



United States
Department of
Agriculture

Forest Service

Pacific Northwest
Region

December 2009



RECORD OF DECISION

Motorized Vehicle Use on the Rogue River-Siskiyou National Forest



Vicinity Map



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RECORD OF DECISION

MOTORIZED VEHICLE USE ON THE ROGUE RIVER-SISKIYOU NATIONAL FOREST FINAL ENVIRONMENTAL IMPACT STATEMENT

**Pacific Northwest Region
Rogue River-Siskiyou National Forest**

***Douglas, Klamath, Jackson, Curry, Coos,
and Josephine Counties in Oregon
Del Norte and Siskiyou Counties in California***

December 2009

Lead Agency: USDA Forest Service
Rogue River-Siskiyou National Forest

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***Record of Decision
MOTORIZED VEHICLE USE
ON THE ROGUE RIVER-SISKIYOU NATIONAL FOREST***

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RECORD OF DECISION

MOTORIZED VEHICLE USE ON THE ROGUE RIVER-SISKIYOU NATIONAL FOREST

INTRODUCTION

As the Responsible Official, **it is my decision to select and authorize Alternative 5** as described in the Final Environmental Impact Statement (FEIS) for Motorized Vehicle Use on the Rogue River-Siskiyou National Forest **without modification**. This Record of Decision (ROD) documents my decision and rationale for Motorized Vehicle Use on the Rogue River-Siskiyou National Forest. My decision and findings are based on the Final Environmental Impact Statement for Motorized Vehicle Use on the Rogue River-Siskiyou National Forest, dated November 2009, which documents the results of an environmental analysis of four Action Alternatives and a No Action alternative. The FEIS was prepared by a Forest Service interdisciplinary team and is available on the Rogue River-Siskiyou National Forest website: www.fs.fed.us/r6/rogue-siskiyou/projects/planning/index.shtml.

Background

On November 9, 2005, the Final Rule for Travel Management: Designated Routes and Areas for Motor Vehicle Use (Travel Management Rule) was published in the Federal Register. This affects Title 36 Code of Federal Regulations (CFR) Parts 212, 251, 261, and 295. These rules became effective in December 2005. The Travel Management Rule revises several regulations to require identification of roads, trails, and areas for motor vehicle use on National Forests and National Grasslands.

Highlights of the Travel Management Rule include:

- Each National Forest or Ranger District will designate those roads, trails, and areas open to motorized vehicles; the class of vehicle and, if appropriate, season of use for motor vehicle.
- Once the designation process is complete, the Rule will prohibit motor vehicle use off the designated system or use that is inconsistent with the designations.
- Decisions are to be made locally, with public input and in coordination with state, local, and tribal governments.

The need to move quickly to complete the designation process was recognized early and broad spectrums of interest groups support this goal. In order to expedite and avoid process gridlock, route and area identification has focused on the change from the current situation. A tightly focused process was enacted that does not aim to solve all travel management issues at once.

Purpose and Need for Action

The *purpose* for action is to enact the Travel Management Rule. Motorized use is popular and an important form of recreation for many individuals, families, and groups. A designated and managed system is *needed* to provide this use. Increased demand for motorized use, lack of designated areas/routes, and the inconsistent direction contained in the Forest Plans, has led to resource damage and social impacts, user conflicts, and safety concerns (FEIS I-6).

THE DECISION

As the Responsible Official, **it is my decision to select and authorize Alternative 5 (the Preferred Alternative)** as described in the FEIS for Motorized Vehicle Use on the Rogue River-Siskiyou National Forest **without modification**. This Decision is fully described in the following sections of this ROD. Also refer to **ROD Attachment C – Alternative 5 Map**.

Description of Alternative 5

Alternative 5 was developed from the results of analysis of the Action Alternatives analyzed in detail in the Draft EIS and the extensive comments received on the Draft EIS during the Comment Period. My decision to select Alternative 5 will provide for a designated and managed system, enact changes to reduce existing resource damage from motorized use, and reduce social impacts, user conflicts and safety concerns.

By selecting Alternative 5 (the Preferred Alternative), the Forest will:

- Formally designate approximately 3,176 miles of road where mixed use will be allowed. Mixed use is defined as designation of a National Forest System (NFS) road for use by both highway-legal and non-highway-legal motor vehicles.
- Construct one motorized trail to provide loop route opportunities (approximately 1.2 miles).
- Convert approximately 10 miles of NFS roads to motorized trails.
- Prohibit public motorized use on approximately 7 miles of roads and 37 miles of trail currently open to motorized use in order to minimize or reduce resource damage.
- Enact Forest Plan Amendments to make the plans consistent with the Travel Management Rule. Two separate Forest Plans guide the Rogue River-Siskiyou National Forest (RRSNF).
- Designate approximately 20 acres where motorized cross-country travel will be allowed. Prohibit all other cross-country motorized travel.

Table ROD-1. Alternative 5 Summary and Change from the Current Condition

Roads and Trails	Current Condition	Alternative 5	Change
Total NFS Roads	5,311 miles		
NFS Roads "open" to the public	4,537miles	4,530 miles	-7 miles
Open roads that allow mixed use	3,208 miles	3,176 miles	-32 miles
Open roads that prohibit mixed use	1,329 miles	1,361 miles	+32 miles
Total NFS Trails	1,199 miles	1,211 miles	+12 miles
NFS Trails that allow motorized use	255 miles	230miles	-25miles
New trail construction		1.2 miles	
Convert ML1 road to trail		10 miles	
Total area open to cross country travel	274,670 acres	20 acres	

Forest-wide Elements of Alternative 5

The Forest Service developed the following strategies to be used as part of Alternative 5 to improve implementation of the designated route system for motorized use:

- Produce a primary Motor Vehicle Use Map (MVUM) following national Forest Service standards that indicates which routes and areas are designated open to the public by type of vehicle per route and season open for use. This map will also identify areas where off-road travel for dispersed camping will be allowed. Authorized use, use restrictions, and operating conditions will be revised in future decisions as needed to meet changing conditions or management strategies (adaptive management).
- Provide clear, consistent, and adequate signage that identifies routes designated open by type of vehicle per route and season open for use corresponding to the public MVUM and local travel map. Signing of dead-end routes leading to/stopping at rivers, streams, meadows, and other sensitive resources will be a priority to help protect resources from public wheeled motor vehicle damage.
- Development of a public education strategy is desirable that may include public meetings, workshops, and other forums to educate forest users about the designated route system, to assist the public with reading the MVUM, to educate Forest users about the potentially adverse effects of their activities, and to discuss how the public can help with implementation of the designated system by volunteering for maintenance activities, enforcement of the rules, and education of other forest users.

Access for permitted activities (such as livestock operations, maintenance of water developments, utility maintenance, timber management or harvest activities, ski area management, outfitter-and-guide operations, forest product gathering, and special events) on National Forest System land is independent of general public access. Individuals or groups with special permits will be allowed to conduct their business according to conditions outlined in their permits. If a permit does not stipulate exemptions to the Forest's travel regulations, the general travel regulations will apply.

Title 36 CFR §228, Subpart A, Locatable Minerals, outlines rules and procedures through which the use of the surface of NFS lands in connection with operations is authorized by the mining laws (30 U.S.C. 2 1-54). Implementation of the Travel Management Rule will not affect access that is reasonably incidental to mining.

Except in Wilderness and other congressionally designated special areas, the following are exempt from prohibitions associated with each alternative when granted by the District Ranger or Forest Supervisor:

- Limited administrative use by the Forest Service
- Use of any fire, military, or law enforcement vehicle for emergency purposes
- Authorized use of any combat or combat support vehicle for national defense purposes
- Law enforcement response to violations of law, including pursuit (Note: emergency access and law enforcement pursuit does not necessarily require permission from the Forest Supervisor).
- Use and occupancy of National Forest System lands and resources pursuant to a written authorization issued under Federal law or regulations.

Parking a motor vehicle on the side of the road, when it is safe to do so without causing damage to NFS resources or facilities, is allowed under my decision, unless prohibited by State law, a traffic sign, or an order (36 CFR 261.54). NFS roads include all trailheads, parking lots, terminal facilities¹, and turnouts associated with NFS roads. The “side of the road” is defined as that area within one vehicle length, not to exceed 20 feet, from the edge of the road surface. Parking on the side of the road may not damage the land, vegetation, or streams and no vegetation (live or dead) may be cut (FEIS page II-15).

