

June 8, 2006

Black Hills National Forest Advisory Board  
Travel Management Subcommittee Report  
Tom Blair, Chair

On March 16, 2005, the Travel Management Subcommittee was established to address the objectives outlined in the October 6, 2004 report to the Board prepared by the first OHV Subcommittee. Members appointed to the Travel Management Subcommittee by the parent Board represent a wide variety of interests, both motorized and non-motorized. The purpose of the current Subcommittee was to develop recommendations for travel management on the Black Hills National Forest. At their first meeting on May 4, 2005, the Subcommittee adopted the following mission statement:

“To make it a priority of the BHNF to develop and implement a sustainable road and trail system for better management of OHV use and therein provide for conservation and protection of the forest.”

The Subcommittee also adopted the following six general objectives:

1. Evaluate regulatory framework.
2. Facilitate a series of meetings to obtain public comments.
3. Develop and enhance process to get information to the public.
4. Develop funding sources.
5. Facilitate a complete inventory of roads, trails and areas.
6. Define a trail system.

Since May 2004, the Subcommittee’s focus has been on issues related to development of an OHV trail system on the Black Hills National Forest. A new Rule was issued by the Chief of the Forest Service during the time that the Subcommittee has been doing its work. That Rule applies to all motorized use on National Forests, including OHV use. This has not really changed the Subcommittee’s focus, but instead has provided some additional focus, and better places OHV use within the context of overall motor vehicle use on the Forest.

The BHNF will be making decisions over the next 2-3 years on where all motorized vehicle use will be allowed on the Forest. This includes OHV’s and all other vehicle classes. The new Rule’s direction is that vehicles will only be allowed on routes/areas where they are specifically designated for use. The Forest will be preparing an Environmental Impact Statement (EIS) that addresses alternatives for such use. It is intended that advice provided by the Board will be used by the Forest Service in developing a proposed action or alternatives for consideration in the EIS.

To assist their efforts in evaluating the potential for establishing a designated Off-Highway Vehicle (OHV) trail system on the Black Hills National Forest, the

Subcommittee distributed a User Needs Questionnaire to solicit input from both OHV and non-OHV users. The questionnaire was designed to help the Subcommittee to understand opportunities for an OHV trail system and potential conflicts with other users. By December 15, 2005, 559 questionnaires were received by the Subcommittee to assist in their formulation of travel management recommendations to the parent Board. A summary of results is posted on the Black Hills National Forest's web site.

To supplement the information obtained from the User Needs Assessment Questionnaire, the Subcommittee also conducted four public meetings. The Subcommittee listened to ideas, suggestions, and concerns from off-highway enthusiasts, outdoor recreationists, interested stakeholders, and community members.

This report contains proposed recommendations that the Travel Management Subcommittee has developed over the last year, with public input, for consideration by the parent Board. These recommendations are intended to be general in nature.

- Our Setting/Niche – The BHNF is a multiple-use Forest that provides easy access to a variety of users. It is both a recreation area for local residents, and a destination area for users throughout the upper-Midwest and elsewhere. The Subcommittee recognizes that motorized vehicle use—including OHV's—is an important part of the recreation experience on the Black Hills. The Subcommittee recommends that an OHV trail system be developed, within the context of overall motorized uses, which provides for a variety of opportunities but does not dominate or unreasonably interfere with other multiple uses on the Forest.

Rationale: The charter of the Travel Management Subcommittee is to focus on development of an OHV trail system on the Black Hills National Forest. This was intended to deal with the specific issues and problems related to motorized use on the Forest. Although the charter did not direct us to develop a non-motorized trail system, there was a clear understanding on the Subcommittee that non-motorized use is also important and these needs should be fully considered at the time that an OHV trail system is designated, and not as an afterthought. The Subcommittee also clearly understood the need to ensure that any designated motorized system be compatible with natural resource protection, as specified in Section 212.55 of the Travel Management Rule (Criteria for designation of roads, trails, and areas). The intention in this recommendation is to recognize the importance of motorized use in the Black Hills, support designation of an OHV route/area system, and to be clear that this is only one of the many multiple uses on the Forest and it should not dominate other uses.

- Active or a Passive System? The Subcommittee recommends an “active” system versus a passive one. A passive system is similar to what we have today—routes areas are designated as open or closed, and people use these routes/areas as desired. An active system is one that is specifically designed, maintained, and enforced to provide for specific uses. The Subcommittee recognizes that funding

will play a large role in the size and nature of the system (see discussion on funding below).

Rationale: The Subcommittee discussed whether it would be sufficient to simply provide for a passive system—one that simply designates routes and areas for any motorized use, with no attempt to provide for different classes of vehicles, different types of riding experiences, trailheads, etc. The Subcommittee concluded that it is desirable to have a system that is actively designed, maintained, enforced, and provides for a variety of motorized experiences. For example, a trail system might be designated specifically for single track motorcycles or for ATV's and other vehicles under a specified width. The point is that an active system which provides for a variety of uses is more likely to meet the desires of the recreating public and to be supported. The installation of elements (kiosks, trailheads, parking areas etc) will obviously be an ongoing project. The speed with which these elements can be added will be determined by the level of funding. With that consideration, the system would be active under development, but not phased in. Areas prioritized for "added services" would be based on heavy use/user conflict/resource damage.

