

## Forest Access and Set Aside Final Desired Conditions

**BIC Access, Habitat, Wilderness and Set Aside Sub Committee Key Focus:** How do you provide access for human needs, habitat and promote forest health?

**Intent:** Access including motor and mechanized vehicle access is important for the social, cultural, economic, and environmental wellbeing of local communities and to the citizens of the United States. Access that balances the human element and the environmental element is needed across the forest.

**Background:** Forest access was one of the most contentious issues that raised objections in the last ROD for the Blue Mountain Forests in 2019. A forest plan is a programmatic document and does not generally make site specific decisions on travel and access management, open forest designation and road densities, which are more appropriately part of a Travel Management Plan (TMP). Motor vehicle access by a maintained and unmaintained system of roads is a necessary part of the managed landscape, providing critical access for resource management, public use and wildfire protection while supporting the culture and customs of the local communities. Reduction of access, trails, and roads will have an impact to local communities and the management of public lands. Understanding how the forest road system is managed for these purposes is important for safe and responsible public and administrative use and for maintaining a sustainable transportation system.

Research has demonstrated the potential for some impact to water quality, and fish and wildlife habitat from road and trail systems. Some impacts to water quality, fish and wildlife, and habitat can be the result of road and trail design, placement, distribution and maintenance; as well as their designation (i.e., motorized or nonmotorized). Forest road and trail system use, density and habitat conditions may have some negative effects on wildlife in general and specifically on elk distribution. Access and habitat considerations require analysis of both site-specific and landscape level needs and issues.

The public is not adequately informed on access and set asides and these desired conditions, among other things, are intended to help address that need.

### **Desired Conditions**

**Public Use:** The public has a desire to be well informed on forest access, therefore a current and comprehensive inventory of all forest roads and trails is displayed on an easily read map which clearly lists status is essential. Any proposed changes to the status of the road system would be evaluated and analyzed at the project level through the NEPA process in coordination with the local and tribal governments and with comprehensive public notice and involvement. Where applicable, road and trail systems available for public use should be maintained according with their designated purpose. Any use restriction previously reviewed and approved through the NEPA process are clearly and effectively posted for the public and reflected on updated maps.

**Administrative Use:** Road and trail systems within the managed landscape support safe and effective access for administrative use. This includes: emergency response and public safety; fire suppression and prescribed burning; forest management and timber harvest; grazing and livestock management; mining; restoration, fish, wildlife, and habitat management; and weed and invasive species control. Roads maintained for administrative access, but not suitable or available for general public use, have

## Forest Access and Set Aside Final Desired Conditions

appropriate controls (signing, gates, berms, etc.) to prevent inadvertent public use and an effective compliance monitoring plan is in place. These roads will not be scheduled for decommissioning.

**User Created Routes:** During the inventory process, routes that are found to have been created by repeated motor vehicle travel off designated routes (user created routes) will be clearly identified. Objective criteria, such as evaluating historical maps and aerial imagery shall be used for determining whether, and when a user-created route was formed to determine if it should be included in the forest system. These routes would be evaluated and analyzed at the project level for social, cultural, historical, economic, habitat and environmental concerns, while, at a minimum, seeking to ensure access in the general area. The evaluation would occur in coordination with local and tribal governments with comprehensive public notice and involvement through the NEPA process. The public and user groups would be well informed and provided ability to comment on changes in management actions.

**Elk Security:** Forest habitats, trails, and road systems are managed and maintained in a manner that supports and enables broad distribution of elk populations based on their seasonal habitat needs. The desired condition is that habitat is managed to provide a balance of adequate nutritional resources, cover, and human disturbance regimes that encourage elk to remain on public lands. Collaboration and coordination occur that benefits these desired future conditions by addressing the many other factors such as predation, hunting, and private land practices that also effect elk distribution while providing year-round recreational and cultural opportunities and limiting agricultural damage on private lands.

**Set Asides:** Appropriate uses of general forest area are not constrained by new administrative set asides; understanding that the forest service has to evaluate the suitability and eligibility through the forest planning process for future set asides, the subcommittee does not see the need for any additions to set asides.

### For Standard and Guidance

Notice should be posted, and maps made available along road and trail systems under consideration for management action to ensure affected users groups receive notice. Rigorous and well-funded forest access education should be an outcome of the Forest Planning process.

MINORITY REPORT: Commissioner Bill Harvey, representing Baker County, has opted to stand aside and submit a report of concerns regarding access and set aside. Below is the minority report submitted.



**Baker County Minority Report**  
**Blue Mountain Interagency Committee**  
**February 1, 2022**

**Bill Harvey**  
Commission Chair  
bharvey@bakercounty.org

Baker County is submitting this Minority Report as an expression of disagreement with the majority of the BIC sub-committee regarding the “Forest Access and Set Aside Desired Conditions”. Prior to the BIC forming, Eastern Oregon Counties Association (EOCA) compiled the “Guiding Principles for Forest Management in Eastern Oregon” (EOCA, August 2019). The document spelled out the focused principles for “providing healthy, fire resistant forests that meet the needs of citizens and visitors to our counties”. Throughout the BIC process, the Guiding Principles have been disregarded by agencies, special interest groups, and tribes leading to too many concessions by the counties. Baker County can no longer risk the potential harm to our citizen’s health, safety, welfare, and economic viability that agreeing with the majority of the BIC would cause.

Baker County has repeatedly submitted edited versions of the “Forest Access and Set Aside Desired Conditions” all to no avail and with minimal regard for our input. Local governments know their counties the best and it’s ridiculous to be over-ridden by committee members that have no authority, or knowledge, of what is best for the citizens of this County.

