



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
75 Hawthorne Street  
San Francisco, CA 94105

June 18, 2010

Mr. Gar Abbas  
Jarbridge and Ruby Mountains District Manager  
USFS Travel Plan  
Humboldt-Toiyabe National Forest  
2035 Last Chance Road  
Elko, NV 89801

Subject: Draft Environmental Impact Statement for Mountain City, Ruby Mountains, and Jarbridge Ranger Districts Combined Travel Management Project, Elko and White Pine Counties, NV (CEQ# 20100157)

Dear Mr. Abbas:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. Our detailed comments are enclosed.

EPA commends the Forest Service for its efforts to address the many challenges inherent in developing a balanced travel management project, and feels the proposed action is a positive step in addressing resource impacts from motorized uses. The elimination of cross country motorized travel off designated routes, and proposed seasonal restrictions on newly authorized routes--to protect sage grouse and goshawk habitat and critical deer winter range--should result in significant environmental benefits.

We have rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) (see enclosed "*Summary of Rating Definitions*"), however, due to our concerns regarding the scope of the travel management planning process, impacts from user created routes, and potential effects on aquatic and other sensitive resources. We recommend that the FEIS provide additional information on the scope of the alternatives analysis, on future planning for specific designated routes, the potential effects of climate change on the proposed action, and on monitoring and enforcement commitments.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one hard copy and one CD-ROM to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact Jason Gerdes, the lead reviewer for this project, at (415) 947-4221 or [gerdes.jason@epa.gov](mailto:gerdes.jason@epa.gov).

Sincerely,

/s/

Kathleen M. Goforth, Manager  
Environmental Review Office  
Communities and Ecosystems Division

Enclosures:  
Detailed Comments  
Summary of Rating Definitions

**EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT  
FOR THE MOUNTAIN CITY, RUBY MOUNTAINS, AND JARBRIDGE RANGER DISTRICTS  
COMBINED TRAVEL MANAGEMENT PROJECT, ELKO AND WHITE PINE COUNTIES, NV,  
JUNE 18, 2010**

**Scope of the Alternatives Analysis**

The scope of the proposed action includes the elimination of cross-country motorized vehicle travel on approximately 960,000 acres, the addition of existing unauthorized user-created roads and trails to the forest transportation system (FTS), and reclassifying certain existing National Forest System (NFS) roads as NFS trails. We commend the Forest Service for surveying unauthorized routes and for considering resource impacts in the selection of routes to add to the FTS.

We believe additional information is needed to explain how the proposed action fulfills the requirements of the Travel Management Rule (36 CFR Part 212). The DEIS does mention that the project “incorporates several changes to the existing FTS by removing unneeded roads,” and later, that roads or trails proposed for addition to the FTS in the proposed action, Alternative 2, are routes “that are currently in use and have been legally used for years.” Not enough detail has been provided, however, to discern whether the proposed action is the only alternative that satisfies the minimum requirements of the TMR, or if one of the alternatives with a smaller footprint, such as Alternative 5 (which was crafted because of public concerns about the resource impacts of the proposed action), does as well.

***Recommendation:***

The FEIS should better describe the relationship of the information that was used to formulate the alternatives to the requirement to identify the minimum road system needed for safe and efficient travel and administration of NFS lands (36 CFR Part 212 Subpart A, Section 212.5(b)).

**User-created Routes**

On some NFS lands, repeated use by motor vehicle travel has resulted in unplanned motorized trails unauthorized for motorized use. These trails were generally developed without environmental analysis or public involvement and may be poorly located and cause unacceptable impacts. EPA is concerned with the addition of unauthorized user-created roads and trails to the FTS that may not have undergone site-specific environmental analysis or public involvement.

***Recommendation:***

The FEIS should state how the Forest Service would ensure specific user-created routes are adequately evaluated pursuant to NEPA requirements. Where prior site-specific environmental analysis has not occurred, we recommend the FEIS specify the manner and criteria by which specific user-created routes would be analyzed prior to the route’s addition to the FTS or its designation for public motorized use.