- What are the economic and funding issues? The Subcommittee recognizes that the size and nature of an OHV system will depend substantially on the funding sources available. The Subcommittee supports pursuing all possible funding options. Possibilities include: OHV registration (sticker), gas tax revenue, excise tax on the sale of OHV's, Recreational Trails Program funding (part of ISTEA), Forest User Fee (under FLREA), funds from Rural Schools and Communities Self-Determination Act (from the counties), and volunteer/partnership funding and/or in-kind work. Funds would be used for start-up costs, signing, construction/maintenance, trailheads, law enforcement, maps, education and other activities.

Rationale: The Subcommittee discussed funding issues and sources at length. We recognize that the Forest Service has limited funds available for an OHV trail system, and that other sources of funding will be required if an active system is to be designated. All potential funding mechanisms should be explored. The Subcommittee recognizes that the Forest Service is unable to lobby for specific legislation, but does encourage the Forest Service to work closely with the States of South Dakota and Wyoming, and other entities, on funding issues.

- What would be the role of the States and local communities in developing and managing an OHV trail system? The Subcommittee recommends that OHV management on the BHNF be a cooperative effort between the Forest Service, the States of South Dakota and Wyoming, and local counties. The Forest Service would have primary responsibility for an OHV trail system (as well as other transportation systems) on NFS lands. The States' role as a partner could include funding, shared enforcement, safety education, and primary responsibility for

routes that cross private land. County roles would primarily relate to enforcement of state traffic laws and specific county ordinances.

- What should the system look like/consist of? The group likes the concept of “Gateway Communities” or of at least connecting/tying in communities in some fashion. In general, the system should consist of a main arterial system extending throughout the Black Hills and a network of routes branching off the main system. The focus would be on multiple scale loops as opposed to dead-end spurs. Many of the routes would be shared by multiple users. For example, OHV’s, motorcycles, and pickups would all be allowed on many of the routes. Some of the loops would focus on more single type use, such as vehicles less than or equal to 50 inches wide (ATV’s, dirt bikes) or single tracks (dirt bikes). The group recognizes that, for the most part, there are already an adequate number of routes on the Forest that could be developed into a system. Some existing routes may need to be connected to provide for loops and some currently closed routes might be opened, and some open routes might be closed, to make the system work. Some current, non-system routes may need to be included in the system.

Rationale: The original intent of some Subcommittee members was that we would specify which routes or areas would be included in a designated OHV system. The group later recognized this would not be possible for two primary reasons—the complexity of the task and the legal processes (NEPA etc.) that must be followed as part of the decision making process. The Subcommittee decided instead to focus on a general description of what an OHV trail system should look like, with the specifics included in a Forest Service “Proposed Action” as part of the public NEPA process.

The Subcommittee based its recommendations on what we heard through the public involvement process (public meetings, survey), and from discussions among Subcommittee members. An arterial system that extends throughout the Black Hills is recommended because it provides broad access to the system, as opposed to being focused only in one portion of the Forest. It is not intended that an arterial system extend everywhere without regard to non-motorized and other uses; only that it connects with other parts of the Forest. The recommendation for multiple scale loops captures the strong sentiment of motorized users that they prefer loops to dead-ends. This is not to say that all routes would be loops and there would be no dead-ends; only that opportunities to establish loops should be encouraged. The recommendation includes a statement that, “for the most part, there are already an adequate number of routes on the Forest that could be developed into a system”. This statement and the trailing description contained in the recommendation is an acknowledgement that the Black Hills is already heavily roaded and we do not envision the development of a large number of new routes in addition to the routes already existing. Some new connections or limited new routes may need to be developed, but this should be off-set by the removal of other existing routes. In the end, there should be less “tracks on the ground” than currently exists.

- How do we address populated areas? General consensus was that it is important to limit the amount of noise and potential conflicts adjacent to communities/subdivisions, and that an OHV trail system should focus more on areas away from populated areas. There was general discussion regarding personal driveways from private land onto the NF. The group believes that you can't manage a designated route system and allow individual private landowners to develop their own personal access across public lands.

Rationale: This is a very important issue in two ways. First, the Subcommittee recognizes that many people choose to live in the Black Hills because of the easy access onto NF land for motorized and other purposes. A number of people have what amounts to "special access" onto the Forest from their property, where they can drive directly onto the Forest from their land on a route that other members of the public cannot access. Sometimes, it is behind closed gates or other barriers. In essence, this recommendation states that "access for one is access for all". One cannot have their own personal motorized access onto public land—if it is open to all other users, then it can be included in a designated system; if not, it cannot be part of the system. The Forest and States should work with private landowners willing to allow access across their land.

