

From: [Tim Deboodt](#)
To: [Peer, Beth- FS](#); (b)(6); [JOHN DEHLER](#); [Casey Kiser, City of Prineville](#); [Jace](#); [Don and Kim Vogel](#); [Darlene Henderson](#); [Dave Nielsen](#); (b)(6)
Cc: [Keown, Kevin -FS](#); [Turner, Slater -FS](#)
Subject: Re: Trails Subcommittee of the Crook County Natural Resources Advisory Committee
Date: Tuesday, August 31, 2021 10:12:29 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good morning!

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Please let me know if you cannot attend! I will provide a zoom link for remote access if needed.

Thanks!

Tim

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Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

From: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Sent: Monday, August 30, 2021 10:36 AM
To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>; (b)(6); (b)(6); John Dehler <(b)(6)>; Casey Kiser, City of Prineville <CKaiser@cityofprineville.com>; Jace <(b)(6)>; Don and Kim Vogel <(b)(6)>; Darlene Henderson <(b)(6)>; Dave Nielsen <(b)(6)>; (b)(6)
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Beth Peer
Environmental Coordinator

Forest Service
Ochoco National Forest

p: 541-416-6463
elizabeth.peer@usda.gov

3160 NE Third Street
Prineville, OR 97754

www.fs.fed.us



Caring for the land and serving people

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>

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File Code: 1950
Date: November 8, 2021

Seth Crawford
County Judge
300 NE 3rd Street
Prineville, OR 97754

Dear Judge Crawford:

Thank you for the opportunity to respond to your letter of October 8, 2021 (re: supplement to your scoping input on Lemon Gulch Trails scoping). Your enthusiastic support for the project was supplemented in this latest letter with a request to spend time hearing from constituents with grazing permits and property owners near the project area.

Over the last several months, we have continued to share information about the project and to accept public comment. There is broad support for the Lemon Gulch trails project. To date, this office has received about 90 letters of support for the Lemon Gulch Trails Project – in addition to those received during the initial scoping period in March 2021. We have also corresponded with U.S. Congressman Bentz, State Representative Vicky Breese-Iverson, and State Senator Dennis Linthicum to provide updates on our planning process.

We received initial scoping responses from all three permit holders, and following an initial meeting with grazing permittees in May, have continued to seek their thoughts and ideas. In a recent meeting I have assured them that the existing Lemon Pasture grazing infrastructure would not be removed or destroyed by this project. With the help of permittees, we are pulling together the specific spatial data about the Mill Creek Allotment that will help us design alternatives that mitigate impacts to grazing operations. This is consistent with our multiple use strategies across the Forest and Grassland on trail projects, as wherever development occurs, we would need to work through combining grazing and recreation in that specific landscape. I believe we are aligned with the County in this multiple use concept across public lands as demonstrated through the Crook County Natural Resource Plan. It acknowledges recreation and tourism on public lands contribute significantly to the economy and culture of Crook County. It also speaks to favoring multiple-use management across the Forest year-round to foster recreation and tourism opportunities in the County. As Leaders of the County, you have a much better understanding than I regarding the substantial financial contribution multiple use plays into the overall health for Central Oregon Counties.

We have also heard from property owners in the area who are opposed to the addition of a mountain bike trail system in this particular location (and in some cases opposed to recreation in the Ochocos altogether). The specific comments include potential for impacts to wildlife and wildlife habitat, potential for introduction of invasive plants, negative views of visitors and concerns that additional recreation will exacerbate issues of garbage dumping or other lawlessness, and safety concerns from additional use of the Mill Creek Road (County Road 33). Some folks have commented that the Mill Creek Road is too narrow and not properly maintained for the current level of traffic.



As with all projects that are proposed under the NEPA scoping process, we use substantive feedback in developing alternative ways of meeting the purpose, in designing mitigation where necessary, and in conducting analysis of the anticipated effects to the human environment.

Now that we have paused the NEPA process for five months, engaged with the CCNRAC, and accepted additional input from over a hundred individuals, I've asked the interdisciplinary team to move forward with their planning process for the Lemon Gulch project. The resource specialists will take into consideration all of the comments we've received since March of this year – both supportive and critical – to ensure that when we produce our environmental assessment, it assesses, and presents a complete range of alternatives that address the issues raised as much as possible.

As we continue through the NEPA process this is not the end of the public involvement opportunities. There will be an opportunity for the public to review and comment on the environmental assessment for 30 days once it is released. And then again there will be an opportunity to weigh in when I propose a decision. We look forward to hearing from you at those stages in the process.

Sincerely,



SLATER R. TURNER
District Ranger

cc: Commissioner Jerry Brummer, Commissioner Brian Barney

From: [Tim Deboodt](#)
To: [Turner, Slater -FS](#)
Cc: [Peer, Beth - FS](#); [Seth Crawford](#); [Keown, Kevin -FS](#)
Subject: [External Email]Lemon Gulch presentation
Date: Monday, March 21, 2022 10:03:10 AM

[External Email]

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Slater,

Good morning! At the March meeting of the County's Natural Resources Advisory Committee, a group of county citizens asked for an update on the Lemon Gulch Trails analysis. Kevin provided just an update that the draft EA would be out, perhaps by mid-May.

The Committee has put this topic on its agenda for April to hear what has happened since the FS moved to the EA development stage of the process back in November. I am wondering if you and Beth (and anyone else you want to present) could give the Committee an presentation at its April 13th meeting? It would be great to hear what the alternatives are that are being evaluated, what the differences are between them and what the analysis is looking like since the draft EA might be so close to being done.

The group of citizens that have had concerns about this project since they first became aware of them one year ago will be present.

We will also be hearing from the BLM and maybe ODFW on their newly initiated review of their Sage Grouse Habitat Management Plans.

Thanks!

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Subject: FW: [External Email]Lemon Gulch presentation

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Sent: Thursday, March 24, 2022 2:54 PM

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Subject: FW: [External Email]Lemon Gulch presentation

Hi Tim,

Kevin, Slater and I are in conversations about the April NRAC meeting. We very much want to provide some accurate info to the NRAC and interested/affected public, while staying within our legal bounds of NEPA. Is there a time when the four of us can chat next week so I can better understand this meeting, the desired outcome, how we can best prepare and share some objectives we have?

Let me know when you have some time next week and I will get us together for a strategy session.

Thanks.



Anthony B. Botello
Forest Supervisor (acting)

Forest Service
Ochoco National Forest
Crooked River National Grassland

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Prineville, Oregon 97754
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Caring for the land and serving people

From: Keown, Kevin -FS <kevin.keown@usda.gov>

Sent: Monday, March 21, 2022 10:12 AM

To: Joosen, Christopher -FS <christopher.joosen@usda.gov>; Kern, Cassidy -FS <kassidy.kern@usda.gov>; Botello, Anthony -FS <anthony.botello@usda.gov>

Subject: Fwd: [External Email]Lemon Gulch presentation

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From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Sent: Monday, March 21, 2022 10:02:55 AM

To: Turner, Slater -FS <slater.turner@usda.gov>

Cc: Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Seth Crawford <Seth.Crawford@co.crook.or.us>; Keown, Kevin -FS <kevin.keown@usda.gov>

Subject: [External Email]Lemon Gulch presentation

[External Email]

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Slater,

Good morning! At the March meeting of the County's Natural Resources Advisory Committee, a group of county citizens asked for an update on the Lemon Gulch Trails analysis. Kevin provided just an update that the draft EA would be out, perhaps by mid-May.

The Committee has put this topic on its agenda for April to hear what has happened since the FS moved to the EA development stage of the process back in November. I am wondering if you and Beth (and anyone else you want to present) could give the Committee an presentation at its April 13th meeting? It would be great to hear what the alternatives are that are being evaluated, what the differences are between them and what the analysis is looking like since the draft EA might be so close to being done.

The group of citizens that have had concerns about this project since they first became aware of them one year ago will be present.

We will also be hearing from the BLM and maybe ODFW on their newly initiated review of their Sage Grouse Habitat Management Plans.

Thanks!

Tim

Tim Deboodt
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From: [Tim Deboodt](#)
To: [Steve McGuire](#); [Andy Gallagher](#); [Lynne Breese](#); [Mike Lunn](#); [John Dehler](#); [Jace](#); [Cliff Kiser](#); [Casey Kiser, City of Prineville](#); [Frank Porfily](#); [Trent Smith](#); [Ston McDaniel](#)
Cc: dteitzel@blm.gov; ihkitch@blm.gov; [Amanda Roberts](#); [Mckinney, Stephanie D](#); [Decker, Michael G](#); cmryan@blm.gov; [Botello, Anthony -FS](#); [Keown, Kevin -FS](#); [Turner, Slater -FS](#); [Kovarik, Johanna - FS](#); [Peer, Beth- FS](#); [Goehring, Brianna - FS, PRINEVILLE, OR](#); [Case, Rebecca -FS](#); [John Gautney](#); [Eric Blaine](#); [Eric Klann](#); [Don and Kim Vogel](#); [Travis Holman](#); [Darlene Henderson](#)
Subject: [External Email]April meeting notice Crook County Natural Resources Advisory Committee
Date: Friday, April 8, 2022 12:51:42 PM
Attachments: [FS Lemon Gulch FS and FAQ.pdf](#)
[03092022 Draft minutes.docx](#)
[04132022 Draft Agenda.docx](#)

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Good afternoon,

Attached is the meeting notice for next week's County NRAC meeting as well as the draft minutes from the March meeting. With all the public social media and news coverage, I am expecting a large crowd of public participants for the Lemon Gulch project discussion. I am also attaching again the publication put out by the FS regarding an overview of the project proposal and their frequently asked questions (FAQ). Interviews heard on KBND and press releases read on KBND indicate this publication addresses what they refer to as miss-information about the project.

Due to the anticipated public attendance and desire to ask questions, I have asked Mike Lunn to facilitate this portion of the meeting. There will be a sign-up sheet for those wanting to ask questions and Mike will use that list to call on the audience to ask their questions. We will also be providing note cards so participants can write their questions down and provide them to the committee. If you have any questions, do not hesitate to ask.

Tim

Tim Deboodt

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Minutes

Crook County Natural Resource Committee

March 9, 2022

Committee Members Present: John Dehler, Lynne Breese, Tim Deboodt, Mike Lunn, Frank Porfily, Casey Kiser, Steve McGuire, Cliff Kiser, Jace Rhoden

Members absent: Trent Smith, Ston McDaniel

Guests present: Kevin Keown (FS), Stephanie McKinney (BLM), Eric Klann, City of Prineville,

Public Present: Mike Ervin, John Breese, Gayle Hunt, Rack Rabenberg, Mike Woodley, Wendy Woodley, Dave Neilsen, Sharon Neilsen, Don Vogel, Kim Vogel, Stan Hickman, Nanette Hickman

Meeting was called to order at 1:00 p.m. by Chair Steve McGuire @ 4H Building.

Pledge of Allegiance

Approval of previous meeting minutes: John moved to approve the minutes as corrected. Mike Seconded. Motion passed.

Agency Reports: Kevin Keown (FS) reported that Anthony Botello will be serving as acting Supervisor on the Ochoco National Forest until late June. Shane Jeffries is on detail to Region 9. Anthony has been the Deputy Supervisor on the Wallow Whitman National Forest.

Vegetation management planning continues on the Forest. The Mill Creek project will have a draft NEPA document out this spring for public comment. The North Fork Crooked River project is in the process of developing proposed actions (alternative for analysis). Project areas next on the priority list are the Trout Creek Watershed and the Mountain Creek Watershed (north of Scott's campground).

Kevin reported that the Lemon Gulch NEPA process is on-going. The FS is wrapping up the analysis of the alternatives and is anticipating a release of a draft NEPA and preferred alternative sometime late spring or early summer. Walton Lake court appeals are moving forward with Court briefings being scheduled. The Big Summit Wildhorse Territory project is still waiting for horse handling facilities which have been ordered but not yet delivered to the forest. No gatherings are scheduled yet.

The Forest is now in the 3rd year of the Joint Chief's project on the Southern part of the Ochoco's and norther Maury Mtn area. This year, FS is planning additional thinning and piling projects (approximately 2000 acres), along with scheduled riparian projects in Williams Prairie. National Resource and Conservation Service (NRCS) is working with private landowners in the project area on similar conservation activities.

Mike Lunn asked about the torrefaction project in John Day. Kevin didn't know any new information but had shared that the project is still moving forward and the plant facilities are being tested.

Frank asked about scheduled timber sales on the Forest. Kevin provided a list that includes most of what is scheduled:

GRS Salvage (Grandview danger trees)
Core
Base DxP (Integrated Resource Service Contract)
Langer Stewardship
Peak TS
Muddy Decks
Road 4240 Decks
Dome Timber Sale
Honi Stewardship
Lobo Decks
Rd 4260 east and Rd 2 to Beaver Creek Rd.

Stephanie McKinney (BLM) Assistant Field Manager, Central Oregon Field Office, Prineville District shared that the State office is still working on the updates to the BLM's Sage Grouse Habitat Management plan developed about 5 years ago. They might be ready to share something with the County's NRAC at the April, 2022 meeting.

Stephanie was able to share an updated report about the communication towers on top of Grizzly Mtn (previously reported by Jeff Kitchens (BLM)). There are 19 active operators with leases. BLM will be working with these operators to see what the long term goals and needs are for this location. BLM will also be addressing the hazardous fuels treatments on the mountain.

Presentation:

Eric Klann, City Engineer for the City of Prineville presented an update on the City's BioMass Project referred to as "PREP", Prineville Renewable Energy Project. The project proposal (under study) is a 25 megawatt power plant that would produce renewable, baseload power. It is a co-generation facility producing both steam and electricity. Uses of the steam could include drying lumber, and hydroponic food production. A possible, useable by-product coming from the facility is bio-char. The project is being designed as a pilot project with opportunities for other communities to build their own co-gen plant. Project partners include the City of Prineville, Crook County, TRM Energy Solutions and Wellon's (dry kilns).

The Project is a reflection of the City's and its partners passion for improving forest health and creating working wage jobs. Fuel (wood) sources are being secured (bondable contracts) for the next 20 years. Purchase of the power would be to large electrical users who have a willingness to purchase renewable energy at a rate that makes the plant feasible.

The project currently under study knows that it will need to address air quality concerns. The project intends to be carbon neutral, that with the incorporation of the newest technology it will scrub 99% of the PM2.5.

Project includes the utilization of wood (forest restoration projects, western juniper residuals and timber harvest residuals) and agricultural waste (ex. Nut shells). With the presence of the City of

Prineville Railroad, shipping in material as a back haul is a very large potential. Wood construction debris, landscape materials (tree trimmings) are also potential sources of fuel.

The facility as planned would utilize approximately 30 bone dry tons (BDT) per hour (1 truck load).

Timeline for the project is once the feasibility study is completed and accepted, if approved, the project could be generating power within 2 years of the signing of power purchase agreements.

Steve McGuire asked about the Prairie City facility and why did it get shut down. Eric responded that their PPA were not sustainable. Priced too high.

Casey Kiser (Committee member and City planner) provided an update on the City's efforts to create a vision and management plan for the Hudspeth property. The City purchased the property and plans to utilize the 305 acres of water rights (OID) for mitigation associated with its ground water pumping requirements. The purchase also allows the City to extend Peters Rd and Combs Flat Rd and create a new north/south access point on the east end of town. With the opportunities to develop open space opportunities with the associated 160 acre property that is federal public lands managed by the BLM, the total area is 620 acres of open space.

Cliff Kiser reminded the City of the mosquito breeding grounds associated with the wetlands on the property and the need to monitor and control these populations.

Good of the Order:

Steve thanked Lynne for all the work she has done to organize a visit by Dr. Tom DeLuca, the new OSU Dean of the College of Forestry later this spring.

Frank asked if OWRD had released any decision on the BOR/USFWS water right application for releases of stored water from Bowman Dam. Tim reported that as of yesterday (Tuesday, March 8th) they had not released any decision notice.

Public Comment:

Kim Vogel, representing some of the residents of Mill Creek and the FS permittees asked for time on the April 13th, 2022 agenda of the County's NRAC to speak to continued concerns regarding FS planning on the Lemon Gulch Trails project. Kim also mentioned a public meeting hosted by "Don't Bend Prineville" to be held Wednesday night, April 20th @ Carey Foster Hall, Crook County Fairgrounds. Cliff Kiser asked if the FS would be present at the April meeting of the NRAC. Tim responded that he would make sure to invite them and encourage their in-person presence.

April agenda will include a presentation by BLM on their sage grouse habitat plan updating process and the Lemon Gulch Trail project.

John moved to adjourn the meeting. Cliff Seconded. Motion Passed.

Crook County Natural Resource Advisory Committee

Wed., April 13, 2022, 1:00 p.m. – 3:00 p.m.

Crook County 4H Clover Building

502 SE Lynn Blvd., Prineville

Tentative agenda:

* Pledge of Allegiance	
* Minutes review and acceptance	5 min
* Forest Service and BLM reports	20 min
* BLM Sage Grouse Planning – Jeff Kitchens, BLM	30 min
* Lemon Gulch Presentations *	
Slater Turner/Beth Peer FS Update on NEPA Process	20 min
Mill Creek presentation	20 min
Public questions regarding Lemon Gulch	20 min
* Public Comment/Good of the Order	10 min
* Adjourn	

* During the Lemon Gulch discussion, those wishing to ask questions will be asked to sign up at the beginning of the meeting. Questions will be taken from that list first. Participants will be asked to write questions down in case time runs out and there are still questions to ask. 3x5 cards will be available for this process at the sign-in table.

Zoom link for virtual participation:

<https://oregonstate.zoom.us/j/93227441385?pwd=NzVTRTZHL3U5Vkc0a1I3a2tmY1RrQT09>

Password: 611895

Phone Dial-In Information

+1 971 247 1195 US (Portland)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Washington DC)

Meeting ID: 932 2744 1385

Join by Polycom/Cisco/Other Room System
93227441385@zoomcrc.com



Lemon Gulch Trails Project

Fact Sheet and Frequently Asked Questions

Project Description and Background

The Ochoco National Forest initially proposed the Lemon Gulch Trails Project in March 2021. It involves the creation of multi-use trails designed for mountain biking in the Mill Creek watershed on the Ochoco National Forest and is part of a Forest-wide effort to improve trail opportunities for non-motorized uses such as mountain biking, horse-back riding, hiking, and trail running.

At Lemon Gulch, the Forest Service is looking at a range of trail miles in four different configurations. Alternatives 2 was the original proposal. Alternatives 3, 4, and 5 were created by reducing the amount of trail miles to address concerns with wildlife habitat and grazing management. These alternatives provide a means for comparing the type and intensity of effects against the no action (Alternative 1). The analysis is underway and will be made available for public review and comment when completed. Information on how to be notified when the environmental assessment is available is provided later in this document.

Alternative	Miles of Trail by Difficulty			Total
	Beginner	Inter-mediate	Advanced	
1	0	0	0	0
2	8.9	28.6	14.1	51.6
3	4.7	9.7	6.3	20.7
4	2.1	9.3	7.6	19
5	5.1	16.0	7.6	28.6

A low level of development (e.g. native surface parking sites with informal parking, a single vault toilet, and signage) would maintain a rustic character. Having lower, middle and upper parking sites would allow people to leave one vehicle at the bottom and drive to the middle or top to start their

ride, though some people may opt to start at any of them.

The trails would be built to mountain biking standards and would be available for mountain biking, trail running, and hiking. Some trails would be designed for adaptive mountain biking equipment used by people with disabilities. Equestrian use would be discouraged on the trails and dogs would not be welcome on the trails before July 1st.

Where did this project originate?

A multi-year collaborative effort by Ochoco Trails (ochocotrails.org), which is a group made up of representatives of user groups and stakeholders, resulted in Forest-wide proposals for trails that would meet existing and growing demand for outdoor recreation. Following internal review of these proposals, the Forest Service chose to move forward with this and others that address equestrian, biker, and hiker interests.

How much use will the trails receive and how will you maintain them?

Though some are concerned that this will create an exponential increase in visitors to the Forest, this just isn't the case. It is expected that the first year the trails are available, there may be extra interest which could lead to the main lower trailhead having more than a typical number of vehicles. Initial capacity will be for up to 20 vehicles at a lower parking area, with smaller areas in the middle and upper parking, and will take advantage of areas that may be used as log landings during upcoming forest thinning project.

Comparable trailheads on a nice day usually have about 10 to 20 vehicles, such as the Lookout Mountain trail. Trailheads see more use on weekends, especially holiday weekends, than

weekdays. As requested by the public, the Forest Service is planning a phased approach for the project which would mean an initial set of trails would be installed, followed by one to two years of monitoring to determine if moving forward with more trails is warranted.

With our partners, individual volunteers, youth crews, and Forest Service crew, more miles of trail are being maintained across the Forest faster than ever before. The Lemon Gulch trails would be adopted by Ochoco Trails and Central Oregon Trail Alliance to ensure they receive annual and adequate maintenance.

How can the National Forest support this use as well as other uses such as livestock grazing?

Public lands across the west successfully support multiple uses in the same space including recreation and livestock grazing. Educating visitors is a key component of successfully sharing the land. The public would be informed about the land management activities and other uses of the National Forest that will be seen and heard in the area. For example, the public would be informed about the extent of grazing season so they could choose to avoid the trails during that time, and we would also provide educational materials on how to behave when livestock are encountered on a trail. The forest is actively managed, and plans are currently underway for restoration thinning and fuels reduction across the same landscape. During logging and underburning activities trail segments may be closed to ensure public safety.

Why is the Forest Service considering this project?

The Forest Service is interested in providing recreational opportunities in a manner that considers the needs of other recreational user groups, other forest uses, and the natural resources, and meets the current and growing demand for this type of trail experience. The project's location provides a combination of good terrain and proximity to town, and accounts for forest-wide objectives for big game habitat. The project also is consistent with the objectives of the Ochoco Forest Plan to provide

non-motorized trail opportunities for mountain bikers.

A sustainable trail system is an appropriate use of National Forest System lands and would benefit the Prineville community as well as those who come to visit from elsewhere. Recreation and tourism, including recreational opportunities on National Forest System lands, contribute significantly to the economy and culture of Crook County and Prineville.

Won't more people visiting the Forest increase problems such as litter, weeds, and fire risk, or degraded roads?

General presence of Forest Service recreation crews and Field Rangers interacting with visitors as well as fire patrols would increase in the area. The project is proposed to be completed in phases. Following monitoring of the initial phase, the Forest Service could choose to add a dumpster and garbage collection to the lower trailhead if deemed necessary.

The main road leading onto National Forest System lands is under the jurisdiction of the County. The public uses the road to access private residences as well as the many amenities of the National Forest, including Steins Pillar, Wildcat Campground, and the Mill Creek Wilderness. A recent count shows an average of 300 daily trips on this road. Additional vehicles at the level anticipated is not expected to not noticeably contribute to degraded road conditions, though monitoring of conditions after the first phase could lead to recommending more frequent maintenance activities if necessary.

How can I participate in the planning process for this project?

You can subscribe yourself to email updates for this and all Ochoco National Forest projects. Go to <https://www.fs.usda.gov/projects/ochoco/landmanagement/projects>, enter your email address into the box at the middle of the page, and then follow the prompts.

What stage of the NEPA process is the project currently in and what are the next steps?

The National Environmental Policy Act (NEPA) provides a process by which the agency considers and discloses to the public the environmental impacts in their decision-making process. As shown in the graphic below, the project is in the effects analysis stage.

The Forest Service is currently conducting an analysis of the potential effects from the proposed trails system. The effects will be disclosed in an environmental assessment (EA). The public will have an opportunity to review and comment on the EA when it is released later this spring.

If you subscribe at the link provided above, you will receive notification when the comment period begins. The trails are planned to be constructed in phases rather than all at once and no work would begin until the NEPA process is complete and a final decision is issued. We anticipate a final decision to be issued late summer.



Typical single vault toilet at a trailhead.



Typical trailhead signage



Lemon Gulch Questions – CCNRAC 4/13/2022

Note: While some/most of the cards were identified by name, I did not list them. I will keep the cards and if someone wants their name to be shown I'll do that.

Why the decision to pick this particular F S area (9 mi.² in Mill creek watershed drainage area – bad decision for multiple reasons)?

When did FS plus COTA bring it to the CC in our advisory board for input and approval which is required by CCNR plan?

Not safe to have mountain bikes on same trails as hikers and horses; shouldn't be allowed.

How will putting in this bike trail stop bikers from using any of the Ochoco Forest?

There are already 10 bike trails in Cook County, we don't need more!!!

This project should be put up for a vote by the public, why can't we do that?

What does collaboration in Forest Service terms define?

What hard data has been compiled to even show a need?

Has the interdisciplinary team considered the high speed of the MTB of excess 35 mph?

Who/what disciplines are on the team that is conducting the analysis? How was this team chosen? Was there a public involvement professional involved, was a public involvement plan developed to actively involve the community?

Who is going to manage this area?

Have you ever heard of Mount Emily recreation area and reached out to them about all the good and bad that come with the non-motorized trails? Do they have grazing? How well does or did it or didn't it work out? Traffic disturbance to property owners next to Mount Emily recreation area.

With the density of trails and intensity of proposed use on the trails, why has there not been a recreation management plan? Including fee systems to pay for unfunded mandates? At skull Hollow meeting Forest Service and B L M indicated no funds for toilet paper.

Have you validated their claims of multi—users involvement? With Ochoco trails, Gray Butte grazing Association – not collaborating O H A – not supportive permittees – not notified/involved stakeholder wildlife groups not backing.

The Bend Bulletin – publication of record – why not Central Oregonian because FS actions affect Cook County NOT Deschutes County. Fish and wildlife reports (comments) not mentioned or included. Terms “proposed” trails Slater speaks/approves of trails?

Chris needs to check groups or individuals that initially supported trails. Still do not understand who does EA.

What are (or have you done) to evaluate the long-term impacts that the Lemon Gulch project will the project have on the long-term future of the Prineville community? (I.e., the impact that Mount bachelor had on the Bend Metropolitan mess)? "If you invite them, they will come over and many who come will stay and they will change your WORLD!!

If we accept a 19 mile mountain bike trail – what GUARANTEE that in five years it won't be 52 or hundred and 52 mile trails? NO ACTION for LEMON GULCH!!

I'm a hunter. I'm prohibited from using motorized means to recover game. I have a weak heart, missing alone, arthritis, 69 years old. I can barely walk uphill. If I can't use my pickup to recover game, why can bikes destroy 52 miles of habitat?

Chris stated the Lemon Gulch proposal is only 4 to 6%. It is over 3000 acres out of 15,073 which is 20% of the Lemon pasture. It goes from the north end to the south end.

Bicyclists are on day trips, and therefore will not be using our gas stations or hotels/motels, and generally they eat power bars, apples, and bottled water which they bring with them and would not be eating in our restaurants, or purchasing food in our grocery stores. How do you justify that they would significantly contribute to the economy of Crook County and Prineville?

Thank the Forest Service for attending meeting in person. Does anyone here believe that choosing the 19 mile alternative would substantially mitigate traffic or impact on the ecology of the area? FIRE – Extreme danger now and predicted for future. Is it wise to increase probability of wildfires in Lemon Gulch and the Millcreek watershed?

Why have there been no public meetings to display the bike trail proposal to the community and seek our input... Especially when you realize the mistake of not including ranching permittees and neighbors? I don't understand why you have made no effort to involve the community, considering after three trips through town didn't have one person in favor.

The Lemon Gulch mountain bike proposal seriously threatens our county customs and culture. We need the county to step in. I am opposed to the L. G. MBT.

If trail is approved, who will pay for it?

What's doing with exclusive routes for bikes? Does anyone realize that Deschutes Forest ran all permittees out and now the fire problem is increased from underbrush?

The information keeps changing – Forest Service and other reporting agencies gave the public one picture and the OTSG present something much different – why? Why no communication with the public? Tribal involvement? Any fact checking of the "collaboration"?

Why not develop more trails in Deschutes County?

One of the agency spokesmen use the phrase, "mountain bike specific". The presented project report states, "creation of multi—purpose trails

designed for mountain biking... This negates multi – use right from the beginning. Committee – wouldn't you agree?

Who would be responsible to make sure these bikers don't go off trail and destroy other areas?

Has there been any investigation into the "impact" this would have on the town of Prineville?

To the USFS: what is your current recreation agenda for the Ochoco National Forest? Does it compare to the Deschutes national Forest with limited to no grazing permits? (Example: Bob Hershey's old grazing permit that no longer exists) quote – Ray Sessler.

Why was the range of alternatives turned into Slater without permittee input on it? Salt grounds were not taken into consideration or water and trails used for livestock.

Is the pause over? We haven't been notified as you said you would. When was the public notified of the pause start and the pause ending? Why did the pause happen? We don't see any of that on your website – and we haven't seen our comments addressed.

Where is the C E for the current layout going on?

Why is there no engineer on the trail FS team of specialists, given the slopes?

Why wasn't the reason that this area only considered for helicopter logging 50 years ago – that was not a flippant decision?

Why isn't the current proposal an EIS especially given the current Oregon Wild recreation proposal?

Why were the salt grounds, water developments, and the grazing patterns not considered? And why was the range alternative handed in without permittee input?

Peer, Beth- FS

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Friday, April 15, 2022 2:04 PM
To: Botello, Anthony -FS; Keown, Kevin -FS; Turner, Slater -FS; Joosen, Christopher -FS
Cc: Mike Lunn; Decker, Lindsay -FS; Peer, Beth- FS
Subject: [External Email]Questions from NRAC meeting
Attachments: NRAC 4.13.2022 Lemon Gulch questions.docx

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Good afternoon everyone.

I want to appreciate all of your participation at the County's Natural Resources Advisory Committee the other day. I feel that the meeting was positive and that you did your best to answer all the questions that time allowed to be addressed. As you might remember, the Committee asked the participants to write their questions on 3x5 cards so that when we ran out of time, we could collect them and get additional information. Mike Lunn was able to collect those cards and type them up. I am attaching that list of questions and asking if you could respond to them.

I will be working up the minutes from the meeting the first week of May. I would like to attach the questions and answers to that set of minutes for review and adoption at the May 11th meeting of the NRAC. If possible, can you respond to me by the 5th of May?

Thanks again for your time and assistance with this and thanks for being apart of Wednesday's meeting.

Tim

Tim Deboodt
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Lemon Gulch Questions – CCNRAC 4/13/2022

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The Bend Bulletin – publication of record – why not Central Oregonian because FS actions affect Cook County NOT Deschutes County. Fish and wildlife reports (comments) not mentioned or included. Terms “proposed” trails Slater speaks/approves of trails?

Chris needs to check groups or individuals that initially supported trails. Still do not understand who does EA.

What are (or have you done) to evaluate the long-term impacts that the Lemon Gulch project will the project have on the long-term future of the Prineville community? (I.e., the impact that Mount Bachelor had on the Bend Metropolitan mess)? "If you invite them, they will come over and many who come will stay and they will change your WORLD!!

If we accept a 19 mile mountain bike trail – what GUARANTEE that in five years it won't be 52 or hundred and 52 mile trails? NO ACTION for LEMON GULCH!!

I'm a hunter. I'm prohibited from using motorized means to recover game. I have a weak heart, missing alone, arthritis, 69 years old. I can barely walk uphill. If I can't use my pickup to recover game, why can bikes destroy 52 miles of habitat?

Chris stated the Lemon Gulch proposal is only 4 to 6%. It is over 3000 acres out of 15,073 which is 20% of the Lemon pasture. It goes from the north end to the south end.

Bicyclists are on day trips, and therefore will not be using our gas stations or hotels/motels, and generally they eat power bars, apples, and bottled water which they bring with them and would not be eating in our restaurants, or purchasing food in our grocery stores. How do you justify that they would significantly contribute to the economy of Crook County and Prineville?

Thank the Forest Service for attending meeting in person. Does anyone here believe that choosing the 19 mile alternative would substantially mitigate traffic or impact on the ecology of the area? FIRE – Extreme danger now and predicted for future. Is it wise to increase probability of wildfires in Lemon Gulch and the Millcreek watershed?

Why have there been no public meetings to display the bike trail proposal to the community and seek our input... Especially when you realize the mistake of not including ranching permittees and neighbors? I don't understand why you have made no effort to involve the community, considering after three trips through town didn't have one person in favor.

The Lemon Gulch mountain bike proposal seriously threatens our county customs and culture. We need the county to step in. I am opposed to the L. G. MBT.

If trail is approved, who will pay for it?

What's doing with exclusive routes for bikes? Does anyone realize that Deschutes Forest ran all permittees out and now the fire problem is increased from underbrush?

The information keeps changing – Forest Service and other reporting agencies gave the public one picture and the OTSG present something much different – why? Why no communication with the public? Tribal involvement? Any fact checking of the "collaboration"?

Why not develop more trails in Deschutes County?

One of the agency spokesmen use the phrase, "mountain bike specific". The presented project report states, "creation of multi—purpose trails

designed for mountain biking... This negates multi – use right from the beginning. Committee – wouldn't you agree?

Who would be responsible to make sure these bikers don't go off trail and destroy other areas?

Has there been any investigation into the "impact" this would have on the town of Prineville?

To the USFS: what is your current recreation agenda for the Ochoco National Forest? Does it compare to the Deschutes national Forest with limited to no grazing permits? (Example: Bob Hershey's old grazing permit that no longer exists) quote – Ray Sessler.

Why was the range of alternatives turned into Slater without permittee input on it? Salt grounds were not taken into consideration or water and trails used for livestock.

Is the pause over? We haven't been notified as you said you would. When was the public notified of the pause start and the pause ending? Why did the pause happen? We don't see any of that on your website – and we haven't seen our comments addressed.

Where is the C E for the current layout going on?

Why is there no engineer on the trail FS team of specialists, given the slopes?

Why wasn't the reason that this area only considered for helicopter logging 50 years ago – that was not a flippant decision?

Why isn't the current proposal an EIS especially given the current Oregon Wild recreation proposal?

Why were the salt grounds, water developments, and the grazing patterns not considered? And why was the range alternative handed in without permittee input?



Crook County

Mailing: 300 NE 3rd Street • Prineville, Oregon 97754
Physical: 203 NE Court Street • Prineville, Oregon 97754
Phone (541) 416-6555 • FAX (541) 416-3891

October 6, 2021

Slater Turner,
District Ranger,
Lookout Mountain Ranger District,
3160 NE Third Street,
Prineville, OR 97754

Re: Scoping for Lemon Gulch Trail System project
Our file: Ct. Misc. D

the Crook County Court (the board of county commissioners for Crook County) approved a letter of comment to the Forest Service regarding the Lemon Gulch Trail System Scoping project.

Since that time, additional information has been presented to the County Court regarding the process used for selection of Lemon Gulch from a broader range of geographic areas on the Ochoco NF, and citizen input leading up to that decision. For the reasons explained below, the County Court would like to supplement its earlier letter.

While the Court acknowledges that the Forest Service worked with the Ochoco Trail Group and held one public meeting, this work was not widely shared with the greater public until a choice was made to limit consideration to the Lemon Gulch area. Specifically, the County has learned that local constituents with grazing permits and private property adjacent to the proposed trail system and along with the community at large were not engaged in the process to discuss the expansion of non-motorized trail systems on the Ochoco National Forest and specifically, the Lemon Gulch Project. The process of acquiring public comment has therefore not included this important sector of the general public.

In order for local citizens, who are likely to be the most impacted by the trail system, to have the opportunity to speak and have the project plans drafted to address their concerns, the County asks the Forest Service to step back in the process and involve the entire community in the public process of discussing non-motorized trail expansion in the Ochoco National Forest and where best these activities should occur.

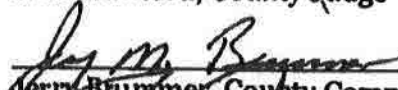
Seth Crawford, Judge • Jerry Brummer, Commissioner • Brian Barney, Commissioner

The County acknowledges that this will delay the completion of the project; however, by involving more of the general public, the end result will likely be superior.

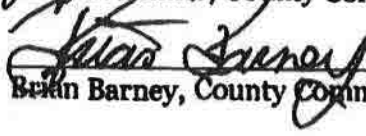
For Crook County, Oregon



Seth Crawford, County Judge



Jerry Brummer, County Commissioner



Brian Barney, County Commissioner

CC: The Honorable Cliff Bentz
The Honorable Vicki Breese-Iverson
Shane Jeffries, Forest Supervisor



Crook County

300 NE 3rd Street • Prineville, Oregon 97754
Phone (541) 416-6555 • FAX (541) 416-3891

February 26, 2019

Shane Jeffries, Forest Supervisor
Ochoco National Forest
3160 NE Third Street
Prineville, OR 97754
sjeffries@fs.fed.us

Re: Intent to Coordinate with Ochoco National Forest

On December 6, 2017, Crook County adopted Order 2017-14 which adopted the Crook County Natural Resources Policy. The Order became effective 120 days after the signing. Action items found within the Policy required the County to:

- Notify and provide a copy of the CCNRP to all federal agencies which may have jurisdiction with Crook County,
- Inform the federal agencies of the date, time, and location of their regularly scheduled meetings with an open invitation that federal agency personnel should attend such meetings if there are items to discuss,
- In a timely manner, the County Court will review NEPA documents to determine which they will request coordination, cooperating agency status, formal or informal meetings or hearings, or consistency review,
- Send a written offer to each federal agency that a member of the Court or a representative thereof will attend any federal agency meetings as requested to report on items within the County's jurisdiction that may impact the federal agencies,
- Establish a process for informal discussions with the federal agencies.

