

**Objection Resolution Meeting Notes for
Motorized Vehicle Use on the Rogue River-Siskiyou National Forest
12/16/15**

Attendees:

Regional Office: Agency - Dianne Guidry (Reviewing Officer); Debbie Anderson (facilitator); Greg Moon – District Ranger Prairie City Ranger District, Anne Trapanese (notes); Objectors - John Churchill, John Weber

Medford: Agency - Rob McWhorter – Forest Supervisor Rogue River-Siskiyou National Forest; David Krantz – Environmental Coordinator Rogue River-Siskiyou National Forest; Peggy O’Keefe – Engineer Rogue River-Siskiyou National Forest; Greta Smith – Environmental Coordinator Gold Beach and Powers Ranger Districts; Tina Lanier – District Ranger Gold Beach Ranger District. Objectors - Steve Roach - Pacific 4 Wheel Drive; Chuck Steahly and Tom Niemela– Motorcycle Riders Association; Rocky Reeser – Motorcycle Riders Association of Medford; Wayne Squire; Luke Ruediger; George Sexton and Rich Nawa – Klamath Siskiyou Wildlands; Barbara Ullian – Friends of the Kalmiopsis; Doug Breidenthal and Colleen Roberts - Jackson County Commissioner; David Brock Smith - Curry County Commissioner; Tom Steen.

Gold Beach: Agency – Lorelei Haukness – Recreation Program Manager Gold Beach Ranger District; Kim Hunter – Partnership Coordinator Gold Beach Ranger District; Objectors – Curry Citizens for Public Land Access - Claire Reynolds George Miller, Mike Miller, Ron Hansen, Zip Fredrich and Dan Crumley.

Telephone Objectors: Don Amador – Blue River Coalition, Doug Heiken – Oregon Wild

Introductions

Review of Meeting Rules

- We have your written objections, and we will respond in writing
- Will circulate notes
- Will only dialogue with objectors today

Opening Statement by the Objection Reviewing Officer

- Thank you for being here and participating, thank you for your involvement;
- Old appeals process was not interactive; new objection process allows for discussion with Responsible Official before a decision is made;
- Will only have dialogue with objectors;
- I can help find resolution, but it is Rob’s decision;
- For those of you who didn’t object, thank you for attending and showing your support;
- I encourage you to meet with Rob further to address specific concerns and to continue to work toward mutual agreements;
- This is not a hearing, will not render a judgement today;
- Hear objections, facilitate dialogue, give opportunity to be heard, here to listen and ask questions;

- Ensure we can respond to concerns, where possible;
- Want a final decision to be made that meets goals and objectives of the project.

Key Concerns and Resolution Proposals

Rob MacWhorter – Opening Statements

- Thank you for all your time, we have been at this since the mid 2000's, lots of work has gone in to this, this is a unique Forest;
- Lots of field work has gone into these routes, all of you have passion about this, but please be respectful of those with different views than you.

George Sexton – KS Wild:

- Question about eligible objectors - looks like possibly the Jackson County objector did not meet the requirements for filing an objection. Asked what the rules were regarding this. Debbie responded - it is true that all objectors may not have met it the exact requirements. First and foremost, they submitted timely written comments; when we respond we will help people learn about our requirements. Unlike KS Wild, for some people, this is their first time participating in the objections process. These people will be included in the meeting as they are eligible objectors.

Doug Breidenthal – Jackson County Commissioners

- Jackson County response to KS Wild - we have been working together as a government to government relationship, this is part of public record and our involvement has been on record.

Debbie Anderson - because we got a late start let's get back to the agenda

Rob MacWhorter and David Krantz (Agency) – the agency recognized that there were mapping errors.

- Thanks for the help on mapping, 5,000 miles of road and 200 miles of trails is a lot to map
- Correction of Map Errors - Chetco Pass Road (087), 885, 1060, roads and trails in the new National Monument 969, and 535 spur road will all be corrected as closed - the intent of this document is to provide narrative form on the map. Where the narrative is correct and the map is wrong, the map will be corrected. These corrections don't influence total miles; those stay the same as they were correct. These errors were simply mapping errors.
- Access to Onion Camp Trailhead will be corrected as open – there is no intent to close this.
- If you think there are other errors please let us know.
- Easement Issues - Mule Mountain (modify to one route open and one route closed); Pine Grove Trail - will be shown as closed until easement is secured. If an alternate route is proposed or developed, it will require further NEPA.
- Lower Rogue River Trail – this trail is not in Forest Service jurisdiction.

Luke Ruediger - FS road 1040-850 has been closed for 26 years and it has not been enforced, and it is on the map.

