

Minutes

Crook County Natural Resources Committee

September 13, 2023

Committee Members Present: Bill McCormack, Melinda Kestler, Frank Porfily, Mike Lunn, Tim Deboodt, Andy Gallagher, Kim Vogel, Steve McGuire

Members Absent: Casey Kaiser, Cliff Kiser, Lynne Breese

Guests Present: Kyle Hensley (BLM), Chris Gerdes (OSP), Slater Turner (FS), Nick Weber (BLM)

Public Present: Gayle Hunt, Jenna Deidel, Nattie Downing

Meeting was called to order at 1:00 p.m. by Chair Steve McGuire @ COCC Crook County Open Campus

Pledge of Allegiance

Minutes: Mike Lunn moved to approve the minutes of the August 9, 2023 meeting as presented. Bill McCormack seconded. Motion passed.

Agency Updates: The committee received the FS handout updating FS activities for the month. There was discussion about the FS process for involving the public in its planning processes. There was general belief that the FS process is not open for public involvement. Comments included that our venue is used as FS tool to inform the public but doesn't allow time for asking questions, getting clarification; public meetings have no influence on FS decision making, "they don't listen to local needs"; FS by-passes local knowledge of what works or doesn't, it is just about checking off the boxes.

Frank asked why the FS won't do Forest Plan Amendments (ex. Steep slope logging), Kim commented that the existing FS plan doesn't encourage contemporary science. Steve asked if there are opportunities to engage legislative solutions.

Tim provided a copy of the County's letter regarding the Mill Creek Vegetation Management Plan. The County adopted its letter on September 6, 2023. (Attached)

Kyle Hensley (BLM) introduced himself as the new, Field Manager, Central Oregon Field Office of the Prineville District BLM. Kyle replaces Amanda Roberts. Kyle has been at the Prineville District BLM office since 2020, his background is in land surveying. Nick Weber was introduced as the new Assistant Field Manager, Central Oregon Field Office. Nick has been here since 2018 and was the Recreation Planner on the Deschutes Fort Rock District (FS).

Kyle provided the BLM updates. The Prineville District has had a mild fire season. With the lightning storms we did get, rain came with them. The Deschutes solar applications are still on hold. Prescribed fire work for this fall is looking good with fuel conditions and weather.

BLM is working with ODF&W on the new draft habitat maps. Teaters RD and access to Big Summit is still in litigation. District Court found that public access on the Teaters Rd did exist. A recent ruling by the Supreme Court on a similar issue has led to an appeal of the Teaters decision to the 9th Circuit Court.

Chris Gerdes (Oregon State Parks) provided updates on the progress of the Prineville Reservoir Resort planning effort and vegetation work occurring at State Parks around the reservoir. OSP is removing some juniper trees (thinning) with the goal of the cut to make it look like it is still a campground.

Chris reported that OSP has contracted with Portland State University to conduct a community wide, use survey for the Prineville Reservoir Resort site. This part of the planning process is to see what the community wants, what are the user expectations. There will be a series of public listening sessions on Friday, September 29 at the Crook County Library. The Committee has been asked to participate if they are available.

Slater Turner joined the meeting and reported that the FS is responding to a fire north of the Mill Creek Wilderness. The response level was high and lots of resources have responded. Reported acreage was 25 acres today. Slater reported that Scott McFarlane was the new, permanent District Ranger for Rager Ranger District. Scott had been acting Natural Resources Staff on the Deschutes National Forest. Scott is originally from Colorado.

Mike asked Slater if he knew when the 42 Rd would reopen. Slater reported that early November is the planned reopening.

Frank asked if a Forest Amendment to the current Plan would help the FS be able to move forward with planning and project implementation. Slater said the Forest is still following the existing Forest Plan. Other Forests, attempting Forest Plan Amendments have been challenged in Court and not been successful.

Kim commented that give the size of the Mill Creek Vegetation Management Plan, a Forest Amendment would be an important tool for implementing. Kim mentioned that the amendment process is supposed to be a part of the Forest Planning process. Kim also emphasized the need for more public meetings related to proposed projects and project opportunities. Complicated EA's need more review than allowed for under the existing processes. Kim hopes the Forest will work with adjoining landowners to strategize project implementation.

