

## **Emerging Issues and Changing Social Values Toward Forest Activities Item 27**

**OBJECTIVE:** To identify emerging issues and changing social values toward Forest activities.

**DATA SOURCE:** Personal contacts, letters, meetings and other public comments, social assessments, surveys.

**FREQUENCY:** 100 percent annually.

**REPORTING PERIOD:** 1987 through 2010.

**VARIABILITY:** Any change in the major planning issues.

### **EVALUATION & MONITORING RESULTS:**

In January 2004, an Analysis of the Management Situation (AMS) was prepared for the Forest. This document summarized the public uses and condition of the land as well as identified what should be changed in the 1987 Forest Plan. The needed changes became the basis for our Forest Plan revision process. Findings from previous Forest Plan reviews were incorporated into the 2004 AMS.

#### **Fire, Fuels, and People**

In August 2000, President Clinton directed the Secretaries of Agriculture and the Interior to develop a response to severe wildland fires, reduce fire impacts on rural communities, and ensure sufficient firefighting capacity in the future. Congress in turn mandated implementation of the resulting National Fire Plan through its appropriation actions and written direction. The National Fire Plan addresses conditions that have evolved over many decades and cannot be reversed in a single year. It is a long-term commitment based on cooperation and communication among federal agencies, states, local governments, tribes, and interested publics. The federal wildland fire management agencies worked in close consultation with states, governors, and interested partners to prepare a 10-Year Comprehensive Strategy for implementation of the National Fire Plan. More information on the National Fire Plan can be found at the internet site <http://www.fireplan.gov/>

President Bush proposed the Healthy Forests Initiative in August 2002, and directed federal agencies to develop several administrative and legislative tools to restore these ecosystems to healthy, natural conditions and assist in executing core components of the National Fire Plan. These tools will also move forward the Implementation Plan for the 10-year Comprehensive Strategy.

On December 3, 2003, President Bush signed the Healthy Forests Restoration Act of 2003. The Healthy Forests Restoration Act of 2003 (P.L. 108-148) contains a variety of provisions to expedite hazardous fuel reduction and forest restoration projects on specific types of Federal land that are at risk of wildland fire or insect and disease epidemics.

The issue of reducing fuels, particularly within the wildland-urban interface has been an overriding public focus since the 2000 fires. The Bitter Root Resource Conservation and Development Area, Inc. facilitated the development of a Community-Based Wildland Fire Risk Mitigation Plan, or "Community Fire Plan" for Ravalli County (<http://www.bitterrootfireplan.org/>). Diverse groups of Valley residents met repeatedly during the winter of 2002-2003 to prioritize potential actions to address the most pressing issues that affect the Valley's ability to reduce the risks associated with wildland fires. The strategy is a cooperative effort of volunteer fire chiefs, county officials, conservationists, community-based non-profit organizations, realtors, tourism and timber industry leaders, federal and state land managers, business people, and interested residents. The resulting Community Fire Plan reflects consensus among those who participated in its development and among those who, by signing, support the approaches outlined within. The protection of private homes and property in the interface will continue to be an important social and ecological consideration in Plan revision.

Fire fighter fatalities such as those that occurred on the South Canyon Fire (1994) Thirty Mile Fire (2001) and the Esperanza Fire (2006) as well as a Bitterroot National Forest fire fighter fatality in 2001 have stimulated an increased emphasis on fire fighter safety, accountability, and liability in recent years.

The increasing costs of fighting wildfires reached a critical point in 2006 when a record \$1.5 billion was spent on fire suppression nationally. Fire suppression costs are consuming an increasing percentage of the agency's budget making it more difficult to finance other land management programs. This issue is receiving attention at both the state and national levels and will likely result in changes in how fires are managed.

### **Wilderness Dams**

There are 16 privately owned dams within the Selway-Bitterroot Wilderness (SBW). All of the dams were built prior to wilderness designation, and six were built prior to reservation of the national forest. While many of the issues surrounding management of these easements and special use authorizations are not new, several factors have increased the focus and controversy in recent years.

