

Ron C. Hamilton

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New Meadows Ranger District  
Attn: Rapid River Travel Management Project  
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Thank you, for the work that you have done to propose a Rapid River Travel Management solution that has lingered for more than 10 years. In my view, closure order law was developed to handle situations that are emergency in nature. They are not meant to be a long term decision about public land management. When they remain they are default management decisions, as in this case, decided by who litigated first, not as usually expected under the National Environmental Policy Act? A person could conclude that the several administrators involved failed to communicate sufficiently at many points in the processes that decided on the management of this area. Based on personal knowledge about the processes, people and procedural situation that has influenced what has occurred and affected this area, I know this to be true.

My preferred alternative, is a modification of the trails open to motorized vehicle alternative. It is the re-opening of all the trails discussed in the project area to motorized trail use outside the Wild River Corridor. I believe that fits most closely to the management decisions that were in place before the litigation and the agency settlement which reached well beyond enforcement of the Wild and Scenic Rivers Act. I agree the corridor use closure has to occur based on the rule of law. However, based on the settlement decisions by the agency it moved beyond decisions made in the Payette Forest Plan development and those made during travel management planning. It was also contrary to the submitted comments of governments such as Adams County and many of our user citizens. This modified alternative decision for motorized use would support their historical use desires. The modification of the alternative, would be to allow motorized travel to the Wild River Corridor of ¼ mile from the banks of Rapid River as described in the rule. See my comments concerning designated turnarounds.

I am also aware, through my former work associates in the Forest Service, that agency administrators were aware of the Rapid River wild river status soon after induction of Rapid River under the Act, 1970's. They also realized that Congress had placed on-going historic uses of the area as an exception to rule implementation. Motorized trail use by motorbikes fit that category and had provided maintenance and construction aid to the agency, as I previously reported to you. Awards were even presented and celebrated. I am also aware of some very interesting political maneuvering that occurred during the development and implementation of the Hells Canyon NRA Comprehensive Plan. That maneuvering resulted in an additional group

of hearings by Congress to deal especially with the jet-boat/float-boat use of the river and how those historic uses were to remain as ongoing uses by agreement. Much of this action would have happened before you were employees and before I retired from the agency in 1998. I also recall much of this because my father had property on the Snake River, owned a jet-boat and I became acquainted with a number of people, his friends, responsible for implementation of the Hell Canyon NRA plan. Yes, I'm that old, with mileage.

Following are comments relating to EA for the Rapid River project proposal. They are identified by page to provide a reference.

At page 1 it appears that you should have a statement indicating that the trails discussed are tied to the map details portrayed in the Forest Service Closure Order. There is no discussion or explanation of the rationale from either Forest Plan or the Travel Planning documents about these trails. That would establish the rationale for a decision that is being made to conform to laws and regulations. It also would explain more clearly the need for the action and it might explain why the default closure order took so long to be acted upon.

Page 2 Project Location- The description includes sections within T22N, R1W that are outside the Payette National Forest. Sections 16 -21 of T21N R1W are not listed but are apparently included in the project area. Many of the maps have the GLO notations but the project area map doesn't have those depicted to verify this.

Pages 2 - 6. My concern here relates to a problem between cartography of many Forest Service Forest and District maps that were published and exist as tools of the user public and the information reflected in this document and the Closure Order and the existing on-the-ground agency signage on several of the trails discussed in this proposal. Shawn Ogden has photos of signs that refute trail numbers and distances found in your document and in the Payette NF Forest Maps sold by your agency to the public. I have provided that information to you. This seems to setup a problem for law enforcement as well as a public that uses the map to support the product called the MVUM that is part of the Travel Management program the agency uses to provide information to forest users. It would be confusing.

That confusion may cause historic users to make comments that do not conform to trails your document identifies by a specific trail number which they tie to previously published numbers. Yes, I am aware of how your trail numbers were assigned but I am also aware that in the Record of Decision document that confusion and changes in long recognized trail names and numbers was noted as a problem. Ignoring user input that is based on the field experience and tied to historic numbers would ignore some very important, ground truth knowledge often not common to Forest Service administrators.

