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February 17, 2026

Supervisor's Office
Rogue River-Siskiyou National Forest
3040 Biddle Road
Medford, OR 97504

Re: Objection to the Draft Decision Notice and Finding of No Significant Impact for the Snowy Butte Landscape Restoration Project Final Environmental Assessment.

Dear District Ranger Cruz:

WildEarth Guardians (“Guardians”) submits this objection regarding the U.S. Forest Service’s Draft Decision Notice (“DN”) and Finding of No Significant Impact (“FONSI”) for the Snowy Butte Landscape Restoration Project (“Snowy Butte Project” or “Project”) Final Environmental Assessment (“EA”) located on the High Cascades Ranger District of the Rogue River-Siskiyou National Forest. The Responsible Official for the Project is Lana Cruz, District Ranger for the High Cascades Ranger District.

I. The Forest Service should reconsider its deferral of Travel Management decisions.

When the Forest Service scoped the Project in 2022, it said that decommissioning existing roads “would be considered if they have no potential use for effective fire suppression efforts; the roads are failing, impacting water quality, stream form, flow, or floodplain functions; or if the roads are in unusable condition or presenting a safety hazard.”¹ In the Draft EA, however, the Forest Service reversed course “[b]ecause Travel Management regulations and policy are currently under review at the Agency and Departmental levels[.]”² According to the Forest Service, “the Regional Forester has directed that Travel Management decisions that would decrease public access be deferred at this time.”³ In our comments on the Draft EA, Guardians urged the Forest Service to reconsider this decision⁴ but the Final EA contains the same deferral language and the Forest Service did not response to Guardians’ comment.⁵ Guardians renews its

¹ Scoping Letter, p. 6.

² Draft EA, p. 13.

³ *Id.*

⁴ Draft EA Comments, p. 6.

⁵ *See* Final EA, pp. 15, 227.

request that the Forest Service fulfill its travel management obligations by including road decommissioning in the Project, as originally planned.

In June 2025, Regional Forester Buchanan issued “interim guidance” regarding Travel Management, stating:

Travel Management regulations and policy are currently under review at the Agency and Departmental levels. To ensure Region 6 projects do not result in decisions that may be inconsistent with potential future changes, I am temporarily suspending the incorporation of Travel Management proposals that would decrease public access into [NEPA] projects and directing you to defer Travel Management decision-making.⁶

Importantly, Regional Forester Buchanan recognized “[t]his suspension . . . mark[s] a departure in how we develop projects.”

Regional Forester Buchanan’s decision to defer Travel Management decisions that would decrease public access is problematic for a variety of reasons. An agency cannot “simply disregard rules that are still on the books.”⁷ Here, the Travel Management regulations are still on the books, something Regional Forester Buchanan acknowledged.⁸ Nearly eight months later, no proposal to change the Travel Management regulations has been announced. In practical terms, Regional Forester Buchanan’s Interim Guidance amounts to an unlawful amendment to the Travel Management regulations, one undertaken with no opportunity for public comment or steps to ensure compliance with the National Environmental Policy Act (“NEPA”), the National Forest Management Act (“NFMA”), or the Endangered Species Act (“ESA”).⁹

The (still-binding) Travel Management regulations require the Forest Service to “identify the minimum road system needed for safe and efficient travel and for administration, utilization, and protection of National Forest System lands.”¹⁰ The regulations also require the agency to “identify the roads under Forest Service jurisdiction that are no longer needed . . . and . . . therefore, should be decommissioned or considered for other uses, such as trails.”¹¹

In 2015, the Forest Service completed a Travel Analysis Report (“TAR”) for the Rogue River-Siskiyou National Forest.¹² Throughout the TAR, the Forest Service stressed that the results of that analysis would be incorporated into future site-specific NEPA analyses:

⁶ Region 6 Forester Jacqueline A. Buchanan, Interim Guidance for Travel Management Proposals and Decisions, p. 1 (June 25, 2025) (“Interim Guidance”).

⁷ *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009).

⁸ See Interim Guidance, p. 1 (“Travel Management regulations (36 CFR Part 212, Subparts A, B, and C) remain in effect while we suspend Regional Travel Management NEPA decisions.”).

