



# Willamette National Forest Commercial Road Rules December 2016

---



Prepared Michael Howard  
Michael Howard, Project Engineer

Recommended D. Lemon  
Darren Lemon, Forest Engineer

Approved Tracy Beck  
Tracy Beck, Forest Supervisor

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

---

## Table of Contents

|                                            |           |
|--------------------------------------------|-----------|
| <b>Introduction .....</b>                  | <b>1</b>  |
| <b>Definitions.....</b>                    | <b>2</b>  |
| <b>General Road Rules.....</b>             | <b>5</b>  |
| <b>Specific Road rules .....</b>           | <b>8</b>  |
| <b>Road Damage Control Guidelines.....</b> | <b>9</b>  |
| <b>Road Damage Examples .....</b>          | <b>11</b> |

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

---

## INTRODUCTION

The purpose of this document is to display the rules and regulations governing the use of Willamette National Forest System Roads by all commercial users. These Rules are necessary to protect the roads and adjacent natural resource values, and provide for the safety of all forest users. The objectives of the Road Rules are to:

1. Provide commercial users with uniform and timely information concerning the requirements on roads in advance of bidding on contracts or applying for permits.
2. Provide Forest Line Officers or representatives with a display of current road use requirements so they can administer them uniformly with all commercial users.
3. Implement a responsive system for issuing permits or making other arrangements for authorizing road use to meet the special needs unique to any commercial user.
4. Regulate the use of National Forest System roads in order to meet forest management objectives and protect road investments.
5. Provide for the safe use of the road system by all forest users.

Road rules define traffic conduct expected by commercial users and their agents on Forest Service roads. They are made up of both *general* and *specific* rules. General road rules are applicable to all commercial users of Forest Service roads, and apply to all roads unless modified by written waiver, contract, or by a specific road rule. Specific road rules modify general road rules and only apply to specific roads.

For the purposes of this document, commercial users are considered to be anyone generating traffic from commercial uses on or across the National Forest from purposes such as, but not limited to, log haul, rock haul, commercial firewood hauling, and guide or outfitter services.

The term “contract” refers to timber sales, public works, permits, easements and other written agreements.

Exceptions to Road Rules may be allowed when such permission is in writing. Permission may be granted and documented using the proper format established in contracts or road use permits. Permission for operations not administered by contract can be authorized by the District Ranger. (Use form FS-7700-40 to apply, [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5092982.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5092982.pdf))

Typically, thirty (30) days or longer may be required to process applications for variance permits, depending upon the haul route and the complexity of bridges or other structures involved.

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

---

## DEFINITIONS

**Aggregate surface road:** A road constructed with a durable surface material placed on the roadbed to provide structural strength.

**All weather road:** A road that does have sufficient structural strength to support haul during all weather conditions.

**CFR:** The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government ([www.ecfr.gov](http://www.ecfr.gov)). It is divided into 50 titles that represent broad areas subject to Federal regulation.

**Commercial use:** Any traffic generated by a commercial user of roads under the jurisdiction of the Forest Service including, but not limited to, hauling of materials, livestock, wood products, rock, asphalt, passengers, equipment, or other commercial use.

**Forest Service Handbook:** Handbook that contains the principal source of specialized guidance and instruction for carrying out the direction issued in the Forest Service Manual.

**Forest Service Manual:** Manual that contains legal authorities, objectives, policies, responsibilities, instructions, and guidance.

**Forest Service Line Officer:** A Forest Service official who has delegated authority to carry out the objectives, policies, and standards.

**General road rule:** Rules applicable to all commercial users of the Forest Service roads. The rule applies to all roads unless modified in written waiver (permit, contract, easement, etc.). or by a **Specific road rule**.

**Limited strength roads:** A road that has limited structural integrity, based on an engineering analysis of the road structure, and/or one that would be damaged by winter haul, wet weather haul, or haul during spring thaw conditions. These roads will be identified in the contract.

