



Plumas County Board of Supervisors

**Plumas County Courthouse, 520 Main Street, Room 309
Quincy, CA 95971**

**Telephone: (530) 283-6170
E-mail: pcbs@countyofplumas.com**

July 15, 2014

U.S. Forest Service
Attn: Joseph Adamson, Recreation, Heritage, and Volunteer Resources Staff
1400 Independence Avenue SW., Stop 1125
Washington, DC 20250-1125

Comments submitted electronically only to the Federal eRulemaking portal at
<http://www.regulations.gov>

RE: Use by Over-Snow Vehicles (Travel Management Rule)

Dear Sir:

Following consideration and vote by the Plumas County (California) Board of Supervisors on July 15, 2014, the following comments are submitted for your consideration:

COMMENT NO. 1

Recognizing that, pursuant to the amended subpart C, the responsible official could establish a system of routes and areas where OSV use is prohibited except where allowed or a system of routes and areas where OSV use is allowed unless prohibited, the Board of Supervisors recommend that the final rule require the responsible official to first coordinate with the Board of Supervisors before making any draft, preliminary or final decision. The intent of this recommendation is that formal discussions be publicly scheduled between the responsible official and the Board of Supervisors apart from the later action of the responsible official to circulate a proposed final decision among the general public.

COMMENT NO. 2:

The Board of Supervisors recommends that the final rule contain a clear statement that cross country OSV Use will be an alternate under consideration during Subpart C planning.

U.S. Forest Service

Attn: Joseph Adamson, Recreation, Heritage, and Volunteer Resources Staff

RE: Use by Over-Snow Vehicles (Travel Management Rule)

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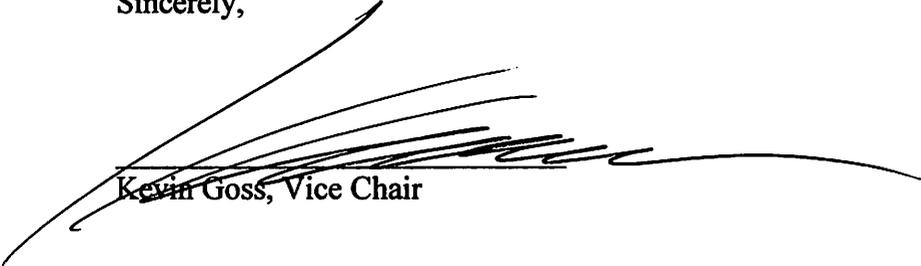
July 15, 2014

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COMMENT NO. 3:

The Board of Supervisors recommend that the final rule contain language that does not limit the responsible official by earlier decisions that limit final decisions, such as what happened on Subpart B, in which the NEPA was scoped very limited (only 100 feet) off the road, which prevented the Forest Supervisor from making a decision to expand the access beyond 100 feet. In other words, coordination between the responsible official and the Board of Supervisors will enable the NEPA scoping activities to result in a planning decision acceptable to both parties.

Sincerely,



Kevin Goss, Vice Chair

cc: USFS Region 5 Forester
Forest Supervisor, Plumas National Forest
Forest Supervisor, Lassen National Forest
Forest Supervisor, Tahoe National Forest



**BUTTE COUNTY FEDERAL/STATE
LAND USE COORDINATING COMMITTEE**

7 COUNTY CENTER DRIVE
OROVILLE, CALIFORNIA 95965
Telephone: (530) 538-7681 Fax: (530) 538-7171

COMMITTEE MEMBERS:

MIKE CRUMP
TIM SNELLINGS
PAUL GOSSELIN
PEGGY MOAK

August 1, 2014

U.S. Forest Service
Attn: Joseph Adamson, Recreation, Heritage, and Volunteer Resources Staff
1400 Independence Avenue SW, Stop 1125
Washington, DC 20250-1125

Comments submitted electronically to the Federal eRulemaking portal at <http://www.regulations.gov>