It is well recognized that National Forests have historically provided camping opportunities outside of developed campgrounds. This type of dispersed motorized use has historically occurred adjacent to open roads, adjacent to bodies of water, and at the termini of roads and trails. Under my decision, motor vehicle travel will not be allowed off of any designated motor vehicle route, except where designated to travel to and from a dispersed camping site. Specific areas where motorized off-road travel for the purpose of dispersed camping will be allowed will be displayed on the forthcoming MVUM (not included with this ROD). The use of established motorized routes to traditional dispersed campsites where no resource damage is occurring will continue.

Under my decision, off-road motorized travel for dispersed camping will be prohibited within Botanical Areas, Research Natural Areas, or other areas deemed to have high resource values. Current closures will remain in effect for specific areas (i.e., Big Butte Springs Watershed, Ashland Watershed). In addition, off-road motorized travel for dispersed camping will be prohibited within ¼ mile (1,320 feet) of any potable water source or developed campgrounds.

Access to designated gravel bars located along the lower Rogue, lower Illinois, Chetco, and Elk Rivers will be permitted. The Rogue River gravel bars include: Smith Orchard, Foster, Miller/Dunkelberger, Quosatana, Lobster Creek, and Hawkins. The one Illinois River gravel bar is located in the vicinity Oak Flat Campground. The Chetco River gravel bars include: Miller, Nook, Redwoods, and South Fork (upper and lower). All of these gravel bars are located on the Gold Beach Ranger District. The Elk River gravel bars are unnamed and include five bars located between the river and Road 5325 on the Powers Ranger District.

At no time may any transportation use take place that would cause unacceptable resource damage. Additional site-specific closures and seasonal restrictions (such as emergency fire closures or where unexpected resource damage is occurring) may be implemented on a case-by-case basis for management, wildlife, and resource protection through authorized travel orders.

Off-road motorized travel for game retrieval is prohibited.

New additional text, specific to each respective Forest Plan for the Rogue River-Siskiyou National Forest, will amend current management direction for motorized vehicle use. Amendments to the Rogue River and Siskiyou Land and Resource Management Plans will provide consistency with the 2005 Travel Management Rule. All roads and trails and areas will be closed to motorized use unless designated as open.

¹ Terminal facilities are defined as a transfer point between the Forest transportation system and forest resources served by the system, or between different transportation modes, including parking facilities, boat ramps, trailheads, log landings, and airfields.

Since motorized use includes OHV use, this decision will repeal the 1989 and 1990 Off-road Vehicle Management Plans, contained as appendices to the respective Forest Plans, to be replaced with the Motorized Vehicle Use Map.

District Specific Elements of Alternative 5

Powers Ranger District Elements

Motorized use will be prohibited on the 1-mile Big Tree Trail (#1150) south of Powers near the South Fork Coquille River.

Gold Beach Ranger District Elements

An amendment to the Siskiyou Land and Resource Management Plan to make motorized use of portions of the Game Lake Trail (#1169), the Lawson Creek Trail (#1173), the Illinois River Trail (#1161), the Silver Peak Hobson Horn Trail (#1166), and two unnamed connector trails consistent with Standards and Guidelines for the allocations through which it passes (Backcountry Recreation). See **ROD Attachment A** for actual changes to the wording of the Forest Plan Standards and Guidelines.

Motorized mixed use will be prohibited on approximately 12.5 miles of road where it is currently authorized on portions of Roads 1376010, 1376011, 1376012, 1376013, 1376014, 1376015, 1376019, 1376902, 1376906, and 1376908.

Motorized use will be prohibited on approximately 14.2 miles of trail that include 6.9 miles on the Game Lake Trail (#1169), 4.1 miles on the Lawson Creek Trail (#1173), and 3.2 miles on a portion of the Illinois River Trail (#1161).

Convert approximately 9.3 miles of roads currently designated as Maintenance Level 1 to motorized trails. These roads are located in the upper Lawson Creek drainage near Fairview Mountain (3.7 miles on portions of Roads 3680351, and 3680353), near Signal Butte in the Hunter Creek drainage (3.9 miles on portions of Roads 3313103, 3680190, 3680195, and 3680220) and the Kimball Hill area in the Quosatana Creek drainage (1.7 miles on Road 3313117).

Motorized use will be prohibited on approximately 0.8 miles of trail (#1164) in the Woodruff Meadow area.

Approximately 500 feet of paved road will be designated for motorized mixed use on a portion of Road 2308 (Burnt Ridge Road).

Wild Rivers Ranger District Elements

Route-specific Forest Plan Amendments: An amendment to the Siskiyou Land and Resource Management Plan will make Standards and Guidelines for Management Area 3² consistent with current and historical motorized use of the Boundary Trail (#1207). See **ROD Attachment A** for actual changes to the wording of the Forest Plan Standards and Guidelines.

² The area that is the subject of this plan amendment is a recommended Research Natural Area (RNA). Formal designation as an RNA must be approved by the Chief of the Forest Service following preparation of an Establishment Record. Siskiyou National Forest Land and Resource Management Plan, page IV-81)

Motorized use will be prohibited on approximately 10.2 miles of road where it is currently authorized on portions of Roads 4400445, 4400459, 4400460, and 4400480.

Motorized mixed use will be prohibited on approximately 11.9 miles of road where it is currently authorized on portions of Roads 4201029, 4201881, 4300011, 4300910, and 4300920.

Motorized use will be prohibited on approximately 6.4 miles of road to public use including portions of Roads 4300011, 4300910, 4300920, 4300925, 4201016, and 4103011.

Convert approximately 0.3 miles of Road 2509640, currently designated as a Maintenance Level 1 road, to a motorized trail.

Motorized use will be prohibited on approximately 0.6 miles of Road 2600050.

Motorized use will be prohibited on approximately 1.9 miles of trail that currently allows motorized use on the Silver Lake Trail (#1184) and on approximately 11.1 miles of trail that currently allows motorized use on portions (or entirely) of the following trails: Taylor Creek (#1142), Big Pine Spur (1142A), Onion Way (#1181), Secret Way (#1182), Secret Way Spur (1182A), and Swede Creek (#1135).

Motorized use will be prohibited on approximately 4.1 miles of trail that currently allows motorized use on portions (or entirely) of the following trails: Mt. Elijah(#1206), Bigelow Lake (#1214), Bolan Lake (#1245), and Kings Saddle (#1245A).

Siskiyou Mountains Ranger District Elements

An amendment to the Rogue River Land and Resource Management Plan to make motorized use of the Boundary Trail (#1207), O'Brien Creek Trail (#900), Sturgis Fork Trail (#903) consistent with Standards and Guidelines for the allocations through which it passes. See **ROD Attachment A** for actual changes to the wording of the Forest Plan Standards and Guidelines.

Motorized use will be prohibited on approximately 3.8 miles of the Horse Camp Trail (#958) that currently allows motorized use.

Construct and relocate approximately 1.5 miles of the Penn Sled Trail (#957) east of Applegate Lake that would allow motorized use for Class III vehicles.

High Cascades Ranger District Elements

There will be no changes on the High Cascades Ranger District.

Mitigation Measures, Monitoring, and Implementation Strategy

The Forest Service is required by the Council on Environmental Quality (CEQ) Regulations for implementing the procedural provisions of NEPA to identify relevant, reasonable mitigation measures that could improve the project. Mitigation, as defined in the CEQ Regulations (40 CFR 1508.20) includes: 1) Avoiding the impact altogether by not taking a certain action or parts of an action, 2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation, 3) Rectifying or eliminating the impact over time by preservation and maintenance operations during the life of the action, 4) Compensating for the impact by replacing or providing substitute resources or environments, and 5) Rectifying the impact by repairing, rehabilitating or restoring the affected environment.

In accordance with NEPA implementing regulations, practical means to avoid or minimize environmental harm from the alternative selected have been adopted (CFR 1505.2). Required Mitigation Measures identified in **ROD Attachment B** are specific to my decision to implement actions identified in this Record of Decision. Standards and Guidelines and mitigation measures identified in the Rogue River and Siskiyou National Forest Land and Resource Management Plans, as amended by the Northwest Forest Plan are also incorporated by reference as required measures.

Authorized use of designated roads and trails will continue to be monitored. Current monitoring includes surveys of road and trail conditions by road engineers and recreation specialists on a regular basis. Monitoring will include an evaluation of consistency with the Rogue River and Siskiyou National Forest Land and Resource Management Plans and compliance with these travel management decisions, including any required mitigation measures.

Monitoring will also identify potential effects on the following, with the objective of minimizing: (1) damage to soil, watershed, vegetation, and other forest resources; (2) harassment of wildlife and significant disruption of wildlife habitats; (3) conflicts between motor vehicle use and existing or proposed recreational uses of National Forest System lands or neighboring Federal lands; and (4) conflicts among different classes of motor vehicle uses of National Forest System lands or neighboring Federal lands (36 CFR 212.55).