Good of the Order

Frank and Melinda questioned the use of email communication between meetings in recognizing the intent of rules guiding the public meetings. Recent emails to the group resulted in some committee members "replying to all" instead of just Tim. County Legal Counsel reminded the group that they should only respond to Tim, and not to all.

Public Comment

Gayle Hunt informed the Committee that the Council on Environmental Quality was seeking public comment on new NEPA regulations. The proposed regulations roll back some of the rules adopted during the Trump Administration. Gayle indicated she would send to Tim the link of public announcement and proposed language changes and then Tim will send it to the Committee. Deadline for public comment is September 29, 2023.

Melinda moved to adjourn the meeting. Kim seconded. Motion passed.

Meeting adjourned at 2:45 p.m.

**Crook County Natural Resources Advisory Committee**

Ochoco National Forest & Crooked River National Grassland

September 13, 2023

WILDFIRE UPDATE

We have had a relatively quiet wildfire season in Central Oregon and in general, we are in alignment with our 10-year average (21) on the Forest. Credit belongs to the firefighters who were able to respond to these fires and keep them small to minimize risk to our communities, private land and public infrastructure.

2023 Stat Fire Totals

Updated 9/4/2023

AGENCY	HUMAN	ACRES	LIGHTNING	ACRES	TOTAL FIRES	TOTAL ACRES
Deschutes NF	71	36.87	30	5.58	101	42.45
Ochoco NF	16	12.8	6	3.6	22	16.4
Prineville BLM	37	5332.3	16	3336	53	8668.3
ODF	30	159.1	7	5.3	37	164.4
Total	154	5541.07	59	3,350.48	213	8891.55

*Undetermined cause fires are calculated as part of the Human caused total.

For up-to-date fire information across Central Oregon, including smoke readiness and air quality information, visit: www.centraloregonfire.org

PRESCRIBED BURNING PROGRAM

Fall prescribed burning could begin as early as the end of the month on the Forest. Planned prescribed fire areas could include burn units near and adjacent to Big Summit Prairie and in the Maury Mountains. As always, we will share information with our media partners, as well as post the information to our social media accounts, the Forest website, and www.centraloregonfire.org to help our communities around the Forest—as well as visitors—be prepared for smoke in the air.

NATURAL RESOURCES**Greater Williams Prairie Restoration Project**

The Ochoco National Forest has begun work on the Greater Williams Prairie Restoration Project, a ridgetop to valley bottom effort to improve watershed health. Williams Prairie is one of multiple projects within the Greater Williams Prairie Restoration area. It is 560 acres of meadow located approximately 3 miles south of Big Summit Prairie on the Paulina Ranger District. The first phase of restoration is focused on filling in and leveling ground over four miles of deeply eroded stream gullies within the prairie. Adding additional soil and “fill material” will result in restored water tables closer to the historic ground surface, which will allow for the growth of a complex riparian area, and an overall healthier stream, meadow, and prairie. Additionally, the restoration project will include the planting of diverse upland and riparian species, as well as large wood/debris placement and 3 floodplain relief culverts installed at the bottom end of the Prairie.

ENGINEERING/ROADS

Forest-wide Cattleguard reconstruction and replacement Project (funded by the Great American Outdoors Act)





The Forest Service has awarded a two-year contract for the repair and maintenance on approximately 65 cattleguards located across the Ochoco National Forest. Cattleguards were prioritized and selected based on health and safety concerns on our maintenance level 3-5 roads. A few high priority cattleguards on maintenance level 2 roads were also included based on those identified as needed by range staff. The contract repaired or maintained 24 sites in 2022 and will repair or maintain an additional 41 sites in 2023.

Lamonta Compound

There are two large projects occurring at the Lamonta Compound. In 2022, the Forest completed siding replacement, painting and exterior restoration of three (3) of the four (4) CCC era warehouses and storage buildings. The Forest is currently working with different youth education and employment programs to restore a fifth building used to store fire and lookout specific supplies. All these structures are part of or add to the historic significance of this compound. The second project is a two (2) phase project to construct an up-to-date fire facility to house the Forest's 100+ fire employees, providing office space, training space, and a ready room to also accommodate visiting fire personnel. The first phase began in the spring of 2023, will upgrade compound utilities and bring connections to city infrastructure up to local and state code, provide for needed employee parking, and provide for improved access from both Lamonta and 10th Streets. The second phase, scheduled for 2023, will complete construction of the actual fire operations facility.