RE: Use by Over-Snow Vehicles (Travel Management Rule)

Dear Sir:

Following consideration and vote by the Butte County Federal/State Land Use Coordinating Committee on August 1, 2014, the following comments are submitted for your consideration:

COMMENT NO. 1

Recognizing that, pursuant to the amended subpart C, the responsible official could establish a system of routes and areas where OSV use is prohibited except where allowed or a system of routes and areas where OSV use is allowed unless prohibited, the Butte County Federal/State Land Use Coordinating Committee recommends that the final rule require the responsible official to first coordinate with the Butte County Federal/State Land Use Coordinating Committee before making any draft, preliminary or final decision. The intent of this recommendation is that formal discussions be publicly scheduled between the responsible official and the Butte County Federal/State Land Use Coordinating Committee apart from the later action of the responsible official to circulate a proposed final decision among the general public.

COMMENT NO. 2:

The Butte County Federal/State Land Use Coordinating Committee recommends that the final rule contain a clear statement that cross country OSV Use will be an alternate under consideration during Subpart C planning.

COMMENT NO. 3:

The Butte County Federal/State Land Use Coordinating Committee recommend that the final rule contain language that does not limit the responsible official by earlier decisions that limit final decisions, such as what happened on Subpart B, in which the NEPA was scoped very limited (only 100 feet) off the road, which prevented the Forest Supervisor from making a decision to expand the access beyond 100 feet. In other words, coordination between the responsible official and the Butte County Federal/State Land Use Coordinating Committee will enable the NEPA scoping activities to result in a planning decision acceptable to both parties.

Sincerely,

Handwritten signature of Mike Crump in black ink.

Mike Crump
Director Public Works/Butte County Coordinating Committee

cc: Paul Hahn, Chief Administrative Officer
Butte County Board of Supervisors



BOARD OF SUPERVISORS

Resolution No. 10-002

RESOLUTION OF THE COUNTY OF BUTTE ADOPTING AND IMPLEMENTING COORDINATED AGENCY STATUS IN ACCORDANCE WITH FEDERAL AND STATE LAWS

WHEREAS, the County of Butte is a legal subdivision of the State of California and may exercise its powers only through the Board of Supervisors or through agents and officers acting under authority of the Board or authority conferred by law; and

WHEREAS, the County of Butte has various authorities over the use and management of private lands and natural resources within its jurisdiction and is charged with exercising such authorities to protect and enhance natural resources, maintain economic stability, and protect public health and safety; and

WHEREAS, the federal and state governments own a portion of the lands in Butte County and are responsible for managing these lands for parks, recreation, wildlife habitat, and the production and protection of natural resources, including water, timber, minerals, and grasslands; and

WHEREAS, private lands are interspersed with public lands throughout Butte County, and plans and management actions for public lands and private lands must be coordinated to ensure effective and consistent protection and enhancement of property and natural resources; and

WHEREAS, the citizens of Butte County have historically earned their livelihoods from activities reliant upon management of natural resources on public lands and the continuation of those activities is critical to the economic health of Butte County; and

WHEREAS, the County of Butte desires to assure that federal and state agencies shall inform the Board of Supervisors of all pending or proposed actions affecting management of the environment, local communities and citizens within Butte County and coordinate with the Board of Supervisors through the Butte County Federal/State Land Use Coordinating Committee in the planning and implementation of those actions; and

WHEREAS, the National Forest Management Act at 16 USC 1604 requires federal agencies to coordinate its planning processes with local government units such as the County of Butte; and

WHEREAS, the Federal Land Policy and Management Act at 43 USC 1701, and 43 USC 1712 requires coordination of planning and management actions, regarding the coordinated

agency status of a county engaging in the land use planning process, and requires that the "Secretary of the Interior[Secretary] shall....coordinate the land use inventory, planning, and management activities....with the land use planning, and management programs of other federal departments and agencies and of the state and local governments within which the lands are located"; and