The second important part of this recommendation regards the many other residents that live proximal to public land—those that do not want to be subjected to the noise and other effects (dust, traffic, etc) that might be associated with concentrated motorized use. This recommendation recognizes that concentrating motorized use within populated areas can be a nuisance for some and cause conflicts. Therefore, concentrated use should be routed away from populated areas. To be clear, this does not mean that no OHV routes would be located near communities and subdivisions or be solely in the "out back". Instead, it means that efforts should be made to minimize nuisance and conflicts adjacent to populated areas while attempting to provide motorized access from these areas. The Subcommittee recognizes that this will be a difficult balancing act—probably the most difficult aspect of the entire process. We also recognize that this means some private land owners will not have the same special access to the public's land that they currently enjoy.

- Game Retrieval The Subcommittee recommends that allowances be made for game retrieval as part of the motorized use designation process. Specifically, the Subcommittee recommends that:
  - The Black Hills National Forest should be consistent with other Federal and State Agencies and Custer State Park regulations, to the degree practicable.
  - Areas be designated where retrieval will be allowed and where it will not.
  - Provide a defined time of day for retrieval which will work to eliminate conflict with prime hunting times.

- No uncased weapons are to be carried during the game retrieval.
- A hunting license is required.
- There needs to be coordinated education/communication/outreach targeted to hunters on the proper rules for game retrieval.
- No unacceptable resource damage, as defined by the Forest Service, will occur as part of retrieval operations.

Rationale: The issues of cross country motorized travel for game retrieval and for dispersed camping were two potential exceptions listed in the new Travel Management Rule. The Subcommittee addressed the specifics of these two exceptions (see also dispersed camping below).

The Subcommittee recognizes that many hunters use OHV's or 4-wheel drive vehicles when hunting, although they might not be considered as typical OHV users. The hunting community is somewhat split on their opinions about cross country motorized travel. Some hunters believe it is very important to have this type of access; other hunters feel this negatively affects their hunting experience. Many hunters believe that cross country motorized access is desirable when it comes to retrieving downed big game. The model for this recommendation is how retrieval of downed game is handled in the adjacent Custer State Park. The intention of this recommendation is to allow limited access to retrieve big game, but not to allow special access for hunting. Timing and other criteria are intended to be specific for game retrieval only and to ensure that such actions do not unreasonably interfere with other's hunting experience.

- Firewood Collecting – The Subcommittee recognizes that many residents collect firewood on the Forest to heat their homes, and that the FS currently limits the cutting of standing dead trees for use as firewood. The FS has many slash piles and other areas available for firewood gathering. The Subcommittee recommends that motorized use to collect firewood:
  - Require a firewood permit.
  - Be limited to areas designated by the Forest Service which can be modified as needed.

Rationale: The Subcommittee discussed the issue of unlimited access to collect firewood and concluded that this was not a good idea. There is an adequate amount of firewood in designated areas. This biomass would be better used for firewood (or other productive uses) than being burned in the Forest. The Subcommittee also believes it is counterproductive for a designated route system to allow anyone to travel anywhere cross country to retrieve firewood.

- Dispersed Camping The Subcommittee recommends that dispersed camping using motorized vehicles off designated routes be allowed, but motorized vehicles be restricted to within 300 feet of an open, designated route using the most direct route to the camp site.

Rationale: As a general practice, western National Forests allow dispersed camping up to 300 feet off of open roads. The situation on the South Dakota side of the Black Hills is unique because open fires are banned. The result is that there is very limited dispersed camping on the South Dakota side, and most of this occurs during hunting season. There is more dispersed camping on the Wyoming side, where open fires are permitted, but this has not been a real issue from a resource or enforcement point of view.

The Subcommittee recognizes that a 300 feet buffer on either side of roads in the Black Hills covers a large area. We also recognize, however, that very little of this area would be affected by those camping off the road. The group also recognizes that 300 feet is the typical distance allowed on other Forests, so this recommendation is consistent with other Forests. Should this prove to be a resource or enforcement issue over time, the Forest Service would have the ability to further restrict this width.

- Cross-Country Motorized OHV Use The Subcommittee recommends that cross-country motorized OHV travel be allowed only within designated areas. Exceptions to this would be for administrative and permitted uses, public safety, fire suppression, and search and rescue. The Subcommittee offers no recommendation at this time as to the size and nature of these areas.

Rationale: The Subcommittee supports provisions of the new Travel Management Rule that requires motorized travel be restricted to designated routes and areas only. We also recognize that management of the National Forest requires exceptions to this and there is nothing in the new Rule that would prohibit the Forest Service from the judicious use of these exceptions.

- Mud-Bogging The Subcommittee recommends that no mud-bogging be allowed on National Forest System lands.

Rationale: The Subcommittee believes that mud-bogging, by its very nature, damages natural resources. Such use should not be permitted on the National Forest. The intent here is not to make it an offense to merely drive through a wet spot on a designated route.