The purpose of this letter is inform you of Crook County's action to exercise its responsibility to Coordinate with all federal agencies and federal actions that either affect Crook County or occur within the County's boundaries. The role of Coordination is specifically called for in Federal legislation. That legislation includes but is not limited to the National Forest Management Act, the National Environmental Protection Act, the Endangered Species Act, the Clean Water Act and the Federal Land Policy and Management Act.

Crook County hereby requests that your Agency coordinate the planning and programs under your jurisdiction in a meaningful way and to the greatest extent practicable with Crook County. We expect this Coordination to continue indefinitely until further notice.

Seth Crawford, County Judge • Jerry Brummer, County Commissioner • Brian Barney, County Commissioner



Crook County

300 NE 3rd Street • Prineville, Oregon 97754
Phone (541) 416-6555 • FAX (541) 416-3891

February 26, 2019

Dennis Teitzel, District Manager
Prineville District, Bureau of Land Management
3050 NE Third Street
Prineville, OR 97754
dteitzel@blm.gov

Re: Intent to Coordinate with BLM

On December 6, 2017, Crook County adopted Order 2017-14 which adopted the Crook County Natural Resources Policy. The Order became effective 120 days after the signing. Action items found within the Policy required the County to:

- Notify and provide a copy of the CCNRP to all federal agencies which may have jurisdiction with Crook County,
- Inform the federal agencies of the date, time, and location of their regularly scheduled meetings with an open invitation that federal agency personnel should attend such meetings if there are items to discuss,
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Seth Crawford, County Judge • Jerry Brummer, County Commissioner • Brian Barney, County Commissioner



Crook County

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February 26, 2019

Gregg Garnett, Field Office Manager
Bend Field Office, Bureau of Reclamation
1375 SE Wilson Ave, Suite 100
Bend, OR 97702
ggarnett@usbr.gov

Re: Intent to Coordinate with Bureau of Reclamation

On December 6, 2017, Crook County adopted Order 2017-14 which adopted the Crook County Natural Resources Policy. The Order became effective 120 days after the signing. Action items found within the Policy required the County to:

- Notify and provide a copy of the CCNRP to all federal agencies which may have jurisdiction with Crook County,
- Inform the federal agencies of the date, time, and location of their regularly scheduled meetings with an open invitation that federal agency personnel should attend such meetings if there are items to discuss,
- In a timely manner, the County Court will review NEPA documents to determine which they will request coordination, cooperating agency status, formal or informal meetings or hearings, or consistency review,
- Send a written offer to each federal agency that a member of the Court or a representative thereof will attend any federal agency meetings as requested to report on items within the County's jurisdiction that may impact the federal agencies,
- Establish a process for informal discussions with the federal agencies.

The purpose of this letter is inform you of Crook County's action to exercise its responsibility to Coordinate with all federal agencies and federal actions that either affect Crook County or occur within the County's boundaries. The role of Coordination is specifically called for in Federal legislation. That legislation includes but is not limited to the National Forest Management Act, the National Environmental Protection Act, the Endangered Species Act, the Clean Water Act and the Federal Land Policy and Management Act.

Crook County hereby requests that your Agency coordinate the planning and programs under your jurisdiction in a meaningful way and to the greatest extent practicable with Crook County. We expect this Coordination to continue indefinitely until further notice.

Seth Crawford, County Judge • Jerry Brummer, County Commissioner • Brian Barney, County Commissioner



Crook County

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February 26, 2019

Bridget Moran, Field Supervisor
US Fish and Wildlife Service, Bend Field Office
63095 Deschutes Market Road
Bend, OR 97701
bridget_moran@fws.gov

Re: Intent to Coordinate with USFW

On December 6, 2017, Crook County adopted Order 2017-14 which adopted the Crook County Natural Resources Policy. The Order became effective 120 days after the signing. Action items found within the Policy required the County to:

- Notify and provide a copy of the CCNRP to all federal agencies which may have jurisdiction with Crook County,
- Inform the federal agencies of the date, time, and location of their regularly scheduled meetings with an open invitation that federal agency personnel should attend such meetings if there are items to discuss,
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Seth Crawford, County Judge • Jerry Brummer, County Commissioner • Brian Barney, County Commissioner



Crook County

300 NE 3rd Street • Prineville, Oregon 97754
Phone (541) 416-6555 • FAX (541) 416-3891

February 26, 2019

Dale Bambrick, NOAA Fisheries – Columbia Basin Branch
304 South Water Street, Suite 200
Ellensburg, WA 98926
Dale.Bambrick@noaa.gov

Re: Intent to Coordinate with NOAA Fisheries

On December 6, 2017, Crook County adopted Order 2017-14 which adopted the Crook County Natural Resources Policy. The Order became effective 120 days after the signing. Action items found within the Policy required the County to:

- Notify and provide a copy of the CCNRP to all federal agencies which may have jurisdiction with Crook County,
- Inform the federal agencies of the date, time, and location of their regularly scheduled meetings with an open invitation that federal agency personnel should attend such meetings if there are items to discuss,
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Crook County hereby requests that your Agency coordinate the planning and programs under your jurisdiction in a meaningful way and to the greatest extent practicable with Crook County. We expect this Coordination to continue indefinitely until further notice.

Seth Crawford, County Judge • Jerry Brummer, County Commissioner • Brian Barney, County Commissioner

As a part of this action, the County formalizes the following actions already in place:

- Establish regular meeting schedule (minimally quarterly) with Court for update on Agency actions within or affecting Crook County, the County Court meets regularly the 1st and 3rd Wednesday of each month,
- Establish regular communication (in between meeting correspondence) for updating County or its designee for Agency Action within or affecting Crook County,
- Interact with County's Natural Resource Advisory Committee as time and resources allow.

Crook County's liaison to this process is Tim Deboodt. His contact information is:

Tim Deboodt
Coordinator, Crook County Natural Resources
498 SE Lynn Blvd
Prineville, OR 97754
Tim.deboodt@co.crook.or.us
541-903-5903

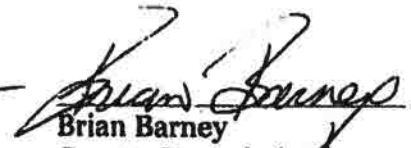
Crook County recognizes a long history of partnership and working together with your agency. The purpose of this action is to formalize a process that ensures a continued and effective relationship in the management of the natural resources found within our County. Enclosed you will find the most current copy of the Crook County Natural Resource Policy. We look forward to hearing from you and working together in the future.

Sincerely,

CROOK COUNTY COURT


Seth Crawford
County Judge


Jerry Brummer
County Commissioner


Brian Barney
County Commissioner



I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Cheryl Seely - County Clerk



**IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK**

**IN THE MATTER OF ADOPTING THE
PROPOSED CROOK COUNTY, OREGON
NATURAL RESOURCES POLICY**

ORDER 2017-74

WHEREAS, on or about July 2017, the Crook County Natural Resources Political Action Committee submitted a draft Natural Resources Plan to the Crook County Court for its consideration and possible approval; and

WHEREAS, on or about August 2017, the Crook County Court submitted the draft Natural Resource Plan to Wyoming attorney Karen Budd-Falen for her review and recommendations; and

WHEREAS, Karen Budd-Falen has assisted local governments in asserting their rights of consistency review, cooperation, and coordination in federal agency decisions in supporting multiple use on federal/public lands; and

WHEREAS, in sending the document to Karen Budd-Falen, the County Court's goal was to obtain suggestions for possible revisions to the draft Natural Resources Plan and to make written recommendations to the County Court whether to adopt the document as written or with amendments; and

WHEREAS, on or about October 2017, Karen Budd-Falen provided the Crook County Court with written recommendations regarding the process for adopting the proposed Crook County, Oregon Natural Resources Policy; and

WHEREAS, the Crook County Court recognizes the importance of coordination with federal and state agencies, and to provide for the health, safety, and welfare of its citizens; and

WHEREAS, Crook County has an interest in securing and promoting the public peace, general welfare, health, and safety of its citizens through preservation of its custom, culture, and economic stability, protection and use of its environment; and

WHEREAS, preservation of the custom, culture, and economic stability of the citizens, and the protection and use of the environment, are inseparably tied to the ability to be involved in determining regulations that may affect the public's right to use and enjoy its unique lands and natural resources; and

WHEREAS, for the above reasons, the Crook County Court believes it is prudent to adopt the draft Natural Resources Policy with edits suggested by Karen Budd-Falen to ensure compliance with federal law (a copy of the final Natural Resources Policy is attached hereto as Exhibit A and incorporated herein by reference); and


WHEREAS, the Natural Resources Policy is adopted as a policy only, and not as a land use plan or land use regulation. Any conflict between the Natural Resources Policy and the laws, ordinances, comprehensive plan, land use planning regulations, management plans, statutes, and administrative rules will be resolved in such laws' favor.


NOW, THEREFORE, subject to the above recitals, the Crook County Court hereby **ORDERS** and **DIRECTS** that the policy regarding natural resources located on public land, attached as Exhibit A, is hereby adopted. The effective date of the Crook County Natural Resources Policy shall be 120 days after the date of this Order.


IT IS HEREBY FURTHER ORDERED that prior to the effective date of the Natural Resources Policy, the County Court will work towards appointing a Natural Resources Committee. The Committee will report regularly to the Court regarding issues of mutual concern to the government and citizenry of Crook County regarding the utilization of public lands management by the Bureau of Land Management and the US Forest Service, and such other matters as may concern regulation of natural resources by federal agencies on public lands.

IT IS HEREBY FURTHER ORDERED that the Crook County Court reserves the right at any time to change, amend, or modify the Crook County Natural Resources Policy at the County Court's sole discretion.

DATED this 6th day of December 2017.


Seth Crawford
County Judge


Jerry Brummer
County Commissioner


Brian Barney
County Commissioner

Crook County Oregon

Natural Resources Policy

Crook County Board of County Commissioners

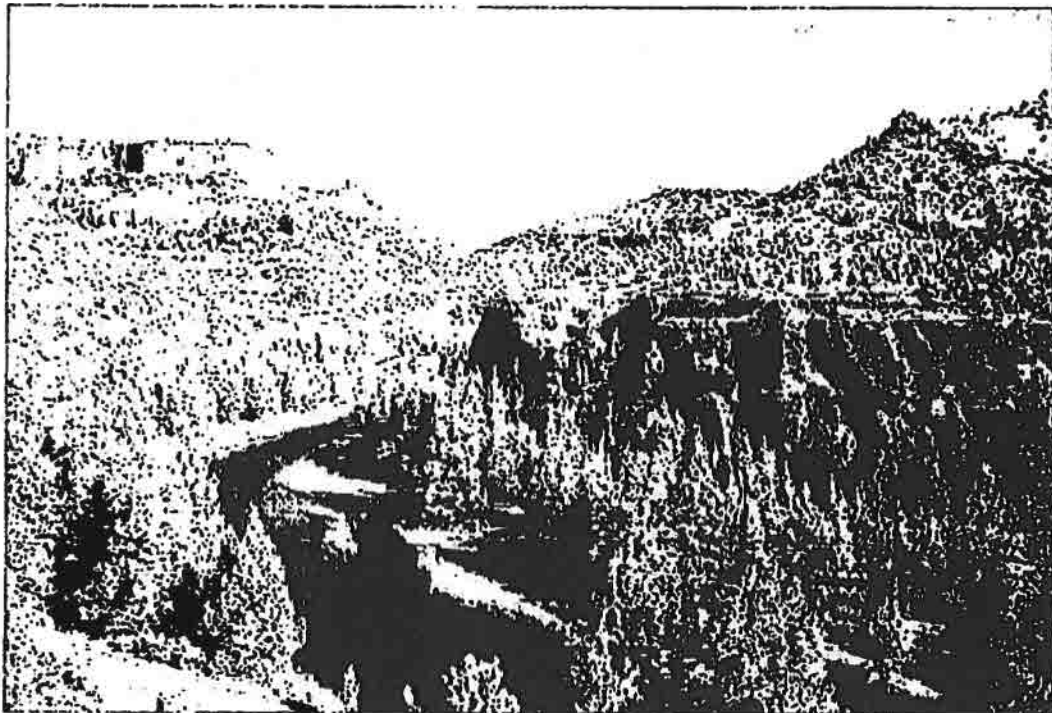


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Introduction

Purpose & Need

It is the purpose of the Crook County Natural Resources Policy (hereinafter "CCNRP") to set forth the positions of Crook County in regard to the use of and access to natural resources located on public and federal land. In compliance with the Federal Land Policy and Management Act, the National Environmental Policy Act, and the National Forest Management Act, it is the Crook County Court's (hereinafter "Court") priority to engage in coordination with federal and, in certain circumstances, with state agencies, to provide for the health, safety, and welfare of its citizens through the appropriate management of all federal natural resources within Crook County. As allowed by federal law, the Court will exercise its legal right to full participation in the planning and other decision making processes utilized by the federal agencies or those state agencies having to comply with federal law for a particular project for developing and implementing land use plans and actions within the County. The Court's interests extend to land use plans or action formulation, development and implementation, including monitoring and evaluation. Crook County directs that all decisions be based on current, relevant science and data with the appropriate review pursuant to the Federal Data Quality Act, which take into account multiple land uses within all plans or actions.

The use of public and federal land (collectively denoted as federal land) is critical to the health, safety, welfare, and economic stability of Crook County citizens. The Court recognizes the inherent natural beauty and the quality of life afforded to the citizens and visitors to Crook County. The Court knows and values the importance of private property rights, water rights, open access systems, and RS 2477 right-of-ways, the multiple uses for all federal lands within Crook County, and the quality and quantity of the natural resources.

The Court accepts that it has a duty and obligation to enter into coordination for official resource planning activities and decisions that federal agencies, and in certain circumstances state agencies, must fulfill their federal statutory mandate to coordinate with the Crook County Court.

The Court commits to the following principles to guide decision making governing natural resources within the County expressed through this CCNRP:

- 1) Expansion, revitalization and continuation of multiple uses on all federal lands in Crook County.
- 2) Multiple-use shall be inclusive rather than exclusive, thereby avoiding pitting one use against the other.
- 3) The multiple-use principle as defined in FLPMA and NFMA should strongly guide agency decisions.
- 4) Maintain flexibility in all plans to allow for extraction of natural resources from federal lands and to continue to use existing resources in accordance with all laws.

- 5) Protect and preserve the following rights of all County citizens, including:
 - Private property interests, such as water rights, livestock grazing, and access to lands, which have ties to federal lands;
 - Traditional economic structures in the County that form the base for economic stability and protection of the tax base;
 - Historic custom, culture and values of the local people; and
 - Enjoyment of the natural resources of the County.

In accordance with federal laws regarding federal land use planning and protection of private property interests, the Court seeks to expand, continue, and to revitalize the various multiple uses of federally managed lands. To achieve these ends, the Court has adopted the CCNRP, which includes position statements regarding the various multiple uses on federally managed lands in Crook County. The CCNRP serves to ensure that the County's elected officials have meaningful involvement as a local government in the development of land use programs, land use regulations, and land use decisions for federal lands and resources in recognition of the significant impact these actions can have on private lands and the health, safety, and welfare of its citizens.

Revision

As authorized by Oregon state statutes, the CCNRP may be revised and updated from time to time as new information becomes available or as conditions warrant.

It is the position of Crook County:

- to maximize the general health, safety, and welfare of the citizens of Crook County through effective and persistent good management of the County's extensive and valuable natural resources.
- to establish a citizens committee to assist in the review and implementation of the coordination process and the CCNRP recognizing that all substantive positions and decisions remain with the County Court..

Severability

Should a court declare any part of these positions void, unenforceable, or invalid, the remaining provisions shall remain in full force and effect.

Crook County Overview

History and Culture¹

Crook County was established in 1882. It was created from the southern part of Wasco County and named after US Army Major General George Crook, a hero of the Snake Indian Wars. Originally 8,600 square miles in size, Crook County was reduced to 2,986 square miles with the formation of Jefferson County in 1914 and Deschutes County in 1916.

Other communities established in the County include Paulina, Post, Powell Butte, and Lone Pine. Paulina, 56 miles east of Prineville, was named for a Paiute Indian chief and is home to some of the best cattle country in Oregon. Post, a general store and post office, is known as the "center of the state." The official geologic marker noting this spot is located near the store.

Powell Butte was established in 1909 when a post office was built. The butte was named for John and Emily Powell, settlers who came from Linn County to raise livestock in the 1880s.

Cattle, sheep, and horse ranching were the region's first industries. In the mid-1890s, logging and wood products became important. Small mills dotted the forest, producing lumber mostly for local needs. Water has been and will continue to be a critical resource for life and industry in the high-desert. Homesteaders diverted water from the region's streams in the mid-1800s to produce hay for livestock.

Ochoco Irrigation District and Central Oregon Irrigation District organized landowners in the early 1900s to complete projects resulting in reservoirs for water use with canals and ditches to distribute the water over thousands of acres. Ochoco Irrigation District built Ochoco Reservoir in 1918. Prineville Reservoir was authorized as a Bureau of Reclamation project in 1958 and construction was completed in 1961. Today these projects store water for the region's agricultural fields, provide flood control, boating and fishing recreation, mitigation credits for aquifer usage, and in the future, perhaps hydro power.

Forest products, agriculture, livestock raising, recreation/tourism services, and a growing high-technology industry constitute most of Crook County's current economy. Thousands of hunters, fishers, boaters, sightseers, and rockhounds are annual visitors to its streams, reservoirs, and the Ochoco Mountains. Rockhounds can dig for agates, limb casts, jasper, and thunder-eggs on more than 1,000 acres of mining claims provided by the Prineville Chamber of Commerce². State, city, county government and schools still account for the largest number of family wage jobs³. Crook County's natural resources have been enjoyed by many generations. These natural resources help provide jobs, create a good place to raise children, offers unique habitats for a myriad of flora, as well as an abundance of fish and wildlife species.

¹ http://extension.oregonstat.edu/crook/sites/default/files/rlj_for_web.pdf

² <http://bluebook.state.or.us/local/counties/counties07.htm>

³ http://extension.oregonstate.edu/crook/sites/default/files/rlj_for_web.pdf

Location⁴

Geographically, Crook County is located in the center of Oregon. It is bordered by Jefferson and Wheeler counties to the North, Grant and Harney counties to the East, and Deschutes County to the South and West. It sits on the northern edge of the Great Basin, a large geographic area covering parts of Oregon, Idaho, Utah, Nevada, Colorado, Arizona, and New Mexico. It sits on the southwestern edge of the Blue Mountains and the northeastern edge of the volcanic influence of Mt. Mazama (Crater Lake) and Newberry Volcano. This unique geographic position supports diverse forests, deserts, sagebrush plant communities, and broad valley bottoms.

Demographics⁵

Crook County is home to approximately 21,000 people, distributed at 7 persons per square mile and primarily white (95 percent). There is nearly an even split between males and females. The 65+ demographic comprises 25 percent and is growing, while the number of persons under 18 is shrinking from 22 percent to 19 percent between 2010 and 2014. A significant number of veterans (2700) live in the County. About 54 percent of the population is in the labor force and another 18 percent live in poverty, which is higher than the norm for Oregon. Most residents are high school graduates with only about 15 percent holding an advanced degree. Almost 20 percent of those under 65 have no health insurance.

Climate⁶

Prineville's elevation is 2,868 feet and it averages 10.5 inches of precipitation per year. Annual variation in precipitation ranges from less than eight inches per year in the southwest corner of the county to more than 30 inches in the higher elevations of the Ochoco Mountains.

Average temperatures range from 31° F January to 64.5° F July and August. Temperature extremes range from minus 35° F to 119° F. Nights are generally cool with moderate daytime temperatures. Typically, the growing season will last 90 to 110 days but a review of historical temperature data shows that killing frosts (29° F) can occur at any time during the summer months.

Crook County is semi-arid with 60 to 80 percent of the annual precipitation occurring during the winter and early spring months (October- April). Most precipitation comes as snow with spring precipitation occurring as rain. Sporadic summer/fall thunderstorms and associated lightning can cause considerable damage to property and natural resources. Wildfire is a serious consideration for this region of Oregon.

⁴ http://extension.oregonstat.edu/crook/sites/default/files/rj_for_web.pdf

⁵ <http://www.census.gov/quickfacts/table/PST045215/41013>

⁶ http://extension.oregonstat.edu/crook/sites/default/files/rj_for_web.pdf

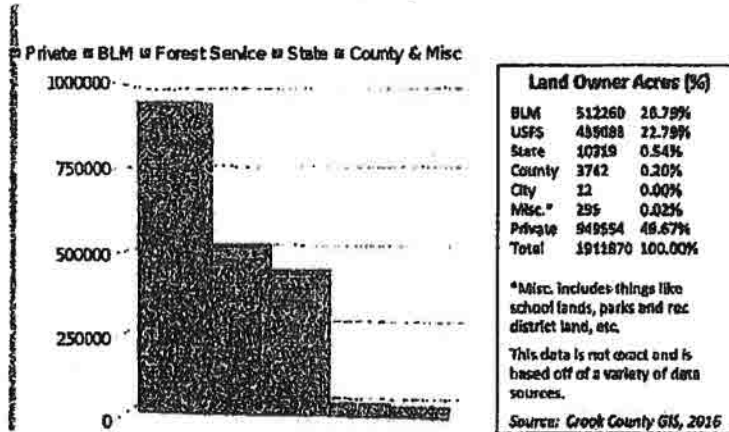
Land Use & Management

Crook County is 1,907,200 acres in size, ranking 12th largest among Oregon's 36 counties⁷. Most of the County (96 percent) is part of the Deschutes River Basin. The Crooked River, the major river system, merges into the Deschutes River at Lake Billy Chinook. Major tributaries to the Crooked River include McKay Creek, Ochoco Creek, North Fork Crooked River, Beaver Creek, Camp Creek, and Bear Creek.

Of the County's approximately two million acres, 50 percent is public with the remaining 50 percent private land. Federal lands are currently managed by the US Forest Service or the Bureau of Land Management. Other parcels of federal land are under the jurisdiction of the Bureau of Reclamation, Oregon Department of Forestry, Oregon Department of Fish and Wildlife, Oregon Division of State Lands, Oregon Department of Transportation and Crook County.

Rangelands (non-irrigated, non-forested lands) make up most of the County's private lands (950,000 acres). Irrigated cropland (78,000 acres) and private woodlands (77,000 acres) are the other primary uses of private land in the county. Irrigated pasture (39,000 acres), miscellaneous uses (28,000 acres) and non-irrigated cropland (5,000 acres) round out the balance of land uses.

Land Management in Crook County



⁷ <http://bluebook.state.or.us/local/counties/counties07.htm>

Agriculture & Timber

Historically, cattle ranching has been one of the primary industries of the County, with large herds grazing the countryside since the 1880s. Farming was also developed in certain valley regions friendly to agriculture⁸.

Logging in the Ochoco Mountains and the timber mills that accompanied them, also greatly contributed to the economic and population growth of the County. The first recorded mention of a sawmill was made by George Barnes, speaking about the Swartz Sawmill on Mill Creek, circa 1867⁹. At one time, as many as five sawmills were operating in the County and they have historically contributed to the cultural and economic well-being of County residents.

Mining¹⁰

Mining has long been a tradition in Crook County. Scattered throughout the County, the mines lie primarily in the Howard Mineral District, which is 26 miles east of Prineville in the timbered hills bordering Ochoco Creek. The Howard Mineral District is divided into the following three areas: The Ochoco Creek area, the Johnson Creek area, and the Marks Creek area.

All of the mines in the Howard Mineral District are cinnabar mines with the exception of the Mayflower Gold Mine. At present all of the underground workings are caved in and inaccessible.

During the past few years, some mining and prospecting has been done on the surface, particularly in the Johnson Creek area.

Mining includes: limb casts, thunder eggs, vista-ite, bentonite, plume agate and moss agate, which are all semi-precious and have value in mining claims.

The area is underlain by Tertiary Andesite. Mineralization has taken place along rather broad fracture zones in which the Andesite is intensely altered and cut by carbonate-quartz-sulfide veins. These veins are commonly less than an inch thick, but locally enlarge into ore shoots, especially at the junctions or intersections.

Available records show that the Howard Mineral District produced \$79,885 (approx. \$1,134,424 today) in gold up to 1923 from intermittent operations. Of this, \$17,560 is based on estimates prior to 1902, while \$62,325 is based on records since 1902. The greatest yearly output was \$26,623 in 1918, of which \$24,092 was in gold.

⁸ Hubert Howe Bancroft, *The Works of Hubert Howe Bancroft: Volume XXX: History of Oregon: Oregon: Volume II, 1848-1888*. San Francisco, CA: The History Company, 1888; pg. 710

⁹ Shaver, F. A., Arthur P. Roso, R. F. Steele, and A. E. Adams, compilers. *An Illustrated History of Central Oregon: Embracing Wasco, Sherman, Gilliam, Wheeler, Crook, Lake, & Klamath Counties*. Spokane, WA: Western Historical Publishing Co., 1905

¹⁰ Crook County Chamber of Commerce, 2016

Recreation & Tourism

Recreation and tourism contribute significantly to the economy and culture of Crook County. Activities range from hunting and OHV use, to photography, hiking, fishing, camping, rockhounding, cross-country skiing, dog mushing, snowshoeing, snowmobiling, and wildlife viewing, among many others. The wild horses of the Big Summit Horse Management Area (HMA) in the Ochoco National Forest make an extraordinary contribution to the uniqueness of the County. Two reservoirs and their associated campgrounds, Ochoco and Prineville, are major draws for both local and out of area visitors. The estimated economic benefits from Prineville Reservoir alone (fuel, supplies, recreational related purchases, etc.) totaled \$24,426,000 in a 2009 study¹¹. In short, recreational opportunities in the County are plentiful and varied. They are a vital part of natural resources in the County.

Wilderness and Areas of Critical Environmental Concern

Crook County has various areas of critical environmental concern, and two wilderness areas are within Crook County; Mill Creek is the largest and most heavily used, and Oregon Badlands straddles the border between Crook and Deschutes Counties.

Mill Creek Wilderness¹² is a wilderness area located in the Ochoco National Forest of Central Oregon. It was established in 1984 and comprises 17,400 acres (7,040 ha).

The Oregon Badlands Wilderness¹³ is a 29,301 acre (11,858 ha) wilderness area located east of Bend in Deschutes and Crook Counties. The wilderness is managed by the Bureau of Land Management as part of the National Landscape Conservation System and was created by the Omnibus Public Land Management Act of 2009, which was signed into law by President Barack Obama on March 30, 2009.

¹¹ Prineville Reservoir, Recreational Impacts, City of Prineville, 2009

¹² https://en.wikipedia.org/wiki/Mill_Creek_Wilderness

¹³ https://en.wikipedia.org/wiki/Oregon_Badlands_Wilderness

Principles for Local Government Coordination Within Crook County

Federal lands dominate the landscape in Crook County, with approximately 50 percent of the land in the County managed by a public agency. Therefore, decisions made by the agencies managing our public and federal lands and resources directly affect Crook County's residents, custom and culture, economy, and valued way of life.

Recognition of County Status, Responsibilities, and Authority

Oregon Constitution: Article 1, Section 1 states "Natural rights inherent in people." We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper."

The County of Crook, created by the Organic Laws of the State of Oregon has state-granted authority to make provisions for public health, safety, welfare, and morals of its residents through the enactment and enforcement of ordinances and regulations.

Crook County represents a local government as defined by ORS 174.116 (1)(a)¹⁴.

Furthermore, both Oregon State law and FLPMA, NEPA, NFMA and other federal statutes empower Crook County to fulfill its responsibility to protect the health, safety, and welfare of its citizens:

*"... [T]he governing body or the electors of a county may by ordinance exercise authority within the county over matters of county concern, to the fullest extent allowed by Constitutions and laws of the United States and of this state... The power granted by this section is in addition to other grants of power to counties, shall not be construed to limit or qualify any such grant and shall be liberally construed, to the end that counties have all powers over matters of county concern that it is possible for them to have under the Constitutions and laws of the United States and of this state."
ORS 203.035*

Thus, based upon the requirements of the federal statutes, including but not limited to the National Environmental Policy Act, the Federal Lands Policy and Management Act and the National Forest Management Act, the Crook County Court asserts its ability to coordinate, require consistency reviews, and in appropriate cases to apply as a cooperating agency in all federal decision making and land use planning processes initiated by any federal agency or state

¹⁴ "...as used in the statutes of this state "local government" means all cities, counties and local service districts located in this state, and all administrative subdivisions of those cities, counties and local service districts". ORS 174.116 (1)(a)

agency acting in compliance with federal law.

Statutory and Regulatory Authority

Management of the federal and state lands is dictated by a system of federal and state statutes, regulations, and policies. Crook County expects that all applicable statutes, regulations, and policies will be followed by federal and state land management agencies, and that federal and state agencies shall fulfill their affirmative responsibility to recognize all pertinent laws and policies regarding management and coordination.

County Involvement in Federal Land Management

Certain federal statutes, regulations, positions and policies discussed below offer special opportunities to state, tribal, and local government agencies to participate in federal agency planning as well as decision-making when such actions take place within the purview of the state, tribal, or local government's responsibilities to the people they represent. Importantly, many such opportunities are only offered to State and local governments; they are not available to private individuals, special interest groups, or non-governmental organizations (NGO).

As a local government within the State of Oregon, Crook County is therefore entitled to avail itself of these special opportunities for government-to-government involvement in federal decision-making. In accordance with federal statute and regulations, federal agencies shall recognize that certain opportunities, such as coordination as defined by FLPMA and NFMA, is exclusive to elected government units.

Coordination

Coordination is a federally mandated process that requires all federal agencies such as the BLM and Forest Service to work with local governments to achieve the best resource decisions possible considering the local resource, custom and culture and the local tax base and economic stability. Coordination, by its plain meaning, requires federal agencies do more than just inform local governments of their future management plans and decisions and it requires that they do more than merely solicit comments from local government entities. Rather coordination includes a gambit of activities such as consistency review with local policies, programs and plans to the maximum extent allowed by federal law, formal and informal government-to-government interactions and meetings, cooperating agency status, and other actions. To accomplish the goal of "coordination," the Crook County Court shall:

- Within 30 days of adoption of the CCNRP, Crook County shall notify and provide a copy of the CCNRP to all federal agencies which may have jurisdiction with Crook County;
- Within 30 days of the date of adoption of the CCNRP, Crook County will inform the federal agencies of the date, time, and location of their regularly scheduled meetings with an open invitation that federal agency personnel should attend such meetings if there are items to discuss;

- Within 30 days of the date of adoption of the CCNRP, Crook County will appoint a citizens committee of no more than nine persons, each representing a different segment of or interest in the County, to assist the County in (1) gathering additional information regarding the County's economic stability and tax base related to the various industries using natural resources within the County; (2) review all Notices of Intent as published in the Federal Register or sent to the County to recommend to the Court which Notices may be of importance to the County or to which "coordination" should be considered; (3) for those items determined by the Court for which coordination should apply, assist in making recommendations on positions or other actions as necessary;
- In a timely manner, the County Court will review NEPA documents to determine which they will request coordination, cooperating agency status, formal or informal meetings or hearings, or consistency review.
- Within 30 days of the adoption of the CCNRP, Crook County will send a written offer to each federal agency that a member of the Court or a representative thereof will attend any federal agency meetings as requested to report on items within the County's jurisdiction that may impact the federal agencies;
- Within 30 days of the adoption of the CCNRP, Crook County will establish a process for informal discussions with the federal agencies.

Statutory Authority - Coordination with BLM

"In the development and revision of land use plans, the Secretary shall [...] to the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities [...] with the land use planning and management programs [...] of local governments... Land use plans of the Secretary under this section shall be consistent with State and local plans to the maximum extent he finds consistent with federal law and the purposes of this Act." 43 U.S.C § 1712(c)(9), emphasis added (FLPMA)

"Consistent means that the Bureau of Land Management plans will adhere to the terms, conditions, and decisions of officially approved and adopted resource related plans, or in their absence, with policies and programs, subject to the qualifications in § 1615.2 of this title." 43 C.F.R. § 1601.0-5(c)

The BLM is obligated to coordinate its planning processes with local government land use plans, provide the state and local governments with meaningful involvement in the development of resource management plans, and, if possible, develop resource management plans in collaboration with cooperating agencies. 43 C.F.R. §§ 1610.3-1(a)(3), (4), (5) (2009).

In providing guidance to BLM personnel, the BLM State Director shall "[e]nsure that it is as consistent as possible with existing officially adopted and approved resource related plans, policies or programs of other Federal agencies, State agencies, Indian tribes and local governments that may be affected. . . ." 43 C.F.R. § 1610.3-1(d)(1) (2009).

The BLM is obligated to take all practical measures to resolve conflicts between federal and local government land use plans. Additionally, the BLM must identify areas where the proposed plan is inconsistent with local land use policies, plans or programs and provide reasons why inconsistencies exist and cannot be remedied. 43 C.F.R. §§ 1610.3-1(d)(2),(3) (2009).

When developing or revising a resource management plan, or amending a resource management plan through an environmental impact statement, the BLM "will consider any requests of other . . . state and local governments . . . for cooperating agency status." 43 C.F.R. § 1610.3-1(b) (2009).

The BLM "shall provide other Federal agencies, State and local governments, and Indian tribes opportunity for review, advice, and suggestion on issues and topics which may affect or influence other agency or other government programs. 43 C.F.R. § 1610.3-1(c) (2009).

"A notice of intent to prepare, amend, or revise a resource management plan shall be submitted, consistent with State procedures for coordination of Federal activities, for circulation among State agencies. This notice shall also be submitted to Federal agencies, the heads of county

boards, other local government units and Tribal Chairmen or Alaska Native Leaders that have requested such notices or that the responsible line manager has reason to believe would be concerned with the plan or amendment. These notices shall be issued simultaneously with the public notices required under § 1610.2(b) of this title." 43 C.F.R. § 1610.3-1(e) (2009).

"Federal agencies, State and local governments and Indian tribes shall have the time period prescribed under § 1610.2 of this title for review and comment on resource management plan proposals. Should they notify the Field Manager, in writing, of what they believe to be specific inconsistencies between the Bureau of Land Management resource management plan and their officially approved and adopted resources related plans, the resource management plan documentation shall show how those inconsistencies were addressed and, if possible, resolved." 43 C.F.R. § 1610.3-1(f) (2009).

In the absence of officially approved or adopted local land use plans, the BLM plan must, to the maximum extent practical, be consistent with officially approved and adopted state and local resource related policies and programs, as long as such local policies and programs are consistent with federal law and regulations. 43 C.F.R. § 1610.3-2(b) (2009).

Statutory and Regulatory Authority-Coordination with the US Forest Service

"[T]he Secretary of Agriculture shall develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System, coordinated with the land and resource management planning processes of State and local governments and other Federal agencies." 16 U.S.C. § 1604(a)

(b) Coordination with other public planning efforts.

1) The responsible official shall coordinate land management planning with the equivalent and related planning efforts of federally recognized Indian Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments.

2) For plan development or revision, the responsible official shall review the planning and land use policies of federally recognized Indian Tribes (43 U.S.C. 1712(b)), Alaska Native Corporations, other Federal agencies, and State and local governments, where relevant to the plan area. The results of this review shall be displayed in the environmental impact statement (EIS) for the plan (40 CFR 1502.16(c), 1506.2). The review shall include consideration of:

- i. The objectives of federally recognized Indian Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments, as expressed in their plans and policies;*
- ii. The compatibility and interrelated impacts of these plans and policies;*
- iii. Opportunities for the plan to address the impacts identified or contribute to joint objectives; and*
- iv. Opportunities to resolve or reduce conflicts, within the context of developing the plan's desired conditions or objectives... 36 C.F.R. § 219.4*

"The responsible official shall coordinate with appropriate Federal, State, county, and other local governmental entities and tribal governments when designating National Forest System roads, National Forest System trails, and areas on National Forest System Lands pursuant to this subpart." 36 C.F.R. § 212.53 The Forest Service is obligated to consider and provide for "the stabilization of communities" in its decision making processes. 36 C.F.R. § 221.3(a)(3) (2009) See also S. Rept. No. 105.22; 30 Cong. Rec. 984 (1897); The Use Book at 17.

