

WALLOWA-WHITMAN NATIONAL FOREST

**COMMERCIAL ROAD USE RULES
and
Road Use Permit Requirements**

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Prepared


Development Engineer

Recommended


Forest Engineer

Approved


Forest Supervisor

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Date

INTRODUCTION

The purpose of the Wallowa-Whitman National Forest Commercial Road Rules is to:

1. Provide commercial users with timely information about requirements concerning use on Forest Service managed roads and to administer them uniformly with all commercial users.
2. Provide Forest Officers with a system to display their requirements concerning use on Forest Service managed roads and to assist in administering them uniformly with all commercial users.
3. Implement a responsive system for issuing permits or other arrangements for authorizing road use to meet the special needs unique to specific commercial users.
4. To inform other agencies and Forests about requirements concerning use of Wallowa-Whitman National Forest roads.

The road rules are organized displaying (a) the general rules for the Forest, and then (b) specific rules by District, by road.

In this document we have shown the most common rules affecting commercial users. In addition, the specific rules have been keyed toward routes most commonly used by commercial users. Questions concerning other routes should be directed to the District Ranger. The road rules will be reviewed and revised as necessary. Your cooperation in helping us manage the road system is appreciated.

DEFINITIONS

1. **Road Rule** - A statement defining traffic conduct required by commercial users (or their agents) on roads under Forest Service jurisdiction. Rules consist of **General Road Rules** and **Specific Road Rules**.
2. **General Road Rules** - Rules applicable to all commercial users of Forest Service roads. The rule applies to all roads unless modified by written waiver (permit, contract, easement, etc.) or by a **Specific Road Rule**.
3. **Specific Road Rules** - Rules that modify the **General Road Rules** and will apply only to selected roads and structures.
4. **Waiver** - A permit, contract, easement, fire order, formal letter, etc., signed by an authorized Forest Officer or Representative, granting approval to modify a General or Specific Road Rule.
5. **Commercial Use** - Any traffic generated by a commercial user of roads under Forest Service jurisdiction, including, but not limited to, hauling of hay, livestock, wood products, rock, asphalt, passengers, equipment, or other commercial use.

6. Roadway - The portion of the road within the limits of excavation and embankment (top of cut to toe of fill) consisting of cut and fill slopes, drainage ditches, and the roadbed including surfacing and all widening.

7. Structures - Constructed or installed sections and materials to provide safety, increase strength, or control drainage on, within, or through the roadway.

8. Roadway Damage – The operation of vehicles on the roadway in such a manner to distort or disturb the original profile, cross section or structure such that any of the following occur:

- 1) The capacity to support traffic is diminished;
- 2) Planned uses of the roadway are substantially impaired;
- 3) Planned operation or maintenance costs are substantially impacted;
- 4) Drainage from the roadway is interrupted or prevented;
- 5) The surfacing is rutted to a depth that cannot be restored by normal grading or that causes disturbance of the subgrade under the surfacing;
- 6) Unacceptable impacts or damage to adjacent resources such as vegetation, watercourses, or other roads or facilities occur or can be reasonably expected to occur;
- 7) Sediment discharge to receiving waters is substantially increased;
- 8) Roadway material is lost to water erosion, slumping, surface creep/dislocation, or wind erosion.
- 9) Sedimentation within the roadway results in clogged or blocked ditches, culverts or other drainage structures.
- 10) Distortion or pumping of the roadway material results in mixing or contamination of aggregate or subgrade layers.

Roadway surface distortion or rutting that does not reach the threshold damage level must be routinely restored by in-use maintenance grading as soon as practicable after the distortion occurs.

9. Open Roads - Roads where permits may be granted for commercial haul.

10. Prohibited Use Roads – Roads where no use will be authorized. For timber sales and stewardship contracts, these roads will be listed as “X” (all commercial haul is prohibited) or as “P” (all use is prohibited).

11. Restricted Use Roads – Roads where certain types of commercial use may not be permitted or use may be permitted with limitations. For timber sales and stewardship contracts, these roads will be listed as “R” (and the description of the type of restriction shall be shown in C(T)5.12#).

