steamboat Lodging tax was applied for the benefit of all users, it might be able to cover the funding for only one additional maintenance crew on the MBRNF. While the Organizations have embraced the basic need for maintenance funding assistance with the USFS, this effort is not unlimited and has always focused on the concept of the “rising tide floating all boats”. USFS managers can play a critical role in the success of this concept by informing the public of the partnership and asking all groups to perform under the same expectations.

The Organizations must vigorously assert that any planning foundation that expects current maintenance efforts to continue without new construction of routes for motorized is opposed by the motorized community. ANY new funding must address the basic lack of maintenance funding for maintaining access before addressing an expansion of a trail network for the benefit of a single small user group and this continues to be a significant point of contention with the current

discussions. **The situation where the motorized community would not be able to build trails, despite maintaining roads and trails used to access the area, while other users are allowed to build trails without addressing the basic maintenance of routes and trailheads used to access those trails is simply and foundationally unacceptable to the motorized community.**

**2a. Basic direction of the Proposal directly conflicts with National Forest Service Strategy for Sustainable Trails.**

As the Organizations have noted above, significant volunteer efforts and direct funding of USFS funding have been directed towards the basic sustainability of the motorized portions of the trail network throughout the state of Colorado. Again, the Organizations must stress that every mile of route maintained is available to ALL types of usages. The need for expansion of this model of management and sustainability was highlighted in 2016 when the USFS issued the US Forest Service National Strategy for sustainable trails system, which expanded the model that has been so successful in Colorado as national programmatic goals and objects for trails management moving forward.

This strategy highlights the basic need to form maintenance and sustainability partnerships with the following reasoning as follows:

“Achieving a sustainable trail system presents several challenges. With limited funding, compounded by the rising cost of wildfire operations and the associated decrease of nearly 40 percent in nonfire personnel, the Forest Service faces a lack of capacity for managing trails on the ground and for building partnership synergies within the trails community.”<sup>1</sup>

The Sustainable Trail initiative continues on how the challenges faced by the Agency as a result of the declines in budgets as follows:

“A generation ago, nearly every ranger district had its own trail crew, but that is no longer the case. The Forest Service will overcome a significant reduction in field staff by moving from a model of “doing it all” to a model of shared stewardship in order to achieve mutual goals and receive shared benefits.”<sup>2</sup>

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<sup>1</sup> See USDA - USFS *National Strategy for a Sustainable Trails System*; December 30, 2016 at pg. 4. Hereinafter referred to as the National Trails Strategy.

<sup>2</sup> See, National Trails Strategy at Pg. 4.



Colorado can vigorously stand as a complete variation from this norm, as almost every ranger district has a motorized trails crew as a result of the OHV program. While not every Ranger District has a trails crew funded by the CPW Grant program, there are three of these crews on the MBRNF. The Organizations must ask why other groups are not seeking to level these relationships and experiences?

The critical need to lead partners on the need for sustainable trails and recreational opportunities is also highlighted in the USFS Sustainable Trails efforts as follows:

**“Sustainable Change:** Leader-led change is often initiated with a high level of impact that may wane over time. Grassroots-led change often grows slowly, yet must be adopted by leadership to achieve lasting results. Sustainable change is cultivated where leader intent meets grassroots initiative and both are infused with regular feedback and support.”<sup>3</sup>

It is interesting to note that the high levels of impacts may result from USFS efforts to instill this type of grassroots model for recreation trails is specifically identified in the 2016 but for reasons these impacts have often been simply avoided, sparing applied and then avoided again after perceived impacts were expressed. While the Organizations were not included in development of the original Steamboat Trails Alliance Wishlist for trails, it is clear from reviewing this Proposal that either this issue was not raised at all or was completely ignored by the creators of the Proposal. There was some discussion of these types of goals and objectives around the charrette and need for a landscape level plan for the Steamboat Basin, these goals have waned and again we are forced to deal with the Wishlist without a landscape level plan and without realistic discussion of the need for these goals and objectives.

The Sustainable trails initiative further highlights the seven core values of the partnerships

### **“Core Values**

At the Forest Service, we are embracing seven core values and invite our partners, volunteers, and friends to join us in adopting these values to guide our collective efforts. By adopting the following core values, we lay the foundation together for making sustainable trail systems a priority and ensuring pathways to public lands remain—for all people, for many generations to come.

**Safety**—We value the safety of trail users, volunteers, partners, and employees and are dedicated to performing our work safely and providing safe trail opportunities for all.

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<sup>3</sup> See, National Trails Strategy at Pg. 4.

**Sustainability**—We value the land and will steward a trail system that is relevant to a changing society, is ecologically viable, and that can be sustained by current and potential partner, volunteer, and agency resources.