"Community stability" is defined as a combination of local custom, culture and economic preservation. As described by the Forest Service:

History and Objects of Forest Reserves

Forest reserves are for the purpose of preserving a perpetual supply of timber for home industries, preventing destruction of the forest cover which regulates the flow of streams, and protecting local residents from unfair competition in the use of the range

We know that the welfare of every community is dependent upon a cheap and plentiful supply of timber; that a forest cover is the most effective means of maintaining a regular streamflow for irrigation and other useful purposes, and the permanence of the livestock industry depends upon the conservative use of the range. The Use Book.

In carrying out monitoring under a land management plan, the responsible official may jointly monitor the planning area with State or local government agencies or members of the public. 36 C.F.R. § 219.6(b)(3) (2009).

"The responsible official must use a collaborative and participatory approach to land management planning . . . by engaging the skills and interests of . . . State or local governments, or other interested or affected communities, groups, or persons." 36 C.F.R. § 219.9 (2009).

"The responsible official must provide opportunities for the coordination of Forest Service planning efforts . . . with those of other resource management agencies. The responsible official also must meet with and provide early opportunities for other government agencies to be involved, to collaborate, and to participate in planning for NFS lands. The responsible official should seek assistance, where appropriate, from other State and local governments . . . to help address management issues or opportunities." 36 C.F.R. § 219.9(a)(2) (2009).

NEPA Consistency Review

All federal agencies shall prepare an environmental impact statement ("EIS") or an environmental assessment ("EA"), (i.e. a NEPA document) for "every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(C) (2009).

Federal agencies shall "consult [] early with appropriate state and local agencies and Indian tribes and with interested private persons and organizations when its own involvement is reasonably foreseeable." 40 C.F.R. § 1501.2(d)(2) (2009).

Local governments shall be invited to participate in the scoping process. 40 C.F.R. § 1501.7(a)(1) (2009).

To better integrate EIS into State or local planning processes, statements shall discuss any inconsistency of a proposed action with any approved State or local plan and laws (whether or not federally sanctioned). Where an inconsistency exists, the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law. 40 C.F.R. § 1506.2(d); 40 C.F.R. § 1506.2 (2009).

Environmental impact statements must discuss any "inconsistency of a proposed action with any approved State or local plan and laws (whether or not federally sanctioned). Where an inconsistency exists, the [EIS] should describe the extent to which the agency would reconcile its proposed action with the plan or law." 40 C.F.R. § 1506.2(d) (2009).

Appropriate mitigation measures must be included in the EIS. 40 C.F.R. § 1502.14(f) (2009). Mitigation includes (a) avoiding the impact altogether by not taking a certain action or parts of an action, (b) minimizing impacts by limiting the degree or magnitude of an action and its implementation, (c) rectifying the impact by repairing, rehabilitating, or restoring the affected environment, (d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action, and (e) compensating for the impact by replacing or providing substitute resources or environments. 40 C.F.R. §1508.20 (2009).

Further Opportunities for County Involvement with Federal Agency Decision-making

In addition to the coordination mandate in FLPMA and NFMA, a number of other federal and state statutes and corresponding regulations require state and federal agencies to offer other opportunities for coordination with local governments in making land and resource management decisions. Relevant statutes featuring such opportunities include the Clean Water Act, the Clean Air Act, the Endangered Species Act, the Wild and Scenic Rivers Act, and the National

Preservation Act. Many of these opportunities for additional County involvement will be covered in the resource-specific sections below.

It is the position of Crook County to:

- engage in all such opportunities and to work in coordination with federal and state agencies as required by federal law on all projects and decisions that could affect County interests. Further, it is the express expectation of the County that federal and state agencies will give the County early notification of forthcoming decision-making and extend an early invitation to the County to participate to the maximum extent in federal decision making processes.

Private Property Rights and Property Interests

Many private individuals hold either private property rights or property interests on federal lands within Crook County. These may include but are not limited to water rights, mining claims, rights of way, as well as grazing preferences and grazing permits. Such property rights and interests constitute valuable holdings, increase the County tax base, and are vital for the stability of small businesses essential to the economic make-up and culture of free enterprise of Crook County. Crook County is dedicated to preserving these rights and interests.

Coordinated Management and Conservation

Crook County believes that a coordinated, interdisciplinary approach to the management of federal lands will best promote the conservation of our natural resources while developing sustainable methods for their use. Crook County also holds that locally based, on-the-ground management, monitoring, and information gathering is preferable to out-sourcing data collection and/or analysis to remote providers. Therefore, Crook County expects that federal and state agencies will work with the County, the local Soil and Water Conservation Districts, Rural Fire Protection Agencies, Oregon State University Department of Range Science, Oregon State University Extension Service, USDA range scientists at the Eastern Oregon Agriculture Research Center, Crooked River Weed Management Area, as well as allotment owners, permittees and lessees on federal lands on an ongoing basis to monitor, manage, share information, problem solve, apply adaptive management strategies, and promote the health of federal lands to ensure that natural resource use is both ongoing and sustainable.

Position Statements Access & Travel Management

Reliable, ongoing access to federal lands is important for the sustainability of Crook County citizens' customs and culture, promotes positive outdoor experiences for visitors, and provides access in the case of needed medical attention or fire.

The intent of Crook County's travel management positions is to provide year round access for multiple land uses while respecting private property rights, as well as utilizing the resources on federal lands. Ongoing use and enjoyment of the natural resources of Crook County requires a transportation system that is efficient, available, and balances the various resource values.

Proposed road closures affecting access to or on federal lands in Crook County shall be discussed on a case-by-case basis and shall be individually justified. Where there is no clear and overriding reason to close a particular road, it shall remain open.

Further, proposed road closures require an appropriate County and public review process; noticing, appeal periods, and a genuine good faith effort to incorporate the suggestions and concerns put forth by the public. Proposed road closures shall also be discussed in coordination with Crook County, and shall be consistent with the CCNRP to the maximum extent practicable and allowable by law.

Road inventories shall be carried out in coordination with Crook County and with the input of Crook County citizens. Unless prohibited by law, roads accessing grazing allotments, water developments, mining claims, foraging sites, and other authorized land uses shall remain open.

Crook County supports the partnering of public and private entities for the ongoing access of roads on federal lands. Crook County encourages voluntary activity from users as well as partnering with private and public groups in maintaining trails and roads such as rock removal, filling holes, branch trimming, and clearing downed trees. Trails and roads maintained by private groups are meant to benefit all users and types, and maintenance does not confer special privilege.

Crook County supports the improvement of signage and maps for navigation on federal lands to enhance the enjoyment and safety of visitors. Maps must reflect the valid federal land use plan.

Access & Travel Management Positions

It is the position of Crook County that:

- Roads¹⁵ providing access for the use and enjoyment of federal lands shall remain open year round and be maintained as needed.
- There will be no net loss to access to and across the federal lands.
- Crook County will actively work with federal agencies to discuss all road closures and shall seek an alternate route to that site.
- Roads created and/or established for timber harvesting and other forest projects should remain open as unimproved multi-use trails for recreational use.
- To keep all roads open and passable. Disruptions to the travel surface of roads (e.g. tank traps, boulders, berms, or other road surface impediments) are a hazard to road travel in the case of firefighting, fire evacuation or rescue vehicles, and are an endangerment to the health and well-being of road users.
- All RS 2477 rights-of-way historically and currently used for any natural resource to market must remain open for public access. These include, but are not limited to, forest- to-market, mine-to-market, livestock trail ways, wagon and stage coach roads, access trails to reservoirs, streams, springs and rivers, historic sites of towns, post offices and schools, and other places of historic land uses. The County, working through its citizen committee, will research and provide the appropriate documentation of RS 2477 rights-of-way and historical site roads to the federal agencies as required by federal law. Where appropriate, informational signage shall be installed to explain the significance of the site.
- Recreational access shall not discriminate in favor of one mode of recreation to the exclusion of others.

¹⁵ See Glossary for definition of "Road"

Agriculture

Production agriculture, which includes crops and livestock, is an important part of the Crook County economy. Many of the farms and ranches of the County represent three or more generations of the same family operating and caring for the land. Agriculture has been an integral part of the economy, custom, and culture of Crook County, as well as a way of life to the farming and ranching families even before the town of Prineville was established in 1868. Crops and livestock contributed in fiscal year 2012 \$47,741,000.00 to the County¹⁶ economy.

The State of Oregon has a Right To Farm law¹⁷, which describes actions and responses to farming and other natural resources including forest.

Crop Production

There are 822,688 acres of farmland in Crook County¹⁸. Crop production contributes 49 percent of agricultural sales in Crook County¹⁹. The comparatively short growing season of the County dictates the rather narrow variety of cash crops that can be grown here. Examples of crops include, but are not limited to, grass and alfalfa hay, grain, potatoes, garlic and carrot seed. Crops are grown along the Crooked River, Ochoco Creek, Mill Creek, McKay Creek, the Ochoco Valley and in the higher elevations around Powell Butte. The sources of the majority of the water for irrigation come from McKay Creek and its tributaries, Ochoco Creek and its tributaries, Crooked River and its tributaries, and the Deschutes River and its tributaries. These water sources are vital to our agricultural community and the citizens of Crook County.

Wildlife and federal lands managers, including but not limited to the BLM, USFS, US Fish and Wildlife, and ODF&W are expected to work with private property owners to keep private property damage of land and livestock to a minimum.

¹⁶ Crook County OSU Extension Service, 2012

¹⁷ www.oregonlaws.org/ors/30.930

¹⁸ Crook County OSU Extension Service, 2012

¹⁹ Crook County OSU Extension Service, 2012

Crop Production Agriculture Position

It is the position of Crook County:

- To take Right To Farm laws, to the extent applicable, into account when coordinating on federal and state land use decisions.
- to support production agriculture and the conscientious use of natural resources necessary for sustaining agricultural enterprise.
- that any private property damage caused by an uncontrolled prescribed burn, other fire suppression efforts, or damage caused by any other government agency action in Crook County, shall be considered justification for compensation by the responsible agency to the private property owner at current market value.

Livestock Production and Grazing

Livestock production has customarily been, and continues to be, a significant contributor to the economic stability of Crook County. Livestock production contributes 51 percent of all agricultural sales in Crook County²⁰ The total reported value of livestock sales produced in Crook County was \$24,426,000.00 in 2012 (OSU Extension Service).

In Crook County, many livestock producers rely on grazing allotments administered by the BLM and the US Forest Service. The preservation of these permits and the continuation of historic stocking rates are crucial to sustainable livestock production in Crook County.

Grazing permittees and lessees possess certain and specific rights granted through the Taylor Grazing Act, Forest Service regulations and the Federal Lands Policy and Management Act which should be enforced and recognized by the federal agencies. These processes and recognitions exist separately and apart from the general public's ability as an "interested public or an "affected interest." The benefits of managed livestock grazing for fire control, weed control, soil health, plant health, and wildlife habitat enhancement shall be recognized and incorporated into planning documents, NEPA documents, and other environmental studies and analyses²¹. Agencies shall take an interdisciplinary approach to range management, including soliciting input from permittees and lease holders, OSU Extension Service, the Eastern Oregon Agriculture Research Center, and Crook County in determining best approaches to maintaining sustainable use of rangeland resources.

²⁰ Crook County OSU Extension Service, 2012

²¹ Taylor Grazing Act of 1950 (P.L. 73-482) 43 US Code 315
Granger-Thye Act of 1950 (P.L. 81-478) 43 USC chapter 35, subchapter V: Rights of way
Multiple Use sustained Yield Act of 1960 (P.L. 86-517) (MUSYA)
Arizona Desert Wilderness Act of 1990; HR 2570; (P.L. 101-628); House report 101-405 Appendix A

Livestock and Grazing Position

It is the position of Crook County that:

- federal and state grazing allotments and leases shall be managed through working partnerships with allotment holders and lessees, which should include joint monitoring and data collection, joint problem solving, developing adaptive management strategies, and joint development of grazing plans and NEPA alternatives for permit renewal.
- agencies are to treat permittees and lessees with a commensurate level of participation, involving early notification of proposed actions, cooperative decision making, information gathering, and joint planning on allotments.
- grazing on federal and state allotments and leases shall continue at historical stocking rates. In the event that range health standards on a permit or lease are not being met, stocking rates will be reduced only in the event that; 1) failure to meet range health standards is established on the basis of current, on the ground site specific monitoring data; 2) failure to meet range health standards is shown to be caused by current, as opposed to historic, livestock management practices or other potential impacts such as wildlife or wild horses; and 3) all adaptive management approaches have been exhausted.
- to maximize flexibility, agencies shall not reduce the total AUMs associated with a grazing permit (known as "grazing preference" or "permitted use").
- allotments that have had a history of reduced AUMs shall be reevaluated as to present condition compared to condition prior to reduction.
- consideration be given that under grazing could be a contributing factor to declines in range health.
- AUMs will be returned to active use to the maximum extent consistent with maintaining rangeland health standards.
- in the event some of the AUMs associated with a permit are temporarily suspended, the agency will justify the suspension, and specify the conditions necessary for reactivation of the suspended AUMs. As range health standards improve, suspended AUMs shall be returned to active use by the next grazing season.
- in the event that grazing is temporarily suspended due to fire or drought, grazing shall recommence on the basis of case-by-case monitoring and site specific rangeland health determinations, as opposed to fixed and/or predetermined timelines.
- federal agencies shall work with permit holders and other land managers on riparian management, to ensure that site specific analysis and monitoring are current, and

potential issues regarding stream bank erosion, channel depth, etc., are addressed early through adaptive management approaches. Reduction or elimination of grazing on riparian areas shall occur only:

- If current grazing livestock methods, as opposed to historic livestock grazing or wildlife, are demonstrably the cause of riparian degradation; and
- If adaptive management approaches are exhausted.
- where range health standards are being met, or if failure to meet rangeland health standards is not due to current livestock management, stocking rates shall not be diminished and season of use will not be curtailed.
- grazing on designated Wilderness areas and Wilderness Study Areas shall be ongoing and unimpeded, in accordance with the Congressional Grazing Guidelines (H.R.101-405, Appendix A-BLM; H.R. 96-617-Forest Service).
- federal and state agencies shall not encourage or facilitate the relinquishment or "buy out" of grazing permits for non-grazing purposes.
- grazing allotments on historic and/or designated grazing lands shall remain in use for substantive livestock grazing.
- permits voluntarily relinquished by permittees shall be made available to other livestock operators.
- unallocated allotments shall be made available to permittees on an as-needed basis.
- grazing permit renewals or authorization of federal permits for the development or improvement of water rights on federal lands shall not be contingent upon the transfer of privately held water rights, in whole or in part, to the US Government.
- in light of amendments to NEPA included in the National Defense Authorization Act for FY 2015, §3023 (3).
 - categorical exclusions shall be used in the renewal of grazing permits where current management is continued and range land health standards are being met (or failure to meet rangeland health standards is not due to existing livestock grazing) and there are no extraordinary circumstances.
 - livestock trailing and crossing on federal lands shall be categorically excluded from environmental assessments and impact statements under NEPA²²
 - roads historically used for trailing or vehicle transport of livestock across federal lands shall remain open.

²² See also: "whenever any grazing district is established pursuant to this sub chapter, the Secretary shall grant to owners of land adjacent to such district, upon application of any such owner, such rights-of-way over the lands included in such district for stock driving purposes as may be necessary for the convenient access by any such owner to marketing facilities or to lands not within such district owned by such person or upon which such person has stock-grazing rights." 43 USC §315 (TGA)

Data Quality

Crook County has many residents who have extensive expertise and knowledge of the Ochoco Forest and the rangelands of Crook County. An attempt shall be made to gather some of the historical information on land management practices during the past 50 years from these people. Many land practices have been tried, and the historical information may allow us to avoid repeating past failures. This information, as it is gathered, will be made available to the local, state, and federal agencies, for inclusion in the decision making process.

To the greatest extent possible, sound and credible data should drive all federal agency decisions. Unfortunately, sufficient data, data at an appropriate scale, or timely data to use in analysis are not always available. For all references to "data" in this plan, Crook County refers to information that meets, at a minimum, the Federal Data Quality Act (FDQA).

The FDQA directs the Office of Management and Budget (OMB) to issue government-wide guidelines that "provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality, objectivity, utility and integrity of information (including statistical information) disseminated by Federal agencies" (*Sec. 552(a) Pub. Law. 106-554; HR 5658; 114 Stat. 2763 (2000)*).

The OMB guidelines apply to all federal agencies and require that information disseminated by the Federal government will meet basic informational quality standards (*66 Fed. Reg. 49718, Sept. 28, 2001; see also 67 Fed. Reg. 8452, Feb. 22, 2002*).

This "standard of quality" essentially requires that data used and published by all Federal agencies meet four elements. These elements include (*66 Fed. Reg. at 49718*):

- (a) quality
- (b) utility (i.e., referring to the usefulness of the data for its intended purpose)
- (c) objectivity (i.e., the data must be accurate, reliable, and unbiased)
- (d) integrity

In addition to following the OMB guidelines, all federal agencies were also to issue data quality guidelines by October 1, 2002, (*67 Fed. Reg. 8452*).

Data Quality Position

It is the position of Crook County that:

- all data - environmental, economic, and social - used to develop federal and state land

and natural resource management decisions shall be current and impartial.

- Require the inclusion of quantitative data that meets credible data criteria, even if the data were not produced by a federal agency.
- Support the use of credible scientific data. Credible scientific data is defined as rigorously reviewed, scientifically valid chemical, physical and/or biological monitoring data, timely collected under an accepted sampling and analysis plan; including quality control and assurance procedures and available historical data.
- Require the use of data that meets at least the minimum standards of U.S. Fish and Wildlife Service (FWS) Manual Chapter 274 FW2 – Establishing Service Data Standards (Service n.d.).
- Data gathered and used by the BLM shall meet the standards established by the Department of the Interior Information quality Guidelines and Policies.
- Information used and gathered by the Forest Service shall meet the general requirements for information quality established by the USDA and be site specific.

Economy

The historic roots of Crook County timber harvest, ranching, farming, and mining are the lifeblood of Crook County's economy. The County's customs and culture are based on a land stewardship ethic stemming from the people's dependence on the land to provide a livelihood for those who directly work on the land and for those whose businesses serve the natural resource industries.

Crook County has a natural resource-based economy, which the County is trying to diversify so that it can more effectively adjust to a globalized marketplace. County population is growing and diversifying, like many areas with significant natural capital and lifestyle opportunities. People are moving to and visiting Crook County to enjoy the environmental amenities²³.

Crook County believes that humans are entitled to an equal opportunity to use federal and private lands for both recreation and economic growth.

To that end, it is Crook County's intent to protect those values through coordination with those who implement policy on the federal lands.

Economic Positions

It is the position of Crook County that:

- it support efforts to maintain or improve the overall economic base of the County through the judicious use and enjoyment of federal and state lands in the County.
- federal land management decisions support economic diversity in order to benefit the long-term stability of the county, the economic welfare of county residents, and the environment.
- it cannot support federal and state agency land management decisions when potential economic impacts are not carefully considered. In such cases, Crook County may be forced to appeal or seek other relief.
- it expects federal and state land management agencies to carefully weigh economic impacts when considering land management decisions, and to minimize impacts to the customs, culture, and the economic stability of the County. While economics should not always be the decisive factor in decision making, it should be part of the balance of interests considered.
- when a negative impact of a proposed action is unavoidable, provisions shall be made for mitigation or compensation for those impacts.

²³ OSU Special Report 1051, May 2004

- federal and state land management agencies must work in coordination with Crook County to accurately provide socioeconomic impact analysis and provide socioeconomic impact mitigation recommendations to both the agencies overseeing the development as well as county government officials.
- agencies overseeing the development should make every reasonable attempt to implement the socioeconomic impact mitigation recommendations while working with local government officials.
- socioeconomic monitoring and analysis be performed by experts familiar with the area's unique history, culture, economy and resources.
- such monitoring and analysis be selected by the Court, and paid for by the entity creating the impact, and that this requirement be duly outlined in the Crook County Code and understood by all involved, early in the process.
- federal land management agencies shall give Crook County notification of any possible upcoming actions that could affect the economic base of the County at the earliest opportunity.
- when a negative impact of a proposed action is unavoidable, provisions shall be made for mitigation or compensation for those impacts.
- analysis of proposed federal actions may include consideration of the following socioeconomic factors:
 1. An evaluation of the social and economic conditions in the area of site influence. The social and economic conditions shall be inventoried and evaluated as they currently exist, projected as they would exist in the future without the proposed action, and as they will exist with the action.
 2. A study of the area economy including a description of methodology used.

The study may include, but is not limited to, the following factors:

- Employment projections by major sector
- Economic bases and economic trends of the local economy
- Family and per capita income
- Purchasing power of earnings within the area of site influence
- Short and long term fluctuations in resource consumption and resource availability
- Employment dislocation and skill obsolescence
- Diversity of economy

- Estimates of basic versus non-basic employment
- Unemployment rates
- Population, optionally including demographics and projections
- Housing, including quantitative evaluations of the number of units in the area and discussion of vacancy rates, costs, and rental rates of the units
- Transportation
- Governmental facilities
- Sewer and water distribution and treatment facilities
- Solid waste collection and disposal services
- Health and medical care facilities and services
- Human Service facilities
- Recreational facilities
- Schools
- Mental Health services
- Problems due to the transition from temporary, construction employees to operating workforces
- Fiscal analysis over the projection period for all local governments, including revenue structure, expenditure levels, mill levies, services provided through public financing, and the problems in providing public services
- Estimate of sales and use taxes and ad valorem taxes generated by the proposed activity
- Impact controls and mitigating measures proposed by the applicant to alleviate adverse social and economic impacts associated with construction and operation of a proposed industrial facility
- Any MOU, or offers for replacement industry, designed to mitigate loss of economy due to proposed changes.

Energy

It is the intent of the CCNRP to direct the development of alternative energy sources. These policies are believed to be realistic and achievable in current circumstances, but adaptable to meet changing circumstances and local public attitudes to environmental issues. The CCNRP will thus provide positions which are transparent to the community and federal land managers. Crook County expects that all proposed development of alternative energy sources on federal lands be coordinated with the County and County positions.

Energy Source Development Positions

It is the position of Crook County that:

- proposed energy developments require an appropriate County and public review process: noticing, appeal periods, and a good faith effort to incorporate the suggestions and concerns put forth by the public.
- proposed energy developments shall also be discussed in coordination with the county, and shall be consistent with the CCNRP to the maximum extent practicable and allowable by law.

Environmental

Crook County abounds in natural resources and beautiful landscapes. Sensible management and responsible development of all natural resources will preserve and enhance the quality of life that County residents and visitors enjoy.

It is Crook County's position that responsible environmental review can be a productive management tool in understanding and promoting sound natural resource management planning and management decisions.

Crook County requires that the culture of the citizens impacted by federal land use and resource decisions must be included in the environmental review. Social and economic impact must be considered as part of responsible natural resource management and shall be considered in decision-making processes.

Environmental Position

It is the position of Crook County:

- to require any government agency involved in environmental issues to incorporate socio-economic impact statements along with environmental impact statements when environmental management decisions affecting Crook County are to be made.
- that any government agency involved in environmental issues shall coordinate with Crook County to mitigate these issues for the health, safety and welfare of the citizens.

Forest Resources

The beneficial use of forest natural resources has always been a large part of the County's economy, custom, and culture. The County's forest resources must be governed in the best interest of local citizens while promoting the health of the forests. Approximately sixty percent (60%) of the acres of forestland in Crook County are held in public trust under the authority of the United States Forest Service (USFS), Bureau of Land Management (BLM) and State of Oregon. Federal and State planning decisions have the potential to transfer a disproportionate amount of fiscal and social costs and responsibilities to the County. In order for the County to provide and maintain roads, schools and other services, the forest industry, and the forest products industry commerce within the County must be encouraged and strengthened.

Science and common sense support the premise of active forest management on the public forested lands in Crook County. Forest management practices on federal land within Crook County shall include a stable timber-harvesting program, which is essential to maintain healthy forest ecosystems and to provide employment and economic security to individuals and businesses in Crook County.

The Crook County portions of the national forest systems, as well as any forestland managed by the BLM within the County, shall be managed and administered for outdoor recreation, livestock grazing, timber harvesting, watershed protection, public access, fire risk management, for timber health, and wildlife in the best interests of Crook County citizens and the American people generally. These resources shall be managed for sustained multiple use in perpetuity so that future generations will have the opportunity to benefit from, use, and enjoy them.

A forest management policy of no action or arms-length management is unacceptable, irresponsible, and potentially disastrous.

It is critical that an active management approach to forests within Crook County be applied immediately and continuously for the health, safety, and welfare of Crook County residents. Over-mature, overstocked and stagnant conifer forests cover much of the federal land in the County. These stressed trees are subject to insects, disease, and fire and have a negative impact on carbon sequestration. Varying tree stands may have a different rotation age, stocking density, species diversity, access availability, or environmental and economic viability. However, all federal lands provide products that may be suitable for harvest, and should therefore be considered for logging and thinning projects.

Crook County's road position as it pertains to the Forest Service, is consistent with the Multiple Use Sustained Yield Act, which states:

The Congress hereby finds and declares that the construction and maintenance of adequate system of roads and trails within and near the national forests and other lands administered by the Forest Service is essential if increasing demands for timber, recreation, and other uses of such lands are to be met; that the existence of such a system would have the effect, among other things, of increasing the value of timber and other resources tributary to such roads; and that such a system is essential to enable the Secretary of Agriculture (hereinafter called the Secretary) to provide for intensive use, protection, development, and management of these lands under principles of multiple use and sustained yield of products and services. 16 USC §532

Crook County supports the timber industry, and this industry's ability to provide economic support to the citizens of Crook County.

Crook County supports and encourages active and economic viable timber industries. Therefore, until the timber industries can supply the needed revenue to support Crook County services, the Crook County Court supports federal payments in lieu of taxes (PILT) to Crook County, comparable to property tax payments from private forest property owners in Crook County.

Forest Management Positions

It is the position of Crook County:

- that forest management on national forests, BLM, and state lands within the County
- County shall foster a permanent roads system and trails open to the public.
- that forest management shall follow the mandates of the 1897 Organic Act and adhere to the Multiple-Use/Sustained Yield Act of 1960, as well as the later acts: National Forest Management Act; National Environmental Policy Act, and the Endangered Species Act.
- that roads on National Forests and on forests managed by the BLM shall remain open to provide for the economic benefit, enjoyment, and safety of the public. Where state and federal agencies propose to close roads on forestlands, specific justification for the proposal shall be given on a case-by-case basis, and the proposal shall be discussed in coordination with the Court.
- that forest management supports a coordinated, hands-on, proactive approach that

uses timber harvesting as a tool to accomplish overall forest health, ensuring a healthy and vibrant forest for current and future generations.

- that timber harvesting shall be used to promote forest health, reduce disease and insect infestation, and prevent waste of forest products while supporting the economic stability of Crook County.
- to ensure early detection and management of forest fires, and to maximize fire control potential through full coordination and communication with and between state and federal agencies as well as local fire-fighting associations.
- to use managed livestock grazing and fuels management programs to promote forest health.
- all tree mortality caused by forest fire, disease, pests, or other natural events, shall be promptly harvested, once a snag component has been met, before additional loss of economic value occurs.
- to promote the prompt reseedling and rehabilitation of harvested areas and areas affected by wildfire.
- that the customary permitted extraction of forest products by private citizens for fuel, building materials, and Christmas trees shall be ongoing. Access to these sites shall be through an open roads and cross-country travel system.
- that wood burning is a "necessity of life" for the health, safety and welfare of its citizens.

Invasive Species, Noxious Weeds and Pests

Crook County recognizes it is the nature of land and climate to vary, and for species of plants, animals, fish, birds, and insect populations to fluctuate in response to local climate, nutrition, shelter and predation issues. This is a natural fluctuation of ecosystems; however, when a native or introduced species spreads aggressively in its environmental niche and causes disruptions to the local ecosystem or economy, actions shall be taken to control it.

Invasive species, noxious weeds, and pests are defined by their negative effects on the ecosystem, economy and health of Crook County. The same plants, animals and insects in limited populations or appropriate areas may cause no harm. It is only when conditions change and negative impacts occur that control measures need to be taken. Identifying potential issues before they become problems and monitoring the situation is key to cost efficient and effective responses.

By competing for limited resources such as water, soil, space and nutrients, invasive species can negatively impact existing native plant and animal communities, carry and transmit disease, alter the watershed, or increase fuel load and wildfire risk. Noxious weeds may cause birth defects, abortions or death in livestock, and clog waterways or alter fish habitat. Pests are destructive insects, parasites, or other animals that may carry disease, attack, or damage forest, agricultural crops, livestock, humans and wildlife.

Control is to be considered for species which:

- are poisonous or predatory to livestock, humans, or wildlife
- that transmit disease
- whose effects increase risk of wild fire
- whose effects increase the desertification of the watershed;
- that are detrimental to waterways, fish, and aquatic life;

Pest control on federal lands in Crook County shall be addressed in order to reduce the risk of transmission of disease and agricultural or forestry losses. Examples include, but are not limited to, the treatment for mosquitoes as a vector for the West Nile Virus, the treatment of grasshoppers responsible for the defoliation of forages, and the utilization and or reduction of mistletoe or insect infected timber stands to address extensive wildfire fuel loads as well as forest health.

Early detection, rapid response, and follow-up monitoring of all invasive species is essential to effectively control their infestations. Discovery of any invasive species, disease, or large areas of plant or animal death, shall be reported to the Court to ensure its investigation and control, by coordinating with Crook County Weed Department, the Oregon State University Extension Service and the various state and federal agencies.

Non-native Genetically Engineered (GE) trees are being introduced in Oregon for fiber purposes. It is currently unknown what the impacts of GE and GMO plants will be. Choosing native, non-engineered species for ecological, remediation and reforestation projects on federal lands will reduce the risk of future negative impacts to the ecology.

It is considered that crops under active management are being controlled by the farmer and are not treated as invasive species. If plants jump the agricultural boundaries and create a negative impact, actions will be taken to control them.

Western Juniper defined as a native invasive species

The Western Juniper is common throughout central and eastern Oregon. It has a historical record of existence in non-productive rocky ground, and in fire-protected areas. Its range has greatly expanded in the last 130 years since European settlement, mainly due to the suppression of fires and recent insufficient grazing of the range. The juniper tree is very invasive by nature and uses a vast amount of water, reducing native grasses and plants where it grows. Removing the junipers around springs and other water sources has proven to increase the water table and water flow, allowing the return of native grasses and sage. There is a general consensus that western juniper needs to be removed from non-rocky land to improve grazing, water supply, and to restore available habitat for sensitive species such as upland game birds and other fowl.

Federal land managers at the federal, state, and county level shall work in close coordination with private landowners and the Court to ensure effective weed control in Crook County.

Wherever possible, management agencies will work with Crook County citizens to implement control, treatment and remediation efforts.

Invasive Species, Noxious Weeds and Pests Position

It is the position of Crook County:

- that state and federal agencies coordinate invasive species, noxious weed and pest control efforts directly with the Court.
- that prompt treatment of noxious weed populations is required on federal lands to prevent their spreading. The various state and federal agencies shall coordinate with Crook County Court, the Crook County Weed Department, and the Crook County Weed Master. Coordination for aquatic species also includes Oregon Department of Fish and Wildlife, in conjunction with the Oregon Marine Board.
- to limit the introduction of potentially harmful invasive species into the county that may adversely affect the area economically or environmentally. Crook County may reject efforts by any agency to introduce potentially invasive non-native or GE trees, (or any other non-native or GE species), into our federal lands.
- to encourage the planting of native forage and the use of animals to improve the lands and control invasive species, weeds and pests. Reseeding after fires should be preferentially done with native forages and grasses.
- in coordination with other government agencies, to encourage control of the western juniper by allowing thinning, logging, firewood cutting, and removal on a wide spread or a case-by-case basis on both federal and private lands.
- to be active in education of the public on the proper use of various treatment methods for minimizing invasive species, noxious weeds and pests.

Mining

Mining is one of the historical uses of federal land within Crook County, with mining predating the establishment of the Forest Service and the Bureau of Land Management. Maintenance of such use is statutorily compatible with multiple use principles.

Federal management agencies shall comply with laws, beginning with the Congressional Act of July 26, 1866 and the General Mining Law of 1872, which granted all American citizens the right to go into the public domain to prospect for, and develop, locatable minerals resources. Every mining law or act enacted since then has contained a "savings clause" that guarantees that the originally granted rights have never been rescinded.

Federal management agencies shall facilitate the orderly exploration, development and production of minerals resources within all federal lands in Crook County open to these activities, consistent with valid existing rights and in accordance with the Mining and Mineral Policy Act of 1970 and the Organic Act. Federal management agencies must take into account the adverse economic effects to Crook County's economy when proposing restricting mining activities in planning documents.

Mining Positions

It is the position of Crook County that:

- all exploration, development and mining on lands in the county with locatable mineral potential, shall be managed with scrupulous adherence to all laws which pertain to mining and production by the state and federal agencies.
- federal lands historically open for mineral extraction in Crook County shall remain open. Proposed road closures accessing such lands shall be coordinated with Crook County.
- federal agencies must address the need for maintaining travel access during the planning process for all activities in mineralized areas.
- the analysis of Plans of Operation by federal management agencies for locatable minerals projects shall be given the upmost attention.
- federal land management agency's approval of locatable minerals Plan of Operation by must occur within one year from the submittal of a complete plan. Crook County and the mine operator shall be notified if this timeframe cannot be met, the reasons for the delay, and what it will take to get the plan finalized.
- the positive economic importance of exploration, development and production of locatable mineral resources shall be incorporated into all federal agency land and resource management plans.

- where withdrawal of lands from mineral entry is proposed under the Federal Land Policy and Management Act, the BLM or Forest Service should analyze
 - (1) the negative impacts to the community;
 - (2) the economic value of mineral resources foregone, and;
 - (3) the economic value of resources taking precedence over mineral extraction.
- federal land management agencies must not restrict or in any way interfere with privately vested legitimate water rights. All mining water use is subject to the statutes and administrative rules of the Oregon Water Resources Department and it is the duty of the Water Master to assure legal and appropriate use of the waters.
- prior to initiating the administrative withdrawal of federal lands from mineral entry, the agency shall carefully take into account and document for the record:
 - (1) the impacts to rural communities affected by the withdrawal;
 - (2) the economic value of the mineral resources foregone;
 - (3) the economic value of the resources being protected, and;
 - (4) an evaluation of the risk that the renewable resources within the minerals surface use regulations.
- Crook County seeks to coordinate on all recommendations by federal management agencies for withdrawals of federal land from mineral exploration and development.

Natural Resources Mitigation

Crook County recognizes sometimes significant negative effects of a proposed action cannot be avoided, and that mitigation is often preferred to no action. Further, small and seemingly insignificant effects may accumulate over time into a larger, negative consequence of projects. These generally unforeseen and unintended consequences can give rise to disruptions in the ways the land and natural resources are used and enjoyed for long periods of time. To the extent possible, potential disruptions shall be identified during the planning phase, and appropriate mitigations analyzed. If negative consequences are identified during or after project completion, there should be a system by which mitigations can be determined, created and funded.

Natural Resources Mitigation Position

It is the position of Crook County that:

- All mitigation considered pursuant to NEPA ("mitigation plan") shall provide detailed and realistic alternatives. The mitigation plan shall:
 - Identify each impact that the mitigation measure is intended to address.
 - Identify the party or agency responsible for the implementation and monitoring of the proposed mitigation measure.
 - Specify the following for each mitigation alternative:
 - How impacts may be avoided through non-action, or alternatives to the proposed actions.
 - How impacts may be minimized by limiting the degree or magnitude of the proposed actions.
 - How impacts may be rectified through repair, rehabilitation, or restoration of the affected environment.
 - How impacts may be reduced or eliminated over time through preservation and maintenance action during the life of the action.
 - How the agency could compensate for the impact by providing substitute resources of equal economic or social value.
 - Specify, for each mitigation measure, its:
 - Legal authority
 - Technical feasibility
 - Fiscal and economic feasibility
 - Social, cultural and political feasibility
 - Initiation and completion dates
 - Funding sources

Recreation & Tourism

Crook County's landscape is a recreational haven for residents and visitors alike. Amenities such as a bounty of wildlife, beautiful Ponderosa Pines, grass prairies and wild flowers offer year-round outdoor recreational possibilities, which is an essential part of the lives of the residents. Recreation, both motorized and non-motorized, is a critical economic drawing point for Crook County. It attracts visitors who come to view wildlife, fish, hunt, cross country ski, snowmobile, hike, camp, and generally enjoy the opportunities that an open access motorized forest and range system provides.

Historically, recreation has been an essential part in the social framework of the County. Families who live in Crook County have the right to enjoy its resources that surround our home communities. One of the longest standing traditions for residents and visitors alike is having open motorized and non-motorized access to our recreational resources including open forests.