12. Traveled Way – The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

13. Unsuitable Roads – Roads that shall not be hauled upon prior to completion of reconstruction as agreed to by the Forest Service. For timber sales and stewardship contracts, these roads will be listed as “U” (unsuitable for hauling prior to completion of agreed reconstruction).

GENERAL ROAD RULES

1. Compliance with applicable sections of the Endangered Species Act and the Clean Water Act are required at all times.
2. Operations shall be conducted to minimize erosion and pollution of soils and to prevent silting and muddying of streams, rivers, irrigation systems, and impoundments (lakes, reservoirs, etc.)
 - Pollutants such as fuels, lubricants bitumen, and other harmful materials shall not be discharged into or near rivers, streams and impoundments or into natural or manmade channels leading thereto.
 - Mechanized equipment shall not be operated in live streams without written approval by the District Ranger.
 - Prevention of Oil Spills – If the Permittee maintains storage facilities for oil or oil products on Forest Service property, appropriate preventive measures shall be taken to ensure that any spill of such oil or oil products does not enter any stream or other waters of the United States or any of the individual States.
 - If the total oil or oil products storage exceeds 1320 gallons or if any single container exceeds a capacity of 660 gallons, the Permittee shall prepare a Spill Prevention Control and Countermeasures (SPCC) Plan. Such plan shall meet the applicable EPA requirements (40 CFR 112) including certification by a registered professional engineer
 - Vehicle equipment maintenance, refueling, and fuel storage shall be separated from the stream by a minimum of 300 feet. Vehicles/equipment operating within 300 feet of a stream shall be inspected daily for fluid leaks, and repaired if necessary.
3. Compliance with applicable State and local laws and regulations is required unless specifically permitted by the Forest Supervisor on National Forest Lands and Roads.
4. Except as modified by these Road Rules, or by Special Order of the Forest Supervisor, the provisions of the Motor Vehicle Laws of Oregon and Idaho relating to the operation of motor vehicles are applicable to all open roads under the jurisdiction of the Wallowa-Whitman National Forest and are enforceable by State or County law enforcement officers.
5. Commercial use by any operator of any vehicle having a rated or licensed GVW of 10,000 pounds or more will not be permitted on any Wallowa-Whitman National Forest road unless the user has a permit, contract, easement deed, or other written document. Refer to Special Order No. 373 issued under Regulation 36 CFR 261.54(c).
6. The weight, height, and width limitations of vehicles on National Forest roads shall be in accordance with the Motor Vehicle Laws of the State of Oregon. The maximum overall dimensions of a vehicle and load shall be 65 feet long, 8.5 feet wide and 14 feet high. These limitations will be enforced under Federal regulations. Exceptions to this rule, establishing greater or lesser limits, shall be effective when signs giving notice thereof have been posted on the road or when a specific written authorization or permit provides otherwise. Reference 36 CFR 261.12.

Application for overload or variance* permits for roads must be made through the Wallowa-Whitman NF Supervisors office at least five (5) days in advance of need and approved by the Forest Engineer; and at least thirty (30) days in advance of need for non-standard or over weight loads that would cross bridges or other structures. Maximum loading on bridges and CRABS (Culverts Reported as Bridges) is 40 tons for a Type 3-3 truck (single unit truck and trailer), 36 tons for a Type 3S2 truck (truck tractor and semi-trailer), and 25 tons for a Type 3 truck (single unit truck), unless otherwise posted or restricted. Bridge overload permits are subject to approval by the Regional Structural Engineer and Forest Supervisor. A bridge use application and permit form must be completed and submitted by the requester for review and approval by the Forest.

*Exceeding maximum overall vehicle dimensions.

7. Snowplowing will not be allowed except by a Forest Service permit, contract provision, or other written agreement. This policy will be enforced, if necessary, through regulations written under 36 CFR 261.10(a).