Forest Service Road 42 Paving Project (funded by the Great American Outdoors Act)

In 2023 the forest is completing construction of this three-year project. In the fall of 2023, the project will focus on work from Forest Road (FR) 4200-300 to the junction with FR 4210 and that area will be fully closed while that work is completed. The project will mill the existing asphalt, stabilize the base material to mitigate future frost heave damage, repave and restripe this section of road along with completing necessary bridge repairs. The final phase of this project should be completed by the end of November 2023. Contractors will also be patching asphalt on FR 42 from the junction with FS 22 road to the junction with FR 4210. This work will happen while the road is open but there could be temporary traffic delays.

Forest Service Road 22 Reconstruction Project (funded by the Federal Land Transportation Program)

Federal Highways Administration will be prioritizing critical locations for partial reconstruction and/or overlay on Forest Service Road 22 between the junction of Forest Service Road 42 and Walton Lake Campground. Complete reconstruction of this road is warranted, however the existing funding is for \$1,000,000 in construction funds. The Federal Highway Administration, Western Federal Lands Highway Division (FHWA-WFL) and the Forest Service will jointly complete the environmental review and NEPA documentation in 2023. FHWA-WFL will be responsible for completing the design and construction which is expected to begin in 2024.

Motor Vehicle Use Map Information

Our Engineering staff, together with our Natural Resources, Recreation, Range, and Visitor Information Services teams are in the process to make substantial updates to our Motor Vehicle Use Maps. This is a comprehensive effort to ensure our official information on maps is not only accurate, but also signed property on the Forest and Grassland. This will be implemented on a rolling basis beginning in the summer of 2023 with new carsonite posts, new kiosks, updated kiosks, re-signing road signs that have excessive wear, etc. in addition to posting and printing updated maps.





PROJECT PLANNING UPDATES

Walton Lake Restoration Project

Forest Service Prevails in the 9th Circuit

Judge Mosman of the U.S. District Court of Oregon issued an Opinion and Order on September 26, 2022 granting summary judgment to the Forest Service on seven counts. Three counts were previously ruled in the Forest Service's favor, and one in plaintiff's favor during the July oral hearing. Plaintiffs appealed the District Court ruling. Briefing and oral arguments at the 9th Circuit Court of Appeals took place earlier this year. On July 3rd, a three-judge panel of the 9th Circuit issued a ruling affirming the district court's summary judgement in the Forest Service's favor. The Forest intends to get the necessary forest health and fuels reduction work underway this fall.

Mill Creek Restoration Project

The Mill Creek Dry Forest Restoration Project (Mill Creek) proposes to actively manage stands to restore historic stand composition, structure, and density; reducing activity generated and naturally occurring fuels; and restoring streams, floodplains, and Riparian Habitat Conservation Areas (RHCAs). The project area is located on the Lookout Mountain Ranger District east of Prineville, Oregon, adjacent to the Mill Creek Wilderness. The project area is approximately 36,485 acres in size. The Forest is preparing an environmental assessment to disclose the effects of four alternatives, with commercial harvest ranging from 7,328 to 8,960 acres. The environmental assessment was issued on August 16th for a 30-day public comment period. Following consideration of the comments received, the Forest will issue a final environmental assessment and draft Decision Notice later this fall, which will be subject to a 45-day objection period.

North Fork Crooked River Resiliency Project

The Paulina Ranger District of the Ochoco National Forest is proposing landscape restoration with the North Fork Crooked River Forest Resilience Project including commercial and noncommercial thinning, prescribed fire, and road system changes. The larger "planning area" includes about 37,554 acres (although activities are only proposed across about 10,000 acres) and is located about 31 miles east of Prineville, Oregon, and 9 miles north of Paulina, Oregon. The proposed action was scoped with the public in September 2022. The ID Team used scoping comments to develop an alternative. The draft environmental assessment is expected to be released for public comment this summer.