Designations will be revised as needed to meet changing conditions (36 CFR 212.54). Revisions to designations, including revisions to vehicle class and time of year, will be made in accordance with FSM 7712, 7715, and 7716.

When a designated route is temporarily closed for more than 1 year, the MVUM will be updated to reflect the closure. When the route is reopened, the MVUM will be updated to reflect the reopening. No additional travel or environmental analysis is required to support these temporary changes, which do not affect the underlying designation.

DECISION RATIONALE

During the travel planning efforts, I have gained an increased understanding and appreciation for the complexities and controversy surrounding travel management on the Rogue River-Siskiyou National Forest. For all Action Alternatives analyzed, the Preferred Alternative (Alternative 5) best meets the stated Purpose and Need for the Travel Management Rule and best addresses the environmental and social issues identified in Chapter I (FEIS pages I-14 to I-17). I thoroughly considered the site specific public comments and resource issues identified through the planning process and made a commitment to strike a balance between the various motorized and non-motorized uses, while assessing whether my decision would inadvertently cause or perpetuate any adverse impacts on the natural and cultural resource values across the Rogue River-Siskiyou National Forest. I recognize that no single user or group will completely agree with my decision, but I do hope they can appreciate that their comments and concerns have been heard and considered in context of all the comments and resource issues associated with travel management on the Rogue River-Siskiyou National Forest.

By selecting Alternative 5, use on the Forest will in many ways continue as it has in the past. Users will continue to be able to camp in both dispersed and developed recreation sites. Under different authorizations and permitting, users will be able to continue to collect firewood, harvest Christmas trees, conduct mining, grazing and timber operations, and conduct other authorized uses on the Forest. Work associated with these activities will continue as they do now, through operating plans, plans of operation, special use authorizations, and established authorization processes.

Alternative 5 was developed based on input received on the Draft EIS and reflects the most inclusive integration of site-specific comments received from our diverse forest recreational users. Alternative 5 provides for a diversity of motorized and non-motorized opportunities in a manner that reduces the potential for conflict between uses, improves public safety and maintains and protects important natural and cultural resource values. Some comments brought to our attention some environmental conditions that required additional analysis. Examples included management for controlling root disease for Port-Orford Cedar (FEIS pages III-79 through III-88) and the presence of naturally occurring asbestos (NOA) in serpentine soils (FEIS pages III-63 through III-68) and its possible impact to public health and safety.

Again, these points coupled with the on-the-ground knowledge of District specialists, field visits of areas across the Forest to ground-truth environmental concerns raised by the public, updating the baseline mapping—allowed me to have a high degree of confidence that Alternative 5 adequately and responsibly addresses the environmental issues associated with implementing the Travel Management Rule.

I evaluated all alternatives and compared them to Forest Plan goals, objectives and resource standards, existing environmental conditions, and historical use and determined that Alternative 5 best addressed the broad range of environmental concerns.

My determination that the amendments to the Rogue River and Siskiyou Forest Plans are non-significant is appropriate. This determination is based on the findings that these amendments will not change multiple use goals and objectives for long-term management nor will they directly affect levels of goods and services (FEIS pages III-149 to IV-155).

Comments and minor mapping errors, identified through the public and internal review of the FEIS, have been captured and documented in Appendix A of the FEIS. I do not expect road and trail management objectives to remain static over time. Necessary changes or alterations to travel management will continue across the Forest through site specific project analyses and continued public collaboration and feedback. The Travel Management Rule recognizes that designations to travel routes are not permanent and that unforeseen environmental impacts, changes in public demand, or monitoring may lead to responsible officials revising designations and 36 CFR 212.54 provides for revision of designations as needed to meet changing conditions.

I choose the Preferred Alternative (Alternative 5), because it is the most responsive and balanced in addressing the environmental and social issues raised during the entire travel management process while meeting the purpose and need of the Motorized Vehicle Use on the Rogue River-Siskiyou National Forest and the intent of the Travel Management Rule.

Response to Purpose and Need (FEIS III, D)

As stated above, I selected the Preferred Alternative because, as discussed below, it achieves the stated Purpose and Need to a high degree, while minimizing adverse environmental effects. Mitigation Measures will provide a strong combination of physical, biological, social, and environmental benefits while reducing adverse resource effects to a level I consider acceptable.

Enact the Travel Management Rule

Alternative 5 will lead to the publication of a MVUM which will enact the Travel Management Rule. This will be accomplished via Forest-wide Plan Amendments that allow the MVUM to be the basis of allowable motorized use for roads, trails and areas.

Provide a Designated and Managed System for Motorized Use

Alternative 5 provides for a managed system of motorized use and authorizes the issuance of citations for use not in accordance with the MVUM.

Provide Consistent Direction in the Forest Plans

Alternative 5 enacts site-specific Plan Amendments to provide for clear and consistent direction in the Forest Plans. These site-specific amendments are associated with the Lawson Creek, Game Lake, Lower Illinois, and Silver Peak Hobson Horn Trails and with the Boundary Trail and associated connecting trails, along the ridge associated with the boundary of the Rogue River and Siskiyou National Forests. These amendments are necessary to allow the Forest Plans to provide consistent direction so that these trails will continue to be authorized for motorized use.

Response to Significant Issues

NEPA requires Federal agencies to focus analysis and documentation on the significant issues related to a proposed action. The Interdisciplinary Team, with my involvement and approval, identified the following as the Significant Issues associated with the Proposed Action and analysis presented in the FEIS (pages I-14 through I-15). These Significant Issues have served as the basis for developing and comparing alternatives.

Water Quality and Erosion (FEIS page III-6)

Under Alternative 5, there will be only minor amounts of new ground-disturbing activities and there will be no creation of new impervious areas. On the watershed scale, these changes would be immeasurable. At the 6th field subwatershed scale, the risk for cumulative effects would not change as a result of limiting public access or converting roads to motorized trails under Alternative 5.

The reasons for this conclusion include the elimination of cross-country travel in Alternative 5, which will improve subwatershed conditions in those areas where cross-country travel is currently occurring and thus reduce the risk for adverse cumulative effects.

Botanical Areas and Special Plant Habitats (FEIS page III-17)

Alternative 5 is expected to maintain or reduce effects from motorized use. This will include a reduction in miles of routes open for public wheeled motor vehicle use adjacent to botanical and special plant habitats, and the prohibition of cross-country travel will further reduce potential effects to botanical resources.

Public Safety (FEIS page III-20)

Activities described under Alternative 5 will not increase threats to public safety because the Rogue River-Siskiyou National Forest will follow Oregon and California State law and engineering analysis of mixed use. Though the volume of traffic may increase slightly in the foreseeable future, the change in composition of the traffic and the distribution of these vehicles is not expected to be noticeable. The majority of roads on the Rogue River-Siskiyou National Forest are designed for low speeds and have low levels of traffic use.

Although safety of National Forest users is always a concern, motorized vehicle use designation will not eliminate all hazards, either on roads, trails, or within areas. Route designation by itself will not affect public safety. Road and trail hazards are addressed through regular maintenance, not by designation. It is not uncommon for hazards to exist outside of the motor vehicle travel-way. Therefore, a safe experience for all users (motorized and non-motorized) cannot be guaranteed.

Motorized Opportunities (FEIS page III-24)

As the number of users on National Forests and differing types of use continue to increase, there is a potential that user conflicts will also increase. However, motorized roads and trails will be administratively defined and published on a motor vehicle use map (MVUM) under Alternative 5. Recreationists will be able to better plan recreational pursuits based on an individual's unique expectations and desires. As a result, the frequency of user conflicts between non-motorized and motorized recreation users will likely decrease in the short and long terms.

Roadless Character within Inventoried Roadless Areas (FEIS page III-39)

All Inventoried Roadless Areas (IRAs), identified in Appendix C of the Land and Resource Management Plans (LRMP), are managed according to the direction provided in the LRMP for their assigned land allocations. Some allocations permit motorized use within an IRA while others limit or prohibit motorized opportunities. Alternative 5 will reduce the amount of motorized use and the overall undeveloped nature of IRAs will improve.

There is no new road or trail construction within IRAs under Alternative 5. Since there will be no additional construction or allowance for increased use, there will be no additive impact that might contribute to adverse cumulative effects on roadless character.

Other Issues

Beyond the above listed five Significant Issues, eighteen other issues are also analyzed in the FEIS. All issues are based upon public and agency comments received during the scoping process or are related to satisfying Federal, State, and local requirements and standards, and were also taken into account in my decision.

The FEIS documents discussion of additional issues and effects that were identified during the scoping process but were not found to be significant issues key to designing alternatives. In evaluating alternatives, these issues were found to have either variable effects or effects that were similar or common to all alternatives, or could be equally mitigated under all alternatives. Because of this, these issues will not be further discussed in this decision document (reference FEIS, Chapter III, Section E).

