



Crook County

Mailing: 300 NE 3rd Street • Prineville, Oregon 97754
Physical: 203 NE Court Street • Prineville, Oregon 97754
Phone (541) 447-6555

May 1, 2024

RE: Mill Creek Dry Forest Restoration Project Objection

VIA: <https://www.fs.usda.gov/project/ochoco/?project=58081>

Pursuant to 36 C.F.R. Part 218.7, the Board of Commissioner, Crook County Oregon files this objection to the proposed draft decision for the Mill Creek Dry Forest Restoration Project (Mill Creek). Slater Turner, District Ranger is the responsible official. The Mill Creek project occurs on the Lookout Mountain District on the Ochoco National Forest.

Objector

County of Crook, Oregon
300 NE 3rd Street
Prineville, OR 97754
(541) 447-6555

The Board of Commissioners is the governing body for Crook County, Oregon. In 2017, Crook County adopted its Crook County Natural Resources Policy. This 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 within the boundaries of the County. As allowed by federal law, the Board of Commissioners exercises its legal right to full participation in the planning and other decision making processes utilized by the federal agencies for a particular project and for developing and implementing land use plans and actions within the County. The Board's interests extend to land use plans or action formulation, project development and implementation, including monitoring and evaluation. Crook County policy directs that all decisions be based on current relevant science and data. 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 Board recognizes the inherent natural beauty and the quality of life afforded to the citizens and visitors to Crook County. The Board also 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.

Objector's Designated Representative:

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

The content of this objection below is based upon the prior specific written comments submitted by Crook County in response to the Draft EA which are hereby incorporated by reference.

The County finds that the **Finding of No Significant Impact (FONSI)** is not accurate and dismisses the fact that not implementing the higher level of treatments does not achieve the purpose and need and has a significant effect on the human environment. The Forest Service is not meeting responsibilities as outlined in the Ochoco NF Land and Resource Plan, regulations and the intent of present and existing priorities set forth by the Chief of the Forest Service to address Fire Risk and the Health and Safety of communities in and around our National Forests.

The County finds that the FS was only responsive to comments from organizations (national environmental organizations) wanting less treatment of the area and was dismissive of those needing more extensive treatment (adjacent landowners, forest users, county infrastructure managers). **By not meeting the project Purpose and Need** to the greatest extent possible, leaves the Forest in High Fire Risk perpetuating the risk to health and safety of fire fighters, first responders, adjacent lands, forest users and affecting County residents as a whole. Additionally, choosing to use management tools (non-commercial thinning and prescribed fire) instead of maximizing the opportunity to use the timber industry further undermines the forest responsibility to assist in maintaining a healthy regional and national industry providing the public with a consistent and constant flow of wood products and jobs which contribute to our local economy.

The forest is at fault for not proposing this project under the Healthy Forest Restoration Act (HFRA), not prioritizing it above other projects, and perpetuating the condition of an already volatile fire regime.

When compared to the Proposed Alternative, Alternative 4 Modified fails to adequately meet the Purpose and Need of the project.

The Purpose & Need as it appears in the Final EA includes the following:

Increase Resilience to Insects, Disease, Fire, and Drought:

“Many stands, which were historically dominated by ponderosa pine, now have increased amounts of grand fir, Douglas-fir, and Western juniper in younger age classes in both the under and over-stories.”

“The existing amount of dense structural stages is more than twice the historic range for this condition (24,531 acres currently as opposed to an HRV of 6,571-14,028 acres).

"Stands of large trees (mainly ponderosa pine) with an open park-like nature which were abundant historically and maintained by frequent low intensity fires in most plant

association groups (PAGs) are now relatively scarce and below their historic levels of abundance."

It is the opinion of Crook County that the goal of any Forest Service vegetation management project should be to meet the stated project objectives to the maximum extent possible across as many acres of the project area as possible. The scope, measured in acres treated for this project, should be the metric that indicates how well the Forest Service is meeting its stated objectives on any given project. In other words, meeting the stated Purpose & Need on 500 acres is inferior to meeting the stated Purpose & Need on 600 acres.

In our Draft EA comments, we expressed concern regarding the scope of the project relative to the project area. The Draft Decision Notice and EA consider the treatment of 7787 acres, which constitutes only 34% of the entire project area, excluding the wilderness, managed by the Forest Service. Our Draft EA comments supported Alternative 3 including removal of large diameter grand fir and Douglas-fir up 29.9 inches dbh as appropriate and allowing for ground-based operations on slopes greater than 35 percent with appropriate mitigating measures.

