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Memorandum

To: Randy Moore, Angela Coleman, George Kullick, Ron Pugh, Marlene Finley, Kathy Mick, et al.

From: Matt Dietz, Stan Van Velsor, et al.

Re: Identifying a minimum necessary road system

Date: April 5, 2010

Issued well before counties were briefed on subject

Thank you all for keeping us well-informed about your plans to right-size the road system on California's national forests. We were excited to hear that Region 5 is committed to complying with 36 CFR 212.5 (b) (1) and (2) by completing, by January 2012, an analysis to identify both the minimum necessary road system and unneeded roads that should be decommissioned. We are pleased that the regional-level process will be led jointly by the engineering and planning departments and will include an interdisciplinary team of biologists, hydrologists, engineers, and recreation and cultural resource specialists.

Many people at our organizations have spent a lot of time thinking about the best way to perform a minimum road system analysis and how to implement the recommendations that arise from the analysis. Thus, with this letter, we offer some recommendations to make the process efficient, rigorous, and compliant with regulations.

We would like to continue our dialogue with you regarding these recommendations, to answer any questions or provide any data that you may want, and to better understand the approach you intend to take and how it intersects with what we've outlined here. In addition to considering these suggestions as you implement your analysis, we also hope you will take them into account during the workshop in Reno the week of April 12th.

Effectively Communicate the Purpose and Goals of a Minimum System Analysis

To ensure the success of the road system analysis, it is critical to explain effectively to the public and staff on the ground exactly *why* the agency needs to implement this component of the Travel Management regulations and what the history is behind the regulations. Without a solid understanding of the benefits this process will yield, Forest Service staff and the public may question the importance of yet another planning process.

*USFS Employee stated
"this is what we have to do"
See Randy Moore memo for
results*

11-0225.1.1

We recommend including in communications to staff and others a compelling statement of the need to analyze and reclaim roads. In crafting this statement, we suggest including the following elements:

- (1) *An overarching purpose for the planning effort.* A good place to start is with Agriculture Secretary Tom Vilsack's speech in Seattle last year: "Our shared vision begins with restoration. Restoration means managing forest lands first and foremost to protect our water resources, while making our forests more resilient to climate change."¹
- (2) *A concise statement of background and purpose.* See, for example, the statement provided in the 2000 notice to the public about the Roads Rule, which states: "To improve its road management, the Forest Service proposes to revise 36 CFR Part 212 to shift the emphasis from transportation development to managing environmentally sound access...The proposed revision reflects changes in public opinion, demand, and use of National Forest resources and increased understanding and knowledge about the adverse environmental impacts of road construction, reconstruction, and the lack of maintenance."² The purpose and need statement should reflect the fact that forest needs have and will continue to shift, and the road system should be designed to better meet new and anticipated needs. This will mean reclaiming roads that are no longer needed to meet current or future management emphases.
- (3) *A description of the negative effects roads have on the landscape.* While efficient and safe transportation facilities can be an asset, the opposite is true for degraded, under-maintained facilities. In addition, some wildland roads, no matter how well-maintained, are situated in locations where they cause continual and unacceptable ecological impacts. Most people, however, are more aware of the asset component of roads than the liability issues. The Roads Rule proposal provides potential language you can use:³ "Unwanted or non-native plant species can be transported on vehicles and clothing by users of roads, ultimately displacing native species. Roads may fragment and degrade habitat for wildlife species and eliminate travel corridors of other species. Poorly designed or maintained roads promote erosion and landslides, degrading riparian and wetland habitat through sedimentation and changes in streamflow and water temperature, with associated reductions in fish habitat and productivity. Also roads allow people to travel into previously difficult or impossible to access areas, resulting in indirect impacts such as ground and habitat disturbance, increased pressure on wildlife species, increased litter,

¹ Sec. of Agriculture Tom Vilsack; remarks prepared for delivery, Seattle, WA, August 14, 2009.

² Federal Register/ Vol. 65, No. 43/ Friday, March 3, 2000/ Notices (p. 11677).

³ Ibid (p. 11676).

sanitation needs and vandalism, and increased frequency of human-caused fires.”

- (4) *A discussion of the fiscal benefits of determining the minimum necessary system.* Current funding, according to the Forest Service, is “inadequate to maintain roads to their intended safety, service, and environmental standards to permit efficient and safe use, while mitigating environmental impacts” and the agency has “available only about 20 percent of funds necessary to fully maintain Forest Service roads to intended safety, service, and environmental standards.”⁴ In addition, when roads are not maintained, the fiscal costs of the ecological damage they cause only increase.