**MVUM:** Motor Vehicle Use Map (MVUM) reflecting designated roads, trails, and areas on an administrative unit or a Ranger District of the National Forest System. (36 CFR 212.1)

**Native surface road:** A road constructed from the material occurring on the site.

**Normal operating season:** A period defined in the contract when expected reasonable conditions exists to perform the required work.

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

---

## Continued

## DEFINITIONS

**National Forest System road:** A forest road other than a road which has been authorized by a legally documented right-of-way held by a State, county or other local public road authority. (36 CFR 212.1, 36 CFR 251.51, 36 CFR 261.2)

**NEPA:** The National Environmental Policy Act (NEPA) requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

**Prohibited use roads:** Roads where no use will be authorized. Prohibited use roads will be identified in the contract.

**Restricted use roads:** Roads where certain types of commercial use may not be permitted or use may be restricted. Restricted use roads will be identified in the contract.

**Right-of-Way:** A privilege or right to cross over or use the land of another party for egress and ingress such as roads, pipelines, irrigation canals, or ditches. The right-of-way may be conveyed by an easement, permit, license, or other instrument. (FSM 5460.5)

**Road:** A general term denoting a facility for purposes of travel by vehicles greater than 50 inches width. Includes only the area occupied by the road surface and cut and fill slopes. (FSM 2355.05)

**Road rule:** A statement defining traffic conduct required by commercial users (or their agents) on roads under Forest Service jurisdiction. Rules consist of **General road rules** and **Specific road rules**.

**Road damage control guidelines:** Measures to be performed to avoid resultant damage to National Forest System Roads, adjacent resources, and to provide for user safety.

**Roadway and structure damage:** The unplanned reduction in the ability of the road or road structures to support traffic, provide drainage, or provide safe transportation. Refer to the road damage control guidelines for additional information.

**Roadway:** The portion of a highway, including shoulders and auxiliary lanes, for vehicular use.

**Specific road rule:** Rules that modify the **General road rules** and will apply only to selected roads and structures.

**Structures:** Constructed or installed sections and materials to provide safety, increase strength, or control drainages on, within or through the roadway.

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

---

Continued

## DEFINITIONS

**Travel way:** The portion of the roadway for the movement of vehicles, exclusive of the shoulders and auxiliary lanes.

**Unsuitable road:** Road that shall not be hauled upon prior to completion of reconstruction or pre haul maintenance as agreed to by the Forest Line Officer or designated representative. Unsuitable roads will be identified in the contract.

**Wet weather haul:** Commercial haul which typically occurs outside of the normal operating season. Users shall be observant to the damage control guidelines during wet weather haul.

**Wet weather conditions:** Undesirable wet conditions that may cause road damage if used by traffic. These conditions could include saturated materials in the subgrade, base course, and/or surface course, water in the ditch at the same elevation as the running surface, and water from either rain and/or snow melt actively eroding the running surface. Saturated material means that water has completely filled the air voids in the material leaving no place for the water to escape as traffic compresses the material.

**Waiver:** A permit, contract, easement, fire order, formal letter, etc., signed by an authorized Forest Line Officer or designated representative, granting approval to modify a General or Specified Road Rule.