ALTERNATIVES CONSIDERED

In addition to my decision (the Preferred Alternative), three other Action Alternatives and a No Action Alternative were analyzed in the FEIS. Pursuant to the provisions of Section 102 (2) of the National Environmental Policy Act (NEPA) of 1969 (42 USC 4332 (2)), the Forest Service analyzed these alternatives as options for meeting the purpose and need.

The **No Action Alternative** was a proposal to ‘do nothing’ and maintain the ‘status quo’. The ‘status quo’ would be the combination of all previous decisions by the Forest (allowing cross country travel, the creation of temporary roads associated with permits or other authorizations; and any previous decisions associated with the system of roads, trails and areas). This alternatives does not meet the purpose and need.

Alternative 2, which represents the current situation associated with motorized use, was determined to be sufficient in representing the highest degree of motorized-use allowed. The Forest Service did not identify a reason to consider alternatives that would further relax control of motorized use in general.

An initial proposal was developed based on results from analysis of the Forest’s transportation system. Forest and Ranger District staff identified changes they believed should be made based on information available regarding the potential effects of travel, as well as higher-level direction, public reports of problems, and knowledge of the Forest road and trail system. This led to the development of **Alternative 3-Proposed Action**, which the Forest Service used to initiate the NEPA process, facilitate meaningful public comment, and serve as a basis for identification of the issues.

Alternative 4 is more restrictive on motorized use in exchange for putting more management emphasis on other resource values such as roadless character and botanical resources. Based on individual values, a case can be made for alternatives that would get more and more restrictive on human use (including non-motorized uses). This alternative was developed with increasing restrictions on motorized use while still remaining within a reasonable range of motorized use to address the stated Purpose and Need.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

It is required by law that one or more environmentally preferable alternatives be disclosed. The environmentally preferred alternative is not necessarily the alternative that will be implemented and it does not have to meet the underlying Purpose and Need for the project. It does however, have to cause the least damage to the physical and biological environment and best protects, preserves and enhances historical, cultural, and natural resources (Section 101 NEPA; 40 CFR 1505.2(b)).

Of the Action Alternatives considered, I have determined Alternative 4 has the least impact in terms of causing damage to the physical and biological environments, therefore it is the environmentally preferred alternative. I believe that authorizing action for this project is clearly better than taking no action (doing nothing). My decision (Alternative 5) provides a responsible combination of physical, biological, social, and environmental benefits with acceptable resource effects, while attaining the stated Purpose and Need to a high degree.

PUBLIC INVOLVEMENT

In August 2008, the formal process under NEPA was initiated. A scoping letter and Notice of Intent to prepare an Environmental Impact Statement was mailed to all interested publics having been involved in the initial sensing process. The letter described the Proposed Action and Purpose and Need for the Project. In addition, Scoping Letters were sent to other agencies such as Oregon Department of Fish and Wildlife, Oregon Department of Forestry, Oregon Parks and Recreation, Medford Water Commission, U.S. Fish and Wildlife Service, U.S. Geological Survey, Environmental Protection Agency, National Park Service, NOAA Fisheries, Bureau of Land Management, and various city and county government entities in southwest Oregon and northwest California. The Planning Team received 187 letters and over 11,000 form letters that were generated via an electronic site established to facilitate an electronic response (that contained a pre-determined viewpoint).

Government-to-Government consultation letters were mailed on August 18, 2008 to Confederated Tribes of Siletz Indians, Confederated Tribes of the Grand Ronde Community, the Klamath Tribes, Cow Creek Band of Umpqua Tribe of Indians, Smith River Rancheria, Coquille Tribal Council, and to the Quartz Valley Indian Tribe.

A 45-day Draft EIS public comment period for Motorized Vehicle Use on the Rogue River-Siskiyou National Forest formally began on March 28, 2009 with publication of a Notice of Availability in the Federal Register Vol. 74, No. 58 (FR page 13432). The 45-day comment period closed on May 11, 2009. A total of 11,359 comments to the Draft EIS were received by the Forest at the close of the Comment Period. Approximately 1,200 additional comments were received after May 11, 2009.

All comments received were reviewed and were considered as part of the comment analysis process. All comments were read and coded based on content and intent, by a Forest Service planning team, with District Ranger and Forest Supervisor oversight, review and concurrence. Pursuant to 36 CFR 215.6 (b), (1), A “Response to Comments” (Appendix A to the FEIS) documents the consideration and response of all substantive comments submitted in compliance with paragraph (a) of this section.

FINDINGS

Based on the information and evidence contained in the November 2009 FEIS and its Appendices, and as further documented within this Record of Decision, **I find that my decision is consistent with the Rogue River National Forest Land and Resource Management Plan and the Siskiyou National Forest Land and Resource Management Plan, as amended by the Northwest Forest Plan; other amendments and other laws, regulations and agreements applicable to the management of National Forest System lands and resources.**

This action has been analyzed and designed under laws, regulations and agreements applicable to the management of National Forest System lands and resources, including: 16 USC 1604 (g)(3), 36 CFR 219.14, 36 CFR 219.27 (b). I find this decision to be consistent with the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality regulations for implementing NEPA, 40 CFR 1500-1508, July 1, 1986, the Multiple-use Sustained Yield Act of 1960, and the National Forest Management Act of 1976. I also find this decision is in compliance with the Endangered Species Act 1973 as amended, and the Historic Preservation Act.

Forest Plan Consistency (NFMA)

SIGNIFICANCE DETERMINATION: FOREST PLAN AMENDMENTS

Alternative 5 includes Forest Plan Amendments to both the Rogue River and Siskiyou National Forest Land and Resource Management Plans. The detail of these amendments is described in **ROD Attachment A**, incorporated by reference.

An assessment of a proposed amendment’s significance in the context of the larger Rogue River and Siskiyou Forest Plans has been accomplished (FEIS pages III-149 through III-155). Note that the definition of significance for amending a Forest Plan (36 CFR 219.10(f) and FSH 1922.5) is not the same as the definition of significance as defined by NEPA. Under NEPA, significance is generally determined by whether a proposal is considered to be a major federal action significantly affecting the quality of the human environment, or whether the relative severity of the environmental impacts would be significant based on their context and intensity. Forest Service Manual 1926 provides criteria for evaluation of significance. Content from this direction is summarized on FEIS page III-149.

For the Rogue River-Siskiyou National Forest, there are two types of changes proposed as Forest Plan Amendments, overall **Forest-wide amendments** to the Forest Plans to enact the Travel Management Rule, and **route -specific amendments** in the form of changes to specific management direction and/or to Standards and Guidelines. Both types of amendments are needed under Alternative 5 to allow my decision to be consistent with land management plan direction.

The result of this analysis, considering all required factors, supports my determination of non-significant change (amendment) to the Rogue River National Forest and Siskiyou National Forest Land and Resource Management Plans. These amendments, either individually or collectively, would not constitute an amendment that would be significant. This determination is based on the findings that these amendments will not change multiple use goals and objectives for long-term management nor will they directly affect Standards and Guidelines or levels of goods and services (FEIS pages III-149 to IV-155).

Pursuant to 40 CFR 1502.20, the National Forest Management Act requires a specific determination of consistency with the Rogue River and Siskiyou National Forest Land and Resource Management Plans and their Standards and Guidelines. My decision (Alternative 5) has been developed to be in full compliance with NFMA. Overall, while there will be varying levels of impacts, with appropriate mitigation, **I find that my decision will be in compliance with all applicable management direction.**

Rogue River National Forest Plan

Pursuant to CEQ 1502.20, the Final EIS is tiered to the FEIS for the Rogue River National Forest Land and Resource Management Plan (USDA Forest Service 1990) as amended by the Northwest Forest Plan (USDA Forest Service and USDI Bureau of Land Management 1994).

Siskiyou National Forest Plan

Pursuant to CEQ 1502.20, the Final EIS is tiered to the FEIS for the Siskiyou National Forest Land and Resource Management Plan (USDA Forest Service 1989) as amended by the Northwest Forest Plan (USDA Forest Service and USDI Bureau of Land Management 1994).

Northwest Forest Plan - Aquatic Conservation Strategy

According to the Northwest Forest Plan Standards and Guidelines, the Aquatic Conservation Strategy (ACS) was developed to improve and maintain the ecological health of watersheds and aquatic ecosystems contained within them on public lands. Riparian Reserves are established as a component of the Aquatic Conservation Strategy, designed under the Northwest Forest Plan primarily to restore and maintain the health of aquatic systems and their dependent species. Riparian Reserves also help to maintain riparian structures and functions and conserve habitat for organisms dependent on the transition zone between riparian and upland areas.