Corral Flats Equestrian Endurance Ride Trails Project

Corral Flats contains trails and roads that has been used as a permitted annual equestrian endurance event. The Corral Flats Equestrian Endurance Ride Trails Project proposes the designation of approximately 50 miles of trail for equestrians as part of the Forest non-motorized designated trail system. The project is about 25 miles northeast of Prineville on the Paulina Ranger District. The trail routes are coincident with Forest Service system roads (both open and closed) and non-system two-track roads. This project would also involve rehabilitation of areas damaged by OHVs, and improvements of road closures to prevent future damage. Public scoping is currently underway.

Ochoco Wild Horse Management Plan

Under Litigation in US District Court of Oregon

The Forest Service completed NEPA for an updated Ochoco Wild Horse Herd Management Plan in May 2021. A lawsuit challenging the new plan was filed in US District Court in October 2021. Following briefing, Magistrate





Judge Hallman issued Findings and Recommendations in favor of the Forest Service on all counts. There is an opportunity for plaintiffs to object to the Findings and Recommendations. A District judge will then issue a final ruling.

HERITAGE/ARCHEOLOGY

Rager and Ochoco Ranger Station Kiosk project

The Forest competed for year-end Regional Office dollars in September 2022 and was awarded funding for Heritage Interpretive Panels to showcase the history of the Rager and Ochoco Ranger Stations. New kiosks and informational panels will be erected at both sites. This was part of mitigation measures agreed to between the Forest Service and the State Historic Preservation Office during the partial decommissioning process of the two administrative sites.

FOREST HEALTH

In the 2022 and 2023 annually conducted aerial insect and disease surveys, Forest Health Protection Staff observed wide-spread grand fir mortality that is believed to be caused by drought stress and fir engraver beetles. The mortality is quite severe in some places but in general, at moderate levels. The mortality is across a very large area, essentially where grand fir is present in Central Oregon and all the way to the California border. The Forest is conducting an assessment of the existing condition and working with Regional Staff to consider options for addressing this issue.

Stay up-to-date with forest information by visiting: <https://www.fs.usda.gov/ochoco> or follow us on Facebook at: <https://www.facebook.com/OchocoNatForestCrookedRiverNatGrassland>

To have your email added to the Forest's project mailing list, please visit <https://www.fs.usda.gov/projects/ochoco/landmanagement/projects> and enter your email in the "Email Updates" box. You will then begin to receive notification of project announcements such as public comment periods. This link also provides information for all current planning projects.





Crook County

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Phone (541) 447-6555

September 7, 2023

Jennifer Abernathy, NEPA Planner, Lookout Mountain Ranger District
Ochoco National Forest
3160 NE Third Street
Prineville, OR 97754

Response to Mill Creek Dry Forest Restoration Project # 58081, Draft Environmental Assessment

Crook County thanks you for the opportunity to respond to the Draft Environmental Assessment (EA) for the Mill Creek Dry Forest Restoration project # 58081. Enclosed you will find comments, concerns and general support for Alternative 3 of the draft EA. The Crook County Court is the Board of Commissioners for Crook County, Oregon. In 2017, Crook County adopted its Crook County Natural Resources Policy. The policy, developed with the citizens of Crook County, serves as a guide for the County's interaction with local, state and federal land management agencies in regards to natural resource issues.

In the matter of the Mill Creek Dry Forest Restoration Project, the comments that follow are in support of the adopted Natural Resources Policy. After reviewing the draft EA, Crook County generally supports the selection of Alternative 3 with minor modifications. County recommendations are listed below.

Purpose and need:

Increased resilience to insect, disease, fire and drought

* **Support the 6 points on purpose and need.** Need to manage for healthy forests, reduced catastrophic wildfire risks and impacts of drought (disease and insect impacts on stressed trees), and the need to reverse the conversion of pine to fir dominated stands.

Generally, and particularly during a period of drying and warmer climate, basal area of ponderosa pine stands should be reduced to 40-60 sq. feet of BA/acre to be healthy and resilient. Targeting a 40-60 BA is also representative of historic natural fire regime conditions on dry ponderosa sites. **Ecology and Management of Eastern Oregon Forests. Manual 12, (2018) Pg. 59, table 3.4. Hagmann, R.K., et al. Historical structure and composition of ponderosa pine and mixed-conifer forests in south-central Oregon. Forest Ecol. Manage. (2013). Perpetuating old ponderosa pine. T.E.Kolb et al. Forest Ecology and Management 249(2007) 141-157.** A few large older trees per acre with grass understories likely predominated. This would require removal of most of the

other competing species, Douglas and white fir. Selected wildlife habitat areas with thicker escape and resting cover conditions should be specifically provided.

