

Memorandum

To: State Coordinators and Environmental Community Partners
From: Josh Hicks, Outreach Coordinator, The Recreation Planning Program, The Wilderness Society
Re: Status report on USFS management of off-road driving exceptions in the travel management rule: Motorized dispersed camping and big-game retrieval
Date: November 19, 2007

In late 2005, the U.S. Forest Service issued a final rule entitled “Travel Management: Designated Routes and Areas for Motor Vehicle Use” (“the Rule”). The Rule requires national forests to publish a Motor Vehicle Use Map (“MVUM”) that identifies designated motor vehicle roads, trails, and areas where motorized travel is allowed. The Rule also enables a forest to allow the “limited use of motor vehicles within a specified distance of certain designated routes, and/or within specified time periods, solely for the purposes of dispersed camping or big game retrieval.” 36 CFR 212.51(b). On June 8, 2006, then Forest Service Chief Dale Bosworth released a letter, “Travel Management, Schedule for Implementation,” with an accompanying attachment in which he provided guidance for applying the off-road driving exceptions. The letter states that “[d]esignations under 36 CFR 212.51(b) will be applied sparingly to avoid undermining the purposes of the rule and to promote consistency in implementation.”

Select Forest Service Regions have developed guidance documents with language related to off-road driving exceptions for big-game retrieval and dispersed camping. This memo will highlight the best language from these guidance documents on these two off-road driving exceptions for you to reference as you speak with Forest Service officials in your Region.

- The full text of the Region 1 Guidance can be found at http://www.wilderness.org/Library/Documents/upload/TMPGuidelines_Region1.pdf. Implementation of the Travel Management Rule, June 30, 2006.
- Full text of the Region 3 Guidance can be found at http://www.fs.fed.us/r3/projects/travel-mgt/pdf/imp_guidelines_rev3.pdf. Travel Management Rule Implementation Guidelines – Revision 3, October 19, 2007.
- Full text of the Region 5 Guidance can be found at http://www.fs.fed.us/r5/routedesignation/pdfs/guidance-for-parking-dispersed_camping-big_game.pdf. U.S. Forest Service – Pacific Southwest Region Dispersed Camping & Game Retrieval Guidance, V1.2, May 3, 2007.
- Full text of the Region 6 Guidance can be found at http://www.wilderness.org/Library/Documents/upload/TMPGuidelines_Region6.pdf. R6 Guidelines. Implementation of the Travel Management Rule, September 6, 2006.

Please note that individual forests around the country are adopting forest specific policies on the management of these two off-road driving exceptions. This memo will list a few examples of forests that are disallowing off-road driving for dispersed camping and game retrieval.

Off-Route Driving for Motorized Dispersed Camping.

FS Region 3 (which includes AZ and NM) guidance is by far the best relative to outlining how to protect forest resources when allowing visitors to disperse camp using their motor vehicle. The R3 guidance acknowledges that dispersed camping with a motor vehicle is a legitimate recreation activity, but that a forest is not to allow for this use adjacent to designated routes where such use would create public safety issues or cause adverse impacts to natural and/or cultural resources which cannot be adequately mitigated. The R3 guidance states that after a forest determines that dispersed camping with a motor vehicle can take place adjacent to a designated route without creating a safety concern or impacting natural resources, the forest can use a number of tools for managing the activity, including:

- Designating terminal facilities, trailheads, parking lots, very short camping spurs, and turnouts associated with the designated road or trail;

- Designating specific routes to access dispersed camping sites;
- Facilitating camping through roadside parking;
- Designating an area for cross-country use where dispersed camping would be allowed along with other cross-country motor vehicle use; and
- Designating fixed distances from open routes allowing cross-country travel for the specific purpose of dispersed camping.