The analysis of the existing conditions relative to Riparian Reserve Standards and Guidelines (1994 NWFP ROD, pages C-31 through C-39) and the nine ACS Objectives is presented for each alternative considered in detail in FEIS pages III-54 through III-58.

On the basis of the analysis referenced above, I conclude that my decision is compliant with all applicable Standards and Guidelines.

Additionally, as an overall determination, the impacts associated with my decision (the Preferred Alternative) either directly, indirectly, individually or cumulatively, would not prevent attainment of Aquatic Conservation Strategy (ACS), and the nine ACS Objectives at any spatial scale.

Other Legal Requirements and Policies

In reviewing the FEIS and actions involved in my decision (the Preferred Alternative), I have concluded that my decision is consistent with the following laws, requirements and current or proposed policies:

The Preservation of American Antiquities Act, June 1906: All surveyed and inventoried cultural resource sites associated with Motorized Vehicle Use on the Rogue River-Siskiyou National Forest will be protected from entry and excluded from any resource management activities. New sites discovered during operations will be protected by required Mitigation Measures (See ROD Attachment B).

The National Historic Preservation Act: The Oregon State Historic Preservation Officer (SHPO) has been consulted concerning activities associated with Motorized Vehicle Use on the Rogue River-Siskiyou National Forest. The Advisory Council on Historic Preservation (ACHP) will be consulted about measures to protect significant archaeological sites from adverse effects, should any be identified.

The National Environmental Policy Act (NEPA), 1969: NEPA establishes the format and content requirements of environmental analysis and documentation, such as Motorized Vehicle Use on the Rogue River-Siskiyou National Forest. The entire process of preparing this environmental impact statement was undertaken to comply with NEPA.

The Endangered Species Act of 1973, as amended: Biological Evaluations and Assessments have been prepared to document possible effects of activities on endangered and threatened species associated with Motorized Vehicle Use on the Rogue River-Siskiyou National Forest. Appropriate coordination, conferencing, and consultation with US Fish and Wildlife Service and NOAA Fisheries have been completed.

For the northern spotted owl, a determination of “**may effect, not likely to adversely effect (NLAA)**” was made for disturbance and the minor amount of clearing (it is estimated that several conifer trees less than 8 inches in diameter would be cut on the proposed Penn Sled trail). A determination of “**may effect, not likely to adversely effect (NLAA)**” was made for the marbled murrelet due to disturbance. A determination of “**no effect**” to critical habitat was made for both species. Correspondence from the USFWS (Letter of Concurrence # 13420-2010-I-0004) is part of the Project Record and available on request (FEIS pages III-96 and III-97).

Alternative 5 has a “**no effect**” determination for coho salmon or coho critical habitat and will have no effect to Essential Fish Habitat for coho salmon and Chinook salmon. Due to these no effect determinations, formal consultation with NOAA Fisheries is not required (FEIS page III-119).

Clean Air Act Amendments, 1977: My decision is compliant with National Ambient Air Quality standards through avoidance of practices that degrade air quality below health and visibility standards (FEIS pages III-58 to III-68.)

The Clean Water Act, 1982: My decision will meet and conform to the Clean Water Act as amended in 1982. This act establishes a non-degradation policy for all federally proposed projects. My decision meets anti-degradation standards agreed to by the State of Oregon and the Forest Service, Region 6, in a 2002 Memorandum of Understanding. This will be accomplished through planning, application, and monitoring of Mitigation Measures including General Water Quality Best Management Practices (BMPs) USDA Forest Service, Pacific Northwest Region, 1988.

State Forest Worker Safety Codes: The Oregon Occupational Safety and Health Code for Forest Activities (OAR 437, Division 6) regulations will be met when my decision is implemented. Appropriate provisions will be included in all contracts for addressing State Forest Worker Safety Codes.

IMPLEMENTATION

Authorization of my decision is based on this Record of Decision, its attachments and the November 2009 Final Environmental Impact Statement. Implementation of this decision will allow the publication of a Motorized Vehicle Use Map, expected in early 2010.

On-going monitoring conducted in association with management activities authorized by my decision provide opportunity for adapting management techniques as needed to better meet the intent of the selected alternative as planned and approved. In some cases this may involve minor modifications or corrections during implementation. Project monitoring could result in the need to propose changes to authorized project actions; these changes will be subject to the requirements of the NEPA and other laws concerning such changes. In determining whether and what kind of further NEPA action is required, the Responsible Official will consider the criteria in 40 CFR 1502.9(c) and FSH 1909.15, sec. 18, and in particular whether the proposed change is a substantial change to the decision as planned and already approved, and whether the change is relevant to environmental concerns.

RIGHT TO ADMINISTRATIVE REVIEW (APPEAL)

This decision is subject to administrative review (appeal) pursuant to 36 CFR 215. The 45-day appeal period begins the day following the date the legal notice of this decision is published in Newspaper of Record for the Rogue River-Siskiyou National Forest, Medford's Mail Tribune. The Notice of Appeal must be filed with the Appeal Deciding Officer:

Appeal Deciding Officer: Regional Forester
Pacific Northwest Region
Attn: 1570 Appeals
P.O. Box 3623
Portland, OR 97208-3623

Appeals can also be filed electronically at: www.appeals-pacificnorthwest-regional-office@fs.fed.us or hand delivered to the above address between 8:00 AM and 4:30 PM, Monday through Friday except legal holidays. Appeals can be faxed to (503) 808-2255. The appeal must be postmarked or delivered within 45 days following the date the legal notice for this decision appears in Medford's Mail Tribune newspaper. The publication date of the legal notice in the Mail Tribune newspaper is the exclusive means for calculating the time to file an appeal and those wishing to appeal should not rely on dates or timeframes provided by any other source.

Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft word (.doc), rich text format (.rtf), or portable document format (.pdf) only. E-mails submitted to email addresses other than the one listed above or in other formats than those listed or containing viruses will be rejected. It is the responsibility of those who appeal a decision to provide the Appeal Deciding Officer sufficient written evidence and rationale to show why my decision should be changed or reversed.

The written notice of appeal must:

- The Appellant's name, address, and if possible, a telephone number of the appellant;
- Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant (215.2) and verification of the identity of the lead appellant upon request;
- Identify the decision document by title and subject, date of the decision, and name and title of the Responsible Official;
- Identify the specific change(s) in the decision that the appellant seeks or portion of the decision to which the appellant objects; and the rationale for those changes;
- Identify any portion(s) of the decision with which the appellant disagrees, and an explanation for the disagreement;
- State how my decision fails to consider substantive comments previously provided, either before or during the comment period specified in Title 36 CFR 215.6 and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

AUTHORIZATION



SCOTT D. CONROY
Forest Supervisor, Responsible Official
Rogue River-Siskiyou National Forest

12/3/2009
Date

For further information concerning the specific actions conditionally authorized by my decision, you may contact:

Steve Johnson, Team Leader
Rogue River-Siskiyou National Forest
Ashland Ranger Station
645 Washington Street
Ashland, OR 97520
541-552-2900

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MOTORIZED VEHICLE USE ON THE ROGUE RIVER-SISKIYOU NATIONAL FOREST

RECORD OF DECISION

ATTACHMENT A

Forest Plan Amendments

For the Rogue River-Siskiyou National Forest, there are two types of Forest Plan Amendments, overall **Forest-wide amendments** to the Forest Plans to enact the Travel Management Rule, and **route -specific amendments** in the form of changes to specific management direction and/or to Standards and Guidelines.

FOREST-WIDE PLAN AMENDMENTS

Rogue River National Forest Land and Resource Management Plan

Management Direction/Objectives: Recreation and Facilities – LRMP Chapter 4

In order to provide consistency with the Final Rule for Travel Management; Designated Routes and Areas for Motor Vehicle Use (Travel Management Rule), the 1990 Rogue River National Forest Land and Resource Management Plan is hereby amended to adopt and include direction with the 2005 Travel Management Rule and allowable uses associated with the *Record of Decision for Motorized Vehicle Use on the Rogue River-Siskiyou NF*. This decision is designed to enact the Travel Management Rule in compliance with 36 CFR 212.

Under this amendment, all roads and trails on the Rogue River National Forest will be closed to motorized use unless designated open to this use. This plan amendment also prohibits cross-country motorized use unless the area is designated for that use. Motorized use is designated per the Motorized Vehicle Use Map (MVUM) following national Forest Service standards that indicates which routes are designated open to the public by type of vehicle per route and season open for use. This map will be made available to the public free-of charge. There may be some changes as implementation occurs on the ground. Designation, use restrictions, and operating conditions may be revised in future decisions as needed to meet changing conditions or management strategies. This plan amendment, allows codification or the ability to issue citations for use violations not in accordance with the MVUM.

