

2.C.5. *Transportation and Access*

Profile

Current Level and Locations of Use

Transportation involves access to public lands and infrastructure management. Within the planning area, local dependence on public land to meet transportation needs occurs mostly in terms of access to public and private lands, in contrast to town-to-town or city-to-city destination type travel. Development of the existing transportation system in the planning area has been associated with providing access for resource uses such as livestock grazing and recreation. Increased demand for access to public lands, combined with research on impacts of roads and trails to resources and resource uses, requires a well-designed and managed transportation system.

The transportation system includes county and BLM system roads, some of which receive regular maintenance. Various government entities and individuals acquire ROWs from BLM for portions of the transportation system roads that cross BLM-administered land. Issuance of ROWs is based on access needs and resource considerations. County roads are usually constructed and maintained to higher standards than BLM roads and provide the local road systems for access to and through BLM lands, supporting a higher volume of traffic than other roads in the FO. These roads are maintained by the six local highway districts and, in some areas, by the USAF if higher standards are required for operations connected with training ranges (see Military section).

In addition to these collector and local routes, numerous smaller routes are laced throughout the planning area connecting more remote locations to the larger roads. These resource roads are used for administrative access, recreational purposes, access to inholdings, and access to range infrastructure. Some of these routes are maintained as needed and are of native surface: dirt, gravel, or sand. There are an estimated 4,400 miles of mapped routes. Some Geographic Information System (GIS) files suggest this number may be considerably understated, and the actual figure could be as much as twice this estimate based on field observations and recent aerial photography.

Public concern over management of these non-collector and non-local routes has increased in the past decade. One issue concerns potential ROWs and management responsibility. Revised Statute 2477 (RS-2477), contained in the Mining Law of 1866, was intended to facilitate settlement of the West by granting the ability for State and local governments to assert a “right-of-way for the construction of highways over public lands.” Congress repealed RS-2477 when FLPMA was enacted in 1976. Since then, determining which routes were developed under the RS-2477 authority and are the responsibility of the counties has been an ongoing issue between the Federal government and Western States and counties. In 1997, Congress directed the Department of the Interior not to issue any new regulations on RS-2477. In *Southern Utah Wilderness Alliance v. Bureau of Land Management* (2005), the Tenth Circuit Court of Appeals determined only a court of law could make a binding determination on the validity of an RS-2477 right of way.

One backcountry airstrip in the planning area, near Murphy Hot Springs, was leased to the Idaho

Transportation Department's Division of Aeronautics in 1993 and is managed by that agency.

OHV

For many years, the term "off-highway vehicle" (OHV) has been used by the public, industry, and the BLM interchangeably with the term "off-road vehicle" (ORV). The term "off-road vehicle" has a legally established definition in the Presidential Executive Order 11644 (1972) and BLM regulations. BLM has chosen to use OHV, partly because it is a more popular term, but also because the regulations address vehicles that use roads and trails on BLM-administered land, and are therefore not just "off-road."

The national BLM objectives for OHV management are to protect the resources of public lands, promote the safety of all users of those lands, and minimize conflicts among the various uses of those lands (BLM, 2001). OHVs are defined as "any motorized vehicle capable of or designated for, travel on or immediately over land, water, or other natural terrain, excluding (1) any nonamphibious registered motorboat; (2) any military, fire, emergency or law enforcement vehicle when being used for emergency purposes; (3) any vehicle whose use is expressly authorized by the authorized officer, or otherwise officially approved; (4) vehicle in official use; and (5) any combat or combat support vehicle when used in times of national defense emergencies" (43 CFR 8340.0-5).

OHV Designations

Areas and routes are designated during the planning process in accordance with BLM regulations and include the following three management categories:

- **Open** – An area where all types of vehicle use are permitted at all times, anywhere within the designated "open" area. This refers to cross-country travel both on and off roads.
- **Limited** – Areas where vehicle use is restricted at certain times, in certain areas, and/or to certain vehicular use in order to meet specific resource management objectives. These limitations may include: limiting the number or types of vehicles; limiting the time or season of use; permitted, administrative, or licensed use only; use on existing roads and trails; and limiting use to designated roads and trails.
- **Closed** – Motorized vehicles are permanently or temporarily prohibited. The use of motorized vehicles in closed areas may be allowed for certain reasons; such use shall be made only with the approval of the BLM authorized officer.

OHVs are used within the planning area for recreational and nonrecreational purposes. Much of the nonrecreational OHV use, or administrative use, involves BLM administrative activities and grazing administration by ranchers.

OHV use has become a popular method of recreation in itself, as well a means of transportation while pursuing other forms of recreation such as hunting, fishing, or camping. Antler gathering is an example of an increasing OHV use. Antlers shed by big game in their winter and spring ranges across most of the southern portion of the planning area are valuable. Many people participating in this activity use OHVs to cover more ground than can be done on foot or horseback. The Jarbidge FO has received

reports of people who “grid” areas to increase their success in finding antlers.