**Commitment**—We value the strong traditions, skills, and dedication of our partner, volunteer, and employee workforce and will foster continued growth through training and leadership opportunities.

**Access**—We value the ability of everyone to connect to the outdoors and are committed to providing quality access through a variety of trail settings and opportunities.

**Inclusion**—We value everyone—trail users, partners, volunteers, employees, and friends, regardless of age, ability, or cultural background.

**Communication**—We value the exchange of information that is up-to-date, accurate, widely available in multiple formats, and relevant to both trail users and those involved in sustainable trail planning, design, and maintenance.

**Relationships**—We value collaborative relationships and are committed to working across jurisdictional and cultural boundaries to maximize diverse skillsets and generate innovative approaches.”

With the passage of the National Trail System Stewardship Act in 2016, Congress memorialized many of the goals and objectives of the USFS Sustainable Trails Strategy into law. As a result not only is some of the foundational decision making troubling the Organizations around the Proposal a violation of the USFS Strategy it is also a violation of federal law.

While the Organizations have strived to achieve these common values and goals of the National Policy well before the National Policy was formalized, many other groups have not been as proactive. The Organizations would note that these issues were raised several years ago with the Buffalo Pass portions of the Proposal, these basic foundational conflicts have become more apparent with the Mad Rabbit portions of the Proposal. The Organizations must question why the National Policy has not been raised in these planning efforts by the district. That has highly frustrated the Organizations as we are now being forced to address these National Goals and Objectives of the Agency alone.

### **2c. Why we are concerned about this Proposal.**

As the Organizations have noted above, the motorized community due to the institutionalization of maintenance funding is uniquely situated to identify the rock star trail builders/maintainers in the state and those that are falling well behind any maintenance obligations for trail networks. From this location, a systemic failure to understand the basic needs of the trails community regarding the ongoing maintenance needs from certain user groups has resulted in the collapse of some trail networks in the state already. Mainly this has resulted from situations where users have pledged to support trail expansions, managers are then subjected to intense public pressure to build the trail network and then users are unable to provide basic maintenance, seasonal

closure resources and educational materials as pledged. A few examples of these collapses are exemplified by the following projects:

1. Shavano to Gateway Project – City of Montrose is now being brought in to manage an area previously expanded and maintained by users after there was a complete failure of seasonal closures and basic maintenance;
2. Several trail expansion projects in the Grand Valley area where a failure of maintenance in the area was identified in the recently released RMP but users continue to push for expansions of routes after local communities have pledged maintenance resources;
3. Steamboat City Park System maintenance- Another situation where an expanded trail network has been developed and then users are failing to maintain that system.

In addition to the direct request for funding to the State Trails Program, other indications are often noted and concerning around the long term sustainability of any trail program.

1. City of Steamboat Fish Creek Underpass grant – the City of Steamboat sought funding for a safe connector of their greenway trail in the center of town to connect routes that have been targeted for an extended period of time
2. Maintenance grant from HPBE RD- identifies the critical shortfall that already exists on routes outside those maintained by the motorized crews

With the scale of projects competing for funding, the Organizations must question the basic foundation of the lodging tax program in terms of direction. This concern would be manifested by an erosion of public support for trails on USFS lands and seeking to apply the limited funding available to other priorities.

Whatever the Rabbit Ears Pass portion of the project looks like when completed, it will need basic maintenance for the foreseeable future and insuring that is funded by the users supporting that project is critical to insuring that limited Forest Service funds are not directed away from the current maintenance backlog to address new trails used by a small portion of the trails community. There will need to be trees cut off trails, users educated about route locations and the need to stay on the trail, seasonal gates installed and used that will remain ongoing.

The Organizations believe a brief discussion regarding the hazard tree situation on the district highlights the need for an expansion of basic maintenance efforts with partners. The following pictures represent daily situations where trees have fallen across designated routes and have fallen in a location that creates a basic safety concern for the public. Situations like this must be

resolved in a timely manner to avoid safety concerns for trails users and insure that the public does not reroute the trail footprint to continue use of these routes.



It has been the Organizations experience that this is the type of basic maintenance that can only be effectively done with a dedicated crew in a timely manner, despite a large number of these issues being simply addressed by the public when encountered. Often these issues are simply removed by a maintenance crew that is using the trail to get to a larger worksite. While probably entirely unnecessary to state, these maintenance issues are entirely unrelated to the trail design and layout as trees are going to fall for decades no matter how the trails are laid out.

While informal partner groups might be able to address smaller hazard tree related issues, as a result of the poor forest health on the district trails and routes are now being subjected to major blowdown events that involve hundreds of trees over an extended length of trail. In the picture below, the designated route runs directly through the center of the blowdown.