For work being done by Forest Service contract, authority to issue permits is specified in the contract. For situations not covered by a contract, District Rangers are authorized to issue road use permits and snowplowing permits. Snowplowing permits will be issued in accordance with requirements and restrictions specified in the road rules.

- For snowplowing, all blades or plows on graders, and any type of dozer, shall be equipped with shoes or runners to keep the blade a minimum of two (2) inches above the road surface unless agreed otherwise.
- Roads requiring dual use will be plowed to full width including turnouts. On roads authorized for single use plowing only, the user will be required to block the road with snow at various points within the snowplowed area upon completion of use, unless otherwise agreed.
- There are many roads designated as snowmobile routes on National Forest land. No snowplowing or use by vehicles other than over-snow vehicles will be authorized when the road has been groomed and posted for over-snow vehicles on the ground, unless approved in writing by the Forest Service. This occurs annually, normally between December and May, but some variations can be expected. Contact your local Ranger District for maps, location, and information specific to these routes.

8. Ice control will be permitted unless specifically prohibited. The permittee or purchaser will supply non-skid materials as required by written agreement between the Forest Service and the State of Oregon. Any accumulation of excess sanding rock will be removed.

9. Vehicles with lugs will not be permitted on some roads except by specific provision in each permit, contract provision, or other written agreement. This policy will be enforced through regulations written under 36 CFR 261.54(a). Refer to Special Order No. 384.

10. National Forest timber purchasers are authorized to use only those National Forest roads identified in C(T)5.31 and/or C(T)5.32, and are subject to included limitations and specific rules imposed on those roads in provision C(T)5.12, C(T) 6.35, and these Road Rules.

11. Damaging and leaving in a damaged condition any road or segment thereof is prohibited. Damage is exclusive of ordinary road maintenance described in the contract or permit, and includes, but is not limited to contamination, disturbance, or loss of aggregate or asphalt surfacing which cannot be repaired with typical road maintenance activities. Reference 36 CFR 261.12(c).

12. Unless otherwise provided in a contract, permit, or agreement, no road shall be blocked by the placing of any vehicle or other object upon it in a manner that is an impediment or hazard to safety, or conflicts with other users. Reference Regulation 36 CFR 261.12(d). It shall be considered an impediment if:

- A. Slow moving logging, construction, or road maintenance equipment is operated without posting proper warning signs.
- B. Logging slash or debris is deposited or left in roadway or turnouts.
- C. Logs are yarded on, or across, or decked on the road traveled way or its turnouts.
- D. Falling trees onto the roadway without permit and proper warning signs and/or flaggers.
- E. Parking equipment or vehicles in the road traveled way, including turnouts, without proper signing.
- F. Application for permission to block roads or use them as landings or other uses must be made to the District Ranger at least five (5) days in advance of need.

13. A written traffic control plan shall be submitted to the Forest Service and approved prior to any commercial use of National Forest roads. All elements of the traffic control plan including signs, flaggers and other traffic control devices shall also be in place prior to commercial use and maintained throughout the duration of the commercial use.

14. All roads in which commercial use has not been authorized by contract, permit, or other written agreements, may have some restrictions for use. Those restrictions include the Specific Road Rules. Forest Service roads are also subject to traffic restrictions or closures due to wet or saturated soils, for wildlife protection, for unusual weather conditions, for user safety, or when necessary to permit reconstruction and maintenance.

15. Commercial use of National Forest roads by any permittee, contractor, or their agents will be suspended when such use will cause damage to resources, the roadway, structures, or when the use will result in unsafe conditions to others (36 CFR 261.12 (c)). Such suspension shall be effective when the commercial user is notified verbally, in writing, or by road closure posted on the road (36 CFR 261.53 and 261.54). Verbal suspensions are to be followed by notification in writing.

16. Where haul has not been authorized, road use may be prohibited or require reconstruction before use. For use of roads not authorized in a contract, permit, or other written agreement, the commercial user and Forest Service must agree to the required reconstruction for safety, investment protection, structural support, and resource protection prior to granting use. This work may include roadway clearing, reconditioning, culvert installation or replacement, slump repair, surfacing, and roadbed widening.

