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**File Code:** 1570  
**Control Number:** 23-0206-01-218B  
**Date:**

Dear Objector,

This letter is in response to your objection to the proposed Mad Rabbit Trails Project on the Hahns Peak/Bears Ears Ranger District, Medicine Bow-Routt National Forests and Thunder Basin National Grassland (Reviewing Officer's Response, 36 CFR 218.11 b). Thank you for providing your objections and suggested remedies. I value your engagement, time, and participation in the management of our public lands.

### **PROJECT DESCRIPTION**

On August 11, 2023, the District Ranger of the Hahns Peak/Bears Ears Ranger District and Responsible Official for the proposed project, Mr. Michael Woodbridge, released the Mad Rabbit Trails Project Environmental Analysis (EA), Draft Decision Notice, and Finding of No Significant Impact for the objection process (36 CFR 218). The proposed action would authorize the construction and improvement of approximately 49 miles of new non-motorized and motorized trail; rehabilitation and closure of approximately 36 miles of existing unauthorized non-system trails; implement a restricted use area designation that would restrict non-motorized wheeled vehicle use on National Forest System land across the entire project area to designated roads and trails when there is less than an average 12 inch snow depth; implement changes to trailheads, including the creation of two new summer trailheads along Highway 40, reconfiguration of the Ferndale Day Use Area to increase parking capacity, and the addition of summer amenities to four existing winter trailheads along U.S. Highway 40. The proposed action would also include the closure of trailhead and trails in Ferndale area and trail 14 area from May 15 to June 30 each year to lower impacts to elk calving areas. The selected alternative was determined to adequately address the purpose and need for action as identified in the EA to provide designated and sustainable trail-based recreation opportunities in consideration of other resources on approximately 127,124 acres of National Forest System lands.

### **OBJECTION ISSUES RECEIVED AND RESPONSE**

Objections raised for the proposed Mad Rabbit Project fall within the following general categories: National Environmental Policy Act adequacy, violations of the Colorado Roadless Rule and National Forest Management Act, effects to wildlife (particularly elk and elk habitat), and recreation and user group conflicts.

An objection resolution meeting was held on November 20, 2023. This meeting allowed me to better understand the objection issues being raised and their corresponding remedies.

I have reviewed and carefully considered your objections and suggested remedies. I have also reviewed the attendant project record, EA, and draft Decision Notice and Finding of No Significant Impact that was issued by Mr. Woodbridge, the Responsible Official. My review was conducted in accordance with the regulation at 36 CFR Part 218. Please see Enclosure-1,



*Response to Objections on the Mad Rabbit Trails Project, Hahns Peak/Bears Ears Ranger District, Medicine Bow-Routt National Forests and Thunder Basin National Grassland.*

Based on my review, I have identified several instructions for the Responsible Official. In accordance with 36 CFR 218.12, the following instructions must be addressed before a decision notice can be signed, unless otherwise explicitly noted:

- Given the high interest in potential impacts to CRAs, I instruct the Responsible Official include the Colorado Roadless Rule in the Decision Notice under the Findings Required by Other Laws and Regulations section and include a narrative on how the project is consistent with the Colorado Roadless Rule.
- I also instruct the Responsible Official to provide additional explanation related to two roadless characteristics:
  1. How design elements will ensure consistency with the primitive and semi-primitive roadless characteristic, as defined by the Forest Plan guideline; and
  2. How the undeveloped character of CRAs will not be significantly altered, including impacts to wildlife dependent on large tracts of undisturbed land.
- I instruct the Responsible Official to confirm that the Mad Rabbit Trails project would provide use and enjoyment regardless of the implementation of any future trail proposals. In addition, clarify how the proposed action relates to the Steamboat Springs Trail Alliance proposal for a comprehensive trails system as well as how the 2015 Master Trails Plan is related to the Mad Rabbit Trails project and whether any of the other trails identified in that document should be included in the cumulative effects analyses.
- I instruct the Responsible Official to clarify if the Muddy Pass gap reroute project being developed by the Continental Divide Trail Coalition is a reasonably foreseeable future action. If the Muddy Pass gap reroute project constitutes a reasonably foreseeable future action, ensure it is considered as part of the cumulative effects for the proposed Mad Rabbit Trails Project.
- I instruct the Responsible Official to clarify how the “compromise proposal” submitted by Keep Route Wild relates to the current alternatives included in the EA and provide rationale for why this proposal wasn’t considered as a standalone alternative.
- I also instruct the Responsible Official to provide additional discussion within the Decision Notice, to include clear rationale and justification, for the dismissal of alternatives considered but not carried through into analysis.
- I instruct the Responsible Official to ensure that no trail lines are placed outside of the trail disturbance areas analyzed in the effects analyses for this project. I further instruct the Responsible Official to remove the 20% exceedance measure from Design Element 39.
- I instruct the Responsible Official to review and consider the post-hunt elk population data from 2022, and information regarding the severe winter die-off, and identify and incorporate any necessary changes in the effects analysis for elk.

- I instruct the Responsible Official to clarify that the seasonal closure per Design Element 44 is specific to human presence and will apply to all user types.
- I instruct the Responsible Official to clarify how design criteria included in the BA to protect high quality lynx habitat (dense horizontal cover) have been incorporated into the proposed action or decision. Further, I instruct the Responsible Official to clarify the status for lynx-related surveying (consistent with Design Element 42) and how those surveys have or will influence the proposed action.
- I instruct the Responsible Official to provide specific explanation regarding the data used and calculations made regarding Habitat Effectiveness for elk.
- I instruct the Responsible Official to clarify the methods used to determine the 1-mile concentration zone for trails as the guiding distance and how the research cited (Wisdom et al. (2018) and Wisdom and Johnson (2019)) supports that determination despite the research not explicitly recommending a one-mile concentration zone.
- I instruct the Responsible Official to provide discussion regarding the applicability of the March 21, 2023, CEQ guidance regarding wildlife corridors to the proposed project.
- To provide clarity regarding incremental changes made to the proposed project from scoping through the Final EA, I instruct the Responsible Official to identify, in table format, trails that have been added, removed, or modified from the proposed action, along with a concise justification as to the reason for their addition, removal, or modification.
- I instruct the Responsible Official to ensure an adaptive management plan is collaboratively developed by the Forest Service and the Colorado Department of Natural Resources prior to Forest Service approval to start construction and implementation, that would address objectors concerns related to unauthorized off-trail use, violations of seasonal closures and recreation setting in addition to impacts on wildlife or habitat, including developing a potential phased approach to trail construction based on this adaptive management plan.

## **CONCLUSION**

This concludes my review and written response of the project. By copy of this letter and the enclosed response document, the Responsible Official may sign the decision after addressing the instructions noted above. This written response is the final administrative review by the Forest Service and the Department of Agriculture [36 CFR 218.11(b)(2)].

If you have any questions or concerns, please contact Scarlett Vallaire, Administrative Review Coordinator, Rocky Mountain Region: [scarlett.vallaire@usda.gov](mailto:scarlett.vallaire@usda.gov), 801-989-6605.

Sincerely,

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RUSSELL M. BACON  
Forest Supervisor

Enclosure

cc: Joshua Sidon, Michael Woodbridge, Scarlett Vallaire