For example trails numbered 328 and 187 vary on both the 1995 and 2013 versions of the Payette Forest map, they don't agree with the Closure Order and your map's trail numbers for

the project proposal document. Trail 187 and 328 are even shown differently on the Payette National Forest BACKROADS Map “a guide to motorized roads and trails” published in 2004. In turn the Forest Service trail signs, unless very recently removed from the trees on which they are posted, do not agree in location, mileage and numbers. With that in mind, it seems appropriate to recognize that some changes and notifications need to occur based on whatever decision is made. That is another impact to a trails budget that seldom affords much, including minimal maintenance.

Page 7. Trail Designation- Mechanized equipment is indicated as not allowed in the Rapid River watershed area that surrounds the Rapid River Corridor. This area is not a classified wilderness under the Wilderness Act so, why is this restriction mentioned? The IRA doesn't even imply this sort of restriction. Also, when motorized use is mentioned I assume the e-bike meet that category but, that regular bike's do not. There needs to be a clear and defined comment about what motorized trail use is restricted to, based on what the FS trail definition is. The reason I raise this point is that wheeled game carriers can be used off trail but they cannot in Wilderness by rule/law.

Page 7-8. Your statement concerning the need for armored trail crossings infers something that needs clarification. It could be interpreted that the closure order stays in place until your agency gets funding and actually accomplishes the armoring process. Is that correct? Obviously I will object to that interpretation because your agency can play all sorts of priority games with funding or work priorities. I hope I am misinterpreting what is being disclosed. Closures could continue ad-nausea.

Page 8. The turnarounds located on the map, pictured and described are not the same as the turnarounds for the motorized vehicles that were located and supplied by Shawn Ogden at the request of your agency about 2 years ago. This presents an objectionable problem. Mr. Ogden performs volunteer trail maintenance on your agencies trails in the Rapid River area and is an accomplished 2 wheel motorized rider/user. Having ridden many of these trails before they were closed to that use. It appears that some trails had suitable trail turnaround locations much further down the trail without being in the Corridor. While you describe a rationale for the turnaround location your rationale for excluding other desired alternative turnaround locations is not clearly explained as it should be. Since this element alters the potential impacts, there needs to be more rationale and disclosure of the expertise of the person making the decision. The agency's bias against motorized trail travel is very obvious so the question of expertise is obvious.

It is my contention that 2 wheeled motorized use involves a large range of vehicles, including the group referenced as “e-bikes”. These electric powered vehicles can be easily turned around on the brush and log cleared width of any trail cleared and maintained to Forest Service standards found in your handbook. The same can be said of nearly any “trail bike” class vehicle. That is the reason I believe the closure point signage for these trails should occur very near the Corridor as I described above. Parking of any of these bikes is not a problem as they rest easily against any

tree, rock or bank found beside the actual tread of the trail. A turnaround constructed as you describe is hardly necessary. If this is a new or added standard it again displays the bias the agency supports concerning motor vehicles on trails. The obviously shortened motorized trail use lengths also supports your agency bias.

Page 8 & 11, item 5. This also relates to the paragraph above. Persons and the motorized equipment that they operate on motorized trails in mountainous terrain fall within a narrow range of parameters. They require a competent user/rider of their equipment. The State of Idaho and most States issue special licenses to a rider of these vehicles, yet the agency is apparently second guessing the competency of this process. When turnaround areas are evaluated they should include a wide range of vehicles from e-bikes to larger off road motorcycles. The location of the turnaround should be near the last logical point before entering the river corridor motorized restricted area. A rider that wishes to park a bike and explore can do so anyplace that they feel comfortable parking that vehicle along the authorized trail area, which the agency defines.

You also seem to interpret the IRA Roadless rule incorrectly based on the written material. Tree cutting is allowed for a number of purposes, it is just not allowed to be harvested for commercial purposes such as timber sales. Obviously prescribed fire as applied is designed to kill trees, maintaining of trails requires cutting trees that are hazardous or in the way of the trails.