Specifically, the region provided the following guidance about using the tools listed above:

Designating associated features, specific routes/sites, and facilitating dispersed camping through roadside parking offer the greatest opportunity for resource protection and minimizing negative resource impacts from the activity. These tools should be strongly considered as the appropriate methods to manage much dispersed motorized camping demand particularly in areas with sensitive resources, and/or where substantial increases in traditional use levels are not desirable. [Emphasis in Original.]

The last two bulleted points/tools are the options that we support the least as they allow for cross-country travel. The R3 guidance includes the following warning about using bulleted point #4: "The area tool needs to be applied carefully because of the potential for negative resource impacts from unlimited motorized use within the entire area." Regarding bulleted point #5, the guidance recommends that "designating fixed distances should be the tool of last resort." The guidance also forces Forest Supervisors to demonstrate that off-road driving for dispersed camping is the only effective management choice, and requires regional review of the decision: "Forest Supervisors should utilize this authority only when the Rule's intent cannot be met effectively by one of the other available tools. Regional review of the travel analysis process (TAP) and the draft proposed action will be conducted (Travel Management Planning Process Checkpoints letter, dated 12/5/2006)."

Region 5 (CA) released guidance on May 3, 2007 that addresses motorized dispersed camping. Although not as strong or as detailed as the R3 guidelines, Region 5's overall position on this type of use is similar. Specifically, the R5 guidance states that "[r]esponsible officials should consider providing designated routes to dispersed camping sites as an alternative to authorizing off-route use...." It continues on to say that "[a]llowing a specified distance from an entire length of a road or trail should be carefully considered as it may create a cross-country travel corridor and be inconsistent with the intent of the Travel Management Rule."

Region 6 (OR and WA) released guidance in September 2006 that addresses motorized dispersed camping. The guidance document issued by R6 is also not as strong as that developed by R3. It acknowledges that travel off designated routes is allowed but should be a site-specific decision rather than a blanket exception to the rule. The R6 guidance further states this exception of allowing cross-country travel will be applied sparingly to avoid undermining the purpose of the rule.

Region 1 (MT, ND, and northern ID and SD) issued guidance in June 2006 that addresses a variety of issues including cross-country travel for dispersed camping. Of all the guidance documents issued by the various regions, this one is the weakest relative to this exception. It recommends using a 300 foot buffer on each side of the road as the starting point for this exception and that Forest Supervisors "may consider alternatives where there is a need to do so, but are not to exceed 300 feet in their designations of travel off route for dispersed camping."

The Humboldt-Toiyabe NF (NV) will be using the travel management planning process to designate routes to access dispersed camping areas and designate a car-width area on the side of the route for people to park their vehicle and walk to access a dispersed campsite. Likewise, the Eldorado NF's (CA) proposed alternative requires vehicles to be parked within one vehicle length from the edge of the route surface so as not to block the roadway, create a safety hazard, or damage vegetation. The Coronado NF

(AZ) has stated that “[d]istance designations, such as our current 300 foot rule, may be considered for specific areas but will be the tool of last choice.”¹ The Coronado’s preferred approach is to defer to the new R3 guidelines that recommend designating sites and the routes leading to them and roadside parking as the preferred methods of accommodating this use. The Mendocino NF (CA) is proposing to designate spur routes to dispersed camping sites through a categorical exclusion. This decision via categorical exclusion is a separate,² but concurrent, action from the more comprehensive motorized vehicle route designation process.²

Off-Route Driving for Motorized Big-Game Retrieval.

R3’s guidance on game retrieval is not as strong as their guidance on dispersed camping. The R3 guidance states that cross-country motorized big-game retrieval should not be allowed when conditions are such that cross-country travel would cause unacceptable natural and/or heritage resource damage. The guidance document directs the forest to consider not allowing off-road driving for big-game retrieval before considering other management schemes such as designating routes that would only be open during the hunting seasons. Other than these management measures, the R3 guidance document is extremely weak on big-game retrieval.

In fact, the R3 document has “additional considerations” specifically for Arizona relative to big-game retrieval that are particularly concerning. The document states that cross-country driving for purposes of game retrieval is acceptable for up to 1-mile from a designated route to collect elk and deer and up to 3 miles for bison.

