

A short history of road policy on federal land

Environmental Quality Council - Joe Kolman, Environmental Analyst (Rep. White additions 3/16)

1897

- The Organic Act states the purpose of forests is to improve and protect the forest, secure favorable water flows, and furnish a continuous supply of timber. A settler residing in a forest could construct wagon roads or other improvements to access a home and to utilize the settler's property. Anyone could enter the national forests for lawful purposes, including mineral exploration or development, provided that rules and regulations covering the forest were followed.

1946

- Bureau of Land Management created. Applicable laws include Taylor Grazing Act.
- The BLM had no unified legislative mandate until Congress enacted the Federal Land Policy and Management Act of 1976 that repealed Taylor Grazing Act and 1866 Mining Act, including Revised Statute 2477, which said "The right-of-way for the construction of highways across public lands not reserved for public purposes is hereby granted." Existing rights were grandfathered.

1950

- The road system in national forests is largely built to harvest timber and develop other resources. In 1950, loggers harvest 3.5 million boardfeet from national forests. It is estimated that 14,000 vehicles per day access forests for timber purposes compared to 137,000 per day for recreational use.

1960

- Congress passes Multiple Use Sustained Yield Act for forests. In addition to original uses of waterflow and timber supply, the act deems outdoor recreation, livestock grazing, wildlife and fish habitat, and wilderness as uses of the national forest.

1964

- Congress finds that an adequate system of roads and trails in national forests is essential to meet increasing demands for timber, recreation and other uses. Forest Service authorized to acquire, construct, and maintain roads to permit maximum economy in harvesting timber while meeting requirements for protection, development, and management of forests.

1970

- Timber production rose steadily from 1950 to 1970. In this year, 12 million board feet was harvested, with about 47,000 timber vehicles driving through forests each day. Recreational use rose more dramatically, increasing six times the number of vehicles in 1950 to about 900,000 vehicles a day in 1970.

1972

- President Nixon issues executive order ordering that off highway vehicle use on lands managed by the Forest Service or the BLM be relegated to areas and trails designated by the agency. The purpose is to control OHV use to protect land resources, promote safety of all users, and minimize conflicts.

1974

- Congress passes Forest and Rangeland Renewable Resources Planning Act requiring national forests to develop, maintain, and revise as appropriate, land and resource management plans.
- Forests directed to inventory all wheel tracks, regardless of how developed. Many forests added those wheel tracks to the Forest Development Road System.

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1976

- Congress passes Federal Land Policy and Management Act for BLM lands with a broad definition of multiple use of resources including recreation, range, timber, minerals, watersheds, wildlife and fish, as well as natural scenic, scientific, and historical values.
- National Forest Management Act revises 1964 law to require that temporary roads for timber harvesting or other uses be revegetated within 10 years after the use unless the road is needed as permanent.

1977

- President Carter amends Nixon's executive order requiring agencies to close areas or trails immediately if off-road vehicle use is causing or will cause considerable adverse effects on soil, vegetation, wildlife, wildlife habitat, cultural, or historical resources.
- Areas are designated as open to cross-country OHV use, limited to a specific route, or closed.

1980s

- The value of timber fluctuates. Annual timber harvest hits low of 8 billion board feet in 1981 and high of 12.7 in 1987. Use of the forest by timber-related vehicles fluctuates too. Recreational use continues to rise to almost 1.2 million per day.
- Road miles increased dramatically as forests complied with directives to inventory all wheel tracks and temporary roads were built instead of permanent roads in an effort to reduce road costs for timber harvests.

1985

- There are 628 miles of roads maintained at some level on BLM land in Montana. Total road mileage is not known. The maintenance budget, which includes roads among other facilities, is \$642,000.

1990

- A federal audit finds the BLM completed fewer than half of the required resource management plans, which includes travel planning, as required by law in 1976.
- In response to budget cuts in the 1980s, the BLM reduced its planning staff nationwide by 50%.
- In Montana, the maintenance budget doubled from 1985 to \$1.6 million, but the miles of road maintained declined for the same period from 628 to 489. The amount of funds dedicated solely to road maintenance is not available.
- The Government Accounting Office also cited an institutional unwillingness to balance competing uses, including grazing and OHV recreation, with wildlife.

