

BLM Roads and Public Use in Josephine County

The Bureau of Land Management (BLM), under the authority of the Secretary of the Interior, provides for public access to federal lands. BLM’s multi-use mandate encompasses such activities as timber production, mineral extraction, and recreation opportunities. In Josephine County this mandate occasionally causes understandable concern: *Why does the public have the right to use some roads and not others on BLM managed land?*

Nationally, BLM roads are open to public access. The majority of BLM lands in states like Nevada and Wyoming are generally managed in accordance with the Federal Land Policy and Management Act. In Josephine County, BLM lands are primarily subject to the O&C Act, which falls under a different management regime. O&C lands are managed for:

“...sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities.”

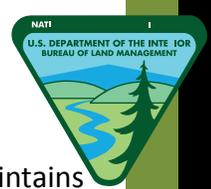
BLM lands in Josephine County are intermingled with private lands in a checkerboard ownership pattern. The BLM manages access to these lands under agreements such as Reciprocal Right-of-Ways (RROW), non-exclusive and exclusive easements, as found in the 2010 BLM *Western Oregon Transportation Management Plan (WOTMP)*:

<p style="text-align: center;">Reciprocal Right-of-Way (RROW) Agreement</p> <p>RROWs provide parties to the agreement (US and the private landowners) “with a non-exclusive right to use, construct and maintain logging roads on each other’s property for forest management and removal of forest products.” RROW agreements do not provide public access (WOTMP, p. 3).</p>	<p style="text-align: center;">Non-exclusive Easements</p> <p>BLM acquires non-exclusive easements for access in support of BLM management activities. The landowner can retain rights to the road, but the public does not have a right to the use of the road and BLM cannot grant the public a right to access.</p>	<p style="text-align: center;">Exclusive Easements</p> <p>BLM acquires exclusive easements from private landowners to obtain access for BLM management activities. The rights acquired by BLM allow for public use of the road. BLM can provide private land owners legal access on these easements where they are required to hold that specific right.</p>
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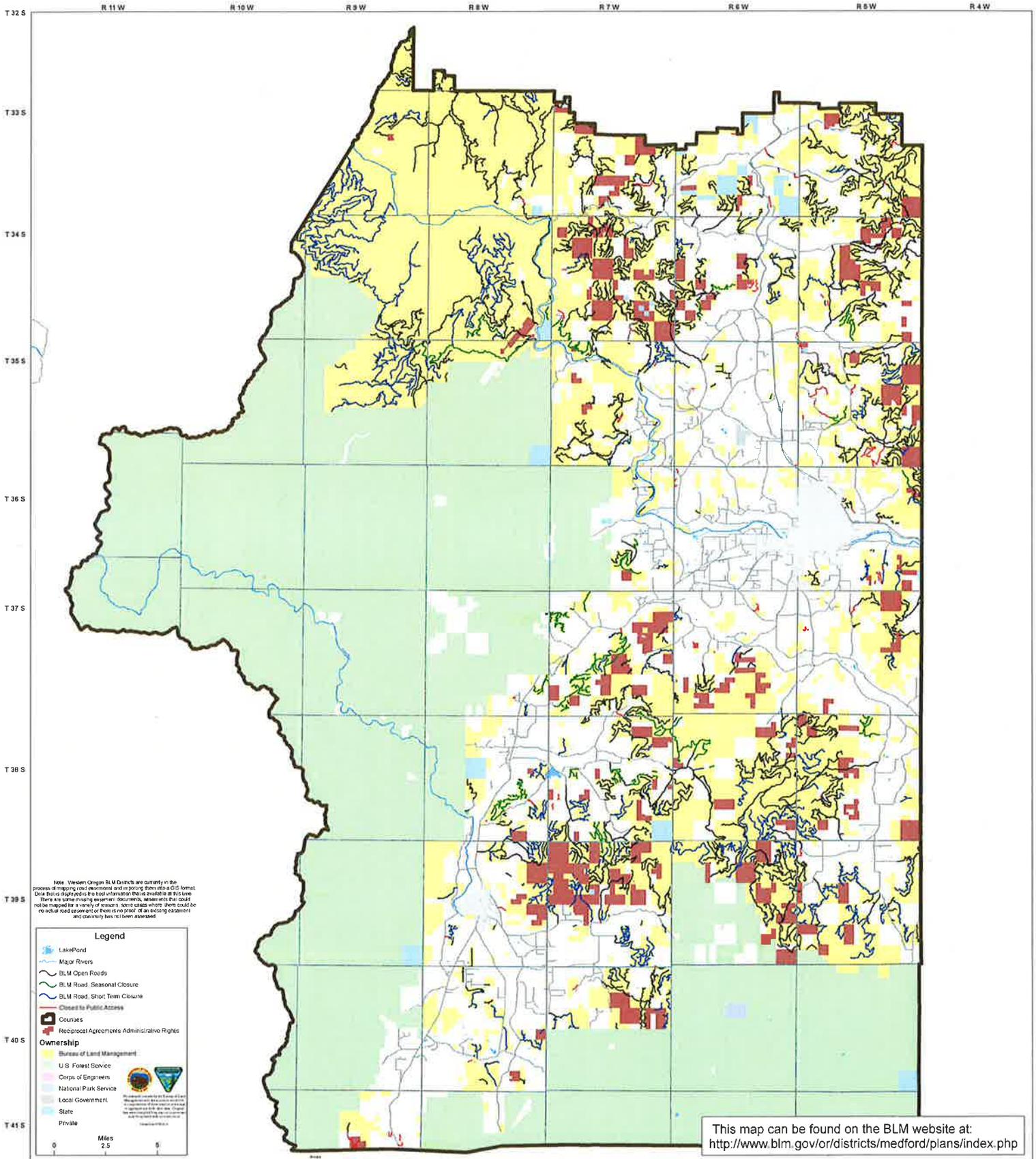
Outside the conditions covered in the agreement language, the BLM can further restrict access for resource protection and safety concerns. An example is restricting access during the wet season to protect Port-Orford-cedar. When any physical road closures are contemplated on O&C Lands, the BLM notifies the Association of O&C Counties, who will then notify the appropriate County Government Official (MOU-BLM-2006-10).

Within the O&C framework, the BLM is committed to providing quality outdoor recreation opportunities. The BLM provides public access to roads, backcountry and scenic byways; maintains campgrounds, day-use areas, trail systems, and environmental education areas; provides legal access to hunting, fishing, OHV use, and sightseeing opportunities; and provides recreation and public purpose leases to local governments such as the Illinois River Forks State Park (WOTMP, 9).

For more information on BLM legal access rules and regulations, contact the Grants Pass Interagency Office, at 541-471-6500.



BLM Roads, Easements & Public Access in Josephine County



This map can be found on the BLM website at:
<http://www.blm.gov/or/districts/medford/plans/index.php>

Note: Western Oregon BLM Districts are currently in the process of migrating road easements and improving them into a GIS format. Data that is displayed on this map is the best information that is available at this time. There are some existing easement documents, agreements that could not be mapped for a variety of reasons. Some cases where there could be no actual road easement or there is no proof of an existing easement and certainty has not been assessed.