The guidance document from R1 has the strongest language on this exception, and it states: “Travel off route for big game retrieval is not recommended and must have Regional Forester approval prior to initiating any proposals that consider off route use for this purpose.” Similar to R1, although not identical, the R6 guidance document states that “[n]o off-road motor vehicle travel to retrieve big game will be authorized, except by the Regional Forester. R5 takes a similar, but slightly weaker, approach in its guidance by noting that forests should submit to the Director of Recreation, Wilderness and Heritage proposals for the limited use of motor vehicles to travel off of a designated route for the purpose of retrieval of a downed big-game animal by an individual who has legally taken that animal.

Despite the fact that the regional guidance documents are failing to provide certain direction that cross-country travel for big-game retrieval should be disallowed, many individual forests are prohibiting it, recognizing that driving a short distance such as 300 feet to retrieve game that most often is downed far from the road provides little benefit and may cause significant damage.

The Wallowa-Whitman NF (OR), Sawtooth NF (ID), and Coconino NF (AZ) are examples of forests that have expressed the intent to use the travel planning process to disallow travel off of designated routes to retrieve downed big-game. The Uinta and Fishlake NFs (UT) and Lincoln NF (NM) are examples of forests that currently do not allow travel off of designated routes for big-game retrieval. Lastly, there are several examples of forests in Region 4 (UT, NV, southern ID, and western WY) that are not allowing off-road driving for big-game retrieval. Many forests in R4 did not allow this use before travel planning, so they will continue to not allow this use.

The Resource Implications of Off-Road Driving.

The Southern Rockies Conservation Alliance (SRCA) developed a powerpoint presentation using a number of images and figures produced by R2 (CO, WY, SD, NB, KA) Forest Service staff that shows over time the proliferation of user-created routes related to dispersed camping. This powerpoint presentation has proven compelling in convincing hunting and other recreation organizations that driving

¹ See Coronado National Forest website at <http://www.fs.fed.us/r3/coronado/travel/index.shtml>. Last viewed on October 25, 2007.

² The Mendocino NF is using a categorical exclusion to designate spur routes to dispersed camping sites, which means the forest will not analyze this action in an EA or EIS. Although TWS is currently analyzing whether the Mendocino’s decision to issue a categorical exclusion to designate spur routes for dispersed camping is acceptable, nonetheless, this is an example of a forest eliminating cross-country travel while attempting to provide access for dispersed camping.

off-road to camp or retrieve game should generally not be allowed. A copy of the powerpoint can be found at <http://www.wilderness.org/Library/Documents/upload/MotorVehicleAssistedDispersedCampingNationalForests.ppt>.

Positions taken by the Conservation Community.

In general, conservation organizations engaging in travel management planning have been advocating for the disallowance of off-route driving for the purposes of dispersed camping and big game retrieval. Note that these groups generally support the allowance of dispersed camping adjacent to designated routes, but do not support cross-country driving to access the dispersed campsites. Instead, they have advocated that a forest can designate short camping spurs and/or specific routes to access dispersed camping sites and the forest can allow roadside parking within one vehicle length from the edge of the road surface when it is safe to do so, does not result in damage to forest resources, and is not disallowed in forest-specific orders or plans. Examples of conservation community positions can be found at:

- http://www.wilderness.org/Library/Documents/upload/TMPLetter_Region5.pdf -- A letter written by a coalition of California conservation groups;
- http://www.wilderness.org/Library/Documents/upload/TMPLetter_Region2.pdf -- A letter written by a coalition of conservation organizations in CO suggesting that the Region develop a methodology and timeframe for forests to designate spurs and sites appropriate for dispersed camping; and
- http://www.wilderness.org/Library/Documents/upload/DispersedCampingPolicy_SRCA.pdf -- A policy written by a coalition of CO organizations on off-road driving for dispersed camping and game retrieval.