1991

- Region 1 Forest records 46,800 system miles of roads of which 10,700 are closed to motorized use.

1995

- A government report finds the BLM and the Forest Service struggle to implement provisions of executive orders issued two decades earlier on OHV use.
- The report cites failure to address resource damages, incomplete inventories of routes, inadequate mapping and posting of routes, untimely resolution of user conflicts, and limited monitoring.
- Limited funding and staffing are cited as reasons for mixed compliance with executive orders.

1997

- Region 1 reports 49,400 system miles of roads an increase from 1991. Roads open to some motorized use decreases by about 2,000 miles. Roads closed to motorized use increases by 4,400 miles.
- A government audit reports that forest management plans, which includes road planning, may be out of date and fail to take into account current timber conditions; meaning some roads in the plans may not be needed.
- The total board feet of timber harvested on national forests is about one third of what it was a decade ago and timber vehicles using roads dropped accordingly. Recreational usage increases 44 percent in the same time period.

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1998

- In response to increased recreational use, public debate about appropriate uses of the forests, and costs associated with resource development, including road building, the Forest Service suspends road building in roadless areas for 18 months and announces it will begin revising road policies.
- The Forest Service says 373,000 miles of inventoried system roads exist nationwide. But estimate that at least another 60,000 miles of roads created by repeated public use are not managed or maintained as part of the forest system.
- Many forest roads are more than 50 years old and have not been maintained regularly.

2000

- The Montana BLM maintains 633 miles of roads with a maintenance budget of \$2 million. The amount of funds dedicated solely to road maintenance is not available. Both are increases over 1990.

2001

- New Forest Service rules:
 - seek to balance safe and efficient access for all users and maintain healthy ecosystems;
 - prohibit road construction, reconstruction, and timber harvesting on inventoried roadless areas;
 - find that the existing road system in national forests is mostly complete and shifts focus from new road development to managing access according to the capability of the land and decommissioning unneeded roads; and
 - pledge to keep decisions on road management at the local level.

2003

- The Forest Service and the BLM issue a record of decision for off highway vehicle travel on federal lands in Montana and the Dakotas. The agencies say the decision minimizes further resource damage, user conflicts, and related problems, including new user-created roads.
- Cross country travel is prohibited.
- The BLM is charged with designating specific roads and trails for motorized use on a site specific basis. Montana field offices start work on travel management plans.

2005

- Forest Service rule requires designation of roads and trails open to motorized use. If a road or trail is not designated on a map, it is not open.
- Some user-created roads may be designated as part of the system, but those not inventoried are closed.
- The agency says closure signs are difficult to maintain and subject to vandalism.
- BLM Montana maintains 897 miles of road. About \$679,000, or 30% of the maintenance budget is dedicated to roads.

2006

- Dillon Field Office adopts first BLM travel plan in state.
- No areas are open to cross country travel. More than 800,000 acres managed as limited travel on designated routes, including 1,342 miles of road open to public travel, of which 159 miles is open seasonally.

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2009

- More than 30 years after the executive orders issued governing OHV use on federal lands, a federal audit finds travel planning is complete for about 28% of Forest Service lands. Given that the agency says unmanaged motorized travel is one of the top threats to forests, the audit finds the agency lacks direction to implement its plans.
- Roads and trails on BLM lands associated with recreational use were originally developed for trade, mineral exploration, ranching, forestry and other purposes, some dating back 200 years. The audit finds the BLM does not yet have deadlines for implementing travel plans in field offices.
- Butte Field Office of BLM adopts second BLM travel plan in state.
 - Plan designed to provide public and administrative access, minimize user conflicts and natural resource impacts, and be financially affordable.
 - More than 400 miles of road are open to the public of which 263 miles are open year round.
 - 317 miles of road are closed year round and another 53 miles will be decommissioned.

2010

- BLM Montana maintains 1,167 miles of roads with \$663,000, about one quarter of the maintenance budget.

2014

- BLM Montana maintains 657 miles of road with \$818,000, about one-third of maintenance budget.