WHEREAS, the coordination requirements of section 1712 provide for special involvement by government officials who are engaged in the land use planning process; and

WHEREAS, Section 1712 sets forth the nature of the coordination required with planning efforts by government officials and subsections (f) of Section 1712 sets forth an additional requirement that the Secretary "shall allow an opportunity for public involvement: (including local government without limiting the coordination requirement of Section 1712 allowing land or resource management or regulatory agencies to simply lump local government in with special interest groups of citizens or members of the public in general)"; and

WHEREAS, Section 1712 also provides that the "Secretary shall....assist in resolving, to the extent practical, inconsistencies between federal and non-federal government plans" and gives preference to those counties which are engaging in the planning process over the general public, special interest groups of citizens, and even counties not engaging in a land use planning program; and

WHEREAS, the requirement that the Secretary "coordinate" land use inventory, planning, and management activities with local governments, including assisting in resolving inconsistencies, means that the resolution process takes place during the planning cycle instead of at the end of the planning cycle when the draft federal plan or proposed action is released for public review; and

WHEREAS, Section 1712 further requires that the "Secretary shall...provide for meaningful public involvement of state and local government officials... in the development of land use programs, land use regulations, and land use decisions for public lands"; and, when read in light of the "coordinate" requirement of Section 1712, reasonably contemplates "meaningful involvement" as referring to on-going consultations and involvement throughout the planning cycle, not merely at the end of the planning cycle; and

WHEREAS, Section 1712 further provides that the Secretary must assure that the federal agency's land use plan be "consistent with state and local plans" to the maximum extent possible under federal law and the purposes of the Federal Land Policy and Management Act and distinguishes local government officials from members of the general public or special interest groups of citizens; and

WHEREAS, Federal agencies implementing the Endangered Species Act, the Clean Water Act, the Clean Air Act, and the Outdoor Recreation Coordination Act 16 USC 4601-1 [c] and [d] are required by Congress to consider local plans and to coordinate and cooperate directly with plans of local government such as Butte County; and

WHEREAS, the Intergovernmental Cooperation Act and Presidential Executive Order 12372 set forth coordinated planning requirements for the federal, state, and local governments; and

WHEREAS, California Water Code sections 8125 to 8129 give a county Board of Supervisors authority to address flooding caused by non-navigable streams and such flood planning requires coordination with natural resource planning processes of federal and state agencies; and

WHEREAS, California Public Resources Code section 5099.3 requires coordination by the State of California with the County of Butte in matters involving the planning, development, and maintenance of outdoor recreation resources and facilities; and

WHEREAS, the California Streets and Highways Code §§940-941.2 makes county governments responsible for the general supervision, management, and control of county roads and highways and planning and actions with regard to such roads by any federal or state agency must be coordinated with the county; and

WHEREAS, it is the intent of the Board of Supervisors to promote the consistency of federal and state agency plans and actions with revised and adopted local plans.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Butte, State of California, that:

1. The County of Butte hereby establishes Coordinated Agency Status with all federal and state agencies maintaining jurisdiction over lands or resources located with Butte County.
2. The Butte County Federal/State Land Use Coordinating Committee is hereby established and the following Butte County officials are designated as permanent members of the Committee:

Director, Department of Development Services
Director, Department of Public Works
Director, Water and Resource Conservation Department
3. The Board of Supervisors may appoint additional representatives to the Butte County Federal/State Land Use Coordinating Committee from time to time, including themselves. Committee members shall serve at the pleasure of the Board of Supervisors and may be removed from the Committee at any time by the Board of Supervisors.
4. The Butte County Federal/State Land Use Coordinating Committee shall represent the County of Butte in coordinating the management plans and actions of federal and state agencies to ensure consistency with local land use plans, and provide a key component of any General Plan revisions that must consider land outside the County



PLANNING DEPARTMENT COUNTY OF TEHAMA

Courthouse Annex, Room "T"
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Sean M. Moore, AICP
Director of Planning