⁹ See *Am. Mining Congress v. Mine Safety & Health Admin.*, 995 F.2d 1106, 1109 (D.C. Cir. 1993) (“an amendment to a legislative rule must itself be legislative.”).

¹⁰ 36 C.F.R. § 212.5(b)(1).

¹¹ *Id.* § 212.5(b)(2).

¹² See Rogue River-Siskiyou National Forest Forest-wide Travel Analysis Report (Sept. 2015).

- “Travel analysis results will be used for planning future site-specific actions, project analyses and decisions.”¹³
- “The Rogue River-Siskiyou National Forest Line Officers will use this Forest Level Travel Analysis report when planning future NEPA projects where laws, regulations, manual and handbook direction require that a Travel Analysis be completed prior to a NEPA project inception.”¹⁴
- Travel analysis will “[i]dentify opportunities for change that will inform travel management decisions in subsequent NEPA documents.”¹⁵
- “Travel analysis will help guide and inform future site specific NEPA and decisions.”¹⁶
- “The results of this Travel Analysis will be used by the responsible official for identification of the forest’s minimum road system following appropriate NEPA analysis.”¹⁷
- “The road management opportunity maps in Appendix D also display roads that are likely not needed for future use and will be further examined in the NEPA process for decommissioning and removal from the road system.”¹⁸

The Forest Service, therefore, has an obligation under both the Travel Management regulations and NEPA to consider Travel Management actions as part of its analysis. It must incorporate the conclusions of the TAR and perform the appropriate site-specific analysis in its NEPA process.

Regional Forester Buchanan’s Interim Guidance upends that obligation based solely on *potential* changes to Travel Management regulations. A policy change of this type is unlawful “if the agency ignores or countermands its earlier factual findings without reasoned explanation for doing so[.]”¹⁹ Here, Regional Forester Buchanan’s explanation for suspending Travel Management decisions is not reasonable because no such changes have even been proposed, much less enacted. The Forest Service cannot implement such ad hoc policy changes by asserting that it may someday do the requisite analysis to retroactively support its decision.

The Interim Guidance is also unreasonable because it only applies to Travel Management decisions that would decrease public access while potentially allowing the Forest Service to increase road construction or motorized access. But the Travel Management regulations “signal[ed] the shift away from development and construction of new roads to maintaining needed roads and decommissioning unneeded roads” in order to “minimize and begin to reverse adverse ecological impacts from roads.”²⁰ This new one-way ratchet towards *more* roads and

¹³ *Id.* at 7.

¹⁴ *Id.* at 8.

¹⁵ *Id.* at 9.

¹⁶ *Id.* at 17.

¹⁷ *Id.* at 56.

¹⁸ *Id.*

¹⁹ *Organized Village of Kake v. U.S. Dept. of Agriculture*, 795 F.3d 956, 966 (9th Cir. 2015), quoting *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 537 (2009)).

²⁰ 66 Fed. Reg. 3206, 3207, 3215 (Jan. 12, 2001).

road use directly conflicts with the Travel Management regulations. The Forest Service has provided no explanation to countermand its earlier factual findings, much less a reasoned one.²¹

Furthermore, even if the Regional Forester's directive was somehow valid, which it is not, it would not block all necessary travel management actions in the Project area—only those that would “decrease public access.”²² The TAR identified 618 miles of ML-1 roads in the Rogue River-Siskiyou National Forest that “should be considered for decommissioning through a site-specific NEPA process.”²³ ML-1 roads are designated for “long term storage” and already considered closed.²⁴ Therefore, decommissioning ML-1 roads would not “decrease public access,” because they do not currently provide public access. At a minimum, the Forest Service has an obligation to consider decommissioning ML-1 roads as part of the Snowy Butte Project, as originally planned.

Proposed Resolution: The Forest Service should revise the Final EA, determine the minimum road system for the Snowy Butte Project area, and consider decommissioning unneeded roads.

Sincerely,



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²¹ *Organized Village of Kake*, 795 F.3d at 966.

²² Final EA, p. 15.

²³ TAR, p. 7.

²⁴ *Id.* at 8.