17. Commercial users shall obey restrictions listed in the Wallowa-Whitman National Forest Access and Travel Management Plan. This plan is shown on maps or located in the Forest's geographical information system. Contact the local Wallowa-Whitman Ranger District offices for information and updates to specific areas of restrictions.
18. The following act is prohibited on the Wallowa-Whitman National Forest: using a vehicle equipped with other than pneumatic tires, except snowmobiles, unless specifically authorized by permit, on any Forest Development Road bridge. Refer to Special Order #373.
19. Not all roads will be available for commercial use, and use of some roads may be permitted with certain restrictions or requirements such as reconstruction or submittal of a traffic control plan. Check with the local Ranger District for specific information.
20. Chemical dust abatement materials (excluding water) shall only be used when approved in writing by the Forest Service prior to placement. Approved dust abatement palliatives are listed in the specific provision or specification included with each permit, contract provision, or other written agreement. Approved dust abatement palliatives (other than water) include lignonsulfonate, magnesium chloride, and calcium chloride. Other chemicals may be considered when approved by the Forest Service upon receipt of manufacturer's documentation of chemical composition, recommended application procedures, and Material Safety Data Sheets. The use of used oil as a dust suppressant is prohibited in any concentration (40 CFR 279).
21. Road maintenance deposits shall be required for any commercial use or haul on National Forest System Roads (36 CFR 212.5 (d) (3)). On roads with surfacing, these deposits would also include surface rock replacement. In lieu of deposits, commercial users may perform maintenance or provide materials proportionate to their share of the collections (36 CFR 212.5 (c)).
22. Construction, reconstruction, maintenance or alteration of any road shall not be permitted without a contract, permit, or written agreement. Any alteration of a NFSR or road under jurisdiction of the Forest Service shall be conducted in accordance with the terms and conditions set forth in the written authorization and in accordance with all requirements in environmental documents such as NEPA, consultation, and in accordance with all other environmental regulations and permits.

SPECIFIC ROAD RULES

WHITMAN RANGER DISTRICT

1. *Weight Limit - Bridges. The following are bridges that are rated less than highway loadings. A specific permit is required to exceed the limit, which may require temporary or permanent structural improvement. The 3S2 design vehicle configuration is the most similar to a log truck.
 - a. McCully Fork #1, 2200900-0.8, load limit is 5 tons for all vehicle types.
 - b. Little Eagle #2, 7735000-5.7, load limit is 14 tons for Type 3, 21 tons for Type 3S2, and 23 tons for Type 3-3.
 - c. North Fork Anthony Creek, 7312000-6.728, load limit is 10 tons for all vehicle types.
 - d. Two-Color Creek, 7750042-0.10, closed and barricaded.

* Refer to attached drawing for description of AASHTO type.
2. Snowplowing. Permits will be issued only for rotary plows, graders, or other equipment normally used to plow highways on the following roads:
 - a. Forest Service Road No. 16
 - b. Forest Service Road No. 73.
 - c. Forest Service Road No. 51.
 - d. Forest Service Road No. 52.
3. Vehicles with lugs, in contact with road surface, are prohibited on the following roads unless a permit is issued:
 - a. Forest Service Road No. 16
 - b. Forest Service Road No. 73.
 - c. Forest Service Road No. 51.
 - d. Forest Service Road No. 52.
4. Weight Limit - Roads. The following roads are open to commercial use only during certain months of the year. Weight restrictions are applied annually during the spring breakup period (generally December 1 thru May 31). The restriction is in effect when weight limit signs are in place on the road. Refer to Order Number 269.
 - a. Forest Service Road No. 16
 - b. Forest Service Road No. 51.
 - c. Forest Service Road No. 52.
 - d. Forest Service Road No. 73 from Anthony Lakes to Granite.

EAGLE CAP RANGER DISTRICT

1. Vehicles with lugs, in contact with road surface, are prohibited on the following roads unless a permit is issued:
 - a. Forest Service Road No. 8205 (paved portion).