Because the Travel Analysis process was enacted to provide improved motorized use direction in compliance with current Forest Service policy and the 2005 Travel Management Rule, Forest Plan Appendix C, Off-Road Vehicle Management Plan, is removed, replaced with direction associated with the Travel Management Rule, this decision and the Motorized Vehicle Use Map.

Forest Management Direction for RECREATION, LRMP 4-24 regarding Backcountry Non-motorized Areas (MS-3) is inconsistent with the Standards and Guidelines for MS 3 (LRMP 4-43). The following Plan Amendment remedies this inconsistency.

Current Wording	Replacement Wording
<p>Management Areas in which ORV use is prohibited include Backcountry Non-motorized Areas (except over-snow seasonal use in some areas), Wilderness, Wild River, Restricted Watersheds, and Research Natural Areas.</p> <p>4-24</p>	<p>Management Areas in which ORV use is prohibited include Wilderness, Wild River, Restricted Watersheds, and Research Natural Areas. ORV use in Backcountry Non-motorized Areas is generally prohibited (except for roads and trails designated for motorized use and over-snow seasonal use in some areas).</p>

Siskiyou National Forest Land and Resource Management Plan

Forest Management Objectives: Resource Activities and Facilities – LRMP Chapter IV

In order to provide consistency with the Final Rule for Travel Management; Designated Routes and Areas for Motor Vehicle Use (Travel Management Rule), the 1989 Siskiyou National Forest Land and Resource Management Plan is hereby amended to adopt and include direction with the 2005 Travel Management Rule and allowable uses associated with the *Record of Decision for Motorized Vehicle Use on the Rogue River-Siskiyou NF*. This decision is designed to enact the Travel Management Rule in compliance with 36 CFR 212.

Under this amendment, all roads and trails on the Siskiyou National Forest will be closed to motorized use unless designated open to this use. This plan amendment also prohibits cross-country motorized use unless the area is designated for that use. Motorized use is designated per the Motorized Vehicle Use Map (MVUM) following national Forest Service standards that indicates which routes are designated open to the public by type of vehicle per route and season open for use. This map will be made available to the public free-of charge. There may be some changes as implementation occurs on the ground. Designation, use restrictions, and operating conditions may be revised in future decisions as needed to meet changing conditions or management strategies. This plan amendment, allows codification or the ability to issue citations for use violations not in accordance with the MVUM.

Because the Travel Analysis process was enacted to provide improved motorized use direction in compliance with current Forest Service policy and the 2005 Travel Management Rule, Forest Plan Appendix E, Off-Road Vehicle Management Plan, is removed, replaced with direction associated with the Travel Management Rule, this decision and the Motorized Vehicle Use Map.

Rogue River and Siskiyou National Forests

Since motorized use includes OHV use, **the 1989 Siskiyou National Forest Off-road Vehicle Management Plan, Appendix E, and the 1990 Rogue River National Forest Off-road Vehicle Management Plan, Appendix C are repealed and are replaced by the Motorized Vehicle Use Map.**

ROUTE-SPECIFIC PLAN AMENDMENTS

This section documents the specific management direction in the form of Standards and Guidelines that will be changed under the Action Alternatives as applicable.

It is presented in a table format, referencing the section of the respective Forest Plans that will be changed. “Current Wording” describes the Forest Plan text as it currently states and includes a page reference from the respective Forest Plan. “Replacement Wording” displays the text changes following amendment of the Plan.

Rogue River LRMP Specific Plan Amendment for Boundary Trail (Refer to Map A-1):

BACKCOUNTRY NON-MOTORIZED - MS-3

PROTECTION

Current Wording	Replacement Wording
<p>#3. Motorized and mechanized vehicle use is generally prohibited in this management area except for approved mining operations. Seasonal motorized use (i.e., snowmobiling) may be permitted in certain portions of this management area.</p> <p>Page 4-43</p>	<p>#3. Motorized and mechanized vehicle use is generally prohibited in this management area except for approved mining operations. Based on historical and ongoing use, the Boundary Trail (#1207), O'Brien Trail (#900), and Sturgis Fork Trail (#903) - Siskiyou Mountains Ranger District) are specifically designated for OHV Class III motorized use. Seasonal motorized use (i.e., snowmobiling) may be permitted in certain portions of this management area.</p>

BOTANICAL AREA - MS-12

PROTECTION

Current Wording	Replacement Wording
<p>#6. Motorized vehicles will be allowed only on roads except in emergency situations. The exception is that snowmobile use may be allowed when snow depth is sufficient.</p> <p>Page 4-149</p>	<p>#6. Motorized vehicles will be allowed only on roads except in emergency situations. Based on historical and ongoing use, the Boundary Trail (#1207), O'Brien Trail (#900), and Sturgis Fork Trail (#903) - Siskiyou Mountains Ranger District) are specifically designated for OHV Class III motorized use. Snowmobile use may be allowed when snow depth is sufficient.</p>

RESEARCH NATURAL AREA - MS-25

PROTECTION

Current Wording	Replacement Wording
<p>#12. Off-road vehicle recreation use is prohibited.</p> <p>Page 4-292</p>	<p>#12. Off-road vehicle recreation use is generally prohibited. Based on historical and ongoing use, the Boundary Trail (#1207), - Siskiyou Mountains Ranger District is specifically designated for OHV Class III motorized use.</p>

Siskiyou LRMP Specific Plan Amendment for Boundary Trail (Refer to Map A-1):

RESEARCH NATURAL AREA - MA-3

PROTECTION

Current Wording	Replacement Wording
<p>MA3-2 Recreation activities and uses within an RNA should be discouraged if they threaten the values for which the RNA is established; this includes overnight camping, recreation use within 200 feet of lakes, ponds and streams, and pack and saddle stock use. All recreation ORV use shall be prohibited. If other recreation uses threaten research or education values, closures or permits should be instituted.</p> <p>Page IV-82</p>	<p>MA3-2 Recreation activities and uses within an RNA should be discouraged if they threaten the values for which the RNA is established; this includes overnight camping, recreation use within 200 feet of lakes, ponds and streams, and pack and saddle stock use. Recreational ORV use shall be generally prohibited. Based on historical and ongoing use, the Boundary Trail (#1207 - Wild Rivers Ranger District) is specifically designated for OHV Class III motorized use. If other recreation uses threaten research or education values, closures or permits should be instituted.</p>

Siskiyou LRMP Specific Plan Amendment for Game Lake, Lawson, Lower Illinois, and Silver Peak Hobson Horn Trails¹ (Refer to Map A-2):