The management of federal lands for multiple use will positively impact recreational values, and the use of, and access to, federal lands. This, in turn, encourages economic development that sustains businesses and provides jobs.

Crook County supports the promotion of tourism through signage that explains historical significance of areas, sites and roads.

Recreation and Tourism Positions

It is the position of Crook County:

- that it supports a year round multiple use management approach on federal lands as a means of continuing and enhancing recreation opportunities within the County.
- that it shall not support unsubstantiated land use fees and/or fee increases, or the creation of new and/or unnecessary fees for the use of federal lands within the County. Any entity considering fee increases with the potential to impact recreation in the County must coordinate with Crook County on the decision.
- that it supports the accessibility, improvement, maintenance and development of motorized and non-motorized trails to facilitate recreation and access to natural resources for residents and visitors. This position reflects the no net loss of our open roads system.
- that recreational access shall not discriminate in favor of one mode of recreation to the exclusion of others.
- that any proposed action that includes, or considers including, any reduction of

access of any kind to federal lands, assesses and mitigates the cumulative impact to recreation opportunities.

- that recreational activities recognized and supported by state and federal agencies shall include family oriented activities and facilities that are accessible to the general public and not limited to special interest groups.
- to continue the open road systems for off-road (cross country) access for snowmobiling, game retrieval, visitations of cultural sites, other recreational or tourism interests and other lawful motorized OHV uses. Roads/trail/path systems created from any source will not be closed or blocked using barriers or other man made blockades including, but not limited to boulders, gates, downed trees or snow banks.

Special Designations

Federal agencies, Congress, and the President of the United States are variously authorized to create special designations on the federal lands that have the potential to restrict customary use, limit economic opportunity, and erode the multiple use character of lands within Crook County. Special designations often remove the ability of the County to tax natural resource-based businesses, reducing the tax base for local government needs. Wilderness Areas are a fire risk. Fires that enter into a Wilderness Area cannot be adequately or effectively controlled, and can ignite additional fires along the Wilderness Boundaries. Study areas which are fenced interrupt the travel patterns of people and animals. Such designations include, but are not limited to: Areas of Critical Environmental Concern (ACECs), Wild and Scenic Rivers, National Monuments, Wilderness and Wilderness Study Areas (WSAs), and National Conservation Areas (NCAs).

The proposal of any ACEC on land managed by the BLM shall be fully coordinated with Crook County in accordance with FLPMA. Proposals for ACEC designations shall strictly adhere to the relevance and importance criteria, and the BLM must demonstrate the need for an ACEC designation to protect the area in question and prevent irreparable damage to resources or natural systems. A proposed ACEC designation must be consistent with the CCNRP, provided that such consistency is not in conflict with federal law. 43 U.S.C § 1712(c)(9). Further, it shall be recognized that ACECs are administrative designations, and as such, are only valid for the term of a resource planning document. An ACEC designation may be revisited through subsequent land use planning, revision, or amendment.

Crook County opposes any other special designations including those in the Congressional Designated National Landscape Conservation System as of September 2002. These include, but are not limited to: National Conservation Areas, National Research Areas, National Recreation Areas, Outstanding Forest Areas, Outstanding Natural Areas, Cooperative Management and Protection Areas, Headwaters Forest Reserves, National Historic Trails and National Scenic Trails. 11 Sec. 515 of Public L. No. 106-554.

Federal agencies responsible for making wilderness recommendations to Congress shall coordinate with Crook County in making wilderness determinations and developing wilderness inventories.

Management of lands with wilderness characteristics shall be coordinated with Crook County Court, to ensure maximal consistency with the CCNRP.²⁴ (See glossary: *Wilderness*).

²⁴ Wilderness Act of 1964 (P.L. 88-577) (16 USC 1131-1136)

Special Designation Positions

It is the position of Crook County:

- that no special designation be introduced in Crook County unless it is firmly endorsed by the local community, and the proposal has been fully coordinated with the County.
- that no additional lands are suitable for wilderness designation within the County.
- Crook County therefore opposes any further wilderness designations.
- that land determined to have "wilderness characteristics" will not necessarily be managed to preserve wilderness characteristics, as other resources may prove more valuable.
- that the process Wilderness Study Areas by Congress, be expedited to achieve a decision within 2-years from when the designation is first proposed. Crook County supports a prompt return of Wilderness Study Areas not designated by Congress as "wilderness" into "multiple-use status."
- Any existing or established Wild and Scenic River occurring within Crook County shall be managed by the designating federal agency in coordination with Crook County.
- Crook County opposes the use of the Antiquities Act for designation of national monuments.
- to support the multiple-use character of federal lands for the economic welfare and enjoyment of Crook County citizens and visitors. Crook County therefore opposes the restriction or elimination of customary uses on proposed or existing national monuments.
- grazing on designated wilderness areas shall not be encumbered with unreasonable requirements, in accordance with the Congressional Grazing Guidelines [*H.R. 101-405, Appendix A (BLM) and H.R 96-617 (Forest Service)*].

Threatened & Endangered Species

The federal designation of a species as threatened or endangered, or the designation of critical habitat for threatened and endangered species, can have a profound negative impact on the health, safety, and welfare of Crook County residents. In view of this, Crook County will pay particular attention to any species designated in any category or classification for protection or consideration of protection under the Endangered Species Act (ESA) and will act to require the Fish and Wildlife Service (FWS) to comply with full procedural provisions of federal statutes.

The listing of any species shall be based on the best scientific and commercial data available which shall include all information necessary to determine the information's compliance with the Federal Data Quality Act.

Consideration of any species for federal listing shall take into careful account all state, regional, and local conservation efforts.

In accordance with statute, federal agencies shall coordinate with Crook County in the use of water resources as they pertain to the conservation of endangered species:

"It is further declared to be the policy of Congress that Federal agencies shall cooperate with State and local agencies to resolve water resource issues in concert with conservation of endangered species." 16 U.S.C. §1531 (c)(2)

Threatened and Endangered Species and Species of Concern Positions

It is the position of Crook County:

- that all recovery planning efforts for sensitive, threatened, or endangered species shall be made in coordination with Crook County, and shall take into account the custom and culture of Crook County while minimizing and mitigating any economic impacts to the County's economy. All recovery planning shall be consistent with the CCNRP wherever practicable.
- that in the event that a species is listed under the ESA, Crook County requires the recovery plan to include:
 - assurances that the listed species are native to Crook County or have migrated to Crook County from their native lands without human assistance, and have not migrated to fill a niche that is manmade such as, but not limited to, reservoirs, irrigation canals and other created wetlands.
 - a site specific management plan for any proposed conservation plan of an ESA listed species shall be limited to area consistent with the historical range and/or the natural migration range of the subject species

- efforts to make sure that critical habitat designation not be in substantial conflict with customary use of natural resources or negatively impact the economy;
 - establishment of on-the-ground baseline data and population goals for the species;
 - clear identification of target populations that will qualify the species for delisting, and prompt delisting when such targets are reached.
- that it endorses the establishment of a federally funded and managed compensation program for property owners who suffer losses as a result of an ESA listed species.
- Support creating a unified (cross-agency) definition for “species of concern” or special status species.
- Support delisting of any species with insufficient, unsupported, or questionable data not meeting the minimum criteria for its listing or protection level.
- Management plans should not be created for single species and should be consistent with multiple use mandates.
- The County should be involved in the species of concern and sensitive species review process, including in the determination of what should be included as a species of concern or sensitive species.
- The County should be involved in the establishment of recovery objectives for species of concern, and the development of management actions to move species off the list of concern. Once recovery objectives have been reached, support moving species off of the list of concern.
- Support the participation of the County as a cooperating agency and/or in coordination in federal rulemaking, including any NEPA analysis related to the designation of critical habitat and development of recovery plans.
- Require the full analysis of the economic impacts on all proposed critical habitat designations or species management plans, and the inclusion of the County in this analysis.
- Oppose the federal management of non-ESA listed species (i.e., species of concern, species of special concern, or any other non-ESA designation) as though they are protected by the rules of the ESA.
- Support cooperation between private landowners and federal agencies to reduce the risk of listing under ESA.

- Support participation as cooperating agencies in all decisions and proposed actions which affect the County regarding sensitive, threatened, or endangered species; the reintroduction or introduction of listed species; habitat conservation plans; conservation agreements or plans; and candidate conservation agreements.
- Support the development of recovery plans within 18 months of listing that includes clear objectives to reach for delisting to occur; for species already listed support the development of a recovery plan within 18 months of this document.
- Require the petition of the immediate delisting of a species when population or recovery plan objectives have been met.
- Support the development of local solutions (i.e., habitat management plans, conservation plans or conservation plans with assurances) to keep a species from being listed under ESA or as species of concern/species of special concern.
- Require the avoidance of single-species management in all planning efforts.
- Support control of predators and zoonotic and vector borne diseases negatively impacting special status, candidate, or listed species.
- Support involvement of the County in discussions and decisions regarding any proposed introduction of experimental populations.
- Oppose management actions increasing the population of any listed species in the County without an approved recovery plan. Without a recovery plan, management cannot focus on increasing the species population or habitat, and cannot move closer to a potential delisting.
- At a minimum, provide copies of legal descriptions showing the exact boundaries of all designated critical habitat, including wetlands, to local governments in Crook County.
- Oppose the designation of potential habitat as critical habitat unless quantifiable data showing when and how features necessary for species recovery will be achieved on the property.
- Require completion of exclusion analysis for all lands within Crook County.

Watersheds

Healthy watersheds²⁵ contain forests that are in good health, have minimal weed infestations, functioning riparian areas, range lands with a variety of vegetation, and valleys that support farming and urban developments. Additionally, watersheds provide recreation opportunities for residents and visitors, serve cultural needs, and provide habitat for native plants, wildlife, and fisheries. The health of Crook County's watersheds directly affects the current and future availability and quality of the water resources and water-dependent natural resources in Crook County, and the ability of watersheds to adapt to climate variability (i.e., periods of drought, periods of high rainfall, rain-on-snow events).

Crook County's watersheds are diverse and dynamic. They consist of forestlands, shrublands and grasslands, mountains, canyons and valleys, uplands, floodplains, wetlands, channels, streams, springs, lakes, reservoirs, and groundwater. They continue to evolve under the influence of climate, plants, animals, geology, floods, landslides, faults, uplift, volcanoes, erosion and sedimentation, and human land use. A successful management strategy for Crook County's watersheds must consider how the various watershed components and uses interrelate and influence each other from ridgeline to stream and across adjacent watersheds. Crook County lies within the Deschutes River basin and is contained primarily within the Crooked River watershed and its tributaries; however, part of Crook County is also included in the Deschutes watershed.

Crook County has two large reservoirs that were created for flood control and water storage for agriculture. Other reservoirs exist on tributaries and are used primarily for irrigation purposes.

Construction and management of roads, bridges, culverts, cutslopes, fillslopes, and artificial surfaces to minimize water concentration, erosion, and delivery of water and sediment to streams is critical.

Land managers shall properly manage water under, around and above mapped landslides to prevent/minimize new movement, especially where landslides could disrupt public transportation or threaten public safety. The County supports reclamation activities on mined-land that improve soil productivity and water quality and the function of streams channels, floodplains and wetlands.

By Oregon law, all surface and ground water belong to the public. The Oregon Water Resources Department (OWRD) is responsible for management of these waters and protect existing water rights and this resource. Oregon water laws and statutes are governed by Title 45 of the 2013 Revised Statutes Volume I and II.

²⁵ USGS Hydrological Unit Code for watersheds: A watershed is the area of land where all of the water that is under it or drains off of it goes into the same place. Watersheds come in all shapes and sizes. They cross county, state, and national boundaries.

Watershed Positions

It is the position of Crook County:

- to encourage wise management and use of the County's surface and groundwater resources to sustain economic development and to maintain and improve stream, floodplain, wetland, and groundwater functions.
- to encourage, and allow, consumptive water right owners to improve water quality and water-use efficiency to provide additional water for economic development and agriculture.
- to maintain the primary use of all reservoirs within the County for the purpose for which they were originally intended.
- to encourage good management of watersheds, including stream channels, floodplains, wetlands and uplands to retain and slowly release water for desired plant, animal and human uses, and to reduce the risk of flash floods.
- to coordinate with the US Forest Service, Bureau of Land Management, Environmental Protection Agency, Department of Environmental Quality, and other relevant public agencies, to ensure that management of watersheds, including municipal watersheds, meets the multiple needs of residents and promotes healthy forests. In conjunction with invasive species position, as part of maintaining a healthy forest and to enhance water flow from the watersheds, Crook County encourages clear cutting juniper trees where reasonable, and harvesting pine, fir, and other forest trees on a sustainable basis.
- that Oregon water laws and statutes that are governed by Title 45 of the 2013 Revised
- Statutes Volume I and II be adhered to by all parties.
- that water districts and senior water right holder's allocations shall not be reduced below historic levels.
- that senior water right holders should be protected.

Wildfire

Wildfire is defined as an unplanned, unwanted fire that spreads rapidly and is difficult to extinguish. This includes unauthorized human-caused fires, escaped fires used as a management tool, escaped prescribed burns, and naturally occurring fires due to nature. Wildfires have had catastrophic effects in Crook County, including the Maury's and Ochoco National Forests. Previous wildfire events have severely damaged the County watershed, timber, grazing lands, wildlife habitat, and recreational activities that rely on healthy forests and rangelands. In addition, the loss of resources has directly affected the revenue stream and fiscal stability of the County's residents.

Proactive planning for a response to a wildland fire event is critical to the protection of Crook County, its citizen's health, safety, welfare, and private property, as well as forest and rangeland health.

A high degree of coordination between federal, state, and local agencies is necessary for maximal prevention and suppression of wildfire. Federal agencies shall incorporate local fire association plans into their fire suppression and control plans.

Federal agencies shall coordinate with local fire agencies at the local agency's request. The Forest Service and State agencies shall adhere to all requirements set forth in the Cooperative Forestry Assistance Act, including:

- 1) The effective cooperative relationships between the Secretary (of Agriculture) and the states regarding fire prevention and control on rural lands and in rural communities should be retained and improved;
- 2) Efforts in fire prevention and control in rural areas should be coordinated among Federal, State and local agencies;
- 3) In addition to providing assistance to State and local rural fire prevention and control programs, the Secretary should provide prompt and adequate assistance whenever a rural fire emergency overwhelms, or threatens to overwhelm the firefighting capability of the affected State and rural area.
16 USC §2106(a) (parentheses added)

Crook County supports the Department of Interior's Secretarial Order 3336-Rangeland Fire Prevention, Management, and Restoration. Crook County expects the BLM to comply with SO 3336 and all subsequent reports and guidance.

Coordination between the BLM, Crook County local fire associations and local stakeholders shall be informed by the BLM document *Earning Bridges: Strategies for Effective Community Relations Before, During and After Fire*.

Wildfire Positions

It is the position of Crook County:

- that in the event that grazing on federal lands is temporarily suspended due to fire, grazing shall recommence on the basis of case-by-case monitoring and site-specific rangeland health determinations, versus fixed timelines.
- to work through coordination to implement managed livestock grazing, biomass fuel.
- removal, slash pile burning, and limited prescribed burning as fire control tools.
- to support and encourage temporary fire restrictions based on fire hazard designations to minimize the potential for human caused wildfires. Restrictions will be removed as soon as it is safe for work and recreation on federal lands.
- that forests and rangeland damaged by wildfires shall be rehabilitated as soon as possible for habitat and wildlife; this reduces the potential for erosion and introduction of invasive and noxious grasses.

Wildlife

Crook County has long held a reputation amongst wildlife enthusiasts as a premier destination for many of the various activities associated with the native wildlife species available. From the elk herds to pronghorn antelope and mule deer herds, birds of all types and a host of other species, Crook County presents opportunities for human beings to witness the grandeur of the infinite variety of wildlife found in Central Oregon.

Working with appropriate agencies to promote and secure proper BKM management practices for the various species available in Crook County is a priority. In doing so, Crook County will help to preserve the culture and the traditions of the past, present, and for many more generations to follow.

State (and where applicable, Federal) agencies shall develop comprehensive BKM management plans in coordination with Crook County for all predatory species. Such plans shall include a determination of appropriate predator numbers in light of desired game populations. Predator control, including reintroduction, is to be determined by the County.

State (and where applicable, Federal) agencies shall employ all recognized methods of predator control on state and federal lands within the County.

State (and where applicable, Federal) agencies shall rely on the USDA APHIS Wildlife Services to provide expertise and conduct predator control on federal lands, determine livestock losses, and to determine methodology for animal damage management.

Federal and State agencies shall consider the impacts of wildlife to rangelands when making range-land health assessments and when conducting monitoring on grazing allotments and shall consider the impact of grazing on wildlife forage.

Wildlife Positions

It is the position of Crook County:

- to coordinate with the Oregon Department of Fish and Wildlife (ODFW) to utilize BKM management plans for all managed wildlife, in cooperation with local stakeholders. Such management plans shall maintain adequate hunting and fishing opportunities and encourage the maintenance and improvement of wildlife habitat. Further, Crook County will seek to encourage the development of public/private partnerships to improve hunting, fishing, and viewing opportunities, and to encourage the development of peer-reviewed studies documenting the relationship between humans, predators, and other wildlife species.
- to ensure mitigation of damage caused by wildlife on private ground. To advance this position, Crook County encourages the stewardship of habitat on federal lands.

- to support emergency hunts to control wildlife populations, and winter feeding programs as a means of mitigating damage to private property.
- to support just compensation to private property owners where private property is destroyed, damaged, or depleted as a result of wildlife impacts.
- to support the coordinated management and conservation of game species in the County within a framework that protects property rights and the State's management authority over wildlife resources.
- that land not be removed from existing authorized use for the purpose of establishing wildlife corridors.

Wild Horses

The Ochoco Wild Horse is of great value economically, aesthetically, and recreationally in Crook County. Very few counties or National Forests can claim Wild Horse herds. The natural resources and wildlife in the Ochoco National Forest have sustained human populations materially and spiritually for centuries. The list of resident wildlife species includes a very unique herd of Wild Horses. Visitors come from all over the world to see and photograph them. Horseback riders, campers, and families select the Ochocos as a destination, hoping to get a peek at a band of Wild Horses. The Ochoco Wild Horse has been on the National Geographic website and in Trail Rider Magazine, as well as appearing at children's leaning fairs. Adopted Ochoco Wild Horses have excelled as kids' horses, pack horses, and therapy horses. Crook County recognizes that Wild Horses are indeed a resource, unique and treasured by the community.

The Wild Horses are protected under The Wild Free-Roaming Horses and Burros Acts of 1971. In doing so, this declared Wild Horses as "living symbols of the historic and pioneer spirit of the West"²⁶ and protected them as an integral part of the natural system of the federal lands. In accordance with the Act, there is a designated Big Summit Wild Horse Territory which consists of approximately 27,300 acres in the general area of Round and Lookout Mountains.

History, as well as specific DNA testing, shows that the horses of the Big Summit Wild Horse Territory are descended from the tenacious, resilient, original horses of very early America. The Wild Horses' cultural, historical and economic value to Crook County is evident by the many visitors who seek to catch a glimpse of these icons of the American landscape.

Wild Horse Positions

It is the position of Crook County:

- that the Wild Horse herd will be maintained as a valuable County resource. At a minimum, the degree of protection and consideration set forth in the Wild Free-Roaming Horses and Burros Act must be maintained.
- in any Wild Horse Territory plan, or any other considerations, actions or decisions regarding the wild horses. This will be achieved by, but not be limited to, the following:
 - Review formal Territory boundaries to address areas where horses were known to reside in 1971, and to correct, as appropriate, past administrative errors when the Act was implemented.
 - Maintain total herd numbers to genetically viable levels in consideration of actual

²⁶ The Wild Free- Roaming Horses and Burros Act of 1971. Public Law 92-195 pg 649-651. "Wild Horses on the Ochoco National Forest- USDA Forest Service.

headcount, rather than basing Appropriate Management Level's (AML) on perceived "resource damage", increased public interface, or any other subjective factors. Optimal herd numbers can be achieved through fertility control, maintaining natural band structure, or strategic captures.

- Development of an innovative and responsive adoption program, to include value-added training.
- Consider Wild Horses thoroughly and scientifically in every proposed action that could impact, or be impacted by, the Wild Horses. Consideration must extend to public events and commercial ventures, which are planned within or may impact the Wild Horse Territory.
- As so specified in the Wild Horse Act, create and maintain appropriate habitat.
- Crook County expects the establishment of local protocols which emphasize humane and consistent responses for both short and long term incidents and trends. Emergencies are to be addressed promptly and resolved humanely. Examples would include, but are not limited to: what to do with abandoned foal/injured horses, harsh winter supplemental feeding and a plan in case of fire.
- Improve monitoring of permitted livestock use within Wild Horse Territory.
- Improved monitoring and tracking of the horses.
- Judicious use of funding so as to promote horse habitat including forage, retrofit unsafe cattle guards, or other factors affecting the well-being of the herd.
- Public education as a means of improving herd acceptance and sustainability.
 - The Ochoco horses are protected under the Wild Free-Roaming Horses and Burro Act of 1971. Therefore, any and all crimes against these horses should be investigated and prosecuted according to Sec. 8 of said law. State animal treatment laws may also apply. Crimes against the Wild Horses include, but are not limited to, theft, injury or death. All incidents are to be reported to the Forest Service law enforcement, which in turn will notify the partner organizations, as well as the Crook County Sheriff's Department, for a concerted joint effort in investigation and prosecution.
- to utilize the existing Wild Horse partnerships and the best known methods appropriate to achieve the highest degree of vigor and sustainability of the Wild Horse herd.
- all management of the Wild Horses will be in coordination with Crook County.

Glossary

Andesite, is an extrusive igneous, volcanic rock, of intermediate composition, with aphanitic to porphyritic texture. In a general sense, it is the intermediate type between basalt and dacite, and ranges from 57 to 63% silicon dioxide (SiO₂). The average composition of the continental crust is andesitic. The name andesite is derived from the Andes Mountain range.

Biodiversity, a contraction of "biological diversity," generally refers to the variety and variability of life on Earth. One of the most widely used definitions defines it in terms of the variability within species, between species, and between ecosystems. It is a measure of the variety of organisms present in different ecosystems. This can refer to genetic variation, ecosystem variation, or species variation (number of species) within an area, biome, or planet. The number and variety of plants, animals and other organisms that exist is known as biodiversity. It is an essential component of nature and it ensures the survival of human species by providing food, fuel, shelter, medicines and other resources to mankind. The richness of biodiversity depends on the climatic conditions and area of the region.

BKM, Best Known Method, or "Best Practice." A best practice is a method or technique that has consistently shown results superior to those achieved with other means, and that is used as a benchmark. In addition, a "best" practice can evolve to become better as improvements are discovered.

Crook County Court, County Court, Court. Crook County's elected governing body, consisting of three persons; Judge (head Commissioner), and two part-time Commissioners.

CCNRP. Crook County Natural Resources Plan

Causality (also referred to as 'causation', or cause and effect') is the agency or efficacy that connects one process (the cause) with another (the effect), where the first is understood to be partly responsible for the second. In general, a process has many causes, which are said to be causal factors for it, and all lie in its past. An effect can in turn be a cause of many other effects, which all lie in its future.

Ecosystem, the complex of a community of organisms and its environment functioning as an ecological unit.

Road as used in this document shall be defined as Rights of Way.

Root cause is an initiating cause of either a condition or a causal chain that leads to an outcome or effect of interest. Commonly, root cause is used to describe the depth in the causal chain where an intervention could reasonably be implemented to improve performance or prevent an undesirable outcome.

Tertiary is the former term for the geologic period from 66 million to 2.58 million years ago, a time span that lies between the superseded Secondary period and the Quaternary. The Tertiary is no longer recognized as a formal unit by the International Commission on Stratigraphy, but the word is still widely used. The traditional span of the Tertiary has been divided between the Paleogene and Neogene Periods and extends to the first stage of the Pleistocene Epoch, the Gelasian age.

Wilderness²⁷(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and

(4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

Wilderness Act; Public Law 88-577 (16 U.S.C. 1131-1136) 88th Congress, Second Session September 3, 1964: AN ACT To establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes.

²⁷ Wilderness Act of 1964 (P.L. 88-577) (16 USC 1131-1136)



I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Cheryl Seely - County Clerk



**IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK**

**IN THE MATTER OF AMENDING THE
CROOK COUNTY NATURAL
RESOURCES POLICY**

ORDER 2019-30

WHEREAS, On December 11, 2017, the Crook County Court adopted Order Number 2017-74 adopting the Crook County, Oregon, Natural Resource Policy; and

WHEREAS, the policy is meant to be updated periodically, to reflect the changing circumstances and opportunities facing the Crook County Community; and

WHEREAS, the Natural Resource Advisory Committee, in undertaking their responsibilities, has recommended that the adopted County Natural Resource Policy be amended in regards to the preservation of historical sites; and

WHEREAS, the Committee has consulted with the Crook County Bowman Museum Historical Society, and together endorse the engagement of Federal land management agencies when the actions of those agencies may impact, positively or negatively, historical sites located within Crook County.

NOW, THEREFORE, it is hereby **ORDERED** that the Crook County Court modifies the Natural Resources Policy as described below, with additions underlined and deletions ~~struck through~~:

~~**Recreation & Tourism**~~
Recreation, Tourism, and Historical Sites

Crook County's landscape is a recreational haven for residents and visitors alike. Amenities such as a bounty of wildlife, beautiful Ponderosa Pines, grass prairies and wild flowers offer year round outdoor recreational possibilities, which is an essential part of the lives of the residents. Recreation, both motorized and non-motorized, is a critical economic drawing point for Crook County. It attracts visitors who come to view wildlife, fish, hunt, cross country ski, snowmobile, hike, camp, and generally enjoy the opportunities that an open access motorized forest and range system provides.

Historically, recreation has been an essential part in the social framework of the County. Families who live in Crook County have the right to enjoy its resources that surround our home communities. One of the longest standing traditions for residents and visitors alike is having open motorized and non-motorized access to our recreational resources including open forests.

The management of federal lands for multiple use will positively impact recreational values, and the use of, and access to, federal lands. This, in turn, encourages economic development that sustains businesses and provides jobs.

Crook County supports the promotion of tourism through signage that explains historical significance of areas, sites and roads.


Recreation and Tourism Positions

It is the position of Crook County:

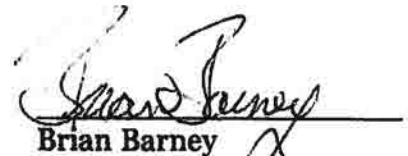
- that it will engage the Crook County Historical Society, Bowman Museum and the County in identifying and maintaining historical sites and structures within the County and that when public land management agencies (FS or BLM) are initiating the process to deal with these sites/structures that they the agencies consult with the County and Historical Society for the purpose of helping to decide the appropriate management decision.
- that it supports a year round multiple use management approach on federal lands as a means of continuing and enhancing recreation opportunities within the County.
- that it shall not support unsubstantiated land use fees and/or fee increases, or the creation of new and/or unnecessary fees for the use of federal lands within the County. Any entity considering fee increases with the potential to impact recreation in the County must coordinate with Crook County on the decision.
- that it supports the accessibility, improvement, maintenance and development of motorized and non-motorized trails to facilitate recreation and access to natural resources for residents and visitors. This position reflects the no net loss of our open roads system.
- that recreational access shall not discriminate in favor of one mode of recreation to the exclusion of others.
- that any proposed action that includes, or considers including, any reduction of access of any kind to federal lands, assesses and mitigates the cumulative impact to recreation opportunities.
- that recreational activities recognized and supported by state and federal agencies shall include family oriented activities and facilities that are accessible to the general public and not limited to special interest groups.
- to continue the open road systems for off-road (cross country) access for snowmobiling, game retrieval, visitations of cultural sites, other recreational or tourism interests and other lawful motorized OHV uses. Roads/trail/path systems created from any source will not be closed or blocked using barriers or other man made blockades including, but not limited to boulders, gates, downed trees or snow banks.

County staff are authorized to make any formatting, pagination, or table of contents changes that these revisions would make prudent. The remaining portions of the County Natural Resource Policy remain in full force and effect.

DATED this 6th day of November of 2019.


Seth Crawford
County Judge


Jerry Brummer
County Commissioner


Brian Barney
County Commissioner

<u>Vote:</u>	Aye	Nay	Abstain	Excused
Seth Crawford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Brummer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Barney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Crook County

Mailing: 300 NE 3rd Street • Prineville, Oregon 97754
Physical: 203 NE Court Street • Prineville, Oregon 97754
Phone (541) 416-6555

April 26, 2022

Anthony Botello, Acting Forest Supervisor
United States Forest Service
3160 NE Third Street
Prineville, OR 97754

Slater Turner, District Ranger
United States Forest Service
3160 NE Third Street
Prineville, OR 97754

Re: *Statutory Coordination on Lemon Gulch Trail System Project*
Our File No.: Ct. Misc. D

Dear Mr. Botello and Mr. Turner,

As you know, the proposed Lemon Gulch trail expansion is the subject of controversy in Crook County, with many residents expressing concern with both the wisdom of the project, and the processes under which this project has been advanced.

The Crook County Court as board of commissioners for Crook County is exercising its responsibility under federal land management law (NEPA and the National Forest Management Act) to engage in Coordination with the Forest Service specifically on, but not limited to, this project. The County Court has previously declared its interest in Coordination for endeavors within the Ochoco National Forest (see attached letter dated February 26, 2019.) Thereafter, last autumn, the County Court submitted a letter of concern, expressing in particular the County's misgivings about the lack of involvement with the general public (see attached letter dated October 6, 2021). It is the Court's belief that the National Forest guidance to developing travel management plans for the Forest provides that you shall "coordinate with ... county and other local governmental entities ... when designating National Forest roads, National Forest System Trails and areas on National Forest System lands pursuant to this guidance. We believe that the directive applies to both motorized and non-motorized systems. It is Court's standing that for the Lemon Gulch Project and other trail expansions on the Ochoco National Forest, this guidance has been overlooked.

As part of the statutory Coordination process, we ask that the Forest Service provides timely information to the County and its liaison Tim Deboodt about forthcoming actions, deadlines, and decisions, and that appropriate opportunity to be furnished for the County to provide such information as may be in the public interest. Most importantly however is that through Coordination requirements, the Crook County Court request a formal meeting with you to discuss the Lemon Gulch project as it relates to our County's Natural Resources Policy (enclosed). A requirement of Coordination is that the Forest is required to address the Natural Resources Policy, follow it as closely as possible and when you must deviate from it, you are required to explain why.

Seth Crawford, Judge • Jerry Brummer, Commissioner • Brian Barney, Commissioner

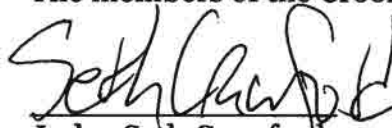
One of the most important areas of concern we have involves how the general public has been engaged on the development of the trail project material. In particular, the County Court has been informed by many individuals that they either did not receive the notice to which they were entitled, or were not approached by the Forest Service directly despite having appreciable, legal interests which may be impacted by the expansion of the trail system. The Court itself and its Natural Resources Advisory Committee only received presentations on general trail expansion ideas from the Ochoco Trail Group in the winter and spring of 2019. It is the Court's understanding that the FS utilized input and direction from a private citizens group in developing the Lemon Gulch Trail Project that may not have meet the standards of membership for Collaborative groups or advisory committees to the Forest.

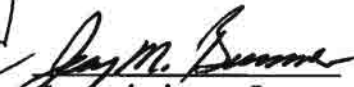
The County is optimistic that once both it, and the general public, have been afforded the opportunity to meaningfully engage on this project, that a better outcome for all stakeholders can be achieved.

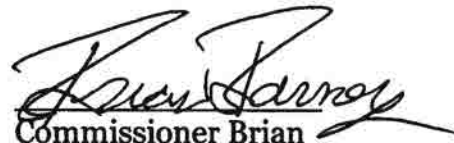
An invitation to that County Court meeting will be forthcoming.

Sincerely,

The members of the Crook County Court:


Judge Seth Crawford


Commissioner Jerry
Brummer


Commissioner Brian
Barney

Enclosures

Cc: Crook County Natural Resources Advisory Committee
Tim Deboodt, Coordinator, Crook County Natural Resources Policy

Seth Crawford, Judge • Jerry Brummer, Commissioner • Brian Barney, Commissioner

Questions from NRAC meeting; response to questions from Ochoco National Forest and CRNG Staff in *italics* 5/5/22

Lemon Gulch Questions – CCNRAC 4/13/2022

Note: While some/most of the cards were identified by name, I did not list them. I will keep the cards and if someone wants their name to be shown I'll do that.

Trail designation, bike specific trails, multiuser trails and user demographics

Not safe to have mountain bikes on same trails as hikers and horses; shouldn't be allowed.

How will putting in this bike trail stop bikers from using any of the Ochoco Forest?

One of the agency spokesman use the phrase, "mountain bike specific". The presented project report states, "creation of multi—purpose trails

Designed for mountain biking... This negates multi – use right from the beginning. Committee – wouldn't you agree?

Most trails on the Forest were designed for pack/saddle use, and some for hiking. The design parameters are specific to that type of use; however, other non-motorized uses are allowed on most trails. There currently are no trails on the Ochoco NF that were designed specifically for mountain bike use.

The Lemon Gulch trails are proposed to be multiple use and open to mountain bikes, hiking, and trail running. Nationally we use a trail standards system to administer the trail design, development level, and what activity the trail is managed for primarily. In Lemon Gulch the trails would be "managed and designed" for mountain bikes. Different uses have ideal design perimeters and managing for bikes here will allow a consistent design regarding tread width, slope, turning radius, grade reversals, etc. Therefore, the features of the trail will be managed for bikes but will be open to other non motorized activities. This is common and consistent with other trails across the Forest where a trail may be managed for pack and saddle, but open to other uses. This allows for a Forest system that has specific design for maximum enjoyment and safety for unique users while offering multiple use options to all visitors.

The intent for this trail system is that equestrian use would be allowed. This is just one project as part of a Forest-wide effort to improve trail opportunities for non-motorized uses including horseback riding, hiking, trailing running and mountain biking. Recent projects on the Forest have also increased equestrian trail opportunities near Dry Creek Horse Camp, within the Mill Creek Wilderness, and elsewhere on the Forest.

Part of the purpose for designing a mountain bike trail system is to provide a recreation opportunity away from local areas such as Lookout Mountain that are popular with equestrians and hikers. While in some places a shared use trail system can work, in others the increased recreation across the Forest can create or emphasize user conflict. Designing trails for a particular use along with signing so the public knows what to expect can reduce conflicts.

There are already 10 bike trails in Cook County, we don't need more!!!

If we accept a 19 mile mountain bike trail – what GUARANTEE that in five years it won't be 52 or hundred and 52 mile trails? NO ACTION for LEMON GULCH!!

Why not develop more trails in Deschutes County

Who would be responsible to make sure these bikers don't go off trail and destroy other areas?

In recent years, mountain biking has been increasing in popularity and overall recreation use is growing on the Ochoco National Forest. The current project is analyzing a range of miles from 19 to 52 miles (plus a no

action alternative) for mountain biking based on this need for additional trails and the objectives outlined in the Ochoco Forest Plan. No expansion beyond this scope can occur without another public comment and planning process.

An initial request that was presented to the Forest Service in May of last year by Crook County NRAC was to consider the project in phases, rather than all at once. The Forest Service agreed that a phased approach would make sense and we are designing that into the action alternatives. An initial phase would be followed by monitoring to determine if future phases are warranted and if any adjustments are necessary. General presence of Forest Service recreation crews and Field Rangers interacting with visitors as well as fire patrols would increase in the area.

Chris stated the Lemon Gulch proposal is only 4 to 6%. It is over 3000 acres out of 15,073 which is 20% of the Lemon pasture. It goes from the north end to the south end.

The trails would be single track non-motorized trails built about 18 inches wide. Although the entire expanse around the greatest number of miles proposed (52 miles of trail) is 3,000 acres, the actual footprint of the trails that would be used is less than 20 acres. The remaining 2,980 acres is open forested space between trails.

When one looks at the maximum alternative of 52 miles of trail, the full extent when considering the entire area it encompasses is about 4 to 6% of the Mill Creek Allotment, and 20% of the Lemon Pasture.

Bicyclists are on day trips, and therefore will not be using our gas stations or hotels/motels, and generally they eat power bars, apples, and bottled water which they bring with them and would not be eating in our restaurants, or purchasing food in our grocery stores. How do you justify that they would significantly contribute to the economy of Crook County and Prineville?