Below is Baker County’s Minority Report:

**ACCESS**

**Intent**

Continuation of open forests and roads to accommodate multiple use which provides for local customs, cultures, and subsistence activities as well as bolsters the safety, health, and welfare of the citizens and visitors. In addition, access to sustain emergency and forest management that protects the human and environmental elements.

**Background**

Baker County has a no net loss of access policy, “Specifically, there will be no net loss to access” (Baker County Natural Resource Plan, pg 18) and the Wallowa-Whitman National Forest does not have a Travel Management Plan. Based on these two facts, there should be no discussion of travel and access management within the Blue Mountain Forest Plan, such as road densities and closures for elk security.

Motorized and nonmotorized vehicle access via maintained and unmaintained road systems is an indispensable part of forest management and multiple use. Not all road maintenance is necessary. If the road, system or user created, is used then it will be kept open through that use, if it is not utilized, it will

quickly revegetate without human intervention. This approach drastically reduces the cost of road maintenance and allows the public to determine the future of road access.

The Forest Service needs to understand that 'decommissioning' roads permanently closes them to all users, disturbs the vegetation and the soils that vegetation rely on, and allows for invasive weed entry. It does more harm than good to our landscape and environment, including riparian areas.

Reducing access, including closing roads, results in concentrating the recreational, commercial, and administrative uses on a smaller number of roads and acres. This concentration of use will generate conflicts between users; OHVs and full sized traffic, hikers/horse riders/bikers with motorized vehicles/OHVs, and conflicts between campers and subsistence gatherers. Increasing the number of users on a smaller road system would increase the amount of wear on remaining roads, greatly adding to the maintenance expense each year.

In Baker County, this is unacceptable.

### **Desired Conditions**

#### **Public, Administrative, and User Created Access**

To retain the existing open forest status and road systems for public and administrative use. By closing Administrative roads to the public, it further reduces access in the general forest acres which is at 30% or less of all of our forest lands in Baker County.

The public deserves to be well informed on forest access, therefore a current and comprehensive inventory of all forest roads and trails should be displayed on an easily read no-cost map.

Any changes to access will be evaluated and analyzed only at the project level in coordination with the local government. At the minimum, social, cultural, historical, economic, and environmental components will be analyzed by the forest service in coordination with the local government prior to a comprehensive public notice for involvement through the NEPA process.

#### **Elk Security**

Access and roads are not the limiting factor in wildlife security. It's the lack of healthy forests and proper forest management at the landscape scale. There are many areas that already have massive numbers of acres in Wilderness and other non-use areas that wildlife, including elk, can retreat to. In addition,

wildlife is no longer habituated to 'pristine' forests. They are born, bred, and die within areas that contain roads that bring multiple uses, and people, into their habitat. Healthy, managed forests provide sustainable and resilient habitat for wildlife throughout their seasonal ranges and life stages. Other factors such as hunting, predation, and private land practices that affect the distribution of elk and other wildlife need to be addressed before additional set asides or road closures occur.

The Forest Service has already closed thousands of miles of roads in Baker County and even now are proposing to close another 4,000 miles on a project area in South Baker County.

With all these road closures it proves one very important thing; that closing even more roads has not been fixing the elk problem. By closing even more roads it is never going to fix the problem of the elk wanting to move down to the valleys in the winter. We have too many elk for the landscape and by making it harder to hunt will only reduce the harvest levels and add more elk to the problem.

It is not factual that elk are leaving the forest lands because of recreational uses by the public. From residences across from Hunt Mountain in the Elkhorn Mountain range, many elk trails can be seen coming down the mountain sides clearly marked in the snow. This area has no public road access to disturb elk and yet all year long they come down to the valley foothills. There are many areas like this and it is not caused by roads being used by the public but by elk wanting better access to food.

#### **Set Asides and Other Special Land Use Designations**

No additional Special Land Use Designation, under any title, without full support of the local government and no reductions in general forest land acreage will be a part of the planning guidance from the Forest Service. The multiple use mandate of public lands, which is in the 1960 Law defining multiple use and sustainability, must be maintained for the economic welfare and enjoyment of citizens and visitors. The restriction or elimination of historical and cultural uses on proposed or existing special land use designations must be minimized and only under strict coordination with local governments, through the Congressional coordination statute. Reducing our use of general forest below the 30% that the County currently has by additional Administrative closures and new set asides is not workable or acceptable to Baker County.

**For Guidance**

All federal agencies are required by Congress to coordinate with local governments.

16 USC Section 1602, specifies:

*As a part of the program provided for by section 1602 of this title, the Secretary of Agriculture shall develop, maintain, and as appropriate, revise land and resource management plans for units of the National Forest System, coordinated with land and resource management planning processes of state and local governments.*

The Law mandated by Congress is coordination, not collaboration. The two are not interchangeable and they do not have the same meaning. Federal agencies that manage land in our County shall coordinate and strive for consistency with the County government during planning, implementation, and monitoring of all projects.

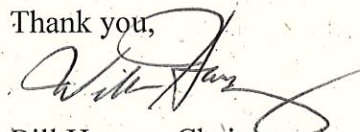
Baker County cannot agree with the direction of the BIC committee in regards to access and set asides which include elk security and administrative road closures.

Baker County will protect and use our rights of coordination as mandated by Congress as should every county. The BIC process was to develop a guidance to how to properly manage a forest landscape for all three forests, not one forest Plan for all three.

The details for forest planning will be accomplished in Baker County only through coordination as it is mandated and designed by Congress. Two years ago the national and regional leadership of the forest service declared that they would coordinate with any county that wished to. Baker County has been, and will continue, to do so as the law of Congress mandated through the National Forest Management Act.

By following the law, we can accomplish much for the betterment of our public forest lands.

Thank you,



Bill Harvey, Chairman  
Baker County Commission