 2. Weight Limit – Bridges. The following are bridges that are rated less than highway loadings. A specific permit is required to exceed the limit, which may require temporary or permanent structural improvement. The 3S2 design vehicle configuration is the most similar to a log truck.
 - a. Lake Creek, 8210000-4.90, load limit is 15 tons for Type 3, 24 tons for Type 3S2, and 26 tons for Type 3-3.
- * Refer to attached drawings for description and AASHTO type.

HELLS CANYON NATIONAL RECREATION AREA

1. *Weight Limit - Bridges. The following are bridges that are rated for less than highway loadings. A specific permit is required to exceed the limit, which may require temporary or permanent structural improvement. The 3S2 design vehicle configuration is the most similar to a log truck.
 - a. College Crossing Bridge No. 4200200-0.09 is closed to the general public for all vehicle types. Local traffic is specifically authorized by permit for adjacent private land owner for vehicles weighing less than two tons.

* Refer to attached drawing for description of AASHTO type.
2. Snowplowing. Permits will be issued only for rotary plows, graders, or other equipment normally used to plow highways on the following roads:
 - a. Forest Service Road No. 3965 (paved portion).
 - b. Forest Service Road No. 39
 - c. Forest Service Road No. 3960 from Forest Service Road No. 39 to Indian Crossing trailhead.
3. Vehicles with lugs, in contact with road surface, are prohibited on the following roads unless a permit is issued:
 - a. Forest Service Road No. 39.
 - b. Forest Service Road No. 3965 (paved portion).
 - c. Forest Service Road No. 3960 from Forest Service Road No. 39 to Indian Crossing trailhead.
4. Weight Limit - Roads. The following roads are open to commercial use only during certain months of the year. Weight restrictions are applied annually during the spring breakup period (generally January 1 to June 15). The restriction is in effect when weight limit signs are in place on the road. Refer to Order Number 269.
 - a. Forest Service Road No. 39.
 - b. Forest Service Road No. 3965.
 - c. Forest Service Road No. 3960 from Forest Service Road No. 39 to Indian Crossing trailhead.

LA GRANDE RANGER DISTRICT

1. *Weight Limit - Bridges. The following are bridges that are rated for less than highway loadings. A specific permit is required to exceed the limit, which may require temporary or permanent structural improvement. The 3S2 design vehicle configuration is the most similar to a log truck.
 - a. North Fork Catherine Creek #1, 7700700-0.10, load limit is 10 tons for all vehicle types.

* Refer to attached drawing for description of AASHTO type.
2. Snowplowing. Only rotary plows, graders or other equipment normally used to plow highways will be used on the following roads:
 - a. Forest Service Road No. 51 from its junction with County Road 149 to its junction with Forest Service Road No. 52.
 - b. Forest Service Road No. 1843.
3. Vehicles With Lugs, in contact with road surface, are prohibited on the following roads unless a permit is issued:
 - a. Forest Service Road No. 51.
 - b. Forest Service Road No. 1843.
4. Weight Limit - Roads. The following roads are open to commercial use only during certain months of the year. Weight restrictions are applied annually during the spring breakup period. The restriction is in effect when and where weight limit signs are in place on the road. Refer to Order Number 269.
 - a. Forest Service Road No. 51.
 - b. Forest Service Road No. 1843.

WALLOWA VALLEY RANGER DISTRICT

1. Snowplowing. Permits will be issued only for rotary plows, graders, or other equipment normally used to plow highways on the following roads:
 - a. Forest Service Road No. 46 from its junction with State Highway 3 to end of pavement.
 - b. Forest Service Road No. 39.

2. Vehicles with Lugs, in contact with road surface, are prohibited on the following roads unless a permit is issued:
 - a. Forest Service Road No. 46 from its junction with State Highway 3 to end of pavement.
 - b. Forest Service Road No. 39.