Mountain bike visitation nationally have shown to bring positive economic impact to local restaurants, lodging and shops among others. Here in Prineville, outdoor recreation as a whole is an important part of the Crook County economy. This is recognized by the County's Natural Resource Plan. Crook County Natural Resources Policy (2019, Revision 13), "[r]ecreation and tourism contribute significantly to the economy and culture of Crook County." The policy goes on to state: "It is the position of Crook County that it supports the accessibility, improvement, maintenance and development of motorized and non-motorized trails to facilitate recreation and access to natural resources for residents and visitors." This project would provide a recreation opportunity for local residents and continue to contribute to that sector of the local economy.

If trail is approved, who will pay for it?

With our partners, individual volunteers, youth crews, and Forest Service crew, more miles of trail are being maintained across the Forest faster than ever before. The Lemon Gulch trails would be adopted by Ochoco Trails and Central Oregon Trail Alliance to ensure they receive annual and adequate maintenance.

What's doing with exclusive routes for bikes? Does anyone realize that Deschutes Forest ran all permittees out and now the fire problem is increased from underbrush?

To the USFS: what is your current recreation agenda for the Ochoco National Forest? Does it compare to the Deschutes national Forest with limited to no grazing permits? (Example: Bob Hershey's old grazing permit that no longer exists) quote – Ray Sessler.

The Ochoco National Forest Plan was created specific to this Forest and not to the Deschutes NF. As a multiple use agency, the trail proposal would not exclude grazing allotments.

The Ochoco National Forest recognizes that Crook County (and other counties overlapping the Forest) have different recreation niches.

Our sustainable recreation strategy recognizes the unique dispersed recreation niche on the Ochoco. This includes camping, hunting, fishing, trail use, and other activities. Simultaneously we also have developed recreation sites beloved by the community such as Walton Lake and other local campgrounds. A new trail system adds to those niches and creates new opportunities for users without changing the historic niches on the Forest. Adding any new recreation amenities does not translate into adjacent rapid growth. Through other examples across the West, the State, and in Central Oregon there is room for multiple uses on the landscape. There is room on the Ochoco National Forest for recreational trails and supporting permitted grazing for a portion of the year that supports private ranching and family farms.

Process, Collaboration, and Involvement timing

When did FS plus COTA bring it to the CC in our advisory board for input and approval which is required by CCNR plan?

Ochoco Trails made a presentation at a Crook County work session in January 2019. They then made a presentation to the CCNRAC in May of 2019 and asked those present to participate in the group. The Forest Service has been updating the County Commissioners and the CCNRAC on the progress of the planning. Although, we will continue to work with local leaders and put a high value on working together within communities to consider new projects like those proposed by local user groups.

This project should be put up for a vote by the public, why can't we do that?

There is no process for public voting on management actions on National Forest System lands. The project proposal is following the process set forth in the National Environmental Policy Act (NEPA) to review the environmental effects of the proposal and includes public involvement. The NEPA process is required by law and is our established process for analyzing effects on proposed federal actions.

What does collaboration in Forest Service terms define?

Have you validated their claims of multi—users involvement? With Ochoco trails, Gray Butte grazing Association – not collaborating O H A – not supportive permittees – not notified/involved stakeholder wildlife groups not backing. Chris needs to check groups or individuals that initially supported trails. Still do not understand who does EA.

Initially, there were several groups involved in both the development of the project as well as providing technical guidance. Trail user groups worked together facilitated by Ochoco Trails and held a public meeting at the Crook County Library for this proposal as well as many other proposals across the Ochoco National Forest and Crooked River National Grassland. The Forest Service has also worked with Oregon Department of Fish and Wildlife to review potential trail locations and the potential effects to wildlife. There is no set definition for collaboration specific to the Forest Service.

In some cases, groups or individuals participated by providing information or input.

Questions from NRAC meeting; response to questions from Ochoco National Forest and CRNG Staff in *italics* 5/5/22

As with most other Forest Service project proposals, the Forest Service prepares the environmental assessment (EA) and makes the final decision. There will be an opportunity for the public to comment on the draft EA when it is released in early Summer.

Who/what disciplines are on the team that is conducting the analysis? How was this team chosen? Was there a public involvement professional involved, was a public involvement plan developed to actively involve the community?

Has the interdisciplinary team considered the high speed of the MTB of excess 35 mph?

Why is there no engineer on the trail FS team of specialists, given the slopes?

Why have there been no public meetings to display the bike trail proposal to the community and seek our input...

Especially when you realize the mistake of not including ranching permittees and neighbors? I don't understand why you have made no effort to involve the community, considering after three trips through town didn't have one person in favor.

The information keeps changing – Forest Service and other reporting agencies gave the public one picture and the OTSG present something much different – why? Why no communication with the public? Tribal involvement? Any fact checking of the “collaboration”?

The Forest followed requirements of the National Environmental Policy Act (NEPA) for scoping with the public when the proposed action was developed, which included mailing lists and Forest public information releases. Tribal notification was also completed following our process with local Tribes. Public meetings are not a requirement for Forest Service projects. Regular updates and information have been, and will continue, to be provided to the County Court and CENRAC. For those interested in hearing about public comment periods on proposals, please sign up for the Ochoco National Forest NEPA mailing list on our website: <https://www.fs.usda.gov/projects/ochoco/landmanagement/projects>

The Forest Service is currently conducting an analysis of the potential effects from the proposed trails system. The effects will be disclosed in an environmental assessment (EA). Professional expertise, including engineering, is available to design the project to specific standards. Agency trails professionals have the expertise to design trail systems taking into consideration slope, soil types, hydrology, etc using established design criteria and standards. As needed, specialists consult across resources for professional expertise in areas such as engineering and other affected specialties including water quality, sensitive plants, wildlife habitat, and soils.

The Bend Bulletin – publication of record – why not Central Oregonian because FS actions affect Cook County NOT Deschutes County. Fish and wildlife reports (comments) not mentioned or included. Terms “proposed” trails Slater speaks/approves of trails?

The Bend Bulletin has been the paper of record for a few decades. Per federal regulation we publish legal notices when there is an official 30-day public comment on an environmental assessment. The Bend Bulletin has large circulation in central Oregon including in Prineville. The Forest Service will publish a legal notice in the Central Oregonian newspaper in addition to the Bend Bulletin when the 30-day public comment period commences.

The Forest Service is conducting an environmental analysis of the proposed trail system and will document anticipated effects to fish and wildlife habitats among other resources. See graphic of the status of the NEPA process. Following the release of the environmental assessment, the Forest Service considers comments,

Questions from NRAC meeting; response to questions from Ochoco National Forest and CRNG Staff in *italics* 5/5/22

updates analysis as necessary, and issues a draft Decision Notice. The public has an opportunity to seek administrative review of the draft Decision Notice. Once that review is complete, a final Decision Notice is issued.

Why was the range of alternatives turned into Slater without permittee input on it? Salt grounds were not taken into consideration or water and trails used for livestock.

Why were the salt grounds, water developments, and the grazing patterns not considered? And why was the range alternative handed in without permittee input?

The Forest used information provided by the permittees to our Range Specialists in developing the range of alternatives. The range of alternatives being analyzed variously reduce the amount of trails and trail density in proximity to range uses and infrastructure. The Forest is looking at alternate trailhead ideas and has identified some alternate trail routes that would avoid areas more heavily used for livestock. We hope that the permittees will review and comment on these options when the EA is presented.

Is the pause over? We haven't been notified as you said you would. When was the public notified of the pause start and the pause ending? Why did the pause happen? We don't see any of that on your website – and we haven't seen our comments addressed.

The County, through their Natural Resource Advisory Committee requested that the Forest pause the process to allow greater opportunity for public involvement. This was also made clear to affected permittees by the District Ranger and Forest Supervisor in individual meetings. To help clarify information, a FAQ was created in order to help the public understand where we are in the process. The Environmental Assessment (EA) which will have the environmental analysis is being worked on by resource specialists. Comments and concerns pertinent to the environmental review that we've received to date will be addressed in the EA.

Need, Project Specifics, and Effects Analysis

Why the decision to pick this particular FS area (9 mi.² in Mill creek watershed drainage area – bad decision for multiple reasons)?

More information on this topic will be provided in the environmental assessment, to be released in early summer. The project location provides a combination of appropriate terrain and proximity to town, and accounts for forest-wide objectives for big game habitat.

What hard data has been compiled to even show a need?

The need for this project comes from the trail management objectives in the Forest Plan as well as the increase of recreational use and trail user conflicts as observed by Forest Service employees and local user groups.

Forest managers anticipate continued recreational visitation to increase in Central Oregon. User created systems do not consider all impacts and potential unintended outcomes and typically come at the expense of many natural resources. Providing trail systems through an analysis process when the need is growing

Questions from NRAC meeting; response to questions from Ochoco National Forest and CRNG Staff in *italics* 5/5/22

allows them to be placed on the landscape after weighing all concerns such as range, wildlife, botany, aquatics and fisheries, etc.

Thank the Forest Service for attending meeting in person. Does anyone here believe that choosing the 19 mile alternative would substantially mitigate traffic or impact on the ecology of the area? FIRE – Extreme danger now and predicted for future. Is it wise to increase probability of wildfires in Lemon Gulch and the Millcreek watershed?

Non-motorized trails are generally not a source of human caused wildfire. Human caused fires from recreationists are more typically from sources such as abandoned campfires, discarded cigarettes, and dragging of vehicles tow chains. General presence of Forest Service recreation crews and Field Rangers interacting with visitors as well as fire patrols could increase in the area.

Why isn't the current proposal an EIS especially given the current Oregon Wild recreation proposal?

This project proposal is not connected or related to Oregon Wild's proposal to create a National Recreation Area within the Ochoco National Forest. The Lemon Gulch trails project is being documented with an Environmental Assessment which is used to determine if an Environmental Impact Statement is warranted.

Project feasibility and management

Who is going to manage this area?

With the density of trails and intensity of proposed use on the trails, why has there not been a recreation management plan? Including fee systems to pay for unfunded mandates? At skull Hollow meeting Forest Service and BLM indicated no funds for toilet paper.

The area would still be under management of the Ochoco National Forest. The Forest follows the Ochoco National Forest plan for guiding direction on project proposals. As with other trail areas, the Lemon Gulch trails would be adopted by Ochoco Trails and Central Oregon Trail Alliance to ensure they receive annual and adequate maintenance.

Have you ever heard of Mount Emily recreation area and reached out to them about all the good and bad that come with the non-motorized trails? Do they have grazing? How well does or did it or didn't it work out? Traffic disturbance to property owners next to Mount Emily recreation area. <https://www.meetmera.org/blank-q17v5>

The Mount Emily recreation area includes a greater level of recreation development including 90 miles of both motorized and non-motorized trails, a free campground, and archery range. That recreation area includes more development and is not comparable in scale to the 52 miles or less of non-motorized trails and small parking areas proposed in the Lemon Gulch project.

What are (or have you done) to evaluate the long-term impacts that the Lemon Gulch project will the project have on the long-term future of the Prineville community? (I.e., the impact that Mount bachelor had on the Bend Metropolitan mess)? "If you invite them, they will come over and many who come will stay and they will change your WORLD!! Has there been any investigation into the "impact" this would have on the town of Prineville?

The potential for a new trail project to impact the Prineville Community will be assessed in the EA. Public input on this project varies from strong support for additional non-motorized recreation opportunities to community members who are concerned that it could increase traffic or bring in folks from outside the area.

As the community of Prineville and Central Oregon as a whole grows, the Forest Service aims to proactively manage resources in light of this population growth and provide for recreational opportunities for growing populations as a result. Crook County continues to be one of the fastest growing counties in Oregon and as federal land stewards, we address current needs and also aim to be ready for the increase of recreationists.

A ski area such as Mt Bachelor is far more highly developed than this proposed trail system and cannot be assessed as comparable recreation projects. The proposed Lemon Gulch trails are about 18 inches wide which does not compare to downhill ski runs that are often over 50 feet wide and involve clearing all the timber and removing the canopy, require vastly more erosion control, annual mowing of grasses, have scenic value impacts, etc. Western ski areas also include multiple chair lifts, very large paved and gravel parking areas accommodating 4000-4500 vehicles (Bachelor), regularly use explosives and artillery for avalanche control, shops, require large flush wastewater systems, have lodges and restaurants, see daily snowcat grooming, and more. None of these amenities are proposed at Lemon Gulch.

Other Comments/Questions

I'm a hunter. I'm prohibited from using motorized means to recover game. I have a weak heart, missing alone, arthritis, 69 years old. I can barely walk uphill. If I can't use my pickup to recover game, why can bikes destroy 52 miles of habitat?

This project is reviewing non-motorized trails on the Forest. Motorized vehicles have different impacts to the land and are governed by additional rules that limit travel off designated roads and trails.

Why wasn't the reason that this area only considered for helicopter logging 50 years ago – that was not a flippant decision?

This comment seems to be referring to the last vegetation management entry into the Mill Watershed for thinning and fuels reduction. The Mill Project EIS was completed 23 years ago in 1999. At the time the Forest considered using helicopter logging to reach some units because of their location on steep slopes; however, those units were not implemented because they were not economically viable. The Forest Service is concurrently working on an environmental analysis for thinning and fuels reduction in the Mill watershed. Subscribe to the mailing list on our website if you are interested in receiving project updates:

<https://www.fs.usda.gov/projects/ochoco/landmanagement/projects>

File Code: 1950; 1560
Date: May 26, 2022

Crook County Court Officials
Crook County Court
300 NE 3rd Street, Room 10
Prineville, Oregon 97754

Dear Crook County Court Officials:

Thank you for your letter dated April 26, 2022, to Ranger Turner and myself regarding our ongoing efforts to work cooperatively on all projects on the Ochoco National Forest and Crooked River National Grassland (CRNG), in particular the Lemon Gulch trail project in Crook County.

We understand the level of concern this project has generated and will continue to provide project updates and information and receive Crook County Court's comments. The employees and leadership of the Ochoco NF and CRNG have enjoyed a good and productive relationship with the Court for many years, and it is my intent to enhance our relationship, communication, and cooperation.

Past and current Ochoco National Forest leadership have continually worked with the Court as well as the Crook County Natural Resources Advisory Committee (NRAC) to discuss issues and concerns and solicit feedback prior to and during planning or project decisions, or to confer regarding implementation actions that affect the County. We value this model of working together and think it has been a productive and effective way to share information and receive feedback from the Court to inform decisions.

This approach was modeled throughout the Lemon Gulch project planning effort. We worked frequently over the past three years including at least eight meetings with the Court and NRAC beginning in spring of 2019 up until present, as well as several meetings with community groups from Crook County, listening sessions, and public open houses. We have also held a number of one-on-one meetings with interested and affected individuals and have provided project updates to interested individuals and entities throughout this process. I think we have established a long-standing history of cooperation with the Court. Our intention is to continue to learn from each other and foster our working relationship. As we have stated, no decision on Lemon Gulch has been made. The information we have received over the past year has helped inform the development of a range of reasonable alternatives.

Another example of working cooperatively is the Sunflower project which was decided in October 2021 and is currently being implemented. Prior to public scoping of the project in the Fall of 2019, the Forest Service presented the details including maps at an NRAC meeting and soon after conducted an all-day field trip to the project site specifically for the NRAC. The field trip was considered a success and was well-attended by the NRAC members as well as forest and district leadership and staff. The outcome has been cooperation between all partners and implementation of range and wildlife habitat improvement measures including the reauthorization of grazing in three allotments on the Paulina Ranger District. It was



accomplished in cooperation with the County in accordance with the Crook County Natural Resource Plan.

In 2021, at the Court's request, we paused the Lemon Gulch project planning process to more directly reach out to interested and affected individuals and receive additional public input. That pause resulted in valuable information, which has been addressed in our analysis and will inform the decision. We have conducting environmental analysis for over two years. At this time, I do not think starting the process over would be a responsible use of Forest Service resources.

The Court suggests the Forest Service has a responsibility under federal law (the National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA), and the Travel Management Rule (TMR)) to engage in a formal "coordination" process with the County on this and other projects. Although under NEPA there is no requirement to formally coordinate with the County, we will continue to ensure the County's input informs and is considered in our decision-making process.

While the NFMA requires that, for forest plan development or revision, the Forest Service reviews the planning and land use policies of counties and other governmental entities and displays the results of this review in the environmental analysis document for the plan. The requirement does not apply to site specific projects.

In addition, NEPA regulations provide a local government with the opportunity to become a cooperating agency in the NEPA process, the Forest Service however, still retains the decision-making authority.

The TMR requires the Forest Service to coordinate with appropriate Federal, State, county, and other local governmental entities and tribal governments when designating National Forest System roads, trails, and areas designated for motorized vehicle use. While a designation of non-motorized, mountain bike trail system would not require the TMR process of coordination, our intention is to continue to work in close cooperation with the County on this and other trail proposals.

We know the Court works closely with the Bureau of Land Management (BLM) on projects in Crook County and may believe our statues are the same. For clarification, the section of the Federal Land Policy and Management Act (FLPMA) provides for coordination with counties in the development and revision of land use plans applies only to the BLM.

Nevertheless, leadership of the Ochoco NF and CRNG are committed to working collaboratively with Crook County.

We appreciated the opportunity to meet and update the Court on actions being implemented on the Forest and Grassland during our May 4, 2022, meeting and look forward to enhancing our mutually beneficial working relationship into the future.

Sincerely,



Digitally signed by Anthony B.
Botello
Date: 2022.05.26 10:12:54
-07'00'

ANTHONY B. BOTELLO
Acting Forest Supervisor

From: [Jeffries, Shane- FS, Prineville, OR](#)
To: [Tim Deboodt](#); [Decker, Lindsay -FS](#)
Cc: [Keown, Kevin -FS](#); [Turner, Slater -FS](#); [Kovarik, Johanna - FS](#); [Peer, Beth- FS](#)
Subject: RE: Tim Deboodt/Shane Jeffries Check-in
Date: Sunday, August 14, 2022 8:25:36 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening Tim, wanted to make sure and get you some answers to the committees questions before heading to Idaho, and will be happy to discuss more if need be when I return.

1. What's happening with the Court decision on Walton Lake? At the July meeting it was anticipated that a July decision would be announced.
 1. The Judge presiding over the Walton Lake lawsuit did acknowledge the age of the case at the end of oral arguments, and said he would get a ruling out as soon as possible. There is no way to know when we will see the ruling though.
2. What's the status of public input process on the National effort to define mature and large trees? The Committee is interested in being engaged in that.
 1. A public comment period was announced in the Federal Register Notice on July 15, 2022. The comment period is open until August 15, 2022 (just three more days!). Here's a link to the [Federal Register Notice](#) which provides information on the input they are seeking. This effort is at the national level. For more information, visit: [Old Growth Forests | US Forest Service \(usda.gov\)](#)
3. Timeline for draft EA on Lemon Gulch? The Committee saw that the Forest is in consultation with the Confederated Tribes. Will there be a consultation with the County prior to its release?
 1. We expect to release a draft EA in September which includes analysis of a range of alternatives as well as identifies a preferred alternative and provides another important comment period. I'll be happy to discuss with the court what if any additional coordination they would like prior to release of the draft.

Thanks Tim, talk soon. SJ



Shane Jeffries
Forest Supervisor
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Caring for the land and serving people

From: Jeffries, Shane- FS, Prineville, OR
Sent: Friday, August 12, 2022 10:19 AM
To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>; Decker, Lindsay -FS <lindsay.decker@usda.gov>
Cc: Keown, Kevin -FS <kevin.keown@usda.gov>; Turner, Slater -FS <slater.turner@usda.gov>; Kovarik, Johanna - FS <johanna.kovarik@usda.gov>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Subject: RE: Tim Deboodt/Shane Jeffries Check-in

Copy that Tim, the fair is great here, thanks for helping out with that. I'll get a follow-up back to you with answers to the questions that were posed. Thanks! SJ



Shane Jeffries
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Caring for the land and serving people

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Friday, August 12, 2022 10:14 AM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>; Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>; Decker, Lindsay -FS <lindsay.decker@usda.gov>
Cc: Keown, Kevin -FS <kevin.keown@usda.gov>; Turner, Slater -FS <slater.turner@usda.gov>; Kovarik, Johanna - FS <johanna.kovarik@usda.gov>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Subject: Re: Tim Deboodt/Shane Jeffries Check-in

Shane,

Good morning!

I won't be able to connect this morning. I'm working on some County Fair stuff that is time sensitive. Sorry you couldn't join us on Wednesday. Thank you for the FS report. I did

distribute it to those present (committee and community present).

A couple of questions from that meeting:

1. What's happening with the Court decision on Walton Lake? At the July meeting it was anticipated that a July decision would be announced.
2. What's the status of public input process on the National effort to define mature and large trees? The Committee is interested in being engaged in that.
3. Timeline for draft EA on Lemon Gulch? The Committee saw that the Forest is in consultation with the Confederated Tribes. Will there be a consultation with the County prior to its release?

Thanks!

Enjoy your trip next week!!!

Tim
Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

From: Decker, Lindsay -FS <lindsay.decker@usda.gov> on behalf of Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>

Sent: Wednesday, August 10, 2022 5:38 PM

To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Subject: Tim Deboodt/Shane Jeffries Check-in

When: Occurs every month on the second Friday of the month from 10:30 AM to 11:30 AM effective 8/12/2022.

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From: [Jeffries, Shane- FS, Prineville, OR](#)
To: [Peer, Beth- FS](#)
Subject: Fwd: [External Email] Subcommittee review of Natural Resources policy
Date: Monday, August 22, 2022 9:16:04 AM
Attachments: [SUB COMMITTEE LEMON GULCH.docx](#)

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From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Monday, August 22, 2022 9:12:04 AM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>; Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: [External Email] Subcommittee review of Natural Resources policy

[External Email]

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Good morning Shane and Seth,

Here is the references that the subcommittee to the Natural Resources Advisory Committee put together this past May.

Tim

Tim Deboodt
Natural Resources Policy Coordinator, Crook County
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SUB COMMITTEE MEMBERS;

CHAIR-JOHN DEHLER

NRAC- JACE RHODEN

NRAC- CLIFF KIESER

CITIZEN-KIM VOGEL

CITIZEN- BRITTANY SANTUCCI

CITIZEN- MIKE ERVIN

MEMBERS PRESENT;

JOHN,CLIFF,BRITTANY,KIM (ZOOM)

The objective of this subcommittee was to review the natural resource policy as it applies to the lemon gulch project and formulate meaningful questions for the court. The sub. Committee found 24 items that directly interact between the resource policy and the project, and were able to formulate 5 questions from our work session.

1)Would the U.S.F.S. submit for review by the court for the citizens information all pertinent data pertaining to the lemon gulch project including economic gain from tourism ,and potential economic loss by grazing permittee's how this data was gathered and analyzed?

REF ECONOMICS PG.28

REF DATA PG.26

REF AG PG. 23

2) What are the existing recreational resources within a 5 mile radius of the proposed project, and with the existing infrastructure will the lemon gulch project over tax the natural resource and wildlife of the area? What is the science based data will be used to determine these answers?

REF RECREATION PG.43

REF WILDLIFE PG. 51

REF DATA PG.26

3) What is the maximum allowable carrying capacity by U.S.F.S. standards for travel and people that each of the proposed options will allow, will that tax the local infrastructure, and how will the U.S.F.S. manage for this ?

5/20/2022

CROOK COUNTY N.R.A.C. SUB COMMITTEE FOR LEMON GULTCH

REF ACCESS AND TRAVEL MANAGEMENT PG.21

REF DATA PG,26

REF ECONOMICS PG.28

REF RECREATION PG.42-43

4) Why is lemon gulch located outside of a recreational management area seemingly contrary to the U.S.F.S. management plan?

REF RECREATION PG.42

REF STATUTORY AND REGULATORY AUTHORITY PG. 12

5) Why won't the U.S.F.S. start over from the beginning with the involvement of the community, permittee's and affected landowners?

REF LIVESTOCK PRODUCTION AND GRAZING PG. 23-24

Thank you to the U.S.F.S. and the Crook County Court for giving the local citizens an opportunity to participate in defining the destiny of our County. Following is a list of page numbers this committee identified as applying to the lemon gulch project.

Pages;4,5,10,11,12,16,19,20,21,22,23,24,25,26,28,29,32,33,34,42,43,44,51

Peer, Beth- FS

Subject: FW: [External Email]Follow up from last weeks meeting

From: Seth Crawford <Seth.Crawford@co.crook.or.us>

Sent: Tuesday, August 23, 2022 12:04 PM

To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Subject: [External Email]Follow up from last weeks meeting

[External Email]

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Shane,

Thank you for your time last week. We appreciate that you took the time to meet with us to discuss the Lemon Gulch Project from the County's perspective. As we understand from our meeting, the Forest Service will be reviewing pertinent local plans, including the County's natural resources policy, and will be identifying, analyzing, and reporting any unresolved conflicts in the Draft EIS. While we understand that the Forest Service is already analyzing a number of alternatives as part of the NEPA process, the County expects, based on our meeting, that at least one alternative be directly informed by the County's local plans and natural resource policy and adequately analyzed.

We appreciate that the Forest Service is committed to working with the County to resolve the inconsistencies. In light of our understanding, please let us know next steps. It may make sense to have a meeting in the near future to discuss these next steps so that both the County and the Forest Service can meaningfully proceed to work together as the Lemon Gulch planning process continues to move forward. Please contact me sometime before September 1 so we can talk informally and hopefully get a meeting scheduled. What are some times the week of September 4th – 9th that would work for you to meet?

Thanks
Seth

Sent from my iPhone

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Peer, Beth- FS

From: Jeffries, Shane- FS, Prineville, OR
Sent: Wednesday, September 14, 2022 12:01 PM
To: Seth Crawford; Tim Deboodt
Cc: Peer, Beth- FS
Subject: RE: [External Email]Follow up meeting

Thank you Seth, I appreciated the follow-up discussion as well. I have a couple of thoughts that I hope will alleviate your concern. First, your request and my commitment is for us to draft a Forest assessment of project alternative(s) or preferred alternative in terms of consistency with the County Natural Resource Plan and then present that to you two weeks before release of the draft. We're also open to presenting to the other commissioners separately if you all deem necessary, and I think we can do that in a couple of weeks. Secondly, there isn't a two week deadline for a response from the County (if the county deems a response necessary). There will be additional time for comment between release of the draft and release of a final decision down the road which could allow for continued dialogue and agreement in terms of consistency with the Natural Resources plan (again, if deemed necessary). Finally, I think that it is important to get this draft out without further delay. We'd like for everyone to understand the alternatives that were developed based on their comments and we'd like to identify a preferred alternative for folks to look at and comment further on. Let me know if you'd like to discuss further and I can run over to your office or give you a call this week. Thank again, SJ



Shane Jeffries
Forest Supervisor
Forest Service
Ochoco National Forest and Crooked River
National Grassland

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c: (b)(6)
f: 541-416-6695
shane.jeffries@usda.gov

3160 NE Third Street
Prineville, OR 97754
www.fs.fed.us



Caring for the land and serving people

From: Seth Crawford <Seth.Crawford@co.crook.or.us>
Sent: Tuesday, September 13, 2022 3:38 PM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Subject: [External Email]Follow up meeting

[External Email]

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Shane

Thank you for our follow-up meeting. We are concerned that two weeks may not be sufficient time to adequately review the federal proposal. Do you anticipate this two weeks as a firm timeframe, or would there be some flexibility depending on the County's review and response? Should the County need to follow-up with written responses, we would like to have the time to do so. It may not prove necessary, but we don't want to inadvertently commit to a firm timeframe for review. Are we in agreement?

Seth

Sent from my iPhone

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Peer, Beth- FS

From: Jeffries, Shane- FS, Prineville, OR
Sent: Wednesday, September 28, 2022 10:11 AM
To: Tim Deboodt
Cc: Seth Crawford
Subject: RE: [External Email]Follow-up to our meeting - Lemon Gulch

Thanks for the follow up Tim, give us some time to digest, then yes looking forward to additional discussion. SJ



Shane Jeffries
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Caring for the land and serving people

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Wednesday, September 28, 2022 10:00 AM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Cc: Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: [External Email]Follow-up to our meeting - Lemon Gulch

[External Email]

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Shane,

Good morning and a continued thanks to you for your continued efforts with the County on this project. The Judge and I wanted to share some additional work the County has done since our last meeting. We appreciate the Forest Service's commitment to analyzing an alternative that is directly informed by pertinent Crook County policy. In large part, the County is concerned with the Forest Service's management of wildlife, water quality, seasons of use for recreation, and economic impacts to our local community. One example is the impacts to grazing by the project – grazing not only raises economic issues and continued viability of effective grazing management, but, in our opinion, also raises legitimate and ongoing fire management issues related to increased public access and loss of a tool to effectively manage vegetation. Below is a non-exhaustive list of some other examples/ key provisions in the County's Natural Resources Policy that should help inform the alternative that we have been discussing.

Crook County, Oregon Natural Resources Policy (revision 013)

Pg. 20 General recognition and declaration of interests of certain activities related to public lands. Those interests include water rights, mining claims, rights-of-way, grazing preferences and grazing permits. Such interests and rights as they might exist, contribute to the holdings of the individual, the stability of the County's tax base, and the stability of small businesses within the County. The County is dedicated to preserve the rights and interests of these users and uses.

Pg. 22 Access and Travel management (last bullet) states that recreational access shall not discriminate in favor of one mode of recreation to the exclusion of others.

Pg. 24. Bullet 2 states that agencies are to treat permittees and leasees with a commensurate level of participation, involving early notification of proposed actions, cooperative decision making, information gathering and joint planning on all allotments.

Pg. 26. Data quality issues are important. The bottom of this page states that all data, environmental, economic and social, used to develop federal and state land and natural resource management decisions shall be current and impartial.

Pgs 28-30. Multiple issues are identified on in this section. Crook County believes that humans are entitled to an equal opportunity to use federal and private lands for both recreation and economic growth. To that end, Crook County:

(3rd bullet) cannot support federal or state decisions when potential economic impacts are not carefully considered.

(4) expects federal and state agencies to carefully weigh economic impacts when considering land management decisions and to minimize negative impacts to the customs, culture and economic stability of the County.

(5) supports provisions for mitigation or compensation for negative impacts when a proposed action cannot avoid negative impacts.

(10) pg. 29, federal land management agencies shall give Crook County notification of any possible upcoming actions that could affect the economic base of the County at the earliest opportunity.

Pg. 36 Overall concern about the introduction, detection, response and control of invasive species and noxious weeds as a result of project activities. What is the plan and who is responsible?

Pg. 40 Natural resources mitigation, All mitigation considered pursuant to NEPA shall provide for detailed and realistic alternatives.

Pg. 42 Recreation and Tourism. It is the position of the County that it supports the accessibility, improvement, maintenance and development of motorized and non-motorized trails to facilitate recreation and access to natural resources for residents and visitors. Recreational access shall not discriminate in favor of one mode of recreation at the exclusion of others.

Pg. 43 Recreational activities recognized and supported by state and federal agencies shall include family oriented activities and facilities that are accessible to the general public and not limited to special interest groups.

While we have not yet had the opportunity to raise other potential challenges to the Lemon Gulch project beyond that of coordination, we believe there may be a consistency issue as well. A few examples on a quick review of the Ochoco Forest Management Plan (1989) include: general winter range as contemplated by the plan limits the number of miles and trail and roads combined within the project area and recreational expansion specifies developed sites based on use and needs. The plan also references a 50-year goal for such developed sites to have an established fee structure for maintenance of costs.

We hope this information has been helpful. If you would like to discuss the examples outlined in this email or any other related issue, please do not hesitate to reach out.

Thanks again!!

Tim
Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

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From: [Kern, Kassidy -FS](#)
To: [Peer, Beth- FS](#)
Subject: Fwd: [External Email]Lemon Gulch
Date: Wednesday, October 5, 2022 8:52:45 AM

Kassidy Kern
Public Affairs Officer
Ochoco National Forest/
Crooked River National Grassland

From: Seth Crawford <Seth.Crawford@co.crook.or.us>
Sent: Tuesday, October 4, 2022 12:15 PM
To: Kern, Kassidy -FS <kassidy.kern@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Subject: [External Email]Lemon Gulch

[External Email]

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Hello Ms. Kern,

I am writing to clarify what I believe is a misunderstanding about Crook County's position regarding the planning process of the Lemon Gulch Trails Project in the Ochoco National Forest.

It is true that Crook County recently met with the forest supervisor Shane Jeffries in good faith in an effort to avoid litigation. However, Crook County does not agree with the process used by the Ochoco National Forest to identify this project, and move it through NEPA prematurely. In fact, through time, the Crook County Court has repeatedly asked that the Forest Service step back from the Lemon Gulch Project and first engage the public in a much broader conversation about non-motorized trail expansion across the entire Ochoco National Forest and seek public input as to the future needs of an expanded trail system and then, evaluate potential locations for those trails. The Ochoco Forest has repeatedly rejected this request.

Despite concerns about adequate and meaningful public engagement, the Forest Service proceeded to advance this project. Not surprisingly and pursuant to pertinent Crook County policy, the County then requested coordination. Again, the Forest responded with "no" claiming that is Forest Service policy to only "Coordinate" during larger, Forest Planning efforts (via email from then Acting Forest Supervisor Anthony Botello in May, 2022). After a number of more recent meetings and communications, Crook County agreed to hold off pursuing any formal litigation in reliance on a verbal agreement with Shane Jeffries, Forest

Supervisor. We understand from him that the pending NEPA Environmental Assessment being developed will include an analysis of a Project Alternative directly informed by the County's Natural Resources Policy (adopted 2018). We also understand that other meetings will occur and that the County will be able to meaningfully voice any concerns that may surface once the County has the ability to review the project alternative. More recently, the County also raised additional concerns about whether the Lemon Gulch project is consistent with the Forest Plan as required by law. We have been assured that the Forest Service is digesting the information and expect a more substantive response soon.

Of course, it is the County's hope that we can work with the Forest Service to avoid litigation and to preserve and maintain our longstanding productive partnership with the Forest. That being said, please understand that our good faith efforts should not be mistaken as endorsing or supporting the process up to this point.

I hope this clarifies any misunderstandings about Crook County's position. If you have any questions or concerns, please do not hesitate to reach out.

Thank you
Seth

Sent from my iPhone

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Peer, Beth- FS

From: Jeffries, Shane- FS, Prineville, OR
Sent: Monday, October 24, 2022 10:26 AM
To: Tim Deboodt
Cc: Seth Crawford; Peer, Beth- FS; Kern, Cassidy -FS
Subject: RE: [External Email]Re: Lemon Gulch

Good morning Tim. I spoke with Cassidy this morning about this and it sounds like a misunderstanding. In response to questions Paulette called about Friday, Cassidy represented that we would be providing a response to the County in the form of an initial consistency analysis of the project with the County's Natural Resource Policy. We have not yet finalized or provided that analysis to anyone in the County at yet, and per our previous conversations with Judge Crawford and you, I plan to provide the information directly to the two of you. Paulette must have heard that the analysis had been provided, we will follow up with her to clear that up. In the future, we'll adjust our communication approach with the congressman's office to prevent triangulation and misunderstanding. My apologies for the confusion. My intent is to have an accurate draft EA release date for you when we provide the consistency analysis. Thanks for the heads up, appreciate it! SJ



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The icons for the United States Department of Agriculture (USDA), Twitter, and Facebook.
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From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Friday, October 21, 2022 1:49 PM
To: Kern, Cassidy -FS <kassidy.kern@usda.gov>
Cc: Seth Crawford <Seth.Crawford@co.crook.or.us>; Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Subject: [External Email]Re: Lemon Gulch

[External Email]

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Kassidy,

Good afternoon. This morning, Judge Crawford was having a conversation with Paulette Pyle, Congressman Bentz's aide. During that conversation, she said that she had received word that the County had gotten a response from the Forest to our concerns related to the Lemon Gulch Trail Project (both the review of the

County's Natural Resources Policy and its review of the Forest Plan) and that the Forest did not believe they were out of compliance with the Ochoco National Forest Plan in regards to the County's questions.

Neither the Judge or I remember getting any response from the Forest related to those questions. I am wondering to whom that response might have been sent to? I am also wondering if the Forest has a proposed date yet for release of the Draft EA regarding the Lemon Gulch Trail Project? Thank you for any information you can provide so we can clear up the confusion between the County Court and the Congressman's office.

Tim

Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

From: Seth Crawford <Seth.Crawford@co.crook.or.us>
Sent: Tuesday, October 4, 2022 12:15 PM
To: kassidy.kern@usda.gov <kassidy.kern@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Subject: Lemon Gulch

Hello Ms. Kern,

I am writing to clarify what I believe is a misunderstanding about Crook County's position regarding the planning process of the Lemon Gulch Trails Project in the Ochoco National Forest.

It is true that Crook County recently met with the forest supervisor Shane Jeffries in good faith in an effort to avoid litigation. However, Crook County does not agree with the process used by the Ochoco National Forest to identify this project, and move it through NEPA prematurely. In fact, through time, the Crook County Court has repeatedly asked that the Forest Service step back from the Lemon Gulch Project and first engage the public in a much broader conversation about non-motorized trail expansion across the entire Ochoco National Forest and seek public input as to the future needs of an expanded trail system and then, evaluate potential locations for those trails. The Ochoco Forest has repeatedly rejected this request.