Enhance and restore stream channels and riparian areas

*** No mention of impacts of increased conifer within riparian zones and impacts (competition) with hardwoods, stream shading and bank stability (addressed to some degree in discussion of public scoping).** Increased density of conifer within riparian zones adds to the drying of these habitat types and the instability of the riparian channel, and inhibits growth and recruitment of riparian vegetation, contributing to channel down cutting and widening and therefore riparian degradation.

In relation to grazing (grazing recommendations are not a part of this project) in some stream reaches, particularly meadows, livestock grazing should be analyzed for riparian impacts and appropriate grazing tools/approaches determined in collaboration with the permittees and management strategies implemented either through the annual operating plans or when the Allotment Management Plans are updated.

Supply Timber and Wood Products

*** Agree with this purpose**

Align road maintenance levels with travel management plan

*** Generally the County opposes road closures but is willing on a case by case basis to accept minor changes when specific data exists to justify road closures.**

General statements about impacts on wildlife and erosion are not considered to be justifiable. Road closures must also be justified in the areas of wildfire fighting, maintenance requirements of grazing permits, recreational access/hunting, and handicap access.

While the County understands this is not a grazing EA, the discussion of grazing impacts (pg 25) within the project area on current conditions express the fact that past grazing played a role in existing condition but fails to state how today's grazing practices (USFS 2010) are required to contribute to improvements in future conditions. The way this paragraph is written, the Forest is saying that grazing was a problem and there is nothing we can do about it which is not true.

Working closely with permittees and others, there are numerous approaches to improve range conditions that can work both for livestock production and land health. Where no satisfactory systems are available to protect land health, suitability for livestock grazing should be considered. Opportunities to make minor changes in grazing can be made through the annual operating plans or when the Allotment Management Plans are updated. Changes should be made only when monitoring data supports them.

Role of prescribed fire and impacts to the community:

The County recognizes the value of prescribed fire as a tool for managing forest vegetation. However, the County is concerned that the Forest relies too heavily on

prescribed fire for meeting forest management objectives when other tools could accomplish the same outcomes and provide a positive impact to the Community (harvest more board-feet for sale) and reduce the negative impacts (smoke/air quality).

The Forest must coordinate prescribed fire activities with Mill Creek residents and appropriate County and City governments and citizens in order to minimize negative impacts.

The inclusion of thinning and fuels reduction in ALT 3 and 4 for the RHCA's is supported by the County. This must be done in order to meet forest and riparian management objections and desired outcomes.

With the addition of biomass treatment facilities in Prineville, this will enable more economically positive conversion and also improved carbon reduction/utilization. Additionally, there could be markets for smaller Douglas fir depending on timing of contracts, the plan must be able to take advantage of this.

The County supports the Forest in adopting a forest amendment which would allow appropriate and currently accepted ground-based harvest techniques on slopes > 35%. The County believes the Forest is wasting time and energy evaluating helicopter and high-lead logging systems.

These systems are not economically feasible in stands of such low timber volume. Analyzing such systems on the premise that they are available to help achieve forest management goals potentially requires tools that just are not available. Well established, cost effective winch-assist logging and winch-assist cut-to-length systems could be more appropriate for steep slopes and the County encourages the forest to evaluate them. The Forest should do a Forest plan amendment to address this.

The County is surprised to see the mention of Lemon Gulch Trails EA in the document (pg. 25, 33, 226) since this review and no decision notice were issued in April, 2023.

The County acknowledges that there is a significant amount of fir that is dying within the Ochoco National Forest, including the Mill Creek Area. This rapid die-off requires that the Forest act quickly and that its actions cover the greatest amount of area within the scope of approved EA and Decision Notices.