In managing the Selway-Bitterroot Wilderness dams, Forest Service line officers have dual, and sometimes competing, responsibilities. They are required to protect the wilderness character while also ensuring, from a regulatory standpoint, that these dams are maintained in a safe condition. Dam owners, on the other hand, have certain rights and responsibilities for access, operation and maintenance of their facilities. Limits of line officer discretion and the reasonableness of conditions placed on access, operations, and reconstruction are constantly debated both internally and externally. As a result, consistent, predictable, and timely decisions are difficult to achieve.

### **Travel Planning**

Over the past few decades, the availability and capability of OHVs has increased tremendously. More Americans are enjoying access and recreational opportunities on their national forests and grasslands, in keeping with the Forest Service's multiple use mandate. However, the increase in OHV use also affects soil, water, wildlife habitat, and other recreational visitors. Today unmanaged recreation, including impacts from off-highway vehicles, represents one of four key threats facing the nation's forests and grasslands.

In 2005, the Forest Service published a new rule for providing motor vehicle access to national forests and grasslands.

#### **Highlights of the Rule**

- The rule requires each national forest or ranger district to designate those roads, trails, and areas open to motor vehicles.
- Designation will include class of vehicle and, if appropriate, time of year for motor vehicle use. A given route, for example, could be designated for use by motorcycles, ATVs, or street-legal vehicles.
- Once designation is complete, the rule will prohibit motor vehicle use off the designated system or inconsistent with the designations.
- Designation decisions will be made locally, with public input and in coordination with state, local, and tribal governments.
- Designations will be shown on a motor vehicle use map. Use inconsistent with the designations will be prohibited.

The Bitterroot National Forest began its Travel Planning process in late 2007. More than 10,000 public comments were received on the starting point document that was released to the public. The Forest is currently working on reviewing and cataloguing comments into key points and concerns. Once this is complete, the Forest will continue to work with the public in developing alternatives and drafting an Environmental Impact Statement.

Prior to March 27, 2013, the Forest Service used two administrative review processes for environmental analysis. The first was the appeal procedures found at 36 CFR 215. The second was the objection procedures found at 36 CFR 218 - this pre-decisional procedure applied only to hazardous fuels reduction projects authorized under the Healthy Forests Restoration Act.

After the March date, the 218 regulations were amended to allow for all EA's and EIS's to be subject to the 218 pre-decisional review process and categorically excluded projects were no longer subject to either appeal or objection. When the Forest Service moved from a post-decisional appeal process to a pre-decisional objection process similar to what was used for Healthy Forests Restoration Act projects (HFRA) the intent was to continue the collaborative process for a longer time period until the decision was made. Now the Decision Notice or Record of Decision is made (or signed) after the Reviewing officer has responded to all objections, and concerns have been addressed.

## Law Enforcement Efforts on the Bitterroot National Forest

**OBJECTIVE:** To monitor law enforcement problems and trends.

**DATA SOURCE:** Law Enforcement & Investigations Management and Records System (LEIMARS).

**FREQUENCY:** Annually.

**REPORTING PERIOD:** 2010-2013

**EVALUATION AND MONITORING RESULTS:**

**Fiscal Year 2010**

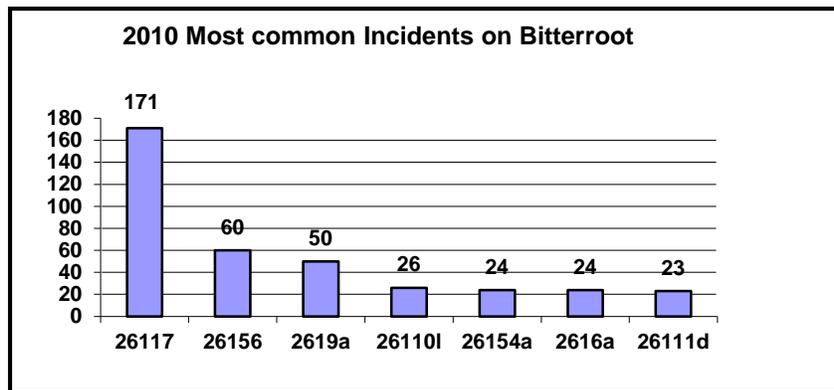
There were 502 recorded law enforcement incidents on the Bitterroot NF in 2010. Law Enforcement Officers wrote 156 warning notices, 255 incident reports and 91 violation notices. Many of the incidents occurred with no identifiable witnesses or too little information for a complete investigation. The chart below lists the most common incidents reported in 2010.