Page 8-9 Hardening (armoring) Fords- This good management practice needs to be evaluated based upon some of the past uses of trails in the area. From before the 1960's thru part of the 2000's many of the trails in Rapid River within and outside the project area were open and used by motorbikes. The effects of that use, as you probably, correctly observed, has not had any significant trail effects, except a rapid fall off of maintenance voluntarily performed. As your analysis points out the sediment that may have occurred had little influence on the fisheries. I believe appropriate hardening of the fords is a much desired practice for both the rider and the fish but, it doesn't rise to the level of an absolute requirement. It is certainly desired to correct trail maintenance or construction issues before a major relocation is undertaken.

Page 9. Rapid River trail connects to trail 229 not 299, at Lick Creek Saddle.

Page 10. The confusion of your maps and field trail numbers has been discussed and complicates things here, as well as my previous comments on turn-arounds. Black Lake Trail 188, the wet trail areas points to a long term problem tied to location in a wet ecotype, exacerbated by lack of maintenance and drainage. It had foot bridges and puncheon but, years of use have taken a toll. The turnaround should be closer to Rapid River. See also my comments on RCA's (page 25).

Page 11, item 4- There is a need for signage on every trail entering the Rapid River Wild Corridor with the correct trail signs and numbers. The signs should conform to the corridor as described in the Wild and Scenic Rivers Act of ¼ mile from the Rapid River bank. The GLO survey was obviously used in the land description to deal with other elements of the law relating

to land areas that nearly all States use in describing land areas for a number of purposes. This was tied to the Acts limiting acreages requirements that seems to tie to the administrative site activity adjacent to Paradise Creek and cabin.

Page 11, item 5- The statement about a trail turn-around discusses a constructed turnaround that clears vegetation. Such a disturbing practice seems out of place and in-appropriate. Open grass-sedge areas offer a very suitable area to turn trail vehicles around. Such construction would seem to have little influence on sediment production unless it were very close to a riparian situation.

Page 20 Table 5- There remains a dispute with trails numbers and map locations. I have received your correspondence dealing with your current interpretation of the Echols Butte Trail 187 also the Trails 328 and 362. The Echols Butte Trail 187 on my Forest Map shows the trail coming from Black Lake Road 112 and meeting at the Echols Butte mid lower slope with the Lake Fork Ridge Trail 328 which originated near Bear Saddle in a terminus with Trail 362 Cub Creek. The Trail 328 traveled northerly below Twin Lakes and almost to Lake Creek before turning easterly to join Rapid River Trail 177, upstream from Lake Creek and Rapid River confluence. That was the lower portion of the 328 trail you are now calling the 187 trail on your project and closure order map. The dispute is also verified by old agency signs in place in 2017-2019. A confusing problem when people are trying to relate their historical recall of trails they have used to the Project Area maps and other purchased, published Payette National Forest Maps, as I documented in other communication with the agency.

Page 24 Map- The map show roads 112 and Rankin Mill Trail 191 while also showing other connected roads that may be some of the several constructed mining roads that existed to access Paradise and Iron Springs town sites as well as the lime kiln and down Paradise Creek. The Iron Springs or Paradise Ranger Station was on these converted roads to trails. They don't really qualify as roads currently because they supported horse draw wagons, plus they appear out of position on the map. One item to be clear about is that these "roads" are assertions by Adams County using RS 2477 and the Postal Roads laws that reverted such roads to the local government.

Page 25- Regarding the Riparian Conservation Areas, the 300 ft. and 150 ft. distances are not appropriate based on field applications that are consistently applied during vegetation management projects. They are considered to be maximum values for live and ephemeral streams. The distance can and should varied depending on the visible vegetation and streambank indicators and the presence/absence of riparian vegetation. They should be applied as is done on other projects of the agency, such as vegetation management projects.

