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December 19, 2022

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

Sent via E-Mail: **Web Link:** <https://www.fs.usda.gov/project/?project=58831>

RE: Comments by Oregon Cattlemen's Association on Lemon Gulch Bike Trail Proposal

Dear Mr. Turner:

The Oregon Cattlemen's Association (OCA) is the trade association established by Oregon's ranchers in 1913. OCA continues its mission to serve and advocate on behalf of Oregon's 13,000 ranchers dispersed across every Oregon County. OCA is respectfully offering comments concerning the Draft Environmental Assessment pertaining to the proposed Lemon Gulch Bike Trail. The Oregon Cattlemen's Association requests the Forest Service choose the "No Action" alternative for the following reasons:

- Lack of public involvement.
- The process from the beginning did not include the public as required.
- Local permittees and affected public were not properly notified as pursuant to 40CFR 1506.6.
- 360 cow calf pairs have a permitted right to graze this area, the Forest Service recognizes the potential impact to livestock and safety concern for recreationist and livestock but take no action to remedy this concern (Page 7).
- Concern that the proposed project is not consistent with the current Forest Plan, current plan calls for dispersed recreation. This project is not a dispersed recreation project.
- This area is sensitive Elk and Mule deer habitat. The Forest Service recognizes this on pages 7, 49 & 53. Their own report states "the proposed project would impact these species or their use of this habitat."
- "Recreational use within the project area has increased in the last 10 years. Many studies and research have documented that Elk avoid areas near open roads and trails because of increased human disturbances." (Page 54)
- The Forest Service recognizes this project may have the potential to degrade sensitive riparian areas. (Page 7)
- The trail system proposed will be multi-use trails open to hiking, walking, running and equestrian use. Potential conflict and safety for all users are not remedied in this proposal.

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- The Forest Service, by virtue of the 1976 Federal Land Policy and Management Act (FLPMA), is required to manage all public lands based on multiple use. FLPMA clearly states the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation, human occupancy, and use. The law is also very clear on the process that an agency must abide by when making significant changes to the current use of the public lands it manages. In this case dramatically increasing the human footprint in the Mill creek drainage, specifically Lemon Gulch. The law says: No action concerning the proposal may be taken that would:
 - **Have an adverse environmental impact; or**
 - ***Limit the choice of reasonable alternatives***

This project clearly does not fit within the letter of the law. For this reason and the reasons listed above, the Oregon Cattlemen's Association cannot support this proposal.

Thank you for this opportunity to provide these brief comments.

Respectfully,



Todd Nash, President



Matthew McElligott, President Elect
Public Lands Committee Chair