The Organizations are intimately aware that resolving blowdown situations such as those above can take a professional crew utilizing modern equipment weeks to resolve. Any assertion that an informal maintenance program can deal with challenges of this scale simply lacks factual basis and should not be overlooked in a rush of public interest to build trails. The Organizations submit that failure to address the growing scale of maintenance needs will result in limited USFS resources being drawn away from existing maintenance crew efforts that we know are still not going far enough on existing trails.

**3a. Expanded usage of landscape level planning is required under the 2012 USFS planning rule.**

The Organizations again believe there is a large amount of value in comparing the basic direction of the current planning efforts to the USFS national planning rules that were updated in 2012, as these new planning rules directly and clearly identify the benefits of landscape planning and that such landscape planning efforts should be relied on to streamline issues on a broader level. The USFS planning rule clearly establishes that these broader level opportunities must be included in and balanced in any localized planning determinations. Section 219.6 of the new planning rule specifically states as follows:

**"§ 219.6 Assessments.** Assessments may range from narrow in scope to comprehensive, depending on the issue or set of issues to be evaluated, and should consider relevant ecological, economic, and social conditions, trends, and sustainability *within the context of the broader landscape.*"

The Organizations submit that a broader landscape level review of the Proposal and high levels of opportunities provided for the mountain bike community in the region must be reviewed to insure a balance of usage both now and in the future, protection of resources and basic sustainability. The Organizations are very concerned that much of the Proposal is completely unsustainable and is exceeding much of the guidance and planning standards, such as route density, endangered plant habitats and other issues that are in the planning area. The Organizations simply are uncomfortable in moving forward with any proposal without addressing the myriad of issues that impact trail construction at the landscape level.

**3b. The Organizations are puzzled and frustrated by the sudden change in direction of the project away from the master planning efforts that resulted from the charrette.**

The Organizations have been actively involved in all phases of public participation around the entire Steamboat Trails Discussion with the USFS and were actively involved in the Trails Charette in 2014, Buffalo Pass Trail expansion and now the Mad Rabbit Proposal. Our concerns have been very reasonable around these projects, such as the need for a master plan around the Steamboat basin and how are maintenance issues being address but these types of issues appear not to be a priority in discussions. This is highly frustrating as many issues and concerns appear to have been removed from discussion for reasons that are unclear rather than a reasoned approach to expanding public access on the Steamboat Basin area, and right now planning appears to be more of a wish list for a single user group with a high level of artificial urgency added to the discussion than a reasoned planning effort.

The Organizations would note there were high levels of interests from a wide range of users and interests at the meeting and participation included local wildlife staff with CPW, summer motorized users, winter motorized users, local businesses, mechanized users, hikers, skiers and many members of the steamboat community that were merely interested in the discussion. After the charrette, it was clear there was more work and analysis on the entire area to be performed than could ever be achieved in a single night meeting. As a result the Organizations submitted extensive comments in relation to the charrette and also around the Buffalo Pass Trail expansion that was undertaken subsequently. At the charrette, it was clear this portion of the Proposal was further ahead than any other portions of the Proposal and it would be moving forward before the master plan was developed.

Our take away from the charrette after extensive discussions with the USFS staff was wide-ranging planning was needed to address all concerns that were raised at the charrette and immediately our Organizations moved forward with assisting in that effort and have secured \$50,000 in funding from the CPW OHV grant program in 2015 to facilitate these meetings and

planning efforts. This grant was funded and enjoyed a wide range of support from many of the communities and interests that participated in the Charette, as represented by the letters of support from the City of Steamboat Springs; the Trail Preservation Alliance; the Rout County Riders; Biketown USA and the USFS staff. In addition to the original \$50,00 planning grant the motorized community has again moved forward with obtaining another \$50,000 to complete the process for completion of the wide ranging planning efforts that were needed.

During the time for the development of this grant and master plan, the project roadmap for the Master Plan was targeted for completion by the HPBE staff during 2018 on the SOPA under project # 51564. Additionally, the Mad Rabbit Project was added to the SOPA for the HPBE with a targeted completion date in later 2019 under project # 50917. Clearly, the vision of the charrette had been carried forward with this basic schedule as reflected on the SOPA and the Organizations are intimately aware that projects often move slowly within the USFS and with these timeframes in the SOPA, this was a fast-tracked project within the agency. As the Organizations had collaborated on numerous projects throughout the Region 2 planning area, and had been told that trails development was going to be a collaborative process to address the wide range of concerns raised at the charrette, the Organizations periodically checked in with USFS staff and often the response was the resources were not available to move forward with planning despite funding for the project.