# **WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES**

---

## **GENERAL ROAD RULES**

1. Commercial use is not permitted on any Willamette National Forest road unless the user has a contract. Enforcement of the Road Rules are subject to the Rights granted in existing contract. (36 CFR 261.10(a) & (c) and 261.54 (c))
2. A National Forest timber purchaser and permittee's are only authorized to use those roads identified in the contract, and is subject to limitations and specific rules imposed on these roads in the contract, these Road Rules, and any outstanding orders issued by the Forest Supervisor.
3. Constructing a road on National Forest land or maintaining a Forest Service road is prohibited without a contract. (36 CFR 261.10(a) and 261.54 (c))
4. Snow plowing without a contract is prohibited, (36 CFR 261.54 (a)). Snow plowing will be required for commercial haul on any Forest Service Road (except all native surface roads which are restricted) when a Forest Line Officer or designated representative determines that the road is unsafe for travel or when the cumulative depth of snow and ice exceeds four inches above the road surface. Authorizations to allow snow removal may be approved by the District Ranger.
5. Use of track mounted equipment to plow snow is prohibited unless specifically authorized with a contract. For snow plowing, all blades or plows shall be equipped with shoes or runners to keep the blade a minimum of two (2) inches above the road surface unless specified otherwise in writing.
6. General forest policy- Asphalt paved district roads, less than 2500 feet in elevation, are typically designated "all weather roads". All native and aggregate surfaced roads are considered dry weather use only and use is restricted, unless reviewed and approved on a case-by-case basis.
7. The provisions of the Oregon Revised Statutes, Chapters 801 through 826, relating to the operation of motor vehicles are applicable to all Forest Service roads on the Willamette National Forest and are enforceable by Federal, State and County Law enforcement officers as well as authorized Forest Service Line Officers when such statute is supported by an existing Federal Regulation. (36 CFR 261)
8. Operating a vehicle carelessly, recklessly, or without regard for the rights or safety of other persons or in a manner or at a speed that would endanger or be likely to endanger any person or property is prohibited on all National Forest System Roads under the jurisdiction of the Willamette National Forest. (36 CFR 261.54(f))
9. Damaging, or leaving in a damaged condition, any road or segment thereof is prohibited. Damage is exclusive of the ordinary road maintenance described in the contract. See the sections for damage control indicators and roadway damage examples. Commercial users may be held liable for any damage caused by their operations. (36 CFR 261.12(c))
10. When nonskid materials are placed on road surfaces, the residual material shall be removed from pavement surfaces as soon as the snow has melted from the roadbed. Chemicals will not be allowed, without prior written approval.

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

---

## GENERAL ROAD RULES

### Continued

11. The load weight, height, length and width limitations of vehicles on National Forest roads shall be in accordance with Chapter 818 of the Oregon Vehicle Code. This rule is enforceable under Title 36 CFR 261.12 (a) or upon written notice to a commercial user to suspend use. Use of Roads by commercial users with loads *exceeding* Oregon state legal loading for an STP (Single Trip Permit) and that will cross bridges under Forest Service jurisdiction shall **apply** for a Bridge Overload Use Permit (FSM 7736.05). A state highway overload permit (issued by ODOT, WSDOT) is not a valid permit for crossing Forest Service bridges. In addition, any vehicle not in conformance with Oregon Weight Table 1 (<http://www.odot.state.or.us/forms/motcarr/od/8110.pdf>) require a USDA Forest Service bridge overload permit to cross any bridge on a Forest Service Road. Processing applications for bridge overload permits may take thirty (30) days or longer. This permit must be carried in the vehicle during the operation and shall be shown on demand to any authorized representative of the Forest Service. The permittee shall furnish additional copies of the approved permit to all vehicles authorized by this permit. A load includes the equipment or materials being moved and the vehicle on which it is being moved. The weight certification shall show the name of the owner of the equipment, the weight of the load (within 5% accuracy), distinctive identification by which the load can be recognized and the signature of the person certifying that the weight is accurate. Location of all bridges are available in electronic form at each Ranger District.
12. All Forest Roads may be subject to short term traffic restrictions and/or closures due to seasonal or unusual weather conditions (such as freeze/thaw cycles, heavy precipitation, and snow), user safety, emergency traffic, environmental or forest resource protection, and when necessary to permit reconstruction and maintenance, (36 CFR 261.54). The Forest Line Officer or designated representative may suspend haul operations when damage to resources, facilities, or structures, is imminent, or when user safety is at risk.
13. Commercial use of National Forest Roads by any Permittee, Contractor, or their agents shall be voluntarily suspended by the commercial user when continued use will cause damage to roads, structures, or resources; or when continued use will result in unsafe conditions to others, (36 CFR 261.12(c)). See the sections for damage control indicators and roadway damage examples, for guidance to follow for avoiding damage.
14. All signs placed on Forest roads open for public use, shall meet the current Manual of Uniform Traffic Control Devices (MUTCD) standards. Roads accessing State and County highways may require additional signing to warn traffic of trucks entering onto or across the highway.
15. All commercial users shall comply with the current Forest Fire Precaution Levels and Public Use restrictions on the Willamette National Forest. Current information may be obtained by calling the local Ranger District Office.