July 25, 2014

U.S. Forest Service
Attn: Joseph Adamson, Recreation, Heritage, and Volunteer Resources Staff
1400 Independence Avenue SW., Stop 1125
Washington, DC 20250-1125

RE: COMMENTS ON PROPOSED TRAVEL MANAGEMENT RULE PART 212, NEW SUBPART C-OVER-SNOW-VEHICLE USE

Dear Sir:

Tehama County residents enjoy OSV recreation in the Lassen National Forest, which encompasses a significant area in the northeast portion of the county. The access and use of the area is extremely important for the economy and recreation opportunities offered within the County. On behalf of the Tehama County Board of Supervisors the following comments are submitted for your consideration:

Comments:

1. The County recognizes the authority of the USFS as the "*responsible official to designate a system of routes and areas where OSV use is allowed unless prohibited or a system of routes and areas where OSV use is prohibited unless allowed*" (§212.81, second para); however, the County requests that language be included after the aforementioned sentence in the final rule to insure adequate local county involvement in the process stating, "prior to making any draft, preliminary, or final decision, the responsible official shall formally coordinate with the effected County Board of Supervisors."
2. The County requests that language be included stating that the responsible official is not bound by earlier decisions that limits the ability for constructive coordination with the County prior to final decisions (§212.81, third para), thereby maintaining a stronger relationship with the County.

3. The County requests the inclusion of language stating that “cross country OSV Use will be an alternate under consideration during Subpart C planning activities” in the final rule language, thereby retaining flexibility for the responsible official in coordination efforts with the County.

Respectfully,

A handwritten signature in black ink, appearing to read "S. Moore". The signature is fluid and cursive, with a large initial "S" and a stylized "Moore".

SEAN M. MOORE, AICP
Director of Planning
SMM/sc

cc: USFS Region 5 Forester
Forest Supervisor, Plumas National Forest
Forest Supervisor, Lassen National Forest



SIERRA ACCESS COALITION

P.O. Box 944
Quincy CA 95971
sierraaccess@digitalpath.net
(530) 283-2028

August 4, 2014

U.S. Forest Service
Attn: Joseph Adamson, Recreation, Heritage, and Volunteer Resources Staff
1400 Independence Avenue SW., Stop 1125
Washington, D.C. 20250-1125

Comments submitted electronically only to the Federal eRulemaking portal at <http://www.regulations.gov>

RE: Use of Over-Snow Vehicles (Travel Management Rule)

Dear Sir:

Sierra Access Coalition (SAC), a non-profit 501(c)3 group in Northern California, has over 1400 members. We are submitting the following comments on the Proposed Rule for Subpart C of the Travel Management Rule on behalf of our members. The submission of SAC's comments shall not prohibit any of our members from submitting their own comments thereby attaining legal standing. Our comments are intended to preserve a quality riding experience for OSVs.

Comment #1

The Final Rule needs to contain stronger guidance that will allow individual National Forests and Ranger Districts to have flexibility to manage the lands under their jurisdiction without Regional or National oversight. For example, Region 5 is a large diverse area of land. Restrictions that may be needed in the southern half of Region 5 may not be needed in the northern half of Region 5. So it is essential that local forests are allowed to maintain control over lands in their jurisdiction.

Comment #2

The Proposed Rule states that prior decisions made under other authorities that allow, restrict, or exclude snowmobile use would not be required to be revisited. This statement should be changed, so that Forest Service officials would be required to revisit all prior decisions involving OSV use, including decisions on access points, parking areas, and all agreements and leases that involve OSVs. Prior decisions were made with the premise that Subpart C was an optional part of the Travel Management planning process. Since that has been changed by the courts and Subpart C will now be mandatory, prior decisions must all be revisited to assure that present regulations and guidelines are applied correctly and uniformly. County government and the public must be given an opportunity to comment when these decisions are revisited.

