

From: David G. Nielsen



To: Mr. Slater Turner and Mr. Shane Jeffries
USD-Forest Service
Ochoco National Forest
1360 3rd Street
Prineville, OR 07754

6 December 2022

Dear Mr. Turner and Mr. Jeffries:

I am writing to object to the proposed action for the Lemon Gulch Trails Project #58831: Building a mountain bike trail complex in the Lemon Creek watershed. I request a personal response from both Mr. Turner and Mr. Jeffries.

Your choice to do an Environmental Assessment (EA) for this proposed project in Lemon Creek was a mistake, according to your own protocols/rules. As I read Forest Service protocols, an EA is used when you need to determine if there will be impacts within the project area; an Environmental Impact Statement (EIS) is indicated when you know there will be non-trivial impacts to the project area. You and all those interested in this project knew there would be non-trivial impacts to the Lemon Creek watershed. The EIS will categorize those impacts to Lemon Creek, the project area, not the Ochoco National Forest. The EA you published on November 17, 2022 that seemed to be in-depth and thorough to the uninitiated was, in-fact, a rationalization to support the Forest Service's position. Although the EA found that 48% of the project area is core habitat for elk and deer and that there would be significant impacts to bumble bees, white faced woodpeckers and other species, these animals would simply move to other parts of the ONF: That's not the point. We all knew that before the EA was initiated.

I noticed that the EA did not include (1) geology, (2) engineering, (3) an economist, (4) or sociologist. Specialists in each of these categories are required to assess and define impacts that this project would effect. The scope of the Lemon Gulch project in Lemon Creek demands an EIS based on but not limited to:

1. WILDFIRE DANGER
2. Soil Compaction
3. Erosion/Sedimentation
4. Maintenance of existing indigenous and agrarian culture

I will address these points later in this letter of objection. All of my comments and concerns are substantive: I request that you attempt to answer these challenges, and that you provide mitigation tactics and strategies, if you think they are doable and

effective. It is my understanding that I will have a chance to consider your responses to my questions and provide my assessment. I hope that we might engage in this process through a sit-down meeting, perhaps with a facilitator.

PROCESS: As you and many others know, personnel at the ONF did not follow USFS protocols for letting the community and others know about planning for new mountain bike trails in the ONF. Grazing permittees and landowners in the Mill Creek Valley did not learn about this project proposed for Lemon Creek until April (permittees) or June (adjacent landowners) 2021. In reviewing information received through the FOIA process, we learned that most of the community outreach was through e-mailing folks on your e-mail list: Those who had previously asked to be informed of ONF activities. Mr. Jeffries wrote an article about the initiative that was published in the Central Oregonian sometime in 2019 or 2020. In working with the Central Oregonian and while canvassing Prineville residents during the past 18 months, we have learned that most folks in Prineville do not read the Central Oregonian, and most of them do not read the Bulletin from Bend. Even employees at the ONF in Prineville were mostly unaware of the planning effort and the proposal in summer 2021 when we began learning of the project and sharing our concerns with the community. I do not understand how that could happen.

We tried diligently to meet with ONF leaders to discuss the project, but we were limited to mostly virtual interactions in meetings hosted by the Crook County Natural Resources Advisory Committee (NRAC). During one of those meetings in summer 2021, Beth Peer stated that, “The next time, in the future, when we do it again, we will be sure to keep the community informed about FS project planning.” This makes it clear that you did not follow your own rule, 40CFR1506.6 regarding public notification and involvement.

Mr. Monty Greg told me in a telephone conversation on or about 8 July 2021, that the FS must notify grazing permittees and affected, adjacent landowners as soon as planning begins for a new project. He hesitated and then said, “And we didn’t do that.” It’s clear that you failed to notify the community about the planning process, even after you chose Lemon Creek as the site for the Complex. We wonder why this happened. The bottom line is, leadership at the ONF failed to ensure that rule 40CFR1506.6 was not followed in planning the Lemon Gulch Trails Project #58831.

SAFETY/DANGER:

Fire: Leadership at the ONF has been acutely aware of the potential for catastrophic wildfire in the Mill Creek Valley, including Lemon Creek, since the 1990's. A church group planned to build a complex of cabins in a portion of Lemon Creek. They spent lots of time doing perk tests and thinning the forest from below. Concerned citizens in the Valley fought the proposal, because they knew about the fire hazard associated with inviting many more people to the forest where they will build campfires and smoke. The valley is analogous to a chimney in terms of how even moderate winds could spread the fire rapidly, from end to end, destroying the forest, burning homes and other structures and endangering lives. The ONF declined to permit the church camp, primarily because of the potential for catastrophic wildfire. Since the 1990's, drought has been consistent, Crook County is in extreme drought, and the area is drier than it has been in the past 1200 years.