There was no indication that other projects were moving outside the trails master plan process that had been outlined in the charrette and subsequent discussions until the Mad Rabbit Proposal was released for public comment more than 2 years before the end date for the project. We are aware that this decision by a single user group to move outside the consensus process from the charrette as resulted in a huge amount of frustration of other partners and unnecessary conflict between the parties.

### **3c. Why a master plan is badly needed.**

The Organizations must question why the decision has been made to move away from the consensus position that resulted from the charrette, mainly that a master plan for all usage was needed for the Steamboat basin. In this portion of the comments, the Organizations would like to highlight some of the concerns we have around the process to date, and clarify that this list is by no means exhaustive. The Organizations submit this type of an exhaustive list does not exist currently with anyone and this should be a basis for significant concern for USFS staff moving forward. If you don't know what the concerns are in an area how can they ever be avoided or effectively addressed in any planning efforts.

The Organizations believe a master plan could address local issues that have appeared since the expansion of the buffalo pass area, such as the “toilet paper flowers” that are becoming somewhat common in the area and other areas where usage has increased. The Organizations believe turning a blind eye to these types of issues simply does not make sense. The Organizations believe that addressing this lack of restrooms and how to maintain them on Buffalo Pass is a valid question and evidences an issue that will immediately become more apparent if access off Highway is expanded. The toilet paper flowers will immediately become a large problem if basic issues like this are not meaningfully addressed.

The Organizations would also note that a master plan for the Steamboat area would be a MAJOR step forward in the legal defensibility of the decision-making process should there be a legal challenge to any site-specific proposal. Again, our concerns are not abstract on this issue as the Pike /San Isabel National Forest is in exactly this type of situation currently, where the lack of a master plan has resulted in a large number of localized plans being developed to address site specific issues. While these localized plans, many have nothing to do with motorized access, were very effective in dealing with the local issue, the cumulative impacts of these plans were never reviewed and as a result the PSI was sued by the Wilderness Society and others. In order to preserve motorized access, the Organizations were forced to intervene, which cost thousands of dollars from the Organizations and also after settlement has resulted in almost every site-specific project being stopped for a period of time that remains unclear. This is a fact pattern that the Organizations would very much like to avoid in the future.

### **3(c)(1). Someone needs to explain why maintenance is not a priority.**

As more specifically addressed previously, there needs to be a master plan created to needs to meaningfully address why certain user groups are expected to provide maintenance with at most minimal expansions of opportunities and other groups with significantly less funding are moving forward with major expansions without addressing basic maintenance of all routes. In addition to addressing this type of basic equity type concern in the Steamboat Basin, there are numerous formal planning requirements that must be addressed as well.

### **3(c)(2). Winter Conflicts on Rabbit Ears before expansion**

Our first concern substantiating the critical need for a master plan involves the veritable explosion of user conflicts that have resulted from the passage of the Steamboat Springs lodging tax and the rapid expansion of these conflicts moving forward. Rather than the tax being a welcome funding source that benefitted all users of recreational opportunities, the additional funding has become exceptionally divisive tool used without regard to existing partnerships to



advance the concerns of a small user group. New partnerships should not be this divisive. This is exemplified by conflicts between non-motorized users on Emerald Mountain area west of Steamboat, significant increases in winter conflicts on Rabbit Ears involving mountain bike usage on groomed cross-country ski trails, conflicts around high intensity expansion of usage in other areas of the HPBE. It is unfortunate that development of this new funding source has resulted in an explosion of user conflicts in an area that prior to this new funding source was an area where users basically all worked together. From the motorized perspective we are concerned that this conflict has resulted in the motorized community getting sucked into conflicts that really have little to do with motorized access or when concerns are raised other interests immediately jump in ideological trenches and commence warfare.

Already winter issues with expanded mountain bike usage on Rabbit Ears have raised concerns about the need for effective closures of any new routes on Rabbit Ears during the winter in order to avoid conflicts between the snowmobile community and cross country ski community reigniting. Fat tire bicycles have been attempted to be used on groomed cross country ski routes prior to expansion of the summer route network in this area, which we are aware resulted in an immediate response from the ski community due to the damage that resulted to the cross country ski routes. If our concerns regarding pressure from fat tire bicycles can be resolved the snowmobile community as no concerns with usage of existing groomed winter routes in the area is funding for this expanded activity can be obtained. It is completely unacceptable to the snowmobile community that Rabbit Ears pass might be reopened for further division of the pass to provide a separate winter recreational opportunity for a third user group. This is the exact type of management issue that those seeking to expand access on Rabbit Ears have continued to avoid addressing.

