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Subject: Travel Management, Schedule for Implementation

To: Regional Foresters, Station Directors, Area Director, IITF Director, Deputy Chiefs and
WO Staff

The Forest Service announced on November 2, 2005 the release of the travel management rule (36 CFR parts 212 and 261), which governs the use of motor vehicles on National Forest System lands. At the same time, I requested submission of a schedule for route and area designation within four years.

The rule represents a major step forward in addressing unmanaged recreational use – one of the four major threats affecting our nation's forests and grasslands. Successful implementation will require adjusting priorities to accomplish collaborative travel planning at the field level. The designation process must be completed soon. This is one of our highest priorities as an agency.

I have approved today the national schedule for route and area designation covering all National Forest System units. This schedule demonstrates our commitment to complete the initial designation process in a timely manner while using a collaborative public involvement process.

The enclosed schedule serves as the basis for tracking annual performance, scheduling work, and achieving Strategic Plan objectives. We will post it on our website, distribute it widely to interested parties, and update the information annually. I expect field units to accomplish route and area designation, including their motor vehicle use map, by dates indicated. Changes to this schedule must be negotiated in advance.

Chief Financial Officer Jesse King's letter of July 26, 2005 provides guidance on funding for the travel planning process.

We expect to publish proposed directives on travel management for public comment shortly. The rule itself, however, provides sufficient guidance to proceed with the designation process. The off-highway vehicle implementation team has developed a set of working tools to support designation (fsweb.wo.fs.fed.us/rhwr/ohv).

During recent training on the new rule, we clarified a few issues raised by field units. Please consider the enclosed paper as guidance pending the issuance of final directives.

Finally, please accept my thanks for your leadership and commitment in implementing the new travel management rule in a time of scarce resources and competing priorities. I am pleased with the strides we are making in addressing unmanaged recreation.

/s/ Dale N. Bosworth
DALE N. BOSWORTH
Chief

Enclosures



Implementation of the Travel Management Rule

Delegation of Authority

Unless specifically reserved by the Regional Forester, forest and grassland supervisors are delegated authority for all travel management decisions related to designation of roads, trails, and areas for motor vehicle use under 36 CFR Part 212. This authority may be redelegated to district rangers.

Motor Vehicle Use Map

The Director of Engineering, through the Geospatial Services and Technology Center, is finalizing national standards for the motor vehicle use map. Motor vehicle use maps will be prepared consistently in accordance with these national standards, using corporate geospatial (travel routes) and tabular (INFRA) data.

Dispersed Camping and Game Retrieval (36 CFR 212.51(b))

The responsible official may include in the designation the limited use of motor vehicles within a specified distance of certain designated routes solely for the purposes of dispersed camping or big game retrieval. Such designations represent site-specific decisions associated with specific roads and trails or road or trail segments, rather than a blanket exception to the rule. Designations under 36 CFR 212.51(b) will be applied sparingly to avoid undermining the purposes of the rule and to promote consistency in implementation. Regional foresters will coordinate designations within states and between adjoining national forests to promote consistency.

Areas

Designated areas should have natural resource characteristics that are suitable for cross-country motor vehicle use or should be so significantly altered by past actions that motor vehicle use might be appropriate. While there is no specific acreage limitation, areas should not be large or numerous. They are intended as specific designations covering small places with clear geographic boundaries, rather than entire landscapes.

Jurisdiction

Many roads and trails accessing National Forest System lands traverse other land ownerships. Determination of jurisdiction must be made locally, on a case-by-case basis, in coordination with the Lands staff and the Office of the General Counsel. Units should consider prescriptive rights and other rights which may not be documented in a written right-of-way when determining jurisdiction under federal law and applicable state law. Evidence of prescriptive rights might

include a history of maintenance, depiction of a route on a visitor or travel map, signing, and other indicators of assertion of ownership. Where the Forest Service has a legal right to a particular road or trail, that road or trail should be considered for designation. The Forest Service will not manage, maintain, or designate roads and trails where it does not have the right to do so. Some questions of jurisdiction have long predated the travel management rule. Implementation of the rule does not require resolution of all these questions.

Motorized Mixed Use

Administrative units and ranger districts should refer to EM-7700-30, *Guidelines for Engineering Analysis of Motorized Mixed Use on National Forest System Roads*, to document engineering analysis associated with motorized mixed use. In general, the starting point should be state traffic law. Where the responsible official proposes to depart from state traffic law or otherwise change current travel management direction by authorizing motorized mixed use where it would otherwise be prohibited, that decision must be advised by engineering analysis conducted by a qualified engineer, as described in EM-7700-30. Decisions on motorized mixed use are the responsibility of the responsible official. The role of the qualified engineer is to analyze information on the road and road use and to recommend mitigation. The Engineering Staff is developing guidelines on the engineering qualifications needed for this purpose. As with questions concerning jurisdiction, some questions of motorized mixed use have long predated the travel management rule and need not be resolved to implement the rule.

The travel management rule requires designation of roads, trails, and areas by vehicle class and, if appropriate, by time of year. Requirements for operator qualifications and personal protective equipment are established by state law.