The EA states that there are numerous campfire sites in Lemon Creek. **This is not true.** Campsites in the watershed are mostly along Lemon Creek Road and its spur roads. Campsites are actually rather rare in Lemon Creek, and they are used infrequently. We know this, because we visit the area during all times of the year when the FS gates are open, including during both the archery and firearms hunting seasons. We have never seen a campsite in use during any time other than hunting seasons. **Please don't attempt to indicate that the mountain bike trails Complex would not dramatically increase the potential for more ignitions in the forest with potential for catastrophic consequences.** The EA does not indicate how this hazard/danger could be mitigated.

Roads & Traffic: Your statement in the EA regarding automobile traffic on Mill Creek Road is dramatically inflated. I can't imagine where you came up with that number. I ask that you endeavor to monitor traffic from highway 26 to Lemon Creek Road any week or month of the year to obtain an accurate view of traffic density. **The Complex you are proposing would dramatically increase traffic on Mill Creek Road.** FYI, old timers who have used and followed incidents in the Mill Creek Valley for generations call it the "killer road." (Midstate Power Sports, Redmond, Oregon). At this time, Co. Rd. 33 (Mill Creek Road) is marginally maintained by the County. Weeds along the edge are not sprayed routinely with herbicides, so weeds are causing the asphalt edges to lose integrity. This, along with no berms, makes the road surface dangerous for visitors and locals who commonly drive at high speeds.

Mill Creek Road is blacktop for 5 miles upstream from highway 26. From the end of the blacktop, it is 2.7 miles of gravel road with washboards to Lemon Creek Road. This segment is maintained twice each year by grading and adding gravel. As vehicles travel this segment, gravel is pushed to road edges. If a vehicle

gets into this thick gravel along edges, the vehicle is pulled further to the road edge. The north bound lane runs along rather steep drop-offs that would increase the hazard associated with a wreck.

Lemon Creek Road was not built to accommodate traffic that would be associated with a mountain bike trails Complex, especially during planned, competitive events with hundreds of automobiles. Planners and FS personnel know that this kind of visitation would be expected.

The EA states that “Roads and trails present across the forest, including within the project area, facilitate a high amount of human disturbance.” There is adequate access to much of the Lemon Creek watershed, but human disturbance has been minimal in the past: Human disturbance in the watershed is minimal now. We know this from personal experience.

Lemon Creek Road is narrow with sharp, blind curves and is only lightly used by motor vehicles. Currently and in the past, we seldom meet vehicles coming toward us or from behind. We always hope that others on the road will be as cautious as we are. **Encouraging a high level of traffic on Lemon Creek Road is not responsible.** If this Complex is built, the FS would probably have to close Lemon Creek Road and spur roads to non-mountain bike traffic during planned events. Afterall, the Complex is analogous to the Mt. Bachelor skiing complex off Cascade Lakes Highway. The EA does not state how this concern could be mitigated.

The EA states that the 6 parking lots and 4 trail heads would not attract more riders. **This is not true.** Of course, they would, and they would be needed to accommodate expected popularity and usage, including shuttling. Travis Holman stated that although Lookout Mountain and Round Mountain provide thrilling, beautiful rides, most riders would change to riding at the Lemon Gulch Complex in Lemon Creek. They say the 6 parking lots are intended to facilitate shuttling bikers from bottoms to the tops of trails. Is this the kind of activity endorsed by contemporary District Rangers and Forest Supervisors? That’s not what most citizens, including mountain bikers, want, in my opinion. Once again, a special interest group receiving special favors from a public agency that is not in a position to monitor and manage the Complex.

Emergency Response: There is no cell service in the Lemon Creek watershed. There is only marginal service ca. 1 mile north of highway 26, 6.7 miles from the entrance to Lemon Creek Road. Response time for emergency service is compromised by this reality. Prineville has only 2 ambulances and crews: Their response time in an emergency is estimated to be more than an hour. This delay could cost lives. Lemon Creek is rather remote with marginal access for a Complex with challenging trails for the most talented riders that would be expected to attract large numbers of users.

EA OMISSIONS: While studying the EA, I was disappointed and surprised that it does not include engineering, geology, sociology and economy. This points out the need for an Environmental Impact Statement. No one with whom I have discussed this Complex believes that trails on the steep talus slope in Lemon Creek are sustainable. Soil compaction and erosion would occur, damaging tree roots and reducing resilience of the forest.

WILDLIFE: The EA indicates that 48% of the project area is core habitat for elk and deer.