**3(c)(3). Conflicts with existing site specific planning are extensive and must be resolved prior to implementation of any new construction.**

The Organizations must note the direct conflict of many portions of the Proposal with recently completed planning efforts in the HPBE Ranger District, such as the Rabbit Ears Parking facilities revisions. The Organizations believe the Rabbit Ears Parking revisions evidence the scope of partnerships that are currently on the ground in the HPBE, as three counties, snowmobilers, skiers, local businesses and many others came together to collaboratively address parking issues that have plagued the pass for decades. The Environmental Assessment for the project identifies more than 4 pages of interest groups that were involved in discussions around the parking project.<sup>4</sup> While this parking effort was seen as a predominately winter related issue but provides

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<sup>4</sup> See, USDA Forest Service, Hahns Peak Bears Ears Ranger District; *Environmental Assessment, Rabbit Ears Winter Parking*; June 2014 at pgs. 56-61.

significant benefits to summer recreational access as well. The basis for closure of many of the roadside informal parking lots was clearly stated by Colorado Department of Transportation as follows:

“While developing the proposed action, external scoping with the Colorado Department of Transportation identified a need to relocate other parking areas away from the highway for public safety, separating recreation traffic from highway traffic. They also made recommendations for closing/relocating several parking areas.”<sup>5</sup>

Issues such as this are deeply perplexing to the Organizations as the public comment process on the revision of parking facilities on Rabbit Ears Pass has been the subject of ongoing public comment process since 2012 and has been addressed as an issue to be resolved under the existing Resource Management Plan. After a cursory review of these documents, the Organizations are not able to identify any comments that are raising the possible usage of facilities to be closed as the base of new trails for the mountain biking community.

The Organizations are concerned about possible future negative impacts to existing partnerships that resulted from the Rabbit Ears Parking project that could result from this Project, such as CDOT support and partnership in the maintenance of the new parking lots on Rabbit Ears. This is a critical component of the basic operation of this area, as the USFS does not have the resources to maintain these lots in the winter and the motorized community would like to direct as much funding as possible to grooming and avoid purchasing more equipment to maintain these lots as our grooming never seems to go far enough now. The Organizations must question any assertion of continued partnership strength with CDOT after the 2012 Rabbit Ears Parking is reversed as the end result that CDOT concerns are now in a worse position in terms of being addressed than before planning was undertaken. The Organizations are also very concerned regarding the validity of any position that could be taken asserting that these parking lots, which had basic safety concerns with 2010 levels of usage, could ever provide basic safety after significant expansions of opportunities at these locations. These are the types of issues that can only be addressed in landscape level planning and meaningfully addressing all concerns.

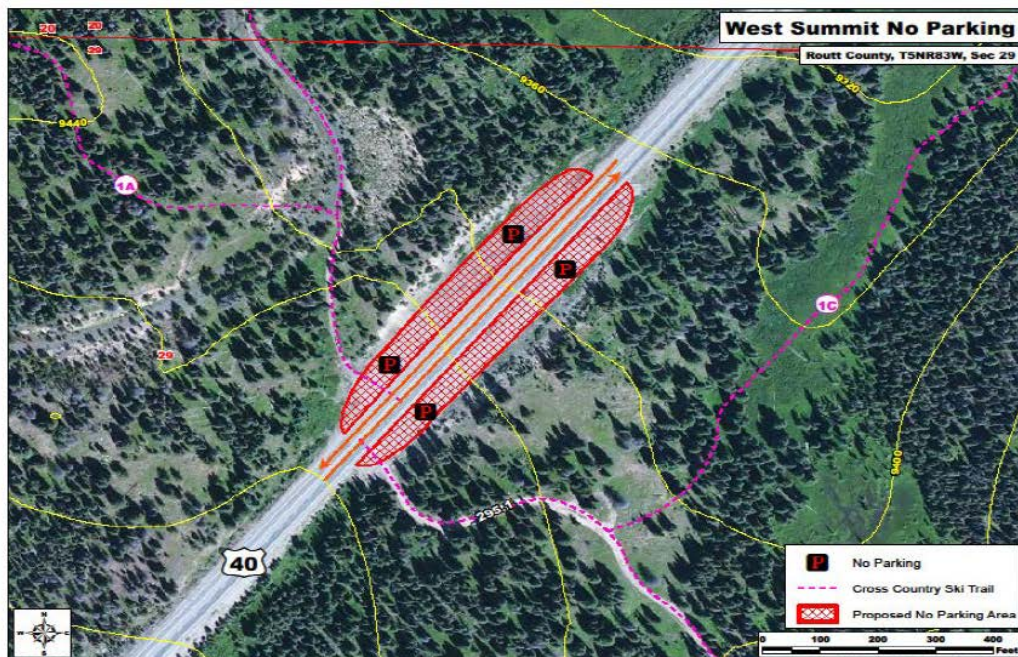
The Organizations would also note that many of the loop trails in the Proposal on the Rabbit Ears Pass are based on parking areas that are to be closed and or consolidated, such as the West Summit Parking lot. The conflict between these recently completed NEPA planning documents