3. Weight Limit - Roads. The following roads are open to commercial use only during certain months of the year. Weight restrictions are applied annually during the spring breakup period (generally January 1 to June 15). The restriction is in effect when weight limit signs are in place on the road. Refer to Order Number 269.
 - a. Forest Service Road No. 39 (entire length)
 - b. Forest Service Road No. 46 (paved portion)

PLATE 1

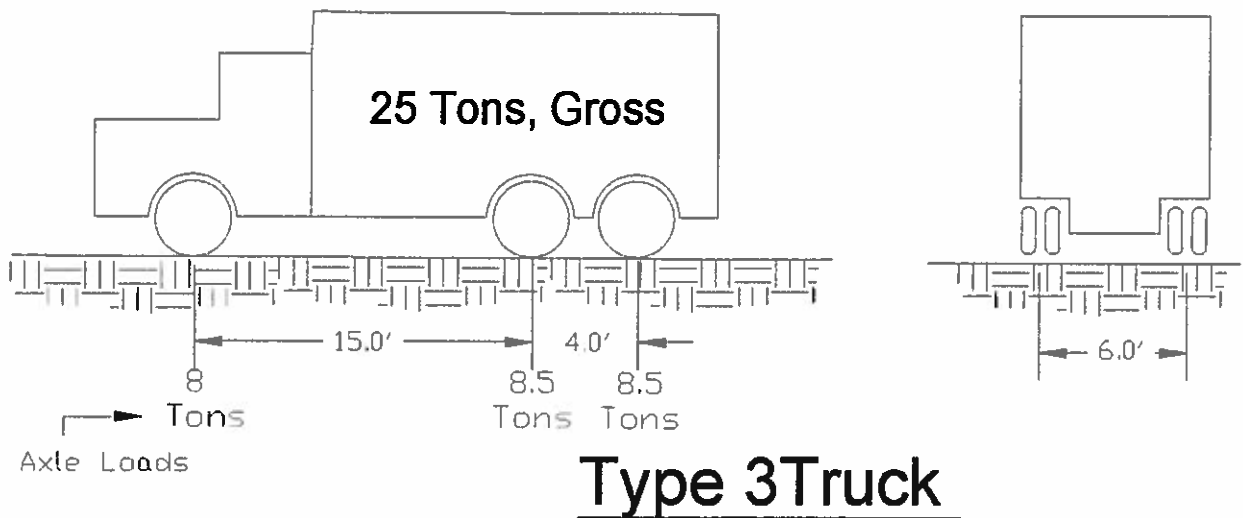
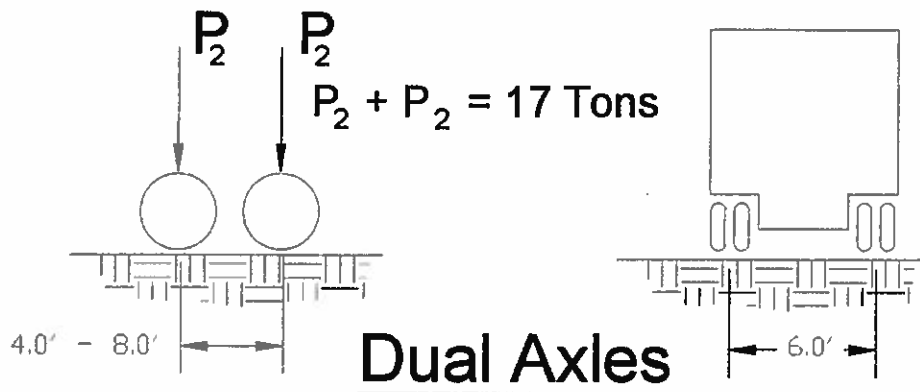
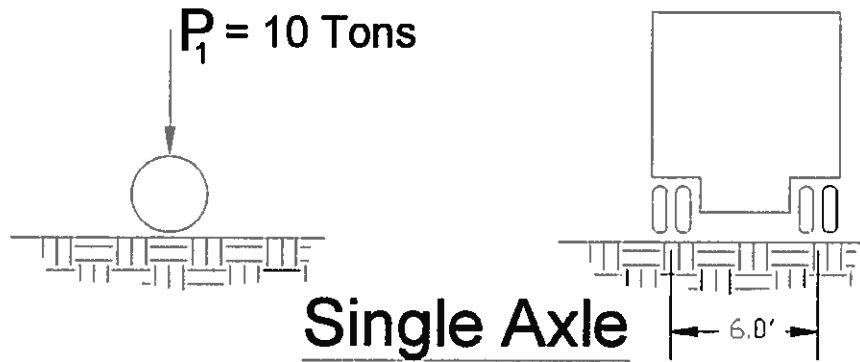
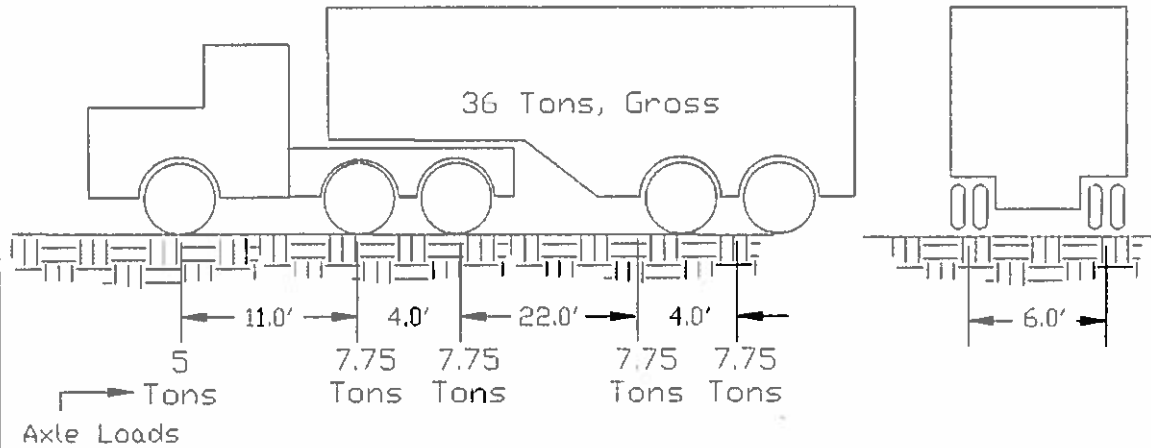
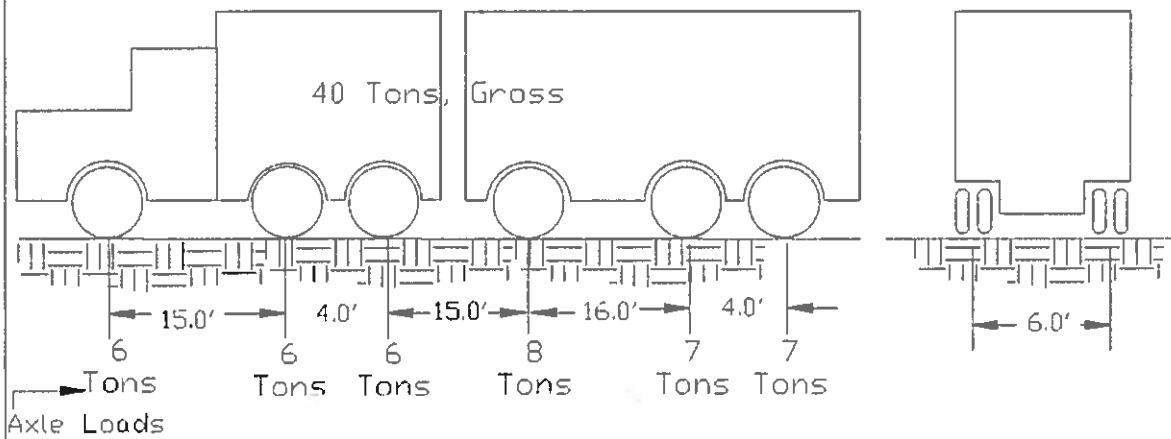


PLATE 2



Type 3S2 Truck and Semi-Trailer



Type 3-3 Truck and Trailer