EA p. 13: “Proposed actions would impact components of these habitat types and therefore may impact these species or their use of the habitat.” It goes on to say that Lemon Creek is not “High Quality” habitat. Not all cervid range is High Quality habitat: I’ve hunted both mule deer and elk in something less than high quality habitat, but they were there, doing what elk and deer do at various times of the year. There are elk and deer in the Lemon Creek watershed. We have observed them, in person, and we have trail camera photos of them in summer and fall.

EA p. 17: “High quality habitat that falls within close proximity to open roads is not likely to serve as suitable calving or fawning habitats due to disturbance related factors from motorized vehicle use.” The current level of human disturbance is trivial compared to the disturbance associated with a mountain bike trails Complex, based on expected high usage predicted by even Travis Holman.

Researchers at the Starkey Research Project determined that mountain bikes are second only to motorized vehicles in disturbing elk. Current levels of disturbance, including infrequent motorized and non-motorized vehicles, does not rise to the level of disturbance that causes elk and deer to avoid the area for reproduction: They spend time there year-round. The HEI habitat predictor for elk is out-of-date and is currently under study by the Oregon Department of Fish and Wildlife.

The ONF Forest Plan is dramatically out-of-date, but it states: “Protect the character of elk calving sites. Minimize disturbance between 15 May and 30 June (FP-4-246). Secretary of Agriculture, Tom Vilsack, asked the FS to “improve conditions, do not perturb it further,” when speaking of the Forest.

EA p. 24: Alt. #6, “Most adverse effects to elk security.”

The EA says that Lemon Creek is important for elk and deer only for winter range when forest service roads are closed. Recent studies indicate that summer range is critical for successful overwintering and reproduction. Our observations indicate that Lemon Creek is used by elk and deer during the months when mountain bike usage in the watershed would be disruptive. It would not be intermittent disturbance, as in the studies within the Starkey Research Project. Rather it would be much greater and continuous disturbance within and adjacent to the switchbacks

planned for the extreme part of the Complex. Many mountain bikers take dogs with them. This would be another disturbance that was not measured at Starkey that exacerbates disturbance to deer, elk and other ground dwelling animals.

We also have photos of black bear and cougar in Lemon Creek during summer. The EA acknowledges that large animals inhabit Lemon Creek and that they would be displaced by the Complex. They trivialize this occurrence, rationalizing their decision by stating that the animals would just move elsewhere within the ONF. **THAT IS NOT THE POINT!** The point is that there is no justification for installing a commercial, extreme mountain bike trail complex that would damage the land and disturb wildlife. A more suitable location can be found within the ONF. Remember, the EA is for Lemon Creek, not the ONF.

EA p. 9: “Impacts on wolves are not significant at the landscape scale.” This is a rationalization, ignoring the impact on quadrupeds and other animals within the Lemon Creek watershed. Do you two consider that microcosms matter, or do you limit yourselves to consideration of only landscape level effects?

The EA indicates that other animals, including woodpeckers and bumble bees, would be displaced by the Complex. It also indicates that no raptors use the project area. **This is not true.** We have seen owls, red-tailed hawks, marsh hawks, golden eagles and a pair of bald eagles within and adjacent to the project area. Bald eagles fledged at the south end of Lemon Creek in 2021. Their calls could be heard in the same area in 2022.

EA p. 34: “negative trend of habitat suitability for all species due to habitat fragmentation and disturbance factors from and increase in human use within the project area.” Disturbance is stated in the EA. How can the FS feel comfortable contributing to fragmentation, disturbance and reduced forest resilience?

XIV: Calving Forest Wide: “Protect character of the land. Only impact would be during construction and maintenance.” Do you two really believe that? Your wildlife biologists and ODFW wildlife biologists do not believe that. What about all of the disturbance during trail riding?

THE LAND: The EA states, “Proposed action would not impact live trees within Ponderosa pine habitats.” How can this be true. Climate change and extended drought were not considered and modeled to estimate potential interactions that compromise tree health in the project area. Ponderosas in the project area are already dying from causes associated with reduced precipitation. The western pine beetle, *Dendroctonus brevicomis*, is an opportunistic organism that kills stressed Ponderosas pine. As extreme drought continues in the Ochocos and other parts of Central and Eastern Oregon, it is reasonable to predict that mitigating stress and increasing resilience of the forest will become increasingly important. We need to minimize perturbation, including damage to tree roots.

CUMULATIVE EFFECTS: This alone indicates need for an EIS. “Other commercial and non-commercial treatments previously implemented within the project area.” This included logging, by helicopter, to minimize disturbance to the land on the steep talus slopes associated with the downhill trails for expert riders. Vegetation management is planned: Mill Creek Restoration Project and Mill Creek AMP Project. Interaction inputs can be addressed in the EIS. The EA states that “Planned multiple actions would combine to increase ambient disturbance from the Lemon Gulch trails project. Again, this calls for an EIS.”

