

W.7.c.

DATE: August 12, 2011

TO: Lane County Board of County Commissioners

FROM: Alex Cuyler, Lane County Intergovernmental Relations Manager

RE: Report back on public comment to:
Siuslaw National Forest on Oregon Dunes National Recreation Area
Bureau of Land Management on wilderness proposals

Oregon Dunes

The Oregon Dunes National Recreation Area (ODNRA) constitutes one of the largest expanses of temperate coastal sand dunes in the world. It spans a total of 31,500 acres, most of which is managed by the Siuslaw National Forest. It was designated a National Recreation Area (NRA) by Congress in 1972. The Oregon Dunes NRA Management Plan was formally adopted in 1994, and the Forest Service convened an Off Highway Vehicle (OHV) Designated Routes Working Group in October, 2009 in order to propose a system of designated routes within ODNRA. The original 1994 plan did officially create designated routes for OHV's, however "user-created" routes have been established over the years, and a lack of formal closure orders has continued the use of undesignated routes. The Working Group completed their recommendations in a Final Report dated October, 2010. The Board became aware of the opportunity to comment on the recommendations of the Working Group and asked my office to prepare a comment. The attached draft letter constitutes my work to review the report and interview key Sheriff Department staff, and transmit the sense of the Board with regard to future OHV activity on the dunes situated within Lane County.

Bureau of Land Management Wilderness Proposal

Secretary Salazar has directed Deputy Secretary David J. Hayes to work with the BLM and interested parties to develop recommendations regarding the management of BLM lands with wilderness characteristics, including Congressional designation of specific "crown jewels" as wilderness. In July, Oregon BLM State Director Ed Shepard sent a letter to local government officials asking for potential recommendations for wilderness designation within their jurisdiction of lands currently under the management of the Bureau. The Board asked my office to prepare a response. The attached draft letter constitutes my work to review this effort and transmit the sense of the Board with regard to potential wilderness designations in Lane County. Note that the Association of Oregon Counties has also sent out a questionnaire to local officials such that they may develop a response as well.

Comment Generally

Lane County has no regular or established policy with regard to the formation of responding to other agency requests for public comment. At any given time, the amount of open comment periods with pertinence to Lane County's overall operational footprint is enormous. The Board may want to consider how it would like to structure the ability for staff to submit comment or secure that authority only for itself. I would note that these two seemingly brief comments took approximately 12 hours total staff time to develop and process.

Angie Morris
Recreation Planner
Siuslaw National Forest
855 Highway 101
Reedsport, OR 97464

Dear Ms. Morris:

The following comments are in response to the Siuslaw National Forest's Notice of Intent to prepare and Environmental Impact Statement (EIS) to establish and designate routes and area for off-highway vehicle (OHVs) use, with Management Area (MA) 10 (c) of the Oregon Dunes National Recreation Area, an existing area already open for OHV use. These comments were reviewed and voted upon by the Lane County Board of Commissioners at their regularly scheduled meeting on August 17, 2011, after reflection on the OHV Designated Routes Working Group and interviews with our Sheriff's Department's "Dunes Deputies".

Given the jurisdiction of the Board of County Commissioners, these comments are limited to proposals specifically impacting the North Riding Area, although general comment is provided on the role of advisory committees in general per the 1994 Oregon Dunes National Recreation Area Management Plan. Finally, we provide comment on Lane County's expectations regarding our future capacity as the primary provider of law enforcement in the area.

North Riding Area

- The Board of County Commissioners is in favor of the "corridor" approach outlined by the working group (NA-DR-1 and NA-DR-2) as they examined the north-south historic travel patterns. We recognize that this is the defacto use pattern at the area, and our only concern with this approach is that on-going noise mitigation efforts continue. Nuisance type complaints (including noise) are routinely handled by the County's Land Management Division. We note that the differing standards created by the state (99dB) and the Management Plan (National Recreation Area regulations, 93db) are problematic and should be harmonized.
- The Board of County Commissioners is in favor of designating an east-west connector route between the two corridors (and the beach). Our support leans towards the connector identified in NA-DR-4 over NA-DR-3 due to the fact it is already established and the Working Group's sense that the proposal NA-DR-3 was in an area un-popular to OHV users.
- The Board of County Commissioners is not in favor of designating a route to the shore of Cleawox Lake (NA-DR-6). While the Working Group noted that a trail would provide emergency response access to the lake shore, our Sheriff tells us that access to the lake is available through other points. We again note that noise mitigation should be of primary consideration in evaluating designated routes and that this route would be the eastern-most portion of the North Riding Area we cannot support this designation.
- The Board of County Commissioners is in favor of designating an existing trail to access the open sand area of Red Buggy (NA-DR-09). Emergency vehicle access in this area is needed. If this designation occurs, we note that proposal NA-DR-11 is not necessary and should not be implemented.
- The Board of County Commissioners is not in favor of eliminating the existing Incinerator Road designated route (NA-DR-14) and we are unaware of the "on-going conflicts with non-motorized users". Our "Dunes Deputies" are not able to concur with the findings of the work group in that regard.
- The Board of Commissioners is in favor of the re-zoning proposals NA-RZ-A, B, C, and D. We note that these areas were historically free of vegetation and that today's existing vegetation is invasive in nature. We further note that the opening of these areas will be beneficial in dispersing riders from the popular "face" at Goose Pasture, which in our experience reflects sound impacts north towards the populated regions of Florence. By opening areas to the south and east, we feel these noise impacts may well be mitigated.