Comment #3

In the June 18, 2014 Federal Register "Use by Over-Snow Vehicles (Travel Management Rule)", the Background Need for the Rule (page 34679, the last sentence in the middle column) reads "enhance user's experiences and provide opportunities for use on NFS lands." To clarify what the rule actually applies to, that sentence should be changed to read "enhance OSV user's experiences and provide OSV opportunities on NFS lands."

Comment #4

Coordination with local, state, and federal governments has essentially been ignored by the Forest Service during Subparts A and B of the Travel Management Planning process. The requirement for coordination with local, state, and federal governments must be specifically added to the Subpart C Rule to insure that coordination is performed in the future, particularly with county government.

Comment #5

The Final Rule for Subpart C should require all analysis to consider an alternative that allows maximum cross country OSV use.

Comment #6

The potential economic impacts from Subpart C would be devastating to rural areas and cannot be overstated. The Regulatory Flexibility Act is applicable to the proposed rule and needs to be included. While it's true the proposed rule doesn't impose any additional record keeping burdens on small business, the potential reduction of OSV recreation opportunities could be substantial and affect small business who rely on sales and service of OSV's as well as the "spin-off" economic benefits. For example, the effect on small rural businesses has already been felt as a result of Subpart B restrictions, causing loss of jobs and reduced revenue for businesses in Quincy, California.

The following facts are quoted from the International Snowmobile Manufacturers Association:

(http://www.snowmobile.org/facts_econ.asp)

Economic impacts:

Nationally, OSV recreation produces billions of dollars in economic "stimulus" typically in rural areas that would normally have no activity during the snow season.

Snowmobilers in Canada and the United States spend over \$34 billion on snowmobiling each year. This includes expenditures on equipment, clothing, accessories, snowmobiling vacations, etc.

Snowmobiling is responsible for "spin-off" economic benefits such as:

- Jobs for 100,000 people, jobs which enable those people to further stimulate the economy through additional expenditures on goods and services; jobs which provide significant income tax revenues to state and federal treasuries and dramatically reduce unemployment and welfare payments.*
- Millions of dollars in tax revenues derived from snowmobile-related businesses (including but not limited to: manufacturers, suppliers, distributors, dealers, resort and hotel facilities, restaurants, service stations, insurance agencies, hardware stores, banks, credit unions, etc.).*
- Millions of dollars in winter tourism spending which support local snow-belt economies.*
- Millions of dollars in local, state sales and gas tax revenues.*

Snowmobiling has rejuvenated the economies of many communities and is an important segment of the active outdoor recreation economic engine.

State and local travel bureaus actively promote snowmobile tourism through snowmobile information guides, trail maps, and the establishment of toll free numbers with information on snowmobiling opportunities and conditions.

Iowa State University Department of Economics conducted an Economic Impact Study of snowmobiling in the state of Iowa in 2010. The study shows that total economic impact of \$123.2 million dollars is realized in Iowa being generated by the snowmobile community. This economic activity generates a total of 1,101 jobs.

The New York State Snowmobile Association, in cooperation with SUNY Potsdam, performed an economic impact analysis in 1998 showing the economic impact of snowmobiling in New York state at an estimated \$476.2 million dollars annually. In 2012 the state of New York surveyed snowmobilers and calculated the economic impact of snowmobiling in New York had increased to \$875 million annually -- an increase of 84%!

The economic significance the sport of snowmobiling has on the state of Vermont exceeded \$600 million annually, according to a study by Johnson State College compiled in 2003.

The Lebanon Valley College of Pennsylvania, in cooperation with the Pennsylvania State Snowmobile Association conducted an updated economic impact study in 2000 showing the annual economic impact of snowmobiling of the Commonwealth of Pennsylvania to be approximately \$161 million.

The Plymouth State University and the New Hampshire Snowmobile Association conducted a study in 2004 showing the economic impact of snowmobiling in the state of New Hampshire to be \$1.2 billion annually.

In Alaska, the economic impact of snowmobiling in Anchorage and Mat-Su Borough was found to be over \$35 million annually, according to a study conducted by the Anchorage Economic Development Corp., and released in May 2000.