At the bottom of p. 9 in the Wildlife Section, the EA states: “This project does propose to increase human use above existing levels.” In fact, it would **DRAMATICALLY** increase human use and attendant disruption, as stated previously in my letter. Planned, competitive events would overwhelm the ecosystem within both Lemon Creek and the Mill Creek Valley. There would be no way to mitigate this.

Trail Structure: Within the EA, we see mention of trail width of 18” and then not wider than 36.” The narrative might have been referring to trails on relatively flat land vs. the wider trails for switch backs on steep talus slopes. As far as I could see, this was not clarified. Furthermore, according to a geologist who studied areas of flagged trees for trail locations on steep slopes, told us that there is no way to pack those switch back trails into that area and that the trails would not be sustainable without herculean, expensive efforts.

HYDROLOGY: BMP’s mention “dispersed use, not intense use.” **This Complex would certainly be intense use.**

EA p. 2: claims 17” of precipitation per year. Which years, decades did you use? What kinds of precipitation? Precipitation by month and type (rain, snow)? Did the EA factor in Climate Change and model interactions and impacts?

EA p. 9: Is it rational to predict no effect on water quality if the Complex is built?

EA p. 11: In fact, rainbow trout have inhabited Lemon Creek and reproduced there.

EA p. 12: “Additional sedimentation not a threat to rainbow trout.” Really?

“Rainbow trout will continue in the ONF.” Of course, they will, but, again, that’s not the point, is it. The question here in this EA is impacts to the project area.

BOTANY: Only concerned about sensitive plant species. Why?

Executive order 13112 (1999) directs the Federal Agencies to reduce spread of invasive plants.

2004: “President’s Healthy Forest Initiative” – Preventing invasive species.

Minimize the introduction of non-native, invasive plants. Minimize conditions that favor the establishment and spread of invasive plants.

Existing Condition: Dispersed camping, often in riparian areas, increases risk of introduction and spread of invasive, noxious weeds. Riparian areas within the project area are already infested with ... At this time, there is very little camping within the project area, including along Lemon Creek. Off-trail camping along mountain bike trails would dramatically increase the likelihood of introducing noxious weeds to the Lemon Creek watershed. Studies in Europe have measured distance of propagule spread from mountain bikes. They found spread up to 600 km and that even after washing the bike, there was still a slim chance of spreading seeds. How could you and others offset the increased spread of noxious weeds? "Alt. #6 and all other alternatives are indicated as high risk for introducing non-native, noxious weeds..." I rest my case on this objection.

Please consider that your choice of Alternative #6 vs. the original 52 miles of trails would only marginally reduce impacts. Less ground would be disturbed, but just as many riders and watchers would visit the Lemon Creek watershed to participate and observe planned competitions.

Sincerely and respectfully,

David G. Nielsen, Ph.D.
Professor Emeritus
The Ohio State University

Cc: Glenn Casamassa, Randy Moore, Tom Vilsack, Cliff Bentz, Vikki Breese Iverson

It seems that the Forest Supervisor and District Ranger at the ONF are acting like prostitutes, selling themselves for a service: aligning themselves with the mountain biking community, so that special interest group will build treaded, looped trails on National Forest land. It seems the FS has become or is becoming the heroes of the mountain biking community. They seem to be willing to destroy heritage of the Mill Creek Valley that we hope future generations will be able to enjoy. We need to stop this kind of misguided assault on our natural resources.

Forest fires have always been a danger in Central Oregon. Crook County is now in extreme drought, following decades of low rainfall and snowpack. The area is drier than it has been in the past 1200 years. The Ochoco National Forest is extremely dry and stressed.

To build a mountain bike trail Complex in Lemon Creek would dramatically increase the likelihood of human-caused ignitions in the Forest due to increased traffic and off-trail, overnight camping.

Plans to build a church camp near Lemon Creek in the 1990's were scrapped, because the Forest Service considered the activity to be dangerous due to the potential for forest fires. This danger has heightened in the past 20+ years.

What are you thinking? I always considered the Forest Service to be a care giver to forest lands. Now, you are proposing to assault the Lemon Creek watershed with unmanaged recreation that will damage the land and vegetation and disturb wildlife and the local human community. There is NO demand for this. Rather it is a request by a few riders looking for challenging, downhill rides that will attract many riders and onlookers at scheduled, competitive events.

I respectfully request that you reconsider Alternative 6 and choose the "No Action" alternative.

Thank you,

Sharron Nielsen, [REDACTED]
Cc: Glenn Casamassa, Randy Moore, Cliff Bentz, Vikki Breese Iverson