Failure to pay a recreation fee is the most common incident with 95 warning notices, 26 incident reports and 50 violation notices written.

Damage to resources by vehicle use off roads and dumping on the forest continue to be the major law enforcement problems. Use of vehicles off road has created new trails and caused erosion in some areas.

Garbage dumps on the forest make some areas unsightly and are expensive to clean up.

**Figure 1 – Most Common Incidents on the Bitterroot National Forest in 2010**



**261.17** – Failing to pay any fee.

**261.56** – When provided by an order, it is prohibited to possess or use a vehicle off NFS roads.

**261.9a** – Damaging any natural feature or other property of the United States.

**261.10I** – Violating any term or condition of a special-use authorization when such authorization is required.

**261.54a**- Using any type of vehicle prohibited by the order.

**261.6a**- Cutting or otherwise damaging any timber, tree, or other forest product.

**261.11d** – Failing to dispose of all garbage, including any paper, can bottle, sewage, waste water, or material.

**Fiscal Year 2011**

In 2011, there were 339 recorded law enforcement incidents on the Bitterroot NF. Law Enforcement Officers wrote 33 Warning Notices, 174 Incident reports and 132 Violation Notices. Many of the incidents occurred with no

identifiable witnesses or too little information for a complete investigation. The chart below lists the most common incidents reported in 2011.

Failure to pay a recreation fee is the most common incident with 9 Warning Notices, 31 Incident Reports and 105 Violation Notices written.

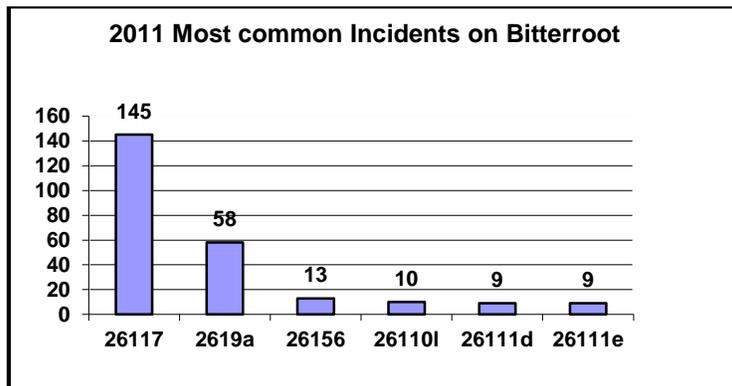
Damage to Forest gates, locks and trees are a common incident in 2011.

Damage to resources by vehicle use off roads and dumping on the forest continue to be one of the major law enforcement problems. Use of vehicles off road has created new trails and caused erosion in some areas.

Violating terms of a special use permit is also a common incident. For example this could be violating terms of a wood permit, mushroom permit, etc.

Garbage dumps on the forest make some areas unsightly and are expensive to clean up.

**Figure 2 - Most Common Incidents on the Bitterroot National Forest in 2011**



**26117** – Failing to pay any fee.

**2619a** – Damaging any natural feature or property of the United States.

**26156** – When provided by an order, to possess or use a vehicle off National Forest System roads.

**26110l** – Violating any term or condition of a special use authorization.

**26111b** – Possessing or leaving refuse, debris, or litter in an exposed or unsanitary condition.

**26111d** – Failing to dispose of all garbage, including any paper, can bottle, sewage, waste water, or material.

### **Fiscal Year 2012**

There were 258 recorded law enforcement incidents on the Bitterroot NF in 2012. Law Enforcement Officers wrote 45 Warning Notices, 95 Incident reports and 118 Violation Notices. Many of the incidents occurred with no identifiable witnesses or too little information for a complete investigation. The chart below lists the most common incidents reported in 2012.

Failure to pay a recreation fee is the most common incident with 3 Warning Notices, 1 Incident Report and 77 Violation Notices written.