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<sup>5</sup> See, USDA Forest Service Rabbit Ears winter parking EA at Page 3

and the current version of the Proposal are reflected the future of the West Summit Parking lot as follows:

*Figure 1: West Summit proposed actions.*



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The Organizations would note that several trails in the Proposal rely on this parking lot and several others to be closed under the Rabbit Ears Parking EA as the access point for expansive new trail systems. The Organizations would note that the West Summit lot would be poorly suited to sustain any significant visitation to the trail network proposed, even if it was not being closed. Under that parking proposal, the West Summit is to be replaced by parking at NSF 296 due to the inability of the facilities to safely support existing recreational usage.

The basic safety of these lots will become a more problematic concern with the development of what appears to be “gravity biking”(riding down the hill and meeting a motor vehicle to return you to the top of the hill several times a day) loops on Rabbit Ears. The facilitation of these gravity biking loops will result in huge increases in the visitation to these lots and that will result in major safety concerns due to limited visibility for many of these lots, which was already addressed in the Rabbit Ears Parking project that was only recently completed. The Organizations must question why after the success of the Rabbit Ears project in increasing safety for those using

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<sup>6</sup> See, USDA Forest Service, Hahns Peak Bears Ears Ranger District; *Environmental Assessment, Rabbit Ears Winter Parking*; June 2014 at pg. 3.

opportunities on the pass for recreation and motorists merely using Highway 40 for transportation would projects be moving forward that would degrade the safety increases on the pass that have only been so recently achieved.

This is an issue that has been raised by the motorized community since discussions started on the expansion of usage on Buff/Rabbit Ears and we have never heard a response from the bicycle community. This has been highly frustrating to all in the motorized community and in discussions with other partners in this project, similar frustrations appear to be VERY common. Everyone involved directed significant time and resources into a collaborative process we thought came to a great resolution of these concerns and are now being asked to reopen these discussions to benefit a user group that failed to participate in the original discussions. Simply not acceptable.

### **3(c)(4) Colorado Roadless area issues must be addressed at the landscape level.**

Another area of concern involves the high levels of trail development proposed in the Mad Creek Colorado Roadless area on the north side of the Route 40 area. While these comments are directed towards the site-specific portions of the discussion, these types of concerns are also highly relevant to our concerns around the need for landscape level planning.

The Organizations were heavily involved in the development of the Colorado Roadless Rule and the related clarity that trails could be built in a Colorado Roadless area in a low intensity dispersed manner. Never in the Organizations wildest did the Organizations envision trail construction at the density and intensity proposed. This is concerning as the Colorado Roadless Rule was intended to provide a dispersed trail experience and not a high intensity development opportunity like that sought in the Proposal and the Organizations question if the two proposals can ever be reconciled. The Organizations are intimately aware that the Colorado Roadless Rule was designed to avoid development of proposals similar to the Mad Rabbit in order to continue to provide a dispersed backcountry type experience. The conflict between the dispersed recreational opportunities provided in a CRA and the fact that almost 70 miles of new routes is proposed for a single CRA poses an interesting management issue and allowing the proposal to move forward without meaningfully addressing this issue would leave any project that might result open for a successful legal challenge by those that believe all roadless areas are only one step from Wilderness.

The issues around Mad Creek CRA also highlight the need to plan at the landscape level. With the high levels of trails proposed in the southern portion of the CRA, the Organizations must believe that trail expansion would be exceptionally difficult on any portion of the CRA if the Proposal was even partially implemented. This density of routes makes it VERY critical to engage everyone in the discussion around the area as telling one group, who has proceeded in a more

cautious manner and is addressing basic issues like maintenance, that a connector route or other trail on the north end of the CRA cannot be built due to capacity or density requirements already being exceeded in the southern portion of the CRA would be very difficult. These types of cumulative concerns would be somewhat mitigated if there was a landscape level plan that attempted to identify expansion areas, density capacities and other basic planning requirements. The Organizations believe crafting a legally defensible proposal that addresses the impacts to the Mad creek CRA is a requirement for a successful plan moving forward, as the Organizations do not want to be forced into further defense of legal actions as a result of another user's trail network, as any challenge would probably include a cumulative impacts type discussion and directly impact motorized and mechanized opportunities on the HPBE.