Agency - Need to research if it is closed by a decision or if it is closed on the ground and no decision was made; will determine maintenance level.

Chuck Steahly - Mule Mountain trail, why not routed around private property, and why don't need an authorization for non-motorized (hiking), but need one for motorized?

Agency - Need to do more research for Pine Grove – don't have legal access to trail - until we do we won't show on the MVUM because of concerns over private citizen's property and trespass issues.

Jack Churchill - I own the 50 acres, trail starts on my property, trespassing on my land, 20 years this problem; you have usurped my private rights because by having the trail because Mule trail is impossible., this grade is the best can find on FS land, people continue to trespass on my property. Trail needs to be taken off the map, need to find and complete getting FS trespass off of my property, no sign that you have stopped the trespass.

Agency - The Forest agrees not to show on the map

Jack Churchill - wants it noted that not showing the trail on the map does not solve the trespass issue.

Curry County Citizens – the southern 5 miles of the trail are FS, can avoid private property; Mr. Churchill agrees on this.

Agency - Clarification on parking on roadside and camping within ¼ mile of developed campground or potable water sources. Not intended to impact day user or casual users. Will be clarified in final ROD. Only pertains to those camping overnight.

Jackson County - If campsite is closed in winter months, is it ok to park/camp?

Agency – this hasn't been brought up before, but we will clarify.

Agency - LRMP amendments that will not be reconsidered: Southern portion of Boundary trail will be non-motorized, northern portion will be motorized

Rocky Reeser - Did you hike southern portion?

Agency - Did not, but did look on aerial photography and relied on staff knowledge. Rob made the decision to break up the trail because there is no open trail system to the south. Green valley trail is closed there have been accounts of conflict between users, i.e. users going into the wilderness area. To the north there is a way to get back into a loop. Users are abusing this access by going into the wilderness.

Agency - Cook and Green are dual trails that go to the same spot- one will remain open, one will be closed because of resource damage.

Agency - Hobson Horn Trail – the Agency will not put any more money into that trail. It won't stay on the side of the hill and will be closed from Illinois Valley side to Silver Peak. Silver peak west will be open during hunting season. Rob is not willing to re-consider this decision and has spent lots of time on this.

Rocky Reeser – The survey markers is a wooden sign. The marker for wilderness is ½ mile further. Do you have pictures of motorized vehicles going into the wilderness, pictures, records, citations of abuse?

Agency – Rob reiterated that we need to find balanced approach to stop motorized vehicle going into the wilderness. He has made his decision. One forest plan says open, one says closed; they are fixing the plan.

Adams Prairie - don't need plan amendment as long as vehicles stay on route. Travel Management prohibits cross country travel to that should solve that. If there is further unauthorized use, Forest Supervisor will close the road – due to resource damage using CFR closure order.

There was a question as to whether there will there be a sign indicating this?

Agency - MVUM provides education, signage is a possibility.

Curry County Commissioner and Curry Citizens for Public Access - can possibly work with the FS to have money for signs, education, implementation.

Question - Trail left off of Map - NW corner of Lawson Creek Trail- Trail 1173? Agency responded that we will get back to you

Agency - Signal Buttes and Fairview not appropriate for motorized use due to environmental conditions, resource damage that continues to occur. Rob is not willing to modify to mixed use due to safety- i.e. paved roads, try to be consistent with State Law.

Agency - Changes to seasonal closure on the Illinois and Hobson Horn to reduce wet weather issues not open for resolution. The Agency is committed to work with the state's regulations for hunting to allow access during hunting seasons. Intent is to keep them open during those open hunting seasons.

Curry Citizens for Public Access - Gold Beach- Signal Butte Road has never been maintained, minimal damage is occurring there. If it is closed, they believe there will be greater impact than if the agency tries to manage it as a motorized trail. It makes a circle to go into Browning Camp.

Agency – Rob has personally seen that damage is occurring. He hasn't been able to get people's attention to get people to stop driving off trails, which is causing resource damage.

Curry Citizens for Public Access - Are you not going to consider at all? We can't see drainage problems, just needs maintenance.

Agency – Rob is not going to change his mind. Resource damage, ruts, gullies, want to close road, too much environmental damage occurring- MVUM is a starting point, can add and delete motorized

opportunities if there is an appropriate proposal in the future, it can be considered, but for now, it is closed.

Agency - Big game retrieval by OHV not open for resolution because Region is approaching this collectively, not entertaining OHV removal of Big Game at the Regional level.

Question - What is your ADA accommodation for Big Game removal? Working with our AHA coordinator to get an answer for you.