Dramatic and ongoing mortality taking place in the grand fir was emphasized by FS personnel during a meeting with Forest Service on March 31, 2023 and a field trip with the Ochoco Forest Restoration Collaborative (OFRC) on October 17, 2023. Presentations and field verification of this issue highlighted the concerns. Maximizing treatment acres applies not just to the safety and wellbeing of our citizens in the case of elevated wildfire risks as a result of this documented mortality but also to the full attainment of the stated Purpose & Need as referenced above, the obtainment of a healthy and viable forest. Any reduction in acres will inhibit the attainment of the project objectives.

Crook County expressed full support for treating Riparian Habitat Conservation Areas (RHCAs) in our draft EA comments. Treating riparian areas by removing encroaching conifers is critical for establishment of hardwoods and stream health and function. Further, riparian areas can serve as "wicks" for wildfire. A fire starting in the lower elevations of Mill Creek could burn upslope, spreading fire as it traveled, into the Mill Creek Wilderness. Any reduction in RHCA treatments increases the chances of undesired effects from wildfire.

Crook County objects to the required use of helicopters for commercial thinning purposes. Industry has consistently advised the Ochoco National Forest that both helicopter and skyline thinning have limited viability on the current proposed projects. Newer, and much safer, tethered and traction assist logging systems are available in the Ochoco working circle and should be analyzed for during the NEPA process.

Ultimately, we believe that full implementation of the acres in the Draft EA is the only way to best meet the Purpose and Need and to maximize its attainment for all the elements.

In Summary:

The following areas were not adequately addressed as it relates to previous County responses to this project:

1. Forest Management should have worked with Forest Service Regional and National leaders to be allowed to do a Forest Plan Amendment allowing and encouraging the use of proven and appropriate ground based harvesting methods. The Forest Plan has not been amended enough to bring forward the allowance of contemporary tools needed in modern times.
2. In all forest documents, field trips, and presentations concerning this project the dead, dying and decadent fir is mentioned as a prime reason for proposing the project yet this decision leaves a tremendous amount of large and decadent fir inviting insect, disease, and large-scale disturbance.
3. The continued mention of the Lemon Gulch project, especially as it related to cumulative effects is disturbing since there is no decision for this project. This leads the public to believe that you will be implementing this project, when you have stated that it has been tabled indefinitely. Further it is inappropriate to include it when there is no decision, since it is not “reasonably foreseeable”.
4. Pulling out commercial harvest in RHCAs makes many of the units unviable, therefore leaving the areas more dense (Decision, p.3). This also leaves too many conifers in the RHCAs and does not allow for the perpetuation of the preferable deciduous hardwoods along streambanks for shading. This, again, perpetuated the fire risk as outlined by your own science in the Fire section of the analysis.

NEPA provides an avenue for Forest Managers to have a public discussion of the trade-offs of various options related to achieving goals and objectives for approved Forest Management plans. By dismissing local entities (county governments, local economics, forest users, adjacent landowners, and industry who provide insight into the human environment aspect of the analysis and decision, you continue to waste time with mediocrity and ineffectiveness.

Resolution Requested

Crook County requests that the Deciding Official select Alternative 3 as the preferred alternative.

Request for Resolution Meeting

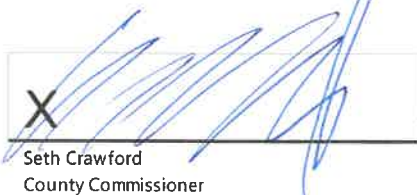
Pursuant to 36 C.F.R. § 218.11, the objectors request to meet with the reviewing officer to discuss the issues raised in this objection and potential resolution. In the event multiple objections are filed on this decision, Crook County respectfully requests that the resolution meeting be held with all objectors present. Crook County believes that having

all objectors together at one time, though perhaps making for a longer meeting, in the long run will be a more expeditious process to either resolve appeal issues or move the process along. As you know, 36 C.F.R. § 218.11 gives the Reviewing Officer considerable discretion as to the form of resolution meetings. With that in mind, Crook County requests to participate to the maximum extent practicable, and specifically requests to be able to comment on points made by other objectors in the course of the objection resolution meeting.

Thank you for your efforts on this project and your consideration of this objection. Crook County looks forward to our initial resolution meeting. Please contact our representative, Tim Deboodt at the address and phone number shown above, to arrange a date for the resolution meeting.

Sincerely,

Crook County Board of Commissioners

X 
Seth Crawford
County Commissioner

X 
Brian Barney
County Commissioner

X 
Susan Hermreck
County Commissioner