The Organizations would be remiss if the conflict that is directly apparent between landscape level comments consistently made by the mountain bike community during Roadless Rule development and positions actually taken in this Proposal were not addressed. A review of the summary of public comment on the Colorado Roadless Rule reveals that such comments are throughout the summary. The Organizations would like to highlight several of these comments, which are as follows:

"Further, they suggest that mountain bikers "build and protect sustainable trails for multi-use purposes."<sup>7</sup>

"BECAUSE THEY BUILD AND PROTECT SUSTAINABLE TRAILS FOR MULTI-PURPOSE USES - One of the best ways to protect these areas is to open trails up to mountain bikers who build and protect sustainable trails for multi-use purposes."<sup>8</sup>

The Organizations submit that these comments are directly relevant to analysis in both the areas inventoried under the Colorado Roadless Rule and the entire proposal, as the mountain bike community should not be allowed to assert that all trails are subject to multiple usage management and ongoing maintenance at the landscape level and then be allowed to exclude all usages other than mountain bikes in the development of site specific proposals which have no provisions for maintenance of the routes once built. This type of selective involvement is offensive to the Organizations.

**3(c)(5). ESA/Wildlife issues must be addressed at the landscape levels.**

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<sup>7</sup> See, USDA Forest Service; *Colorado Roadless Area Conservation National Forest System Lands Proposed Rule and Revised Draft EIS Summary of Public Comment*; September 2011 at pg. 1-22. Hereinafter referred to as "Colorado Roadless Rule Comments".

<sup>8</sup> See, Colorado Roadless Rule Comments at pg. 3-14

The Organizations are also aware that there are extensive wildlife concerns around the Mad Rabbit Proposal, which have been compounded by the recent significant expansions of trails in the Buffalo Pass for the benefit of the mountain bike community. This is another issue that the Organizations are very concerned about as once an area is at capacity in terms of wildlife habitat, it has been our experience that no new trails or other facilities are allowed. Developing an understanding of what that capacity across this area really looks like will be a significant issue moving forward for species such as elk and deer.

Again, this is another area where meaningfully addressing maintenance and education of users regarding seasonal closures and other management tools will be critical to the success of any trail expansions. The motorized community is concerned about the success of any trail expansion, as has been shown on the PSI, litigation will pull all trails users into the matter, regardless of if the specific trails are involving that group or not.

In what has become an interesting issue, the basic need for a stay the trail or tread lightly type ethic program for all users of public lands has become very apparent as research indicates that:

“Outdoor recreation has the potential to disturb wildlife, resulting in energetic costs, impacts to animals’ behavior and fitness, and avoidance of otherwise suitable habitat. Mountain biking is emerging as a popular form of outdoor recreation, yet virtually nothing is known about whether wildlife responds differently to mountain biking vs. more traditional forms of recreation, such as hiking....Few studies have examined how recreationists perceive their effects on wildlife, although this has implications for their behavior on public lands.....Approximately 50% of recreationists felt that recreation was not having a negative effect on wildlife. In general, survey respondents perceived that it was acceptable to approach wildlife more closely than our empirical data indicated wildlife would allow. Recreationists also tended to blame other user groups for stress to wildlife rather than holding themselves responsible.”<sup>9</sup>

This situation was very interesting to the motorized community as everyone has blamed motorized usage for decades for every issue on public lands. Here we have a situation where motorized impacts are irrelevant but the need for many of the same guidance and educational materials is equally as important to the success of the project as they have been for motorized usage and there are no provisions made for these types of materials.

Compounding our concerns to identify habitat areas both within the Proposal and at the landscape level are the fact that the Mad Creek CRA is also home to Boreal Toad habitat, which

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<sup>9</sup> See, Taylor et al; *Wildlife Responses to Recreation and Associated Visitor Perceptions*; Ecological applications; 13(4) 2003; pgs. 951-963 at pg. 951.

is a sensitive species in Colorado that has been petitioned for listing on the Endangered Species list and the Globe Mallow and Rabbit Ears Gilia both of which are plants that are sensitive species in Colorado and present on the Rabbit Ears Pass area. Again, with species of elevated concerns such as these, identifying habitat areas is an important component of minimizing impacts and the need for landscape level planning is clear to allow any activity in possible habitat areas to be fully reviewed and managed. Allowing anyone access merely because they asked first is unacceptable especially when other users may be interested in the areas or opportunities and are waiting for a collaborative landscape level plan that may never come.