Agency – There was an objection issue on the Recreation Opportunity Spectrum (ROS) and lack of OHV trails. This is an issue that is outside of the scope of this project, and we will address this in plan revision.

Agency - Issues to research further:

- McGrew Trail- we will continue to permit large groups such as the Father's Day ride
- Conditional use or special use permit is outside of my authority for this decision, need to do additional NEPA in order to do this. This decision will close the trail to general public on the MVUM. Existing special use permits are still valid and new permits may be authorized under separate NEPA,
- Question by 4-WD Group - No individual use? Agency – correct; we continue to have users leave the trail, damage plants, cultural resources, tear things up in the wet meadows.
- Question - Can you work with user groups to sign, educate, enforce, put up boundaries? Agency - This is possible as part of the small NEPA.
- Question - are you willing to work with people to keep it open? Agency – For now, no; it will remain closed, you will need to have a permit of some sort.
- Concern - Organized OHV groups have made lots of progress. It's the young bucks, rock crawlers whose purpose is to leave the trail that ruins it. Agency -need to protect irreplaceable resources, avoid Port-Orford cedar (POC) contamination, not an education thing, everyone has to give.
- Don Amador - There are successful management prescriptions that can be employed- very restrictive access/closure is being proposed on an important trail, nice to see line officer going out in the field
- Steve/Rocky - Willing to work with folks on this- we will fight tooth and nail to keep that trail- illegal users are keeping out the legal users

- Barbara Ullian - In the past Forest Service was allowing large groups without special use permits, people are not staying on the trail which is required under a special use permit, these rocks are habitat for rare and endangered plants. Note: members of the OHV group disagreed that damage was occurring by the SUP holders.
- Agency - McGrew Trail will be closed under this decision. Will work with user groups to work on a conditional permitting system. Separate NEPA process. Need to evaluate, enforce, come up with a good plan.
- Question on Boundary Trail- Southern portion. Since you are taking away OHV opportunities, can you provide that opportunity elsewhere? Agency - This could be covered under a separate project, if within the scope and the purpose and need, then yes.
- Penn Sled Trail - would have reconnected a trail segment. Agency – original FEIS was based on old consultation document. New Critical Habitat Unit for spotted owl - so trail was not included in the new document.
- Concern - 25% of motorized trails would be closed under this document. Single track trails for motorcycles, so much is being taken away, not providing new trails, no class 2 trails. No consideration of loops, full day rides.
- Agency - Needed to consider effects to user conflicts, safety concerns, resource damage, not considering new or user created trails. Needed to consider minimization criteria.
- Agency - New site specific projects for new trails will be considered in the future.
- Concern - You failed to provide multiple use, once this project is closed to Class 2s, we will lose opportunity for recreation; you have to look at all users.
- Agency – Rob believes we have considered all users, there are lots of opportunities; I disagree-agree to disagree.
- Luke Ruediger - Port-Orford Cedar analysis area and Boundary access trails - Elk Creek, O'brien, and Sturgis – these trails weren't within the zone of impact for POC and he believes that they should be. Agency will continuing to look at this; going to go back and look at this 2009 inventory data in GIS.
- Luke Ruediger - Elk Creek trail first mile is in riparian, and can become infected. Agency - Possible limit to wet weather travel, washing vehicles will determine at a later time. Will look at the risk key.

- Where is POC on O'Brien and Sturgis? Just at lower elevation, need to look into this?
- Luke Ruediger - ML 2 routes in Applegate area - these roads currently have physical barriers and are closed and not receiving use/lack of maintenance. Agency - have some inconsistencies that we need to check on will be looked at and come up with a strategy to address these.
- Luke Ruediger - Whether or not there are barriers need to look through paperwork to make sure that it is ML1 or ML2- are you going to not increase use like they said in document? Some of these have been closed (physically) for a long time. Agency - If it is ML2, then technically it is open regardless of barriers or impassibility. In all likelihood, won't get used. The Forest Service will do more work to sort this out, thank you for bringing them up.
- Agency - Specific routes that are ML2 – need to go out and verify (2ii and 2iii)
- Rich Nawa - 2 dead end roads that go to an oak savanna - 990, 091. OHVs go into meadows, damage occurs, FS needs to construct fences to keep people on the road to restrict unauthorized access.
- Agency – Rob asked Tina Lanier about these roads - These roads are being analyzed on a site specific basis as part of the collaborative, which will be the appropriate analysis that will be used to make a decision.
- Rich Nawa - people are opposed to motorized use, but are willing to compromise if people stay on trails.