The County supports the scope of Alternative 3 with the allowance of the removal of >21" trees (emphasis on Fir types but not exclude pine if needed to meet stand requirements) and emphasizes the need to adopt current technologies/practices of timber harvest on steep slopes and eliminate analysis of harvest systems that are not viable or economically available at this time. Only 25 trees 21" diameter/acre equates to 60 sq. feet of BA, a reasonable maximum stocking level for most dry pine stands.

The County supports the control of non-native invasive plants and is supportive of actions proposed within the Mill Creek Vegetation Management Plan. The EA emphasizes the role of grazing livestock (pg. 96) as vectors for non-native invasive plants.

The EA fails to mention that wildlife also serve the same role as vectors with seeds or plant parts in hair, hoofs or manure. Monitoring wildlife migration routes and habitats for non-native plant movement followed by implementation of control measures should be emphasized by the Forest. Major emphasis should be place on invasive annual grasses such as Ventenata, Medusahead rye and cheatgrass as these species can contribute greatly to the initiation and spread of wildfire.

Hydrology and Aquatic Species:

The County supports the assumptions of water yield but notices the Equivalent Harvest Area (EHA) assessment (pg. 163) appears to fail to measure or at least state the benefits of additional soil water infiltration associated with decreasing tree (and tree canopy) density. Improved soil/water infiltration increases soil water volume and movement. The result is increased ground water and soil water contribution to stream flow, resulting in longer periods of stream flow with increased volumes of water.

Mill Creek is a major stream, contributing to storage in Ochoco Reservoir. Flows into and storage of water in this reservoir have been impacted by long term drought and landscape changes above the reservoir. Water storage in Ochoco Reservoir is critical to the economic stability of the County providing water for irrigated agriculture and recreational opportunities (fishing and boating). The increased water storage captured in healthy watersheds can also increase the time period for stream flow during late summer fall?

As noted on pg. 169, Alt 3 does generate the highest EHA index values. The County strongly encourages the Forest to increase long term water yield monitoring as a method to help determine if project outcomes are/have been met.

Range

The County supports the assumptions of forest management proposed in Alt's 2,3 and 4 in regards to the positive responses to understory vegetation including grasses (livestock forage).

The EA fails to mention that increases in forage production will not lead to increases in permitted AUMs. The County assumes that the Forest and the permittees will take advantage of this benefit through the use of existing AUM's and the grazing schedule developed annually to implement the AMP's for each allotment within the planning area. Benefits to the healthy plant communities include reduced risk of invasive plant introduction and productivity and improved benefits to RHCA recovery rates due to improved distribution and timing issues.

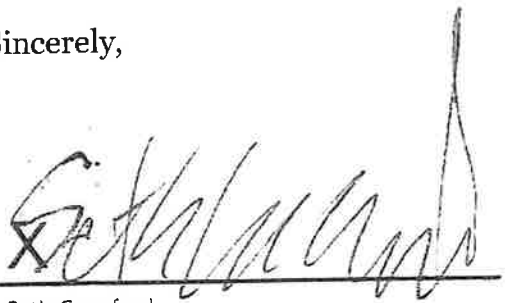
Economics

The County appreciates the recognition of this plan on jobs and economic activity in the region. Not only does a sustained yield offering by the Forest support existing jobs, but it also generates interest in forestry careers by the younger generation. This is the pool of individuals that is necessary for future of the industry and the management of our forests, public and private.


It would be good to include the economics of biomass offerings. This is an emerging industry, utilizing a different product than what has been offered in the past from public lands. The City of Prineville is currently studying the opportunities to construct and operate a biomass utilization facility that could be a new addition to Crook County's economic activity. This facility, if constructed will add jobs not only at its location but additional jobs in the woods.

In closing, Crook County thanks you again for the opportunity to comment on the draft EA, Mill Creek Dry Forest Restoration Project. In general, the County supports the selection of Alternative 3 with minor modifications. Our input here includes those suggested modifications for the Final EA and Decision Notice. If you have any questions about our input, please do not hesitate to contact Tim Deboodt, Coordinator, Crook County Natural Resources.

Sincerely,

A handwritten signature in dark ink, appearing to read "Seth Crawford", written over a horizontal line.

Seth Crawford
County Judge

A handwritten signature in dark ink, appearing to read "Jerry Brummer", written over a horizontal line. To the left of the signature is a large handwritten "X" mark.

Jerry Brummer
County Commissioner