In 2003, IDFG implemented restrictions for motorized vehicles used while hunting in the Jarbidge Foothills area (Unit 47). This rule applies to designated areas within the State and states, “hunters may only use motorized vehicles on established roadways which are open to motorized traffic and capable of being traveled by full-sized automobiles. Any other use by hunters is prohibited. All off-road use by hunters is prohibited” (IDFG, 2007). This rule does not apply to valid Handicapped Persons Motor Vehicle Hunting Permits, game retrieval, packing camping equipment, or use on private property.

Growth of OHV use has become an issue because of the number of users who participate in this recreation opportunity, as well as concerns related to the potential resource degradation resulting from high levels of unmanaged use in and near sensitive areas. During public scoping, more than 31% of comments received on resource uses related to transportation and access or OHV use.

Forecasted Use

The number of OHV registrations for all-terrain vehicles (ATVs) and off-road motorcycles has grown significantly in Idaho over the past several years including registrations in Elmore, Owyhee, and Twin Falls Counties (Table 59). This data shows why OHV use is perceived as one of the fastest growing recreational activities. Visitation data on OHV use can be particularly difficult to collect because of the dispersed nature of the activities. Additionally, registration numbers may not accurately portray actual OHV use on public lands. The actual number of OHV users could be higher based on use of registered OHVs from outside the planning area. ATVs, off-road motorcycles, snowmobiles, and other OHVs are not registered or titled in Nevada.

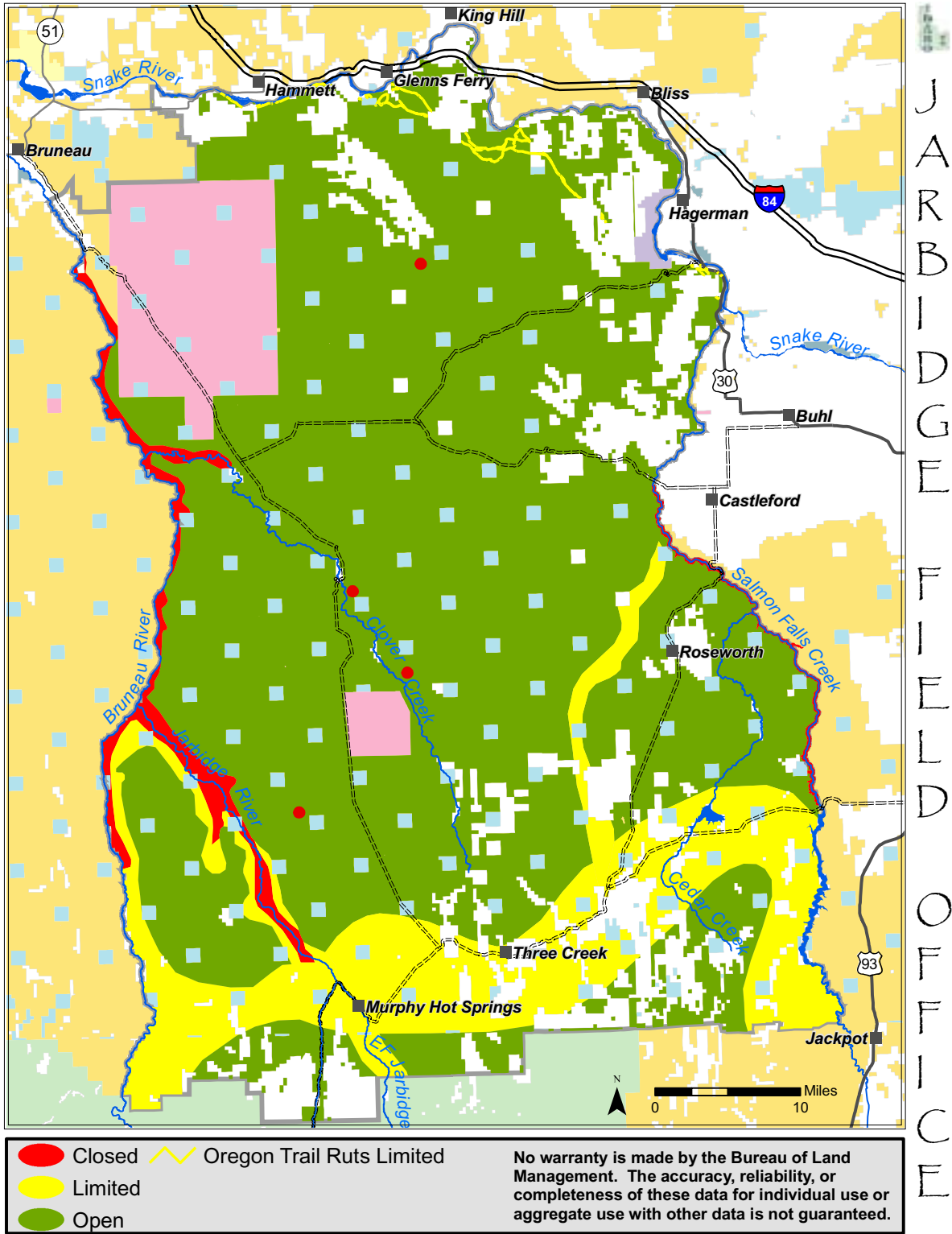
Table 59. OHV Registrations by County, 2001-2005^A