Page 31- As I have previously pointed out maintenance is a continuing problem for the agency. Trail 188 Lake Creek really illustrates this because this trail had a series of foot bridges or other drainage features in the numerous wet ecotype areas the trail transects. Both the lack of maintenance and wildfire have exacerbated this problem along with limited access and seasonal

uses. It's also obvious that volunteer maintenance crews that use motorized vehicles accomplish much more than the badly financed Forest Service crew. Another reason for encouraging motorized trail use when possible. It saves precious FS crew time and a limited budget.

Page 32 - Note my previous comments concerning the previously provide turnarounds to your agency by Shawn Ogden as well as provided in my scoping comments. Those comments reflect the trail numbering confusion discussed above.

Page 34- Why isn't it appropriate to assess the increases of foot and horse traffic on Rapid River ford use in the non-motorized alternative. This is especially true since, responding to the Wild River Corridor constraints, it appears that all the decaying bridges will NOT be repaired because of the mechanical and motorized rules in place. With the decay continuing, the bridges will soon cause more streambank shifts and increased sediment including increased riverbed disturbances. The pictures we have taken of the numerous fords on the 177 trail also shows numerous potential shifts in the river channel due to the trail location river capture during high flows, in the flood plain of the river. This might be the right time to discuss the restoration or removal of the bridges and trash from the fire shielding. They look like scrap yards. Motorized users contributed to the construction of these bridges in the past, but are eliminated currently.

Page 37- A quick discussion about the agencies lack of execution to the 1975 designation of the Wild River for Rapid River seems appropriate. While you may not think it is appropriate, it might serve as a check on your agencies ability to manage these special management situations as well as a report to Congress about the cost associated with these expectations. This has been a big hassle within the agency in the past. In projects, like development of an NRA there are many public, process, developments and other Congress expectations that the agency doesn't seem capable of meeting for a variety of reasons. Usually because of funding and manpower adequacy, which cause tremendous budget shortfalls within the Region of the Forest Service assigned the project development. This seems verified by the numerous problems with assigning NRA's to Regions of the Forest Service without a real increase in budget to meet all the expectations and assignments.

Pages 37 & 38- Check the accuracy of the road miles that is used in analysis. Also consider the historic mining influences that came with type gold and mines that operated in the area. Waste water from mine adits doesn't seem to be a problem like other areas.

Page 38 last para- I don't believe this statement matches with previous statements made about fords.

Page 49- There is no discussion about the restricted snow-free access period to this area because of the road 112 location at the point called "The High Dive". Large snow drifts usually control much of the road related access to the trails on one side of Rapid River and controls much of the fall use that coincides with the fall hunting seasons. There are also other seasonal use access

restrictions that limit access from Lick Creek and part of Boulder Creek. This prevents much of the use when trails are more prone to rutting and other problems associated with motorized use. It also deters maintenance of trails.

Page 50- When discussing “encounters” it seems appropriate to discuss not only between non-motorized and motorized, it is important to recognize that there has been a number of encounters between outfitters and non-outfitted hunters in the area. These types of interactions seem to occur because many users do not expect to share the public’s lands with others. Often acting like a four year old in the family sandbox. It even seems to generate its share of litigation. Forest Service history and numerous sporting magazines have some pretty negative accounts of the agencies management actions with outfitters.

Page 51- The issues associated with motorized and/or mechanical equipment seems to be a conflict generator based on expectations of the users. This seems related to the discussion of encounters relating to whose ox seemed to be being gored. This relates to the agency’s not providing the rule book of allowances and expectations for users which should be appropriately posted in kiosks that do not seem to exist at trailheads and roads. Allowing chainsaw use for trail maintenance in the Wild Corridor should not create an exemption for an outfitter camped in the corridor to cut camp firewood. That is the start of the problem.

Page 53- I believe that using the terms expressing that maintenance under an alternative would be a present you are talking about the currently allowed and expected maintenance as per FS Handbook, not what in recent history has passed for trail maintenance. User’s need to understand trail maintenance priorities and frequencies associated with these proposals. So they understand and can deal with what they will be encountering and be prepared for clearing fallen trees instead of “bushwhacking” off trail.

Thank you for reviewing my comments.

  
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