## GENERAL ROAD RULES

### Continued

16. Tracked equipment will not be allowed on paved or stabilized road surfaces, cattle guards, or bridges. Prior written approval must be given by the Forest Line Officer or designated representative to operate tracked equipment on any system road.

No road shall be blocked by placement of any vehicle or other object upon the road in a manner that is an impediment or a safety hazard, or conflicts with other users, unless otherwise provided in the contract. (36 CFR 261.10(f) and 261.12(d)). Request in writing for permission to block roads, or to use them as landings or for other uses, shall be made, in writing, to the Contracting Officer or District Ranger. Allow at least seven (7) days (or as stated in the contract) in advance of needed use.

Some examples of impediments are:

- A. Slow moving logging, construction, or road maintenance equipment operated without posting proper warning signs.
  - B. Logging slash or other debris left in the roadway.
  - C. Logs yarded or decked on, or protruding into the road or turnouts.
  - D. Trees being felled onto the roadway.
17. All Commercial users shall comply with the current Willamette National Forest Motorized Vehicle Use Map (36 CFR 212.51). Maps are available from each Ranger District Office. Use of roads not identified on the MVUM may be authorized under contract.

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

---

## SPECIFIC ROAD RULES

- 1 . Supplement general road rules, and apply to roads identified in the contract.
2. Will not be identified in this document, but will be stated in the contract. These roads will be identified with code definitions as shown below.
3. Have specific restrictions regarding type and size of vehicles allowed, current or expected road conditions, and times of year when commercial traffic is not allowed due to seasonal road and area closures.
4. Roads requiring specific rules will be identified during NEPA planning.
- 5 . The Forest Travel Plan is made up of a set of MVUM's that have additional road and area restrictions that all forest users including commercial users must follow.

### Code Definitions

- X** -Hauling prohibited.
- R** -Hauling restricted.
- U** -Unsuitable for hauling prior to completion of agreed reconstruction or pre-haul road maintenance.
- P** -Use prohibited.
- A** -Public use restriction.

# WILLAMETTE NATIONAL FOREST COMMERCIAL ROAD RULES

## ROAD DAMAGE CONTROL GUIDELINES

The following guidelines shall be used by commercial users to determine when action such as maintenance, dust abatement, suspension of use, or other measures are to be taken to avoid resultant damage to roads and adjacent resources, and to provide for user safety. If the Forest Line Officer or designated representative determines that the commercial user has failed to take the appropriate action, the commercial user's operations will be suspended. Such suspensions shall be effective when the commercial user is notified verbally, in writing, or by road closure posted on the road. Verbal suspensions will be followed by written notification. (36 CFR 261.53 & 261.56)

- **ROAD DISTRESS:** Indicates maintenance must be performed by the responsible party as specified in the contract. If maintenance can't be performed, use must be reduced or stopped until signs of distress are no longer present unless otherwise agreed in writing. Road distress is:

1. Native surfaced roads:
  - a) Surface ruts greater than 4-inches.
  - b) Dust cloud obstructing the view of vehicles within the safe stopping distance.
2. Road distress indicators on gravel surfaces are:
  - a) Surface course deformities (potholes, soft spots, ruts, etc.) greater than 2-inches deep that can be repaired with blading or incidental aggregate.
  - b) Drainage not functioning as designed (surface and/or structures).
  - c) Mud slurry layer which is affecting traction or strength of road and not causing damage as defined under Environmental Damages below.
  - d) Dust cloud obstructing the view of vehicles within the safe stopping distance.
  - e) Sediment building in ditch line.
3. Road distress indicators on asphalt surface are:
  - a) Any perceptible change in the asphalt surface cross section or surface (cracking, visible deflection, etc.) caused by users operations.
  - b) Drainage structures not functioning as designed.
  - c) Visible degrading of ditch line.