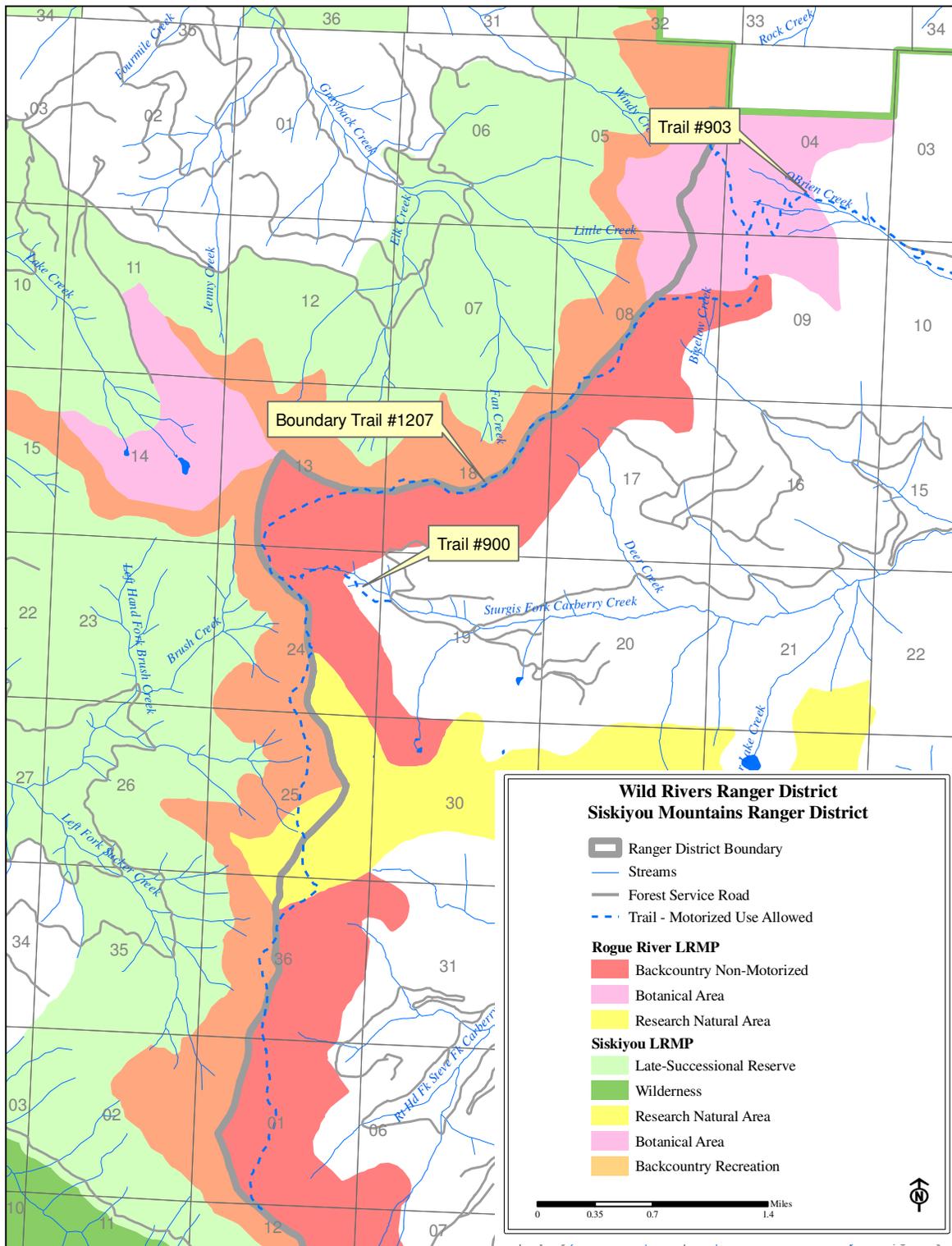
BACKCOUNTRY RECREATION - MA-6

PROTECTION

Current Wording	Replacement Wording
<p>MA6-1 (paragraph 2)</p> <p>In areas designated “Non-motorized Backcountry,” the use of motorized equipment is prohibited except by:</p> <ol style="list-style-type: none"> 1. Authorized Forest Service personnel, or their agents, in the performance of approved administrative or management duties, and 2. Mining operators, or their agents, within the provision of approved operating plans. <p>Page IV-98</p>	<p>MA6-1 (paragraph 2)</p> <p>In areas designated “Non-motorized Backcountry,” the use of motorized equipment is prohibited except:</p> <ol style="list-style-type: none"> 1. By authorized Forest Service personnel, or their agents, in the performance of approved administrative or management duties; 2. By mining operators, or their agents, within the provision of approved operating plans; and 3. Based on historical and ongoing use, portions of the Game Lake #1169, Lawson #1173, Lower Illinois #1161, Silver Peak Hobson Horn #1166 Trails, and two unnamed connector trails are authorized for motorized use.

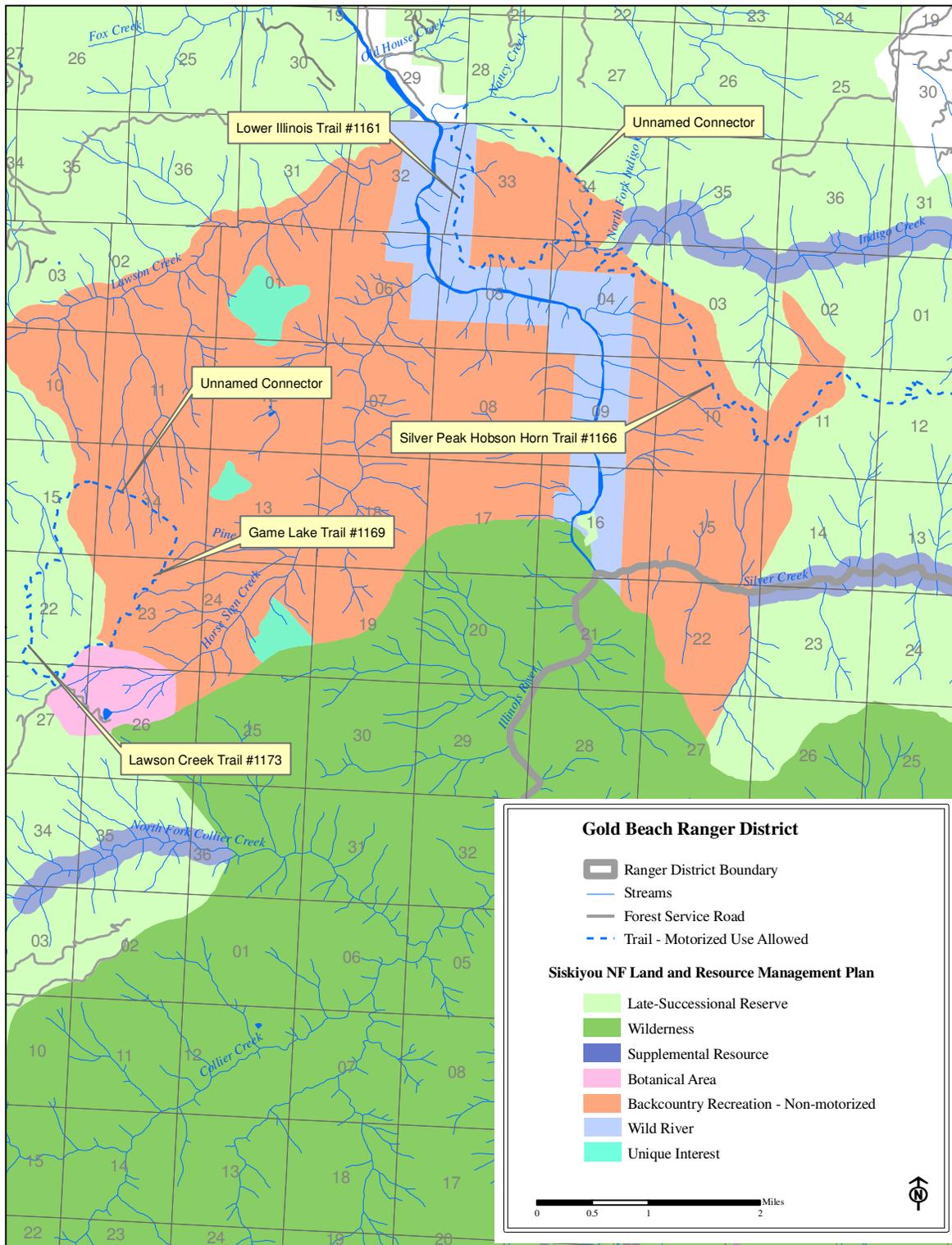
¹ This amendment also covers two unnamed connector trails.

Map A-1. Boundary and Associated Trails and Land Allocations



Note: The area that is the subject of this plan amendment is a recommended Research Natural Area (RNA). Formal designation as an RNA must be approved by the Chief of the Forest Service following preparation of an Establishment Record. Siskiyou National Forest Land and Resource Management Plan, page IV-81)

Map A-2. Game Lake, Lawson, Lower Illinois, Silver Peak Hobson Horn Trails, and Unnamed Connector Trails and Land Allocations



MOTORIZED VEHICLE USE ON THE ROGUE RIVER-SISKIYOU NATIONAL FOREST

RECORD OF DECISION

ATTACHMENT B

Required Mitigation Measures

Mitigation Measures are a required component of the Record of Decision and are identified and detailed within this attachment, and will be enacted for activities associated with Motorized Vehicle on the Rogue River-Siskiyou National Forest.

The Forest Service is required by the Council on Environmental Quality (CEQ) Regulations for implementing the procedural provisions of NEPA to identify all relevant, reasonable mitigation measures that could improve the project. Mitigation, as defined in the CEQ Regulations (40 CFR 1508.20) includes:

- Avoiding the impact altogether by not taking a certain action or parts of an action.
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifying or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- Compensating for the impact by replacing or providing substitute resources or environments.
- Rectifying the impact by repairing, rehabilitating or restoring the affected environment.

Mitigation measures and standard operating procedures designed to avoid or minimize adverse effects (or implement positive impacts) for the Decision (the Preferred Alternative) are identified by resource topic area.

Mitigation measures identified herein are specific to the implementation of actions under this Decision. Standards and Guidelines and mitigation measures identified in the Rogue River NF and the Siskiyou NF Land and Resource Management Plans, as amended by the Northwest Forest Plan, are also incorporated by reference as required measures.

1. Public Safety

- A sign plan will be implemented to adequately sign trail and road intersections and mixed use roads.