Open time for Objectors to bring up topics

Blue Ribbon Coalition - thank the Forest for looking at the trail, long process, don't just focus on closures, signage, trail delineation, need to keep McGrew trail open to the casual user.

Wayne Squire - concerned about parking on open roads, because grass goes right to the road, there is no place to park, where you won't damage vegetation.

KS Wild - tried to narrowly tailor objection, lots of areas where they would advocate for resources, emphasize wilderness, IRA, RNAs, backcountry non-motorized, botanical areas, some of these land allocations are not emphasized allowing motorized uses.

John Churchill - how did Pine Ridge trail go from Class 3 seasonal use to year round Class 1 or 2 use? It's a single track trail. What is the basis for that decision? Taking it off map does not stop trespass, I want trespass to stop, and will go to courts if need be. Need alternative route- re-

route don't want to have to do another EIS, this is a decision point for me, have been working on this for 20 years.

MRAM - disappointed, 3 decades of maintaining Boundary Trail, picture 2/3 through trail, moved rocks to prevent motorcycle damage; responsible users are getting punished.

John Weber - lower Illinois, Hobson Horn trail, going from current May to Dec to hunting season, notes in dROD; user conflict and wet weather, won't dispute wet weather; likes that future opportunity to change MVUM; wants it so that user groups can discuss with land managers, so whole trail doesn't have to be closed for the entire length of time if conditions allow.

Steve Roach - long history with the McGrew Trail, 33 years except for fire, very disappointed that general public will not be able to access, lots of lawful users.

MRA - disappointed losing 30% of single track opportunities, lack of possibilities to work together to work on mitigating this, want commitment to work together in the future – we will propose and you just have to do NEPA. Tom - money for law enforcement, wants to propose new trails.

Agency - everyone has to be around the table, not just user groups.

Barbara Ullian - McGrew trail, mostly in inventoried roadless area, did not disqualify the area as wilderness, was rocky area; user groups are creating damage, in the past 200+ groups using without special use permit, this is an amazing area, rare plants, open serpentine terrain.

Luke Ruediger - disagree with the decision on the Boundary Trail, enters botanical area, backcountry non-motorized area; Mule Mountain trail open section is in 4 spotted owls cores, paper shows negative impacts to spotted owl due to OHV use; EPA and ODFW recommends closure due to mule deer, without loop you are encouraging trespass on closed and private property.

Oregon Wild- strongly supports planning process, need to rationalize road system, focus on key sensitive areas, emphasize non-motorized use in roadless areas where these is use.

Jackson County Commissioners - proposal on cross country travel is limiting access for search and rescue; proposal of MOU to maintain roads at a cheaper rate; RS247 Roads should not be closed; don't believe this plan has made an adequate ADA determination; Forest Service does not adequately staff LEOs; not just create closures, need to staff LEOs for education, too.

Curry Citizens for Public Land Access - Signal Butte important topic to us, discussed this with Rob and have not heard anything back, have not had a chance to stop braided trails, help educate people and self-police, not receptive to having it closed, not acceptable.

Dianne Guidry - thank everyone, good discussion, energy, discussion on key point, offers to dialog and work, Rob has offered to continue to have everyone at the table

Debbie Anderson - next steps: We have your written objections; the review team will look at the things you have raised. If we have resolved your objection today, you can formally withdraw your objection. If we have not, we will respond in writing. Some work to do to wrap this up, have until January 19th to finalize under the 30-day extension. Rob will still be the Responsible Official, but Diane will provide instructions to Rob with potential changes, including those changes we have already recognized such as the mapping errors. Then the ROD will be finalized and signed and provided to objectors. This will be later in the new year.

The MVUM cannot be produced until review process is complete, and ROD is signed, so might be awhile.

George - heard from many users- need to increase LEO capacity, is there space in the ROD to do this?

Agency – Increasing staffing of LEOs is outside of the decision – but user groups can help with enforcement, engineering, and evaluation.

Jackson County - national level discussion- possibility to reallocate funds to law enforcement, if you are willing to consider.

John Weber - next step are far as mitigating trails in the future? What is the avenue to approach Forest Service on issues or new things? Agency - Go to local district first, can be included in local project planning possibly.

MRA - Game Lake and Lawson Creek trail will not be published on the MVUM until partnerships are developed, MRA made an offer, would like to work together, can we keep open on maps? Rob- will get back to you. These trails are proposed closed - partnerships need to be in place and worked out- it is a process- NEPA for opening and closing roads.

Debbie Anderson - Thank you for your time, if you have questions about objection process, feel free to contact her.