- As an overall comment regarding closures or not, we recommend that steps be taken to improve signage throughout the north riding area. Our experience with emergency response informs us that often riders are unable to communicate where emergencies exist, simply because they don't have placemarkers with which to guide emergency response quickly to the area where they are needed.

Working Group versus Advisory Committee

The Board of County Commissioners very much appreciated the establishment of the Working Group and their resultant report. It appeared to be an extremely thorough, balanced, and transparent process that was highly informative and useful in developing these comments and should provide an excellent way forward for your work in establishing (and closing) OHV routes.

This said, we note that the Oregon Dunes National Recreation Act of 1972 directs the Secretary of Agriculture to establish an advisory council that would regularly be consulted with regarding management and development of the recreation area (Public Law 92-260, Section 12(a)). It is our understanding that such a council existed at one point but was disbanded by the then Chief of the Forest Services. We note that the Forest Service appears to not be in compliance of the law with regards to this advisory body, and we urge you to immediately re-form this group such that the public is able to have a regular and consistent voice at the table with regards to managing these important public lands. We would expect that this body would have representation from Lane County citizens.

Secure Rural Schools Title III funding future

We feel that it is extremely important for the Siuslaw National Forest to recognize the financial predicament that the County is in. The Secure Rural Schools and Community Self Determination Act of 2000 was reauthorized in 2008 for four years only. Thus, the Act sunsets on September 30, 2011. While Lane County will receive a final payment during our FY12, and will continue to operate the Dunes Patrol section of the Sheriff's Department through June 30, 2012, our ability to provide that service after that date is dependent on other yet to be identified replacement revenue.

This section is entirely funded through a special title of the SRS legislation known as Title III which is funding within the Act that is earmarked to be beneficial for the National Forest System. It is through this allocation of funds that we are able to provide this service to that portion of the ODNRA that is within Lane County. We have reserved some Title III funds that will be available for these forest-related type uses into and perhaps through FY13. These reserves will compete for expenditure with other forest related projects also currently managed through Lane County.

We are unfortunately pessimistic, rather than optimistic, with regards to reauthorization occurring. It is an effort we have been actively involved with for the past several years, but the economic downturn coupled with Congress's actions to reduce the deficit, do not bode well for new spending initiatives. It may be that new policy is enacted to more actively direct the management of the national forest system for increased logging activity, but that too is likely to face a number of Congressional hurdles. We must at this point recommend that the Siuslaw National Forest assume that SRS related funding activities will cease.

Respectfully submitted,

Faye Stewart, Chair

DATE: August 17, 2011
TO: Mr. Ed W. Shepard, State Director, US Bureau of Land Management
FROM: Mr. Faye Stewart, Chair, Lane County Board of Commissioners
RE: Response to Secretary Salazar's request for wilderness submissions

Dear Director Shepard:

Thank you for your note of July 20, 2011 regarding the Secretary's plan to seek additional wilderness candidates for Congressional delegation. We have no recommendations for additional lands within Lane County that would benefit from Wilderness status.

We do, however, ask that you provide the Secretary with our comment concerning the O and C lands of Western Oregon that are under Bureau of Land Management. Should the Secretary recommend for designation lands under his management that are covered by the O and C Act of 1937, for instance the 26,000 acres identified within the draft Western Oregon Plan Revision as potential wilderness study areas, it will be our expectation that the federal government would provide replacement lands suitable for revenue generation to local communities, per the intent of the Act.

The preference of the Lane County Board of Commissioners is that the Secretary should review this acreage and decide whether to make the recommendation to Congress, or to drop further work on these lands and return them to active management.