Despite concerns about adequate and meaningful public engagement, the Forest Service proceeded to advance this project. Not surprisingly and pursuant to pertinent Crook County policy, the County then requested coordination. Again, the Forest responded with "no" claiming that is Forest Service policy to only "Coordinate" during larger, Forest Planning efforts (via email from then Acting Forest Supervisor Anthony Botello in May, 2022). After a number of more recent meetings and communications, Crook County agreed to hold off pursuing any formal litigation in reliance on a verbal agreement with Shane Jeffries, Forest Supervisor. We understand from him that the pending NEPA Environmental Assessment being developed will

include an analysis of a Project Alternative directly informed by the County's Natural Resources Policy (adopted 2018). We also understand that other meetings will occur and that the County will be able to meaningfully voice any concerns that may surface once the County has the ability to review the project alternative. More recently, the County also raised additional concerns about whether the Lemon Gulch project is consistent with the Forest Plan as required by law. We have been assured that the Forest Service is digesting the information and expect a more substantive response soon.

Of course, it is the County's hope that we can work with the Forest Service to avoid litigation and to preserve and maintain our longstanding productive partnership with the Forest. That being said, please understand that our good faith efforts should not be mistaken as endorsing or supporting the process up to this point.

I hope this clarifies any misunderstandings about Crook County's position. If you have any questions or concerns, please do not hesitate to reach out.

Thank you

Seth

Sent from my iPhone

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File Code: 1560
Date: November 2, 2022

Crook County Court
300 NE Third Street, Room 10
Prineville, OR 97754

Dear Crook County Court Officials:

As agreed during our meeting on August 19, 2022, my staff completed a consistency review (enclosed) of the Crook County Natural Resources Policy (CCNR Policy) with the Lemon Gulch Trails project. Our review concluded that all action alternatives that we are analyzing for the Lemon Gulch Trails project are consistent with the CCNR Policy.

You first raised interest in coordination with the Forest Service in relation to the Lemon Gulch Trails project in your letter dated April 26, 2022. As noted in our May 26, 2022 reply, coordination under the regulations at 36 CFR 219 is not required for this project. All the same, the Forest Service has engaged with Crook County -- both directly with you and the commissioners, and with Crook County's Natural Resources Committee -- numerous times since we initiated the NEPA process for this project in March 2021. I have viewed the County's position during this time to be one of encouraging the Forest Service to listen to county residents and hear their concerns. To that end, we participated in no fewer than ten meetings with grazing permittees, Crook County's Natural Resources Committee and Trails Subcommittee, trail proponents, and others to discuss the project and receive input and suggestions. Additionally, we have received and reviewed hundreds of pieces of correspondence from members of the public outlining their concerns with, or support for, the project.

Tim Deboodt raised concerns about natural resources and impacts to grazing and the economy in a September 28, 2022 email. These concerns were not raised in the Court's scoping letter submitted in April 2021 or the Court's scoping addendum of October 2021; nevertheless, these topics are covered in the draft Environmental Assessment, which we plan to release two weeks from today's date, and which will allow for an additional 30-day public comment period.

I would like to clarify I did not agree to develop a separate alternative that relies on the CCNR Policy as suggested in emails from you and from Tim Deboodt. What I did agree to was conducting a consistency analysis on at least one of our action alternatives based on our own interpretation of the CCNR Policy.

As I stated at the outset of this letter, our review of the CCNR Policy determined that all action alternatives of the Lemon Gulch Trails project are consistent with our interpretation of the CCNR guiding principles and policy position statements. We will include the attached consistency review in our project record and look forward to your feedback on the Lemon Gulch Trails Draft Environmental Assessment once the 30-day public comment period is initiated.



Sincerely,

A handwritten signature in blue ink, appearing to read "A. Shane Jeffries". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

A. SHANE JEFFRIES
Forest Supervisor

Enclosure

Review of the Crook County Oregon Natural Resources Policy to Identify Project Level Consistency

This report documents our review of the Crook County Oregon Natural Resources Policy (Revision 013, undated) (CCNR Policy) where it may be relevant to the Lemon Gulch Trails Project (the project). While the regulations at 36 CFR 219 require that for Forest Plan development or revision, the Forest Service review the planning and land use policies of counties and other governmental entities and display the results of this review in the environmental analysis document of the plan, the requirement does not apply to projects. Similarly, CEQ's NEPA regulation 40 CFR 1506.2(d) does not apply to the NEPA process for the project because the Forest Service is not preparing an environmental impact statement. Nevertheless, the Forest Service agreed to conduct this review in response to a request by the Crook County Court. Our team took the approach of looking for inconsistencies between the CCNR Policy and the project.

The intended purpose of the CCNR Policy is to meet the County Court's objective to "expand, continue, and to revitalize the various multiple uses of federally managed lands." (CCNR Policy p. 4). The CCNR Policy provides five principles to guide decisions about natural resources within Crook County and provides position statements regarding various multiple uses on federally-managed lands within Crook County.

Scope of Review

In a September 28, 2022 email, Crook County's Natural Resources Policy Coordinator listed the provisions of the CCNR Policy the County believes are relevant to the project including position statements on access and travel management, agriculture (livestock and grazing), data quality, economy, invasive species, natural resources mitigation, and recreation and tourism. In addition to those provisions, we also reviewed the CCNR Policy position statements on wildlife and watersheds because they are relevant to the project and the CCNR Policy's guiding principles.

Natural Resource Position Statements of the CCNR Policy

Access and Travel Management

As stated in the CCNR Policy, the intent of the travel management positions is to "provide year-round access for multiple land uses while respecting private property rights, as well as utilizing the resources on federal lands." Access to the Forest is a key concern and the position of the County is that roads should remain open. Planning for the project took into account the Forest's current transportation system. The current transportation system provides for year-round access in the Mill Creek watershed, while limiting motorized access to the Winter Range management allocation. The County's position that recreational access shall not discriminate in favor of one mode of recreation to the exclusion of others could be interpreted to mean that there is an expectation that all forms of transportation be allowed on all access routes, or that areas should be open to all forms of recreation. In either interpretation, the Forest provides for multiple forms of recreation across broader areas than a single project site (see discussion of multiple use principle further below in this report). The project is consistent with the position statement in the CCNR Policy.

Agriculture (Livestock and Grazing)

The CCNR Policy positions relevant to planning a recreation project include the expectation that grazing permittees who hold a permit to graze on an allotment that might be affected by the project are provided early notification of the proposed action, and are involved in cooperative decision-making, information gathering, and joint planning on the allotments. The Forest rectified an oversight in the proposed action notification for the project by extending the scoping period for permittees, and consequently, there has been a considerable amount of data gathered from them to inform the

development of project specifics in the planning process. In-person meetings with the permittees as recently as August 2022 provided useful information for designing alternatives. Existing grazing permits and access to allotments in the project area will remain unchanged. Other agricultural position statements in the Policy relate to grazing management and are not relevant to trail planning. Our interpretation is that the project is consistent with this position statement in the CCNR Policy.

Data Quality

The CCNR Policy states positions that data used in natural resource management decisions be current and impartial; that quantitative data be included; that there be support for credible scientific data; and that information used and gathered by the Forest Service meets information quality requirements and is site-specific. The Forest Service Handbook (1909.15 Chapter 10) likewise provides guidance on developing analysis frameworks for project level NEPA including describing data sources and methodology. The project is consistent with both the Forest Service Handbook and this position statement in the CCNR Policy.

Economy

Because recreation is seen as a significant contributor to the economy in Crook County, we also reviewed the CCNR Policy's position statement on the economy. It states, "Crook County believes that humans are entitled to an equal opportunity to use federal and private lands for both recreation and economic growth." (p. 28). The Policy supports maintenance and improvement of the overall economic base of the County through judicious use and enjoyment of federal lands and supports federal land management that helps to diversify the economy. It also states that economic impacts of management decisions should be studied and carefully considered.

In May 2021, the County Court responded to the Forest Service proposed action to build mountain bike trails in the Lemon Gulch area with enthusiastic support acknowledging the coordination that occurred with other trail users, and with an expectation that the county would "reap economic rewards while still maintaining the qualities of the Ochocos that our residents know and love." The County Court also recognized the benefits of the Lemon Gulch location in particular – close to town so more money may be spent on lodging, and in a relatively small geographic area which already has a recreation focus, leaving areas further east to remain "rugged and remote." The County Court's May 2021 letter did not include any specific reference to the CCNR Policy in general, or the economic position statement in particular.

Though there is data on the economic benefits to Crook County from outdoor recreation, it is not possible to be precise about how much an individual amenity, such as a specific trail, contributes to that benefit. It is valid to assume economic benefits can be realized from additional trails on the Ochoco National Forest, in terms of visitor spending, diversification of the economy, as well as health and lifestyle benefits to those who live in Crook County. The project is consistent with this position statement in the CCNR Policy.

Invasive Species

The CCNR Policy promotes active treatment of introduced species that may impact the local ecosystem or economy and states that early detection, rapid response, and follow-up are essential to effectively control infestations (p. 36). The Forest Service has been operating under an invasive plant treatment plan since 2012. Invasive plant risk assessments are a standard component of project planning. The Forest has prioritized known sites for treatment, surveyed for new weed sites, and incorporated invasive plant prevention practices into the project plan for the proposed trails. The project is consistent with this position statement in the CCNR Policy.

Natural Resources Mitigation

This part of the policy speaks to mitigation necessary for “significant negative effects of a proposed action,” and how mitigation plans should be written. There is some correlation between the recommended contents of a mitigation plan and Forest Service planning through the NEPA process. For example, the CCNR Policy calls for realistic alternatives that avoid impacts or minimize impacts. Project planning under NEPA considers reasonable alternatives to a proposed action and oftentimes the alternatives are designed to avoid or minimize impacts. In the case of the Lemon Gulch Trails project, extensive project design and best management practices are built in to avoid and minimize impacts, and action alternatives were developed to further address resource issues. The project is consistent with this position statement of the CCNR Policy.

Recreation and Tourism

In our view one of the most relevant position statements from the CCNR Policy is titled “Recreation, Tourism, and Historical Sites.” The CCNR Policy acknowledges that recreation and tourism are significant contributors to the economy and culture of Crook County and states that “...recreational opportunities in the County are plentiful and varied. They are a vital part of natural resources in the County.” (CCNR Policy p. 10). And “The management of federal lands for multiple use will positively impact recreational values, and the use of and access to federal lands. This, in turn, encourages economic development that sustains businesses and provides jobs.” (CCNR Policy p. 42). The following are the position statements related to the recreation resource:

- *The county supports a year-round multiple use management approach on federal lands as a means of continuing and enhancing recreation opportunities within the County.*
- *The County does not support unsubstantiated land use fees and/or fee increases, or the creation of new and/or unnecessary fees for the use of federal lands within the County. Any entity considering fee increases with the potential to impact recreation in the County must coordinate with Crook County on the decision.*
- *The County supports the accessibility, improvement, maintenance and development of motorized and non-motorized trails to facilitate recreation and access to natural resources for residents and visitors. This position reflects the no net loss of our open roads system.*
- *It is the County's position that recreational access shall not discriminate in favor of one mode of recreation to the exclusion of others.*
- *That recreational activities recognized and supported by state and federal agencies shall include family-oriented activities and facilities that are accessible to the general public and not limited to special interest groups.*

The Lemon Gulch Trail project seeks to develop non-motorized trails to facilitate recreation that would provide opportunities for families and individuals alike. The project does not include creating a fee site. Fee sites must be approved by a Resource Advisory Committee which typically has County representation. The multiple use principle is addressed below under the discussion of the CCNR Policy's guiding principles. Rather than discriminating against certain modes of recreation, the Forest Service seeks to balance uses and provide opportunities for a wide range of recreation uses. The project is consistent with these position statements of the CCNR Policy.

Watersheds

The applicable position statement involves encouragement of good management of watersheds, including stream channels, floodplains, wetlands and uplands to retain and slowly release water. Other positions are related to water management, water rights and use. The soils resource in the project area provides a very sound base for constructing and maintaining a sustainable trail system. Planning incorporates Best Management Practices which are standard conservation practices that have

proven effective in protecting soil and water resource values during management activities. Additionally, the Mill Creek Dry Forest Restoration Project incorporates riparian restoration activities to improve watershed conditions which are expected to have long-term benefits in the watershed. Our interpretation is that the project is not inconsistent with this position statement in the CCNR Policy.

Wildlife

The CCNR Policy is to coordinate with ODFW on wildlife management plans to ensure maintenance of adequate fishing and hunting opportunities and to encourage the maintenance and improvement of wildlife habitat. It also encourages stewardship of habitat on federal lands to reduce damage from wildlife to private grounds. The Forest considered the juxtaposition of elk security habitat and wildlife core habitat across the Ochoco National Forest during review of proposed trail improvements and additions. Forest staff worked closely with ODFW to provide recommendations on trail proposals taking into account habitat needs and other uses of the land and determined that the Lemon Gulch project area was an appropriate place to locate trails.

It should be noted that the CCNR Policy points related to access are focused on keeping roads open to motorized use year-round across the Forest (p. 4, 21-22, 34). This at times conflicts with their policy on coordinating with ODFW to improve wildlife habitat in that road closures can serve to increase wildlife core habitat and are supported by ODFW. The Forest has actively worked to reduce the open road density within the Mill Creek Watershed and across the entire Ochoco National Forest to improve habitat conditions that keep big game on the Forest longer. In the Mill Creek Watershed, a benefit to wildlife core habitat would be realized from maintenance of road closures that are being planned in the Mill Creek Dry Forest Restoration Project. In addition, trail planning took into consideration the existing winter closure in the area that limits human disturbance to big game during winter months and assists with keeping animals on public lands, minimizing impacts to adjacent private lands. The project is consistent with this position statement in the CCNR Policy.

Guiding Principles of the CCNR Policy

Within the CCNR Policy, the County Court commits to following these five principles (p. 4-5):

1. Expansion, revitalization, and continuation of multiple uses on all federal lands in Crook County.

The Forest Service is clearly applying this principle in trail planning. Lemon Gulch is part of a larger effort to expand and revitalize non-motorized recreation opportunities across the Forest for biking, hiking, trail running and horseback trail users. The project is consistent with this guiding principle of the CCNR Policy.

2. and 3. Multiple-use shall be inclusive rather than exclusive, thereby avoiding pitting one use against the other. The multiple-use principle as defined in FLPMA and NFMA should strongly guide agency decisions.

The project is consistent with the multiple use principle, which does not mean providing for all possible uses at all locations; rather, it's making the judicious use of the land for some or all resources over areas large enough to provide sufficient latitude for periodic adjustments in uses to conform to changing needs and conditions. Therefore, the multiple use principle is applicable at scales larger than an individual project site. The project area and the general area within the Mill Creek Watershed provide numerous opportunities for multiple recreation uses including an OHV trail, an equestrian campground and associated trails, Wilderness trails that exclude bikes, and a road system for motorized access. The area also provides for cross country travel on foot or on horseback for any number of reasons, forage for cattle, and timber outputs through forest management. The Lemon Gulch Trails project as proposed would be designed and managed for mountain biking but open to other non-motorized recreation. As multi-use non-motorized trails, they will also offer opportunities

for hiking and trail running where appropriate. However, one of the purposes of planning mountain bike-specific trails or equestrian-specific trails across the Forest is to avoid different user groups from being pitted against each other. The project is consistent with these guiding principles of the CCNR Policy.

4. Maintain flexibility in all plans to allow for extraction of natural resources from federal lands and to continue to use existing resources in accordance with all laws.

The County's principle of continuing to allow extraction of natural resources is not in conflict with additional trail building at Lemon Gulch or in any other part of the Forest. The Forest Service conducts thinning, fuels reduction, salvage, and other vegetation management operations across the Forest where it is allowed by law and policy. In fact, planning is currently underway for a thinning and fuels reduction project in the Mill Creek Watershed; the resulting forest products from these operations contribute to local and regional economies. Internal coordination and well-planned project design will ensure that forest management and resulting timber extraction do not unduly impact recreation infrastructure and that recreation uses do not unduly restrict forest management. The Lemon Gulch Trails project would not reduce current permitted grazing allocations under any of the alternatives. In fact, we anticipate the thinning operations planned under the Mill Creek Dry Forest Restoration Project to increase available forage throughout the watershed and the associated allotments. In addition, the project will maintain habitat connectivity that will allow for continued hunting opportunities and the potential harvest of big game animals from this area. The project is consistent with this guiding principle of the CCNR Policy.

5. Protect and preserve the following rights of all County citizens, including: Private property interests, such as water rights, livestock grazing, and access to lands, which have ties to federal lands; Traditional economic structures in the County that form the base for economic stability and protection of the tax base; historic custom, culture and values of the local people; and enjoyment of the natural resources of the County.

The development of new recreational trails does not infringe on property interests or the rights of Crook County citizens as the Lemon Gulch Trails project is located on National Forest System lands and will be accessed by a public road open to everyone. The Forest is planning riparian restoration in the area that will improve watershed function to the benefit of private landowners downstream. Additionally, the project was developed in consideration of the importance of the Ochoco National Forest to the first food and cultural needs of the Confederated Tribes of the Warm Springs, who have been consulted on the project.

The County has shown that the recreational economic benefits from Prineville Reservoir alone (\$24M in 2009) is approximately half of the county's crop and livestock benefits (\$48M 2012). These traditional economic structures are clearly working hand in hand to support economic stability and enjoyment of the natural resources in the county. The Policy's use of the term "historic custom, culture and values" is not defined; however, providing a trail system designed for mountain bikes does not jeopardize the public's ability to use the National Forest in other ways, as per the multiple use comments above under Principle 2, whether those uses are considered historic or not. The project is consistent with this guiding principle of the CCNR Policy.

Conclusion

The team convened for this review found no areas of inconsistency or conflict between the principles and positions outlined in the CCNR Policy and the planning for trail development in the Lemon Gulch project area. This finding is true for the preferred alternative as well as the other action alternatives that are being analyzed for the project.

The CCNR Policy appears to support recreational development and keeping federal lands open to the public as a primary matter. However, there is little content to guide specific proposals. The principles and position statements of the CCNR Policy do not distinguish geographic areas of the Ochoco National Forest or between National Forest System lands and other federally-managed lands (the Wild Horse Territory being the one exception); i.e. the CCNR Policy is apparently equally applicable to all federal lands. Therefore, there is nothing in the CCNR Policy that would inform specific land management actions in the Lemon Gulch Trails project area or any trail project on the Ochoco National Forest more broadly.

Team Members:

Beth Peer, Environmental Coordinator

Chris Joosen, Recreation/Lands/Heritage/Partnerships Staff Officer

Lindsay Decker, Forest Supervisor Executive Assistant

Monty Gregg, Forest Wildlife Biologist

Jacob Young, Acting Range Program Manager

From: [Jeffries, Shane- FS, Prineville, OR](#)
To: [Seth Crawford \(seth.crawford@co.crook.or.us\)](#); [Jerry Brummer](#); [Brian Barney](#)
Cc: [Peer, Beth- FS](#); [Decker, Lindsay -FS](#)
Subject: Consistency Review of the Lemon Gulch Trails Project with the CCNR Policy
Date: Wednesday, November 2, 2022 2:49:59 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Lemon Gulch CCNR Policy Review 2022-11-02.pdf](#)

Good afternoon Seth, Jerry, and Brian,

As you requested we have completed a consistency review of the Lemon Gulch Trails Project with our interpretation of the CCNR Policy. The review is attached here, and a hard copy will follow. I appreciate the opportunity to coordinate with the County on this project and look forward to future dialogue around this and other projects the Court is interested in coordinating on in the future.

Thanks, SJ



Shane Jeffries
Forest Supervisor
Forest Service
Ochoco National Forest and Crooked River
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Caring for the land and serving people

From: [Jeffries, Shane- FS, Prineville, OR](#)
To: [Amy Albert](#)
Cc: [Seth Crawford](#); [Peer, Beth- FS](#)
Subject: RE: [External Email]Correspondence from Judge Crawford re: Lemon Gulch
Date: Tuesday, November 8, 2022 9:46:52 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Thank you both and good morning.

Judge Crawford, in my September 14 email to you I agreed to delay the release of the Lemon Gulch Trails Draft EA (Draft EA) for 2 weeks after providing you our consistency review of the Crook County Natural Resources Policy against the project alternatives. This was in order to afford you and County staff ample time to read and digest our consistency review, but as I have discussed with you before, there is no expectation or requirement that the County provide comment or feedback on the consistency review in that two week period. As noted in my November 2nd letter, our NEPA regulations allow for a full 30 days for comment on the draft EA once it is released which effectively gives the County 44 days to continue coordination and/or offer input on the consistency review and/or the Draft EA. Input from the County on the consistency review or the Draft EA once released will help inform the final decision and the potential modification of one or more of the alternatives.

I will honor my commitment to you and the County to delay the release of the Draft EA for 2 weeks, but I also recognize the importance of releasing our Draft EA and preferred alternative to the public who have been anticipating this for quite some time; therefore I won't further delay its release beyond the two weeks I have already committed to. I'm happy to meet and discuss the consistency review with you or any of the other commissioners at anytime or the Draft EA and preferred alternative once released.

Thank you, SJ



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Caring for the land and serving people

From: Amy Albert <amy.albert@co.crook.or.us>
Sent: Friday, November 4, 2022 4:34 PM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Cc: Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

[External Email]

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Good afternoon, Mr. Jeffries,

Below please find correspondence from Judge Crawford. Thank you.

In response to your last comment about looking forward to our feedback on the Lemon Gulch Trails Draft EA once the 30-day public comment period is initiated, at both our meetings in August and September (and in an email response) the forest service committed to meeting with the County prior to the release to allow the County time to review and digest its content. At the time, you suggested at least a 2-week period. Given that time has since passed and the holidays are now upon us, the County Court requests up to four weeks (one month) to allow us a meaningful opportunity to review the information and to afford our staff the ability to travel with families for the upcoming holiday. From the County Court's perspective, this modest extension of two additional weeks is reasonable, particularly given the timing of your analysis and the holiday. Furthermore, immediate implementation of this project is not critical, and the modest additional time still affords sufficient time for modification(s) before the season for implementation would be upon us.

Please advise whether you are agreeable to our modest request.

Amy Albert

Crook County Administration
Physical: 203 NE Court Street, Prineville, OR 97754
Mailing: 300 NE 3rd Street, Prineville, OR 97754
(541) 447-6555

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Peer, Beth - FS, OR

From: Jeffries, Shane- FS, Prineville, OR
Sent: Wednesday, November 16, 2022 8:41 AM
To: Seth Crawford
Cc: Amy Albert; Peer, Beth- FS; Tim Deboodt; Decker, Lindsay -FS; Brian Barney; Jerry Brummer
Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

Good morning Seth,

Thank you for your e-mail. Let me suggest we discuss the issues you've raised in person rather than an e-mail exchange. I am open to discuss with you at your earliest opportunity, I'll adjust my schedule to work around yours, please advise ASAP. There are a couple of noteworthy remarks in your email that I would like to answer and/or clarify however.

First, the fact that there is not an obligation to coordinate on this project is a matter of agency regulation and not some position that I have taken, as you suggest. In fact, my position and the Forest's actions notwithstanding regulation demonstrate the value we place on the relationship with Crook County. For example, we have honored the request to coordinate as evidenced by our completion of the consistency review you requested and also at your request, I delayed the release of the draft EA until 2 weeks after we submitted our consistency review to the court. You continue to characterize this negatively when I see our divergence from regulation as a significant act of good faith and in the best interest of coordination. I recently denied your request to further delay the release of the draft EA because it is of great importance to the public and our community. This should have no effect on coordination between the FS and the County. We have every opportunity to continue to coordinate around the consistency review, the draft EA, the range of alternatives developed, and other aspects of the project that the County has interest in. Again, I am open to discuss with you at your earliest opportunity, I'll adjust my schedule to work around yours. In recent years, there has been significant coordination between the FS and Commissioners Brummer and Barney that has led to many successes bringing great benefit to Crook County natural resources as well as community infrastructure. I'm optimistic we can realize similar success with this and other projects if parties show up an engage in good faith.

In terms of the concerns that you mentioned regarding project consistency with the Forest Plan, those items were considered and are addressed in the draft EA, and I am looking forward to your feedback on our assessment. In addition, we will include all written communication with the County in our record.

Please contact myself or Lindsay Decker if you would like to meet and further discuss.

Thanks, SJ

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From: Seth Crawford <Seth.Crawford@co.crook.or.us>
Sent: Tuesday, November 15, 2022 12:37:45 PM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Cc: Amy Albert <amy.albert@co.crook.or.us>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

Shane,

We certainly did not expect this turn of events. It has been our understanding from the outset that both parties were acting in good faith to avoid litigation by actively engaging in a mutually agreeable planning process.

While we were engaged in less formal communication during some of the initial phases of the Lemon Gulch project, the County more formally and explicitly expressed our specific concerns in a letter dated August 23, 2022 (and other subsequent written communications dated September 13, 2022 and September 18, 2022). We understood from our one in-person meeting upon your receipt of our August 23, 2022 letter and subsequent written exchanges that the forest service was equally invested in avoiding litigation. In reliance on the forest service's assurances and commitments, the County remained engaged in what we understood to be a mutually agreeable planning process that considered our local policies meaningfully. Your most recent email only now makes clear that the forest service does not intend to make efforts to coordinate with our local policies, as further confirmed by your position that no obligation exists and your denial of a modest request of two additional weeks to allow the County an opportunity to meaningfully review and digest your only very recently provided analysis.

Given the forest service is not willing to provide the county sufficient time to review and provide feedback, we do not anticipate being able to meaningfully and timely work with forest service at this particular junction. As such, we reserve our ability to bring legal action for insufficient coordination and inconsistencies with the pertinent forest plan. It is not lost on us that we also raised additional consistency concerns with the underlying forest plan- to which you responded with a need to digest the issues raised on your end. Yet, the forest service seemingly is proceeding without concern for those planning issues.

We assume our communications about the planning process will be included in the administrative record, but given the circumstances, we are proceeding in an abundance of caution and are expressly confirming that this email, along with all our prior written communications will be included in the administrative record. If you deny this request, please advise us immediately so that we can seek immediate legal counsel on that issue.

Please do know, that based on your several representations, which the county relied upon, we were optimistic about reaching a mutually agreeable approach in order to avoid legal challenges. We remain open to further discussions to that end, including scheduling the meeting with the county that you had previously offered but which never has occurred. Please let us know whether that is still in process or if that is unexpectedly also no longer available.

Thanks

Seth

Sent from my iPhone

On Nov 8, 2022, at 9:47 AM, Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov> wrote:

Thank you both and good morning.

Judge Crawford, in my September 14 email to you I agreed to delay the release of the Lemon Gulch Trails Draft EA (Draft EA) for 2 weeks after providing you our consistency review of the Crook County Natural Resources Policy against the project alternatives. This was in order to afford you and County staff ample time to read and digest our consistency review, but as I have discussed with you before, there is no expectation or requirement that the County provide comment or feedback on the consistency review in that two week period. As noted in my November 2nd letter, our NEPA regulations allow for a full 30 days for comment on the draft EA once it is released which effectively gives the County 44 days to continue coordination and/or offer input on the consistency review and/or the Draft EA. Input from the County on the consistency review or the Draft EA once released will help inform the final decision and the potential modification of one or more of the alternatives.

I will honor my commitment to you and the County to delay the release of the Draft EA for 2 weeks, but I also recognize the importance of releasing our Draft EA and preferred alternative to the public who have been anticipating this for quite some time; therefore I won't further delay its release beyond the two weeks I have already committed to. I'm happy to meet and discuss the consistency review with you or any of the other commissioners at anytime or the Draft EA and preferred alternative once released.

Thank you, SJ



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From: Amy Albert <amy.albert@co.crook.or.us>
Sent: Friday, November 4, 2022 4:34 PM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Cc: Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

[External Email]

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Good afternoon, Mr. Jeffries,

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In response to your last comment about looking forward to our feedback on the Lemon Gulch Trails Draft EA once the 30-day public comment period is initiated, at both our meetings in August and September (and in an email response) the forest service committed to meeting with the County prior to the release to allow the County time to review and digest its content. At the time, you suggested at least a 2-week period. Given that time has since passed and the holidays are now upon us, the County Court requests up to four weeks (one month) to allow us a meaningful opportunity to review the information and to afford our staff the ability to travel with families for the upcoming holiday. From the County Court's perspective, this modest extension of two additional weeks is reasonable, particularly given the timing of your analysis and the holiday. Furthermore, immediate implementation of this project is not critical, and the modest additional time still affords sufficient time for modification(s) before the season for implementation would be upon us.

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Amy Albert

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From: [Jeffries, Shane- FS, Prineville, OR](#)
To: [Seth Crawford](#)
Cc: [Amy Albert](#); [Peer, Beth- FS](#); [Decker, Lindsay -FS](#)
Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch
Date: Wednesday, November 16, 2022 4:58:02 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good Evening Seth,

I spoke with Beth and the link to the electronic version will be made available publicly at 0900 tomorrow morning. Please look for an email from her around 0700-0715 with the link. We will also deliver a hard copy to the court first thing in the morning. Lindsay will work with you on dates/times for us to meet and discuss in more detail the week of the December 5th, once you've returned.

Also just an FYI, the identified preferred Alternative is #6 which is described in the EA as follows:

Alternative 6

This alternative was created by combining components of Alternatives 3, 4, and 5 to provide a smaller footprint than Alternative 2, but also provide a complete mix of trail types. In addition to the components common to all action alternatives, described above, this alternative includes the following: A total of 27.5 miles of single-track trail to be built over three phases. The cross-country trail (#23) is made shorter by using FSR 3360-050 which eliminates two fence crossings and eliminates trails in the Steins Allotment. The alternate catch line (#13.3, 13.4) is used rather than 22.3 which eliminates a trail segment in a cattle trailing area along Lemon Creek. This alternative also eliminates several downhill trail segments (10, 11.1, 12.0, 14, 15.2) which reduces density trails in high use grazing areas and avoids more core wildlife habitat.

It would also include all Resource Protection Measures.

Thank you and I look forward to the conversation. Wishing you and your family a happy Thanksgiving.

SJ



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From: Seth Crawford <Seth.Crawford@co.crook.or.us>
Sent: Wednesday, November 16, 2022 4:04 PM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Cc: Amy Albert <amy.albert@co.crook.or.us>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>; Decker, Lindsay -FS <lindsay.decker@usda.gov>
Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

Shane

I appreciate your response Shane. It sounds like you are planning to release the Forest Service draft EA tomorrow. I would like to meet and have a chance to review the Forest Service alternatives before they are made public like we agreed upon. I am out of town until December 5th. Please send me some times that work for you to meet that week.

Thanks

Seth

Sent from my iPhone

On Nov 16, 2022, at 8:41 AM, Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov> wrote:

Good morning Seth,

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In terms of the concerns that you mentioned regarding project consistency with the Forest Plan, those items were considered and are addressed in the draft EA, and I am looking forward to your feedback on our assessment. In addition, we will include all written communication with the County in our record.

Please contact myself or Lindsay Decker if you would like to meet and further discuss.

Thanks, SJ

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From: Seth Crawford <Seth.Crawford@co.crook.or.us>

Sent: Tuesday, November 15, 2022 12:37:45 PM

To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>

Cc: Amy Albert <amy.albert@co.crook.or.us>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

Shane,

We certainly did not expect this turn of events. It has been our understanding from the outset that both parties were acting in good faith to avoid litigation by actively engaging in a mutually agreeable planning process.

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Given the forest service is not willing to provide the county sufficient time to review and provide feedback, we do not anticipate being able to meaningfully and timely work with forest service at this particular junction. As such, we reserve our ability to bring legal action for insufficient coordination and inconsistencies with the

pertinent forest plan. It is not lost on us that we also raised additional consistency concerns with the underlying forest plan- to which you responded with a need to digest the issues raised on your end. Yet, the forest service seemingly is proceeding without concern for those planning issues.

We assume our communications about the planning process will be included in the administrative record, but given the circumstances, we are proceeding in an abundance of caution and are expressly confirming that this email, along with all our prior written communications will be included in the administrative record. If you deny this request, please advise us immediately so that we can seek immediate legal counsel on that issue.

Please do know, that based on your several representations, which the county relied upon, we were optimistic about reaching a mutually agreeable approach in order to avoid legal challenges. We remain open to further discussions to that end, including scheduling the meeting with the county that you had previously offered but which never has occurred. Please let us know whether that is still in process or if that is unexpectedly also no longer available.

Thanks

Seth

Sent from my iPhone

On Nov 8, 2022, at 9:47 AM, Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov> wrote:

Thank you both and good morning.

Judge Crawford, in my September 14 email to you I agreed to delay the release of the Lemon Gulch Trails Draft EA (Draft EA) for 2 weeks after providing you our consistency review of the Crook County Natural Resources Policy against the project alternatives. This was in order to afford you and County staff ample time to read and digest our consistency review, but as I have discussed with you before, there is no expectation or requirement that the County provide comment or feedback on the

consistency review in that two week period. As noted in my November 2nd letter, our NEPA regulations allow for a full 30 days for comment on the draft EA once it is released which effectively gives the County 44 days to continue coordination and/or offer input on the consistency review and/or the Draft EA. Input from the County on the consistency review or the Draft EA once released will help inform the final decision and the potential modification of one or more of the alternatives.

I will honor my commitment to you and the County to delay the release of the Draft EA for 2 weeks, but I also recognize the importance of releasing our Draft EA and preferred alternative to the public who have been anticipating this for quite some time; therefore I won't further delay its release beyond the two weeks I have already committed to. I'm happy to meet and discuss the consistency review with you or any of the other commissioners at anytime or the Draft EA and preferred alternative once released.

Thank you, SJ



Shane Jeffries
Forest Supervisor
Forest Service
Ochoco National Forest and Crooked River
National Grassland

p: 541-416-6625

c: (b)(6)

f: 541-416-6695

shane.jeffries@usda.gov

3160 NE Third Street
Prineville, OR 97754

www.fs.fed.us



Caring for the land and serving people

From: Amy Albert <amy.albert@co.crook.or.us>

Sent: Friday, November 4, 2022 4:34 PM

To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>

Cc: Seth Crawford <Seth.Crawford@co.crook.or.us>

Subject: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

[External Email]

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Good afternoon, Mr. Jeffries,

Below please find correspondence from Judge Crawford. Thank you.

In response to your last comment about looking forward to our feedback on the Lemon Gulch Trails Draft EA once the 30-day public comment period is initiated, at both our meetings in August and September (and in an email response) the forest service committed to meeting with the County prior to the release to allow the County time to review and digest its content. At the time, you suggested at least a 2-week period. Given that time has since passed and the holidays are now upon us, the County Court requests up to four weeks (one month) to allow us a meaningful opportunity to review the information and to afford our staff the ability to travel with families for the upcoming holiday. From the County Court's perspective, this modest extension of two additional weeks is reasonable, particularly given the timing of your analysis and the holiday. Furthermore, immediate implementation of this project is not critical, and the modest additional time still affords sufficient time for modification(s) before the season for implementation would be upon us.

Please advise whether you are agreeable to our modest request.

Amy Albert

Crook County Administration

Physical: 203 NE Court Street, Prineville, OR 97754

Mailing: 300 NE 3rd Street, Prineville, OR 97754

(541) 447-6555

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From: [Jeffries, Shane- FS, Prineville, OR](#)
To: [Seth Crawford](#)
Cc: [Amy Albert](#); [Peer, Beth- FS](#); [Decker, Lindsay -FS](#)
Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch
Date: Wednesday, November 16, 2022 5:51:07 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

From my perspectives Seth the Forest Service has honored all of our prior commitments and I'm looking forward to a discussion with you to get on the same page. Thanks again, SJ

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From: Seth Crawford <Seth.Crawford@co.crook.or.us>
Sent: Wednesday, November 16, 2022 5:08:22 PM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Cc: Amy Albert <amy.albert@co.crook.or.us>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Decker, Lindsay -FS <lindsay.decker@usda.gov>
Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

Shane

That is unfortunate. We are disappointed that the FS is not honoring its prior commitment to the county. Regardless I look forward to meeting with you in December.

Thanks
Seth

Sent from my iPhone

On Nov 16, 2022, at 4:58 PM, Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov> wrote:

Good Evening Seth,

I spoke with Beth and the link to the electronic version will be made available publicly at 0900 tomorrow morning. Please look for an email from her around 0700-0715 with the link. We will also deliver a hard copy to the court first thing in the morning.

Lindsay will work with you on dates/times for us to meet and discuss in more detail the week of the December 5th, once you've returned.