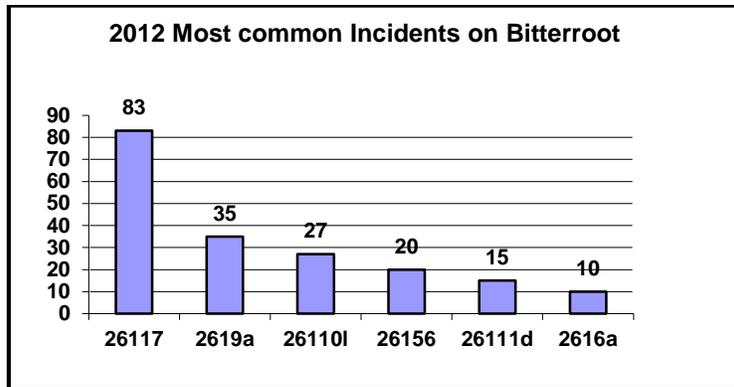
Damage to Forest gates, locks and trees are a common incident in 2012.

Damage to resources by vehicle use off roads and dumping on the forest continue to be one of the major law enforcement problems. Use of vehicles off road has created new trails and caused erosion in some areas.

Garbage dumps on the forest make some areas unsightly and are expensive to clean up.

Cutting or otherwise damaging any timber or tree is another common incident in 2012.

**Figure 3 - Most Common Incidents on the Bitterroot National Forest in 2012**



- 26117** – Failing to pay any fee.
- 2619a** – Damaging any natural feature or property of the United States.
- 26110l** – Violating any term or condition of a special use authorization.
- 26156** – When provided by an order, to possess or use a vehicle off National Forest System roads.
- 26111d** – Failing to dispose of all garbage, including any paper, can bottle, sewage, waste water or material.
- 2616a** – Cutting or otherwise damaging any timber or tree.

**Fiscal Year 2013**

In 2013 there were 190 recorded law enforcement incidents on the Bitterroot NF. Law Enforcement Officers wrote 26 Warning Notices, 91 Incident reports and 73 Violation Notices. Many of the incidents occurred with no identifiable witnesses or too little information for a complete investigation. The chart below lists the most common incidents reported in 2013.

Failure to pay a recreation fee is the most common incident with 3 Warning Notices, 1 Incident Report and 77 Violation Notices written.

Damage to resources by vehicle use off roads and dumping on the forest continue to be one of the major law enforcement problems. Use of vehicles off road has created new trails and caused erosion in some areas.

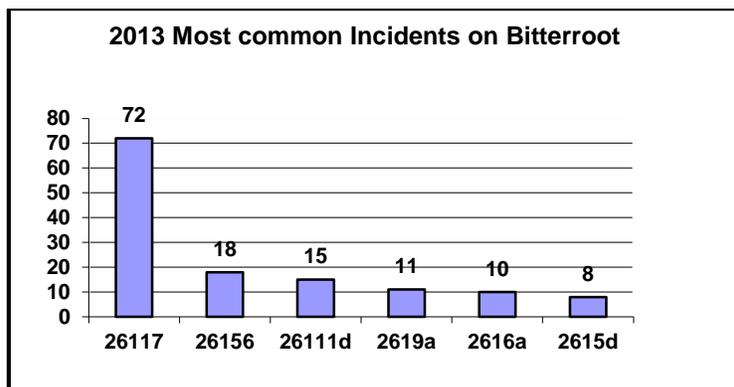
Garbage dumps on the forest make some areas unsightly and are expensive to clean up.

Damage to Forest gates, locks and trees are a common incident in 2013.

Cutting or otherwise damaging any timber or tree is another common incident in 2013.

Leaving a fire without completely extinguishing it is another common incident.

**Figure 4 - Most Common Incidents on the Bitterroot National Forest in 2013**



- 26117** – Failing to pay any fee.
- 26156** – When provided by an order, to possess or use a vehicle off National Forest System roads.

**26111d** – Failing to dispose of all garbage, including any paper, can bottle, sewage, waste water or material.

**2619a** – Damaging any natural feature or property of the United States.

**2616a** – Cutting or otherwise damaging any timber or tree.

**2615d** – Leaving a fire without completely extinguishing it.