## **Alternative Selection**

The proposed action, Alternative 2, includes the most routes for motorized travel (2,065 miles), as well as the most routes--230 miles--in inventoried roadless areas (IRAs). Implementing this alternative would add approximately 947 miles of currently unauthorized routes to the FTS, and could result, as described in the DEIS, in "degradation of watersheds, soils, vegetation, and terrestrial and aquatic wildlife habitat," as well as "affect the roadless character of the IRAs." Furthermore, in a comparison to the other action alternatives, the proposed action would have a "significantly higher risk" for soil erosion and degraded water quality, as well as the greatest impact from roads to aquatic resources (Table 26 of the DEIS).

Alternative 5, by comparison, was formulated "to address questions from the public regarding what effects the proposed action would have on inventoried roadless areas, threatened and endangered species, wildlife habitat, aquatic and rare plant species and habitat, watershed quality, and cultural resources." Additionally, under this alternative, "no unauthorized routes located in IRAs were proposed for addition to the FTS," nor were unauthorized routes that presented a high risk to the sensitive resources identified by the public. In fact, in the comparison of potential effects to soil and water resources mentioned above, Alternative 5 would have the "least risk" of any of the alternatives that add unauthorized routes to the FTS.

### ***Recommendation:***

EPA is concerned about the potential impacts to sensitive habitats, particularly aquatic resources and roadless areas, if the proposed action were to be adopted. Therefore, we recommend implementing Alternative 5.

## **Climate Change**

The DEIS does not consider the effects of climate change on route designations. Climate change effects and the need to adapt to such effects should be considered in this action because a change in the timing and quantity of precipitation may increase the vulnerability of native surface roads and trails to erosion and sedimentation. Furthermore, roads and their use also contribute to species stress through habitat fragmentation, increased disturbance, introduction of competing invasive species, and increased fire risk, all of which may further exacerbate species' ability to adapt to the changing climate. Assessing climate change risks and developing an adaptation strategy for this proposed action would be in keeping with recently issued Forest Service documents, including the "Strategic Framework for Responding to Climate Change," as well as Chief Tidwell's November 20, 2009 memo to Forest Service staff calling for Regions, Stations, and Area climate action plans. The FEIS should include a section that describes how the proposed project may be affected by climate change.

***Recommendation:***

The FEIS should include a discussion of climate change and its potential effects on the proposed action as they relate to route designation decisions and the final FTS. Of specific interest are potential cumulative effects of climate change and the FTS on the connectivity of wildlife and threatened and endangered species habitat, air quality, water quality and quantity, fire management, invasive species management, and road maintenance.

**Monitoring and Enforcement**

It is important that wildlife protection, vegetation management, and erosion control goals be achieved to minimize the potential adverse effects of the Travel Management Plan. We believe the public and decision makers would benefit if a strategy is developed that includes specific information on funding, monitoring and enforcement criteria, thresholds, and priorities.

***Recommendations:***

We recommend development of a detailed Travel Management Plan Monitoring and Enforcement Strategy. Such a strategy should include specific information on monitoring and enforcement priorities, focus areas (e.g., issues, specific locations), personnel needs, costs, and funding sources. We recommend the FEIS demonstrate that the proposed monitoring and enforcement strategy is adequate to assure that motorized vehicle use will not violate access restrictions or exacerbate already identified road-related resource impacts. We recommend the monitoring and enforcement strategy be periodically updated (e.g., annually or biennially).

The DEIS states that seasonal restrictions would apply to sage grouse and goshawk habitat and critical deer winter range. EPA commends the Forest Service on these proposed restrictions. For the Travel Management Plan to adequately protect natural resources, the Forest Service must ensure the enforceability of the designated route network. Research regarding OHV use has demonstrated that signs and barriers are not always effective in closing roads and trails or in reducing impacts and protecting forest resources.<sup>1</sup> We are concerned with the enforceability of proposed seasons of use periods and closure of unauthorized routes.

***Recommendation:***

We recommend the FEIS describe in detail how seasonal restrictions and route closure will be enforced and what enforcement approaches have been successful. EPA encourages the Forest Service to consider enforcement as a significant issue driving the design and analysis of alternatives for motorized travel management.

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<sup>1</sup> "Learning to Live with Off-Highway Vehicles: Lessons Learned from the Dixie National Forest" presented at the "Proceedings of the Fourth Social Aspects and Recreation Research Symposium," San Francisco State University, Aaron K. Divine and Pamela E. Foti, 2004.