#### **4. Seasonal closures of all routes must be made for winter travel.**

The Organizations submit that as part of the Proposal all mechanized travel must be limited to designated routes. The Organizations vigorously assert that these routes on Rabbit Ears Pass must be closed for winter travel as bicycles are wheeled vehicles and inappropriate for over the snow travel. The pressure applied by these vehicles is some of the highest in the recreational community causing significant concern for possible resource impacts that result from high pressure tires coming into contact with a wide range of resources buried in the snow. The trails that are being proposed are dirt trails and are not a surface, such as pavement or hardened road base, where pressure issues can be clearly found to be irrelevant to OSV usage. Our concerns on this issue are not abstract as many forests in California, such as the Sequoia, recently had to cease grooming activities due to possible contact of higher pressure vehicles with ESA listed species in the area. The Organizations are again opposed to any loss of motorized opportunities that could result from failures to properly review and manage non-motorized access in the Mad Rabbit Proposal.

While an OSV frequently averages less than .5 psi, a bicycle applies between 30-50 psi on the ground.<sup>10</sup> Most research indicates that impacts from bicycle usage are very similar to wheeled vehicles.<sup>11</sup> This is not acceptable to the snowmobile community who has invested hundreds of millions of dollars developing, defending and implementing the buffer effects of snow and low-pressure vehicles with the USFS. The snowmobile community is deeply concerned about the possible erosion of such a standard in localized planning, especially in areas where there is not a hardened base for protection of resources from high pressure usages. The Organizations are not opposed to the use of conversions on these trails that rely on a combination of tracks and skis for travel but they are vigorously opposed to the usage of any of these routes by wheeled vehicles. Until best available science has determined that compaction is not an issue with

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<sup>10</sup> See, Weir, Impacts of non-motorized trail usage, at pg. 4.

<sup>11</sup> See, Pickering et al; *Comparing hiking, mountain biking and horse riding impacts on vegetation and soils in Australia and the United States of America*; Journal of Environmental Management 2010 at pg. 551.

bicycles on winter trails, this position must be adopted regarding bicycles on winter trails at the landscape level.

## **5. Conclusion.**

The Organizations are opposing the Mad Rabbit Trails Project alternatives A&B and the Organizations voicing support for Other Alternatives, mainly moving forward under the direction that was created after the trails charrette and working towards a master plan for the Steamboat Basin. The Organizations are frustrated to have to oppose both Alternative A and Alternative B for the project but the Organizations must oppose the Mad Rabbit Proposal until such time as the landscape level planning effort that was identified as a goal and objective in the trails charrette has moved forward and clearly outlined impacts and concerns with a much higher level of clarity than is provided in the Wishlist driving planning at this point. \$100,000 in direct funding for this planning has been obtained and is simply not being used. The Organizations are frustrated to have to oppose the project but our efforts to engage interested parties regarding our concerns around the projects throughout the Steamboat Springs basin since the passage of the lodging tax have simply never moved. We have provided extensive comments around City efforts, around the trails charrette and around the Buffalo Pass Trails project, which really have never significantly changed the direction of the Wishlist of trails that is currently driving discussions on the HPBE. The Organizations vigorously request that the consensus position arrived at in the charrette, mainly that the next step would be a masterplan for the Steamboat Area, be moved forward. The motorized community has stepped up with \$100,000 in grant funding to facilitate this project and do date there has been no action on this Proposal.

The Organizations are aware that this trail proposal is part of a much larger proposal from the mountain bike community in Steamboat Springs, which has already been the basis of several public meetings and what has become an exploding conflict of users in the steamboat basin. The Organizations submitted extensive comments on this proposal in response to public meetings held by the USFS last August, which were heavily attended by a wide range of multiple users expressing concerns very similar to those in these comments and previous ones submitted in response to that meeting. These comments and concerns remain highly relevant to the Mad Rabbit Project, as there were many foundational flaws in the analysis of the landscape level analysis, which weigh heavily against single use trails in the Mad Rabbit project, such as the complete failure to address the ongoing need for basic maintenance of existing facilities. The Organizations are not aware of any timing limitations, other than with the motorized funding that is not moving, and as a result must assert that meaningfully planning these projects will not have anyone other than those seeking to move under an accelerated schedule. Creating new trails that simply cannot be maintained in the long run simply makes no sense to the Organizations and may put decades of effort and partnership at risk in the Steamboat basin.



Please feel free to contact Scott Jones, Esq. if you should wish to discuss any of the issues that have been raised in these comments further. His contact information is Scott Jones, Esq., 508 Ashford Drive, Longmont Colorado 80504; phone 518-281-5810; email Scott.jones46@yahoo.com

Respectfully Submitted,

A handwritten signature in cursive script that reads "Don Riggle".

Scott Jones, Esq.  
COHVCO/TPA Authorized Representative  
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D.E. Riggle  
Director of Operations  
Trails Preservation Alliance

CC: HPBE; Larry Sandoval; R2