Also just an FYI, the identified preferred Alternative is #6 which is described in the EA as follows:

Alternative 6

This alternative was created by combining components of Alternatives 3, 4, and 5 to provide a smaller footprint than Alternative 2, but also provide a complete mix of trail types. In addition to the components common to all action alternatives, described above, this alternative includes the following: A total of 27.5 miles of single-track trail to be built over three phases. The cross-country trail (#23) is made shorter by using FSR 3360-050 which eliminates two fence crossings and eliminates trails in the Steins Allotment. The alternate catch line (#13.3, 13.4) is used rather than 22.3 which eliminates a trail segment in a cattle trailing area along Lemon Creek. This alternative also eliminates several downhill trail segments (10, 11.1, 12.0, 14, 15.2) which reduces density trails in high use grazing areas and avoids more core wildlife habitat.

It would also include all Resource Protection Measures.

Thank you and I look forward to the conversation. Wishing you and your family a happy Thanksgiving.

SJ



Shane Jeffries
Forest Supervisor
Forest Service
Ochoco National Forest and Crooked River
National Grassland

p: 541-416-6625

c: (b)(6)

f: 541-416-6695

shane.jeffries@usda.gov

3160 NE Third Street
Prineville, OR 97754

www.fs.fed.us



Caring for the land and serving people

From: Seth Crawford <Seth.Crawford@co.crook.or.us>

Sent: Wednesday, November 16, 2022 4:04 PM

To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>

Cc: Amy Albert <amy.albert@co.crook.or.us>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Tim Deboodt <Tim.Deboodt@co.crook.or.us>; Decker, Lindsay -FS <lindsay.decker@usda.gov>

Subject: Re: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

Shane

I appreciate your response Shane. It sounds like you are planning to release the Forest Service draft EA tomorrow. I would like to meet and have a chance to review the Forest Service alternatives before they are made public like we agreed upon. I am out of town until December 5th. Please send me some times that work for you to meet that week.

Thanks

Seth

Sent from my iPhone

On Nov 16, 2022, at 8:41 AM, Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov> wrote:

Good morning Seth,

Thank you for your e-mail. Let me suggest we discuss the issues you've raised in person rather than an e-mail exchange. I am open to discuss with you at your earliest opportunity, I'll adjust my schedule to work

around yours, please advise ASAP. There are a couple of noteworthy remarks in your email that I would like to answer and/or clarify however.

First, the fact that there is not an obligation to coordinate on this project is a matter of agency regulation and not some position that I have taken, as you suggest. In fact, my position and the Forest's actions notwithstanding regulation demonstrate the value we place on the relationship with Crook County. For example, we have honored the request to coordinate as evidenced by our completion of the consistency review you requested and also at your request, I delayed the release of the draft EA until 2 weeks after we submitted our consistency review to the court. You continue to characterize this negatively when I see our divergence from regulation as a significant act of good faith and in the best interest of coordination. I recently denied your request to further delay the release of the draft EA because it is of great importance to the public and our community. This should have no effect on coordination between the FS and the County. We have every opportunity to continue to coordinate around the consistency review, the draft EA, the range of alternatives developed, and other aspects of the project that the County has interest in. Again, I am open to discuss with you at your earliest opportunity, I'll adjust my schedule to work around yours. In recent years, there has been significant coordination between the FS and Commissioners Brummer and Barney that has led to many successes bringing great benefit to Crook County natural resources as well as community infrastructure. I'm optimistic we can realize similar success with this and other projects if parties show up and engage in good faith.

In terms of the concerns that you mentioned regarding project consistency with the Forest Plan, those items were considered and are addressed in the draft EA, and I am looking forward to your feedback on our assessment. In addition, we will include all written communication with the County in our record.

Please contact myself or Lindsay Decker if you would like to meet and further discuss.

Thanks, SJ

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From: Seth Crawford <Seth.Crawford@co.crook.or.us>

Sent: Tuesday, November 15, 2022 12:37:45 PM

To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>

Cc: Amy Albert <amy.albert@co.crook.or.us>; Peer, Beth- FS
<Elizabeth.Peer@usda.gov>; Tim Deboodt
<Tim.Deboodt@co.crook.or.us>

Subject: Re: [External Email]Correspondence from Judge Crawford re:
Lemon Gulch

Shane,

We certainly did not expect this turn of events. It has been our understanding from the outset that both parties were acting in good faith to avoid litigation by actively engaging in a mutually agreeable planning process.

While we were engaged in less formal communication during some of the initial phases of the Lemon Gulch project, the County more formally and explicitly expressed our specific concerns in a letter dated August 23, 2022 (and other subsequent written communications dated September 13, 2022 and September 18, 2022). We understood from our one in-person meeting upon your receipt of our August 23, 2022 letter and subsequent written exchanges that the forest service was equally invested in avoiding litigation. In reliance on the forest service's assurances and commitments, the County remained engaged in what we understood to be a mutually agreeable planning process that considered our local policies meaningfully. Your most recent email only now makes clear that the forest service does not intend to make efforts to coordinate with our local policies, as further confirmed by your position that no obligation exists and your denial of a modest request of two additional weeks to allow the County an opportunity to meaningfully review and digest your only very recently provided analysis.

Given the forest service is not willing to provide the county sufficient time to review and provide feedback, we do not anticipate being able to meaningfully and timely work with forest service at this particular junction. As such, we reserve our ability to bring legal action for insufficient coordination and inconsistencies with the

pertinent forest plan. It is not lost on us that we also raised additional consistency concerns with the underlying forest plan- to which you responded with a need to digest the issues raised on your end. Yet, the forest service seemingly is proceeding without concern for those planning issues.

We assume our communications about the planning process will be included in the administrative record, but given the circumstances, we are proceeding in an abundance of caution and are expressly confirming that this email, along with all our prior written communications will be included in the administrative record. If you deny this request, please advise us immediately so that we can seek immediate legal counsel on that issue.

Please do know, that based on your several representations, which the county relied upon, we were optimistic about reaching a mutually agreeable approach in order to avoid legal challenges. We remain open to further discussions to that end, including scheduling the meeting with the county that you had previously offered but which never has occurred. Please let us know whether that is still in process or if that is unexpectedly also no longer available.

Thanks

Seth

Sent from my iPhone

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Thank you both and good morning.

Judge Crawford, in my September 14 email to you I agreed to delay the release of the Lemon Gulch Trails Draft EA (Draft

EA) for 2 weeks after providing you our consistency review of the Crook County Natural Resources Policy against the project alternatives. This was in order to afford you and County staff ample time to read and digest our consistency review, but as I have discussed with you before, there is no expectation or requirement that the County provide comment or feedback on the consistency review in that two week period. As noted in my November 2nd letter, our NEPA regulations allow for a full 30 days for comment on the draft EA once it is released which effectively gives the County 44 days to continue coordination and/or offer input on the consistency review and/or the Draft EA. Input from the County on the consistency review or the Draft EA once released will help inform the final decision and the potential modification of one or more of the alternatives.

I will honor my commitment to you and the County to delay the release of the Draft EA for 2 weeks, but I also recognize the importance of releasing our Draft EA and preferred alternative to the public who have been anticipating this for quite some time; therefore I won't further delay its release beyond the two weeks I have already committed to. I'm happy to meet and discuss the consistency review with you or any of the other commissioners at anytime or the Draft EA and preferred alternative once released.

Thank you, SJ



Shane Jeffries
Forest Supervisor
Forest Service
Ochoco National Forest and Crooked River
National Grassland

p: 541-416-6625
c: (b)(6)
f: 541-416-6695
shane.jeffries@usda.gov

3160 NE Third Street
Prineville, OR 97754

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Caring for the land and serving people

From: Amy Albert <amy.albert@co.crook.or.us>

Sent: Friday, November 4, 2022 4:34 PM
To: Jeffries, Shane- FS, Prineville, OR <A.Jeffries2@usda.gov>
Cc: Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: [External Email]Correspondence from Judge Crawford re: Lemon Gulch

[External Email]

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Good afternoon, Mr. Jeffries,

Below please find correspondence from Judge Crawford.
Thank you.

In response to your last comment about looking forward to our feedback on the Lemon Gulch Trails Draft EA once the 30-day public comment period is initiated, at both our meetings in August and September (and in an email response) the forest service committed to meeting with the County prior to the release to allow the County time to review and digest its content. At the time, you suggested at least a 2-week period. Given that time has since passed and the holidays are now upon us, the County Court requests up to four weeks (one month) to allow us a meaningful opportunity to review the information and to afford our staff the ability to travel with families for the upcoming holiday. From the County Court's perspective, this modest extension of two additional weeks is reasonable, particularly given the timing of your analysis and the holiday. Furthermore, immediate implementation of this project is not critical, and the modest additional time still affords sufficient time for modification(s) before the season for implementation would be upon us.

Please advise whether you are agreeable to our modest request.

Amy Albert

Crook County Administration
Physical: 203 NE Court Street, Prineville, OR 97754
Mailing: 300 NE 3rd Street, Prineville, OR 97754
(541) 447-6555

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From: Peer, Beth- FS
Sent: Thu, 17 Nov 2022 15:00:53 +0000
To: Seth Crawford
Cc: Jeffries, Shane- FS, Prineville, OR
Subject: Lemon Gulch EA Link
Attachments: 2022 11 15 Dear Reader Comment Period e-sig.pdf

Good morning,

The Lemon Gulch Trails EA is available for review or download at this

link: <https://www.fs.usda.gov/project/?project=58831>

I am delivering a hardcopy of the document to your office as soon as it opens, which appears to be 8:00AM. The cover letter that will go out to all folks on the mailing list is attached.

~Beth



Beth Peer
Environmental Coordinator

Forest Service
Ochoco National Forest

p: 541-416-6463
elizabeth.peer@usda.gov

3160 NE Third Street
Prineville, OR 97754
www.fs.usda.gov



Caring for the land and serving people

File Code: 1950

Date: November 15, 2022

Dear Reader:

The Ochoco National Forest has completed a draft Environmental Assessment (EA) analyzing the effects of new trails in the Lemon Gulch project area. The EA is now available for a 30-day public comment period and this letter will give you information on where to find the EA and how to submit comments. The Lemon Gulch project area is located on the Lookout Mountain Ranger District within the Mill Creek watershed, approximately 20 miles northeast of Prineville, Oregon.

The goal of the Ochoco Forest Plan is to provide for a variety of recreational experiences across all areas of the Ochoco National Forest. This project addresses the need for new trail miles designed for mountain biking. The EA assesses and compares six alternatives of the trail proposal including No Action. The action alternatives range from 19.1 to 51.3 miles of new multi-use trail plus associated trailheads and signage. These alternatives were developed to address issues by reducing impacts to wildlife habitat and livestock grazing. Each alternative includes a phased implementation and resource protection measures to reduce unwanted effects to natural resources. At this time, I am identifying Alternative 6 as the agency's preferred alternative. Alternative 6 would include 27.5 miles of single-track dirt trail with a combination of downhill, cross-country and climb options as well as a mix of difficulty levels.

The EA document is available to view or download at the project web page:
<https://www.fs.usda.gov/project/?project=58831>

The EA will also be available for review on site during regular business hours at:

Crook County Library
175 NW Meadow Lakes Drive
Prineville, OR 97754

and

Ochoco National Forest
3160 NE Third Street
Prineville, OR 97754

How to Provide Comments and Timeframe

The opportunity to provide comments ends 30 days following the date of publication of the legal notice in the newspaper of record. Notice for the opportunity to comment on this EA will be published in The Bulletin (Bend, Oregon), which is the newspaper of record for the Ochoco National Forest. Do not rely on any other sources for the beginning date of the comment period. As a courtesy it will also publish in the Central Oregonian (Prineville, Oregon). The legal notice will be posted to the project web page after it is published. It is the responsibility of the sender to ensure timely receipt of any comments submitted. The time period for the opportunity to comment on this project shall not be extended (36 CFR 218.25(iv)).



Only those who submit timely and specific written comments regarding this project during a public comment period are eligible to file an objection. Comments must be within the scope of the proposed action, have a direct relationship to the proposed action, and include supporting reasons for the Responsible Official to consider. Persons submitting comments must provide the following information: name and address; title of the proposed project; specific written comments; and signature or other verification of identity upon request. Other requirements to be eligible to submit an objection are listed at 36 CFR 218.25(a)(3).

Electronic, written, and oral comments will be accepted. We strongly encourage you to submit comments electronically. Those wishing to provide electronic comments or upload written comments should use the Forest Service online comment system at:

<https://cara.fs2c.usda.gov/Public//CommentInput?Project=58831>

Comments may be typed into the online form, or uploaded as an attachment in Microsoft Word, rich text format (rtf), or portable document format (PDF) only.

Comments may also be submitted in writing by mail. Written comments should be sent or delivered to Beth Peer, Environmental Coordinator, Ochoco National Forest, 3160 NE 3rd Street, Prineville, OR 97754.

Hand-delivery: comments may be hand-delivered to the Ochoco National Forest address above during regular business hours.

For more information, please contact Beth Peer at (541) 416-6463 or via email at elizabeth.peer@usda.gov.

Sincerely,

/s/ Slater R. Turner
SLATER R. TURNER
District Ranger

From: Peer, Beth- FS
Sent: Mon, 21 Nov 2022 22:26:01 +0000
To: Tim Deboodt
Cc: Turner, Slater -FS; Seth Crawford
Subject: RE: [External Email]Lemon Gulch maps

The road density is provided for the management allocations in the Mill Creek watershed on pages 54-55.

The existing roads/trails and proposed trails are considered by alternative in the core wildlife habitat analysis which demonstrates fragmentation.

Table 11 on page 57 gives a comparison by alternative.

~

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Monday, November 21, 2022 11:31 AM
To: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Cc: Turner, Slater -FS <slater.turner@usda.gov>; Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: Re: [External Email]Lemon Gulch maps

Thanks Beth,

So no single map or table that summarizes road and trail miles (existing and proposed) by alternative or at least by preferred alternative for the management allocations and RHCA's?

Thanks again,

Tim
Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

From: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Sent: Monday, November 21, 2022 10:52 AM
To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Cc: Turner, Slater -FS <slater.turner@usda.gov>; Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: RE: [External Email]Lemon Gulch maps

Good morning,

The applicable management allocations are described in the EA on page 3 and displayed on page 5 (figure 2). There is only General Forest and Winter Range that overlay the project, though the map displays old growth to the north. Riparian Habitat Conservation Areas (which overlay those allocations) can be found on page 37 of the hydrology report.

EA Figure 2 also displays all of the roads (open seasonally or year-round and closed) while figures 5 through 9 display roads that are open seasonally or year-round. Figures 5 through 9 also display the trails in the vicinity of the project.

~



Beth Peer
Environmental Coordinator

Forest Service
Ochoco National Forest

p: 541-416-6463
elizabeth.peer@usda.gov

3160 NE Third Street
Prineville, OR 97754
www.fs.usda.gov



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From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Monday, November 21, 2022 9:16 AM
To: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Cc: Turner, Slater -FS <slater.turner@usda.gov>; Seth Crawford <Seth.Crawford@co.crook.or.us>
Subject: [External Email]Lemon Gulch maps

[External Email]

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Beth,

Good morning. The County has received their copy of the draft EA for the Lemon Gulch Trails project. Thanks for delivering it to the County Court office. In an initial review of the document, there is a couple of things we can't find. What we are trying to find is a map and/or a discussion of the management overlays that are associated with this proposal. Specifically but not to be inclusive, the County is requesting information about the management sideboards in place as a result of the Ochoco National Forest Plan (1989). Information that would be helpful includes maps **showing** forest designations/locations of general winter range, critical winter range, old growth management areas, riparian management areas, etc) in the Mill Creek Watershed. Also, the existing trails and roads open (seasonally or year round) that are within or next to the planning area. To make the maps more usable, if they can be scaled to just include areas within 2 miles of the proposed project area.

If these maps and information are already in the EA, please direct me to their location. I just haven't been able to find them yet.

Thank you!

Tim

Tim Deboodt

Natural Resources Policy Coordinator, Crook County

498 SE Lynn Blvd.

Prineville, OR 97754

(541)903-5903

tim.deboodt@co.crook.or.us

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From: Tim Deboodt
Sent: Fri, 9 Dec 2022 21:28:55 +0000
To: Peer, Beth- FS
Subject: Re: [External Email]deadline for comments to Draft EA

Thank you!!

Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us
From: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Sent: Friday, December 9, 2022 1:28 PM
To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Subject: RE: [External Email]deadline for comments to Draft EA

It has to land on a business day, so the 19th.

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Friday, December 9, 2022 1:24 PM
To: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Subject: [External Email]deadline for comments to Draft EA

[External Email]

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Good afternoon Beth,

Can you clarify the deadline date for public comment on the Draft EA for the Lemon Gulch Trails Project. I have had a couple of people ask. They don't know if it is December 18th or 19th.

Thanks!

Tim

Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754

(541)903-5903

tim.deboodt@co.crook.or.us

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From: [Jeffries, Shane- FS, Prineville, OR](#)
To: [Seth Crawford \(seth.crawford@co.crook.or.us\)](mailto:seth.crawford@co.crook.or.us)
Cc: [Peer, Beth- FS](#); [Tim Deboodt \(Tim.Deboodt@co.crook.or.us\)](mailto:Tim.Deboodt@co.crook.or.us)
Subject: Lemon Gulch Comments
Date: Monday, December 19, 2022 8:42:08 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good morning. I wanted to follow up on our conversations over the last couple of weeks regarding submission of county comments associated with the Lemon Gulch draft EA. I appreciate the time to go over the DRAFT comments you all have developed so far and want to acknowledge our shared interest in meeting again after the Holidays. As discussed last week if you wish to amend or otherwise finalize the County's DRAFT scoping comments after our post-Holiday meeting, I will certainly accept those comments as part of the project record. Thanks for the productive conversations over last 2 or 3 weeks, I'm looking forward to our post-Holiday discussion. Happy Holidays! SJ



Shane Jeffries
Forest Supervisor
Forest Service
Ochoco National Forest and Crooked River
National Grassland

p: 541-416-6625

c: (b)(6)

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shane.jeffries@usda.gov

3160 NE Third Street

Prineville, OR 97754

www.fs.fed.us



Caring for the land and serving people

Peer, Beth- FS

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Thursday, December 12, 2019 11:17 AM
To: Ston McDaniel; Frank Porfily; Trent Smith; Teresa Rodriguez; Steve McGuire; John Dehler; Mike Lunn; Lynne Breese; Andy Gallagher
Cc: Peer, Beth -FS; Purrington, Teal
Subject: Fw: How to get on the FS notification of project list

Good morning,

Per the conversation yesterday about getting all of the committee members registered with the FS to receive notices of NEPA projects, Beth Peer provided me with the link to sign you all up. As of this morning I entered all of your email addresses into the link below. You should now be getting future notices. If you go to the link, you will also be able to find all current projects on both the Ochoco NF and the Prineville BLM District. The webpage has both links. If you want to modify the types of notices you get or add additional forests all you have to do is go to the page, type in your email address and change those preferences.

For Steve and Teresa, you must already be registered. When I typed in your email address, it said it was password protected.

I hope this helps.

Thanks

Tim

Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

From: Peer, Beth -FS <beth.peer@usda.gov>
Sent: Thursday, December 12, 2019 9:54 AM
To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Subject: RE: How to get on the FS notification of project list

On this page there is a place to enter your email address. Then it takes to a page where you can provide preferences – e.g. get all Ochoco NF mailings.

<https://www.fs.usda.gov/main/ochoco/landmanagement/projects>

Alternatively, You could send me everyone's email address and I can add them.

~Beth

From: Tim Deboodt [mailto:Tim.Deboodt@co.crook.or.us]
Sent: Thursday, December 12, 2019 9:44 AM
To: Peer, Beth -FS <beth.peer@usda.gov>
Subject: How to get on the FS notification of project list
Good morning Beth!

At the County's Natural Resource Advisory Committee meeting yesterday, committee members were asking Slater how to get on the FS notification list for projects? They each would like to receive the notices. It seems to me there is an web access site for people to sign up. If so, can you provide me with that link? I will then forward it on to the committee so that they can sign up.

Thanks!

Tim

Tim Deboodt

Natural Resources Policy Coordinator, Crook County

498 SE Lynn Blvd.

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tim.deboodt@co.crook.or.us

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From: [Tim Deboodt](#)
To: [Steve McGuire](#); [Frank Porfily](#); [Jace](#); [Lynne Breese](#); [Cliff Kiser](#); [Casey Kiser, City of Prineville](#); [John Dehler](#); [Mike Lunn](#); [Ston McDaniel](#); [Andy Gallagher](#); (b)(6)
Cc: [Jeffries, Shane - FS](#); [Keown, Kevin -FS](#); [Turner, Slater -FS](#); [Kovarik, Johanna - FS](#); [Peer, Beth - FS](#); [Decker, Lindsay -FS](#); [dteitzel@blm.gov](#); [jhkitche@blm.gov](#); [Amanda Roberts](#); [cmryan@blm.gov](#); [Darlene Henderson](#); [Shelly Santucci](#); [Don and Kim Vogel](#)
Subject: Re: Meeting reminder Crook County Natural Resources Advisory Committee Meeting
Date: Tuesday, July 13, 2021 5:36:14 PM
Attachments: [County involvement in trail expansion on the Ochoco National Forest.docx](#)
[January 8 2019 Work Session.docx](#)
[2021_03_11_LemonGulchTrailsScopingNotice_.pdf](#)

Good afternoon,

Here is some additional information on the trail proposal conversation. I was asked to put together a timeline of Committee interaction with this topic.

Tim

Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

From: Tim Deboodt
Sent: Friday, July 9, 2021 11:42 AM
To: Steve McGuire <(b)(6)>; Frank Porfily <(b)(6)>; Jace <(b)(6)>; Lynne Breese <(b)(6)>; Cliff Kiser <(b)(6)>; Casey Kiser, City of Prineville <CKaiser@cityofprineville.com>; John Dehler <(b)(6)>; Mike Lunn <(b)(6)>; Ston McDaniel <(b)(6)>; Andy Gallagher <(b)(6)>; <(b)(6)>
Cc: Jeffries, Shane -FS <shane.jeffries@usda.gov>; Keown, Kevin -FS <kevin.keown@usda.gov>; slater.turner@usda.gov <slater.turner@usda.gov>; Johanna.Kovarik@usda.gov <Johanna.Kovarik@usda.gov>; Peer, Beth -FS <beth.peer@usda.gov>; Decker, Lindsay M -FS <lindsay.decker@usda.gov>; Dennis Teitzel <dteitzel@blm.gov>; Jeff Kitchens <jhkitche@blm.gov>; Amanda Roberts <asroberts@blm.gov>; Ryan, Christina <cmryan@blm.gov>; Amy Albert <amy.albert@co.crook.or.us>; John Gautney <John.gautney@crookcountysheriff.org>; Bruce Scanlon <(b)(6)>; GORMAN Kyle G WRD <Kyle.G.Gorman@oregon.gov>; ggarnett@usbr.gov <ggarnett@usbr.gov>; Moran, Bridget <bridget_moran@fws.gov>; Jason Beebe <jbeebe@cityofprineville.com>; SteveForrester <sforrester@cityofprineville.com>; Darlene Henderson <(b)(6)>; Shelly Santucci <(b)(6)>
Subject: Meeting reminder Crook County Natural Resources Advisory Committee Meeting

County involvement in trail expansion on the Ochoco National Forest:

- Nov., 2017 Crook County adopts the Crook County Natural Resources Policy
- Nov., 2018 Crook County appoints 11 Crook County residents to the Crook County Natural Resources Advisory Committee
- Dec. 10, 2018 Crook County Natural Resources Advisory Committee holds its first meeting.
- May 8, 2019 Darlene Henderson and Dwain Miller (Ochoco Trail Strategy Group) made a presentation to the Crook County Natural Resources Advisory Committee. Minutes from that portion of the meeting:

Ochoco Trail Strategy Group:

Dwain Miller provided an overview of this groups activities with the Ochoco National Forest. The OTSG was initiated by the FS and Prineville Chamber of Commerce 2 years ago. The initial concern was growing the access to the forest while not creating the issues that the Deschutes Forest has experienced. Want to avoid trail creation (off trail that suddenly becomes an existing trail). The discussions include creating loop systems that provide both day and overnight experiences. There are multiple groups, landowners, agencies and permittees involved with the OTSG. COIC is providing facilitation for the group. The work of the group was presented to the Court and public during meetings held in September, 2018. In January, 2019 the group provided its work to the Forest. The proposal utilizes existing but unused trails/roads to create new opportunities. Conflicts with bikes and horses has been worked out to create different trails with different priorities (who has right of way) for trail respect. All trails will be open to all types of non-motorized use (ex: hiking, biking, horse).

The OTSG meets the first Tuesday of every month at noon/Chamber of Commerce office. Proposal is moving internally within the Forest and has been shared with the Regional office. Dwain and Slater stressed that there has been no NEPA done yet. The proposal is for non-motorized use and bikes are not allowed in the designated wilderness areas. Volunteers will be used to help build/maintain the system. Education will be a big part of plan development and implementation. Hoping that 2020 will be the year that this moves forward. Somethings might be able to move forward since they are already covered by existing NEPA and workloads. Examples are conflict on Lookout Mtn trail (blind corner fix) and Allen Creek just needs signage.

Committee asked what the group wants from them. Attendance at monthly meetings would be great. See Facebook page of group for more info. <https://www.facebook.com/OTSGonline/>

- July 8, 2020 FS update to Advisory Committee from Kevin Keown (portion of minutes of Committee meeting):

The Ochoco Trails projects (Allen Creek Horse Trail, Bandit Springs Summer Trails and Dry Creek Equestrian Trail) are working with categorical exclusions and these projects were formally scoped with the public this spring. Frank asked the Committee if there was interest to engage with these projects. The Committee made no decision. The Ochoco Trails Collaborative group is working with the FS.

- Oct. 14, 2020 FS Update to Advisory Committee by Kevin Keown (portion of committee minutes):
Three trail projects (two equestrian, one mountain bike) that are part of the Ochoco Trails proposal have had NEPA decisions this year.
- Jan. 13, 2021 FS gives update to Committee on Mill Creek Dry Forest Project. No mention of recreation activities:
Presentation on the Mill Creek Dry Forest Project was given by the Forest. Presenters included Sarah Kaschberger, Jona Ensley, Jon Kocherberger and Beth Peer. Sarah provided an overview of the project, the history of the Blue Mtn. Resiliency Project and an overview of the scoping document. A review of the area and past treatments were discussed as well as the status of the current conditions and why here, why now. The project as proposed covers approximately 36,000 acres, of that, approximately 23,000 acres is being proposed for some type of treatment. None of the treatment area includes the Mill Creek Wilderness. The project area does include the Stein Pillar Recreation Area and some general winter range.
- March 10, 2021 FS provides update on Lemon Gulch Scoping process and release of Scoping Notice to Committee:
Slater also mentions that there is now a Scoping letter seeking input for the Lemon Gulch Complex Mtn. Bike Trail System.
- March 12, 2021 Ochoco National Forest releases Scoping Notice on Lemon Gulch Trail System Project. Proposal involves approximately 52 miles of non-motorized trails (within approximately 9 sq. miles) with primary use by mountain bikes but also open to hiking. Area is classified as both General Forest (MA-F22 and Winter Range MF-F-20). In big game winter range, activities would be restricted from Nov. 20 to May 1). Scoping closed April 15, 2021.
- May 27, 2021 Ochoco National Forest held site visit with grazing permittees, Ochoco Trail group and County. Approximately 25 people were in attendance including numerous Forest Service employees. Meeting was to discuss history of the project, issues and concerns regarding site selection (specific to Lemon Gulch vs. Bear Creek) and lack of communication/coordination with grazing permittees and Mill Creek landowners.
- July 7, 2021 Grazing permittees, Mill Creek landowners, Ochoco Trail group met during regularly scheduled County Court meeting to discuss concerns about the project, the letter of support for the project written by the County during Scoping and a request by the permittees and landowners to either rescind the County letter or to write another one which would address concerns raised by permittees and landowners. County suggested FS work with all parties to address concerns and to meet with County's Natural Resources Advisory Committee to address concerns as well.

July 14, 2021 Crook County Natural Resources Advisory Committee agenda will include a discussion of this topic. Permittees, landowners and Ochoco Trail group have been invited to attend and participate in the discussion.

**Crook County Court
January 8, 2019
Work Session**

The Crook County Court held a Work Session on January 8, 2019 at 9:00 a.m. in the Admin Conference room located at 203 NE Court Street, Prineville, OR 97754. In attendance: Crook County Court members and staff; Crook County Legal Counsels and Staff; Department Heads and members of the public.

Judge Crawford call the meeting to order.

Ochoco Trail Strategy Group presentation

Darlene Henderson, Mary Beier and Duane Miller and Ruth, the Oregon Trail Strategy Group of Mountain Bike riders, hikers and equestrians, met with the Court to discuss the non-motorized trails In the Forest Service Ochoco Plan. Discussion was held regarding a positive trail plan to submit to the Forest Service. Discussion was held regarding marking trails, building Kiosks, minimizing impacts and not impacting , not shutting down anything but using old roads that are already closed, the user conflict in the Lookout Mountain area and Air B&B guests that come to the area to hike and bike. Discussion of rehab after logging or trail damage was discussed. Maintenance through grants, and strategic planning to include maintenance was also discussed. Tim Deboodt discussed Permittees and damage repaid. Signage was discussed, trails well signed and educational process regarding the areas will be included in the plan. The hope is to work together to have a well-planned trail area that works for all those enjoying the forests.

USFW Letter regarding Cooperating Agencies

Tim Deboodt presented information regarding a letter to the agencies speaking to Habitat Conservation Plans(HCP) , compliance with the Natural Resources Plans and Policy, meetings with cooperating agencies, and presentation of a meeting in Deschutes. County. Discussion held regarding not being asked to be at the meeting table to participate in the discussions with cooperating agencies, but the Federal Agencies, State Agencies, ODF&W, DEQ, but no local County government. Further discussion was held regarding the Counties of Crook and Jefferson aligned with their respective Irrigation Districts and the possibility of this being a less political situation if Deschutes County was not involved. Mike Britton spoke on this practice. If you invite one, you invite all.

MOTION:

Commissioner Brummer moved, and Commissioner Brummer seconded to approve the letter as presented by Mr. Deboodt. Vote was 3-0, motion carried.

Further discussion was held regarding updates quarterly on the Natural Resources activities and information on the letter from BLM regarding three allotment reviews as well as the recent resignations of two of the Natural Resources Committee members. Brooke Gray, and Laura York resigned. Ms. Gray had knowledge of the County and Natural Resources, and Ms. York brought some concerns to the table

for State agencies. Discussion held regarding the requirement number of members set at 11 but no over that.

9:53 a.m. Discussion continued regarding the letter that was approved for signature this morning. The letter is regarding coordination, plan and policy.

Fiber Discussion #2

IT Director Izaac Ross presented additional information at this second meeting of Fiber Optic project. He presented his business case with scope and costs. He reached out for quotes to two companies currently used by the City of Prineville and received two quotes for two options. He provided the costs at a 60 month and after 60-month term. Mr. Ross believes this to be a good cost quote. The current internet provider, PrineTime, has notified the County that they are changing their business model and will no longer provide the County with Service. Mr. Ross provided the information regarding the four buildings not connected to the County internet and servers located at the Beaver Street building. Discussion was held regarding the two companies that own all the internet through Oregon. The County currently uses Bend Broadband. Discussion was held regarding if the County does not own its own fiber, then the County will always be paying. After 60 months, the County would own. Mr. Ross presented information regarding the County internet going door to door for the Counties facility and described the central area and spokes. Mr. Ross asked the Court with assistance working with the owners of Prinetime, saying he has received threats. Discussion was held regarding the contracts the County holds with Prinetime and agreements as well as tower placements, but that would involve a whole new route. Discussion was held regarding RFP's to two companies for fiber to just the valley floor and talking with the landfill to negotiate. The cost benefit analysis was discussed that would involve microwave, poles, radio and a possible proposal to Bend Broadband to do maintenance. Mr. Ross asked again for help dealing with Prinetime. Commissioner Barney will speak with Prinetime. And he will let everyone know the plan. The plan will be to do three of the County buildings and then the landfill. Mr. Wilson asked Mr. Ross to assist with the language for the RFP.

FLEET PURCHASE

Planning Director Ann Beier discussed the 2014 Escape that the inspectors have been using that is beyond repair for the job. Mr. Beier would like to go out for a bid for a Fleet vehicle that was authorized previously. Inspectors use a lot of miles and need a stronger car for the areas they travel.

MOTION:

Commissioner Brummer moved to purchase another vehicle for the Community development using the first fleet quotes received earlier last year. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

Pacificorp---Authorization to apply for land use on City property (substation), Brief on transmission lines

Planning Director Ann Beier, the Court, Bob O'Neil discussed the need for Pacificorp to act on behalf of the County to begin the land use application for the two separate projects: One for Ochoco substation and one for transmission lines. Discussion was held regarding the engineer's explanations, the planned

structures next to BPA lines, permission from private landowners, and additional substations started in 2018. Ms. Beier explained that the permits cannot be applied for until there is a legal description for the area.

The Open House held recently was more optimistic than previously. County Counsel Jeff Wilson explained there has been no correspondence with the company since August 7th, with some conversation on September 17, 2018 but none since.

Judge Crawford called a break at 10:55 to reconvene at 11:00 a.m.

Finance Department 18-Month Plan

County CFO Jeff Caldwell discussion an 18- month plan. He will be meeting with Department heads to discuss this plan prior to the afternoon Budget Committee meeting. Mr. Caldwell presented the planned agenda for the budget meeting and the dates for the meetings planned.

Information was provided on the Tyler Munis migration and the challenges of staffing and time challenges, resulting in paying out for comp time.

Judge Crawford discussed the need for staff to take vacation time and time off, and to really look to see if additional staff is needed in the departments. Mr. Caldwell agreed and provided information on a recent meeting held to restart the program that was derailed because people had been burned out. Discussion was held on the options to be considered regarding keeping this project on tract and also not burning out the employees. Discussion held regarding the training team provided by Tyler that was less than expected. More discussion regarding this project will be held at the Budget Meetings.

OEM Grant Agreements—New Requirements

Assistant County Counsel Eric Blaine presented the new requirements in the recent grants regarding allegation of decimations against the County and the questions of any settlements. Commissioner Barney said that these requirements are generally in Federal grants, but rarely seen in State grants as requirements.

ADDITION: Maintenance Personnel Directive

Discussion was held regarding a maintenance person that would be involved with the new jail's electrical, pipes, and equipment as well as the old electrical and boiler in the Courthouse. Safety is top and foremost in all of this. Discussion held on moving this application out as the position is a necessity , not a luxury. Mr. Caldwell presented information from the financial side, and the plan to work on-going with maintenance to run this more as a business, more efficiently and get ahead of the curve with long term planning and team members. This position has been run through the compensation study and will need to increase. The job notice will go out right away.

MOTION:

Commissioner Brummer moved to approve the new position as presented and subject to changes. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

ADDITION--Space Issues

The Court discussed relocating the Human Resources Department from 203 NE Court Street to the Chucker Building next door on 2nd Street and go forward remodeling the HR space for a conference room and the remodeling involved. The lease and remodeling of the conference room were discussed.

MOTION:

Commissioner Barney moved to move the County HR Department to the Chuckerpoint Building subject to approval of a lease and to remodel this current HR Department in the building at 203 NE Court Street into a Conference Room. Commissioner Brummer seconded the motion. Vote was 3-0, motion carried.

Eastern Oregon Counties Association (EOCA) membership—Invoice for Fiscal Year 2018-19

Commissioner Brummer presented information regarding the EOCA, the Eastern Oregon Counties involved, and not splitting off from Association of Oregon Counties, but providing lobbying on behalf of the eastern counties that have different needs, and with more Eastern Oregon counties involved, this will provide a big enough group to go to AOC with more clout. This organization has been promoting SRS, and provides information on the Blue Mt. Resilience team, the one NEPA study and one EIS for the whole forest. The information on the involvement of more counties bringing the cost of joining down from \$14,000 will be researched, and more information will be brought back to the Court for consideration.

LPSCC Coordinator Succession Planning

Discussion help regarding the grant funding that will run out for this LPSCC Coordinator position in August or Sept, amount \$50,000. Discussion held regarding a possible back fill from the state. More on this at a later date when more information has been received.

AOC Annual Membership Dues—2019 Invoice

The Court discussed the membership dues for the Association of Oregon Counties membership, the involvement in some of the meetings and no involvement and no vote in others. Discussion held on whether to pay the membership dues, and the support received from the organization that are important to the management of the PERS plan in the County and the Federal Land Management involvement, that this may be a good time to stay involved with the Organization.

MOTION:

Commissioner Brummer moved to approve the \$404.42 dues payment for the AOC Budget this year. Commissioner Barney seconded the motion. Vote was 3-0, motion carried.

The Court asked that grant writer Jeremy Thamert to send out the notice of his grant writing services to the Department heads, and also a list of the grant available.