- **ROAD DAMAGE:** Is a reduction in the ability of a road or structure to carry traffic that can't be corrected by recurring maintenance methods. Use must be stopped and the road repaired unless otherwise agreed to in writing, citing the appropriate contract provisions. Road damage exists when:

1. Load carrying ability of the road is reduced as a result of, but not limited to:
  - a) Subgrade pumping and/or contamination of surfacing by subgrade.
  - b) Excessive soft spots, potholes, or ruts that result in subgrade deformation. Potholes and ruts on greater than 15% of a 100-ft road segment length, and greater than 2-inches deep.
  - c) A mud slurry layer greater than 1/2-inch depth that exists in the roadway affecting traction and may be contained within the roadway or draining to locations which are containing the sediment by use of biological or man-made erosion control filters.

## ROAD DAMAGE CONTROL GUIDELINES

### Continued

2. Permittee's or Contractor's maintenance methods specified in the contract can't repair the road.
3. Failure to maintain drainage causes loss of surfacing, saturation of subgrade layers, degradation of surface course, or erosion of cut/fill slopes or ditches.
4. Commercial use of asphalt surface road resulting in permanent deformation of pavement cross section or degradation of asphalt surface (potholes, rutting, longitudinal or alligator cracking).

■ **ENVIRONMENTAL DAMAGE:** Is the displacement of soil material, resulting from contract operations, into intermittent or perennial streams that results in an increase in turbidity. Operations shall be stopped prior to the onset of environmental damage and the road repaired when weather and road conditions allow. Environmental damage exists when either of the following occur:

- a) Vehicular traffic causes displacement of fines through pumping, rutting or damage to drainage features, creating sediment laden water that is reaching intermittent or perennial streams.
- b) Sediment is visible and there is an increase in turbidity in streams occurring at points downstream from the outlets of culverts, ditch lines, or fords.

## ROAD DAMAGE EXAMPLES

The Following are examples of roadway and structure damage of which the commercial user may be held liable:

- A. Driving crawler or lugged equipment upon or leaving tractor marks on any bridge or other structure including asphalt, concrete, wood, or metal surfaces.
- B. Any bending or breaking damage to bridge rails, guardrails, culverts, signs, signposts, markers, cattle guards, or other structures.
- C. Operations that result in unanticipated change in the support value or safety of a roadway not correctable by normal maintenance activities such as:
  - 1) Allowing soil, mud, debris, or oversized rocks to be incorporated into or onto the roadway, which may affect drainage, normal maintenance activities, or the strength of the surface structure.
  - 2) Allowing the intermixing of slash or subgrade soil with aggregate or the mixing between layers of aggregate to occur, which may affect the character or strength of the surface structure.
  - 3) Allowing potholes or washboard surfaces which may cause saturation of the subgrade, mixing of the aggregate layers, or intermixing of subgrade soil with aggregate which may affect the character or strength of the surface structure.
  - 4) Allowing the alteration of drainage which may result in the unacceptable loss of surface rock, a change in the character of the ditch line, or concentrations of water which may erode slopes or saturate the subgrade.
  - 5) Allowing any use on asphalt surfaces which may result in a breakdown of the asphalt layer.
  - 6) Allowing any use such as tractors with metal lugs on crushed aggregate surfaces which may result in segregation, mixing of aggregate layers, breakdown of aggregate material, or reduction in compaction of the aggregate surface.
  - 7) Allowing aggregate to be plowed off of the roadway during normal blading or snow removal operations.
  - 8) Allowing the cut slope to be undercut during blading operations which may affect the stability of the slope.



## ROAD DAMAGE EXAMPLES

### Continued

- 9) Allowing ditch slough and slide material to be deposited over fill slopes or into culvert inlets during maintenance operations which may affect the stability of the slope, and increase erosion and sediment.
- 10) Allowing rutting of unsurfaced roads from traffic which may result in increased erosion and the need for increased road maintenance work.