- When signing is needed to warn highway traffic about the presence of non-highway-legal vehicles, a standard warning sign, (in a diamond shape, with reflective yellow background and black graphics and letters) with an all-terrain vehicle graphic (RL-170) and a yellow supplemental placard with the wording “SHARE THE ROAD” (W16-1) may be used. An additional placard with the wording “NEXT XX MILES” (W16-3a) or “BEYOND THIS POINT” (W16-3) may also be added. A rectangular yellow sign with black graphics and lettering showing a passenger car graphic and an appropriate non-highway-legal vehicle graphic and the wording “SHARE THE ROAD” (FW8-7) may also be used. See EM-7100-15.

2. Hydrology and Riparian Reserves

- Design new trail construction to avoid springs, seeps, and wetlands.
- Design new trail construction to avoid stream channel crossings where possible. If stream channel crossings are necessary to maintain the connectivity of the trail network, design trails to cross the stream channels perpendicular to the drainage to minimize the potential for sediment delivery.

3. Erosion and Sedimentation

- Stream crossing construction or reconstruction will generally not occur between October 15 and June 15 when the potential for soil erosion and water quality degradation exists. This restriction may be waived by the Responsible Official under dry conditions and with a specific erosion control plan (e.g., rocking, waterbarring, seeding, mulching, barricading).
- Minimize vegetation clearing to the maximum extent possible to maintain stream bank stability, while maintaining the safety of riders.

4. Fish and Aquatic Species

- For trail construction/reconstruction all State and Federal requirements for maintaining water quality will be met. Work requirements include the following:
 - Mechanized equipment will be inspected and cleaned before moving onto the project site in order to remove oil and grease, noxious weeds and excessive soil.
 - Hydraulic fluid and fuel lines on heavy mechanized equipment must be in proper working condition in order to avoid leakage into streams.
 - Waste diesel, oil, hydraulic fluid and other hazardous materials and contaminated soil will be removed from the site and disposed of in accordance with DEQ regulations. Areas that have been saturated with toxic materials will be excavated to a depth of 12 inches beyond the contaminated material or as required by DEQ.
 - Equipment refueling will be conducted within a confined area outside Riparian Reserves.
 - Use spill containment booms or other equipment as required by DEQ.
 - Equipment containing toxic fluids will not be stored in or near (within 300') of a stream channel.

5. Terrestrial Wildlife

Spotted Owl Restrictions

- Work activities that produce loud noises above ambient levels will not occur within specified distances of any documented or generated owl site (Table B-1) during the critical early nesting period, March 1 and June 30, or until two weeks after the fledging period. This seasonal restriction may be waived if protocol surveys have determined the activity center is not occupied, owls are non-nesting, or owls failed in their nesting attempt.
- The distances listed below may be shortened (with USFWS Level 1 Team concurrence) if substantial topographical breaks or blast blankets (or other devices) would muffle sound between the work location and nest sites.
- The Ranger District or Forest Biologist has the option to extend the restricted season until September 30 during activities, based on site-specific knowledge (such as a late or 2nd nesting attempt). Design measures can be waived if site-specific biological evaluation by the biologist indicates seasonal protection is unwarranted.
- Delay any project activities located within the nest patch until September 30 unless the biologist determines young are not present, or until two weeks after the fledging period.

Table B-1. Spotted Owl Restriction Distances

Activity	Zone of Restricted Activity
Heavy Equipment (including non-blasting quarry operations)	105 feet (35 yards)
Chain saws	195 feet (60 yards)
Motorized vehicle use	195 feet (60 yards)
Impact pile driver, jackhammer, rock drill	195 feet (60 yards)
Small helicopter or plane	360 feet (120 yards)
Type 1 or Type 2 helicopter	0.25 miles*
Blasting; 2 pounds of explosive or less	360 feet (120 yards)
Blasting; more than 2 pounds of explosives	1 mile

* If less than 1,500 feet above ground level.

Above-ambient noises further than these Table B-1 distances from spotted owls are expected to have either negligible effects or no effect to spotted owls. The types of reactions spotted owls could have to noise that are considered to have a negligible impact includes flapping of wings, turning the head towards the noise, hiding, assuming a defensive stance, etc. (USFWS 2003).

Marbled Murrelet Restrictions

Table B-2. Murrelet Restriction Distances

Activity	Zone of Restricted Activity
Heavy Equipment (including non-blasting quarry operations)	300 feet (100 yards)
Chain saws	300 feet (100 yards)
Motorized vehicle use	300 feet (100 yards)
Impact pile driver, jackhammer, rock drill	300 feet (100 yards)
Small helicopter or plane	360 feet (120 yards)
Type 1 or Type 2 helicopter	0.25 miles*
Blasting; 2 pounds of explosive or less	360 feet (120 yards)
Blasting; more than 2 pounds of explosives	1 mile

* If less than 1,500 feet above ground level.

Table B-3. Disturbance Criteria for the Protection of Marbled Murrelet

Disturbance	For Survey Areas A and B work activities (such as tree felling, yarding, road and other construction activities, hauling on roads not generally used by the public, muffled blasting) which produce noises above ambient levels will not occur within specified distances (see Table II-10) of any occupied stand or unsurveyed suitable habitat between April 1 – August 5. For the period between August 6 – September 15, work activities will be confined to between 2 hours after sunrise to 2 hours before sunset.
Disturbance	Blasting (open air/unmuffled) – No blasting activities 1 April through 15 September within 1.0 mile of occupied stands or unsurveyed suitable habitat. This distance may be shortened if significant topographical breaks or blast blankets (or other devices) muffle sound traveling between the blast and nest sites or less than 2 lbs of explosives are used. If so, then use described distance.
Disturbance	Recommended Delay project implementation until after September 15 where possible
Disturbance	Recommended Between 1 April and 15 September, concentrate disturbance activities spatially and temporally as much as possible (e.g., get in and get out, in as small an area as possible; avoid spreading the impacts over time and space).

7. Invasive Non-native Species

Invasive Plants

- Mechanical trail construction and maintenance equipment will be power-washed and free of all soil and vegetative material before entering a project area and prior to moving from site to site (field washing). A field washing station will include a high pressure pump, containment mat, filter system, and a holding tank. Filtered solids will be properly disposed. A Botanist may decide to forgo the requirement for field washing if weed species and densities are similar at all work sites.
- Noxious weed populations in existing quarries and stockpiles will be treated prior to any authorized use.
- This Record of Decision incorporates by reference the Decision Notice signed by J. Michael Lunn, Forest Supervisor, on September 1, 1999 for the Environmental Assessment for Integrated Noxious Weed Management on the Rogue River National Forest (RRNF Weed Management Plan).

- This Record of Decision incorporates by reference the Standards and Guidelines added to the RRNF and SNF LRMPs by the Regional Forester's October 2005 ROD for Preventing and Managing Invasive Plants. These standards form the basis for many of the design elements and more specific mitigation measures described in this sub-section.
 - Limit activities at sites with known infestations of Oregon Dept. of Agriculture A, B, and T-listed noxious weed species (excluding bull thistle and Klamath weed). Treat known occurrences in accordance with the RRNF Weed Management Plan before project implementation if activities must occur in these areas. Continue annual treatments as long as activities continue in these areas.
 - Heavy equipment and machinery will be cleaned of dirt, mud, and plant parts before arriving at a project area. If working in a portion of a project area infested with Oregon Dept. of Agriculture A, B, and T-listed noxious weed species (excluding bull thistle and Klamath weed), wash and/or clean equipment and machinery on-site before moving or leaving the area.
 - Use the cleanest rock source possible, if aggregate is needed. If possible, do not grade or disturb road shoulders in the vicinity of noxious weed occurrences. If soil disturbance (grading, road reconstruction, road maintenance etc.) must occur, do so after infestations have been treated. If grading must occur, grade into an infestation, not away.

Invasive Pathogens

- Comply with Federal and State regulations regarding *P. ramorum*. Soil from infested sites shall not be transported outside the currently designated quarantine area unless subjected to approved and officially verified sterilization treatment. Movement of restricted or regulated plant materials to locations outside the quarantine area shall comply with current regulations.
- Wash boots, tools, vehicles, and equipment prior to entering in uninfested project areas, when leaving infested areas to enter in uninfested areas, and when leaving the project areas to minimize the transportation of infested soil to uninfested areas.
- Project areas should be compartmentalized by road system in areas with mixed ownership (Federal and private). A road system with infested areas and noninfested areas will be considered infested. Washing areas should be placed at optimum locations for minimizing spread, such as at entry/exit points of the road system with Federal control. Washing should take place as close as possible to infested sites. Wash water will be from uninfested water sources or treated with Clorox bleach. Wash water should not drain into watercourses or into areas with uninfected POC.

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