This background is important for setting the stage for what the agency deems necessary: “aggressive decommissioning” of roads. The Environmental Analysis for the Roads Rule envisioned a final road system that would be between 260,000 and 300,000 miles, meaning between 80,000 and 120,000 miles of system roads nationwide would need to be reclaimed. While the exact number of unneeded roads can only be determined by the upcoming travel analyses, it is clear that, for fiscal and environmental reasons, the road system needs to be substantially reduced. Forest Service employees and the public should be aware of the importance and the scope of this effort.

Phase One: Records Search

As instructed by the Travel Planning Handbook, the agency should first take a comprehensive look at the road system to determine what previous travel management decisions have been made.⁵ This should include a records search of all previous transportation-related NEPA decisions and decisions containing transportation-related aspects. The records search will ensure that previous decisions are not lost, including past decisions to decommission roads. A thorough records search will also provide the Forest Service with correct information on road management objectives, maintenance objectives, reasons for construction, and intended duration of the road on the system. This information will be useful in determining the current status, values, problems and benefits of roads, which will help you prioritize roads for decommissioning.

It will also enable you to update and correct problems in the transportation atlases and INFRA databases. According to the Forest Service handbook, Forests are responsible for producing an inventory of NFS roads and NFS trails and areas on NFS lands managed for motor vehicle use and *a summary of existing travel management decisions*.⁶ This latter requirement necessitates a full NEPA decision records search.

⁴ Ibid (p. 11678).

⁵ Travel Planning Handbook – Travel Analysis: FSH 709.55 §21.11 (1) (h): [consider] “previous administrative decisions regarding travel management made under authorities other than 36 CFR 212.51, including restrictions and prohibitions on motor vehicle use.”

⁶ Travel Planning Handbook – Travel Analysis: FSH 709.55 §21.2 (2) (b) and (g).

In addition, the records search is a necessary precursor to Region 5's planned INFRA data cleanup (see the February 1, 2010, letter from Region 5 to all Forest Supervisors which states "We will also be looking for contract personnel to directly support INFRA roads data cleanup this year"). Before any "data cleanup" occurs, each forest should conduct a thorough records search of previous decisions to ensure that the Forest Service is working from an accurate identification of the designated, baseline motorized transportation that is supported by past site-specific NEPA decisions.

The Tahoe National Forest conducted a review of their previous transportation-related decisions and found 500 miles of roads that were mis-categorized in INFRA; many decisions to decommission roads were inadvertently overlooked. We have looked at the INFRA databases for many forests in California and found significant irregularities that indicate the possibility of many more miles of errors in other forests. A full records search is the only way to ensure that we honor past decisions made by land managers and reviewed by the public.

Phase Two: Analysis

The agency should conduct a comprehensive analysis of the road system (maintenance levels 1-5) that includes addressing cumulative effects and identifying a minimum necessary system and unneeded roads for decommissioning per the regulations at 36 CFR 212.

Existing models to support and inform the roads analysis

The Wilderness Society has been developing a series of models to help assess the road system and minimize adverse environmental impacts. We have developed a noise model to assess quiet zones for humans and wildlife, and a separate model which prioritizes road reclamation to increase the size of roadless areas. We are starting to develop a third model which will include several of the following criteria:

- Minimizing disruption of wildlife migration and dispersal corridors;
- Limiting fragmentation of wildlife habitat;
- Protecting habitat for sensitive, threatened, and endangered species (minimizing percentage of habitat affected);
- Maximizing area below a threshold road density for focal species or in Late Successional Reserves;
- Minimizing noxious weed dispersal;
- Minimizing erosion and sedimentation in streams;
- Minimizing number of stream crossings;
- Maximizing fish passage (miles unobstructed in suitable habitat);

- Minimizing road redundancy to recreation and management access points; and
- Maximizing (or minimizing) road mileage to achieve affordability.

We intend to share this work with your biologists, engineers, and landscape ecologists, and provide as much data as we can to the region. Biologists from The Wilderness Society also provided transportation-related data to the Forest Service during the Travel Management Planning Process. We encourage the Forest Service to use these models and data as you move forward with the roads analysis process.