Discussion held regarding whether to hold the proposed Executive Work Session of : Executive Work Session Item noticed to be held under: ORS 265C.620 Notwithstanding ORS 192.311 (Definitions for ORS 192.311 to 192.478 (Exemption for Judicial Department, the identity of an applicant for an eligible project determination under ORS 25C.606 (Determination of projects for tax exemption, the application form submitted to the county governing body and the Oregon business Development Commission and

the negotiations conducted between the applicant and the county shall be confidential, until the county governing body gives notice of its intent to take official action on the application; Whether to hold the session of not since County Counsel Jeff Wilson was not available for the discussion today. **Following the discussion, the Court agreed to not go forth with the Executive Work Session.**

11:59 a.m.

Judge Crawford adjourned the meeting at this time.

Respectfully submitted,

Colleen Ferguson, Crook County Court Secretary.



Project Initiation

The Lookout Mountain Ranger District is beginning the planning process for the Lemon Gulch Trail System Project. The project area is located about 15 miles northeast of Prineville, Oregon in the Ochoco Mountains.

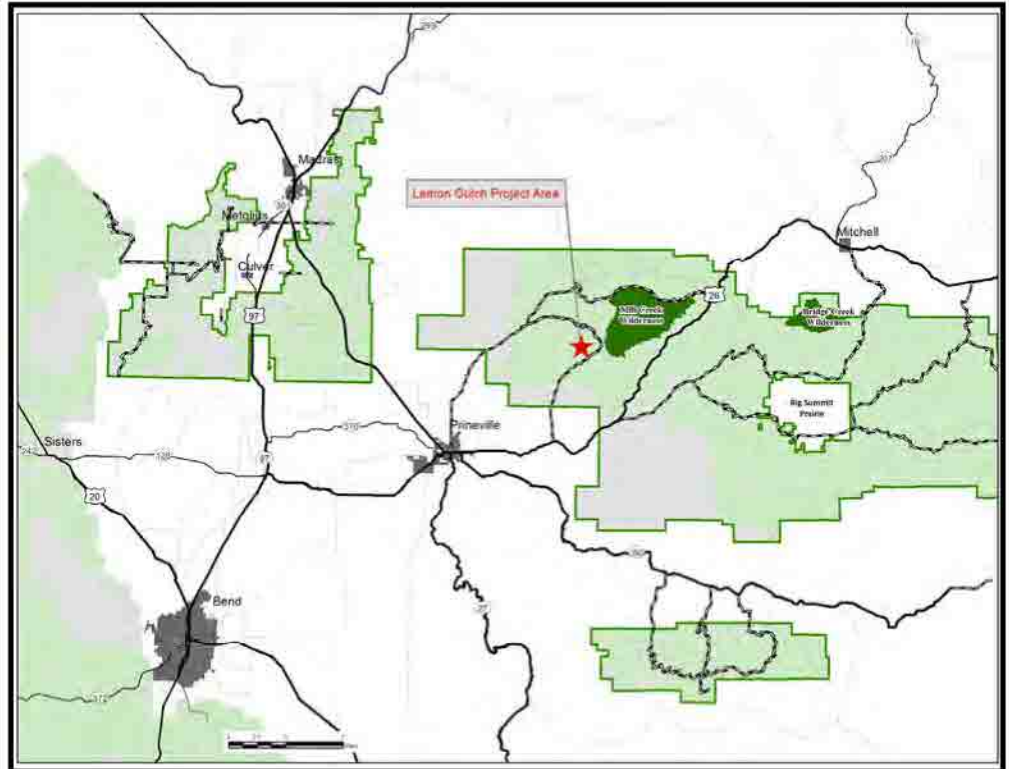
The proposal involves approximately 52 miles of non-motorized trails with primary use by mountain bikes but also open to hiking. More details of the proposal are provided on page 2.

The purpose of the project is to meet the needs of the community and the desire for new mileage, multiple loops, downhill riding opportunities, and trails designed and managed for mountain bike use.

Lemon Gulch area would meet the community’s need for an easily-accessible network of trails. The project is also expected to draw and more evenly distribute current and future mountain bike use from the high use areas of Lookout and Round Mountain. This would minimize interactions and improve the experience and safety of equestrians and hikers in these areas.

The proposal is in alignment with the Forest Plan objective that a managed trail system will be provided for a variety of uses, including hiking, horseback riding, mountain biking, all terrain vehicles, cross-country skiing, and snowmobiles.

See page 4 for information on how to comment on this proposal.



Sustainable Recreation

The Lemon Gulch Trail System is part of a larger scale trails proposal developed through a collaborative process led by Ochoco Trails.

Ochoco Trails is a community-based coalition dedicated to building and maintaining a sustainable non-motorized trail system that offers a desirable range of experiences, while protecting and enhancing forest resources for future generations. Member organizations include: Central Oregon Trail Alliance, Oregon Equestrian Trails, Backcountry Horsemen of Oregon, Sawyers With Attitude To Spare, Oregon Wild, Discover Your Forest, Oregon Hunters Association, local ranchers, and Prineville Chamber of Commerce with participation and coordination with US Forest Service and Oregon Department of Fish and Wildlife.

As we move forward, Ochoco Trails is committed to providing resources for building and maintaining the trails.

For more information, see OchocoTrails.org.



Proposed Action

Trails

The system would consist of a maximum of 52 miles of single-track trails, as shown on the map page 3. The trail system would follow the trail difficulty framework of Green Circle – Beginner, Blue Square – Intermediate, Black Diamond – Advanced, Double Black Diamond - Expert.

Trails would be built with a mini excavator and hand tools.

Design and construction would follow direction and guidelines in the Trails Management Handbook (FSH 2309.18), Forest Service Standard Specifications for Construction and Maintenance of Trails (EM-7720-103), the Central Oregon Trail Alliance Trail Standards, and National Best Management Practices for Water Quality Management on National Forest System Lands (BMP 2012).

Trailheads and Facilities

Three trailheads and parking areas are proposed. One would be located at the bottom of the system near the 3360 and 3360100 road junction, one centrally located near the 3360 and 3360200 road junction, and one at the top along the 3360307. Signs would be installed to warn of frequent bike traffic on these roads.

Entry and junction signs would be installed on 4x4 posts. Installation of a CXT vault toilet is proposed at the bottom trailhead. Multi-panel kiosks would be constructed at each trailhead with maps, rules and regulations, and interpretive sign panels. Invasive plant prevent measure such as boot brush stations may also be included at trailheads.

The trail system would be built out over time and as the availability of grants, funding, and volunteer and employee labor allow. Priorities for build out include the two main arterial trails and two trails that would be designed for people with disabilities on adaptive mountain bikes as well as a few technical, downhill trails.

Maps and other information will be posted to the project web page as planning continues:

<https://www.fs.usda.gov/project/?project=58831>



Proposed trail routes are marked with orange flagging



Lemon Gulch Project Area

Ochoco Land and Resource Management Plan (Forest Plan)

The Forest Plan has the following recreation goal: Provide for a variety of recreational experiences across all areas of the Ochoco National Forest, in a manner consistent with other resource objectives and environmental constraints. (LRMP 4-22).

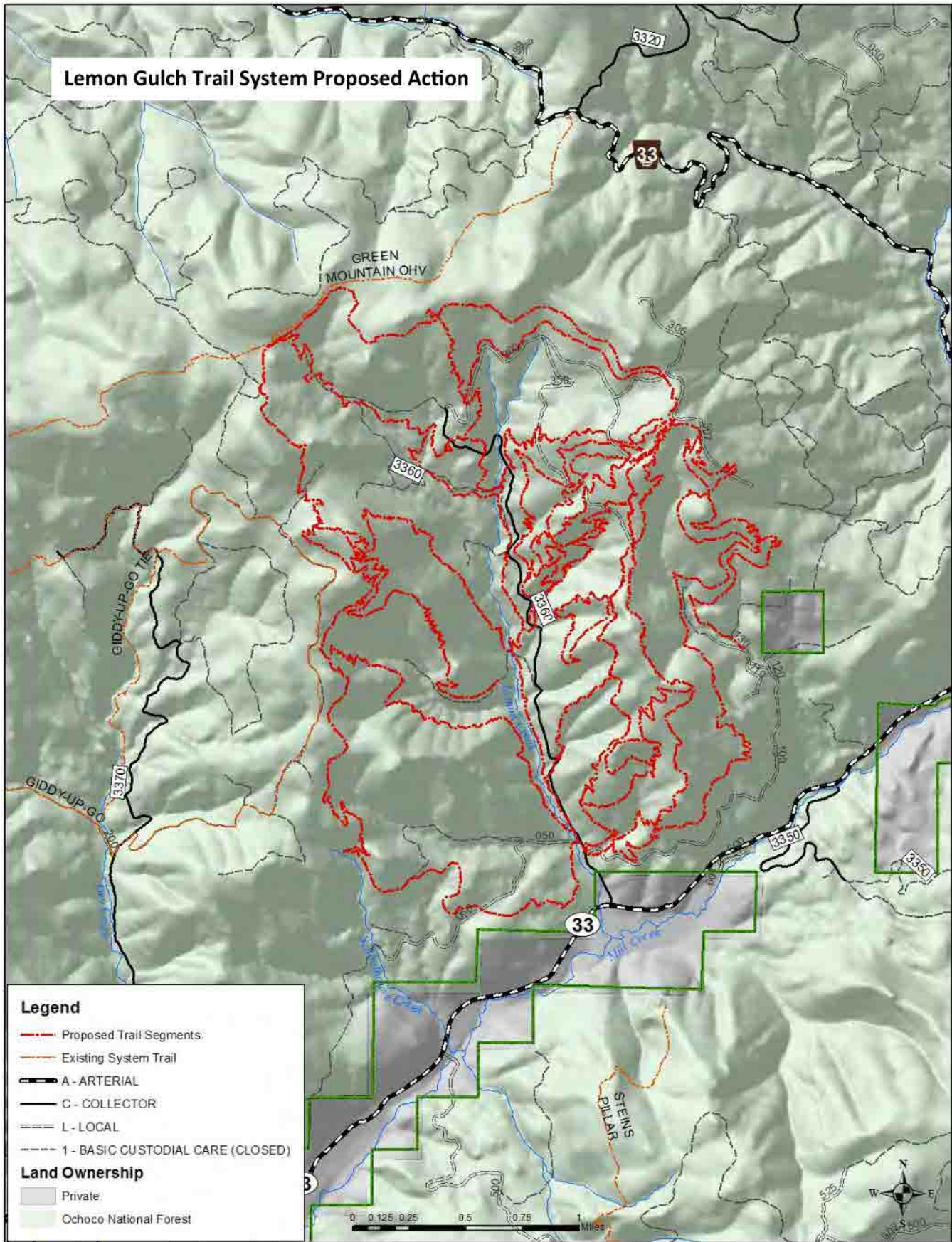
Trails are proposed within the General Forest (MA-F22) and Winter Range (MA-F-20) management allocations. The management emphasis in General Forest is on the production of timber and forage while meeting Forest-wide standards and guidelines for all resources. The management emphasis in Winter Range is on managing for big game winter range habitat. Big game use on winter range is considered the primary activity with other human activities restricted from November 30 to May 1; therefore, trails in Winter Range MA would be closed to non-motorized use during this period to encourage wildlife utilization in the winter months.



Forest Service

Lookout Mountain Ranger District

March 10, 2021





Invitation to Comment

We are informing you about this proposal so that you can provide comments to us. Your comments and feedback will help provide valuable information used to identify issues and opportunities associated with this proposal. This notice marks the beginning of the scoping comment period. Please provide feedback by April 15, 2021. There will be an additional opportunity to provide comments when the environmental assessment is completed.

We strongly encourage you to submit comments electronically. Those wishing to provide electronic comments should use the Forest Service online comment system available at:

<https://cara.ecosystem-management.org/Public/CommentInput?project=58831>. Comments may be typed into the online form, or uploaded as an attachment in Microsoft Word, rich text format (rtf), or portable document format (PDF) only.

Comments may also be submitted in writing or in person. Written comments should be sent or delivered to Slater Turner, District Ranger, Lookout Mountain Ranger District, 3160 NE Third Street, Prineville, OR 97754. Hand-delivered and oral comments may be delivered to the same address after arranging an appointment.

Anyone wishing to obtain additional information on the project should contact

Beth Peer, Environmental Coordinator, at Elizabeth.Peer@usda.gov or by phone (541)416-6463.

Thank you for your interest in the Ochoco National Forest and the Lemon Gulch Project. We look forward to hearing from you.

Sincerely,

Slater Turner

District Ranger

NOTICE: Documents associated with this project, including public comments, are part of the National Environmental Policy Act (NEPA) process (40 CFR parts 1500-1509) and may be released under the Freedom of Information Act (FOIA) 5 U.S.C. 552. Comments received in response to this solicitation, including names and addresses of those who comment, will become part of the public record for this proposed action. Comments submitted anonymously will be accepted and considered; however, anonymous comments will not provide the agency with the ability to provide the respondent with subsequent environmental documents or the eligibility to object.



Forest Service

Lookout Mountain Ranger District
Ochoco National Forest

March 10, 2021

Good morning!

A reminder that the regularly scheduled meeting of the Crook County Natural Resources Advisory Committee is scheduled for next Wednesday, July 14th @ 1:00 pm, at the 4H Clover Building, Crook County Fairgrounds. I am attaching a draft agenda for that meeting, draft minutes from the 2 meetings held in June and a copy of the letter the County Court has sent to OWRD regarding the water rights application by BOR on Prineville Reservoir.

As for new topics, a large group of landowners/home owners and grazing permittees met with County Court last week regarding the negative impacts of the Lemon Gulch trail system being proposed by the Ochoco National Forest (Scoping ended in May) and supported by the Ochoco Trail Group. The homeowners and permittees asked the County Court to either suspend their letter of support for this expanded trail system or amend their letter with addition information on the possible impacts to grazing and traffic/trespass issues on Mill Creek Road and the private lands up Mill Creek. The Court suggested that the Forest get all parties together to resolve the conflicts and deal with the request at this time. The Court also asked the parties to work with the Natural Resources Committee.

The Mill Creek owners and grazing permittees have asked to be placed on the agenda for next week. The Ochoco Trail group has also been made aware of this topic being placed on your agenda.

You might also be interested in viewing the following webinar that was made for the Oregon Wildlife Foundation regarding restoration work being done on Williams Prairie and the surrounding uplands. This work was reviewed in the NEPA Decisions associated with the GAP project.

https://myowf.brand.live/c/climate-resiliency-one-watershed-at-a-time?fbclid=IwAR1k81kuHnWa7Tg8ot097EZ_1HVWJUNq02M91CliGlqees7iB__J8gxe3kg



Climate Resiliency One Watershed at a Time

In this episode, we'll see what it really takes to protect and restore a whole watershed in central Oregon, using processes that increase landscape resilience to climate change. Community Conservation is Oregon Wildlife Foundation's free online wildlife series where we explore

myowf.brand.live

If you have any questions about the agenda, topics of discussion or things you want to address, please let me know.

Tim

Tim Deboodt
Natural Resources Policy Coordinator, Crook County
498 SE Lynn Blvd.
Prineville, OR 97754
(541)903-5903
tim.deboodt@co.crook.or.us

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From: [Tim Deboodt](#)
To: [\(b\)\(6\)](#); [John Dehler](#); [Casey Kiser, City of Prineville](#); [Jace](#); [Don and Kim Vogel](#); [Darlene Henderson](#); [Dave Nielsen](#); [\(b\)\(6\)](#)
Cc: [Jeffries, Shane- FS](#); [Keown, Kevin -FS](#); [Peer, Beth- FS](#); [Turner, Slater -FS](#)
Subject: [External Email] Trails Subcommittee of the Crook County Natural Resources Advisory Committee
Date: Tuesday, July 20, 2021 9:40:55 AM

[External Email]

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I will schedule a meeting of this group as soon as I know your availability. Below are 3 dates and times, please indicate what dates/times work for you.

August 6 10:00 a.m. - noon
 1:00 p.m. - 3:00 p.m.

August 9 10:00 a.m. - noon
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Thanks for you time and interest in this topic.

Tim

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From: [Jeffries, Shane- FS](#)
To: [Peer, Beth- FS](#); [Tim Deboodt](#)
Cc: [Keown, Kevin -FS](#)
Subject: RE: [External Email]Trails Subcommittee of the Crook County Natural Resources Advisory Committee
Date: Tuesday, July 20, 2021 6:29:42 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

I think you being available to work with a subcommittee is a great idea Beth, if the subcommittee is looking for some involvement by FS. SJ



Shane Jeffries
Forest Supervisor
Forest Service
Ochoco National Forest and Crooked River
National Grassland

p: 541-416-6625
c: (b)(6)
f: 541-416-6695
shane.jeffries@usda.gov

3160 NE Third Street
Prineville, OR 97754
www.fs.fed.us



Caring for the land and serving people

From: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Sent: Tuesday, July 20, 2021 3:25 PM
To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>; Jeffries, Shane- FS <A.Jeffries2@usda.gov>
Subject: RE: [External Email]Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Is there an expectation for a Forest Service employee to join the subcommittee? I don't mind doing that, as I had started the work of sketching out alternatives that addressed the concerns we've heard to date.

~



Beth Peer
Environmental Coordinator
Forest Service
Ochoco National Forest

p: 541-416-6463
elizabeth.peer@usda.gov

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Prineville, OR 97754
www.fs.fed.us



Caring for the land and serving people

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Sent: Tuesday, July 20, 2021 9:41 AM

To: (b)(6); John Dehler <(b)(6)>; Casey Kiser, City of Prineville <CKaiser@cityofprineville.com>; Jace <(b)(6)>; Don and Kim Vogel <(b)(6)>; Darlene Henderson <(b)(6)>; Dave Nielsen <(b)(6)>

Cc: Jeffries, Shane- FS <A.Jeffries2@usda.gov>; Keown, Kevin -FS <kevin.keown@usda.gov>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Turner, Slater -FS <slater.turner@usda.gov>

Subject: [External Email]Trails Subcommittee of the Crook County Natural Resources Advisory Committee

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Peer, Beth- FS

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Monday, August 9, 2021 8:47 PM
To: Peer, Beth- FS
Subject: Re: Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Beth, I will work on a zoom link first thing in the morning. Your presence in the room will be missed. Hopefully soon they will soon change the rules and allow you to meet again in person.

Tim

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tim.deboodt@co.crook.or.us

From: Peer, Beth- FS <Elizabeth.Peer@usda.gov>
Sent: Monday, August 9, 2021 3:26 PM
To: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Subject: RE: Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Almost forgot – if there is a need from us, can you provide a Zoom option as we’re now directed against meeting in person again due to increasing covid.

From: Peer, Beth- FS
Sent: Monday, August 9, 2021 2:30 PM
To: tim.Deboodt@co.crook.or.us
Cc: Turner, Slater -FS <slater.turner@usda.gov>; Joosen, Christopher -FS <christopher.joosen@usda.gov>; Keown, Kevin -FS <kevin.keown@usda.gov>
Subject: FW: Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Tim, because Shane had agreed to pause work on project planning until the subcommittee has had a chance to address concerns about the proposal, I assume the subcommittee will take the meeting time tomorrow to compile concerns and come up with recommendations for the Forest Service to consider. But I don’t want to assume anything, and it’s possible you’ll just be working on a recommended course of action to the County related to their initial input (?). I think it’s important to understand what the group’s work will entail so that if needed, we get the right person there. Please let us know if there’s a particular need from us tomorrow or if we should sit tight and await the outcome of your subcommittee.

Also, in relation to your email last week about the Mill Creek roads map, I hope it was clear that only a very minor amount of changes in road management are proposed in the current Mill Creek project; the vast majority of road management decisions were made back in a 1999 Record of Decision, and which have been portrayed in the Motor Vehicle Use maps (MVUMs).

Thanks,
~Beth

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Sent: Thursday, July 29, 2021 9:02 AM

To: (b)(6); JOHN DEHLER <(b)(6)> Casey Kiser, City of Prineville

<CKaiser@cityofprineville.com>; Jace <(b)(6)>; Don and Kim Vogel <(b)(6)>

Darlene Henderson <(b)(6)>; Dave Nielsen <(b)(6)>

(b)(6)

Cc: Jeffries, Shane- FS <A.Jeffries2@usda.gov>; Keown, Kevin -FS <kevin.keown@usda.gov>; Peer, Beth- FS <Elizabeth.Peer@usda.gov>; Turner, Slater -FS <slater.turner@usda.gov>

Subject: Re: Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Good morning,

So I have heard from most of you.

The meeting date for this subcommittee will be Tuesday, August 10 @ 10:00 am. You will be meeting in the classroom located in the 4H building, 502 SE Lynn Blvd.

If you have any questions, don't hesitate to ask. If you want anyone special to attend, please let me know.

Tim

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tim.deboodt@co.crook.or.us

From: Tim Deboodt

Sent: Tuesday, July 20, 2021 9:40 AM

To: (b)(6); John Dehler <(b)(6)>; Casey Kiser, City of Prineville <CKaiser@cityofprineville.com>; Jace <(b)(6)>; Don and Kim Vogel

<(b)(6)>; Darlene Henderson <(b)(6)> Dave Nielsen

(b)(6)

Cc: Jeffries, Shane -FS <shane.jeffries@usda.gov>; Keown, Kevin -FS <kevin.keown@usda.gov>; Peer, Beth -FS <beth.peer@usda.gov>; slater.turner@usda.gov <slater.turner@usda.gov>

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From: [Peer, Beth- FS](#)
To: tim.Deboodt@co.crook.or.us
Cc: [Turner, Slater -FS](#); [Joosen, Christopher -FS](#); [Keown, Kevin -FS](#)
Subject: FW: Trails Subcommittee of the Crook County Natural Resources Advisory Committee
Date: Monday, August 9, 2021 2:30:00 PM

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Thanks,
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tim.deboodt@co.crook.or.us

From: Tim Deboodt
Sent: Tuesday, July 20, 2021 9:40 AM
To: (b)(6); John Dehler <(b)(6)>
Casey Kiser, City of Prineville <CKaiser@cityofprineville.com>; Jace (b)(6); Don
and Kim Vogel (b)(6); Darlene Henderson
(b)(6) Dave Nielsen <(b)(6)>
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Cc: Jeffries, Shane -FS <shane.jeffries@usda.gov>; Keown, Kevin -FS <kevin.keown@usda.gov>; Peer,
Beth -FS <beth.peer@usda.gov>; slater.turner@usda.gov <slater.turner@usda.gov>
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Peer, Beth- FS

From: Nielsen, David <(b)(6)>
Sent: Wednesday, August 11, 2021 2:19 PM
To: Tim Deboodt; (b)(6); JOHN DEHLER; Casey Kiser, City of Prineville; Jace; Don and Kim Vogel; Darlene Henderson; (b)(6)
Cc: Jeffries, Shane- FS; Keown, Kevin -FS; Peer, Beth- FS; Turner, Slater -FS
Subject: Re: Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Thank you, Tim.

I appreciate this information.

I'm somewhat perplexed that the Forest Service might be calling this a project: Thought it was a proposal.

Is it too early to ask Mr. Slater Turner to call a town meeting to discuss this mountain bike trails proposal? At some time, we probably will want to have a well-advertised, open forum to discuss our concerns.

All of us appreciate your efforts to inform the public and the USFS about the need to legally and thoroughly vet projects that impact environmental health, residents and local culture.

In my opinion, we have an opportunity to lead others to understand the need to honor and revere our natural resources, managing them wisely: Not allowing special interest groups to use public lands in ways that degrade the land and sacrifice nature for recreation.

Sincerely,
Dave

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Sent: Tuesday, August 10, 2021 9:11 AM

To: (b)(6); JOHN DEHLER <(b)(6)>; Casey Kiser, City of Prineville <CKaiser@cityofprineville.com>; Jace (b)(6); Don and Kim Vogel (b)(6); Darlene Henderson (b)(6); Nielsen, David (b)(6); (b)(6)

Cc: Jeffries, Shane -FS <shane.jeffries@usda.gov>; Keown, Kevin -FS <kevin.keown@usda.gov>; Peer, Beth -FS <beth.peer@usda.gov>; slater.turner@usda.gov <slater.turner@usda.gov>

Subject: Re: Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Good morning!

Here is a diagram from FS regarding the status of the Lemon Creek project as far as the planning process does. Thanks Beth for this information.

Tim

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From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>

Sent: Monday, August 9, 2021 1:47 PM

To: (b)(6); JOHN DEHLER (b)(6); Casey Kiser, City of Prineville <CKaiser@cityofprineville.com>; Jace (b)(6); Don and Kim Vogel (b)(6); Darlene Henderson (b)(6); Dave Nielsen (b)(6)

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Good morning!

Just a reminder that this group is scheduled to meet tomorrow morning @ 10:00 a.m.

The meeting location will be the 4H Clover Building, 502 SE Lynn Blvd (fairgrounds).

I am attaching a copy of the draft minutes from the NRAC meeting on July 14th plus the handout provide by Darlene Henderson on grazing allotments and existing trail systems.

Tim

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Ochoco National Forest

Summary Background of Lemon Gulch Trails Proposed Action

1989 Forest plan calls for many miles of trails including trails for mountain bikes. No trails have ever been designed or built for mountain bikes.

Early in the 2010s COTA proposed a large network across the entirety of the west half of the Forest 2014-2015 – Forest scoped a portion of that in the Lookout Mountain area. However, conflict between different user groups as well as multiple additional non-motorized trail proposals led the Forest Service to cancel the proposal and instead request trail user groups to work together and collaborate before submitting anything to the Forest. That is where Ochoco Trails Strategy Group (now called Ochoco Trails) began. The local Chamber of Commerce helped facilitate the group initially. Their intention was to develop trails that are supported by the community and that offer the experiences desired by all types of trail users, while minimizing the impact on wildlife.

The group was convened to work through proposals with multiple user groups and come to agreement. They were asked to consider: what type of trails currently exist, what type of trails do we have too much of or too little of, and where it would make sense to vary use or manage trails. The end goal was to create a non-motorized trail plan & proposal for the Forest to consider. Central Oregon Intergovernmental Council (COIC) later took on group facilitation. 2017-2018 Ochoco Trails participation: Prineville Chamber of Commerce, Central Oregon Intergovernmental Council (COIC) Scott Aycock, Oregon Equestrian Trails (OET) Kim McCarrel, Back Country Horsemen (BCH) Buck Davis, Stan Shepardson, Duane and Ruth Miller, Central Oregon Trails Assoc. (COTA) Travis Holman and Darlene Henderson, Oregon Hunters' Association- Karl Findling, Oregon Wild, Sawyers with Attitudes to Spare-Hiker/Wilderness focus- Kit Dickey, Local Ranchers- Mary Beyer and Bruce, (Non-voting SME feedback for resource specific consulting from Oregon Department of Fish and Wildlife (ODFW) and Ochoco National Forest specialists.

Ochoco Trails met monthly with Forest Service and ODFW involved throughout. The group shared their trail concepts at a community meeting held at the library (where the Lemon Gulch trails proposal was ranked the highest amongst those who voted), with the CCNRAC, and presented the final proposal to the Ochoco NF in early 2019. The proposal involved a non-motorized trails network for a variety of trail types, mostly located on the Lookout Mountain Ranger District. The proposed trails were clustered to minimize impacts on wildlife habitat and avoid riparian areas to the extent possible.

Additional meetings occurred between Ochoco Trails and Ochoco NF specialists, Line Officers, and ODFW to discuss all the trail areas in the proposal. Discussion included the importance of deer and elk summer habitat and the cumulative effects to habitat from ongoing forest uses such as existing non-motorized trail systems, existing motorized routes, livestock grazing, and any ongoing vegetation management treatments. Forest Specialists gave general resource area concerns and concepts, discussed why certain areas had resource issues such as elk security, wildlife core habitat, anadromous fish habitat, etc. In addition, specialist identified ongoing habitat investments that could be impacted from trail development, such as riparian habitat improvement projects and motorized route closure to improve elk security. Full resource analysis would occur though the NEPA process if any projects became official Forest Service proposals. Input from public a meeting on potential trail opportunities ranked Lemon Gulch high on the list, second to Scotty. The ranking for viability of projects that balanced the above considerations were: 1 - Lemon Gulch, 2 - Bandit Springs, 3 – Bandit-Walton Cross Country Loop, 4 - Scotty / Cougar area, 5 – Potlid

From a terrestrial wildlife perspective, deer and elk summer habitat was the priority for ODFW and the Forest Service. Summer habitat is the most important part of their range because it ensures winter

survival and is important for elk reproduction and fawn rearing. Potlid ranked the lowest as a viable project area and had the most concerns due to existing non-motorized trail infrastructure and use, existing motorized routes and use, habitat improvement investments, impacts to elk security, and impacts to wildlife core habitat. Scotty/Cougar ranked low as a viable project area and had the most concerns due to the existing non-motorized trail system, investments to improve elk security, Bear Creek allotment had little to no livestock grazing therefore elk were not competing for forage, and overall, any type of trail development in the area would impact habitat utility. Bandit Springs ranked high as a viable project area due to compact winter trail system that already existed, currently being used by summer recreators, close proximity to the Highway 26, very little new trail construction, and it would amount to primarily an administrative conversion to summer recreation.

Lemon Gulch ranks as the most viable project for the Forest Service to undertake because:

- The area is close to town;
- The project would avoid infrastructure in deer and elk summer habitat;
- Although the area is in winter range the system could potentially be seasonally closed to minimize disturbance;
- Trails could be designed to minimize fragmentation and maximize areas of core habitat;
- Outside Lemon Creek and the riparian zone, much of the area is fairly xeric due to the aspect and precipitation zone; and
- Livestock grazing occurs throughout the summer in the Lemon Creek pasture. Deer and elk populations rely on the entire winter range to find available forage not just Lemon Creek area.

The Forest Service began the NEPA process for three projects from the trails proposal in fiscal year 2020: Dry Creek Horse Camp Trails, Allen Creek Horse Camp Trails, and Bandit Springs Summer Trails and agreed to begin the NEPA process for Lemon Gulch in fiscal year 2021. Ochoco Trails/COTA volunteers completed flagging of proposed trail corridors in Lemon Gulch area and submitted GPS file to Ochoco NF. These corridors were used to prepare the scoping notice that was distributed in March 2021.

From: [Peer, Beth- FS](#)
To: [Tim Deboodt](#); (b)(6); [John Dehler](#); [Casey Kiser, City of Prineville](#); [Jace](#); [Don and Kim Vogel](#); [Darlene Henderson](#); [Dave Nielsen](#); (b)(6)
Cc: [Keown, Kevin -FS](#); [Turner, Slater -FS](#)
Subject: RE: Trails Subcommittee of the Crook County Natural Resources Advisory Committee
Date: Monday, August 30, 2021 10:36:00 AM
Attachments: [ProcessSummaryLemonGulchProposal.docx](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good morning,

Sorry for the delay, I've been swamped over the last week with ongoing litigation. Attached is a brief summary of the process and thoughts relating to providing a mountain bike experience on the Ochoco NF.

~Beth



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Caring for the land and serving people

From: Tim Deboodt <Tim.Deboodt@co.crook.or.us>
Sent: Monday, August 30, 2021 9:55 AM
To: (b)(6); [John Dehler](#); (b)(6); [Casey Kiser, City of Prineville](#) <CKaiser@cityofprineville.com>; [Jace](#); (b)(6); [Don and Kim Vogel](#); (b)(6); [Darlene Henderson](#); (b)(6); [Dave Nielsen](#); (b)(6)
Cc: [Keown, Kevin -FS](#) <kevin.keown@usda.gov>; [Peer, Beth- FS](#) <Elizabeth.Peer@usda.gov>; [Turner, Slater -FS](#) <slater.turner@usda.gov>
Subject: Trails Subcommittee of the Crook County Natural Resources Advisory Committee

Good morning!

I am just checking in this morning. I got an email from Kevin Keown (FS) last week. The FS is wrapping up gathering the information Slater said he would provide on how they (FS) conducted their feasibility study (how they determined Lemon Gulch was the best spot for this

Ochoco National Forest

Summary Background of Lemon Gulch Trails Proposed Action

1989 Forest plan calls for many miles of trails including trails for mountain bikes. No trails have ever been designed or built for mountain bikes.

Early in the 2010s COTA proposed a large network across the entirety of the west half of the Forest 2014-2015 – Forest scoped a portion of that in the Lookout Mountain area. However, conflict between different user groups as well as multiple additional non-motorized trail proposals led the Forest Service to cancel the proposal and instead request trail user groups to work together and collaborate before submitting anything to the Forest. That is where Ochoco Trails Strategy Group (now called Ochoco Trails) began. The local Chamber of Commerce helped facilitate the group initially. Their intention was to develop trails that are supported by the community and that offer the experiences desired by all types of trail users, while minimizing the impact on wildlife.

The group was convened to work through proposals with multiple user groups and come to agreement. They were asked to consider: what type of trails currently exist, what type of trails do we have too much of or too little of, and where it would make sense to vary use or manage trails. The end goal was to create a non-motorized trail plan & proposal for the Forest to consider. Central Oregon Intergovernmental Council (COIC) later took on group facilitation. 2017-2018 Ochoco Trails participation: Prineville Chamber of Commerce, Central Oregon Intergovernmental Council (COIC) Scott Aycock, Oregon Equestrian Trails (OET) Kim McCarrel, Back Country Horsemen (BCH) Buck Davis, Stan Shepardson, Duane and Ruth Miller, Central Oregon Trails Assoc. (COTA) Travis Holman and Darlene Henderson, Oregon Hunters' Association- Karl Findling, Oregon Wild, Sawyers with Attitudes to Spare-Hiker/Wilderness focus- Kit Dickey, Local Ranchers- Mary Beyer and Bruce, (Non-voting SME feedback for resource specific consulting from Oregon Department of Fish and Wildlife (ODFW) and Ochoco National Forest specialists.

Ochoco Trails met monthly with Forest Service and ODFW involved throughout. The group shared their trail concepts at a community meeting held at the library (where the Lemon Gulch trails proposal was ranked the highest amongst those who voted), with the CCNRAC, and presented the final proposal to the Ochoco NF in early 2019. The proposal involved a non-motorized trails network for a variety of trail types, mostly located on the Lookout Mountain Ranger District. The proposed trails were clustered to minimize impacts on wildlife habitat and avoid riparian areas to the extent possible.

Additional meetings occurred between Ochoco Trails and Ochoco NF specialists, Line Officers, and ODFW to discuss all the trail areas in the proposal. Discussion included the importance of deer and elk summer habitat and the cumulative effects to habitat from ongoing forest uses such as existing non-motorized trail systems, existing motorized routes, livestock grazing, and any ongoing vegetation management treatments. Forest Specialists gave general resource area concerns and concepts, discussed why certain areas had resource issues such as elk security, wildlife core habitat, anadromous fish habitat, etc. In addition, specialist identified ongoing habitat investments that could be impacted from trail development, such as riparian habitat improvement projects and motorized route closure to improve elk security. Full resource analysis would occur through the NEPA process if any projects became official Forest Service proposals. Input from public a meeting on potential trail opportunities ranked Lemon Gulch high on the list, second to Scotty. The ranking for viability of projects that balanced the above considerations were: 1 - Lemon Gulch, 2 - Bandit Springs, 3 – Bandit-Walton Cross Country Loop, 4 - Scotty / Cougar area, 5 – Potlid

From a terrestrial wildlife perspective, deer and elk summer habitat was the priority for ODFW and the Forest Service. Summer habitat is the most important part of their range because it ensures winter

survival and is important for elk reproduction and fawn rearing. Potlid ranked the lowest as a viable project area and had the most concerns due to existing non-motorized trail infrastructure and use, existing motorized routes and use, habitat improvement investments, impacts to elk security, and impacts to wildlife core habitat. Scotty/Cougar ranked low as a viable project area and had the most concerns due to the existing non-motorized trail system, investments to improve elk security, Bear Creek allotment had little to no livestock grazing therefore elk were not competing for forage, and overall, any type of trail development in the area would impact habitat utility. Bandit Springs ranked high as a viable project area due to compact winter trail system that already existed, currently being used by summer recreators, close proximity to the Highway 26, very little new trail construction, and it would amount to primarily an administrative conversion to summer recreation.

Lemon Gulch ranks as the most viable project for the Forest Service to undertake because:

- The area is close to town;
- The project would avoid infrastructure in deer and elk summer habitat;
- Although the area is in winter range the system could potentially be seasonally closed to minimize disturbance;
- Trails could be designed to minimize fragmentation and maximize areas of core habitat;
- Outside Lemon Creek and the riparian zone, much of the area is fairly xeric due to the aspect and precipitation zone; and
- Livestock grazing occurs throughout the summer in the Lemon Creek pasture. Deer and elk populations rely on the entire winter range to find available forage not just Lemon Creek area.

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trail expansion project). As soon as I know they are done with it, I will be scheduling another sub-committee meeting.

Tim

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