| County | 2001 | 2002 | 2003 | 2004 | 2005 | 2001-2005 % Change |
|-----------------------|---------------|---------------|---------------|---------------|----------------|---------------------------|
| Elmore | 1,024 | 1,249 | 1,385 | 1,552 | 1,689 | 65% |
| Owyhee | 393 | 531 | 628 | 677 | 735 | 87% |
| Twin Falls | 2,912 | 3,364 | 3,888 | 4,118 | 4,746 | 63% |
| State of Idaho | 59,395 | 70,760 | 81,396 | 91,037 | 104,127 | 75% |

^A Includes ATVs and Off-Road Motorcycles

When the 1987 RMP was completed, the level of OHV use in the planning area did not warrant extensive management restrictions. As a result, much of the area is open to cross-county use. Although some use occurs along existing routes, ways, or other areas that are already disturbed, increased use in some areas has resulted in new conflicts. Conflicts between OHV use and livestock grazing, wildlife, Oregon NHT routes, private landowners, and other sensitive values were identified during public scoping.

Figure 38. Existing 1987 ORV Area Designations



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Key Features

Although most of the planning area is open to cross-county OHV use (Figure 38), some specific locations receive intensive OHV use based on landscape characteristics and accessibility. The Rosevear Gulch/Paradise Valley area is one example where intensive use has resulted in changes in management over the past ten years to lessen impacts from OHV use. A temporary emergency closure is in effect to address safety concerns from OHVs crossing a paved county road in that area.

Areas near Murphy Hot Springs, Diamond A Desert, and Jarbidge Foothills have become increasingly popular destination sites over the last five years. BLM staff have observed noticeable increases in use from OHV recreationists and reported resource impacts related to WSAs and ACECs.

Current Management

The 1987 Jarbidge RMP identified acres open, limited, and closed to motorized vehicles. Motorized vehicles were limited to designated roads and trails in the following areas: portions of MUAs 4 and 6; the Oregon NHT; bighorn sheep habitat; Dry Lake Beds/Bruneau River; Post Office Cultural Area; and Devil Creek, Juniper Ranch, and Clover Creek Cultural Areas. The 1987 Jarbidge RMP reserved the ability to place seasonal limitations on over-the-snow vehicles on crucial mule deer and pronghorn winter range if IDFG determined wildlife harassment is occurring. MUA 9 was designated an SRMA for its recreational and OHV values.

Management Opportunities

The majority of the transportation management decisions from the 1987 RMP are out of date. Existing OHV designations should be reviewed and modified where needed to meet changing levels of OHV use, existing resource condition, and changing resource objectives. Designations should be coordinated with adjacent land management agencies (State of Idaho, Humboldt-Toiyabe National Forest, and BLM Bruneau and Elko FOs).

Increases in OHV numbers do not allow for sustained resource protection, partially due to their facilitation of the spread of noxious weeds. “Play Areas” could be designated in specific locations. Wash stations, education, and route designation are other possible tactics for combating the spread of weeds.

The proliferation of OHV routes that cause substantial impacts to other resources could need additional management and attention. The temporary emergency closure for public lands north of the Pasadena Valley Road will need to be reviewed to determine if it should become a travel designation.

In order to better enforce limitations on motorized vehicles, focus should be placed on education and interpretation (BLM, 2001). Maps could be made available for popular riding areas with signs for route designations displayed. Partnerships with user groups should be a tool for educating OHV users. These tools could also be used to inform users of closed areas.

MUA 9 is a traditional use area for OHV riders due, in part, to its easy access from state and

county roads. Mitigation measures could prevent erosion and sedimentation to Snake River. Routes could be maintained for public safety and an information plan on user ethics and the trail/area boundary should be developed. This issue provides another opportunity for utilizing partnerships.

The existing plan does not differentiate between other aspects of transportation, such as recreational, traditional, casual, agricultural, administrative, and commercial use of the transportation system. The planning process should establish principles or guidelines to be used in making adjustments to existing motorized route designations and/or a possible comprehensive travel system planning. Addressing these aspects of use in relation to the existing transportation system and resource values could provide for modifications to the transportation system to meet resource and use demands.