We encourage the use of a wide variety of tools, such as the Ecosystem Management Decision Support system. There are also a number of good examples from Forests that have already conducted travel analysis. We recommend that other Forests take note of the travel analyses conducted by the Mountainair Ranger District of the Cibola National Forest and the Orleans Ranger District of the Six Rivers National Forest.

Guidelines and criteria that should be included in the analysis process

We recommend that the following be incorporated into the analysis guidance:

- (1) Expressly cite the regulatory criteria for determining the minimum necessary system, and require that the roads analysis be performed by applying these criteria. The four most important criteria from the Roads Rule (which subsequently became Subpart A of the Travel Management regulations) are: a) meet resource and other management objectives adopted in the relevant land and resource management plans; b) meet applicable statutory and regulatory requirements;⁷ c) reflect long-term funding expectations; and d) ensure that the identified system minimizes adverse environmental impacts.⁸ When determining the minimum system, these are the four factors that matter. However, the agency will have one problem in that many land and resource management plans are out-of-date and many forests are focusing on different objectives than were emphasized in their existing plans. Therefore the agency should also be considering future direction expected in new forest plans, not simply adopting a transportation system based on outdated expectations and actions.
- (2) Emphasize that the analysis is to be science-based,⁹ not a negotiating process among various stakeholders. Information gathered from the public should be *data*, whether it is biological, archaeological, historical, fiscal, or social—it still should be *data*. For example, representatives from the off-road vehicle

⁷ A hierarchical policy context might specify that certain environmental criteria and standards must be satisfied before any road uses can be considered. If so, those environmental criteria and standards might constrain the amount of accommodation that can be achieved.

⁸ 36 CFR 212.5 (b).

⁹ Travel Planning Handbook – Travel Analysis: FSH 709.55 §20.3 (1) and 36 CFR 212.55 (b) (1).

See
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community could supply data that indicate which roads are most heavily used and least used by ORV riders, thus aiding the agency in ranking roads for decommissioning.

(3) Ensure all relevant data, collected at the most appropriate scale, is incorporated into the analysis. It makes sense to conduct this analysis at the Forest scale, as opposed to a smaller scale.¹⁰ However, depending on the specific issue at hand, the scope and scale of the data used to inform the analysis may vary. A complete analysis would not be appropriate, however, at the individual project level. It must be at the large watershed or District scale, at a minimum, to provide a comprehensive view of which roads are needed and which aren't. The Forest Service should also use existing data where possible. Specifically, we make the following suggestions:

- Where ecosystem analyses or assessments are completed, roads analysis should use that information rather than duplicating these efforts.
- A risk/value assessment should be performed for each road in order to develop the detailed site-specific data necessary to make informed decisions regarding the transportation system.
- Calculate route density for the entire planning area, and include all types of routes in the analysis—open and closed system roads, motorized trails, and unauthorized user-created routes. Motorized trails and unauthorized roads often function ecologically as roads and should be included in density analyses.
- In addition to route density analyses, analyses of quiet zones, roadless areas, watersheds, and wildlife corridors should also be performed at a larger scale. These issues are difficult to accurately assess in an analysis that considers roads in isolation. It's important for these analyses to be both route-specific but also performed at a higher order watershed level to provide a holistic picture of ecological conditions.
- The analysis should consider the FS road system within the larger context of a regional transportation system. Specifically, the analysis should consider how local or regional transit and non-motorized trail networks and trails currently or in the future could intersect with Forest Service roads and travel

¹⁰ Travel Planning Handbook – Travel Analysis: FSH 709.55 §21.1 (4) (b): “Broad-scale analysis can establish greater context; provide more comprehensive support for decisions; serve as a basis for allocation of budgets and expertise and establishing schedules and accountability; and address issues that cross administrative boundaries.”

ways. In particular, a specific access need may be able to be met without using a FS road.