The University of Minnesota Tourism Center completed an analysis of the snowmobile industry in Minnesota in 2005. They reported that the snowmobile industry generates substantial tax revenues at the state and local level. Over \$51 million in taxes were paid at the local and state level directly related to snowmobile activity. Federal tax receipts were not included in the report.

The University of Massachusetts found the economic impact of snowmobiling to be \$54.7 million annually in a study conducted and release in 2003.

Today the state of Maine realizes an economic impact of snowmobiling is \$350 million dollars annually.

Michigan State University, for the Michigan Dept. of Parks and Recreation, completed an assessment of snowmobiling impact in the state of Michigan in February 1998. That survey showed the average snowmobiler in Michigan spends \$4,218 annually on snowmobiling activity, equipment and vacationing in the state. Over \$1 billion in economic impact in Michigan is generated by snowmobiling. Over 6,455 full time jobs are created by snowmobiling in Michigan.

In 2001 Washington State University and the Washington State Snowmobile Association conducted a snowmobile usage study and concluded that the annual economic impact of snowmobiling in Washington was \$92.7 million dollars annually.

A 2001 Economic and Social Assessment of snowmobiling in Utah conducted by Utah State University determined the following data to be correct:

- *Total annual expenditures resulting from snowmobiling in Utah are about \$52.6 million.*
- *31% of Utah riders have college or technical training; an additional 31% have a B.A. or Graduate degree.*
- *About 87% of Utah riders have not experienced any conflicts with other types of winter recreationists.*

In 2011, the South Dakota Snowmobile Association contracted to have an Economic Impact Study of snowmobiling performed by the University of South Dakota. The study found that \$131.6 million in annual economic impact was generated by snowmobiling in South Dakota.

In 2012 the University of Wyoming completed a comprehensive snowmobile recreation report.

One of the key findings highlights that over \$175 million in snowmobiling related spending activity occurred in the state of Wyoming. Snowmobiling generated approximately 1300 annual fulltime jobs with labor income of over \$35 million! Snowmobilers in Wyoming spent an average of \$98 per day on their average snowmobile trip, with 46% of that spent on gasoline; 15% on food; and 14% on lodging. The average Wyoming snowmobiler spent \$3,367 per person for snowmobile related equipment.

These studies demonstrate the huge economic benefits of OSV's. The economic impact of any OSV restrictions on National Forest lands must be carefully evaluated and mandated in the Final Rule.

In California alone, OSV registrations are now nearing 20,000 per year. An additional 20,000 OSV recreationists from out of state (Nevada, Washington, Oregon, Idaho, and Wyoming) visit California each year for the unique recreational opportunities provided. The economic benefits are very important to struggling rural communities and businesses.

Comment #7

We are pleased that the Proposed Rule does not require a minimum snow depth, or require a restricted season of use. OSVs are generally self limiting. That is, if there is not adequate snow depth, OSVs find somewhere else to ride. The Final Rule should remain the same on this point.

In closing, we want to emphasize that snowmobiling is generally limited to only a fraction of the forest, while backcountry skiers and snowshoes have access to the entire forest. For example in the Lake Tahoe Basin only 52% of the area is open to OSV's but virtually 100% of the National Forest, State and county land is available to non-motorized users. This unfairly favors non-motorized use. It is important that local forests are given the flexibility to work with all winter recreationists in their area. Motorized and non-motorized winter uses can be compatible if areas are designed with proper parking, and users are educated about each others needs.

Snowmobile trails also create opportunities for non-motorized users. Many cross country skiers and other non-motorized recreationists often use groomed or compacted snowmobile trails as part of their recreational experience. Snowmobilers are happy to share their trails and open areas with non-motorized users.

Thank you for the opportunity to comment on the Proposed Rule, as we believe it is important to preserve OSV use on our National Forests for our families now and into the future.

Corky Lazzarino
Executive Director
Sierra Access Coalition