- (4) Travel analysis should be conducted by an interdisciplinary team that includes specialists from each relevant field. Roads and access are fundamentally linked to all aspects of ecosystem management. As such, experts in water, wildlife, vegetation, ecosystems, and even climate change should be on the interdisciplinary teams in addition to engineering staff.
- (5) Ensure the final report includes a prioritized list of roads for reclamation. The report should include both components of Subpart A of the Travel Management Rule — (1) Identification of the minimum road system through travel analysis - 36 CFR 212.5 (b) (1); AND (2) Identification of unneeded roads that should be decommissioned or converted - 36 CFR 212.5 (b) (2). The final report should describe management opportunities for reducing current road systems to better address future needs, budgets, and environmental concerns. It is crucial that the Forest Service include an explicit list of roads that are unneeded and should be decommissioned¹¹ as a part of this reporting process, and these decommissioning needs should be prioritized, from most to least important, so that road maintenance and decommissioning funding (e.g. Legacy Roads) can be most efficiently and effectively allocated. It is not sufficient to identify a minimum system that merely *implies* that the roads not on that minimum system should be reclaimed.
- (6) Identify roads that need priority maintenance and why, and roads that should be considered for conversion to non-motorized trails. Roads analysis may reveal that certain unneeded or problematic roads might serve non-motorized recreational needs by being reclaimed, converted, and physically transformed to a non-motorized trail. This is especially true for roads that travel deep into the backcountry to no specific destination and could be drawn back to a more accessible location where a trailhead and parking lot could be built.

Phase Three: Implementation

We recognize and appreciate the dynamic nature of this process and that what is identified today or tomorrow as a minimum road system may need to be changed in the future. However, we remain steadfast in our conviction that the agency should provide a timeline for adopting decisions that will result in the timely implementation of a minimum necessary system.

¹¹ The regulations at 36 CFR 212.5 (b) (2) are clear that “responsible officials *must* review the road system on each National Forest and Grassland and identify the roads on lands under Forest Service jurisdiction that are no longer needed to meet forest resource management objectives and that, therefore, should be decommissioned or considered for other uses, such as for trails” (emphasis added).

Without an implementation timeline, the identified minimum road system may never become a reality on the ground because by the time a decision process—or multiple processes—occur the data and analysis could be obsolete.

It may be the case on some units that cobbling together ongoing decisions (and perhaps filling in the gaps with additional decisions to close and reclaim roads) will achieve the identified minimum road system within a reasonable timeframe. Insofar as it enhances efficiency to incorporate other types of related management decisions into the minimum system decisions, we encourage you to do so.

However, where it will likely not achieve this, we recommend that individual forests be encouraged to make forest-wide decisions to implement the minimum road system, perhaps through Forest Plan revisions.

Whatever the method for achieving the minimum system, we strongly recommend that the region establish phased targets related to the percent of the minimum system implementation achieved in decision documents and on-the-ground. For instance, within 4 years of identifying the minimum system, forest managers will have adopted decisions codifying the identified minimum system and prioritizing needed roads for maintenance and unneeded roads for reclamation over time. In addition, they will have completed, on-the-ground, at least 15% of the reclamation identified in those decisions. While we recognize that it will likely take many years to implement all the decisions for road reclamation, we hope it would not take more than 4 years to adopt decisions outlining those plans; otherwise the inventory and analysis will be outdated and it will be difficult to hold managers accountable for achieving reclamation targets.

We also strongly recommend that you ensure that roads identified for decommissioning are put into closed status as quickly as possible after final phase two reports are published, and until the formal decision-making process is completed to take those roads off the system (regardless of how long it takes for physical treatment to occur). A plan for managing roads that are identified as unneeded in the final phase two report while phase three is ongoing is critical. On-the-ground use that occurs during this interim “pre-decision” phase could be extremely problematic and could moot some of the analysis if the roads identified for decommissioning are not closed to interim use.

Lastly, with Forest Plan revisions on the horizon, we also want to point out that a thorough Travel Analysis, focusing on existing and future transportation systems, can contribute to implementing and revising forest plans. Forest plans provide guidance on multiple-use goals and objectives, management prescriptions, and monitoring and evaluation. Allocations of specific land areas to various management activities – such as recreation, wildlife management, livestock grazing, and watershed protection – establish the basis and need for a transportation system. In addition to land allocations, forest plan standards and guidelines help to provide for compatibility of transportation facilities with specific ecological conditions. Information from roads analysis can help

managers set priorities and, if needed, revise forest plans and their standards and guidelines.

Conclusion

The following organizations support these recommendations and look forward to working with travel management ID teams in each National Forest in California. We hope you will take these requests and recommendations into account, and we are eager to provide any additional information or expertise that will be helpful. We will, of course, continue to speak with our representatives in Congress to try to ensure that sufficient money is dedicated to minimum road system planning and the Legacy Roads and Trails Remediation program. Please let us know if you have any questions, and we look forward to working with you on this project over the next two years.

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